

TIME'S UP

A Manual of the
Statutes of Limitations in Minnesota
for Civil Litigators

Prepared and published by



Civil Litigation Section
Minnesota State Bar Association
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MSBA



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“Time’s Up” is colloquial for Time is Up

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Acknowledgments

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Hon. Edward Wahl
Chair, Minnesota State Bar Association
Civil Litigation Section
December 30, 2019

How to Use This Book

The Manual identifies and organizes time limits imposed for civil claims by the Minnesota Statutes. This Manual covers statutes of limitation, statutes that direct action by a party during the pendency of a civil lawsuit, and statutes that direct a person or an entity to take a certain action within a specific time. The Manual does not address time limits for administrative actions or criminal procedure. Instead, it is meant to be a Manual that is used by civil litigators, and thus addresses time limitations that would bar a civil litigant from seeking relief in the Minnesota courts.

The Manual covers time limitations in the Minnesota Statutes, as well as in the Minnesota Rules of Civil Procedure, General Rules of Practice in the District Courts, and the Minnesota Rules of Civil Appellate Procedure. The Manual organizes the time limits by statute and rule numbers. Thus, the time limits for a specific matter can be verified by using the statute number, if known, or by referring to the Manual's subject index.

Although the Manual provides a first step in identifying and understanding statutory time limits, reading the Manual cannot substitute for reading the original statute in full and checking for legislative changes that have occurred since the Manual's publication. It also does not cover sources of information outside the Minnesota Statutes. Time limits imposed by administrative agencies, and city and county ordinances may also apply and must be checked.

Finally, using the Manual is not a substitute for checking case law, which expands upon and interprets many of the statutes in this Manual. These cases are critical in understanding and interpreting statutory deadlines, and therefore, these cases must be thoroughly researched.

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I. STATUTES OF LIMITATION

An attorney must be aware of the statutes of limitations governing various causes of action. A statute of limitation provides a period of time within which a lawsuit must be started, or the right to file suit is lost. Entzion v. Ill. Farmers Ins. Co., 675 N.W.2d 925, 928 (Minn. Ct. App. 2004) (“The purpose of a statute of limitations is to prescribe a period within which a right may be enforced and after which a remedy is unavailable for reasons of private justice and public policy.”) (citation omitted). Statutes of limitation therefore specify the period of time within which an action must be commenced after a cause of action has accrued. “Statutes of limitations exist to provide a defendant with ‘peace of mind’; they also ‘recogniz[e] that after a certain period of time it is unfair to require the defendant to attempt to piece together’ a defense to an old claim.” Abbott v. McNeff, 171 F. Supp. 2d 935, 939 (D. Minn. 2001) (citation omitted) (alterations in original). Statutes of limitation are also thought to “discourage[] fraud and endless litigation” and to “prevent[] a party from delaying an action until papers are lost, facts are forgotten, or witnesses are dead.” Entzion, 675 N.W.2d at 928 (citations omitted). The following discussion serves as a basic introduction to statutes of limitation under Minnesota law and addresses some of the common questions and concerns that exist regarding these statutes.

A. Statutes of Limitation versus Statutes of Repose

When analyzing the period of time within which to bring an action, it is important to keep in mind that both statutes of limitation and statutes of repose exist in Minnesota. The difference between a statute of limitation and a statute of repose has been explained as follows: “While statutes of limitation are sometimes called ‘statutes of repose,’ the former bars right of action unless it is filed within a specified period of time after injury occurs, while ‘statute of repose’ terminates any right of action after a specific time has elapsed, regardless of whether there has as yet been an injury.” Koes v. Advanced Design, Inc., 636 N.W.2d 352, 357 (Minn. Ct. App. 2001) (citation omitted). “Statutes of repose by their nature re-impose on some plaintiffs the hardship of having a claim extinguished before it is discovered, or perhaps before it even exists.” Id. (citation omitted).

Minnesota Statute § 541.051, governing “[l]imitation of action for damages based on services or construction to improve real property,” provides, in part, an example of a statute of repose. The statute provides that “a cause of action [shall not] accrue more than ten years after substantial completion of the construction.” Minn. Stat. § 541.051, subd. 1. The “[d]ate of substantial completion shall be determined by the date when construction is sufficiently completed so that the owner or the owner’s representative can occupy or use the improvement for the intended purpose.” Minn. Stat. § 541.051, subd. 1. “Like all statutes of repose, this provision bars any litigation, regardless of discovery or non-discovery of the defect.” Koes, 636 N.W.2d at 357-58 (noting, however, that different limitation periods apply to warranty claims). As this statute demonstrates, it is important to keep the distinction between statutes of limitation and statutes of repose in mind when analyzing various limitation periods.

B. Accrual of a Cause of Action

For purposes of determining when a statute of limitation begins to run, it is necessary to determine when the cause of action accrued. In general, “[a] cause of action accrues and the statute of limitations begins to run when the cause of action will survive a motion to dismiss for failure to state a claim upon which relief can be granted. . . . [T]he running of the statute does not [however] depend on the ability to ascertain the exact amount of damages.” Herrmann v. McMenemy & Severson, 590 N.W.2d 641, 643 (Minn. 1999). Put another way, a claim accrues once the plaintiff has “a complete and present cause of action.” Randy’s Sanitation, Inc. v. Wright County, Minn., 65 F. Supp. 2d 1017, 1022 (D. Minn. 1999) (citation omitted).

Different causes of action accrue at different periods of time. Determining when a cause of action accrues can be quite challenging. For example, a medical malpractice action in Minnesota must be brought within four years from the date the cause of action accrues. Minn. Stat. § 541.076 (increasing the previous two year statute of limitations period for a Minnesota medical malpractice action, effective August 1, 1999). A medical malpractice cause of action may, however, accrue at different periods depending on the facts of the case. The cause of action may either accrue when the treatment ceases under the “termination-of-treatment rule,” or on the date of the allegedly negligent act - if a single act is involved. Molloy v.

Meier, 660 N.W.2d 444, 454 (Minn. Ct. App. 2003) (discussing the “termination-of-treatment rule” and the “single-act exception,” and further noting that fraudulent concealment by a physician will toll the running of the statute of limitations period). It is possible, therefore, that the statute of limitations in Minnesota for a medical malpractice suit may “bar a cause of action before the injured party discovers they are suffering damages caused by negligent medical conduct.” *Id.* (noting that unlike Minnesota, other jurisdictions have adopted a “discovery rule” which tolls the statute of limitations until the “the patient discovers or should have discovered the injury”) (citation omitted).

A breach of contract action, in comparison to a medical negligence action, “accrue[s] at the time of the breach, even though actual damages occur later.” *See, e.g., Parkhill v. Minn. Mut. Life Ins. Co.*, 174 F. Supp. 2d 951, 956 (D. Minn. 2000) (citation omitted). An action for defamation under Minnesota law accrues on the date of publication, not on the date that the statement is discovered. *Hayes v. Blue Cross Blue Shield of Minn., Inc.*, 21 F. Supp. 2d 960, 978 (D. Minn. 1998). As these examples demonstrate, a cause of action may accrue at various points of time. It is important, therefore, to be aware of all the facts involved in any potential action in order to accurately determine when the cause of action accrued.

C. Commencement of an Action

After a cause of action accrues, it must be commenced within the period prescribed by the applicable statutes of limitation. Whether a claim has properly been commenced requires an analysis of Minnesota Rule of Civil Procedure 3.01. *Wallin v. Minn. Dep’t Of Corr.*, 598 N.W.2d 393, 400 (Minn. Ct. App. 1999) (“[W]here a state statute of limitations may bar a state claim, commencement of the suit must be determined under the state rules.”). Rule 3.01 discusses when a civil action commences, and provides:

A civil action is commenced against each defendant:

- (a) when the summons is served upon that defendant, or
- (b) at the date of signing of a waiver pursuant to Rule 4.05, or
- (c) when the summons is delivered to the sheriff in the county where the defendant resides for service; but such delivery shall

be ineffectual unless within 60 days thereafter the summons is actually served on that defendant or the first publication thereof is made.

Minn. R. Civ. P. 3.01. In order to properly commence a civil action and avoid having a statute of limitations period expire, service must be proper under Rule 3.01. See, e.g., Mellett v. Fairview Health Servs., 634 N.W.2d 421, 424 (Minn. 2001) (explaining that “service of process on one member of a joint venture does not constitute service on the other members of the joint venture for statute of limitations purposes”); Krause v. Kim, 379 N.W.2d 91, 92-93 (Minn. Ct. App. 1986) (statute of limitations had run on a negligence action against a physician when service was improper and personal service was not effected until more than two years past the expiration of the statute of limitation period). It is important, therefore, to ensure that an action is properly commenced within the time period allowed by the applicable statutes of limitation.

D. Effect of Repeal of Statutes of Limitation

In Minnesota, “the statute [of limitations] in force at the time the action is brought controls[.]” Sarafolean v. Kauffman, 547 N.W.2d 417, 421 (Minn. Ct. App. 1996) (citation omitted) (alterations in original). However, if the time for commencing an action had already elapsed under an old statute of limitations, while the old statute was still in effect, then the suit is time-barred. Id. “This general rule may not be applicable, however, if the legislature intended the new statute of limitations to be retroactive.” Id. (citation omitted). An attorney should, therefore, be aware of both the statutes of limitations that are in effect when the suit is commenced, as well as older statutes of limitations that could also possibly serve as an impediment to the action.

E. Retroactivity of Statutes of Limitation

Statutes of limitation in Minnesota are only applied prospectively, unless clear evidence exists that the legislature intended the statute of limitations to have retroactive effect. State v. Traczyk, 421 N.W.2d 299, 301 (Minn. 1988) (explaining, however, that a notable exception to this general rule exists in the area of worker compensation law); see also Minn. Stat.

§ 645.21 (“No law shall be construed to be retroactive unless clearly and manifestly so intended by the legislature.”).

F. Conflict of Laws and Limitation Periods

If a claim is substantively based upon the law of another state, the limitation period from that state applies. Minn. Stat. § 541.31. But when “a cause of action arises outside of this state and the action is barred under the applicable statute of limitations of the place where it arose, the action may be maintained in this state if the plaintiff is a resident of this state who has owned the cause of action since it accrued and the cause of action is not barred under the applicable statute of limitations of this state.” Minn. Stat. § 541.31. If the law of more than one state applies to a claim, then “the limitation period of one of those states chosen by the law of conflict of laws of this state applies.” *Id.* “If the statute of limitations of another state applies to the assertion of a claim in this state, the other state’s relevant statutes and other rules of law governing tolling and accrual apply in computing the limitation period, but its statutes and other rules of law governing conflict of laws do not apply.” Minn. Stat. § 541.32.

In addition, under Minnesota law, “[i]f the court determines that the limitation period of another state applicable under sections 541.31 and 541.32 is substantially different from the limitation period of this state and has not afforded a fair opportunity to sue upon, or imposes an unfair burden in defending against, the claim, the limitation period of this state applies.” Minn. Stat. § 541.33.

G. Tolling and Extending Statutes of Limitations

At times, a statute of limitation can be “tolled” or otherwise extended for a period of time. “‘Tolling’ refers to suspending or stopping the running of a statute of limitations; it is analogous to a clock stopping, then restarting. Tolling may either temporarily suspend the running of the limitations period or delay the start of the limitations period.” 51 Am. Jur. 2d Limitation of Action §148 (2011). For example, the “[c]ommencement of an action tolls the statute of limitation during the action’s pendency so long as the action is prosecuted to final judgment.” *Sherek v. Indep. Sch. Dist. No. 699*, 464 N.W.2d 582, 584 (Minn. Ct. App. 1990) (citation omitted). Some additional

examples of when statutes of limitations may be tolled or extended are discussed below.

Minnesota Statute § 541.15 allows certain periods of disability to toll a statute of limitations period. The following grounds of disability will toll a statute of limitations: (1) that the plaintiff is within the age of 18 years; (2) the plaintiff's insanity; (2) the plaintiff's insanity; (3) if the plaintiff "is an alien and the subject or citizen of a country at war with the United States; (4) when the beginning of the action is stayed by injunction or by statutory prohibition." Minn. Stat. § 541.15(a). Pursuant to § 541.15, "grounds of disability existing at the time when a cause of action accrued or arising anytime during the period of limitation, shall suspend the running of the period of limitation until the same is removed; provided that such period, except in the case of infancy, shall not be extended for more than five years, nor in any case for more than one year after the disability ceases." *Id.* (also noting that "[i]f two or more disabilities shall coexist, the suspension shall continue until all are removed"). In actions involving "malpractice, error, mistake, or failure to cure, whether based on contract or tort, against a health care provider," if the plaintiff is under the age of 18, the period of limitations is suspended until the disability is removed, but the suspension "may not be extended for more than seven years, or for more than one year after the disability ceases." Minn. Stat. § 541.15(b).

A statute of limitations may also be tolled "[w]hen a cause of action accrues against a person who is out of the state and while out of the state is not subject to process under the laws of this state or after diligent search the person cannot be found for the purpose of personal service when personal service is required[.]" Minn. Stat. § 541.13. Similarly, a statute of limitations may also be tolled if "after a cause of action accrues, the person departs from and resides out of state and while out of the state is not subject to process under the laws of this state or after diligent search the person cannot be found for the purpose of personal service when personal service is required[.]" *Id.* If such situations arise, "the time of the person's absence is not part of the time limited for the commencement of the action." *Id.*

In addition, "[i]f the death of a person occurs within the last year of the period of limitation for the commencement of an action, the action may be commenced by the personal representative at any time within one year after

such death. If a cause of action survives against a decedent, which is not required by law to be presented as a claim against the decedent's estate, an action may be brought thereon against the personal representative of the decedent at any time within one year after death or within the limitation period otherwise prescribed, whichever is longer." Minn. Stat. § 541.16. Finally, it is important to note that in the absence of fraud, ignorance of a cause of action will not toll a statute of limitations period. See, e.g., Goellner v. Butler, 836 F.2d 426, 431 (8th Cir. 1988) (applying Minnesota law).

H. Relation Back of Amendments to Pleadings

After service of a responsive pleading, a party may amend a pleading only by leave of court or by written consent from the opposing party. Leave shall be freely given when justice so requires. Minn. R. Civ. P. 15.01. "Under Minn. R. Civ. P. 15.03, an amendment that adds a new defendant relates back to the date of the original complaint so long as: (1) the claim against the intended defendant arises out of the conduct or occurrence alleged in the original pleading; (2) the party to be added has received such notice of the institution of the action that he will not be prejudiced; (3) the intended party knows or should have known the action against the wrong party was a mistake and that the action was meant to be brought against him; and (4) such notice and knowledge were received by the intended defendant within the period provided by law for commencing the action against him." Kramer v. St. Cloud Hosp., 2012 Minn. App. Unpub. LEXIS 115 (Minn. Ct. App. Feb. 6, 2012).

I. Statutes of Limitation as an Affirmative Defense

A statute of limitation must be asserted as an affirmative defense. Minn. R. Civ. P. 8.03. The party asserting that the cause of action is barred by the expiration of a statute of limitations period "bears the burden of establishing that the claims are time-barred as a matter of law." Nolan & Nolan v. City of Eagan, 673 N.W.2d 487, 495 (Minn. Ct. App. 2003).

II. COMPUTING TIME UNDER THE MINNESOTA RULES

****** New timing rules begin JANUARY 1, 2020 ******

The Minnesota Rules of Civil Procedure, Minnesota Rules of Appellate Procedure, and the Minnesota General Rules of Practice all provide guidelines for computing time. Starting January 1, 2020, these timing rules are changing to embrace the 2009 Federal Rules of Civil Procedure changes. The changes include generally counting Saturdays, Sundays, and legal holidays and adjusting most time periods to 7, 14, 21, and 28 day schedules. See tables below.

It is extremely important to compute accurately the timing requirements under the rules. Please read and analyze the amended rules themselves.

Under the new Minn. R. Civ. P. 6(a), when computing “any time period of time specified in these rules, in any local rule or court order, or in any statute that does not specify a method of counting time,” follow these rules:

1. Period stated in days or a longer unit of time:
 - A. Exclude the day of the event that triggers the period;
 - B. Count every day, including intermediate Saturdays, Sundays, and legal holidays; and
 - C. Include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.
2. Periods shorter than 7 days: Only if expressly so provided by any other rule or statute, a time period that is less than 7 days may include intermediate Saturdays, Sundays, or legal holidays.
3. Period stated in hours:
 - A. Begin counting immediately on the occurrence of the event that triggers the period;
 - B. Count every hour, including hours occurring during intermediate Saturdays, Sundays, and legal holidays; and

C. If the period would end on a Saturday, Sunday, or legal holiday, the period continues to run until the same time on the next day that is not a Saturday, Sunday, or legal holiday.

4. Inaccessibility of the court administrator's office:

A. On the last day for filing or service under Rule 6.01(a)(1), then the time for filing is extended to the first accessible day that is not a Saturday, Sunday, or legal holiday; or

B. During the last hour for filing under 6.01(a)(1), then the time for filing is extended to the same time on the first accessible day that is not a Saturday, Sunday, or legal holiday.

Minn. R. Civ. P. 6.01(a). The 2019 Advisory Committee Comments note the most important change is Rule 6.01(a)(1)(B) – establishing “a day is a day” means including every day during the period, including weekends and legal holidays.

Last day ends at 11:59 p.m. local Minnesota time for electronic filing and, if filing by other means, when the Court Administrator's office closes. Minn. R. Civ. P. 6.01(b). The next day is “determined by continuing to count forward when the period is measured after an event and backward when measured before an event.” Minn. R. Civ. P. 6.01(c). The Advisory Committee Comments points out that Rule 6.01(c) establishes “an explicit rule for how days are counted when counting ‘backwards’ from a deadline.” If the last day falls on a weekend or a holiday – continue to count backwards to the *next earlier date* that is not a weekend or holiday.

Minnesota Rule of Civil Procedure 6.01 conforms with its federal counterpart, although as explained by the advisory committee: “Given the nature of Minnesota's weather, the committee believes specific provision for dealing with inclement weather should be made in the rules.” Minn. R. Civ. P. 6.01, advisory committee comments - 1996 amendments.

The Minnesota Civil Rules of Appellate Procedure changes incorporate “the method of computation specified in Rule 6.01 Minnesota Rules of Civil Procedure.” Minn. R. Civ. App. P. 126.01.

| Rules of Civil Procedure | |
|---------------------------------|--|
| Specific Change | Rule Number |
| 3 days changed 14 | 55.01(b) |
| 5 days changed to 7 | 4.042 5.05 32.04(c) |
| 10 days changed to 14 | 4.042 12.01 [2x] 15.01 26.06(D) 35.04 59.04 68.01(a); 68.01(e); 68.02(a); 68.02(d) |
| 10 days changed to 21 | 4.042 |
| 15 days changed to 14 | 59.05 |
| 20 days changed to 21 | 4.042 12.01 [4x]; 12.06 15.01 27.01(b) 53.07 |

| General Rules of Practice | |
|-------------------------------------|--|
| Specific Change | Rule Number |
| 1 day to 24 hours | 602 |
| 1 day changed to 7 | 136.01 |
| 2 days changed to 7 | 113.03(b) |
| 3 days changed to 72 hours | 4.03 |
| 3 days changed to 7 | 115.03(c) 115.04(c) 208 |
| 5 "business days" changed to 7 days | 611(c) |
| 5 days changed to 7 | 113.03(b) 114.09(b)(2) 126 141.01 303.01(c) [2x]; 303.03(a)(3) |

| | |
|-----------------------|---|
| | 353.02 359.01 361.01; 361.02; 361.03 [2x]; 361.04 364.05; 364.09 365.04 371.04 [2x] 372.04 [2x] 377.10 416(b) [2x] 509(b); 509(d) [2x] 510(a) |
| 7 days to 14 | 115.04(b) |
| 9 days to 14 | 115.03(b) |
| 10 days changed to 7 | 104 108 114.05 |
| 10 days changed to 14 | 9.04 [2x] 107 114.09(b)(2), (e) [4x] 114, App. II(G) 126 141.01 303.03(a)(1) 360.02 361.02; 361.02; 361.03 363.04 364.14 370.06 [2x] 371.05; 371.07 [2x] 372.06 [2x] 377.04; 377.05 508 703 |
| 14 days changed to 21 | 115.04(a) 303.03(a)(2) 372.04 |
| 15 days changed to 14 | 128 |

| | |
|---------------|---|
| | 8.07(a) 114.09(e); (f) [2x] 119.05(c) [2x] 122 364.03 370.01; 370.04 [2x]; 370.05 [2x] 371.01; 371.05 372.01 377.02; 377.05 515 519 520(a) & (b) 521(b) [2x], 521 (c); 521(e) |
| 30 days to 28 | 114, App. II(D), II(D) 146.03 304.03(a) 366.01 [2x] 377.04; 377.05 410(a); 410(b) 418(c) 510(b) [2x] |
| 45 days to 30 | 363.04 |

| Rules of Civil Appellate Procedure | |
|---|--|
| Specific Change | Rule Number |
| 5 days changed to 7 | 105.02; 105.03 115.03 116.03 120.02 134.01 140.02 |
| 10 days changed to 7 | 110.01 111.01 |
| 10 days changed to 14 | 107.02 109.02 [3x] 110.02 [4x] |

| | |
|-----------------------|---|
| | 111.01 115.04 [2x] 131.01 [2x] 132.01 140.01 [2x] 143.05 |
| 15 days changed to 14 | 109.02 110.03 [2x] |
| 20 days changed to 21 | 111, subd. 4 |

A. Legal Holidays

According to Minnesota Rule of Civil Procedure 6.01, a “legal holiday” includes any holiday designated in Minn. Stat. § 645.44, subd. 5 as a holiday for the state or any state-wide branch of government or any day that the United States Mail does not operate.” Minn. R. Civ. P. 6.01. The following “legal holidays” are designated by Minnesota Statute § 645.44, subdivision 5:

- New Year’s Day, January 1
- Martin Luther King’s Birthday, the third Monday in January
- Washington’s and Lincoln’s Birthday, the third Monday in February
- Memorial Day, the last Monday in May
- Independence Day, July 4
- Labor Day, the first Monday in September
- Christopher Columbus Day, the second Monday in October
- Veterans Day, November 11
- Thanksgiving Day, the fourth Thursday in November
- Christmas Day, December 25

Minn. Stat. § 645.44, subd. 5. Special rules apply, however, when certain legal holidays fall on either a Saturday or Sunday. For example, “when New Year’s Day, January 1; or Independence Day, July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday, the following day shall be a holiday and, provided, when New Year’s Day, January 1; or Independence Day, July 4; or Veterans Day, November 11; or

Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday.” *Id.* On legal holidays, “[n]o public business shall be transacted . . . except in cases of necessity and except in cases of public business transacted by the legislature, *nor shall any civil process be served thereon.*” *Id.* (emphasis added).

Minnesota Statute § 645.44 also allows the judiciary “the option of determining whether Christopher Columbus Day and the Friday after Thanksgiving shall be holidays. Where it is determined that Columbus Day or the Friday after Thanksgiving is not a holiday, public business may be conducted thereon.” Minn. Stat. § 645.44, subd. 5; see also Minn. R. Civ. P. 6.01 advisory comm. cmt - 1996 amendments. In 2006, the Minnesota Supreme Court ruled that Christopher Columbus Day is a holiday because there is no mail service on that day and ruling Columbus Day as a holiday would be consistent with federal treatment of the day. Commandeur LLC v. Howard Hartry, Inc., 724 N.W.2d 508, 511 (Minn. 2006). It is important to keep the dates of legal holidays in mind when computing time under the rules.

B. Enlarging or Extending Time Periods

Under certain circumstances, the court may enlarge or extend the period of time prescribed to complete an act. For example, the “court for cause shown may, at any time in its discretion, (1) with or without motion or notice order the period enlarged if request therefore is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect[.]” Minn. R. Civ. P. 6.02 (explaining, however, that the court “may not extend the time for taking any action under Rules 4.043, 59.03, 59.05, and 60.02 except to the extent and under the conditions stated in them”). If cause is shown before the period of time expired, the court may, therefore, order a period of time enlarged, with or without a motion or notice from the party making the request. If, however, the period of time within which to do the act already expired, then the party seeking to enlarge the time period must make a motion to allow enlargement and must show that their failure to act within the prescribed period was the result of excusable neglect.

Minnesota Rules of Civil Appellate Procedure also provide guidelines for when an appellate court can extend a period of time. The appellate court may, for “good cause shown . . . by order extend or limit the time prescribed by these rules or by its order for doing any act, and may permit an act to be done after the expiration of that time if the failure to act was excusable under the circumstances. The appellate court may not extend or limit the time for filing the notice of appeal or the time prescribed by law for securing review of a decision or an order of a court or an administrative agency, board, commission or officer, except as specifically authorized by law.” Minn. R. Civ. App. P. 126.02.

The period of time within which to perform an act may also be extended depending on the type and time of service. For example, “[w]henever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other document upon the party, and the notice or document is served upon the party by United States Mail, *3 days shall be added to the prescribed period*. If service is made by any means other than United States Mail and accomplished after 5:00 p.m. local Minnesota time on the day of service, *1 additional day shall be added to the prescribed period*.” Minn. R. Civ. P. 6.01(e) (emphasis added).

C. Statutes of Limitations

In Minnesota, “the day on which an act or event occurs is excluded in the determination of all questions of time. The rule relates to actions in tort, as well as upon contract, and to questions arising under statute of limitations.” Nebloa v. Minn. Iron Co., 112 N.W. 880, 881 (Minn. 1907) (citations omitted). The last day, however, is included in computing the period of limitation. Olesen v. Retzlaff, 238 N.W. 12, 15 (Minn. 1931), aff’d on reh’g, 184 N.W. 672, 673 (Minn. 1931).

III. CONCLUSION

Statutes of limitation and the computation of time under the rules are an important issue in many lawsuits and at times can be the reason for legal malpractice claims. The above discussion is therefore meant to serve as an introduction to some of the general principles regarding statutes of limitations and the computation of time. It is important, however, to always

review the relevant statutes and case law when addressing these issues, and in light of that to account for all deadlines.

MINNESOTA STATUTES

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| CHAPTER TITLE | Legislature |
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MINN. STAT.

§ 3.736 Title: **TORT CLAIMS AGAINST THE STATE**

Subd.: 5 Subtitle: *Notice required*

ACTION An action for damages by any person who suffers personal injury, injury to property or loss of property caused by an act or omissions of the state or a state employee while acting in the scope of employment. This remedy is limited to circumstances in which the state, if it were an individual, would be liable to the claimant and which are not expressly excluded by subdivision 3.

TIME LIMIT Within 180 days after the alleged loss or injury is discovered.

NOTATIONS If the claimant does not furnish full information regarding the nature and extent of the injuries and damages in the original notice, he or she must provide that information within 15 days after a demand by the state.

The time limit for providing notice does not include time during which the claimant was incapacitated by the injury and thus unable to give notice.

The 180-day time limit does not apply to wrongful-death claims, which are governed by § 3.736, subd. 6.

In addition to the notice requirements, the statutes of limitations for tort claims against the state are the same as those for claims between private parties.

MINN. STAT.

§ 3.736

Title: **TORT CLAIMS AGAINST THE STATE**

Subd.: 6

Subtitle: *Claims for wrongful death; notice*

ACTION

A claim against the state or a state employee acting in the scope of employment for a wrongful act or omission causing injury or loss resulting in death.

TIME LIMIT

Claimant must provide notice of the claim within 1 year after the alleged injury or loss resulting in death.

NOTATIONS

Notice may be provided by the decedent's personal representative, surviving spouse, next of kin, or by the consular officer of the foreign country of which the deceased was a citizen.

If the decedent notified the state of his or her claim for injury or loss before death, additional notice is not required.

Naylor v. Minnesota Daily, 342 N.W.2d 632 (Minn. 1984).

Notice of a claim is a non-jurisdictional requirement; failure to give notice is not grounds for dismissal of claim against state; state may use failure to give notice as a defense, if the state can establish prejudice.

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| CHAPTER TITLE | Public Utilities |
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| MINN. STAT. | |
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| § 3.737 | Title: LIVESTOCK OWNERS; COMPENSATION FOR DESTROYED OR CRIPPLED ANIMALS |
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| Subd.: 4 | Subtitle: <i>Payment, denial of compensation</i> |
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| ACTION | <p>A livestock owner shall be compensated for livestock destroyed, or crippled so that it must be destroyed, by an animal classified as endangered under the Endangered Species Act of 1973.</p> <p>The commissioner of agriculture reviews claims for compensation. If the commissioner denies a claim, it may be reviewed de novo in a court in the county where the loss occurred.</p> |
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| TIME LIMIT | Review in court may be obtained by filing a petition for review with the administrator of the court within 60 days following receipt of the commissioner's decision. |
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| NOTATIONS | Subdivision 3 of the statute authorizes the commissioner of agriculture to adopt rules, which shall include notice requirements by the owner of the destroyed livestock. |
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MINN. STAT.

§ 3.751

Title: **CONTRACT CLAIMS AGAINST THE STATE**

Subd.: 2

Subtitle: *Limitation of action*

ACTION

A party to a contract with a state agency for work, services, goods, or debt obligations may seek redress from the state in district court, if there is a controversy for which a party to the contract would be entitled to sue if the state were suable.

TIME LIMIT

Plaintiffs must commence their action against the state within 90 days after the plaintiffs receive a final estimate under the contract, or, at the election of the plaintiff, within six months after completion of the work provided for by the contract.

NOTATIONS

Kirckof Plumbing and Heating Co. v. State, 240 N.W.2d 804 (Minn. 1975). "Where a contract designates that any change orders will be separately signed agreements for additional work, change orders did not extend completion date for limitations purposes."

MINN. STAT.

§ 3.842

Title: **REVIEW OF RULES BY COMMISSION OR COMMITTEE**

Subd.: 4a

Subtitle: *Objections to rules*

ACTION

Petition by a legislative commission or committee for declaratory judgment to determine the validity of an administrative rule objected to by the commission or committee.

TIME LIMIT

Within 2 years after the filing of an objection by the commission or committee with the Secretary of State.

NOTATIONS

A commission or committee must publish any objection to an administrative rule in the next issue of the State Register.

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| CHAPTER TITLE | Secretary of State |
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MINN. STAT.

§ 5.22 Title: **CONTEST OF REGISTRATION OF NAME**

Subd.: 2(a) Subtitle: *Notice of contest; deposit*

ACTION A person doing business in Minnesota may contest the registration of a name by filing an acknowledged notice of contest with the secretary of state and sending a copy of that notice to the person who registered the contested name. The notice must be accompanied by a \$100 deposit.

TIME LIMIT Upon receipt of notice, the secretary of state shall ask the parties to submit affidavits within 30 days.

NOTATIONS

MINN. STAT.

§ 5.22

Title: **CONTEST OF REGISTRATION OF NAME**

Subd.: 5

Subtitle: *Appeal*

ACTION

A party may appeal the secretary of state's decision regarding a contested name in district court. The district court will review the case without regard for the secretary of state's decision.

TIME LIMIT

Parties must appeal within 20 days of the secretary of state's decision.

NOTATIONS

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| CHAPTER TITLE | State Auditor |
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MINN. STAT.

§ 6.59 Title: **CLAIM OF STATE FOR COST OF EXAMINATION,
CONTEST**

ACTION Any county, city, town, or school district that has received notice of a state claim from the state auditor may contest the claim by giving written notice to the attorney general. The attorney general then will serve the county clerk or auditor with a verified statement of the state's claim. Following that service, the county, city, town, or school district may file objections with the district court.

TIME LIMIT Parties must give notice to the attorney general on or before September 1 following service by the state auditor of notice of the state's claim. Parties must file objections with the district court within 10 days after the service by the attorney general of the verified statement of the state's claim.

NOTATIONS

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| CHAPTER TITLE | Emergency Management |
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| MINN. STAT. | |
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| § 12.33 | Title: ASSISTANCE BETWEEN POLITICAL SUBDIVISIONS |
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| Subd.: 3 | Subtitle: <i>Reimbursement by local government receiving assistance</i> |
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| ACTION | A political subdivision that provides emergency assistance to another political subdivision at the authorization of the governor may seek reimbursement from the political subdivision it assists. Claims for loss, damage, or expense in using equipment or supplies require the filing of an itemized and verified list of expenses with the receiving subdivision's clerk. |
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| TIME LIMIT | Itemized list must be filed within 90 days of loss, damage, or expense. |
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| NOTATIONS | For claims against state, see § 12.33, subd. 4. Time limit is the same. |
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MINN. STAT.

§ 12.34

Title: **PERSONS REQUIRED TO ASSIST**

Subd.: 2

Subtitle: *Compensation*

ACTION

The owner of property commandeered by the state during a national security emergency may appeal the amount of compensation provided by the state in district court.

TIME LIMIT

The property owner may appeal an order setting compensation only if, within 30 days of that order, the owner serves upon the governor or political subdivision concerned and files with the court administrator a written notice setting forth the order being appealed from and a detailed explanation of the compensation due.

NOTATIONS

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| CHAPTER TITLE | State Agencies - Administrative Procedure |
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| MINN. STAT. | |
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| § 14.63 | Title: APPLICATION |
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| ACTION | Petition for writ of certiorari by an aggrieved person for review of a final decision in a contested case. |
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| TIME LIMIT | Not more than 30 days after party receives the final decision and order of the agency. |
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| NOTATIONS | Under § 14.64, if a request for reconsideration of the agency decision is made within 10 days of the decision and order, the 30-day period provided in § 14.63 shall not begin to run until an agency order finally disposing the of the application for reconsideration. |
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| CHAPTER TITLE | Department of Administration |
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| MINN. STAT. | |
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| § 16B.67 | Title: APPEALS |
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| ACTION | Appeal to the state commissioner of administration from a final decision by a municipality regarding the application of the state building code. |
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| TIME LIMIT | Within 180 days of the decision. |
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| NOTATIONS | Request for appeal must be accompanied by a nonrefundable \$70 fee, payable to the commissioner. |
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| CHAPTER TITLE | Debt collection |
| MINN. STAT. | |
| § 16D.14 | Title: ** VENUE |
| Subd.: 2 | Subtitle: <i>Conciliation court; claims for \$2,500 or less</i> |
| ACTION | Response by debtor to change of venue form sent by commissioner of revenue or attorney general. Such a form must be included with a notice to the debtor of the state's intent to file a claim in Ramsey County. |
| TIME LIMIT | Within 30 days of the date on the change of venue request form. |
| NOTATIONS | Under subd. 3, dealing with conciliation court claims of more than \$2,500, the debtor must return the change of venue form within 30 days of service of the notice. Failure to meet the time limits for returning the form will result in the action remaining in Ramsey County. |

MINN. STAT.

§ 16D.14

Title: **VENUE**

Subd.: 4(a)

Subtitle: *District court*

ACTION

Response by debtor to change of venue form sent by commissioner of revenue or attorney general with notice of the state's intent to file a claim against the debtor in Ramsey County district court.

TIME LIMIT

The debtor must return the change of venue form within 20 days of the date of service, or the action will remain in Ramsey County district court.

NOTATIONS

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| CHAPTER TITLE | Department of Agriculture |
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MINN. STAT.

§ 17.9441 Title: **VENUE**

Subd.: 5 Subtitle: *Statute of limitations*

ACTION Claim that an agricultural contract violates the terms of § 17.943, which governs contract format and readability.

TIME LIMIT 6 years from the date the contract was executed.

NOTATIONS

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| CHAPTER TITLE | Livestock Market Licensing |
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MINN. STAT.

§ 17A.06 Title: **CLAIMS AGAINST BONDS**

Subd.: 3 Subtitle: *Public notice*

ACTION Filing with commissioner of agriculture a proof-of-damage claim resulting from a breach of livestock-market agency bond.

TIME LIMIT Where the livestock-market agency is in default, the commissioner must publish a notice of the default, including a requirement that all persons with claims must file their claims within 45 days of the publication.

NOTATIONS Any claim filed more than 1 year after the transaction giving rise to the claim will be barred.

MINN. STAT.

§ 17A.145 Title: **CIVIL PENALTY PROCEDURES**

Subd.: 2 Subtitle: *Final order*

ACTION Notification of commissioner of agriculture that a party intends to contest a citation, proposed penalty, assessment, or time allowed for correction of a violation under Chapter 17A.

TIME LIMIT Within 30 days of receiving commissioner's notice or citation.

NOTATIONS Under § 17A.145, subd. 3, the time provided by the commissioner to correct a violation does not begin to run until a final order upholding the proposed penalty has been entered, as long as the party initiated review proceedings in good faith.

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| CHAPTER TITLE | Meat Inspection |
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MINN. STAT.

§ 31A.07 Title: **MARKING OR LABELING OF INSPECTED
ARTICLES**

Subd.: 5 Subtitle: *Commissioner's orders*

ACTION Appeal to district court of decision by commissioner of agriculture that the marking or labeling of an inspected meat product is false or misleading.

TIME LIMIT Within 30 days after receiving notice of the commissioner's final determination.

NOTATIONS

MINN. STAT.

§ 31A.22

Title: **REFUSAL OR WITHDRAWAL OF INSPECTION**

ACTION

Application for review in district court of commissioner of agriculture's order refusing to conduct meat inspections for a business connected to an individual who has been convicted of a felony or of multiple violations of laws dealing with the handling, labeling, or packaging of food.

TIME LIMIT

Within 30 days after the effective date of the commissioner's order.

NOTATIONS

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| CHAPTER TITLE | Municipal Civil Service |
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MINN. STAT.

§ 44.09 Title: **APPEALS**

Subd.: 1 Subtitle: *Notice*

ACTION Appeal to district court from order of a municipal personnel board regarding an employee's dismissal or suspension without pay for more than 30 days.

TIME LIMIT Notice of appeal must be served on the secretary of the board within 10 days after the appellant receives written notice of the board's order.

NOTATIONS

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| CHAPTER TITLE | Department of Commerce; General Powers |
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MINN. STAT.

§ 45.027 Title: **INVESTIGATIONS AND SUBPOENAS**

Subd.: 5(b) Subtitle: *Enforcement of violations of cease and desist orders*

ACTION Application for an injunction to suspend enforcement of a cease and desist order made by the commissioner of commerce under subd. 5(a).

TIME LIMIT Within 15 days after service of cease and desist order.

NOTATIONS Must be made in Ramsey County district court.

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| CHAPTER TITLE | General Banking Powers |
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MINN. STAT.

§ 46.24 Title: **CEASE AND DESIST PROCEEDINGS;
INJUNCTIVE RELIEF**

Subd.: 3 Subtitle: *Temporary cease and desist orders*

ACTION Application for injunction to set aside, limit, or suspend the enforcement of an order of the commissioner of commerce to cease and desist from a violation that is likely to cause insolvency or dissipation of an institution's assets or earnings.

TIME LIMIT Within 10 days after service of the temporary cease and desist order.

NOTATIONS

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| CHAPTER TITLE | Banks |
| MINN. STAT. | |
| § 48.056 | Title: REVERSE STOCK SPLIT |
| Subd.: 4 | Subtitle: <i>Rights of dissenting stockholders</i> |
| ACTION | A stockholder who votes against an amendment to effect a reverse stock split by a banking institution may object to the amendment and demand payment for his or her stock. |
| TIME LIMIT | Within 20 days after the stockholder meeting. |
| NOTATIONS | If the stock reduction takes effect after the stockholder's demand, the stockholder may apply to the district court for the appointment of appraisers to determine the value of the stock. |

MINN. STAT.

§ 48.196

Title: **PENALTY FOR USURIOUS INTEREST**

ACTION

Action to recover double the amount of interest paid to lender, if the interest rate was usurious under § 48.194.

TIME LIMIT

Within 2 years of the time the transaction occurred.

NOTATIONS

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| MINN. STAT. | |
| § 48.93 | Title: ACQUISITION PROCEDURE |
| Subd.: 5 | Subtitle: <i>Appeals</i> |
| ACTION | Appeal from an order of the commissioner of commerce disapproving the acquisition of a bank by an out-of-state bank-holding company. |
| TIME LIMIT | Within 90 days of lawful issuance of the commissioner's order. |
| NOTATIONS | The Minnesota Court of Appeals has original jurisdiction over appeals from orders issued under this section. |

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| CHAPTER TITLE | Liquidation, Reorganization, Consolidation |
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MINN. STAT.

§ 49.04 Title: **INVOLUNTARY LIQUIDATION OF FINANCIAL INSTITUTIONS**

Subd.: 2 Subtitle: *Application to enjoin liquidation*

ACTION Application to the district court to enjoin the commissioner of commerce from liquidating property and business of a financial institution that the commissioner has taken control of.

TIME LIMIT Within 10 days after the commissioner has taken possession of the institution's property and business.

NOTATIONS

MINN. STAT.

§ 49.18

Title: **REVIEW OF ORDERS OF COMMISSIONER**

ACTION

Action to review an order of the commissioner of commerce levying assessments against stockholders of an insolvent financial institution that is in the process of liquidation.

TIME LIMIT

Requester must serve the commissioner with notice of a request for review within 20 days after the service of the commissioner's order on the aggrieved party.

The requester then has 10 days to file a copy of that notice, along with proof of service, with the court clerk for the district court of the county where the corporation has its principal place of business.

NOTATIONS

MINN. STAT.

§ 49.24

Title: **PROCEDURE IN LIQUIDATION**

Subd.: 5

Subtitle: *Rejection of claims; actions; limitations*

ACTION

When the commissioner of commerce rejects a claim against a liquidating financial institution, the claimant may file an action against the commissioner, the financial institution, or both.

TIME LIMIT

Within 60 days after commissioner's service of notice that the claim has been rejected.

NOTATIONS

If a claimant fails to notify the commissioner of a claim within the time designated in the commissioner's notice under subdivision 4 and the late claim is rejected by the commissioner, the claimant must file an action in district court within 30 days after receiving notice of the rejection.

MINN. STAT.

§ 49.24

Title: **PROCEDURE IN LIQUIDATION**

Subd.: 13

Subtitle: *Disposition of unclaimed dividends*

ACTION

Application to the commissioner or commerce for payment of previously unclaimed funds set aside following the liquidation of a financial institution.

TIME LIMIT

Within 6 years after the commissioner deposits the funds in the state treasury and the state treasurer executes a receipt for the funds on the commissioner's list of unclaimed funds.

NOTATIONS

Actions to recover unclaimed dividends must be filed with the commissioner and proven to the satisfaction of the governor, the attorney general and the commissioner, or to a majority of them.

MINN. STAT.

§ 49.30

Title: **COMMITTEE TO COMPLETE LIQUIDATION**

ACTION

Petitioning of the court by creditors of a financial institution, the business and property of which the commissioner of commerce has taken possession, for the creation of a committee to complete liquidation of the institution.

TIME LIMIT

Creditors may not petition the court for the creation of a liquidation committee until 3 years has elapsed since the commissioner took possession of the institution's business and property.

NOTATIONS

MINN. STAT.

§ 49.41

Title: **RIGHTS OF DISSENTING STOCKHOLDERS**

ACTION

Stockholders who vote against a merger or consolidation at a meeting prescribed by § 49.37 may object and demand payment for their stock.

TIME LIMIT

Within 20 days after the meeting to vote on consolidation or merger.

If the consolidation or merger takes place after the demand, the stockholder may, within 60 days of the consolidation or merger, apply to the district court for the appointment of appraisers to set the value of the dissenting stockholder's stock.

NOTATIONS

Section 49.43 establishes identical time limitations for dissenting stockholders of state banks who oppose the conversion into a national banking association or the consolidation or merger of the state bank with a national banking association.

MINN. STAT.

§ 49.43

Title: **STATE BANK; CONVERSION, MERGER,
CONSOLIDATION; NATIONAL BANKING
ASSOCIATION**

ACTION

Objection by stockholder of state bank to vote by stockholders to convert to a national bank and demand for payment of par value or book value of stock, whichever is greater.

TIME LIMIT

Dissenting stockholder must object to the conversion and demand payment of stock within 20 days after the stockholder meeting at which the conversion was approved.

If the conversion takes place after the demand and the resulting national bank has not paid the amount demanded, the stockholder has 60 days to apply to the district court in the county where the national banking association involved has its principal place of business for the appointment of three persons to appraise the dissenting stockholder's stock.

NOTATIONS

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| CHAPTER TITLE | Credit Unions |
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| MINN. STAT. |
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| § 52.01 | Title: ORGANIZATION |
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| ACTION | Appeal to a court of competent jurisdiction for review of commissioner of commerce's rejection of an application to organize a credit union. |
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| TIME LIMIT | Within 60 days of commissioner's decision. |
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| NOTATIONS | Section 52.02 incorporates by reference the time limit set in § 52.01, for purposes of appealing the commissioner's rejection of proposed amendments to a credit union's charter or bylaws. |
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MINN. STAT.

§ 52.063

Title: **PROCEEDINGS FOLLOWING SUSPENSION,
CONTINUATION OF SUSPENSION, OR
CONSENT CEASE AND DESIST ORDER;
APPOINTMENT OF NATIONAL CREDIT UNION
ADMINISTRATION BOARD AS RECEIVER**

Subd.: 1

Subtitle: *Proceedings following suspension or continuation of
suspension*

ACTION

Appeal to district court by credit union of commissioner of commerce's decision to suspend or continue the suspension of the credit union's operations.

TIME LIMIT

Within 6 months of the receipt of any notice of suspension or continuation of suspension.

NOTATIONS

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| CHAPTER TITLE | Industrial loan and thrift companies |
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MINN. STAT.

§ 53.03 Title: **CERTIFICATE**

Subd.: 3a Subtitle: *Actions on applications*

ACTION Appeal of a corporation organized as an industrial loan and thrift company from denial by department of commerce of the corporation's application for a certificate of authorization.

TIME LIMIT Within 30 days of receiving notice of the denial.

NOTATIONS

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| CHAPTER TITLE | Currency exchanges |
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MINN. STAT.

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| § 53A.04(b) | Title: APPROVAL OR DENIAL OF AN APPLICATION |
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| ACTION | Request for a chapter 14 contested-case hearing to contest denial of application for a currency exchange license. |
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| TIME LIMIT | Within 30 days of receiving notice of denial from the commissioner of commerce. |
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NOTATIONS

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| CHAPTER TITLE | Minnesota Money Transmitters Act |
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MINN. STAT.

§ 53B.10 Title: **ISSUANCE OF LICENSE**

Subd.: 2 Subtitle: *Denial hearing*

ACTION Contesting commissioner of commerce's denial of an application for a money-transmission license.

TIME LIMIT Within 30 days from the date of receipt of the written notice of denial.

NOTATIONS Applicants who contest denial must serve a response on the commissioner, who then shall set a hearing date.

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| CHAPTER TITLE | General Insurance Provisions |
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MINN. STAT.

§ 60A.053 Title: **HOLOCAUST VICTIMS INSURANCE RELIEF**

Subd.: 8 Subtitle: *Extension of statute of limitations*

ACTION Action by Holocaust survivor, or by heir of Holocaust survivor or victim, seeking proceeds of Holocaust-related insurance policy.

TIME LIMIT Action must be commenced on or before December 31, 2010.

NOTATIONS

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| CHAPTER TITLE | Mutual Companies |
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MINN. STAT.

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| § 60A.075 | Title: MUTUAL COMPANY CONVERSION TO STOCK COMPANY |
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| Subd.: 16 | Subtitle: <i>Limitation of actions</i> |
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| ACTION | Challenge to the conversion of a mutual insurance company to a stock company, or a challenge to any other action taken, or proposed to be taken, under this section. |
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| TIME LIMIT | Within 180 days of after effective date of conversion. |
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NOTATIONS

MINN. STAT.

§ 60A.22

Title: **SPECIAL PROVISIONS AS TO STOCK COMPANIES; STOCKHOLDERS, OFFICERS, DIRECTORS, AND INVESTORS**

Subd.: 2

Subtitle: *Transactions of principal stockholders, directors, and officers in equity securities*

ACTION

Suit to recover profit realized by a beneficial owner, director, or officer from any purchase and sale or sale and purchase of any equity security of the company within any period of less than six months.

TIME LIMIT

Within 2 years after the profit was realized.

NOTATIONS

If the company fails or refuses to file such a suit within 60 days after a request by an owner of any security of the company, such an owner may bring a suit in the name and on behalf of the company.

MINN. STAT.

§ 60A.952

Title: **DISCLOSURE OF INFORMATION**

Subd.: 4

Subtitle: *Tolling of time periods*

ACTION

Notification of the division of insurance fraud prevention by an insurer who has reasonable or probable cause to believe that insurance fraud has been committed in connection with a claim.

TIME LIMIT

Proper notification tolls any applicable time period in any unfair claims practices statute or related regulation, or in any action on the claim for bad faith against the insurer, until 30 days after a determination by the division of insurance fraud protection and notice to the insurer that the division will not recommend action on the claim.

NOTATIONS

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| CHAPTER TITLE | Insurer's Rehabilitation and Liquidation Act |
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MINN. STAT.

§ 60B.18 Title: **ACTIONS BY AND AGAINST REHABILITATOR**

Subd.: 2 Subtitle: *Statute of limitations on claims by insurer*

ACTION Any action commenced by an insurer following an order of rehabilitation or a denial of a petition for rehabilitation against the insurer.

TIME LIMIT Any action by the insurer that may have been commenced at the time a petition for rehabilitation was filed may be commenced by the insurer for a period of at least 60 days after the order for rehabilitation is issued.

NOTATIONS Subdivision 3 sets forth an identical timing provision for claims brought against an insurer that is facing a petition for rehabilitation - any claims that were valid at the time the petition was filed will remain valid for at least 60 days following an order of rehabilitation.

MINN. STAT.

§ 60B.28

Title: **ACTIONS BY AND AGAINST LIQUIDATOR**

Subd.: 2

Subtitle: *Statute of limitations on claims by insurer*

ACTION

Commencement by liquidator on behalf of insurer's estate of any action for which the period of limitation had not expired when the petition leading to an order of liquidation was filed.

TIME LIMIT

Within 2 years after entry of an order of liquidation or within such further time as applicable law permits.

NOTATIONS

Where a time limitation for a proceeding on any claim, or for filing any claim, proof of damages, or related actions, is set by an agreement, a liquidator may bring such actions within 60 days after the entry of an order of liquidation, as long as the limitation on the claims had not expired before the date the petition for liquidation was filed.

MINN. STAT.

§ 60B.28

Title: **ACTIONS BY AND AGAINST LIQUIDATOR**

Subd.: 3

Subtitle: *Statute of limitations on claims against insurer*

ACTION

Commencement of any action against an insurer that would have been valid at the time the petition for liquidation was filed.

TIME LIMIT

Any action that would have been valid at the time the petition was filed may be commenced for at least 60 days after the petition is denied.

NOTATIONS

MINN. STAT.

§ 60B.33

Title: **CLAIMS OF HOLDERS OF VOID OR VOIDABLE CLAIMS**

Subd.: 2

Subtitle: *Disallowance for failure to surrender property*

ACTION

A claim by a creditor against a liquidating insurer that is allowable under subd. 1.

TIME LIMIT

Within 30 days after the date of the avoidance or within further time allowed by the court.

NOTATIONS

In order to have an allowed claim, the creditor must surrender any voidable preference, lien, assignment, conveyance, or encumbrance to the liquidator. If the avoidance was the result of a proceeding in which a final judgment has been ordered, the surrender must occur within 30 days of the final judgment.

MINN. STAT.

§ 60B.41 Title: **DISPUTED CLAIMS**

Subd.: 1 Subtitle: *Notice of rejection and request for hearing*

ACTION Filing of objection with court to liquidator's denial of claim.

TIME LIMIT Within 60 days from mailing of notice denying claim.

NOTATIONS

MINN. STAT.

§ 60B.46

Title: **DISTRIBUTION OF ASSETS**

Subd.: 3

Subtitle: *Payments to guaranty associations*

ACTION

Application to court for approval of proposal to distribute assets to guaranty associations.

TIME LIMIT

Within 120 days of a final determination of a company's insolvency by a court of competent jurisdiction.

NOTATIONS

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| CHAPTER TITLE | Accident and Health Insurance |
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MINN. STAT.

§ 62A.04 Title: **STANDARD PROVISIONS**

Subd.: 2 Subtitle: *Required provisions; legal actions*

ACTION Action in law or equity to recover on an accident or health-insurance policy.

TIME LIMIT No action may be brought within 60 days of written notice to insurer of loss. All actions must be brought within three years after written notice is required to be given.

NOTATIONS

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| CHAPTER TITLE | Fire and Related Insurance |
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| MINN. STAT. | |
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| § 65A.26 | Title: HAIL INSURANCE, POLICIES, LOSS ADJUSTMENT |
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| ACTION | Any suit to recover a claim brought under an applicable hail-insurance policy. |
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| TIME LIMIT | Within 1 year after the loss occurred. |
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| NOTATIONS | Policy must contain this language: “No suit for the recovery of any claim by virtue of this policy may be sustained unless commenced within one year after the loss occurred.” |
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MINN. STAT.

§ 65A.296

Title: **PROOF OF LOSS**

Subd.: 2

Subtitle: *Failure to complete timely proof of loss*

ACTION

Any action to recover damages covered by a homeowner's insurance policy.

TIME LIMIT

Insured must provide proof of loss to the insurer within 60 days of receiving notice from the insurer that such proof is required.

NOTATIONS

If the insured received notice from the insurer regarding the proof-of-loss requirement, failure to comply with the 60 day limit bars recovery by the insured unless the insured can show good cause for the failure.

If the insured did not receive notice from the insurer, the insured's failure to comply with the 60 day time limit will not bar recovery unless the insurer can show that it was unfairly prejudiced by the insured's failure.

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| CHAPTER TITLE | Insurance; Regulation of Trade Practices |
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MINN. STAT.

§ 72A.26 Title: **INTERVENTION**

ACTION Petition by an intervenor to insurance unfair-trade-practices proceedings for district-court review of a report by commissioner of insurance in which no violation is charged.

TIME LIMIT Within 20 days after service of the report.

NOTATIONS

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| CHAPTER TITLE | Regulation of Securities |
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MINN. STAT.

§ 80A.23 Title: **CIVIL LIABILITIES**

Subd.: 7 Subtitle: *Limitation on actions*

ACTION Suit for rescission or for damages against the seller of securities that do not meet the registration requirements of § 80A.08 or in connection with a fraudulent sale or purchase under § 80A.01.

TIME LIMIT Within 3 years after the sale upon which the action is based, for actions premised on registration violations; within 3 years after the occurrence or transaction giving rise to the violation for actions premised on § 80A.01.

NOTATIONS

MINN. STAT.

§ 80A.24

Title: **HEARINGS AND JUDICIAL REVIEW**

Subd.: 2

Subtitle: *Reviewability of orders*

ACTION

Application for judicial review of orders by the commissioner of commerce regarding securities regulation.

TIME LIMIT

Orders originally issued without a hearing may be reviewed only if the party seeking review has requested a hearing by the commissioner within 30 days after the order was issued.

NOTATIONS

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| CHAPTER TITLE | Corporate Takeovers |
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| MINN. STAT. | |
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| § 80B.11 | Title: CIVIL LIABILITIES |
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| Subd.: 3 | Subtitle: <i>Limitation on actions</i> |
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| ACTION | Suit in equity or at law against offeror by Seller of securities in connection with a takeover offer where offeror violates chapter 80B. |
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| TIME LIMIT | Within 3 years after the act or transaction constituting the violation, or within one year after the discovery of the violation, whichever expires first. |
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| NOTATIONS | |
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| CHAPTER TITLE | Franchises |
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MINN. STAT.

§ 80C.17 Title: **CIVIL LIABILITY**

Subd.: 5 Subtitle: *Limitation on actions*

ACTION Suit in equity or at law by a franchisee or sub-franchisor against any person who violates a provision of chapter 80C.

TIME LIMIT Within 3 years after the cause of action accrues.

NOTATIONS

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| CHAPTER TITLE | Motor vehicle sale and distribution |
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| MINN. STAT. | |
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| § 80E.14 | Title: LIMITATIONS ON ESTABLISHING OR RELOCATING DEALERSHIPS |
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| Subd.: 1 | Subtitle: <i>Notification; protest; hearing</i> |
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| ACTION | Civil action in a court of competent jurisdiction by a new-car dealer challenging the establishment or relocation of another dealership offering the same make of cars within a 10-mile radius of the existing dealership. |
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| TIME LIMIT | Within 30 days after receiving notice from the manufacturer regarding intent to establish or relocate a new dealership in the area, or within 30 days after the end of any appeal procedure instituted by the manufacturer. |
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| NOTATIONS | An action brought under this section shall be placed on the court's calendar ahead of other civil actions. <u>T.I.W., Inc. v. American Honda Motor Co.</u> , 808 F. Supp. 1399 (D. Minn. 1992), <u>affirmed</u> , 982 F.2d 526. In <u>T.I.W.</u> , the district court extended this section's reach to include after-sale parts and service elements of a dealer's business. |
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| CHAPTER TITLE | Motor vehicle fuel franchises |
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| MINN. STAT. | |
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| § 80F.17 | Title: ENFORCEMENT |
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| ACTION | Claim for injunctive relief, rescission, damages, or any other relief by any party aggrieved by a violation of chapter 80F governing motor vehicle fuel franchises. |
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| TIME LIMIT | Within 3 years after the cause of action accrued. |
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| NOTATIONS | Disputes under this section must be submitted to binding arbitration. Injunctive relief shall remain available in a court of competent jurisdiction where arbitration cannot provide complete relief or where otherwise appropriate. |
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| CHAPTER TITLE | Membership camping practices |
|--------------------------|-------------------------------------|

MINN. STAT.

§ 82A.19 Title: **CIVIL LIABILITY**

Subd.: 5 Subtitle: *Limitations on actions*

ACTION Action by purchaser of membership camping contract against any person who violates the Membership Camping Practices Act's provisions on disclosure, prohibited practices and unfair practices.

TIME LIMIT Within 3 years after the purchaser enters into the contract.

NOTATIONS

CHAPTER **Real estate appraisers**
TITLE

MINN. STAT.

§ 82B.24 Title: **PRIVATE RIGHT OF ACTION**

Subd.: 4 Subtitle: *Time Limitations*

ACTION Any person injured by a violation of the standards, duties, prohibitions, or requirements of § 82B.20 or § 82B.22 shall have a private right of action and the court shall award: (1) actual, incidental, and consequential damages; (2) statutory damages of no less than \$1,000 nor more than \$2,000; (3) punitive damages if appropriate, and as provided in §§ 549.191 and 549.20; and (4) court costs and reasonable attorneys fees.

TIME LIMIT The earlier of: 6 years from the date the appraisal services were performed or should have been performed; 6 years from the date the appraisal was completed or should have been completed; or the expiration of any other applicable statute of limitations.

NOTATIONS

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| CHAPTER TITLE | Subdivided lands |
|--------------------------|-------------------------|

MINN. STAT.

§ 83.37 Title: **PENALTIES; CIVIL REMEDIES**

Subd.: 4(d) Subtitle: *Prohibited practices; remedies*

ACTION Action by purchaser of subdivided land for relief due to a violation by the seller of § 83.44.

TIME LIMIT Within 3 years from the date that the purchaser discovers a prohibited practice described in § 83.44.

NOTATIONS

MINN. STAT.

§ 83.42

Title: **STATUTE OF LIMITATIONS**

ACTION

Any action under chapter 83 except an action brought under § 83.37, subd. 4(d).

TIME LIMIT

Within 3 years after the recording with the appropriate recording authority of a conveyance describing the lot or parcel at issue.

NOTATIONS

Actions may be brought under this chapter before the statute of limitations begins to run.

CHAPTER **Division of Forestry**
TITLE

MINN. STAT.

§ 88.37 **Title: APPEALS FROM ORDERS FOR IMPROVEMENTS**

ACTION Appeal from an order by a county board requiring a landowner to make improvements under § 88.36 aimed at preventing or abating wildfires.

TIME LIMIT Within 30 days from the date of the county board's final order.

NOTATIONS The time limit is incorporated from General Statutes 1923, § 6687, dealing with appeals in county-ditch proceedings.

MINN. STAT.

§ 88.49 Title: **CONTRACTS**

Subd.: 7 Subtitle: *Appeal*

ACTION Appeal from an order of the commissioner of natural resources cancelling a contract designating a landowner's property as an auxiliary forest.

TIME LIMIT Within 30 days after the date of mailing of the notice of cancellation order.

NOTATIONS Notice of appeal must be served on the commissioner and filed with the court administrator of the district court within the time limit.

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| CHAPTER TITLE | State Lands; Sales; Investment of Proceeds |
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MINN. STAT.

§ 92.213 Title: **LIMITATION OF ACTIONS**

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| ACTION | Action for the recovery or possession of state public land sold before May 1, 1941 for which full payment was not made by the time prescribed in the certificate or by the end of any lawful extension of time, or an action for enforcement of any title or claim to that land. |
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| TIME LIMIT | Within 1 year after the expiration of the time or extension. |
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NOTATIONS

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| CHAPTER TITLE | Severed Mineral Interests |
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MINN. STAT.

§ 93.55 Title: **FORFEITURE OF SEVERED MINERAL INTEREST**

Subd.: 4 Subtitle: *Recovery of fair market value*

ACTION Action to determine the ownership and fair market value of forfeited mineral interests and to recover that fair market value.

TIME LIMIT Within 6 years after entry of judgment regarding forfeiture.

NOTATIONS

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| CHAPTER TITLE | Game and Fish |
|--------------------------|----------------------|

MINN. STAT.

§ 97A.225 Title: **SEIZURE AND CONFISCATION OF MOTOR
VEHICLES AND BOATS**

Subd.: 5 Subtitle: *Court order*

ACTION Claim by a property owner to recover property confiscated as the result of an offense giving rise to a conviction under this section.

TIME LIMIT Within 10 days of service of a court order describing the seized property and giving notice that a complaint has been filed against the property.

NOTATIONS The court order shall provide notice of the time limit and of the effect of failing to file a claim within that limit.

MINN. STAT.

§ 97A.255 Title: **PROSECUTIONS**

Subd.: 1 Subtitle: *Statute of limitations*

ACTION Prosecution under state game and fish laws.

TIME LIMIT Within 3 years of the commission of the offense.

NOTATIONS

MINN. STAT.

§ 97A.420

Title: **SEIZURE OF LICENSES**

Subd.: 3

Subtitle: *Judicial review*

ACTION

Petition for judicial review of the seizure by an enforcement officer of a hunting or fishing license under subd. 1.

TIME LIMIT

Within 30 days after the seizure.

NOTATIONS

The petition must be filed with the district court administrator in the county where the incident occurred, along with proof of service of a copy on the commissioner of natural resources and the county attorney.

Filing the petition does not stay the license seizure.

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| CHAPTER TITLE | Hunting |
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MINN. STAT.

§ 97B.066 Title: **CHEMICAL TESTING**

Subd.: 8 Subtitle: *Judicial review*

ACTION Petition for review of sanctions resulting from a hunter's refusal to submit to a test for alcohol or controlled-substance use under subd. 1.

TIME LIMIT Within 60 days after receipt of a notice and order imposing sanctions.

NOTATIONS The petition must be filed with the district court administrator in the county where the incident occurred, along with proof of service of a copy on the commissioner of natural resources and the prosecuting authority for misdemeanor offenses in the jurisdiction where the incident occurred.

CHAPTER **Water planning and project implementation**
TITLE

MINN. STAT.

§ 103B.451 Title: **SOUTH DAKOTA-MINNESOTA BOUNDARY
WATERS COMMISSION**

Subd.: 5 Subtitle: *Appeals*

ACTION Appeal to a district court by any party aggrieved by an
action of the South Dakota-Minnesota boundary waters
commission.

TIME LIMIT Notice of the appeal must be served on the commission
within 30 days from the last date of publication of the order
giving rise to the appeal.

NOTATIONS Appeals may be taken in the district court or circuit court of
a county in either state where the subject matter of the
dispute is partially or wholly located, or to the district court
of the county in either state where the state capitol is located.

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| CHAPTER TITLE | Drainage |
| MINN. STAT. | |
| § 103E.091 | Title: APPEALS |
| Subd.: 2 | Subtitle: <i>Procedures for appeals related to benefits and damages</i> |
| ACTION | Appeal from a determination by a drainage authority of the amount of benefits or damages caused by a recorded order of the drainage authority. |
| TIME LIMIT | Notice of appeal must be filed with the county auditor within 30 days after the filing of the order to be appealed. |
| NOTATIONS | Section 103E.091 also provides the appeal procedures for appeals of redetermination of benefits under § 103E.351, subd. 4, and for appeal of assessment of benefits from repairs to drainage systems under § 103E.741, subd. 4. |

MINN. STAT.

§ 103E.091

Title: **APPEALS**

Subd.: 3

Subtitle: *Procedures for appeals related to allowance of fees or expenses*

ACTION

Appeal related to allowance by a drainage authority of fees or expenses.

TIME LIMIT

Within 30 days after the order allowing or disallowing appellant's claim.

NOTATIONS

Matter of Petition for Establishment of County Ditch No. 11 (Bevens Creek) County of Carver, 511 N.W.2d 54 (Minn. Ct. App. 1994). In Bevens Creek, the court of appeals ruled that district court review of an order in a drainage proceeding is a "special proceeding" for purposes of determining timeliness of appeal from such order.

MINN. STAT.

§ 103E.095

Title: **APPEAL FROM ORDERS DISMISSING OR ESTABLISHING DRAINAGE SYSTEMS**

Subd.: 1

Subtitle: *Notice of appeal*

ACTION

Appeal to a district court from an order of a county board of commissioners dismissing drainage proceedings or establishing or refusing to establish a drainage project.

TIME LIMIT

Notice of appeal must be served on the county auditor within 30 days after the order being appealed from is filed.

NOTATIONS

Under subdivision 5, a party aggrieved by a final order or judgment rendered on appeal by the district court may appeal as in other civil cases. The appeal must be made and perfected within 30 days after the order or entry of judgment is filed.

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| CHAPTER TITLE | Protection of water resources |
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MINN. STAT.

§ 103F.425 Title: **DISTRICT COURT HEARING**

Subd.: 2 Subtitle: *Cost-sharing funds*

ACTION Application to receive cost-sharing for the implementation of a court-ordered conservation plan.

TIME LIMIT The landowner is eligible for 75-percent cost-share funds for implementation of the landowner's permanent conservation plan, or of a conservation plan amended or established by the court, if the landowner applies within 90 days of the court order. If the landowner applies more than 90 days after the court order, but before a cut-off date set by the court, the landowner is eligible for 50-percent cost-share funds.

If the ordered plan was developed by the conservation district, the landowner is eligible for 50-percent cost-share funds if the landowner applies for the funds within 90 days after the court order.

NOTATIONS

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| CHAPTER TITLE | Waters of the State |
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| MINN. STAT. | |
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| § 103G.2243 | Title: LOCAL COMPREHENSIVE WETLAND PROTECTION AND MANAGEMENT PLANS |
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| Subd.: 3 | Subtitle: <i>Board review and approval; mediation; judicial review</i> |
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| ACTION | Action by board of water and soil resources for declaratory judgment rejecting a local government unit's wetland protection and management plan. |
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| TIME LIMIT | Within 60 days after the date of a written agreement between the board and the local government unit not to use mediation, or within 60 days after mediation that does not resolve the differences between the parties. |
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| NOTATIONS | Before the board may commence an action for declaratory judgment, it must initiate mediation through a neutral party within 60 days after a hearing at which the board and local government unit failed to agree to a plan. This requirement is waived if the parties agree in writing not to use mediation to resolve their differences. |
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| CHAPTER TITLE | Waters of the State |
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| MINN. STAT. | |
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| § 103G.299 | Title: ADMINISTRATIVE PENALTIES |
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| Subd.: 6(a) | Subtitle: <i>Expedited administration hearing</i> |
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| ACTION | Request an expedited administrative hearing for administrative penalty orders. |
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| TIME LIMIT | Within 30 days after receiving an order, or within 20 days after receiving notice that the commissioner has determined that the violation has not been corrected or appropriate steps not taken. |
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The commissioner must notify the person to whom the order is directed of the time and place of the hearing at least 20 days before the hearing.

The expedited hearing must be held within 30 days after a request for hearing has been filed with the commissioner unless the parties agree to a later date.

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| NOTATIONS | The hearing request must specifically state the reasons for seeking review of the order. The person to whom the order is directed and the commissioner are the parties to the expedited hearing. |
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MINN. STAT.

§ 103G.299

Title: **ADMINISTRATIVE PENALTIES**

Subd.: 6(b)

Subtitle: *Expedited administration hearing*

ACTION

Submit all written arguments.

TIME LIMIT

Within 10 days following the close of the hearing.

NOTATIONS

MINN. STAT.

§ 103G.299

Title: **ADMINISTRATIVE PENALTIES**

Subd.: 6(e)

Subtitle: *Expedited administration hearing*

ACTION

Comment to the commissioner on the recommendations if a hearing has been held.

TIME LIMIT

If a hearing was held, within 5 days after the receipt of the report of the administrative law judge.

NOTATIONS

MINN. STAT.

§ 103G.299

Title: **ADMINISTRATIVE PENALTIES**

Subd.: 6(f)

Subtitle: *Expedited administration hearing*

ACTION

Paying the penalty after the final order was received if a hearing has been held and a final order issued by the commissioner.

TIME LIMIT

By 30 days after the date the final order is received unless review of the final order is requested under sections 14.63 to 14.69. If review is not requested or the order is reviewed and upheld, the amount due is the penalty, together with interest, accruing from 31 days after the original order was received at the rate established in section 549.09.

NOTATIONS

MINN. STAT.

§ 103G.421

Title: **CONTROL OF MISSISSIPPI HEADWATERS
LAKES**

Subd.: 6

Subtitle: *Appeal*

ACTION

Appeal to the district court by a riparian owner or water user who is aggrieved by the commissioner of natural resources' plans for operating dams controlling Mississippi headwater reservoirs.

TIME LIMIT

By 30 days after the final publication of the commissioner's findings and order.

NOTATIONS

The appeal must be filed in district court in the county where the regulated water is located. The court will base its decision on the record made before the commissioner.

MINN. STAT.

§ 103G.555

Title: **STATUTE OF LIMITATIONS FOR ACTIONS
AGAINST PUBLIC OFFICIALS**

ACTION

Any action against the state, a commissioner, a county, a political subdivision or their officers or agents relating to the taking over, construction, reconstruction, repair, improvement, maintenance, operation or control of a dam used only for regulation of water level, in accordance with § 103G.551.

TIME LIMIT

Within 1 year of the taking over, construction, reconstruction, repair, improvement, maintenance, operation or control of the dam.

NOTATIONS

MINN. STAT.

§ 103G.561

Title: **STATUTE OF LIMITATIONS FOR ACTIONS ON FLOWAGE EASEMENTS AND ORDINARY HIGH WATER LEVELS**

ACTION

An action that affects or seeks to affect a flowage easement held by the state, or that seeks to affect the maintenance of or right to maintain a reestablished natural high water level on waters for which the state holds a perpetual flowage easement.

TIME LIMIT

Within 1 year of order by commissioner of natural resources determining the ordinary high water level.

NOTATIONS

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| CHAPTER TITLE | Wells, Borings and Underground Uses |
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MINN. STAT.

§ 103I.241 Title: **ACTION FOR WELL CONTAMINATION**

Subd.: 1 Subtitle: *Owner's cause of action for well contamination*

ACTION Action by property owner against a person whose actions or inaction caused contamination of the property owner's well.

TIME LIMIT Within 6 years after the owner knows or becomes aware of the contamination.

NOTATIONS

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| CHAPTER | Rural Water Use Districts |
| TITLE | |

MINN. STAT.

§ 110A.36 Title: **APPEALS**

ACTION Appeal from final order of court dismissing petition to establish a rural water use district.

TIME LIMIT Appeal must be made and perfected within 30 days after the filing of the order dismissing the petition.

NOTATIONS

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| CHAPTER TITLE | Water Pollution Control; Sanitary Districts |
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MINN. STAT.

§ 115.49 Title: **COOPERATION BETWEEN MUNICIPALITIES;
CONTRACTS**

Subd.: 5 Subtitle: *Appeals*

ACTION Application for judicial review of a municipal decision or order by a party to a waste-management or pollution control contract.

TIME LIMIT Within 30 days after the decision or order has been made and the parties to the contract have been notified.

NOTATIONS The appellant must serve the petition for review on the municipality that made the decision or order, and must file a copy with proof of service with the court administrator.
Appeals under this section receive expedited review.

MINN. STAT.

§ 115.55

Title: **INDIVIDUAL SEWAGE TREATMENT SYSTEMS**

Subd.: 6

Subtitle: *Disclosure of an individual sewage treatment system to buyer*

ACTION

Action against a seller who failed to disclose the existence of an individual sewage treatment system on the property sold despite knowing or having reason to know of its existence.

TIME LIMIT

Within 2 years after the buyer and seller close the sale or transfer of the land where the system is located.

NOTATIONS

Seller is liable for costs of bringing the system into compliance, as well as for any reasonable attorneys' fees arising from efforts to collect from the seller.

Liability for nondisclosure may be waived by the parties in the sales contract.

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| CHAPTER TITLE | Waste Management |
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| MINN. STAT. | |
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| § 115A.30 | Title: JUDICIAL REVIEW |
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| ACTION | Appeal from a decision by the Minnesota Pollution Control Agency or Office of Environmental Assistance regarding the licensing of hazardous waste stabilization and containment facilities under §§ 115A.18 through 115A.30. |
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| TIME LIMIT | Within 30 days following all final decisions on the issuance of permits. |
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| NOTATIONS | Persons filing actions under § 116B with respect to decisions or orders made under §§ 115A.18 through 115A.30 must file within the 30-day period or prove that the evidence required to sustain the action under § 116B was not available within the 30-day period. |
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| CHAPTER TITLE | Environmental Response and Liability |
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MINN. STAT.

§ 115B.11 Title: **STATUTE OF LIMITATIONS**

Subd.: 2 Subtitle: *Action for recovery of costs*

ACTION Action under Minnesota Environmental Response and Liability Act to recover costs of responding to and remediating actual or threatened releases of hazardous materials, including recovery for destruction of natural resources.

TIME LIMIT Within 6 years after initiation of a physical, on-site response action.

NOTATIONS Section 115B.11, subd. 3 sets an identical limitations period for actions for damages, but the six years run from the time the cause of action accrues. Subdivision 3 sets forth three factors to aid courts in determining when the cause of action accrued in a particular case.

MINN. STAT.

§ 115B.30

Title: **ELIGIBLE INJURY AND DAMAGE**

Subd.: 3

Subtitle: *Time for filing claim*

ACTION

Recovery for personal injury or property damage that could reasonably have been caused by release of a hazardous material from a facility where the material was placed or where it came to be located.

TIME LIMIT

For personal injuries, within 2 years after the injury and its connection to exposure to a harmful substance was or should have been discovered.

For property damage, within two years after the full amount of compensable losses can be determined.

NOTATIONS

MINN. STAT.

§ 115B.40

Title: **PROGRAM**

Subd.: 8

Subtitle: *Statutes of limitations*

ACTION

Filing a claim to recover environmental-response costs related to a qualified facility under § 115B.39.

TIME LIMIT

Running of all statutes of limitation was suspended until July 1, 2004.

NOTATIONS

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| CHAPTER TITLE | Pollution Control Agency |
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MINN. STAT.

§ 116.072 Title: **ADMINISTRATIVE PENALTIES**

Subd.: 7 Subtitle: *District court hearing*

ACTION Petition for district court review of an administrative penalty order made by the Commissioner of the Minnesota Pollution Control Agency or by a county board.

TIME LIMIT Within 30 days after the receipt of the order, or within 20 days after the receipt of notice that the commissioner or county board has determined that a violation has not been corrected or that appropriate corrective steps have not been taken.

NOTATIONS

MINN. STAT.

§ 116.26

Title: **RESTORATION**

Subd.: 1

Subtitle: *Application to district court*

ACTION

Application to district court for restoration of cleaning agents or chemical water conditioners seized by the pollution control agency under §§ 116.21 through 116.35.

TIME LIMIT

Within 2 months after the date of seizure.

NOTATIONS

Applicant must provide prior notice by certified mail to the pollution control agency. The applicant must mail the notice at least 15 days before applying to a district court for restoration of seized chemicals. The requirements of the notice are contained in § 116.26, subd. 2.

MINN. STAT.

§ 116.34

Title: **TIME LIMITED FOR PROCEEDINGS**

ACTION

Proceeding by state pollution control agency in actions involving cleaning agents and chemical water conditioners under §§ 116.21 through 116.35.

TIME LIMIT

Within 2 years after the time that the subject matter of the proceedings arose.

NOTATIONS

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| CHAPTER TITLE | Public Water and Sewer Systems |
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MINN. STAT.

§ 116A.19 Title: **APPEALS**

Subd.: 1 Subtitle: *Procedure*

ACTION Appeal to the district court from an order of a county board or court made in any proceeding under chapter 116A.

TIME LIMIT Within 30 days after the filing of a final order.

NOTATIONS Appellant must file a notice of appeal with the county auditor or court administrator.

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| CHAPTER TITLE | Environmental Rights |
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MINN. STAT.

§ 116B.03 Title: **CIVIL ACTIONS**

Subd.: 2 Subtitle: *Service; notice*

ACTION Sustaining an action commenced under the Minnesota Environmental Rights Act in the name of the state for the protection of air, water, land, or other natural resources from pollution, impairment or destruction.

TIME LIMIT Within 7 days after commencing the action, the plaintiff must serve on the attorney general and pollution control agency a copy of the summons and complaint.

Within 21 days after commencing the action, the plaintiff must publish written notice of the action in a legal newspaper in the county where the action was commenced. The requirements of the notice are outlined in subd. 2.

NOTATIONS Failure to abide by the 21-day requirement for publication of written notice deprives the district court of jurisdiction. County of Dakota v. City of Lakeville, 559 N.W.2d 716 (Minn. Ct. App. 1997).

MINN. STAT.

§ 116C.831

Title: **MIDWEST INTERSTATE LOW-LEVEL
RADIOACTIVE WASTE COMPACT**

ACTION

Petition for review by U.S. District Court of a final decision of the Midwest Interstate Low-Level Radioactive Waste Commission.

TIME LIMIT

Within 60 days after issuance of the commission's written decision.

NOTATIONS

Petitioner must serve a copy of the petition on the commission.

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| CHAPTER TITLE | Environmental Policy |
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| MINN. STAT. | |
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| § 116D.04 | Title: ENVIRONMENTAL IMPACT STATEMENTS |
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| Subd.: 10 | Subtitle: <i>Review</i> |
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| ACTION | A petition for writ of certiorari for judicial review under sections 14.63 to 14.68 by a person aggrieved by a final decision on the need for an environmental assessment worksheet, the need for an environmental impact statement, or the adequacy of an environmental impact statement. |
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| TIME LIMIT | Not more than 30 days after the responsible governmental unit provides notice of the final decision in the EQB Monitor. |
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| NOTATIONS | <p>The statute provides details on instituting proceedings, filing, required service, stay (or lack thereof) of enforcement, and bonds.</p> <p>This section was amended in 2011. The above language applies to matters in which the final decision (that is subject to judicial review) was made on or after the effective date in 2011.</p> |
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| CHAPTER TITLE | Eminent Domain |
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| MINN. STAT. | |
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| § 117.145 | Title: APPEAL: DEADLINE, NOTICE, SERVICE, CONTENTS; BY OTHER PARTIES |
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| ACTION | Appeal to district court from a commissioners' report awarding damages under an eminent-domain action. |
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| TIME LIMIT | Within 40 days after the report is filed. |
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| NOTATIONS | Appellant must file notice of appeal with the court administrator and serve copies of the notice on all interested parties. |
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If a notice of appeal has been filed, any other party to the proceedings may file an appeal within 50 days after the commissioners' report was filed.

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| CHAPTER TITLE | Teachers and Other Educators |
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MINN. STAT.

§ 122A.188 Title: **LICENSURE DENAIL; APPEAL**

Subd.: 2 Subtitle: *Review of denial*

ACTION A candidate whose license application is denied may seek review by submitting a letter to the Professional Educator Licensing and Standards Board.

TIME LIMIT Within 30 days of the receipt of the denial letter.

NOTATIONS The board must review the denial within 60 calendar days of receipt of the letter seeking review.

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| CHAPTER TITLE | Teachers and Other Educators |
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MINN. STAT.

§ 122A.188 Title: **LICENSURE DENAIL; APPEAL**

Subd.: 3 Subtitle: *Appeal*

ACTION A candidate whose application for license or license renewal has been denied under subdivisions 1 and 2 may appeal the decision by filing a written request with the Professional Educator Licensing and Standards Board.

TIME LIMIT Within 30 days of notice that the board has affirmed denial of license.

NOTATIONS

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| CHAPTER TITLE | School Districts; Forms for Organizing |
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MINN. STAT.

§ 123A.49 Title: **APPEALS**

Subd.: 1 Subtitle: *Grounds for appeal from final order*

ACTION Appeal by any school district or person aggrieved by the final order of a county board or county commissioner made under § 123A regarding the organization of school districts.

TIME LIMIT Notice of appeal must be filed within 30 days of the issuance of the order appealed from.

NOTATIONS Notice of appeal must be accompanied by \$250 corporate surety bond.

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| CHAPTER TITLE | Department of Health |
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MINN. STAT.

§ 144.36 Title: **APPEAL TO DISTRICT COURT**

ACTION Appeal to the district court by any person aggrieved by an order of the commissioner of health ordering that polluter desist from polluting a water supply used for domestic purposes.

TIME LIMIT Within 5 days after service of the order.

NOTATIONS During the pendency of the appeal, the pollution against which the order has been issued shall not be continued. Upon violation of such order, the appeal shall forthwith be dismissed.

MINN. STAT.

§ 144.703

Title: **ADDITIONAL POWERS**

Subd.: 2

Subtitle: *Contested Cases*

ACTION

Appeal from the final determination of the commissioner of health as to any rule or determination under §§ 144.695 to 144.703.

TIME LIMIT

The contested case provisions of chapter 14 apply here.

NOTATIONS

Aggrieved persons are entitled to an administrative hearing and judicial review.

MINN. STAT.

§ 144A.475 Title: **ENFORCEMENT**

Subd.: 3b (b) Subtitle: *Temporary suspension expedited hearing*

ACTION Submit exceptions to the administrative law judge's report (findings of fact, conclusions of law, and recommendation) after a temporary suspension expedited hearing.

TIME LIMIT Ten calendar days.

NOTATIONS The record shall close at the end of the ten-day period for submission of exceptions.

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| CHAPTER TITLE | Public Health Provisions |
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MINN. STAT.

§ 145.682 Title: **CERTIFICATION OF EXPERT REVIEW;
AFFIDAVIT**

Subd.: 2 Subtitle: *Requirement*

ACTION Service of an affidavit of expert review and affidavit identifying witnesses to be called in an action alleging malpractice, error, mistake, or failure to cure against a health care provider in which expert testimony is necessary to establish a prima facie case.

TIME LIMIT Affidavit of expert review must be served with the summons and complaint. Affidavit identifying experts to be called must be served upon the defendant within 180 days after commencement of discovery under Minn. R. Civ. P. 26.04(a).

NOTATIONS Subdivision 3 addresses the requirements for the affidavit of expert review and outlines the time limit and procedure where expert review is not undertaken before commencement of the suit. Subdivision 4 addresses the requirements for the affidavit identifying experts and the time limits when this information is contained in answers to interrogatories.

MINN. STAT.

§ 145.682

Title: **CERTIFICATION OF EXPERT REVIEW;
AFFIDAVIT**

Subd.: 3

Subtitle: *Affidavit of expert review*

ACTION

Service of explanatory affidavit concerning non-completion of expert review before commencement of action alleging malpractice, error, mistake, or failure to cure against a health care provider in which expert testimony is necessary to establish a prima facie case.

TIME LIMIT

Within 90 days after service of the summons and complaint.

NOTATIONS

Subdivision 2 addresses affidavit requirements where expert review is undertaken prior to the commencement of the suit.

MINN. STAT.

§ 145.682

Title: **CERTIFICATION OF EXPERT REVIEW;
AFFIDAVIT**

Subd.: 4

Subtitle: *Identification of experts to be called*

ACTION

Service of answers to interrogatories as satisfying requirement of affidavit identifying experts to be called in an action alleging malpractice, error, mistake, or failure to cure against a health care provider in which expert testimony is necessary to establish a prima facie case.

TIME LIMIT

Within 180 days after commencement of discovery under Minn. R. Civ. P. 26.04(a).

NOTATIONS

MINN. STAT.

§ 145.682

Title: **CERTIFICATION OF EXPERT REVIEW;
AFFIDAVIT**

Subd.: 6

Subtitle: *Penalty for noncompliance*

ACTION

Time limit for compliance with demand for expert review affidavit.

TIME LIMIT

Within 60 days after demand.

NOTATIONS

Failure to comply with expert review affidavit requirements within 60 days after demand for the affidavit results, upon motion, in mandatory dismissal with prejudice of each cause of action as to which expert testimony is necessary to establish a prima facie case results.

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| CHAPTER TITLE | Board of Medical Practice |
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| MINN. STAT. | |
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| § 147.091 | Title: FOUNDATIONS FOR DISCIPLINARY ACTION |
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| Subd.: 8 | Subtitle: <i>Limitation</i> |
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| ACTION | Board of medical practice proceeding against a person licensed, registered, or regulated in any other manner by the board of medical practice. |
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| TIME LIMIT | Within 7 years from the date of the commission of some portion of the offense or misconduct. |
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| NOTATIONS | Excludes alleged violations of subd. 1, paragraph (t). |
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| CHAPTER TITLE | Public Health Occupations, Licensing |
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MINN. STAT.

§ 148.941 Title: **DISCIPLINARY ACTION; INVESTIGATION;
PENALTY FOR VIOLATION**

Subd.: 7 Subtitle: *Limitation Period*

ACTION Board of psychology proceeding against a provider.

TIME LIMIT Within 7 years from the date of some portion of the alleged misconduct that is complained of (for complaints received by the board after July 31, 2001).

NOTATIONS Numerous exceptions to the limitation period are found in paragraph (b). If a complaint is received by the board less than 12 months from the expiration of the seven year limitation period, the limitation period is extended for a period of 12 months from the date the complaint is received by the board. If the alleged misconduct involves a minor client, the 7 year limitation period does not begin until the minor reaches age 18.

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| CHAPTER TITLE | Action for Sexual Exploitation |
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MINN. STAT.

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| § 148A.06 | Title: LIMITATION PERIOD |
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| ACTION | Action against a psychotherapist for sexual exploitation. |
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| TIME LIMIT | Within 5 years after the cause of action arises. |
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NOTATIONS

CHAPTER **Pharmacy**
TITLE

MINN. STAT.

§ 151.06 Title: **POWERS AND DUTIES**

Subd.: 1b(b) Subtitle: *Enforcement of violations of cease and desist orders*

ACTION Bring action in Ramsey County District Court for issuance of an injunction to suspend enforcement of the cease and desist order pending a final decision of the board under subdivision 1a to vacate or make permanent the cease and desist order.

TIME LIMIT Within 15 days after service of the cease and desist order

NOTATIONS Effective Aug. 1, 2014 and applies to violations occurring on or after that date.

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| CHAPTER TITLE | Veterinarians |
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MINN. STAT.

§ 156.15 Title: **CEASE AND DESIST ORDERS**

Subd.: 5 Subtitle: *Finality; effect*

ACTION Request for hearing in response to board of veterinary medicine order requiring a person to cease and desist from the unauthorized practice of veterinary medicine, or from violating or threatening to violate a statute, rule, or order which the board has authority to enforce.

TIME LIMIT Within 30 days of service of the order.

NOTATIONS

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| CHAPTER TITLE | Roads, General Provisions |
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MINN. STAT.

§ 160.14 Title: **MARKING BOUNDARIES OF HIGHWAYS**

Subd.: 4 Subtitle: *Judicial Determination*

ACTION Service and filing of note of issue with the district court in the county in which the land is located, when any abutting owner tenders signed, written objections to the highway boundaries as marked.

TIME LIMIT Within 12 months after the service and filing of the objections.

NOTATIONS

MINN. STAT.

§ 160.22

Title: **TREES**

Subd.: 7

Subtitle: *Appeal from determination to remove*

ACTION

Appeal of the road authority's decision to remove trees or hedges to the district court by an abutting land owner.

TIME LIMIT

Within 30 days of receipt of notice of the road authority's decision regarding the cutting and removal of trees and hedges.

NOTATIONS

CHAPTER **Trunk Highway System**
TITLE

MINN. STAT.

§ 161.28 Title: **ALTERING PUBLIC DRAINAGE DITCH BY
TRUNK HIGHWAY**

Subd.: 2 Subtitle: *Recovery of Damages*

ACTION Action by land owner for damages from an alteration or
change in a public drainage system.

TIME LIMIT Within 6 years after completion of any alteration or change
as provided in this section.

NOTATIONS

MINN. STAT.

§ 161.34

Title: **CONTRACT CLAIMS AGAINST STATE**

Subd.: 2

Subtitle: *When action may be commenced*

ACTION

Action against the state arising out of any contract for construction or repair of state trunk highways.

TIME LIMIT

Within 90 days after the plaintiff has been furnished by the state with a final estimate under the plaintiff's contract, or, at the election of the plaintiff, within six months after the work is completed.

NOTATIONS

Limitation does not relate to suits on a public contractor's bond but rather to the time in which the contractor may bring suit against the state after completion of the contract. Elk River Concrete Prods. Co. v. Am. Cas. Co., 262 Minn. 310, 114 N.W.2d 655 (Minn. 1962).

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| CHAPTER TITLE | County Highways |
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MINN. STAT.

§ 163.11 Title: **POWERS RELATING TO HIGHWAYS**

Subd.: 4 Subtitle: *Vacation*

ACTION Notice of appeal to the county district court by any person claiming to be damaged by the county board's resolution to vacate a county highway.

TIME LIMIT Within 30 days after the service of the resolution upon each occupant of land through which the vacated highway passed.

NOTATIONS

MINN. STAT.

§ 163.12 Title: **ALTERNATIVE PROCEDURE FOR ACQUISITION**

Subd.: 7 Subtitle: *Appeal from award*

ACTION Notice of appeal to the district court by owners or occupants of land, from an award of damages when such land is acquired for public highway use.

TIME LIMIT Within 40 days after the filing of the award of damages.

NOTATIONS

MINN. STAT.

§ 163.13

Title: **PETITION FOR HIGHWAY OR PORTAGE**

Subd.: 3

Subtitle: *Appeal*

ACTION

Notice of appeal to the district court of the county by any person aggrieved by the county board's denial of a petition to establish, alter, or vacate a county highway or portage.

TIME LIMIT

Within 30 days after the denial.

NOTATIONS

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| CHAPTER TITLE | Motor Vehicle Registration, Taxation, Sale |
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MINN. STAT.

§ 168.16 Title: **REFUND; APPROPRIATION**

Subd.: (a)

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| ACTION | Claim for refund of an overpayment of motor vehicle registration tax. |
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| TIME LIMIT | Within 3½ years from the date of payment. |
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NOTATIONS

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| CHAPTER TITLE | Department of Labor and Industry |
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MINN. STAT.

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| § 175.25 | Title: PERSONS AGGRIEVED; POWERS OF DISTRICT COURT |
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| ACTION | Application to a district court judge for an order restraining enforcement of any order or direction of the Department of Labor and Industry. |
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| TIME LIMIT | Within 10 days after service of the order or direction. |
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| NOTATIONS | Application may be made by any aggrieved person. |
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| CHAPTER TITLE | Workers' Compensation |
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| MINN. STAT. | |
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| § 176.081 | Title: LEGAL SERVICES OR DISBURSEMENTS; LIEN; REVIEW |
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| Subd.: 1(f) | Subtitle: <i>Limitation of fees</i> |
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| ACTION | Filing statement of attorneys' fees. |
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| TIME LIMIT | Within 12 months of the date the attorney submitted written notice as specified in paragraph (c). |
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| NOTATIONS | If the statement is not filed within 12 months, the attorney must send a renewed notice of lien to the insurer. If 12 months have elapsed since the insurer has received the last notice of lien, and no statement of attorney's fees has been filed, the insurer must release the withheld money to the employee. Before releasing the money, the insurer must give the attorney 30 days written notice of the pending release; the insurer must not release the money if the attorney files a statement of attorneys' fees within the 30 days. |
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MINN. STAT.

§ 176.092

Title: **GUARDIAN; CONSERVATOR**

Subd.: 2

Subtitle: *Appointment*

ACTION

Request for district court order appointing a guardian or conservator by attorney representing an employee or dependent who is or attorney believes is a minor or an incapacitated person.

TIME LIMIT

Within 30 days.

NOTATIONS

If there is no attorney or if the attorney fails to seek an appointment within 30 days, the employer or insurer shall seek the appointment in district court and the special compensation fund shall notify the commissioner or a compensation judge for referral of the matter under subdivision 3. In the case of a minor who is not represented by an attorney, the commissioner shall refer the matter under subdivision 3.

MINN. STAT.

§ 176.106

Title: **ADMINISTRATIVE CONFERENCE**

Subd.: 7

Subtitle: *Request for hearing*

ACTION

Request for formal hearing by any party aggrieved by the decision of the commissioner or compensation judge.

TIME LIMIT

No later than 30 days after the decision.

NOTATIONS

Request must be filed with the commissioner and served on all parties.

MINN. STAT.

§ 176.151(a) Title: **TIME LIMITATIONS**

ACTION Actions or proceedings by an injured employee to determine or recover compensation.

TIME LIMIT 3 years after the employer has made written report of the injury to the commissioner of the Department of Labor and Industry, but not to exceed six years from the date of the accident.

NOTATIONS In any case of physical or mental incapacity, other than minority, the period of limitation is extended for 3 years from the date when the incapacity ceases. Minn. Stat. § 176.151 (3).

MINN. STAT.

§ 176.151(b) Title: **TIME LIMITATIONS**

ACTION Actions or proceedings by dependents to determine or recover compensation.

TIME LIMIT Within 3 years after receipt by the commissioner of the Department of Labor and Industry of written notice of death given by the employer, but not to exceed 6 years from the date of injury.

NOTATIONS If the employee was paid compensation for the injury from which the death resulted, such actions or proceedings by dependents must be commenced within 3 years after the receipt by the commissioner of the Department of Labor and Industry of written notice of death, given by the employer, but not to exceed 6 years from the date of death.

In any case of physical or mental incapacity, other than minority, the period of limitation is extended for 3 years from the date when the incapacity ceases. Minn. Stat. § 176.151 (3).

MINN. STAT.

§ 176.151(d) Title: **TIME LIMITATIONS**

ACTION Notice to the employer and action for injury caused by x-rays, radium, radioactive substances or machines, ionizing radiation, or any other occupational disease.

TIME LIMIT Within 3 years after the employee has knowledge of the cause of such injury and the injury has resulted in disability.

NOTATIONS

MINN. STAT.

§ 176.291

Title: **DISPUTES; PETITIONS; PROCEDURE**

ACTION

An employee who has filed a workers' compensation claim petition pursuant to § 176.271 or 176.291 shall, upon request, furnish a list of physicians and health care providers from whom the employee has received treatment for the same or a similar condition as well as authorizations to release relevant information, data, and records to the requester.

TIME LIMIT

Within 30 days of a request by a party.

NOTATIONS

MINN. STAT.

§ 176.321

Title: **ANSWER TO PETITION**

Subd.: 1

Subtitle: *Filing, service*

ACTION

Service and filing of an answer to a petition stating a dispute as to a question of law or fact in connection with a claim for workers' compensation.

TIME LIMIT

Within 20 days after service of the petition.

NOTATIONS

Upon cause, the commissioner of labor and industry may extend the time to file an answer or reply for not more than 30 additional days. Minn. Stat. § 176.321, subd. 3.

MINN. STAT.

§ 176.421

Title: **APPEALS TO WORKERS' COMPENSATION
COURT OF APPEALS**

Subd.: 1

Subtitle: *Time for taking; grounds*

ACTION

Appeal by any party in interest to the workers' compensation court of appeals from an award or disallowance of compensation by a compensation judge.

TIME LIMIT

Within 30 days after a party in interest has been served with notice of the award or disallowance of compensation, or other order affecting the merits of the case.

NOTATIONS

MINN. STAT.

§ 176.442

Title: **APPEALS FROM DECISIONS OF
COMMISSIONER**

ACTION

Appeal to the workers' compensation court of appeals from any decision or determination of the commissioner of the department of labor and industry affecting a right, privilege, benefit, or duty which is imposed or conferred under § 176.

TIME LIMIT

Within the same time as if the appeal was from an order or decision of a compensation judge to the workers' compensation court of appeals.

NOTATIONS

MINN. STAT.

§ 176.471

Title: **REVIEW BY SUPREME COURT ON CERTIORARI**

Subd.: 1

Subtitle: *Time for seeking review; grounds*

ACTION

Application by a party in interest for review by the supreme court on certiorari of an order by the workers' compensation court of appeals.

TIME LIMIT

Within 30 days from the date the party was served with notice of the order.

NOTATIONS

Grounds for seeking review on certiorari: the order does not conform with § 176; the workers' compensation court of appeals committed any other error of law; or the findings of fact and order were unsupported by substantial evidence in view of the entire record as submitted.

MINN. STAT.

§ 176.471 Title: **REVIEW BY SUPREME COURT ON CERTIORARI**

Subd.: 3 Subtitle: *Service of writ; filing fee.*

ACTION Serve writ of certiorari upon administrator of the Workers' Compensation Court of Appeals to effect a review

TIME LIMIT Within the 30-day period specified in Subd. 1

NOTATIONS Party shall also pay the fee prescribed by rule 116.03 of the Rules of Civil Appellate Procedure.

MINN. STAT.

§ 179A.051

Title: **APPEALS FROM COMMISSIONER'S DECISIONS**

ACTION

Filing and serving a writ of certiorari to the Court of Appeals on the other party/parties and commissioner for review of commissioner's decisions relating to supervisory, confidential, essential, professional employees, appropriateness of a unit, or fair share fee challenges.

TIME LIMIT

Within 30 days from the date of the mailing of the commissioner's decision.

NOTATIONS

MINN. STAT.

§ 179A.052

Title: **APPEALS OF BOARD'S DECISIONS**

ACTION

Filing and serving a writ of certiorari to the Court of Appeals on the other party/parties and commissioner for review of commissioner's decisions relating unfair labor practices under sections 179.11, 179.12, 179.12, subd. 11, or 179A.13 including dismissal of unfair labor practice charges.

TIME LIMIT

Within 30 days from the date of the mailing of the board's decision.

NOTATIONS

The petition must be served on the other party or parties at the party's or parties' last known address.
This section is effective July 1, 2015.

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| CHAPTER TITLE | Employment |
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MINN. STAT.

§ 181.965 Title: **REMEDIES**

Subd.: 2 Subtitle: *Limitations period*

ACTION Action by an employee against an employer to compel compliance with §§ 181.960 to 181.964 and to request relief as provided in subd. 1 of this section.

TIME LIMIT Must be commenced within 1 year of the actual or constructive discovery of the alleged violation.

NOTATIONS

MINN. STAT.

§ 182.664

Title: **OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD**

Subd.: 5

Subtitle: *Authority of board; standard of review*

ACTION

Appeal by an employer, employee, or their authorized representative, or any party, to the occupational safety and health review board from the decisions and orders of an administrative law judge , or final orders of the commissioner of labor and industry.

TIME LIMIT

Within 30 days following service of the order or decision.

NOTATIONS

Any person aggrieved by a final order of the occupational safety and health review board in a contested case, or by any standard, rule or order promulgated by the commissioner, is entitled to judicial review thereof in accordance with the applicable provisions of chapter 14.

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| CHAPTER TITLE | Uniform Code of Military Justice |
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MINN. STAT.

§ 192A.235 Title: **STATUTE OF LIMITATIONS**

Subd.: 1 Subtitle: *No limitation*

ACTION Action against a person charged with desertion or absence without leave in time of war, with aiding the enemy, or with mutiny.

TIME LIMIT None; may be tried and punished at any time without limitation.

NOTATIONS

MINN. STAT.

§ 192A.235

Title: **STATUTE OF LIMITATIONS**

Subd.: 3

Subtitle: *Three-year limitation*

ACTION

Action against a person charged with any offense (except as otherwise provided in this section); receipt of sworn charges and specifications by an officer exercising summary court-martial jurisdiction over the command, or imposition of punishment, must be received within prescribed time in order for the accused to be liable to be tried by court martial or punished under § 192A.0851.

TIME LIMIT

Within 3 years of when the offense was committed.

NOTATIONS

Periods in which the accused was absent from territory in which the state has the authority to apprehend the accused, or in the custody of civil authorities, or in the hands of the enemy, shall be excluded in computing the above period of limitation. § 192A.235, subd. 4.

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| CHAPTER TITLE | Veterans; Rewards, Privileges |
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| § 197.46 | Title: VETERANS PREFERENCE ACT; REMOVAL FORBIDDEN; RIGHT OF MANDAMUS |
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| ACTION | Request for a hearing before the civil service board by any veteran who has been notified of the intent to discharge him or her from an appointed position or employment pursuant to this section. |
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| TIME LIMIT | Within 30 days of receipt of the notice of intent to discharge. |
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| NOTATIONS | <p>The failure of a veteran to request a hearing constitutes a waiver of the right to a hearing and a waiver of all other available legal remedies for reinstatement.</p> <p>The veteran may appeal from the decision of the hearing body to the district court by serving notice of the appeal upon the governmental subdivision or officer making the charges, within 15 days after notice of the decision. Notice must also be filed with the district court within 10 days after service.</p> |
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| CHAPTER TITLE | Election Contests |
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| MINN. STAT. | |
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| § 209.021 | Title: NOTICE OF CONTEST |
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| Subd.: 1 | Subtitle: <i>Manner; time; contents</i> |
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| ACTION | Notice of election contest; service and filing. |
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| TIME LIMIT | Except as provided in § 204D.27, within 5 days after the canvass is completed in a primary or special primary; within 7 days after the canvass is completed in a special or general election. |
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| NOTATIONS | <p>Where a contest is based upon a deliberate, serious, and material violation of election laws which was discovered from the statements of receipts and disbursements required to be filed by candidates and committees, the action may be commenced and the notice served and filed within 10 days after the filing of statements in a general or special election or within five days after the filing of the statements in a primary or special primary.</p> |
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Where a notice of contest questions only which party received the highest number of votes legally cast, a contestee who loses may serve and file a notice of contest on any other ground during the three days following expiration of the time for appealing the decision of the vote count.

MINN. STAT.

§ 209.03

Title: **CONTESTEE'S ANSWER**

Subd.: 2

Subtitle: *Other contests*

ACTION

Service of an answer to a notice of election contest.

TIME LIMIT

If the contest relates to a primary or special primary, service of the answer must be made within the time fixed by the court, but no more than 5 days after service of the notice of contest.

If the contest relates to a general or special election, within 7 days after service of the notice of contest.

NOTATIONS

MINN. STAT.

§ 209.065

Title: **PLEADINGS; PROCEDURE**

ACTION

Trial of election contest proceedings, brought by either the contestant or the contestee.

TIME LIMIT

As soon as practicable within 20 days after the filing of the notice of contest.

NOTATIONS

MINN. STAT.

§ 209.09

Title: **APPEALS**

Subd.: 1

Subtitle: *Most Contests*

ACTION

Notice of appeal of the decision of the district court in any election contest under this chapter.

TIME LIMIT

Except for a statewide contest or a state legislative contest, the notice of appeal must be served and filed in the court of appeals in the case of a general or special election no later than 10 days and, in the case of a primary or special primary, no later than 5 days after the entry of the district court's decision in the contest.

NOTATIONS

Section 209.10, subd. 4, applies to a contest regarding a statewide office, a constitutional amendment, or other question voted on statewide.

MINN. STAT.

§ 209.10

Title: **STATE LEGISLATIVE OFFICE**

Subd.: 4

Subtitle: *Appeal*

ACTION

Appeal to the supreme court from a judge's decision in a state legislative office contest.

TIME LIMIT

No later than 10 days after its entry in the case of a general election contest or 5 days after its entry in the case of a primary contest.

NOTATIONS

MINN. STAT.

§ 216B.16

Title: **RATE CHANGE; PROCEDURE; HEARING**

Subd.: 3(d)

Subtitle: *Interim rate*

ACTION

Suit brought under this subdivision against a public utility for failure to make refunds within the time prescribed by the public utilities commission.

TIME LIMIT

Within 2 years after the end of the period of time prescribed by the commission for repayment of funds.

NOTATIONS

MINN. STAT.

§ 216B.52

Title: **APPEAL**

Subd.: 1

Subtitle: *Appeal under Administrative Procedure Act*

ACTION

Appeal to the district court from a decision and order of the public utilities commission by any party to a proceeding before the commission or any other person aggrieved by a decision and order and directly affected by it.

TIME LIMIT

In accordance with chapter 14.

NOTATIONS

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| CHAPTER TITLE | Environmental Quality Board |
|--------------------------|------------------------------------|

MINN. STAT.

§ 216E.15 Title: **JUDICIAL REVIEW**

ACTION Appeal to court of appeals from the issuance of a permit by the Environmental Quality Board for a power plant or for a route along which high-voltage power lines will travel, or from a certification of continuing suitability filed with the board by a utility, or from a final order of the board.

TIME LIMIT Within 30 days after the publication in the state register of notice of the issuance of the permit or certification filed with the board or the filing of any final order by the board.

NOTATIONS

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|--------------------------|---------------------------------------|
| CHAPTER TITLE | Railroad Safety and Employment |
|--------------------------|---------------------------------------|

MINN. STAT.

§ 219.83 Title: **LIMITATION OF ACTION**

ACTION Action maintained under §§ 219.77 to 219.83.

TIME LIMIT Within 2 years from the day the cause of action accrues.

NOTATIONS

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|--------------------------|-----------------------------|
| CHAPTER TITLE | Cable Communications |
|--------------------------|-----------------------------|

MINN. STAT.

§ 238.25 Title: **PROCEDURE**

Subd.: 9 Subtitle: *Appeal*

ACTION Appeal of the district court's determination by either party to the district court proceeding.

TIME LIMIT Within 90 days after the filing of the district court's determination.

NOTATIONS

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|----------------|----------------------------|
| CHAPTER | Public Institutions |
| TITLE | |

MINN. STAT.

§ 246.55 Title: **APPEAL FROM ORDER OF COMMISSIONER**

ACTION Appeal to the district court by a client or relative aggrieved by an order of the commissioner of public welfare under §§ 246.50 to 246.55.

TIME LIMIT Within 30 days from the date the order was mailed, or a later date not exceeding 1 year from the date of the mailing as permitted by order of the court.

NOTATIONS

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| CHAPTER TITLE | Developmental Disability Protection |
|--------------------------|--|

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| MINN. STAT. | |
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|-------------------|-----------------------|
| § 252A.101 | Title: HEARING |
|-------------------|-----------------------|

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| Subd.: 6 | Subtitle: <i>Notice of order; appeal</i> |
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| ACTION | Appeal of a guardianship or conservatorship appointment. |
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| TIME LIMIT | Within 30 days. |
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| NOTATIONS | A copy of the order shall be served by mail upon the ward or conservatee and the ward's counsel. The order must be accompanied by a notice that advises the ward or conservatee of the right to appeal the guardianship or conservatorship appointment. |
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| CHAPTER TITLE | Civil Commitment |
|--------------------------|-------------------------|

MINN. STAT.

§ 253B.15 Title: **PROVISIONAL DISCHARGE; PARTIAL
INSTITUTIONALIZATION**

Subd.: 3(b) Subtitle: *Review*

ACTION Petition by patient or patient's attorney for judicial review of
an intended revocation of provisional discharge.

TIME LIMIT Within 5 days of receiving written notice of intent to revoke
provisional discharge.

NOTATIONS

MINN. STAT.

§ 253B.19

Title: **JUDICIAL APPEAL PANEL; PATIENTS WHO ARE MENTALLY ILL AND DANGEROUS TO THE PUBLIC**

Subd.: 2

Subtitle: *Petition, hearing*

ACTION

Petition to judicial appeal panel for rehearing and reconsideration of a decision by the commissioner of human services.

TIME LIMIT

Within 30 days after the decision of the commissioner is signed.

NOTATIONS

MINN. STAT.

§ 253B.19

Title: **JUDICIAL APPEAL PANEL; PATIENTS WHO ARE MENTALLY ILL AND DANGEROUS TO THE PUBLIC**

Subd.: 5

Subtitle: *Appeal*

ACTION

Appeal to the court of appeals by a party aggrieved by an order of the judicial appeal panel.

TIME LIMIT

Within 60 days after a copy of the decision is sent to the parties by the clerk of appellate courts.

NOTATIONS

MINN. STAT.

§ 253B.23

Title: **GENERAL PROVISIONS**

Subd.: 7

Subtitle: *Appeal*

ACTION

Appeal to the court of appeals by the commissioner or any other aggrieved party from any order entered under this chapter.

TIME LIMIT

For any district court order or judgment under this chapter or related case law, within 60 days after the date of filing of the order or entry of judgment.

NOTATIONS

A judgment under § 253B.18, subd. 1, may be appealed within 60 days after the date of the order entered under § 253B.18, subd. 2.

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| CHAPTER TITLE | Human Services |
|--------------------------|-----------------------|

MINN. STAT.

§ 256.87 Title: **CONTRIBUTION BY PARENTS**

Subd.: 1 Subtitle: *Actions against parents for assistance furnished*

ACTION Action against parents for the amount of public assistance furnished to and for the benefit of the child, including any assistance furnished for the benefit of the caretaker of the child, which the parent has had the ability to pay.

TIME LIMIT Liability is limited to the 2 years immediately preceding the commencement of the action.

NOTATIONS Where child support has previously been ordered, the state or county agency providing the assistance shall be entitled to judgments for child support payments accruing 10 years preceding the date of the commencement of the action up to the full amount of assistance furnished.

MINN. STAT.

§ 256.9685

Title: **ESTABLISHMENT OF INPATIENT HOSPITAL
PAYMENT SYSTEM**

Subd.: 1(c)

Subtitle: *Judicial Review*

ACTION

Appeal to the district court by a hospital or physician aggrieved by an order of the commissioner of human services under subdivision 1b.

TIME LIMIT

Within 30 days after the date the commissioner issued the order.

NOTATIONS

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|--------------------------|---|
| CHAPTER TITLE | Medical Assistance for Needy Persons |
|--------------------------|---|

MINN. STAT.

§ 256B.15 Title: **CLAIMS AGAINST ESTATES**

Subd.: 1(c) Subtitle: *Notice of potential claim*

ACTION Filing notice of potential claim against estate by state agency for reimbursement of medical assistance.

TIME LIMIT Within 1 year after a medical assistance recipient dies.

NOTATIONS

MINN. STAT.

§ 256B.50

Title: **APPEALS**

Subd.: 1(b)

Subtitle: *Filing an Appeal*

ACTION

Appeal by a provider from a determination of a payment rate.

TIME LIMIT

Must be postmarked or received within 60 days of the publication date printed on the rate notice.

NOTATIONS

MINN. STAT.

§ 256B.50

Title: **APPEALS**

Subd.: 1c

Subtitle: *Contested case procedures appeals review process*

ACTION

Demand for contested case hearing where provider disagrees with the appeal determination of a payment rate or reimbursement rules of the commissioner.

TIME LIMIT

The demand must be postmarked or received by the commissioner within 30 days of the date of issuance specified in the determination.

NOTATIONS

A contested case hearing must be heard by an administrative law judge according to §§ 14.48 to 14.56. Minn. Stat. § 256B.50, subd. 1c(d).

MINN. STAT.

§ 256B.50

Title: **APPEALS**

Subd.: 1e

Subtitle: *Attorney fees and costs*

ACTION

Reimbursement of fees and costs awarded to a provider for proceedings under this subdivision.

TIME LIMIT

Within 120 days of the final decision on the award of attorneys' fees and costs.

NOTATIONS

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| CHAPTER TITLE | Children; Custody, Legitimacy |
|--------------------------|--------------------------------------|

MINN. STAT.

§ 257.57 Title: **DETERMINATION OF FATHER AND CHILD
RELATIONSHIP; WHO MAY BRING ACTION;
WHEN ACTION MAY BE BROUGHT**

Subd.: 1(a) Subtitle: *Actions under section 257.55, subdivision 1, paragraph
(a), (b), or (c)*

ACTION Action by a child, the child's biological mother, or a man presumed to be the child's father to determine the existence of the father and child relationship presumed under § 257.55, subd. 1, paragraph (a), (b), or (c).

TIME LIMIT No time limit, action may be brought at any time.

NOTATIONS

MINN. STAT.

§ 257.57

Title: **DETERMINATION OF FATHER AND CHILD
RELATIONSHIP; WHO MAY BRING ACTION;
WHEN ACTION MAY BE BROUGHT**

Subd.: 1(b)

Subtitle: *Actions under section 257.55, subdivision 1, paragraph
(a), (b), or (c)*

ACTION

Action by a child, the child's biological mother, or a man presumed to be the child's father to determine the nonexistence of the father and child relationship presumed under § 257.55, subd. 1, paragraph (a), (b), or (c).

TIME LIMIT

Within 2 years after the person bringing the action has reason to believe that the presumed father is not the father of the child, but in no event later than 3 years after the child's birth.

Not later than 1 year after the child reaches majority or one year after the presumed father knows or reasonably should have known of the birth of the child, whichever is earlier, where the presumed father was divorced from the child's mother and if, on or before the 280th day after the judgment and decree of divorce or dissolution became final, he did not know that the child was born during the marriage or within 280 days after the marriage was terminated.

NOTATIONS

MINN. STAT.

§ 257.57

Title: **DETERMINATION OF FATHER AND CHILD RELATIONSHIP; WHO MAY BRING ACTION; WHEN ACTION MAY BE BROUGHT**

Subd.: 2(1)

Subtitle: *Actions under other paragraphs of section 257.55, subdivision 1*

ACTION

Action to declare the existence of the father and child relationship presumed under § 257.55, subd. 1, paragraph (d), (e), (f), (g), or (h), or the nonexistence of the father and child relationship presumed under clause (d) of that subdivision, by the child, the mother, or personal representative of the child, the public authority chargeable by law with the support of the child, the personal representative or a parent of the mother if the mother has died or is a minor, a man alleged or alleging himself to be the father, or the personal representative or a parent of the alleged father if the alleged father has died or is a minor. Minn. Stat. § 257.57, subd. 2(1).

TIME LIMIT

No time limit, action may be brought at any time.

Within 6 months after the person bringing the action obtains the results of blood or genetic tests that indicate that the presumed father is not the father of the child, where the action is brought under § 257.55, subd. 1, paragraph (e) or (g). Minn. Stat. § 257.57, subd. 2(2).

Within 3 years after the party bringing the action, or the party's attorney of record, has been provided the blood or genetic test results that indicate that the presumed father is not the father of the child, where the action is brought under 257.55, subd. 1, paragraph (f). Minn. Stat. § 257.57, subd. 2(3).

Within 6 months after the minor signatory reaches the age of 18 , where the action is brought for the purpose of declaring the nonexistence of the father and child relationship presumed under § 257.75, subd. 9. If a recognition of parentage is executed by 2 minor signatories, the action must

be brought within 6 months after the youngest signatory reaches 18.

NOTATIONS

MINN. STAT.

§ 257.58

Title: **LIMITATION OF ACTIONS; EXCEPTIONS**

Subd.: 1

Subtitle: *Actions for children without a presumed father*

ACTION

Action to determine the existence of the father and child relationship as to a child who has no presumed father under § 257.55.

TIME LIMIT

Action not barred until 1 year after child reaches the age of majority, except as otherwise provided in § 259.52.

NOTATIONS

Neither this section nor § 257.57 extends the time within which a right of inheritance or a right to succession may be asserted beyond the time provided by law relating to distribution and closing of decedents' estates or to the determination of heirship, or otherwise. Minn. Stat. § 257.58, subd. 2.

MINN. STAT.

§ 257.66

Title: **JUDGMENT OR ORDER**

Subd.: 4

Subtitle: *Statute of Limitations*

ACTION

Action resulting in court order addressing parental liability for past support of the child.

TIME LIMIT

Court may only order past support for the 2 years immediately preceding the commencement of the action.

NOTATIONS

The court shall limit the parent's liability for past support to that proportion which the court deems just.

MINN. STAT.

§ 257.75

Title: **RECOGNITION OF PARENTAGE**

Subd.: 2

Subtitle: *Revocation of recognition*

ACTION

Revocation of a recognition of parentage in a writing signed by the mother or father before a notary public.

TIME LIMIT

Must be filed with the state registrar of vital statistics within the earlier of 60 days after the recognition is executed or the date of an administrative or judicial hearing relating to the child to whom the revoking party is a party to the related action.

A joinder in a recognition may be revoked in a writing signed by the man who executed the joinder and filed with the state registrar of vital statistics within 60 days after the joinder is executed.

NOTATIONS

MINN. STAT.

§ 257.75

Title: **RECOGNITION OF PARENTAGE**

Subd.: 4

Subtitle: *Action to vacate recognition*

ACTION

Action by the mother, father, husband or former husband who executed a joinder, the child, or the public authority to vacate a recognition of parentage.

TIME LIMIT

If the action is brought by a mother, father, husband or former husband who executed a joinder: Within 1 year of the execution of the recognition or within 6 months after the person bringing the action obtains the results of blood or genetic tests that indicate that the man who executed the recognition is not the father of the child.

If the action is brought by the child: Within one year of reaching majority or within 6 months after the child obtains the results of blood or genetic tests that indicate that the man who executed the recognition is not the father of the child, whichever is later.

NOTATIONS

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| CHAPTER TITLE | Standby Custodian; Designation; Guardian |
|--------------------------|---|

MINN. STAT.

§ 257B.05 Title: **PETITION FOR APPROVAL**

Subd.: 1 Subtitle: *Generally*

ACTION Petition for approval of a designation of a standby or temporary custodian under this chapter.

TIME LIMIT No time limit: may be brought at any time.

NOTATIONS If a triggering event (a specified occurrence stated in the designation that empowers a standby or temporary custodian to assume the powers, duties, and responsibilities of custodian or co-custodian) occurs before this petition is filed, the standby custodian must file the petition within 60 days of the triggering event. Failure to do so will result in the standby custodian losing all authority to act as co-custodian or custodian. Minn. Stat. § 257B.06, subd. 4.

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| CHAPTER TITLE | Change of Name, Adoption |
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| MINN. STAT. | |
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|-----------------|------------------------|
| § 259.22 | Title: PETITION |
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| Subd.: 4 | Subtitle: <i>Time for Filing Petition</i> |
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| ACTION | Petition to adopt a child. |
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| TIME LIMIT | Must be filed not later than 12 months after a child is placed in a prospective adoptive home. |
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| NOTATIONS | If petition is not filed within this time, the agency supervising the placement must file a motion for an order and report recommending one of the options outlined in this subdivision. |
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MINN. STAT.

§ 259.47

Title: **DIRECT ADOPTIVE PLACEMENT**

Subd.: 3

Subtitle: *Pre-adoptive custody order*

ACTION

Motion by a prospective adoptive parent seeking an order granting temporary pre-adoptive custody.

TIME LIMIT

May be filed up to 60 days before the placement is to be made.

NOTATIONS

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| CHAPTER TITLE | Delinquency |
|--------------------------|--------------------|

MINN. STAT.

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|-------------------|----------------------------|
| § 260B.411 | Title: NEW EVIDENCE |
|-------------------|----------------------------|

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| ACTION | Petition for rehearing by a child whose status has been adjudicated by a juvenile court, or the child's parent, guardian, custodian or spouse, on the grounds that new evidence has been discovered affecting the advisability of the court's original adjudication or disposition. |
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| TIME LIMIT | Within 15 days of the filing of the court's order. |
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NOTATIONS

MINN. STAT.

§ 260B.415

Title: **APPEAL**

Subd.: 1

Subtitle: *Persons entitled to appeal; procedure*

ACTION

Appeal by an aggrieved person from a final order of the juvenile court affecting a substantial right of the aggrieved person.

TIME LIMIT

Within 30 days of the filing of the appealable order.

NOTATIONS

MINN. STAT.

§ 260C.411 Title: **NEW EVIDENCE**

ACTION Petition for rehearing by a child whose status has been adjudicated by a juvenile court, or the child's parent, guardian, custodian or spouse, on the grounds that new evidence has been discovered affecting the advisability of the court's original adjudication or disposition.

TIME LIMIT Within 15 days of the filing of the commissioner's order.

NOTATIONS

MINN. STAT.

§ 260C.415

Title: **APPEAL**

Subd.: 1

Subtitle: *Persons entitled to appeal; procedure*

ACTION

Appeal by an aggrieved person from a final order of the juvenile court affecting a substantial right of the aggrieved person.

TIME LIMIT

Within 30 days of the filing of the appealable order.

NOTATIONS

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| CHAPTER TITLE | Department of Economic Security |
|--------------------------|--|

MINN. STAT.

§ 268.105 Title: **HEARINGS; APPEALS**

Subd.: 7 Subtitle: *Judicial Review*

ACTION Appeal from the unemployment law judge's reconsideration decision to the Minnesota Court of Appeals, by writ of certiorari to the department.

TIME LIMIT Petition for the writ must be filed and served within 30 calendar days of the sending of the unemployment law judge's decision. Add three days to the 30-calendar-day period if the decision on reconsideration was mailed to the parties.

NOTATIONS

MINN. STAT.

§ 270.076

Title: **APPEAL**

Subd.: 1

Subtitle: *Appeal*

ACTION

Orders of the commissioner of net tax capacity and of tax required under section 270.075, subdivision 2, may be appealed.

TIME LIMIT

These orders may be appealed to the Tax Court in the manner provided in section 271.06 for appealing official orders of the commissioner that do not deal with valuation, assessment, or taxation for property tax purposes, and the provisions of section 273.125, subdivisions 4 and 5, and chapter 378 do not apply.

NOTATIONS

These orders must be issued in conformance with section 270C.33, subdivisions 1 and 2, but are not subject to administrative review under section 270C.35.

CHAPTER **Revenue Recapture Act**
TITLE

MINN. STAT.

§ 270A.09 Title: **CONTESTED CLAIMS PROCEDURE**

ACTION Appeal from the decision of an administrative law judge regarding a contested setoff claim by the department of economic security.

TIME LIMIT According to §§ 14.63 to 14.68.

NOTATIONS

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| CHAPTER TITLE | Tax Court |
|--------------------------|------------------|

MINN. STAT.

§ 271.06 Title: **APPEALS FROM ORDERS**

Subd.: 2 Subtitle: *Time; notice; intervention*

ACTION Appeal to the Tax Court from any official order of the commissioner of revenue respecting any tax, fee, or assessment, or any matter pertaining thereto, including the imposition of interest and penalty, or any matter over which the court is granted jurisdiction under § 271.01, subd. 5, by any person directly interested therein or affected thereby, or by any political subdivision of the state, directly or indirectly, interested therein or affected thereby, or by the attorney general in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the attorney general, upon request, shall refuse to appeal (except as otherwise provided in § 270.07, subd. 1, paragraph (a)).

TIME LIMIT Serve and file the notice of appeal within 60 days after notice date of an order of the commissioner of revenue.

NOTATIONS When an appeal is taken to the Tax Court in any case dealing with property valuation, assessment, or taxation for property tax purposes, the provisions of § 273.125, subds. 4 and 5, and chapter 278 shall apply as if the appeal had been taken to the district court. Minn. Stat. § 271.06, subd. 1.

The Tax Court, for cause shown, may by written order extend the time for appealing for an additional period not exceeding 30 days.

MINN. STAT.

§ 271.08

Title: **FINDINGS OF FACT; DECISION, ENTRY OF JUDGMENT**

Subd.: 1

Subtitle: *Written order*

ACTION

Motion to the tax court for rehearing, including a motion for amended findings of fact, conclusions of law, or a new trial.

TIME LIMIT

Within 30 days after mailing of the notice by the court.

NOTATIONS

The motion must be heard within 30 days thereafter, unless the time for hearing is extended for good cause shown within the 30-day period.

MINN. STAT.

§ 271.10

Title: **REVIEW BY SUPREME COURT**

Subd.: 2

Subtitle: *Certiorari*

ACTION

Petition to the Supreme Court for certiorari review of any final order of the Tax Court, by any party to the Tax Court proceedings.

TIME LIMIT

Within 60 days after notice of the making and filing of the order of the Tax Court, or the making and filing of an order on a motion for re-hearing, which includes a motion for amended findings of fact, conclusions of law, or new trial.

NOTATIONS

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| CHAPTER | Taxation, General Provisions |
| TITLE | |

MINN. STAT.

§ 272.67 Title: **DIVISION OF LAND IN CITIES INTO RURAL AND URBAN DISTRICTS**

Subd.: 4 Subtitle: *Publication of final ordinance; appeal*

ACTION Appeal, to the district court, of an ordinance or amendment dividing land in cities into rural and urban service districts.

TIME LIMIT Within 30 days after the publication of the ordinance or amendment.

NOTATIONS

CHAPTER **Taxes; Listing, Assessment**
TITLE

MINN. STAT.

§ 273.124 Title: **HOMESTEAD DETERMINATION; SPECIAL
RULES**

Subd.: 3(d) Subtitle: *Cooperatives and charitable corporations; homestead and
other property*

ACTION Appeal to the tax court by a property owner aggrieved by a county determination that benefits for qualified cooperatives and corporations, plus a penalty equal to 100 percent of that amount are due from the building's owner because the owner failed to notify the assessor within 30 days that the building, or dwelling units within the building, no longer qualified for benefits under paragraph (a) or (b).

TIME LIMIT Within 60 days of the date of the notice from the county appellant must serve copies of a petition for review with county officials as provided in § 278.01 and file a proof of service as provided in § 278.01 with the Minnesota Tax Court.

NOTATIONS

MINN. STAT.

§ 273.124

Title: **HOMESTEAD DETERMINATION; SPECIAL RULES**

Subd.: 6(j)

Subtitle: *Leasehold cooperatives*

ACTION

Appeal to the tax court by a property owner aggrieved by a county determination that benefits for qualified leasehold cooperatives, plus a penalty equal to 100 percent of that amount are due from the building's owner because the owner failed to notify the assessor within 60 days that the dwelling units no longer qualify under this subdivision.

TIME LIMIT

Within 60 days of the date of the notice from the county appellant must serve copies of a petition for review with county officials as provided in § 278.01 and file a proof of service as provided in § 278.01 with the Minnesota Tax Court.

NOTATIONS

MINN. STAT.

§ 273.124

Title: **HOMESTEAD DETERMINATION; SPECIAL RULES**

Subd.: 13(b)

Subtitle: *Homestead application*

ACTION

Appeal to the tax court by a property owner aggrieved by a county determination that homestead, plus a penalty equal to 100 percent of that amount, are due from the property owner because of a county assessor's determination that the homestead was fraudulently claimed.

TIME LIMIT

Within 60 days of the date of the notice from the county; appellant must serve copies of a petition for review with county officials as provided in § 278.01 and file a proof of service as provided in § 278.01 with the Minnesota Tax Court.

NOTATIONS

MINN. STAT.

§ 273.372

Title: **PROCEEDINGS AND APPEALS; UTILITY OR
RAILROAD VALUATIONS**

ACTION

Appeal, in Tax Court or in the district court of the county where the property is located, by a utility or railroad company concerning the exemption, valuation, or classification of property for which the commissioner of revenue has provided the city or county assessor with valuations by order, or for which the commissioner has recommended values to the city or county assessor.

TIME LIMIT

If the appeal to court is from an order of the commissioner, it must be brought under chapter 271 in the time period prescribed in §271.06, subd. 2. If the appeal is from the exemption, valuation, classification, or tax that results from implementation of the commissioner's order or recommendation, it must be brought under chapter 278, and the provisions in that chapter apply, except that service shall be on the commissioner only and not on the county officials specified in § 278.01, subd. 1.

NOTATIONS

If the exemption, valuation, or classification being appealed has been changed by the city or county, then the action must be brought under chapter 278 in the county where the property is located and proper service must be made upon the county officials as specified in § 278.01, subd. 1.

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| CHAPTER TITLE | Delinquent Personal Property Taxes |
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MINN. STAT.

§ 277.20 Title: **LIEN FOR PERSONAL PROPERTY TAX**

Subd.: 4 Subtitle: *Period of limitations*

ACTION Filing original notice of lien for delinquent personal property taxes; renewal of a notice of lien for taxes by the county treasurer.

TIME LIMIT Original notice must be filed within 5 years after the date of assessment of the tax.
Renewal of the notice of lien for an additional 10 years must take place before the expiration of the initial 10 year period.

NOTATIONS

MINN. STAT.

§ 277.21

Title: **LEVY AND DISTRAINT**

Subd.: 4

Subtitle: *Stay of sale*

ACTION

Appeal of a jeopardy assessment to the Tax Court by a property owner.

TIME LIMIT

Within 30 days after the notice of assessment is issued by the county.

NOTATIONS

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| CHAPTER TITLE | Real or Personal Property Tax; Objection, Defense |
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MINN. STAT.

§ 278.01 Title: **DEFENSE OR OBJECTION TO REAL AND
PERSONAL PROPERTY TAXES; SERVICE AND
FILING**

Subd.: 4 Subtitle: *Filing of appeal deadline; exception*

ACTION Petition for court determination of the validity of a claim, defense, or objection of person having personal property, or any estate, right, title, or interest in or lien upon any parcel of land that such property has been partially, unfairly, or unequally assessed or that a parcel has been assessed at a valuation greater than its real or actual value, or that the tax levied against the same is illegal, or has been paid, or that the property is exempt from the tax so levied.

TIME LIMIT The petitioner must file the copies, with proof of service, on or before April 30 of the year in which the tax becomes payable.

NOTATIONS An appeal may also be taken to the Tax Court under chapter 271 at any time following receipt of the valuation notice required by § 273.121 but prior to May 1 of the year in which the taxes are payable.

Whenever the exempt status, valuation, or classification of real or personal property is changed other than by an abatement or a court decision, and the owner responsible for payment of the tax is not given notice of the change until after February 28 of the year the tax is payable or after July 1 in the case of property subject to § 273.125, subd. 4, an eligible petitioner has 60 days from the date of mailing of the notice to initiate an appeal of the property's exempt status, classification, or valuation change under this chapter. Minn. Stat. § 278.01, subd. 4.

A claim under this section that property has been unfairly or unequally assessed is the exclusive remedy by which to challenge unfairly or unequally assessed realty; failing to utilize adequate statutory remedy, taxpayers cannot seek to recover property tax overpayments under equitable or common law theories. Programmed Land, Inc. v. O'Connor, 633 N.W.2d 517 (Minn. 2001), cert. denied, 535 U.S. 931.

MINN. STAT.

§ 278.03

Title: **PAYMENT OF TAX**

Subd.: 1

Subtitle: *Real property*

ACTION

Application by petitioner to the court for permission to continue prosecution of the petition without payment, where proceedings instituted by the filing of the petition regarding taxation of real property have not been completed before the 16th day of May next following the filing.

TIME LIMIT

Application to court may only be made after 10 days' notice to the county attorney and to the county auditor, given at least 10 days prior to the 16th day of May or the 16th day of October, or, in the case of class 1b agricultural homestead, class 2a agricultural homestead, and class 2b(2) agricultural non-homestead property, the 16th day of November.

NOTATIONS

MINN. STAT.

§ 278.03

Title: **PAYMENT OF TAX**

Subd.: 2

Subtitle: *Personal property*

ACTION

Application by petitioner to the court for permission to file petition without payment, where proceedings instituted by the filing of the petition regarding taxation of personal property have not been completed before the 16th day of May next following the filing.

TIME LIMIT

Application to the court may only be made upon 10 days' notice to the county attorney and to the county auditor, given at least 10 days before May 16.

NOTATIONS

MINN. STAT.

§ 278.14

Title: **REFUNDS OF MISTAKENLY BILLED TAXES**

Subd.: 3

Subtitle: *Appeals*

ACTION

Appeal, by a property owner, of the county's rejection of the property owner's written application for the refund of mistakenly billed tax.

TIME LIMIT

Within 60 days after receipt of a notice from the county of the decision.

NOTATIONS

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| CHAPTER TITLE | Delinquent Real Estate Taxes |
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| MINN. STAT. | |
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|-----------------|------------------------------------|
| § 279.15 | Title: WHO MAY ANSWER; FORM |
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| ACTION | Filing of an answer by any person having any estate, right, title, or interest in, or lien upon, any land embraced in a published notice and list of delinquent taxes upon real property. |
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| TIME LIMIT | Within 20 days after the last publication of the notice. |
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| NOTATIONS | A tax judgment and certificates of sale issued thereunder were not void as against collateral attack because of entry of judgment 6 days before time of answering expired, where there has been no application to open or vacate the judgment and permit an answer. The court here relied on <u>Chonteau v. Hunt</u> , 46 N.W. 341 (Minn. 1890); <u>Miner v. Buzick</u> , 288 N.W. 582 (Minn. 1939). |
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|--------------------------|---------------------------------------|
| CHAPTER TITLE | Real Estate Tax Judgment Sales |
|--------------------------|---------------------------------------|

MINN. STAT.

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|-----------------|--|
| § 280.36 | Title: REIMBURSEMENT TO TAX SALE PURCHASER WHERE NOTICE OF SALE INVALID; LIMITATION; REASSESSMENT |
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| ACTION | Petition for refund of purchase price, without interest, where a land sale held pursuant to § 280.01 was conducted without the required 2 weeks' published notice. |
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| TIME LIMIT | Within 6 years from the date of such tax sale. |
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NOTATIONS

MINN. STAT.

§ 280.38

Title: **LANDS BID IN FOR THE STATE; ATTACHMENTS**

ACTION

Application to the district court by an occupant cropping land under a share agreement with the owner, for the release to such occupant of the excess of crops over and above the owner's share, which were attached and collected to pay delinquent taxes owed by the owner.

TIME LIMIT

Within 60 days after the date of the service of the writ of attachment upon such request.

NOTATIONS

| | |
|--------------------------|--|
| CHAPTER TITLE | Real Estate Tax Sales, Redemption |
|--------------------------|--|

MINN. STAT.

§ 281.04 Title: **REDEMPTION BY PERSONS UNDER DISABILITY**

ACTION Action by minors, persons with a mental illness, persons with a developmental disability, or persons in captivity or in any country with which the United States is at war, to redeem an estate in or lien on lands sold for taxes.

TIME LIMIT Within 1 year after such disability shall cease, but before the expiration of three years from the date of sale.

NOTATIONS

MINN. STAT.

§ 281.17

Title: **PERIOD OF REDEMPTION**

ACTION

Stated periods of redemption for lands sold to the state at tax judgment sales (except for properties where the period of redemption is limited under sections 281.173 and 281.174).

TIME LIMIT

Three years from the date of sale to the state at a tax judgment sale.

One year from the date of sale for all lands located in a targeted community as defined in § 469.201, subd. 10 except homesteaded lands as defined in § 273.13, subd. 22.

One year from the date of sale for all real property constituting a mixed municipal solid waste disposal facility that is a qualified facility under § 115B.39, subd. 1.

NOTATIONS

MINN. STAT.

§ 281.22

Title: **COUNTY AUDITOR TO GIVE NOTICE**

ACTION

Expiration of time for redemption of any parcel of land not sold or assigned to an actual purchaser, as to which notice of expiration has been given as provided in this section.

TIME LIMIT

1 year after the giving of such notice and filing of proof thereof on the office of the county auditor.

NOTATIONS

**CHAPTER
TITLE**

MINN. STAT.

§ 281.23 Title: **NOTICE**

Subd.: 7 Subtitle: *Expiration of time for redemption*

ACTION Expiration of time for redemption of any parcel of land as to which notice of expiration has been given as provided in § 281.23, subds. 2, 3.

TIME LIMIT 60 days after the giving of such notice and the filing of proof thereof with the county auditor.

NOTATIONS

MINN. STAT.

§ 281.275

Title: **COUNTY BOARD MAY PETITION DISTRICT COURT**

ACTION

Petition by the county board for an order authorizing property to be sold or otherwise disposed of, where the board is of the opinion that the ability of the person in the military service to pay the taxes or assessments upon such real property is not materially affected by reason of such service.

TIME LIMIT

No limitation; action may be brought at any time.

NOTATIONS

MINN. STAT.

§ 281.35

Title: **FRAUD IN THE SERVICE; LIMITATION FOR BRINGING ACTION**

ACTION

Action claiming a person, not the real owner of lands described in the notice of expiration of redemption, fraudulently caused or permitted service of such notice to be made upon him personally thereby preventing service upon the real owner.

TIME LIMIT

Within 2 years after such attempted service.

NOTATIONS

The effect of the above action is to void the notice of expiration and to continue the right of redemption in the owner of the land as if no service had been made.

MINN. STAT.

§ 281.40

Title: **MAY REDEEM PART OF TRACT**

ACTION

Notice of appeal to the district court by any party aggrieved by a computation and determination of the amount to be paid for redemption and discharge from delinquent taxes and assessments, as provided in §§ 281.39-40, when any tract of land less than the whole parcel designated for taxation and bid in for the state is taken by eminent domain proceedings.

TIME LIMIT

Within 10 days following the filing of the computation and determination.

NOTATIONS

| | |
|----------------|---------------------------------|
| CHAPTER | Tax-forfeited Land Sales |
| TITLE | |

MINN. STAT.

§ 282.01 Title: **TAX-FORFEITED LANDS; CLASSIFICATION, SALE**

Subd.: 1(e) Subtitle: *Notice and declaration of reversion*

ACTION Appeal to the district court by any governmental subdivision from a declaration of reversion to the state issued by the commissioner of revenue, whenever tax-forfeited land which was conveyed to a subdivision for a specified public use is not put to such use.

TIME LIMIT Within 30 days after mailing of the notice of reversion.

NOTATIONS

MINN. STAT.

§ 282.241

Title: **REPURCHASE AFTER FORFEITURE**

Subd.: 1

Subtitle: *Repurchase requirements*

ACTION

Repurchase by the owner or successor in interest of any parcel of land claimed by the state to be forfeited to the state for taxes.

TIME LIMIT

Within six months from the date of the forfeiture.

NOTATIONS

This section specifically excepts property that was homesteaded on the date of forfeiture. Any repurchase will be allowed only after the adoption of a resolution by the board of county commissioners that undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting such repurchase will promote the use of such lands in the public interest. Such repurchase will be subject to any easement, lease, or other incumbrance granted by the state.

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|--------------------------|-----------------------------|
| CHAPTER TITLE | Refund to Purchasers |
|--------------------------|-----------------------------|

MINN. STAT.

§ 283.04 Title: **LIMITATION ON RIGHT**

ACTION Refundment of money paid by a purchaser for a parcel of land at a tax sale for the reasons listed in § 283.01.

TIME LIMIT Within 8 years from the date of the tax sale on account of which the refund is claimed.

NOTATIONS No interest shall be allowed on any refundment beyond a period of six months after the right thereto has been determined.

MINN. STAT.

§ 283.10

Title: **APPLICATION MUST BE MADE WITHIN TWO YEARS**

ACTION

Application for refundment in any case where the amount of tax assessed against real estate was erroneously based on certain improvements which were never made, after the land has been sold and bid in at a tax sale because the excessive tax was never paid.

TIME LIMIT

Within 2 years from the date of such tax certificate or state assignment certificate.

NOTATIONS

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|--------------------------|-------------------------------------|
| CHAPTER TITLE | Actions Involving Tax Titles |
|--------------------------|-------------------------------------|

MINN. STAT.

§ 284.24 Title: **OPENING JUDGMENTS**

ACTION Application to open, vacate, or set aside any judgment in any action under §§ 284.07-.28, for the purpose of permitting any defendant upon whom service of the summons was made by publication, and who was in default, to come in and defend such action.

TIME LIMIT Before the time to appeal from the judgment has expired.

NOTATIONS No application to open, vacate, or set aside a judgment is allowed a defaulting defendant upon whom personal service of the summons was made.

MINN. STAT.

§ 284.28

Title: **TAX-FORFEITED LANDS; LIMITATIONS ON ADVERSE CLAIMS**

Subd.: 2

Subtitle: *Actions asserting procedural defects; time limits*

ACTION

Cause of action or defense asserted or maintained upon any claim adverse to the state, or its successors in interest, respecting any lands claimed to have been forfeited to the state for taxes.

TIME LIMIT

Within 1 year after the filing of the county auditor's certificate of forfeiture.

NOTATIONS

This provision is subject to the exception provided in § 284.28, subd. 5.

MINN. STAT.

§ 284.28

Title: **TAX-FORFEITED LANDS; LIMITATIONS ON ADVERSE CLAIMS**

Subd.: 3

Subtitle: *Actions asserting invalid certificates; time limits*

ACTION

Claim or defense asserting that any auditor's certificate of sale or state assignment certificate arising from the nonpayment of taxes on a parcel of land is invalid, asserted or maintained upon any claim adverse to the holder of the certificate or the successors in interest or to the state or its successors in interest.

TIME LIMIT

Within 1 year after the filing of proof of service of the auditor's notice of expiration of the time for redemption.

NOTATIONS

This provision is subject to the exception provided in § 284.28, subd. 5.

MINN. STAT.

§ 284.28

Title: **TAX-FORFEITED LANDS; LIMITATIONS ON
ADVERSE CLAIMS**

Subd.: 5

Subtitle: *Adverse possession; time limits*

ACTION

Cases, claims or defenses where the lands are and ever since the time of filing the auditor's certificate of forfeiture, or filing of service of notice of expiration of redemption, have been in the actual, open, continuous, and exclusive possession of the owner, or the owner's successors in interest, where the claims are adverse to the state or its successors in interest.

TIME LIMIT

The period of limitations as to such owner, or the owner's successors in interest, shall be the time of the possession, or the period of limitations provided in subds. 2 and 3, whichever period is greater.

NOTATIONS

MINN. STAT.

§ 284.28

Title: **TAX-FORFEITED LANDS; LIMITATIONS ON ADVERSE CLAIMS**

Subd.: 10

Subtitle: *Action to recover damages; time limit*

ACTION

Action or proceeding pursuant to this section to recover damages.

TIME LIMIT

Within 10 years after the expiration of the periods within which claims may be asserted pursuant to subds. 2 and 3.

NOTATIONS

If, within this 10 year period the person entitled to bring such action or proceeding is under legal disability, such person, or anyone claiming under the person, may commence such action or proceeding within the period expiring two years after such disability is removed or within the ten-year period, whichever period is greater.

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| CHAPTER TITLE | Mortgage Registry Tax; Deed Tax |
|--------------------------|--|

MINN. STAT.

§ 287.28 Title: **REFUNDS OR REDEMPTION**

ACTION Action in Tax Court for refund any deed tax overpayment after denial of a written application by the taxpayer that was submitted to the county treasurer within 3½ years from the date of the overpayment.

TIME LIMIT Within 60 days from the date of the denial, or six months after application submitted, if no action taken.

NOTATIONS

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| CHAPTER TITLE | Tax Administration and Compliance |
|--------------------------|--|

MINN. STAT.

§ 289A.40 Title: **LIMITATIONS ON CLAIMS FOR REFUND**

Subd.: 1 Subtitle: *Time limit; generally*

ACTION Filing of a claim for a refund of an overpayment of state tax.

TIME LIMIT Within 3½ years from the date prescribed for filing the return.

NOTATIONS This provision is subject to the exceptions provided in § 289A.39.

MINN. STAT.

§ 289A.40

Title: **LIMITATIONS ON CLAIMS FOR REFUND**

Subd.: 2

Subtitle: *Bad debt loss*

ACTION

Claim for a refund of an overpayment of state tax because of a failure to deduct a loss due to a bad debt or to a security becoming worthless.

TIME LIMIT

Within 7 years from the date prescribed for the filing of the return.

NOTATIONS

A claim relating to an overpayment of taxes under chapter 297A must be filed within 3-1/2 years from the date when the bad debt was (1) written off as uncollectible in the taxpayer's books and records, and (2) either eligible to be deducted for federal income tax purposes or would have been eligible for a bad debt deduction for federal income tax purposes if the taxpayer were required to file a federal income tax return, or within one year from the date the taxpayer's federal income tax return is timely filed claiming the bad debt deduction, whichever period is later.

MINN. STAT.

§ 289A.40

Title: **LIMITATIONS ON CLAIMS FOR REFUND**

Subd.: 4

Subtitle: *Property tax refund claims*

ACTION

Property tax refund claim under chapter 290A.

TIME LIMIT

Within one year after the original due date for filing the claim.

NOTATIONS

MINN. STAT.

§ 289A.50

Title: **CLAIMS FOR REFUNDS**

Subd.: 7

Subtitle: *Remedies*

ACTION

Action in district court or appeal to the Tax Court on a refund claim denied in whole or in part by the commissioner of revenue.

TIME LIMIT

Within 60 days after the notice date of the commissioner's notice of denial, for administrative appeal to the Tax Court; or file an action in the district court to recover the refund.

Within 18 months of the notice date of the denial of the claim by the commissioner.

NOTATIONS

No action in the district court or Tax Court shall be brought within 6 months of the filing of the refund claim unless the commissioner denies the claim within that period.

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| CHAPTER | Income and franchise taxes |
| TITLE | |

MINN. STAT.

§ 290.0679 Title: **ASSIGNMENT OF REFUND**

Subd.: 8 Subtitle: *Legal action*

ACTION Action against the assignee to recover a refund assigned by the commissioner under this section.

TIME LIMIT Within 2 years after the commissioner remits the refund to the assignee.

NOTATIONS

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|--------------------------|----------------------------|
| CHAPTER TITLE | Property Tax Refund |
|--------------------------|----------------------------|

MINN. STAT.

§ 290A.25 Title: **VERIFICATION OF SOCIAL SECURITY NUMBERS**

ACTION Appeal to the tax court by a property owner aggrieved by a county determination that homestead benefits, plus a penalty equal to 100 percent of that amount, are due from the property owner because of a county assessor's determination that the homestead was improperly claimed.

TIME LIMIT Within 60 days of the date of the notice from the county.

NOTATIONS

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| CHAPTER TITLE | Sustainable Forest Resource Management Incentive Program |
|--------------------------|---|

MINN. STAT.

§ 290C.11 Title: **PENALTIES FOR REMOVAL**

ACTION Appeal to Tax Court from commissioner of revenue's determination that land enrolled in the sustainable forest incentive program is in violation of the conditions for enrollment. Initial appeal must be taken to the commissioner of revenue.

TIME LIMIT The claimant has 60 days to appeal this determination under the provisions of § 290C.13.

NOTATIONS

MINN. STAT.

§ 296A.21 Title: **STATUTE OF LIMITATIONS**

Subd.: 2 Subtitle: *Collection*

ACTION Action by the commissioner of revenue for the collection of delinquent taxes and fees.

TIME LIMIT Within 5 years after the date of assessment of the taxes and fees.

NOTATIONS

MINN. STAT.

§ 296A.26

Title: **JUDICIAL REVIEW; APPEAL TO TAX COURT**

ACTION

Appeal directly to the Tax Court by any person aggrieved by an order of the commissioner fixing a tax, penalty, or interest under this chapter, in lieu of an administrative appeal.

TIME LIMIT

Within 60 days from the notice date of the order of the commissioner.

NOTATIONS

For purposes of this section, “notice date” means the notice date designated by the commissioner on the order filing a tax, penalty, or interest.

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| CHAPTER TITLE | General Sales and Use Taxes |
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MINN. STAT.

§ 297A.91 Title: **SEIZURE; COURT REVIEW**

Subd.: 2 Subtitle: *Court review of forfeiture*

ACTION Action by a person from whom a vehicle and property were seized or any person claiming an interest in the vehicle or property, for a judicial determination of the question of whether the vehicle or property was lawfully subject to seizure and forfeiture.

TIME LIMIT Within 60 days after the date of service of the inventory, which is the date of mailing.

NOTATIONS

MINN. STAT.

§ 297F.17

Title: **LIMITATIONS ON TIME FOR ASSESSMENT OF TAX**

Subd.: 4

Subtitle: *Omission over 25 percent*

ACTION

Petition in court for the collection of tax from a person required to file a return who omits from the return a properly includable dollar amount that is in excess of 25 percent of the dollar amount reported in the return.

TIME LIMIT

Within 6½ years after the return was filed.

NOTATIONS

MINN. STAT.

§ 297F.21

Title: **CONTRABAND**

Subd.: 3(b)

Subtitle: *Inventory; judicial determination; appeal; disposition of seized property*

ACTION

Action by a person from whom cigarettes, tobacco products, or other contraband property was seized or any person claiming an interest in the property, for a judicial determination of the question of whether the property was lawfully subject to seizure and forfeiture.

TIME LIMIT

Within 60 days after the date of service of the inventory, which is the date of mailing.

NOTATIONS

MINN. STAT.

§ 297F.23

Title: **JUDICIAL REVIEW**

ACTION

Appeal directly to the Tax Court by any person aggrieved by an order of the commissioner fixing a tax, penalty, or interest under this chapter, in lieu of an administrative appeal.

TIME LIMIT

Within 60 days from the notice date of the order.

NOTATIONS

For purposes of this section, “notice date” means the notice date designated by the commissioner on the order filing a tax, penalty, or interest.

MINN. STAT.

§ 297G.22

Title: **JUDICIAL REVIEW**

ACTION

Appeal directly to the Tax Court by any person aggrieved by an order of the commissioner fixing a tax, penalty, or interest under this chapter, in lieu of an administrative appeal.

TIME LIMIT

Within 60 days from the notice date of the order.

NOTATIONS

For purposes of this section, “notice date” means the notice date designated by the commissioner on the order filing a tax, penalty, or interest.

MINN. STAT.

§ 297I.60

Title: **CLAIMS FOR REFUND**

Subd.: 2

Subtitle: *Remedies*

ACTION

Action in district court or appeal to the Tax Court on a refund claim for excess tax or surcharge paid that was denied in whole or in part by the commissioner of revenue.

TIME LIMIT

Tax Court appeals: within 60 days of the notice date of the denial.

District court actions: within 18 months of the notice date of the denial.

Administrative appeal with the commissioner under § 270C.35.

NOTATIONS

For purposes of this section, “notice date” has the meaning given in § 270C.35, subd. 3.

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| CHAPTER TITLE | Business Corporations |
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| MINN. STAT. | |
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|-------------------|---|
| § 302A.557 | Title: LIABILITY OF SHAREHOLDERS FOR ILLEGAL DISTRIBUTIONS |
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| Subd.: 2 | Subtitle: <i>Statute of limitations</i> |
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| ACTION | Action against a shareholder who receives a distribution made in violation of the provisions of § 302A.551. |
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| TIME LIMIT | Within 2 years from the date of the distribution. |
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| NOTATIONS | Shareholder is liable to the corporation to the extent that the distribution exceeded the amount that properly could have been paid under § 302A.551. |
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MINN. STAT.

§ 302A.559

Title: **LIABILITY OF DIRECTORS FOR ILLEGAL DISTRIBUTIONS**

Subd.: 4

Subtitle: *Statute of limitations*

ACTION

Action against a director who is present at a meeting and fails to vote against, or who consents in writing to, a distribution made in violation of Minn. Stat. § 302A.551, or a restriction contained in the articles or bylaws or an agreement, and fails to comply with the standard of conduct provided in § 302A.251.

TIME LIMIT

Within 2 years from the date of the distribution.

NOTATIONS

Director is liable to the corporation to the extent that the distribution exceeded the amount that properly could have been paid under § 302A.551.

MINN. STAT.

§ 302A.7291

Title: **DISSOLUTION PROCEDURE FOR
CORPORATIONS THAT DO NOT GIVE NOTICE**

Subd.: 3

Subtitle: *Claims against corporations that do not give notice*

ACTION

Claim against a corporation that has filed its articles of dissolution.

TIME LIMIT

Within 2 years after the corporation's filing the notice of intent to dissolve.

NOTATIONS

A person, creditor, or claimant must file a claim or pursue a remedy in a legal, administrative, or arbitration proceeding within the time limit.

MINN. STAT.

§ 302A.781

Title: **CLAIMS BARRED; EXCEPTIONS**

Subd.: 2

Subtitle: *Claims reopened*

ACTION

Claim against the corporation to the extent of undistributed assets or against a shareholder for the portion of the claim equal to the portion of the distributions to shareholders in liquidation or dissolution received by the shareholder.

TIME LIMIT

Within 1 year after the articles of dissolution have been filed with the secretary of state or a decree of dissolution has been entered, a creditor or claimant who shows good cause for not having previously filed the claim may apply to a Minnesota court to allow a claim.

NOTATIONS

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| CHAPTER TITLE | Cooperative Associations |
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MINN. STAT.

§ 308A.925 Title: **STATUTE OF LIMITATIONS**

ACTION Claim against a dissolving cooperative.

TIME LIMIT Within 2 years of the date the notice of intent to dissolve is filed with the secretary of state.

NOTATIONS Claim is barred if no legal, administrative, or arbitration proceedings have been initiated within the time limit.

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| CHAPTER TITLE | Nonprofit Organizations |
|--------------------------|--------------------------------|

MINN. STAT.

§ 317A.411 Title: **TERMINATION**

Subd.: 3 Subtitle: *Time limit to challenge*

ACTION Action to challenge member's expulsion, suspension or termination.

TIME LIMIT Within 1 year after the effective date of the member's expulsion, suspension, or termination.

NOTATIONS

MINN. STAT.

§ 317A.730

Title: **STATUTE OF LIMITATIONS**

ACTION

Claims against a nonprofit corporation in dissolution.

TIME LIMIT

Within 2 years after the date of filing the notice of intent to dissolve if a corporation does not give notice to creditors and claimants.

NOTATIONS

If a corporation does not give notice, the claim of a creditor or claimant who does not begin legal, administrative, or arbitration proceedings with respect to the claim within two years after the date of filing the notice of intent to dissolve is subject to § 302A.781.

Section 302A.781 allows a creditor or claimant that shows good cause to apply to allow a claim against the corporation. The application must be within one year after the articles of dissolution have been filed with the secretary of state or a decree of dissolution has been entered.

MINN. STAT.**§ 317A.781**Title: **CLAIMS BARRED; EXCEPTIONS**

Subd.: 1

Subtitle: *Claims barred*

ACTION

Claims against a nonprofit in dissolution.

TIME LIMIT

A creditor or claimant who does not file a claim or pursue a remedy in a legal, administrative, or arbitration proceeding within the time provided in § 317A.730, 317A.741, 317A.751, or 317A.759 or before the beginning of the dissolution proceeding is barred from suing on that claim, except as provided in this section.

NOTATIONS

See above for § 302A.730.

Section 302A.741 states that after the notice of intent to dissolve has been filed and before a certificate of dissolution has been issued certain persons can apply to have the dissolution conducted under the supervision of a court.

Section 302A.751 determines when a court may grant equitable relief.

Section 302A.759 allows a court to require creditors and claimants to file their claims within a certain time, but not less than 120 days from the date of the order.

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| CHAPTER TITLE | Minnesota Limited Liability Company Act |
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MINN. STAT.

§ 322B.55 Title: **LIABILITY OF MEMBER FOR ILLEGAL
DISTRIBUTIONS; STATUTE OF LIMITATIONS**

Subd.: 2 Subtitle: *Statute of limitations*

ACTION Action against a member who receives a distribution made in violation of the provisions of § 322B.54.

TIME LIMIT Within 2 years from the date of distribution.

NOTATIONS Member is liable to the limited liability company to the extent that the distribution exceeded the amount that properly could have been paid under § 322B.54.

This section is repealed effective Jan. 1, 2018.

MINN. STAT.

§ 322B.56

Title: **LIABILITY OF GOVERNOR FOR ILLEGAL DISTRIBUTIONS; STATUTE OF LIMITATIONS**

Subd.: 4

Subtitle: *Statute of limitations*

ACTION

Action against a governor who is present at a meeting and fails to vote against, or who consents in writing to, a distribution made in violation of § 322B.54, or a restriction contained in the articles or bylaws or member control agreement, and fails to comply with the standard of conduct provided in § 322B.663.

TIME LIMIT

Within 2 years from the date of distribution.

NOTATIONS

Governor is liable to the limited liability company to the extent that the distribution exceeded the amount that properly could have been paid.

This section is repealed effective Jan. 1, 2018.

MINN. STAT.

§ 322B.816

Title: **WINDING UP PROCEDURE FOR LIMITED LIABILITY COMPANIES THAT GIVE NOTICE TO CREDITORS AND CLAIMANTS**

Subd.: 4

Subtitle: *Claims against limited liability companies that give notice*

ACTION

Action against a limited liability company that has rejected a creditor's or claimant's claim.

TIME LIMIT

The longest of 60 days from the date of rejection, 180 days from the date the limited liability company filed with the secretary of state the notice of dissolution, or 90 days from the date notice was given to the creditor or claimant.

NOTATIONS

A limited liability company that gives notice to creditors and claimants has 30 days from the receipt of each claim filed to accept or reject the claim by giving written notice to the person submitting it. A claim not expressly rejected in this manner is considered accepted. Minn. Stat. § 322B.816, subd. 4.

This section is repealed effective Jan. 1, 2018.

MINN. STAT.

§ 322B.82

Title: **WINDING UP PROCEDURE FOR LIMITED LIABILITY COMPANIES THAT DO NOT GIVE NOTICE TO CREDITORS AND CLAIMANTS**

Subd.: 3

Subtitle: *Claims against limited liability companies that do not give notice and are not wound up and terminated through merger*

ACTION

Action against a company that has filed its articles of termination.

TIME LIMIT

Within 2 years after the date of filing the notice of dissolution.

NOTATIONS

A person who does not file a claim or pursue a remedy in a legal, administrative or arbitration proceeding within the time limit is barred from suing on that claim.

This section is repealed effective Jan. 1, 2018.

MINN. STAT.

§ 322B.863

Title: **CLAIMS BARRED AND EXCEPTIONS**

Subd.: 1 and 2

Subtitle: *Claims barred; claims reopened*

ACTION

Action against the limited liability company in termination to the extent of undistributed assets or against a member for the portion of the claim equal to the portion of the distributions to members in liquidation or termination received by the member.

TIME LIMIT

Within 1 year after the articles of termination have been filed with the secretary of state or a decree of termination has been entered, a creditor or claimant who shows good cause for not having previously filed the claim may apply to a Minnesota court to allow a claim.

NOTATIONS

Section 322B.863 refers to §§ 322B.816 and 322B.82. These sections define the procedures for claims against limited liability companies that gives notice of dissolution (§ 322B.816) and for claims against limited liability companies that do not give notice of dissolution (§ 322B.82).

This section is repealed effective Jan. 1, 2018.

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|--------------------------|---|
| CHAPTER TITLE | Minnesota Revised Uniform Limited Liability Company |
| MINN. STAT. | |
| § 322C.0406 | Title: LIABILITY FOR IMPROPER DISTRIBUTIONS |
| Subd.: 2 | Subtitle: <i>Statute of limitations</i> |
| ACTION | Action against a member, manager, or governor for improper distributions under§ 322C.0406. |
| TIME LIMIT | Within 2 years after the distribution. |
| NOTATIONS | Chapter 322C (the Minnesota Revised Uniform Limited Liability Company), which includes this entry, is effective August 1, 2015. |

MINN. STAT.

§ 322C.0703

Title: **KNOWN CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY**

Subd.: 3 and 4

Subtitle: *Claims barred and bar limitation*

ACTION

Claim and/or action against a dissolved limited liability company if the company gave proper notice under § 322C.0703, subd. 2.

TIME LIMIT

By the deadline given in the company's notice; or if the claim is received by the deadline in the notice but rejected by the company, an action against the company to enforce the claim must be made within 90 days after the claimant receives the notice.

NOTATIONS

This section does not apply to a claim based on an event occurring after the effective date of dissolution or a liability that on that date is contingent.

The deadline in the company's notice cannot be less than 120 days after the date the notice is received by the claimant. Minn. Stat. § 322C.0703, subd. 2.

Chapter 322C (the Minnesota Revised Uniform Limited Liability Company), which includes this entry, is effective August 1, 2015.

MINN. STAT.

§ 322C.0704

Title: **OTHER CLAIMS AGAINST DISSOLVED LIMITED LIABILITY COMPANY**

Subd.: 3 and 4

Subtitle: *Claims barred and claims enforcement*

ACTION

Action against a dissolved limited liability company to enforce a claim if the company published notice in accordance with the requirements in § 322C.0704, subd. 2.

TIME LIMIT

Within 5 years after the publication of the § 322C.0704, subd. 2 notice.

NOTATIONS

A claim not barred under this section may be enforced to the extent specified in § 322C.0704, subd. 4.

Chapter 322C (the Minnesota Revised Uniform Limited Liability Company), which includes this entry, is effective August 1, 2015.

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| CHAPTER TITLE | Art; Fine Prints |
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MINN. STAT.

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| § 324.10 | Title: LIABILITY |
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| ACTION | Action against a person who sells a fine print and fails to disclose the information required by § 324.09. |
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| TIME LIMIT | Within 1 year after discovery of the violation which it is based and no more than three years after the fine print was sold. |
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NOTATIONS

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| CHAPTER | Uniform Trade Secrets Act |
| TITLE | |

MINN. STAT.

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| § 325C.06 | Title: STATUTE OF LIMITATIONS |
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| ACTION | Action for misappropriation. |
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| TIME LIMIT | Within 3 years after the misappropriation is discovered or by the exercise of reasonable diligence should have been discovered. |
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NOTATIONS

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| CHAPTER TITLE | Restraint of Trade |
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| MINN. STAT. | |
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| § 325D.64 | Title: STATUTE OF LIMITATIONS |
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| ACTION | Action brought under the Minnesota Antitrust Law of 1971, Minn. Stat. §§ 325D.49 to 325D.66, regarding the restraint of trade. |
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| TIME LIMIT | Within 4 years of the date upon which the cause of action arose. |
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| NOTATIONS | For the purposes of this section, a cause of action for a continuing violation is deemed to arise at any time during the violation. |
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| CHAPTER TITLE | Trade Practices |
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| MINN. STAT. | |
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| § 325E.316 | Title: PENALTIES |
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| Subd.: 3 | Subtitle: <i>Time limitations</i> |
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| ACTION | Action for illegal telephone solicitations (no-call list, interference with caller identification). |
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| TIME LIMIT | Within 2 years from the date the person bringing the action knew or should have known of the alleged violation; or within 2 years after the termination of any proceeding or action by the state of Minnesota, whichever is later. |
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| NOTATIONS | |
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MINN. STAT.

§ 325E.37 Title: **TERMINATION OF SALES REPRESENTATIVES**

Subd.: 6 Subtitle: *Scope; limitations*

ACTION Action for improper termination of a sales representative agreement.

TIME LIMIT Within 1 year of the effective date of the termination of the agreement.

NOTATIONS To be effective, any demand for arbitration must be made in writing and delivered to the principal.

The sole remedy for a manufacturer, wholesaler, assembler, or importer who alleges a violation of any provision of this section is to submit the matter to arbitration.

A sales representative may bring the matter to arbitration or to a court of law.

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| CHAPTER TITLE | Consumer Protection: Products & Sales |
|--------------------------|--|

MINN. STAT.

§ 325F.662 Title: **SALE OF USED MOTOR VEHICLES**

ACTION Action against used motor vehicle dealer for failing to honor or issue a warranty when required under § 325F.662.

TIME LIMIT Within 1 year of the expiration of the express warranty.

NOTATIONS

MINN. STAT.

§ 325F.665

Title: **NEW MOTOR VEHICLE WARRANTIES;
MANUFACTURERS DUTY TO REPAIR, REFUND
OR REPLACE**

Subd.: 10

Subtitle: *Limitation on actions*

ACTION

Action against manufacturer for failing to repair, refund, or replace.

TIME LIMIT

Within 3 years of the date of original delivery of the new motor vehicle to the consumer.

NOTATIONS

If the consumer applies to an informal dispute settlement mechanism within three years of the date of original delivery of a new motor vehicle to a consumer, and if the consumer is aggrieved by the decision of the informal dispute settlement mechanism, then any civil action brought within this section must be within six months after the date of the final decision by the mechanism.

MINN. STAT.

§ 325F.6658

Title: **LIMITATION ON ACTIONS**

ACTION

Action against manufacturer for failing to repair, refund, or replace farm equipment per §§ 325F.6651 to 325F.6658.

TIME LIMIT

Within 6 months following (1) expiration of the express written warranty term, or (2) one year following the date of the original delivery of the farm tractor to the customer, whichever is later.

NOTATIONS

MINN. STAT.

§ 325F.784

Title: **PRESCRIPTION DRUG DISCOUNTS**

Subd.: 2(d)

Subtitle: *Enforcement*

ACTION

Action against person for selling a card, mechanism, or device that is not insurance that purports to offer discounts or access to discounts from pharmacies for prescription drug purchases that does not meet the requirements of this section.

TIME LIMIT

Within 2 years after the date on which the violation occurred or within two years after the person bringing the action discovered or should have discovered the occurrence of the violation.

NOTATIONS

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| CHAPTER TITLE | Consumer protection; solicitation of sales |
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MINN. STAT.

§ 325G.34 Title: **LIMITS ON REMEDIES**

Subd.: 5 Subtitle: *Statute of limitations*

ACTION Claim that a consumer contract violates § 325G.31 (plain language required in consumer contracts).

TIME LIMIT Claim must be raised within 6 years of the date the contract is executed by the consumer.

NOTATIONS

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| CHAPTER | Electronic Authentication Act |
| TITLE | |

MINN. STAT.

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| § 325K.18 | Title: COLLECTION BASED ON A SUITABLE GUARANTY |
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| Subd.: 4 | Subtitle: <i>Statute of limitations</i> |
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| ACTION | Action for recovery of a qualified right to payment from the proceeds of a suitable guaranty. |
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| TIME LIMIT | Within 3 years after the occurrence of the violation. |
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NOTATIONS

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| CHAPTER TITLE | Construction Codes and Licensing |
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| MINN. STAT. | |
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| § 326B.107 | Title: PUBLIC BUILDINGS AND STATE LICENSED FACILITIES |
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| Subd.: 2 | Subtitle: <i>Municipal agreement for all building projects</i> |
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| ACTION | Request for reconsideration by the municipality of the commissioner's determination of the municipality does not have enough adequately trained and qualified inspectors to provide plan review, inspection, code administration, and code enforcement on public buildings and state-licensed facilities in the municipality's jurisdiction |
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| TIME LIMIT | Must be received by commissioner within 90 days of the determination explanation. |
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| NOTATIONS | <p>A request for reconsideration must be in writing and accompanied by substantiating documentation. The commissioner shall review the information and issue a final determination to the municipality within 30 days of the request.</p> <p>A municipality aggrieved by a final decision of the commissioner to not enter into an agreement may appeal to be heard as a contested case in accordance with chapter 14.</p> |
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| CHAPTER TITLE | Money, rates of interest |
|--------------------------|---------------------------------|

MINN. STAT.

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| § 334.02 | Title: USURIOUS INTEREST, RECOVERY |
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| ACTION | Action to recover interest or premium paid on a loan or forbearance which exceeds the limits allowed by § 334.01. |
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| TIME LIMIT | Within 2 years after such payment or delivery. |
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NOTATIONS

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| CHAPTER | Uniform Commercial Code |
| TITLE | |

MINN. STAT.

§ 336.2-725 Title: **STATUTE OF LIMITATIONS IN CONTRACTS FOR SALE**

ACTION An action for breach of any contract for sale.

TIME LIMIT Within 4 years after the cause of action has accrued.

NOTATIONS Subd. 1: By the original agreement, the parties may reduce the period of limitation to not less than one year, but may not extend it. Minn. Stat. § 336.2-725 (1).

Subd. 2: A cause of action accrues when the breach occurs, regardless of the aggrieved party's lack of knowledge of the breach (except as regards a warranty for the future performance of goods). Minn. Stat. § 336.2-725 (2).

Subd. 3: Where an action commenced within the four year period is so terminated as to leave another action for the same breach, the other action may be commenced after the expiration of the time limit and within six months after the termination of the first action. Minn. Stat. § 336.2-725 (3).

MINN. STAT.

§ 336.2A-506

Title: **STATUTE OF LIMITATIONS**

ACTION

Action for default under a lease contract, including breach of warranty or indemnity.

TIME LIMIT

Within 2 years after the cause of action accrued.

NOTATIONS

If the contract is not a consumer lease, the parties may reduce the period of limitation to not less than one year in the original lease contract.

See subsection (2) for when the cause of action accrues.

Where an action commenced within the time limit of subsection (1) is so terminated as to leave another action for the same default or breach, the other action may be commenced after the expiration of the time limit and within 6 months after the termination of the first action.

MINN. STAT.

§ 336.3-118

Title: **STATUTE OF LIMITATIONS**

Subd.: (a)-(g)

ACTION

Action to enforce the obligation of a party to pay a negotiable instrument.

TIME LIMIT

(a) Action to enforce the *obligation of a party to pay a note payable at a definite time* must be commenced within 6 years after the due date or dates stated in the note, or if the due date is accelerated, within 6 years after the accelerated due date.

(b) If *demand for payment* is made, an action to enforce the obligation of a party to pay the note must be commenced within 6 years after the demand. If *no demand is made*, an action to enforce the note is barred if neither principal nor interest on the note has been paid for a continuous period of 10 years.

(c) An action to enforce the *obligation of a party to an unaccepted draft to pay the draft* must be commenced within 3 years after dishonor of the draft or 10 years after the date of the draft, whichever expires first.

(d) An action to enforce the *obligation of the acceptor or issuer of a check* must be commenced within three years after demand for payment is made.

(e) An action to enforce the *obligation of a party to a certificate of deposit* to pay the instrument must be within 6 years after demand for payment is made. If the instrument states a due date, the 6 year period begins when a demand for payment is in effect and the due date has passed.

(f) An action to enforce the *obligation of a party to pay an accepted draft other than a certified check*, must be commenced

(i) within 6 years after the due date or dates stated in the draft or acceptance if the obligation of the acceptor is payable

at a definite time, or (ii) within 6 years after the date of the acceptance if the obligation of the acceptor is payable on demand.

(g) Unless governed by other law regarding claims for indemnity or contribution, an action for conversion of an instrument, breach of warranty, or to enforce a right arising under this article and not governed by this section must be commenced within 3 years after the cause of action accrues.

NOTATIONS

MINN. STAT.

§ 336.3-417

Title: **PRESENTMENT WARRANTY**

Subd.: (e)

ACTION

Claim for breach of presentment warranty.

TIME LIMIT

Within 30 days after claimant has reason to know of the breach and the identity of the warrantor, claimant must give notice to the warrantor.

NOTATIONS

MINN. STAT.

§ 336.4-111

Title: **BANK DEPOSITS AND COLLECTIONS, STATUTE
OF LIMITATIONS**

ACTION

Action to enforce an obligation, duty, or right arising under this article.

TIME LIMIT

Within 3 years after the cause of action accrues.

NOTATIONS

MINN. STAT.

§ 336.5-115

Title: **LETTERS OF CREDIT, STATUTE OF
LIMITATIONS**

ACTION

An action to enforce a right or obligation arising under this article.

TIME LIMIT

Within 1 year after the expiration date of the relevant letter of credit or 1 year after the claim for relief accrues, whichever occurs later.

NOTATIONS

Includes all claims for which there are remedies under § 336.5-111 and all other claims under this article. This article includes the following claims: wrongful dishonor, claims arising from the reimbursement agreement, and breach of warranty claims.

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| CHAPTER TITLE | Intoxicating Liquors |
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MINN. STAT.

§ 340A.802 Title: **NOTICE OF INJURY; DISCOVERY BEFORE
ACTIONS**

Subd.: 2 Subtitle: *Limitations; content*

ACTION Action against a person for illegally selling alcoholic beverages.

TIME LIMIT In the case of a claim for damages, the notice must be served by the claimant's attorney within 240 days of the date of entering an attorney-client relationship.

In the case of claims for contribution or indemnity, the notice must be served within 120 days after the injury occurs or within 60 days after receiving written notice of a claim for contribution or indemnity.

No action may be maintained under § 304A.801 unless commenced within 2 years after the injury.

The person (or his spouse, child, parent, guardian, or employer) bringing suit must have incurred pecuniary loss by an intoxicated person or by the intoxication of another person. The claimant may bring suit against a person who caused the intoxication of a person by illegally selling that person alcoholic beverages.

No action may be maintained unless notice has been given. The 120-day contribution/indemnity notice provision begins to run from the date of the initial injury caused by the intoxicated person, and not from the date of the ensuing claim for contribution. Both of the contribution/indemnity provisions must be complied with even where the person seeking contribution or indemnity is only alleged to have been vicariously liable to the plaintiff.

NOTATIONS

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| CHAPTER TITLE | Dogs and Cats |
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MINN. STAT.

§ 347.15 Title: **PERSONS DAMAGED, CLAIMS FILED**

Subd.: 1 Subtitle: *Presentation and investigation*

ACTION The owner of an animal that was attacked, chased, injured, or killed by a dog or dogs may file a written claim for damages.

TIME LIMIT Dog owner against whom the claim is filed must have notice within 10 days of the attack.

NOTATIONS

MINN. STAT.

§ 347.38

Title: **REVOCAION OF LICENSE**

ACTION

Appeal to the district court by kennel or dealer licensee whose license is revoked or suspended.

TIME LIMIT

Within 20 days of the revocation or suspension.

NOTATIONS

MINN. STAT.

§ 347.61

Title: **CIVIL ENFORCEMENT**

Subd.: 1, 5, 6

Subtitle: *Civil enforcement [for commercial breeders]*

ACTION

Subd. 1: Reconsideration of corrective order by board.

Subd. 5: File a notice of appeal of a license suspension, revocation, or nonrenewal with the board through the Office of Administrative Hearings and request a hearing.

Subd. 6: Provide notice to the board of intent to file an appeal on the amount of an administrative penalty order.

TIME LIMIT

Subd. 1: Within 7 days after receipt of the correction order.

Subd. 5: Within 20 days after receipt of the notice of suspension, revocation, or nonrenewal.

Subd. 6: Within 20 days after receipt of the administrative penalty order.

NOTATIONS

The request for reconsideration must be made in writing by certified mail or electronically in a method approved by the board. The other notices must be made in writing.

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| CHAPTER TITLE | Gaming; Lawful gambling and gambling devices |
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MINN. STAT.

§ 349.155 Title: **LICENSES; LICENSE ACTIONS**

Subd.: 6 Subtitle: *Notice of denial*

ACTION Appeal from denial of license or premises permit application.

TIME LIMIT Within 30 days of service of notice of denial.

NOTATIONS When the board determines that a license or premises permit application or renewal should be denied, the board shall promptly give a written notice to the licensee or applicant. The applicant must request a hearing within 30 days of service of such notice or the denial will become final.

MINN. STAT.

§ 349.39

Title: **APPEAL TO DISTRICT COURT; STAY;
CONTINUANCE UNDER BOND; HEARING UPON
ONE YEAR LIMITATION OF PREMISES**

ACTION

Appeal to the district court from an order of an issuing authority suspending or revoking any license.

TIME LIMIT

Within 15 days from the date of service of the order appealed from.

NOTATIONS

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| CHAPTER TITLE | Vacancy in Public Office; Resignations, Vacancies, Removals |
| MINN. STAT. | |
| § 351.19 | Title: PUBLIC HEARING |
| Subd.: 6 | Subtitle: <i>Appeal</i> |
| ACTION | Appeal to the supreme court from a special master's dismissal of a petition requesting a removal election. |
| TIME LIMIT | Within 30 days after the petition is dismissed. |
| NOTATIONS | Any registered voter may petition the county auditor requesting a removal election and setting forth facts which allege that an elected county official committed malfeasance or nonfeasance in the performance of official duties during the current or any previous term in office. Minn. Stat. § 351.16. |

MINN. STAT.

§ 351.21

Title: **APPEAL**

ACTION

Appeal to the supreme court from a special master's decision to grant petitioner's request for a removal election.

TIME LIMIT

Within 10 days.

NOTATIONS

The removal election is stayed until 20 days after the supreme court issues a decision on the appeal. The supreme court shall grant an expedited appeal.

The chief justice may extend the time limitations in §§ 351.14 to 351.23 for good cause. Minn. Stat. § 351.23.

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| CHAPTER TITLE | Public Pension Fiduciary Responsibility |
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MINN. STAT.

§ 356A.12 Title: **JURISDICTION; SERVICE OF PROCESS; AND
STATUTE OF LIMITATIONS**

Subd.: 3 Subtitle: *Limitations on legal actions*

ACTION Action challenging a fiduciary action or inaction as breach of
fiduciary duty.

TIME LIMIT Within the earlier of (1) the period ending 3 years after the
alleged fiduciary breach or (2) the period ending one year
after the date of the discovery of the alleged fiduciary breach.

NOTATIONS

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| CHAPTER TITLE | Minnesota Human Rights Act |
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| MINN. STAT. | |
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| § 363A.28 | Title: GRIEVANCES |
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| Subd.: 3 | Subtitle: <i>For filing claim; filing options</i> |
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| ACTION | Claim of unfair discriminatory practice. |
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| TIME LIMIT | Within 1 year after the occurrence of the practice. |
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| NOTATIONS | Claim must be brought as a civil action pursuant to § 363A.33, subd. 1, filed in a charge with a local commission pursuant to § 363A.07, subd. 3, or filed in a charge with the commissioner. |
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The running of the one-year limitation is suspended during the time a potential charging party and respondent are voluntarily engaged in a dispute resolution process involving a claim of unlawful discrimination under this chapter.

The running of the one-year limitation period is suspending during the time period under § 363A.331, subd. 2.

MINN. STAT.

§ 363A.33 Title: **COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION, DISTRICT COURT JURISDICTION, ATTORNEY'S FEES, AND COSTS**

Subd.: 1 Subtitle: *Court actions, suits by private parties, intervention*

ACTION Action seeking redress for an unfair discriminatory practice upon withdrawal of the complaint from the department of human rights.

TIME LIMIT Within (1) 45 days after receipt of notice that the commissioner has dismissed the charge; (2) within 45 days after receipt of notice that the commissioner has reaffirmed a determination of no probable cause or has decided not to reopen a dismissed case; or (3) after 45 days from the filing of a charge pursuant to § 363A.28, subd. 1, if a hearing has not been held pursuant to § 363A.29.

NOTATIONS A civil action may be filed directly with the district court within 1 year after the occurrence of the discriminatory practice. Minn. Stat. § 363A.28. This section applies if the person aggrieved filed first with the commissioner pursuant to § 363A.28.

MINN. STAT.

§ 363A.331

Title: **ACTIONS INVOLVING ARCHITECTURAL BARRIERS THAT LIMIT ACCESSIBILITY**

Subd.: 2

Subtitle: *Notice of architectural barrier.*

ACTION

A notice sent before filing a civil action with the court by an attorney representing a person alleging a business establishment or place of public accommodation has violated an accessibility requirement under law.

TIME LIMIT

Response time must be reasonable and may not be less than 60 days; civil action may not be filed until response time expiration.

NOTATIONS

Notice must be dated; cite law alleged to be violated; identify each architectural barrier alleged to be in violation and its location; comply with the statutory short form language in Subd. 3, and not include any requests or demands for money or offer or agreement to accept money.

MINN. STAT.

§ 363A.44 Title: **EFFECTIVE PAY CERTIFICATE**

Subd.: 6 Subtitle: *Administrative review*

ACTION (a) Filing a written request for an administrative hearing pursuant to 14.57 and 14.69 before the suspension or revocation of its effective pay certificate is effective.

(b) Filing a written request for an administrative hearing pursuant to 14.57 and 14.69 before the contract award entity's abridgement or termination of a contract is effective 20 days after service of notice by the contract award entity.

TIME LIMIT (a) Within 20 days after service of notice by the commissioner.

(b) Within 20 days after service of notice by the contract award entity.

NOTATIONS This section is effective August 1, 2014, and applies to any solicitation made on or after that date.

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| CHAPTER TITLE | Counties; Powers, Duties, Privileges |
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| § 373.09 | Title: CLAIMS AGAINST COUNTY; APPEAL |
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| ACTION | Notice of appeal to the district court from a decision of the county board disallowing any claim against the county. |
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| TIME LIMIT | Within 15 days after written notice is mailed to the claimant by the county auditor showing the disallowance of the claim. |
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| NOTATIONS | The county attorney or any seven taxpayers may appeal to the district court from a decision of the county board allowing any claim against the county within 3 days after the date of the decision. |
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MINN. STAT.

§ 373.11

Title: **APPEALS; COUNTERCLAIM**

ACTION

Appeal from the judgment of the district court adjudicating a claim against the county.

TIME LIMIT

Within 30 days after the actual entry of judgment, as in civil actions.

NOTATIONS

CHAPTER **Ramsey County**
TITLE

MINN. STAT.

§ 383A.294 Title: **GRIEVANCES**

Subd.: 4 (d) Subtitle: *Appeal process*

ACTION Appeal to the district court from the final decision of the personnel review board regarding a Ramsey county employee's discharge, suspension without pay, or reduction in pay or position.

TIME LIMIT Within 30 calendar days after the receipt of the decision.

NOTATIONS Ramsey county and not the personnel review board shall be the proper party to an appeal.

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| CHAPTER TITLE | County Treasurer |
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MINN. STAT.

§ 385.373 Title: **COUNTY TREASURERS' SALARIES, COUNTIES
UNDER 75,000 INHABITANTS; APPEALS**

Subd.: 7 Subtitle: *Appeal from board resolution*

ACTION County treasurer may appeal an action of the board in setting the auditor's salary or the budget for the office to the district court.

TIME LIMIT The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving notice of appeal on the county auditor and filing with the court administrator of the district court.

NOTATIONS

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| CHAPTER TITLE | County Recorder; Abstracter |
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MINN. STAT.

§ 386.015 Title: **SALARIES, FEES, BUDGET; COUNTIES UNDER
75,000; APPEAL**

Subd.: 7 Subtitle: *Salary, budget, appeals*

ACTION County recorder may appeal an action of the county board in setting the recorder's salary or the budget for the office to the district court.

TIME LIMIT The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving notice of appeal on the county auditor and filing with the court administrator of the district court.

NOTATIONS

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| CHAPTER TITLE | Sheriff |
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MINN. STAT.

§ 387.20 Title: **SALARIES, FEES, BUDGET; APPEALS**

Subd.: 7 Subtitle: *Appeal on salary, budget*

ACTION Sheriff may appeal an action of the county board in setting the sheriff's salary or the budget for the office to the district court.

TIME LIMIT Sheriff may appeal an action of the county board in setting the sheriff's salary or the budget for the office to the district court.

The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving notice of appeal on the county auditor and filing with the court administrator of the district court.

NOTATIONS

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| CHAPTER TITLE | Planning, Development, Zoning |
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| MINN. STAT. | |
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| § 394.27 | Title: CREATION AND DUTIES OF A BOARD OF ADJUSTMENT |
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| Subd.: 9 | Subtitle: <i>Appeal to district court</i> |
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| ACTION | Appeal from decision by the board of adjustment in granting variance or in hearing appeals from any administrative order, requirement, decision or determination. |
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| TIME LIMIT | Within 30 days after receipt of notice of the decision. |
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| NOTATIONS | <p>The board of adjustment has authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision or determination made by any administrative official charged with enforcing any ordinance pursuant to §§ 394.21 to 394.37.</p> <p>Oral notice of the decision does not trigger the 30-day period for appeal.</p> |
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**CHAPTER
TITLE**

Cities, Organization; Statutory Cities

MINN. STAT.

§ 412.093

Title: **DISSOLUTION SECURED BY CLAIMANTS**

Subd.: 3

Subtitle: *Proceedings before district court*

ACTION

Any claimant or bondholder having an unpaid claim or bond against a duly incorporated city which has, for 2 consecutive years, failed to hold city elections as provided by law, may petition to the district court for formal dissolution of a city and liquidation of its affairs.

TIME LIMIT

Within 30 days after receiving a sheriff's certificate stating that the sheriff has been unable to find more than 2 members of city council residing within city.

NOTATIONS

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| CHAPTER TITLE | Minnesota Municipal Board |
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MINN. STAT.

§ 414.07 Title: **APPEALS**

Subd.: 2 Subtitle: *Grounds for appeal*

ACTION Appeal from an order of the Minnesota municipal board.

TIME LIMIT Within 30 days of the order.

NOTATIONS The aggrieved person shall file an application for review with the court administrator of the district court of the county in which the majority of the area is located.

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| CHAPTER TITLE | Police Civil Service Commission |
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MINN. STAT.

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| § 419.181 | Title: LIMITATION UPON CONTEST OF CERTIFICATION |
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| ACTION | Action to contest the certification of any person to fill any vacancy by a police civil service commission in a city of the first class. |
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| TIME LIMIT | Within 6 years. |
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NOTATIONS

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| CHAPTER TITLE | Special Service District; Housing Improvement Areas |
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MINN. STAT.

§ 428A.13 Title: **ESTABLISHMENT OF HOUSING IMPROVEMENT
AREA**

Subd.: 5 Subtitle: *Appeal to district court*

ACTION Appeal to the district court from the determination of an objection to an ordinance establishing housing improvement areas.

TIME LIMIT Within 30 days after the determination of the objection.

NOTATIONS Before the ordinance is adopted or at the hearing at which it is to be adopted, the owner may object. The owner is precluded from appealing the determination if the owner failed to object if the failure is not due to a reasonable cause.

All objections are deemed waived unless presented on appeal.

No new housing improvement areas may be established under §§ 428A.11 to 428A.20 after June 30, 2005.

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| CHAPTER TITLE | Local Improvements, Special Assessment |
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MINN. STAT.

§ 429.036 Title: **APPEAL FROM DETERMINATION OF LEGALITY
OF PETITION**

ACTION Appeal to the district court by any person aggrieved by a determination of the governing body of the municipality regarding whether or not a petition for the making of any improvement and the assessment of costs has been signed by the required percentage of affected property owners.

TIME LIMIT Within 30 days after the adoption and publication of the resolution.

NOTATIONS See § 429.035 for procedure determining whether the petition has been signed by the required percentage of owners of property.

MINN. STAT.

§ 429.081

Title: **APPEAL TO DISTRICT COURT**

ACTION

Service of notice upon the mayor or clerk of the municipality, regarding the intention of any person aggrieved by an assessment to appeal to the district court.

TIME LIMIT

Within 30 days after the adoption of the assessment.

NOTATIONS

The notice shall be filed with the district court within 10 days after its service.

The appeal process in this section applies to § 429.071, appealing from reapportionment upon land division.

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| CHAPTER TITLE | Land for Streets and Parks; Elwell Law |
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MINN. STAT.

§ 430.03 Title: **OBJECTIONS; APPEAL; REAPPRAISAL**

Subd.: 1 Subtitle: *Appeal procedure; bond*

ACTION Appeal to the district court from a city council's order of confirmation of an award or assessment for any property which is proposed to be taken, interfered with, or assessed for benefits under this chapter.

TIME LIMIT Within 20 days after the order.

NOTATIONS Notice must be served upon the city clerk specifying the property of the appellant affected by the award and assessment and refer to the objection filed. The appellant shall deliver a bond to the city in the amount of \$50.

A city or any party may appeal from the court's final order to the court of appeals.

MINN. STAT.

§ 430.031

Title: **APPEALS FROM PEDESTRIAN MALL
ORDINANCES**

Subd.: 1

Subtitle: *Limitation of actions*

ACTION

Appeal to the district court questioning the validity, regularity, or legality of all or part of a pedestrian mall ordinance or an amendment to it adopted by a city of the first class under the authority of § 430.011, subds. 3, 13.

TIME LIMIT

Within 20 days after the final adoption and publication of the ordinance.

NOTATIONS

An appeal from a district court action must be taken within 30 days after notice of entry of the judgment. Minn. Stat. § 430.031, subd. 4.

MINN. STAT.

§ 430.04

Title: **AWARDS ON APPEAL; ASSESSMENTS**

Subd.: 4

Subtitle: *Appeal*

ACTION

Appeal to the district court by an interested person who is dissatisfied with the amount of an assessment from the confirmation of the city council's assessment under § 430.03.

TIME LIMIT

Within 20 days after the confirmation of the assessment by city council.

NOTATIONS

MINN. STAT.

§ 430.102

Title: **PEDESTRIAN MALL ANNUAL COSTS; ANNUAL IMPROVEMENT ASSESSMENTS**

Subd.: 3

Subtitle: *Annual improvement assessment procedure; appeals*

ACTION

Appeal to the district court from a city council's approval of an annual improvement assessment against the benefitted properties for improvement to a pedestrian mall.

TIME LIMIT

Within 20 days after the adoption of the assessment as provided in § 430.03.

NOTATIONS

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| CHAPTER TITLE | Housing, Redevelopment, Planning, Zoning |
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MINN. STAT.

§ 462.14 Title: **APPRAISAL OF DAMAGE**

Subd.: 11 Subtitle: *Objections; appeal to district court*

ACTION Appeal to the district court from a city council order confirming an appraiser's award of damages or assessment for benefits occasioned by the establishment of a restricted residence district or by the city's exercise of the powers granted in § 462.14.

TIME LIMIT Within 20 days after such order.

NOTATIONS The court will appoint appraisers to reappraise damages and reassess benefits as to the property of the appellant. Their award shall be final unless set aside by the court upon a motion made within 15 days. Minn. Stat. § 462.14, subd. 12.

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| CHAPTER TITLE | Building; Easements; Regulations; Hazards |
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| MINN. STAT. |
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| § 463.18 | Title: ANSWER |
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| ACTION | Answer to the municipality's order that the owner of any hazardous building or property within the municipality correct or remove hazardous conditions of the building or property or raze or remove the building. |
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| TIME LIMIT | Within 20 days from the date of service. |
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| NOTATIONS | If no answer is served, the governing body may move the court for the enforcement of the order. Minn. Stat. § 463.19. |
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| CHAPTER TITLE | Rights, Powers, Duties; Municipalities |
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| MINN. STAT. | |
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| § 465.42 | Title: APPEAL; OBJECTIONS; NOTICE; RECORD |
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| ACTION | Appeal to the district court from a city council's order confirming any award of damages or any assessment by any person whose property is taken, interfered with, assessed, or damaged under §§ 465.26-.48. |
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| TIME LIMIT | Within 20 days after such order. |
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| NOTATIONS | Before appeal as described in this section, the objecting party should file written objections to the confirmation with the city clerk. |
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The court will appoint appraisers to reappraise the damages and reassess the benefits as to the property of the appellant. The award shall be final unless set aside by the court upon a motion within 15 days. Within five days of notice of the filing of the award, appellant may file his written election to remove the building. Minn. Stat. § 465.43.

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| CHAPTER TITLE | Tort Liability, Political Subdivisions |
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MINN. STAT.

§ 466.05 Title: **NOTICE OF CLAIM**

Subd.: 1 Subtitle: *Notice required*

ACTION Notice of a claim for damages against any municipality for or on account of any loss or injury within the scope of § 466.02, except as provided in § 466.05, subd. 2.

TIME LIMIT Within 180 days after the alleged loss or injury is discovered.

NOTATIONS The time for giving such notice does not include the time during which the person injured is incapacitated by the injury from giving notice.

Formal notice from the plaintiff is not always required. Substantial compliance is accomplished if the municipality or its responsible officials have actual notice of facts sufficient to put the governmental body of the municipality on notice of a possible claim, even if such knowledge is acquired through its own procedures or personnel. Kelly v. City of Rochester, 231 N.W. 2d 275 (Minn. 1975).

MINN. STAT.

§ 466.05

Title: **NOTICE OF CLAIM**

Subd.: 2

Subtitle: *Claims for wrongful death, notice*

ACTION

Notice of a claim against any municipality for death by wrongful act or omission.

TIME LIMIT

Within 1 year after the alleged injury or loss resulting in such death.

NOTATIONS

If the person for whose death the claim is made has presented a notice that would have been sufficient had the person lived, an action for wrongful death may be brought without any additional notice.

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| CHAPTER TITLE | Economic Development |
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MINN. STAT.

§ 469.065 Title: **SALE OF PROPERTY**

Subd.: 3 Subtitle: *Decision; appeal*

ACTION Appeal from port authority's findings and decision on whether the sale of property owned by it within a port or industrial district is advisable.

TIME LIMIT Within 20 days after the decision is entered.

NOTATIONS A taxpayer may appeal the decision by filing a notice of appeal with the district court and serving the notice on the secretary of the port authority.

The only ground for appeal is that the action of the authority was arbitrary, capricious, or contrary to law.

MINN. STAT.

§ 469.105 Title: **SALE OF PROPERTY**

Subd.: 3 Subtitle: *Decision; appeal*

ACTION Appeal from economic development authority's findings and decision on whether the sale of property owned by it is advisable.

TIME LIMIT Within 20 days after the decision is entered.

NOTATIONS A taxpayer may appeal the decision by filing a notice of appeal with the district court and serving the notice on the secretary or authority.

The only ground for appeal is that the action of the authority was arbitrary, capricious, or contrary to law.

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| CHAPTER TITLE | Metropolitan Government |
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MINN. STAT.

§ 473.675 Title: **LEGAL PROCEEDINGS**

Subd.: 4 Subtitle: *Appeals*

ACTION Appeal to the court of appeals from an order or judgment entered in the district court regarding the right, power, or authority of a public corporation created and operating under §§ 473.601 to 473.679 relating to the metropolitan airports commission.

TIME LIMIT Within 30 days after entry of such judgment or after written notice of such order from the adverse party.

NOTATIONS

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| CHAPTER TITLE | District Courts |
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| MINN. STAT. | |
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| § 484.65 | Title: FAMILY COURT DIVISION; FOURTH JUDICIAL DISTRICT |
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| Subd.: 9 | Subtitle: <i>Referees; appeal</i> |
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| ACTION | Appealing an appealable referee orders and decrees of a family court referee by the Court of Appeals. |
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| TIME LIMIT | Fourth Judicial District Family Court referee orders and decrees may be appealed directly to the Court of Appeals in the same manner as judicial orders and decrees. The time for appealing an appealable referee order runs from service by any party of written notice of the filing of the confirmed order. |
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| NOTATIONS | All recommended orders and findings of a referee shall be subject to confirmation by said district court judge. But, the referee orders and decrees may be appealed directly to the Court of Appeals. |
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| CHAPTER TITLE | Estates in Real Property |
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| MINN. STAT. | |
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| § 500.20 | Title: DEFEASIBLE ESTATES |
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| Subd.: 3 | Subtitle: <i>Time to assert power of termination</i> |
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| ACTION | Right to reenter or repossess land on account of breach made in a condition subsequent. |
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| TIME LIMIT | Within 6 years after the happening of the breach upon which such right is predicated. |
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| NOTATIONS | The right of reentry or repossession must be asserted by entry or bringing an action. |
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MINN. STAT.

§ 500.245

Title: **RIGHT OF FIRST REFUSAL FOR AGRICULTURAL
LAND**

Subd.: 3

Subtitle: *Failure to bring action*

ACTION

Action for the recovery of title or possession of real property or any right in the property or an action for damages based upon a failure to comply with the requirements of subdivisions 1 or 2.

TIME LIMIT

Within 3 years after the conveyance on which the action is based was recorded with the county recorder or registrar of titles.

NOTATIONS

MINN. STAT.

§ 501B.86 Title: **DISCLAIMER OF INTERESTS PASSING BY DEED, ASSIGNMENT, UNDER CERTAIN NON-TESTAMENTARY INSTRUMENTS, OR UNDER CERTAIN POWERS OF APPOINTMENT**

Subd.: 3 Subtitle: *Filing deadline*

ACTION Action to disclaim interest granted in a nontestamentary instrument.

TIME LIMIT Within 9 months after the effective date of the nontestamentary instrument creating the interest.

NOTATIONS If the disclaimant is not finally ascertained as a beneficiary or the disclaimant's interest has not then become indefeasibly fixed, the disclaimer must be filed not more than nine months after the event that would cause the disclaimant to become finally ascertained and the interest to become indefeasibly fixed.

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| CHAPTER TITLE | Landlords and Tenants |
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MINN. STAT.

§ 504B.371 Title: **APPEALS**

Subd.: 2 Subtitle: *Time for appeal*

ACTION Appeal from judgment against the defendant in an unlawful detainer action.

TIME LIMIT Within 15 days as provided for civil actions in district court.

NOTATIONS

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| CHAPTER TITLE | Registration, Torrens |
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| MINN. STAT. | |
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|-----------------|------------------------------|
| § 508.26 | Title: OPENING DECREE |
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| ACTION | Filing of a petition to open a decree of registration of land by any person who had no notice or knowledge of the pendency of the proceedings prior to the entry of the decree. |
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| TIME LIMIT | Within 60 days after the entry of judgment of such decree. |
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| NOTATIONS | |
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MINN. STAT.

§ 508.28

Title: **LIMITATION OF ACTIONS**

ACTION

(1) Action alleging the invalidity of a decree of registration or an original certificate of title; (2) action for the recovery of any right, title, interest, or estate in registered land adverse to the title established by any original decree of registration; and (3) action for the enforcement of foreclosure of any lien or charge upon or against registered land in existence at the date of any original decree of registration and which was not established by such decree.

TIME LIMIT

Within 6 months from the date of the original decree of registration.

NOTATIONS

MINN. STAT.

§ 508.29

Title: **APPEALS**

Subd.: 1

ACTION

Appeal to the court of appeals from any final decree of the district court under this chapter regarding the registration and conveyancing of real estate.

TIME LIMIT

Within 90 days from the date of any final decree, except within 6 months for those parties who were not personally served.

Within 30 days from the date of the filing of any order granting or denying an application to open, vacate, or set aside the decree.

Within 30 days from the date of the filing of any order granting or refusing a new trial, or involving the merits of the proceeding.

Within 60 days from the filing of any order relating to registered land after its original registration.

NOTATIONS

The court of appeals may review any intermediate order involving the merits or necessarily affecting the decree.

MINN. STAT.

§ 508.29

Title: **APPEALS**

Subd.: 2

ACTION

Appeal to the court of appeals from any order granting or denying an application to open, vacate or set aside the decree granted under §§ 508.01 to 508.84.

TIME LIMIT

Within 30 days from the date of filing of such order.

NOTATIONS

MINN. STAT.

§ 508.29

Title: **APPEALS**

Subd.: 3

ACTION

Appeal to the court of appeals under §§ 508.01 to 508.84 granting or refusing a new trial, or from any order involving the merits of the proceeding.

TIME LIMIT

Within 30 days from the filing of such order.

NOTATIONS

MINN. STAT.

§ 508.29

Title: **APPEALS**

Subd.: 4

ACTION

Appeal to the court of appeals from any order of the district court under §§ 508.01 to 508.84 relating to registered land after the original registration of such land.

TIME LIMIT

Within 90 days after the entry of such order.

NOTATIONS

MINN. STAT.

§ 508.79

Title: **LIMITATION OF ACTION**

ACTION

Action to recover damages out of the general fund as established in § 508.76.

TIME LIMIT

Within 6 years from the time any loss or damage was sustained.

NOTATIONS

If at the time the right accrued, the person entitled to bring such action is a minor, or is a person who lacks the mental capacity to make decisions, or imprisoned, or absent from the United States in its service or the service of the state, such person may commence such action within 2 years after such disability is removed.

See § 508.76 for actions that entitle a person to recover compensation out of the general fund for such loss or damage.

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| CHAPTER TITLE | Registration Without Court Proceedings |
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MINN. STAT.

§ 508A.17 Title: **LIMITATION ON ACTION**

Subd.: 1 Subtitle: *Limitation*

ACTION Action to enforce any right, title, estate, lien, or interest founded upon any instrument, event, or transaction which is not set out as a separate memorial on the CPT or covered by § 508A.25.

TIME LIMIT Within 5 years of from the date of the first CPT.

NOTATIONS This section applies to land registered under a CPT which has been entered and maintained by the registrar under §§ 501A.01 to 508A.85.

A notice of lis pendens of the action must be registered upon the CPT within five years from the date of the first CPT.

Any claimant to any interest adverse to the applicant already barred by some other statute or rule of law shall not acquire any renewed rights or extensions by reason of §§ 501A.01 to 508A.85.

MINN. STAT.

§ 508A.29

Title: **APPEALS**

ACTION

Appeal to the court of appeals from any order of the district court relating to land registered under §§ 508A.01 to 508A.85.

TIME LIMIT

Within 60 days from the filing of the order.

NOTATIONS

MINN. STAT.

§ 508A.79

Title: **LIMITATION OF ACTION**

ACTION

Action pursuant to § 508A.76 to recover damages out of the general fund.

TIME LIMIT

Within 6 years from the right to commence the action accrued.

NOTATIONS

If at the time the right accrued, the person entitled to bring such action is a minor, or is a person who lacks the mental capacity to make decisions, or imprisoned, or absent from the United States in its service or the service of the state, such person may commence such action within two years after such disability is removed.

See Minn. Stat. § 508A.76 for actions that entitle a person to recover compensation out of the general fund for such loss or damage.

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| CHAPTER TITLE | Residential Real Estate; Seller Disclosure Requirement |
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MINN. STAT.

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| § 513.57 | Title: LIABILITY FOR ERROR, INACCURACY, OR OMISSION |
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| ACTION | A person injured by a violation of this section may bring a civil action, recover damages, and receive other equitable relief as determined by the court. |
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| TIME LIMIT | Action must be commenced within two years after the date on which the prospective buyer closed the purchase or transfer of the real property. |
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NOTATIONS

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| CHAPTER TITLE | Liens; Labor, Material |
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MINN. STAT.

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| § 514.10 | Title: FORECLOSURE OF LIENS |
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| ACTION | Appeal from judgment of the district court establishing a lien. |
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| TIME LIMIT | Within 30 days from the entry of judgment. |
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| NOTATIONS | A written notice of intention to appeal from district court's judgment must be served on the court administrator within 30 days of the district court's decision. |
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MINN. STAT.

§ 514.11 Title: **COMMENCEMENT OF ACTION; PROCEEDINGS**

ACTION Answer to be filed in an action commenced by a lienholder.

TIME LIMIT Within 20 days after service on the defendant.

NOTATIONS The action may be filed by any lienholder and all other such lienholders shall be made defendants therein.

The summons shall contain a notice that the action is brought to foreclose a lien, giving the amount thereof, and a brief description of the premises affected, and of the improvement out of which the lien arose, and shall require each defendant to file an answer with the court administrator.

MINN. STAT.

§ 514.12

Title: **NOTICE OF LIS PENDENS**

Subd.: 3

Subtitle: *One-year limitation*

ACTION

Action by a lienholder for the enforcement of a lien on the improvement of real estate.

TIME LIMIT

Within 1 year after the date of the last item of his claim as set forth in the recorded lien statement.

NOTATIONS

The absence from the record of a notice of lis pendens of an action after the expiration of the year in which the lien could be so asserted shall be conclusive evidence that the lien may no longer be enforced.

MINN. STAT.

§ 514.42

Title: **TERMINATION OF LIEN**

ACTION

Action to enforce a lien on logs and timber by another person who performs manual labor or other personal service for hire on such logs or timber.

TIME LIMIT

Within 90 days of the filing of a lien statement.

NOTATIONS

The lien statement must be filed within 30 days after the termination of such labor or service.

MINN. STAT.

§ 514.60

Title: **NOTICE TO SHERIFF; PROPERTY HELD**

ACTION

Action to determine a claim of a lien on the property of an employer, by any mechanic, salesman, clerk, operative, or other employee of a manufacturer, merchant, or dealer.

TIME LIMIT

Within 30 days after notice of the amount and the grounds of the claim was served on the officer who made the lien.

NOTATIONS

Within 5 days of the levy, the lienholder must give the officer written notice of the amount and grounds of the lienholder's claim.

MINN. STAT.

§ 514.661

Title: **LIEN FOR RENTAL VALUE OF FARM
MACHINERY DURING MEDIATION**

Subd.: 7

Subtitle: *Enforcement actions; lien extinguished*

ACTION

Action to enforce a lien under this section.

TIME LIMIT

Within 18 months after the date the lien statement is filed.

NOTATIONS

To perfect a lien under this section, the lien must attach and a person or entity entitled to the lien must file a lien statement during mediation or within 30 days after the conclusion of mediation. Minn. Stat. § 514.661, subd. 3.

MINN. STAT.

§ 514.71

Title: **RELEASE**

ACTION

Enforcement of a lien upon any and all causes of action accruing to an injured person, held by a hospital, for the reasonable charges for hospital care to such person.

TIME LIMIT

Within 2 years after the filing of the lien.

NOTATIONS

To perfect such a lien, the operator of the hospital shall file a lien statement before or within 10 days after such person has been discharged. Minn. Stat. § 514.69, subd. 1.

Within one day after filing such lien, the operator shall mail a copy to each person so claimed to be liable for such damages. Minn. Stat. § 514.69, subd. 1.

MINN. STAT.

§ 514.79

Title: **BALANCE OF PROCEEDS OF SALE; PAYMENT OF**

ACTION

Recovery of the balance of proceeds from the sale of wearing apparel, bedding, linens, flatwork, and household furnishings sold by a launderer to pay for his services, held by the county treasurer because unclaimed by the party legally entitled to the same.

TIME LIMIT

Within 2 years from the time such balance came into possession of the county treasurer.

NOTATIONS

When possession of wearing apparel, bedding, linens, flatwork and household furnishings has continued for 90 days after a launderer's charges accrue, and the charges have not been paid, the person holding said articles shall notify the owner of these charges. If the owner fails to pay within 10 days, the launderer may sell the articles, collect said charges, and remit the balance to the county treasurer. See Minn. Stat. § 514.77 to .79.

MINN. STAT.

§ 514.945

Title: **AGRICULTURAL PRODUCER'S LIEN**

Subd.: 5

Subtitle: *Lien terminated*

ACTION

Enforcement of a lien upon an agricultural commodity.

TIME LIMIT

Within 6 months after the agricultural commodity is delivered.

NOTATIONS

To perfect such lien, the lienholder must file a lien statement within 20 days after the agricultural commodity is delivered. Minn. Stat. § 514.945, subd. 2.

MINN. STAT.

§ 514.973

Title: **ENFORCEMENT OF LIEN FOR PERSONAL
PROPERTY IN SELF-STORAGE**

Subd.: 4

Subtitle: *Sale of property*

ACTION

A sale of personal property with respect to a lien on personal property in self-storage.

TIME LIMIT

(a) No sooner than 45 days after default. If the personal property is a motor vehicle or watercraft, no sooner than 60 days after default.

NOTATIONS

See statute for notification and publication requirements.

Before any sale pursuant to this section is conducted, the occupant or any other person entitled to notice under subdivision 2, paragraph (a), may redeem the property by paying the amount sufficient to satisfy the lien and the reasonable expenses incurred complying with this section. If sufficient payment is made, the personal property may not be sold.

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| CHAPTER | Uniform Condominium Act |
| TITLE | |

MINN. STAT.

§ 515A.3-111 Title: **TORT AND CONTRACT LIABILITY**

ACTION Action for indemnification of association by the declarant for liability incurred by the association as a result of a tort or breach of contract occurring during a period of declarant control.

TIME LIMIT Any statute of limitation affecting the association's right of action under this section is tolled until the period of declarant control terminates.

NOTATIONS This provision is applicable to all condominiums created in Minnesota prior to August 1, 1980 but only with respect to events and circumstances occurring after July 31, 1980. It is also applicable to all condominiums created in Minnesota after August 1, 1980. Minn. Stat. § 515A.1-102.

Section § 515B applies to all condominiums created after June 1, 1994 and condominiums created under 515A with respect to events and circumstances occurring on or after June 1, 1994 except for provisions governing obligations of the declarant (as here) which will remain under 515A. Minn. Stat. § 515B.1-102.

MINN. STAT.

§ 515A.4-114

Title: **STATUTE OF LIMITATIONS FOR WARRANTIES**

ACTION

Subd. (a) A judicial proceeding for breach of any obligation arising under § 515A.4-111 [express warranties] or 515A.4-112 [implied warranties] must be commenced within six years after the cause of action accrues, but the parties may reduce the period of limitations to not less than two years.

TIME LIMIT

Subd. (b) Subject to subd. (c), a cause of action accrues for express or implied warranties regardless of the purchaser's lack of knowledge of the breach.

The time at which the cause of action accrues may differ. Compare (b)(1) with (b)(2).

Subd. (c) If a warranty under § 515A.4-111 or § 515A.4-112 explicitly extends to future performance or duration of any improvement or component of the condominium, the cause of action accrues (1) at the time the breach is discovered, or (2) at the end of the period for which the warranty explicitly extends, whichever is earlier.

Uniform Condominium Act's six-year statute of limitations accrues only if the declaration is recorded; condominium is not legally created until the declaration is recorded and only then are the Act's protections triggered. Highland Hill North Condo Ass'n. Inc. v. Highland Hill Co., 538 N.W.2d 479 (Minn. Ct. App. 1995), review granted, aff'd in part, rev. in part, 549 N.W.2d 617, cert. denied, 519 U.S. 1041 (1996).

This provision is applicable to all condominiums created in Minnesota prior to August 1, 1980 but only with respect to events and circumstances occurring after July 31, 1980. It is also applicable to all condominiums created in Minnesota after August 1, 1980. Minn. Stat. § 515A.1-102.

Section § 515B applies to all condominiums created after June 1, 1994 and condominiums created under 515A with respect to events and circumstances occurring on or after June 1, 1994 except for provisions governing obligations of the declarant (as here) which will remain under 515A. Minn. Stat. § 515B.1-102.

NOTATIONS

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| CHAPTER TITLE | Minnesota Common Interest Ownership Act |
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| MINN. STAT. | |
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| § 515B.3-116 | Title: LIEN FOR ASSESSMENTS |
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| ACTION | Action by an association to enforce an assessment lien on a unit. |
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| TIME LIMIT | Subd. (d): Within 3 years after the last installment of the assessment becomes payable. |
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| NOTATIONS | Subd. (a) Fees, charges, late charges, fines and interest charges under § 515B.3-102(a)(10), (11), and (12) are enforceable as assessments. |
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Lien is perfected and record notice effective by recording the declaration; no further recording is necessary. This provision is applicable to all condominiums created in Minnesota prior to August 1, 1980 but only with respect to events and circumstances occurring after July 31, 1980. It is also applicable to all condominiums created in Minnesota after August 1, 1980. Minn. Stat. § 515A.1-102. § 515B applies to all condominiums created after June 1, 1994 and condominiums created under 515A with respect to events and circumstances occurring on or after June 1, 1994 except for provisions governing obligations of the declarant (as here) which will remain under 515A. Minn. Stat. § 515B.1-102.

MINN. STAT.

§ 515B.4-115

Title: **STATUTE OF LIMITATIONS FOR WARRANTIES**

ACTION

- Subd. (a) Action for breach of warranty under § 515B.4-101(e) or 515B.4-106(d).
- Subd. (b) Action for breach of warranty under § 515B.4-112 or 515B.4-113.
-

TIME LIMIT

- Subd. (a) A cause of action for breach of warranty under § 515B.4-106(d) shall be commenced within 12 months after the conveyance of the unit or other parcel of real estate.
- Subd. (b) “A judicial proceeding for breach of any obligation arising under § 515B.4-112 [express warranties] or 515B.4-113 [implied warranties] shall be commenced within 6 years after the cause of action accrues, but the parties may reduce the period of limitation to not less than 2 years.” An agreement reducing the limitation period signed by one purchaser of a unit shall be binding on any co-purchasers of the unit and the purchasers’ successors/assigns.
-

NOTATIONS

- Subd. (b) With respect to a unit that may be occupied for residential use, an agreement to reduce the period of limitation must be evidenced by an instrument separate from the purchase agreement signed by a purchaser of the unit.
- Subd. (c) Subject to subd. (d), a cause of action accrues regardless of the purchaser’s lack of knowledge of the breach.

The time at which the cause of action accrues may differ. Compare (c)(1) with (c)(2).

Subd. (d) If a warranty explicitly extends to future performance or duration of any improvement or component of the condominium, the cause of action accrues (1) at the time the breach is discovered, or (2) at the end of the period for which the warranty explicitly extends, whichever is earlier.

| | |
|----------------|--|
| CHAPTER | Uniform Interstate Family Support Act |
| TITLE | |

MINN. STAT.

§ 518C.707 Title: **DETERMINATION OF PARENTAGE; CONTEST OF REGISTERED CONVENTION SUPPORT ORDER**

ACTION File a contest to a registered convention support order

TIME LIMIT No later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed no later than 60 days after notice of the registration.

NOTATIONS A challenge or appeal, if any, does not stay the enforcement of a convention support order unless there are exceptional circumstances.

This section, as added by Laws 2014, chapter 189, section 61, is effective on the date that the United States deposits the instrument of ratification for the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance with the Hague Conference on Private International Law. Laws 2014, chapter 189, section 73.

| | |
|--------------------------|-----------------------------|
| CHAPTER TITLE | Uniform Probate Code |
|--------------------------|-----------------------------|

MINN. STAT.

§ 524.1-106 Title: **EFFECT OF FRAUD AND EVASION**

ACTION Proceeding against a perpetrator of any fraud in connection with any proceeding or in any statement filed under this chapter.

TIME LIMIT Within 2 years after discovery of the fraud.

NOTATIONS proceeding may be brought against a person benefitting from the fraud, but not the perpetrator of the fraud, later than five years after the time of commission of the fraud.

MINN. STAT.

§ 524.2-211

Title: **PROCEEDING FOR ELECTIVE SHARE; TIME LIMIT**

ACTION

Filing a petition for the elective share by the surviving spouse.

-or-

Filing a petition for statutory rights in the homestead.

TIME LIMIT

Within nine months after the date of the decedent's death, or within six months after the probate of the decedent's will, whichever limitation expires later.

- This time limit applies to statutory homestead rights when homestead is subject to a testamentary disposition.
 - If homestead is subject to other disposition, filing for homestead rights must be nine months after the date of death.
-

NOTATIONS

Within 9 months after a decedent's death, the surviving spouse may petition the court for an extension of time for making an election or exercising homestead rights.

It is for the trial court to determine, in the exercise of its discretion, whether equitable considerations warrant avoidance of statutory time limitations for petitioning for elective share. In re Estate of Kruegel, 551 N.W.2d 718 (Minn. Ct. App. 1996), rehearing denied, 1996 Minn. LEXIS 608 (Minn. Aug. 29, 1996).

Will is considered probated for this section when registrar issues statement of informal probate.

MINN. STAT.

§ 524.3-108

Title: **PROBATE, TESTACY AND APPOINTMENT
PROCEEDINGS; ULTIMATE. TIME LIMIT**

ACTION

Commencement of informal probate or appointment proceeding or formal testacy or appointment proceeding, other than a proceeding to probate a will previously probated at the testator's domicile and appointment proceedings relating to an estate in which there has been a prior appointment.

TIME LIMIT

Within 3 years after the decedent's death.

NOTATIONS

The following exceptions apply to the three-year limitation:
(1) if a previous proceeding was dismissed because of doubt about the fact of the decedent's death, proceedings may be maintained at any time upon a finding that decedent's death occurred prior to the initiation of the previous proceeding and there has been no undue delay by applicant or petitioner; (2) appropriate proceedings may be maintained in relation to the estate of an absentee, disappeared or missing person, at any time within three years after the death of such person is established; (3) a proceeding to contest an informally probated will and to secure appointment of a person with legal priority for appointment in the event the contest is successful, may be commenced within 12 months from the informal probate or three years from the decedent's death, whichever is later.

These limitations do not apply to proceedings to construe probated wills, determine heirs of an intestate, or determine descent. Nothing contained in this statute prohibits the formal appointment of a special administrator at any time for the purposes of reducing assets to possession, administering the same under direction of the court, or making distribution of any residue to the heirs or distributees determined to be entitled thereto, pursuant to a descent proceeding under § 523.31 or an exempt summary proceeding under § 525.51, even though the 3-year period above referred to has expired.

MINN. STAT.

§ 524.3-109

Title: **STATUTES OF LIMITATION ON DECEDENT'S
CAUSE OF ACTION**

ACTION

Commencement of any cause of action belonging to a decedent which had not been barred as of the date of his death, including action that would have been barred less than one year after death, but for this statute.

TIME LIMIT

Within 1 year of decedent's death.

NOTATIONS

MINN. STAT.

§ 524.3-412

Title: **FORMAL TESTACY PROCEEDING; EFFECT OF ORDER; VACATION**

ACTION

Petition for vacation of formal testacy order under §§ 524.3-409 to 524.3-411.

TIME LIMIT

Petition must be filed prior to the *earlier* of the following time limits:

- (1) the time of entry of any order approving final distribution of an estate if a personal representative was appointed; or six months after the filing of the closing statement if the estate is closed by statement.
 - (2) the time prescribed by § 524.3-108 when it is no longer possible to initiate an original proceeding to probate a will of the decedent, regardless of whether a personal representative has been appointed.
 - (3) 12 months after the entry of the order sought to be vacated.
-

NOTATIONS

MINN. STAT.

§ 524.3-914

Title: **UNCLAIMED ASSETS**

ACTION

Application for recovery of unclaimed assets of an estate deposited with the county treasurer by the person entitled thereto.

TIME LIMIT

Within 21 years after the deposit with the county treasurer.

NOTATIONS

MINN. STAT.

§ 524.3-1005

Title: **LIMITATION ON PROCEEDINGS AGAINST
PERSONAL REPRESENTATIVE**

ACTION

Proceeding to assert the rights of successors and of creditors, whose claims have not otherwise been barred, against the personal representative for breach of fiduciary duty.

TIME LIMIT

Within 6 months after the filing of the closing statement, unless otherwise provided in the closing statement.

NOTATIONS

The rights thus barred do not include rights to recover from a personal representative for fraud, misrepresentation, or inadequate disclosure related to the settlement of the decedent's estate.

If personal representative of estate continues to act in common-law fiduciary capacity after closing of estate, and commits negligence in that capacity, general statute of limitations of 6 years (§ 541.05) would apply, not six-month statute (this section) applicable to breach of fiduciary duty by personal representative. May v. First Nat'l Bank of Grand Forks, North Dakota, 427 N.W.2d 285 (Minn. Ct. App. 1988), rev. denied (Minn. Oct. 26, 1988).

MINN. STAT.

§ 524.3-1006

Title: **LIMITATIONS ON ACTIONS AND
PROCEEDINGS AGAINST DISTRIBUTEES**

ACTION

Action to recover from a distributee who is liable to pay a claim, and the right of any heir or devisee (or personal representative on their behalf) to recover property improperly distributed or the value thereof from any distributee.

TIME LIMIT

Within the later of (1) 3 years after the decedent's death, or (2) 1 year after the time of distribution of property.

NOTATIONS

This section does not bar an action to recover property or value received as the result of fraud.

MINN. STAT.

§ 524.6-207

Title: **RIGHTS OF CREDITORS**

ACTION

Action against surviving party or P.O.D. payee who receives payment from a multiple-party account after the death of the deceased party to account to the deceased party's personal representative for amounts the deceased owned beneficially immediately before death, to the extent necessary to discharge claims and charges remaining unpaid after the application of the assets of the decedent's estate.

TIME LIMIT

Within 2 years following the death of the decedent.

NOTATIONS

No proceeding to assert this liability shall be commenced by the personal representative unless the personal representative has received a written demand by a surviving spouse, a creditor, or one acting for a minor dependent child of the decedent.

MINN. STAT.

§ 524.6-307

Title: **DEATH OF OWNER; CREDITORS**

ACTION

Action by deceased owner's personal representative for an accounting by a TOD beneficiary in whose name a security is registered for securities so registered or their proceeds to the extent necessary to discharge claims and charges remaining unpaid after the application of the assets of the decedent's estate, such claims and charges to include debts, taxes, and expenses of administration.

TIME LIMIT

Within 2 years following the death of the decedent.

NOTATIONS

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|----------------|----------------------------|
| CHAPTER | Probate Proceedings |
| TITLE | |

MINN. STAT.

§ 525.712 Title: **REQUISITES**

ACTION Appeal by an aggrieved person to the Court of Appeals from any probate court order, judgment, or decree, as set forth in § 525.71.

TIME LIMIT After service by any party of written notice of the filing of the order, judgment, or decree appealed from pursuant to the Rules of Appellate Procedure.

If no written notice is served upon the aggrieved party, within 6 months of the filing of the order, judgment, or decree.

NOTATIONS

| | |
|----------------|------------------------------------|
| CHAPTER | Uniform Custodial Trust Act |
| TITLE | |

MINN. STAT.

§ 529.15 Title: **LIMITATION OF ACTION AGAINST CUSTODIAL TRUSTEE**

Subd.: (a)

| | |
|---------------|--|
| ACTION | Action for accounting or breach of duty against custodial trustee. |
|---------------|--|

| | |
|-------------------|--|
| TIME LIMIT | Action barred as to a beneficiary, a person to whom custodial trust property is to be paid or delivered, or the legal representative of an incapacitated or deceased beneficiary or payee: (1) who has received a final account or statement fully disclosing the matter unless an action is commenced within 2 years after receipt of the final account or statement; or (2) who has not received a final account or statement fully disclosing the matter unless an action is commenced within 3 years after the termination of the custodial trust. |
|-------------------|--|

| | |
|------------------|---|
| NOTATIONS | Subd. (c) A claim for relief is not barred by this section if the claimant: (1) is a minor, until the earlier of two years after the claimant becomes an adult or dies; (2) is an incapacitated adult, until the earliest of 2 years after (i) the appointment of a conservator, (ii) the removal of the incapacity, or (iii) the death of the claimant; or (3) was an adult, now deceased, who was not incapacitated, until 2 years after the claimant's death. |
|------------------|---|

MINN. STAT.

§ 529.15

Title: **LIMITATION OF ACTION AGAINST CUSTODIAL TRUSTEE**

Subd.: (b)

ACTION

Action for fraud, misrepresentation, or concealment against custodial trustee.

TIME LIMIT

Within 5 years after the termination of the custodial trust.

NOTATIONS

Action may not be barred if claimant is a minor, an incapacitated adult, or an adult now deceased. See Minn. Stat. § 529.15, subd. (c).

| | |
|--------------------------|---|
| CHAPTER TITLE | Limitation of Time, Commencing Actions |
|--------------------------|---|

MINN. STAT.

§ 541.02 Title: **RECOVERY OF REAL ESTATE, 15 YEARS**

ACTION Action for the recovery or possession of real estate.

TIME LIMIT Within 15 years before the beginning of the action, plaintiff, plaintiff's ancestor, predecessor, or grantor must be seized or possessed of the premises.

NOTATIONS For exceptions to the above limitations, see § 541.02, ¶¶ 2-3.

MINN. STAT.

§ 541.023

Title: **ACTIONS AFFECTING TITLE TO REAL ESTATE**

Subd.: 1

Subtitle: *Commencement*

ACTION

Action affecting the possession or title of any real estate, against a claim of title based upon a source of title of record for at least 40 years, founded upon any instrument, event, or transaction which was executed or occurred over 40 years prior to commencement of such action.

TIME LIMIT

Claim must be filed within 40 years after such execution or occurrence.

NOTATIONS

The notice must be recorded in the office of the county recorder or filed in the office of the registrar of titles in the county where the real estate is located. The notice must set forth the name of the claimant, a description of the real estate affected and of the instrument, event or transaction on which such claim is founded, and state whether the claim is mature or immature.

Subd. 2(c): This section does not apply to actions to enforce rights, claims, interests, encumbrances, or liens arising out of private covenants, conditions, or restrictions to which § 500.20, subd. 2a, or successor statutes do not apply.

MINN. STAT.

§ 541.024

Title: **LIMITATION OF ACTIONS AFFECTING TITLE TO
OR POSSESSION OF TAX FORFEITED LANDS**

Subd.: 1

ACTION

Action against a real estate title based upon or derived from a county auditor's certificate of forfeiture, or auditor's certificate of sale, or state assignment certificate issued prior to June 15, 1977.

TIME LIMIT

No such action shall be commenced on or after June 15, 1978.

NOTATIONS

MINN. STAT.

§ 541.03

Title: **FORECLOSURE OF REAL ESTATE MORTGAGE**

Subd.: 1

Subtitle: *Limitation*

ACTION

Action to foreclose on real estate mortgage.

TIME LIMIT

Within 15 years from maturity of the whole debt secured by the mortgage.

NOTATIONS

Any extension shall be in writing and shall have been recorded in the same office in which the original mortgage is recorded, within the limitation period above.

Subd. (2) The limitations period begins to run from the date of the mortgage, unless the time of the maturity of the debt or obligation secured by such mortgage is clearly stated in such mortgage.

MINN. STAT.

§ 541.04

Title: **JUDGMENT, TEN YEARS**

ACTION

Action upon a judgment or decree of a court of the United States, or of any state or territory thereof.

TIME LIMIT

Within 10 years after the entry of judgment.

NOTATIONS

This statute was amended in 2012 (striking a 20-year time frame for child support judgments). The 2012 amendments to this section are effective retroactively from April 15, 2010, the date the stricken language (for child support judgments) was enacted.

MINN. STAT.

§ 541.05

Title: **VARIOUS CASES, SIX YEARS**

Subd.: 1

Subtitle: *Six Year Limitation*

ACTION

- (1) Action upon a contract or other obligation, express or implied, as to which no other limitation is expressly prescribed;
- (2) action upon a liability created by statute, other than those arising upon a penalty or forfeiture or where a shorter period is provided by § 541.07;
- (3) Action for a trespass upon real estate;
- (4) Action for taking, detaining, or injuring personal property, including actions for the specific recovery thereof;
- (5) Action for criminal conversation, or for any other injury to the person or rights of another, not arising on contract, and not hereinafter enumerated;
- (6) Action for relief on the ground of fraud, in which case the cause of action shall not be deemed to have accrued until the discovery by the aggrieved party of the fact constituting the fraud;
- (7) Action against sureties upon the official bond of any public officer, whether of the state or of any county, town, school district, or a municipality therein; in which case the limitation shall not begin to run until the term of such officer for which the bond was given shall have expired;
- (8) Action for damages caused by a dam, used for commercial purposes;
- (9) Action for assault, battery, false imprisonment, or other tort, resulting in personal injury, if the conduct that gives rise to the cause of action also constitutes domestic abuse as defined in § 518B.01.

TIME LIMIT

6 years, except where the Uniform Commercial Code otherwise prescribes.

MINN. STAT.

§ 541.05 Title: **VARIOUS CASES, SIX YEARS**

Subd.: 2 Subtitle: *Strict Liability*

ACTION Action based on the strict liability of the defendant and arising from the manufacture, sale, use or consumption of a product.

TIME LIMIT 4 years.

NOTATIONS

MINN. STAT.

§ 541.051

**Title: LIMITATION OF ACTION FOR DAMAGES
BASED ON SERVICES OR CONSTRUCTION TO
IMPROVE REAL PROPERTY**

Subd.: 1

ACTION

(1) Action by any person in contract, tort, or otherwise to recover damages for any injury to property, real or personal, or for bodily injury or wrongful death, arising out the defective and unsafe condition of an improvement to real property.

(2) Action for contribution or indemnity for damages sustained on account of the injury, shall be brought against any person performing or furnishing the design, planning, supervision, materials, or observation of construction or construction of the improvement to real property.

TIME LIMIT

Regarding (1) above, within 2 years after the cause of action accrues.

Regarding (2) above, within 2 years after accrual of the cause of action, upon payment of a final judgment, arbitration award, or settlement and in no event more than 14 years after substantial completion.

Regarding (1) and (2), within 10 years after substantial completion.

NOTATIONS

These limitations do not apply to the manufacturer or supplier of any equipment or machinery installed upon real property. Substantial completion shall be determined by the date when construction is sufficiently completed so that the owner or the owner's representative can occupy or use the improvement for the intended purpose.

MINN. STAT.

§ 541.051

Title: **LIMITATION OF ACTION FOR DAMAGES
BASED ON SERVICES OR CONSTRUCTION TO
IMPROVE REAL PROPERTY**

Subd.: 2

ACTION

Action to recover damages which accrues during the ninth or tenth year after substantial completion of the construction.

TIME LIMIT

Within 2 years after the date on which the action accrued.

NOTATIONS

No action may be brought more than 12 years after substantial completion of the construction.

MINN. STAT.

§ 541.052

Title: **LIMITATION OF ACTIONS FOR DAMAGES
BASED ON ERRORS IN LAND SURVEYS**

Subd.: 1

Subtitle: *Land Surveys*

ACTION

Action to recover damages against surveyor for an error in land survey or an action for contribution or indemnity for damages sustained due to surveyor's error.

TIME LIMIT

Within 2 years after discovery of the error.

NOTATIONS

No action may be brought more than 10 years after the date of the survey.

MINN. STAT.

§ 541.052

Title: **LIMITATION OF ACTIONS FOR DAMAGES
BASED ON ERRORS IN LAND SURVEYS**

Subd.: 2

Subtitle: *Action allowed*

ACTION

Action to recover damages which occurs during the ninth or tenth year after the date of the land survey.

TIME LIMIT

Within 2 years after the date on which the action occurred.

NOTATIONS

No action may be brought more than 12 years after the date of the survey.

MINN. STAT.

§ 541.06

Title: **SHERIFFS, CORONERS, CONSTABLES;
FORFEITURES, THREE YEARS**

ACTION

Action against a sheriff, coroner or constable for any act done in an official capacity and in virtue of an office, or for any omission of an official duty, including the nonpayment of money collected or received on a judgment or execution.

TIME LIMIT

Within 3 years.

NOTATIONS

MINN. STAT.

§ 541.07

Title: **TWO- OR THREE-YEAR LIMITATIONS**

ACTION

- (1) Action for libel, slander, assault, battery, false imprisonment, or other tort, resulting in personal injury, and all actions against veterinarians for malpractice, error, mistake or failure to cure, whether based in contract or tort;
- (2) Action upon a statute for a penalty or forfeiture;
- (3) Action for damages caused by a dam, other than a dam used for commercial purposes;
- (4) Action against a master for breach of an indenture of apprenticeship; the limitation runs from the expiration of the term of service;
- (5) Action for the recovery of wages or overtime or damages, fees or penalties accruing under any federal or state law respecting such payments;
- (6) Action for damages caused by the establishment of a street or highway grade or a change in the originally established grade;
- (7) Action against the person who applies the pesticide for injury or damage to property resulting from the application of a pesticide.

TIME LIMIT

Within 2 years.

NOTATIONS

This section does not apply where the Uniform Commercial Code or §§ 148A.06, 541.05, 541.073 or 541.076 otherwise prescribe.

A counterclaim may be pleaded as a defense to any action for service brought by a veterinarian after the limitations period if it was the property of the party pleading it at the time it became barred and was not barred at the time the claim sued on originated; no judgment thereof except for costs can be rendered in favor of the party so pleading it.

“Wages” means all remuneration for services or employment, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, where the relationship of master and servant exists.

“Damages” means single, double, or treble damages, accorded by any statutory cause of action whatsoever and whether or not the relationship of master and servant exists.

MINN. STAT.**§ 541.073**

Title: **ACTIONS FOR DAMAGES DUE TO SEXUAL ABUSE; SPECIAL PROVISIONS**

ACTION

Action for damages based on personal injury caused by sexual abuse as described by § 609.342-.3451.

TIME LIMIT

Within 6 years of the alleged sexual abuse in the case of alleged sexual abuse of an individual 18 years or older.

At any time in the case of alleged sexual abuse of an individual under the age of 18, except as provided for in subdivision 4 of the statute (vicarious liability or respondeat superior claims); and must be commenced before the plaintiff is 24 years of age in a claim against a natural person alleged to have sexually abused a minor when that natural person was under 14 years of age.

Within six years of the alleged abuse for claims of vicarious liability or liability under the doctrine of respondeat superior provided that if the plaintiff was under the age of 18 at the time of the alleged abuse, the claim must be commenced before the plaintiff is 24 years of age.

No later than 3 years following the effective date of the subd. 5 of the statute if the action would otherwise be time-barred under a previous version of Minnesota Statutes, section 541.073, or other time limit. This paragraph does not apply to a claim for vicarious liability or respondeat superior but does apply to other claims, including negligence. This paragraph applies to actions pending on or commenced on or after the effective date of subd. 5 of the statute.

NOTATIONS

This statute was significantly amended in 2013. Governor Dayton signed what is called the Child Victims Act into law on May 24, 2013.

The limitations period in Subd. 2 does not affect the suspension of the statute of limitations during a period of disability under section 541.15.

MINN. STAT.

§ 541.074 Title: **CIVIL REMEDY IN RACKETEERING CASES**

ACTION Actions under § 609.911.

TIME LIMIT Within 5 years.

NOTATIONS

MINN. STAT.

§ 541.075

Title: **REMEDIES IN ENVIRONMENTAL ACTIONS**

ACTION

Action to impose a penalty or forfeiture under §§ 103F.701 to 103F.761 or chapters 115, 116, or 299K.

TIME LIMIT

3 years of the date the violation was discovered or reasonably should have been discovered.

NOTATIONS

§§ 103F.701 to 103F.761: Clean Waters Partnership Law.

Chapters 115 and 116: Environmental Protection.

Chapter 299K: Hazardous Chemical Emergency; Planning a Response.

MINN. STAT.

§ 541.076

Title: **HEALTH CARE PROVIDER ACTIONS**

ACTION

Action by a patient or former patient against a health care provider alleging malpractice, error, mistake, or failure to cure, whether base on contract or tort.

TIME LIMIT

Within 4 years from the date the cause of action accrued.

NOTATIONS

A counterclaim may be pleaded as a defense to any action for service brought by a health care provider after the limitations period if it was the property of the party pleading it at the time it became barred and was not barred at the time the claim sued on originated; no judgment thereof except for costs can be rendered in favor of the party so pleading it.

“Health care provider” means a physician, surgeon, dentist, occupational therapist, or other health care provider as defined in § 145.61.

MINN. STAT.

§ 541.08

Title: **LOCAL IMPROVEMENT CERTIFICATES;
LIMITATION; LIEN SUPERSEDED**

ACTION

Action for the refundment or recovery of moneys paid on account of the purchase of any valid or invalid certificate of sale for a local improvement assessment issued by any city in this state having a population of over 50,000.

TIME LIMIT

Within 2 years from the date when notice of expiration of the period of redemption of the property described in such certificate from the sale evidence thereby could have lawfully been given.

NOTATIONS

No action shall be maintained in any case where the person claiming under such certificate of sale has permitted the lien evidenced by such certificate to be superseded, avoided, or cut out by a subsequent or superior lien arising either from the levy of taxes for general purposes or from the levy of a duly authorized improvement assessment.

MINN. STAT.

§ 541.09

Title: **ACTION TO BE COMMENCED WITHIN ONE YEAR**

Subd.: 1

Subtitle: *Instrument authorizing a confession*

ACTION

Action upon judgment note or other instrument, containing any provision authorizing a confession or judgment.

TIME LIMIT

Within 1 year after the cause of action accrued.

NOTATIONS

**CHAPTER
TITLE**

MINN. STAT.

§ 541.09 Title: **ACTION TO BE COMMENCED WITHIN ONE
YEAR**

Subd.: 2 Subtitle: *Action upon judgment from United States court*

ACTION Action upon judgment or decree of any court of the United States or of any state or territory thereof entered upon a plea of confession under any warrant of attorney or other instrument signed by the debtor authorizing such confession.

TIME LIMIT Within 1 year after the rendition or entry of the warrant or other instrument.

NOTATIONS

MINN. STAT.

§ 541.10

Title: **MUTUAL ACCOUNTS**

ACTION

Action to recover a balance due upon a mutual, open, and current account where there have been reciprocal demands between the parties.

TIME LIMIT

None provided.

NOTATIONS

Limitation shall begin to run from the date of the last item on either side.

In order that account may be regarded as “mutual, open, and current,” for purposes of special tolling provision under statute of limitations, it must appear by agreement of parties, express or implied, that all items constitute one demand.

Cherne Contracting Corp. v. Wausau Ins. Cos., 572 N.W.2d 339 (Minn. Ct. App. 1997).

MINN. STAT.

§ 541.115

Title: **ACTIONS RELATING TO MAINTENANCE OF
WATER LEVELS**

ACTION

Action against the state of Minnesota, its officers or agents on account of the construction, reconstruction, operation, or maintenance of any dam or appurtenant structures designed to maintain water levels above natural ordinary high or on account of maintenance of such levels where such levels have been maintained for a period of 15 years or more prior to January 1, 1941.

TIME LIMIT

No such action shall be brought.

NOTATIONS

MINN. STAT.

§ 541.13

Title: **ABSENCE FROM STATE**

ACTION

Action accruing against a person who is out of the state and who is not subject to process under the laws of this state.

TIME LIMIT

Within the times herein limited after the person's return to the state.

NOTATIONS

If the person departs from and resides out of the state and while out of the state is not subject to process under the laws of this state, the time of the person's absence is not part of the time limited for the commencement of the action.

Limitation under § 541.04 is absolute and was not tolled by period during which defendant was absent from the state. Knipfer v. Buhler, 227 Minn. 334, 35 N.W.2d 425 (1948). The words "departs from and resides out of the state" mean that person departs from and acquires a domicile out of the state. Nelson v. Sandkamp, 227 Minn. 177, 34 N.W.2d 640 (1948).

MINN. STAT.

§ 541.15

Title: **PERIODS OF DISABILITY NOT COUNTED**

Subd.: (a)

ACTION

Suspension of the running of the period of limitation for any of the following grounds of disability, existing at the time when a cause of action accrued or arising anytime during the period of limitation:

- (1) plaintiff is within the age of 18 years;
 - (2) the plaintiff's insanity;
 - (3) plaintiff is an alien and the subject or citizen of a country at war with the United States;
 - (4) when the beginning of the action is stayed by injunction or by statutory prohibition.
-

TIME LIMIT

Until the disability is removed, or in the case of multiple disabilities, until all disabilities are removed; however, suspension shall not be extended for more than 5 years, nor in any case for more than 1 year after the disability ceases.

NOTATIONS

MINN. STAT.

§ 541.15

Title: **PERIODS OF DISABILITY NOT COUNTED**

Subd.: (b)

ACTION

Actions alleging malpractice, error, mistake, or failure to cure, whether based on contract or tort, against a health care provider.

TIME LIMIT

The running of the period of limitation for the ground that plaintiff is within the age of 18 years at the time when a cause of action accrued is suspended until the disability is removed.

NOTATIONS

Suspension may not be extended for more than seven years, or for more than one year after the disability ceases.

MINN. STAT.

§ 541.16

Title: **PERIOD BETWEEN DEATH OF PARTY AND
COMMENCEMENT OF ACTION**

ACTION

Action commenced by personal representative where death of person occurs within the last year of the period of limitation.

TIME LIMIT

Within 1 year after such death.

NOTATIONS

If a cause of action survives against a decedent, which is not required by law to be presented as a claim against the decedent's estate, an action may be brought thereon against the personal representative of the decedent at any time within one year after death or within the limitation period otherwise prescribed, whichever is longer.

MINN. STAT.

§ 541.18

Title: **NEW ACTION IN CASE OF REVERSAL**

ACTION

Action upon reversal or arrest of judgment, where judgment is recovered by plaintiff in an action begun within the prescribed period of limitation.

TIME LIMIT

Within 1 year after such reversal or arrest.

NOTATIONS

This section does not apply where the Uniform Commercial Code otherwise prescribes.

MINN. STAT.

§ 541.22

Title: **LIMITATION ON ASBESTOS CLAIMS**

ACTION

Action to recover for:

- (1) removal of asbestos or materials containing asbestos from a building;
 - (2) other measure taken to locate, correct, or ameliorate any problem related to asbestos in a building; or
 - (3) reimbursement for removal, correction, or amelioration of an asbestos problem that would otherwise be barred before July 1, 1990 as a result of the expiration of the applicable period of limitation.
-

TIME LIMIT

Such actions are revived or extended.

NOTATIONS

An asbestos action revived or extended under this subdivision may be begun before July 1, 1990.

| | |
|--------------------------|------------------|
| CHAPTER TITLE | Judgments |
|--------------------------|------------------|

MINN. STAT.

§ 548.09 Title: **LIEN OF JUDGMENT**

Subd.: 1 Subtitle: *Entry and docketing; survival of judgment*

ACTION Survival of judgment requiring the payment of money, and the continuance of the lien thereof.

TIME LIMIT The judgement survives, and the lien continues, for 10 years after its entry. Child support judgments may be renewed pursuant to section 548.091.

NOTATIONS This statute was amended in 2012 (striking a 20-year time frame for child support judgments). The 2012 amendments to this section are effective retroactively from April 15, 2010, the date the stricken language (for child support judgments) was enacted.

MINN. STAT.

§ 548.14

Title: **JUDGMENTS, PROCURED BY FRAUD, SET ASIDE BY ACTION**

ACTION

Action by aggrieved party to set aside judgment obtained in a court or record in the same judicial district by means of perjury, subornation of perjury, or any fraudulent act, practice, or representation of the prevailing party.

TIME LIMIT

Within 3 years after the discovery by the aggrieved party of such perjury or fraud.

NOTATIONS

If during the pendency of such action the enforcement of such judgment or an action thereon shall become barred by the statute of limitations, and such judgment is sustained, the same may be enforced, or an action commenced thereon, within one year after such action is finally determined.

MINN. STAT.

§ 548.19

Title: **JOINT DEBTORS; CONTRIBUTION AND
SUBROGATION**

ACTION

Filing with the court administrator a notice of the amount paid by or enforced against a joint judgment debtor in excess of his proper share and of his claims for contribution from the other judgment debtors.

TIME LIMIT

Within 10 days after such payment or enforcement.

NOTATIONS

Upon such filing, the judgment shall remain in effect in favor of the party filing such notice for the amount and against the party in such notice specified.

MINN. STAT.

§ 548.25

Title: **VACATING REAL ESTATE JUDGMENT; WITHIN
WHAT TIME**

ACTION

Action to vacate or set aside judgment or decree quieting title to land or determining the title thereto or adverse claims therein.

TIME LIMIT

Within 5 years from the time of recording a certified copy of such judgment or decree in the office of the county recorder of the county in which the lands affected by such judgment or decree are situated.

NOTATIONS

MINN. STAT.

§ 548.251

Title: **COLLATERAL SOURCE CALCULATIONS**

Subd.: 2

Subtitle: *Motion*

ACTION

Motion requesting determination of (1) the amounts of collateral sources that have been paid for the benefit of the plaintiff, and (2) the amounts that have been paid, contributed, or forfeited by the plaintiff or members of the plaintiff's immediate family for the two-year period immediately before the accrual of the action to secure the right to a collateral source benefit.

TIME LIMIT

Within 10 days of the date of entry of the verdict requesting determination of collateral sources.

NOTATIONS

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| CHAPTER TITLE | Costs, Disbursements |
|--------------------------|-----------------------------|

MINN. STAT.

| | |
|-----------------|---|
| § 549.09 | Title: INTEREST ON VERDICTS, AWARDS, AND JUDGMENTS |
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| Subd.: 1 | Subtitle: <i>When owed; rate</i> |
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| ACTION | Action for computation of pre-verdict, pre-award, or pre-report interest to pecuniary damages from the time of the commencement of the action or a demand for arbitration, or the time of a written notice of claim, whichever occurs first. |
|---------------|--|

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|-------------------|---|
| TIME LIMIT | Within 2 years of a written notice of claim for interest. |
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NOTATIONS

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|--------------------------|---|
| CHAPTER TITLE | Executions, Redemption, Exemptions |
|--------------------------|---|

MINN. STAT.

§ 550.01 Title: **ENFORCEMENT OF JUDGMENT**

ACTION Action to enforce judgment by the party in whose favor a judgment is given, or the assignee of such judgment.

TIME LIMIT Within 10 years after the entry of judgment.

NOTATIONS

MINN. STAT.

§ 550.28

Title: **SALE IRREGULAR OR JUDGMENT REVERSED**

ACTION

Action for a new execution on the judgment for the price paid on the sale with interest where the purchaser of real property sold on execution is evicted therefrom in consequence of irregularities in the proceedings concerning the sale, or of the reversal or discharge of the judgment.

TIME LIMIT

Within 10 years after eviction.

NOTATIONS

MINN. STAT.

§ 550.31

Title: **CREDITOR TO RECORD ORDER WITH COUNTY RECORDER**

ACTION

Action to redeem real estate of a decedent from a sale upon foreclosure by a creditor by recording in the office of the county recorder of a certified copy of the order of the court allowing such claim.

TIME LIMIT

Within year of redemption.

NOTATIONS

Such claim shall constitute a lien upon the unexempt real estate of the decedent sold upon foreclosure or execution.

MINN. STAT.

§ 550.33

Title: **CREDITOR MAY REDEEM WHEN**

ACTION

Action by senior creditor to redeem where no redemption is made by the personal representative of the deceased debtor within one year after the date of sale, or within one year after the date of the confirmation of sale.

TIME LIMIT

Within 5 days after the expiration of said one year period.

NOTATIONS

MINN. STAT.

§ 550.366

Title: **JUDGMENT ON DEBTS RELATED TO
AGRICULTURAL PROPERTY**

Subd.: 2

Subtitle: *Limits on execution*

ACTION

Execution of a judgment for the unpaid balance of a debt on agricultural property owed by a farm debtor.

TIME LIMIT

No execution after 3 years from the date the judgment was entered.

NOTATIONS

MINN. STAT.

§ 558.215

Title: **ORDERS AND INTERLOCUTORY JUDGMENT;
APPEALS**

ACTION

Appeal to the court of appeals from an order or interlocutory judgment made and entered pursuant to §§ 558.04, .07, .14, or .21 brought by any party to any partition proceeding.

TIME LIMIT

Within 30 days after the making and filing of the order or interlocutory judgment.

NOTATIONS

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|----------------|--------------------------------------|
| CHAPTER | Adverse Claims to Real Estate |
| TITLE | |

MINN. STAT.

§ 559.19 Title: **ACTION TO DECLARE MORTGAGE;
LIMITATION**

ACTION Within 15 years from the time of execution of the
conveyance.

TIME LIMIT

NOTATIONS

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|----------------|---------------------------------------|
| CHAPTER | Public Agencies, Civil Actions |
| TITLE | |

MINN. STAT.

§ 562.04 Title: **EARLY TRIAL OF ACTIONS; APPEAL**

ACTION Appeal taken from any judgment entered in any district court in any action under § 562.02 requiring a bond.

TIME LIMIT Within 30 days after notice of entry of judgment, notwithstanding the rules of civil appellate procedure.

NOTATIONS

MINN. STAT.

§ 572.39

Title: **MINNESOTA CIVIL MEDIATION ACT**

ACTION

Suspension of statute of limitations.

TIME LIMIT

The running of the limitation of time within which an action may be brought is suspended from the date of the agreement to mediate until 20 days after notice of termination of mediation is delivered by certified mail or personally delivered as provided in the agreement to mediate.

NOTATIONS

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|--------------------------|---|
| CHAPTER TITLE | Personal Representatives, Heirs; Actions |
|--------------------------|---|

MINN. STAT.

§ 573.02 Title: **ACTION FOR DEATH BY WRONGFUL ACT**

Subd.: 1 Subtitle: *Death Action*

ACTION Action by trustee when death is cause by the wrongful act or omission of any person or corporation.

TIME LIMIT Within three years of the death, provided that the action must be commenced within six years after the act or omission.

NOTATIONS An action to recover damages for a death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital or sanatorium, or an employee thereof shall be commence within the time set forth in § 541.07 (1).

An action to recover damages for a death caused by an intentional act constituting murder may be commenced at any time after the death of the decedent.

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| CHAPTER TITLE | Bonds, Fines, Forfeitures |
|--------------------------|----------------------------------|

MINN. STAT.

§ 574.10 Title: **NOTICE OF CLAIM**

ACTION Action by any person seeking the benefit of a pledge under §§ 574.01-.10.

TIME LIMIT Within 90 days after the completion of the contract and acceptance by the proper public authorities of the work done. Also, within one year after the service of notice upon the contractor, and upon the state or corporation with which the pledge is made.

NOTATIONS

MINN. STAT.

§ 574.31

Title: **LIMIT OF TIME TO BRING ACTION**

Subd.: 1

Subtitle: *Claims on performance bonds*

ACTION

Claim by a public body on a performance bond.

TIME LIMIT

No action shall be maintained later than permitted under the statute of limitations applicable to the claim.

NOTATIONS

MINN. STAT.

§ 574.31

Title: **LIMIT OF TIME TO BRING ACTION**

Subd.: 2

Subtitle: *Claims on payment bonds*

ACTION

Action to enforce a claim against the surety under a bond.

TIME LIMIT

Subd. (c) Within 1 year from the date of completion, delivery, or provision by the claimant of its last item of labor and materials for the public work stated in its notice of claim.

NOTATIONS

A notice of claim must be served personally or by certified mail upon the surety and the contractor on whose benefit the bond was issued within 120 days of completion, delivery or provision of labor and materials.

If no notice of claim was required because the contractor providing the bond failed to comply with the requirements of § 574.28, then any action under the bond must be commenced within one year from the actual date of completion, delivery, or provision by the claimant of its last item of labor and materials for the public work stated in its notice of claim.

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|----------------|---|
| CHAPTER | Receivers, Property of Absentees |
| TITLE | |

MINN. STAT.

§ 576.15 Title: **COMPENSATION OF RECEIVER; TITLE OF ABSENTEE LOST AFTER FOUR YEARS**

ACTION Action by absentee person for an accounting for compensation and disbursement of property held by a receiver because of the absence.

TIME LIMIT Within 4 years after the date of the disappearance or absconding.

NOTATIONS If the absentee does not appear and claim the property within 4 years, all the absentee's right, title, and interest in the property, real or personal, or the proceeds thereof, shall cease, and no action shall be brought by the absentee on account thereof.

MINN. STAT.

§ 576.16

Title: **PROPERTY DISTRIBUTION; TIME LIMITATION**

ACTION

Time limitation for accounting for or distribution of an absentees property, or for barring actions relative thereto, providing a receiver is not appointed within three years after the date found by the court under § 576.08.

TIME LIMIT

Within 1 year after the appointment of the receiver.

NOTATIONS

The four-year period in §§ 576.14-.15 does not apply under this section. The provisions of §§ 576.04-.16 shall not be construed as exclusive, but as providing additional and cumulative remedies.

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| CHAPTER TITLE | Boats, Vessels; Actions Against |
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| MINN. STAT. | |
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|-----------------|------------------------------------|
| § 579.08 | Title: LIMITATION OF ACTION |
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| ACTION | Action against the master, owner, agent, or consignee of a boat or vessel brought under §§ 579.01-.08. |
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| TIME LIMIT | Within 1 year after the cause of action accrues. |
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| NOTATIONS | This 1 year limitation applies to actions enumerated under § 579.01: |
|------------------|--|

- (1) action for debts for work done or services rendered;
- (2) action for sums due for wharfage or anchorage of boat or vessel;
- (3) action for damages for breach of contract of affreightment or transportation; and
- (4) action for injuries done to persons or property by boat or vessel.

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| CHAPTER TITLE | Mortgages; Foreclosure by Advertisement |
|--------------------------|--|

MINN. STAT.

§ 580.032 Title: **REQUEST FOR NOTICE; MAILED NOTICE**

Subd.: 6 Subtitle: *Remedies*

ACTION Action for money damages resulting from failure to mail notice in accordance with § 580.032 (4).

TIME LIMIT Within 2 years of the date of the sheriff's sale.

NOTATIONS

MINN. STAT.

§ 580.18

Title: **EXCESSIVE COSTS OR INTEREST**

ACTION

Recovery by mortgagor, the mortgagor's heirs or assigns, to recover from the owner of the mortgage at the time of foreclosure three times the amount of any sums charged as costs or disbursements on such foreclosure but not absolutely paid, unless such amounts have been paid to the mortgagor or the mortgagor's assigns.

TIME LIMIT

Within 1 year of the sale.

NOTATIONS

MINN. STAT.

§ 580.20

Title: **ACTION TO SET ASIDE FOR CERTAIN DEFECTS**

ACTION

Action to hold invalid or set aside a foreclosure sale because of any defect in the notice requirements or in the proceedings of the officer making the sale.

TIME LIMIT

Within five years of the date of sale, the action must be commenced with reasonable diligence.

NOTATIONS

Persons under disability to sue when such sale was made by reason of being minors, persons who lack the mental capacity to make decisions, persons with a developmental disability, persons in captivity, or person in any country with which the United States is at war, may commence such action within five years after the removal of such disability.

MINN. STAT.

§ 580.21

Title: **ACTION TO SET ASIDE SALE; LIMITATION**

ACTION

Action to contest the validity of, or to set aside, a foreclosure sale.

TIME LIMIT

Within 15 years after the date of such sale.

NOTATIONS

Persons under disability, as provided in § 580.20, may commence such action or interpose such defense within the time therein provided.

MINN. STAT.

§ 580.23

Title: **REDEMPTION BY MORTGAGOR; AFFIDAVIT OF
NONAGRICULTURAL USE; WAIVER**

Subd.: 1

Subtitle: *Six-month redemption period*

ACTION

Action to redeem lands sold in conformity with §§ 580.01-.22.

TIME LIMIT

Within 6 months of such sale.

NOTATIONS

Subd. 2

If the mortgage was executed prior to July 1, 1967, or the amount due is less than 66-2/3% of the original principal amount, or the date of the mortgage and acreage of the mortgaged premises complied with § 580.23, subd. 2 (3)-(6), then the above limitation is extended to 12 months.

MINN. STAT.

§ 580.24

Title: **REDEMPTION BY CREDITOR**

ACTION

Redemption by a senior creditor having a lien subsequent to the mortgage, if no redemption be made by the mortgagor, his personal representatives or assigns.

TIME LIMIT

Within 7 days after the expiration of the redemption period determined under § 580.23 or 582.032, whichever is applicable.

NOTATIONS

Each subsequent creditor having a lien in succession, according to priority of liens, may redeem within 7 days after the lien allowed the prior lienholder.

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| CHAPTER TITLE | Mortgage; Foreclosure, General Provisions |
|--------------------------|--|

MINN. STAT.

§ 582.30 Title: **DEFICIENCY JUDGMENTS BY MORTGAGE
HOLDER**

Subd.: 7 Subtitle: *Statute of limitations on executing judgment*

ACTION Action to execute a deficiency or personal judgment obtained to enforce a mortgage debt on property used in agricultural production.

TIME LIMIT Within 3 years from the date judgment was entered.

NOTATIONS

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|--------------------------|-----------------------|
| CHAPTER TITLE | Juries, Jurors |
|--------------------------|-----------------------|

MINN. STAT.

§ 593.50 Title: **PROTECTION OF JUROR'S EMPLOYMENT**

Subd.: 3

| | |
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| ACTION | Action by employee for recovery of lost wages and for reinstatement where an employer discharges the employee because the employee receives a summons, responds thereto, serves as a juror, or attends court for prospective jury service. |
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| TIME LIMIT | Within 30 days of discharge. |
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NOTATIONS

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| CHAPTER TITLE | Actions Involving Fault |
|--------------------------|--------------------------------|

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| MINN. STAT. | |
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| § 604.04 | Title: NOTICE OF POSSIBLE CLAIM |
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| ACTION | Requirement for the attorney representing a person who intends to claim damage for personal injury, death or property damage arising from the manufacture, sale, use or consumption of a product to notify of a possible claim. |
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| TIME LIMIT | Within 6 months of the date of entering into an attorney-client relation with the claimant in regard to the claim. |
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| NOTATIONS | Notice shall state the time, place and circumstances of events giving rise to the claim and an estimate of compensation or other relief to be sought. |
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|--------------------------|------------------------|
| CHAPTER TITLE | Civil Liability |
|--------------------------|------------------------|

MINN. STAT.

| | |
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| § 604.31 | Title: CAUSE OF ACTION FOR NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES; SEXUAL SOLICITATION |
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| Subd.: 9 | Discovery of dissemination |
|----------|----------------------------|

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| ACTION | In a civil action brought under Subd. 1 |
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| TIME LIMIT | Statute of limitations tolled until plaintiff discovers the image has been disseminated. |
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NOTATIONS

RULES OF CIVIL PROCEDURE

COMMENCEMENT OF THE ACTION; SERVICE OF PROCESS; PLEADINGS, MOTIONS AND ORDERS

| RULE | ACTION | TIME LIMIT |
|------|--------|------------|
|------|--------|------------|

Commencement of the Action, Service of the Complaint

- Commencement of the Action**

| | | |
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| Rule 3.01(c) | A civil action may be commenced against each defendant when the summons is delivered to the sheriff in the county where the defendant resides for service; but such delivery shall be ineffectual unless the summons is actually served on that defendant or the first publication thereof is made | within 60 days of delivery to the sheriff. |
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Service

- Service by Publication**

| | | |
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| Rule 4.04(a) | Where service by publication is sufficient, service of the summons by publication shall be deemed complete | 21 days after the first publication. |
|---------------------|--|--------------------------------------|

• **Service of the Complaint**

Rule 4.042 If the defendant shall appear within 14 days after the completion of service by publication, the plaintiff shall serve the complaint, by copy, on the defendant or the defendant's attorney within 7 days after such appearance.

Rule 4.042 If the defendant answers the complaint, the defendant shall have at least 21 days after personal service.

• **Service by Publication; Defendant May Defend; Restitution**

Rule 4.043 If the summons is served by publication and the defendant receives no actual notification of the action, the defendant shall be permitted to defend upon application to the court before judgment and for sufficient cause; and except in an action for marriage dissolution, the defendant, in like manner, and on such terms as may be just, may be permitted to defend at any time within 1 year after the judgment.

- **Service by Mail**

| | | |
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| Rule 4.05(a) | Service by mail shall be effectual if acknowledgment of service is received by the sender | within 30 days after service of the summons (60 days if sent to defendant outside the United States). |
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| Service and Filing of Pleadings and Other Papers |
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- **Filing; Certificate of Service**

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| Rule 5.04 | All papers after the complaint required to be served upon a party, together with a certificate of service, shall be filed with the court | non-family law cases, within one year of commencement for against any party or deemed dismissed with prejudice unless stipulated for a longer period within that year by all parties. |
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- **Filing; Facsimile Transmission**

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| Rule 5.05 | A party filing by facsimile transmission shall forward to the court: (a) a \$25 transmission fee for each 50 pages filing; (b) any bulky exhibits or attachments; and (c) the applicable filing fee, if any | within 7 days after the court has received the transmission. |
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Time

- **For Motions; Affidavits**

The deadlines for service and filing of motions, as well as affidavits and other documents in support of or responding to motions, are governed by the Minnesota General Rules of Practice.

PLEADINGS AND MOTIONS

Signing of Pleadings, Motions, and Other Papers; Representations to Court; Sanctions.

- **Sanctions**

| | | |
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| Rule 11.03(a)(1) | A motion for sanctions under Rule 11 shall be served pursuant to Rule 5, but shall not be filed with or presented to the court unless the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected | within 21 days after service of the motion. |
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Defenses and Objections; When and How Presented; By Pleading or Motion; Motion for Judgment on Pleadings

- **When Presented**

| | | |
|-----------------------|---|---|
| Rule 12.01 | Unless the court directs otherwise pursuant to Rule 4.043, the defendant shall serve an answer | within 21 days after service of the summons. |
| Rule 12.01 | A party served with a pleading stating a cross-claim against that party shall serve an answer thereto | within 21 days after service upon that party. |
| Rule 12.01 | The plaintiff shall serve a reply to a counterclaim in the answer | within 21 days after service of the answer. |
| Rule 12.01 | Unless the order directs otherwise, if a reply is ordered by the court, plaintiff shall serve the reply | within 21 days after service of the order. |

Rule 12.01 If the court denies a motion permitted under Rule 12 or postpones its disposition until trial on the merits, the responsive pleading shall be served within 14 days after service of notice of the court's action, unless a different time is fixed by order of the court.

Rule 12.01 If the court grants a motion permitted under Rule 12 for a more definite statement, the responsive pleading shall be served within 14 days after service of the more definite statement, unless a different time is fixed by order of the court.

- **Motion for Judgment on the Pleadings**

Rule 12.03 Any party may move for judgment on the pleadings within such time as not to delay trial, but after the pleadings are closed.

- **Motion for More Definite Statement, for Paragraphing and Separate Statement**

Rule 12.05 The court may strike a pleading to which an order for Rule 10.02 compliance or for a more definitive statement was directed if the order is not obeyed within 10 days after service of notice of the order or within such other time as the court may fix.

- **Motion to Strike**

Rule 12.06 If no responsive pleading is permitted by the Rules, the court may order any pleading not in compliance with Rule 11 stricken as sham and false, or may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent or scandalous matter upon its own initiative or upon within 21 days after the service of the pleading upon the party.

motion by a party

Third-Party Practice

- **When Defendant May Bring in Third Party**

| | | |
|-----------------------|---|--|
| Rule 14.01 | Obtain written consent of all parties or by leave of court granted on motion upon notice to all parties, a defendant as a third-party plaintiff may serve a summons and complaint, on a nonparty who is or may be liable to it for all or part of the claim against it. | if the third-party complaint is filed more than 90 days after service of the summons upon a defendant. |
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Amended and Supplemental Pleadings

- **Amendments**

| | | |
|-----------------------|---|--|
| Rule 15.01 | Unless by leave of court or by written consent of the parties, a party may amend a pleading once as a matter of course at any time before a responsive pleading is served or, if the pleading is one to which no responsive pleading is permitted and the action has not been placed upon the trial calendar, the party may so amend it at any time | within 21 days after it is served. |
| Rule 15.01 | Unless the court directs otherwise, a party shall plead in response to an amended pleading | within the time remaining for response to the original pleading or within 14 days after service of the amended pleading, whichever period may be longer. |

PARTIES

Intervention

- **Intervention of Right**

Rule 24.01 Unless the applicant's interest is adequately represented by existing parties, intervention in an action when the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest, shall be permitted upon timely application.

- **Permissive Intervention**

Rule 24.02 Anyone may be permitted to intervene in an action when an applicant's claim or defense and the main action have a common question of law or fact upon timely application.

- **Procedure**

Rule 24.03 A party wishing to object to intervention shall serve notice of objection to intervention upon all parties as provided in Rule 5 within 30 days after service upon the party seeking to intervene of notice of objection to intervention.

Rule 24.03 An existing party objecting to an intervention shall do so within 30 days after service of notice of the intervention.

DEPOSITIONS AND DISCOVERY

General Provisions Governing Discovery

- **Required Disclosures (Initial)**

Rule 26.01(a)(3) Initial disclosures as specified in section 26.01(a)(1) must be served on the other parties at or within 60 days after the original due date of an answer is required unless (1) another deadline is set by stipulation or court order; or (2) objection is made in civil cover sheet.

Rule 26.01 (a)(4) If served or joined after initial disclosures are due, initial disclosures as specified in section 26.01(a)(1) must be served on other parties within 30 days after being served or joined unless a different time is set by stipulation or court order.

- **Required Disclosures (Expert)**

Rule 26.01 (b)(4) The expert witness's identity and a written report prepared and signed by the expert in section 26.01(b)(2) must be served on other parties if the witness is one retained or specially employed to provide expert testimony in the case or one whose duties as the party's employee regularly involve giving expert testimony at least 90 days before the date set for trial or for the case to be ready for trial unless another deadline is set by stipulation or court order; within 30 days after the other party's disclosure if intended to contradict or rebut

- **Required Disclosures (Pretrial)**

Rule 26.01 (c) A party must serve on the other parties information in section 26(c)(1) about the evidence that he/she/it may present at trial at least 30 days before trial unless another deadline is set by the court.

other than information used solely for impeachment

Rule 26.01 (c) A party may serve on the other parties and promptly file objections specified in section 26(c)(2) within 14 days unless another deadline is set by the court.

• **Timing and Sequence of Discovery**

Rule 26.04 (a) Notwithstanding Rules 26.02, 30.01, 31.01(a), 33.01(a), 36.01, and 45.01, no party may seek discovery from any source before a certain date not before parties confer and prepare 26.06(c) discovery plan except in a proceeding exempt from initial disclosures or when allowed by stipulation/court order

Rule 26.04 (b) A request under Rule 34 may be delivered (A) to that party by any other party, and (B) by that party to any plaintiff or to any other party that has been served. The request is considered to be served when the parties have conferred and prepared a Rule 26.06(c) discovery plan. More than 21 days after the summons and complaint are served on a party

| | | |
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| Rule 26.04 (d) | Expedited timing and modified content of certain disclosure and discovery obligations in Expedited Litigation Track (ELT) cases | follow the special rules from the Minnesota Supreme Court and any relevant district court for ELT cases |
|-----------------------|---|---|

- **Discovery Conference**

| | | |
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| Rule 26.06 (a) | The parties must have a discovery conference and confer about items listed in Rule 26.06(b) and (c) | as soon as practicable and in any event within 30 days from the initial due date for an answer unless exempted from initial disclosures or a court orders otherwise |
|-----------------------|---|---|

- **Written Discovery Report**

| | | |
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| Rule 26.06 (b) | A written report outlining the discovery plan under 26.06(b) and (c) must be filed with the court | within 14 days of the parties' discovery conference or at the time the action is filed, whichever is later |
|-----------------------|---|--|

- **Discovery Conference with the Court**

| | | |
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| Rule 26.06 (d) | Objections or additions to matters set forth in a motion for a conference on the subject of discovery shall be served upon all parties | not later than 14 days after the service of the motion. |
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Depositions Before Action or Pending Appeal

- **Before Action**

| | | |
|----------------------|--|--|
| Rule 27.01(b) | A person who wants to perpetuate testimony on any matter may file a verified petition in the district court of the county of the residence of an expected adverse party and, in the manner provided by | at least 21 days before the date of the hearing. |
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Rule 4.03, shall serve notice upon any expected adverse party named in the petition

Depositions Upon Oral Examination

- **When Depositions May Be Taken**

| | | |
|-------------------|--|--|
| Rule 30.01 | Unless otherwise provided in this Rule, leave of court, granted with or without notice, must be obtained only if the plaintiff seeks to take a deposition prior to the expiration of | 30 days after the service of the summons and complaint upon any defendant or service made pursuant to Rule 4.04. |
|-------------------|--|--|

- **Review by Witness; Changes; Signing**

| | | |
|-------------------|---|--|
| Rule 30.05 | If requested by the deponent or a party before completion of the deposition, and if there are any changes in form or substance, the deponent shall review the transcript and recording and sign a statement reciting such changes and the reasons given for the changes | within 30 days after being notified by the officer that the transcript or recording is available for review. |
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Depositions of Witnesses Upon Written Questions

- **Serving Questions; Notice**

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| Rule 31.01(d) | A party may serve cross questions upon all other parties | within 14 days after the notice and written questions are served. |
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| | | |
|----------------------|---|--|
| Rule 31.01(d) | A party may serve redirect questions upon all other parties | within 7 days after being served with cross questions. |
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| Rule 31.01(d) | A party may serve recross questions upon all other parties | within 7 days after being served with redirect questions. |
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| Effect of Errors and Irregularities in Depositions |
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- **As to Completion and Return of Deposition**

| | | |
|--------------------------|--|--|
| Rule 32.04(d) | Errors and irregularities in the manner in which the testimony is transcribed, preserved or the deposition is prepared, signed, certified, sealed, endorsed, transmitted, filed, or otherwise dealt with by the officer pursuant to Rules 30 and 31 are waived unless a motion to suppress the deposition or some part thereof is made | with reasonable promptness after such defect is, or with due diligence might have been, ascertained. |
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Interrogatories to Parties

- **Availability**

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| Rule 33.01(b) | Unless the court, upon motion, enlarges or shortens the time allowed, the party upon whom interrogatories have been served shall serve separate written answers or objections to each interrogatory | within 30 days after service of the interrogatories. |
|--------------------------|---|--|

**Production of Documents and Things and Entry Upon Land
For Inspection and Other Purposes**

• **Procedure**

Rule 34.02(a) The request may, without leave of court, be served upon any party with or after service of the summons and complaint.

Rule 34.02(c) The party upon whom a request pursuant to Rule 34.01 is served shall serve a written response within 30 days after the service of the request.

The court may allow a shorter or longer time.

Physical, Mental, and Blood Examination of Persons

• **Medical Disclosures and Depositions of Medical Experts**

Rule 35.04 When a party has waived medical privilege pursuant to Rule 35.03, such party shall: (a) furnish to the requesting party copies of all medical reports previously or thereafter made by any treating or examining medical expert, and (b) provide written authority signed by the party of whom request is made to permit the inspection of all hospital and other medical records, concerning the physical, mental, or blood condition of such party as to which privilege has been waived within 14 days of a written request by any other party.

Requests for Admission

- **Request for Admission**

| | | |
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| Rule 36.01 | The matter that is the subject of a request for admission is admitted unless the party to whom the request for admission is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by the party's attorney | within 30 days after service of the request, or within such shorter or longer time as the court may allow. |
| Rule 36.01 | Unless the court shortens the time, a defendant shall not be required to serve answers or objections | before the expiration of 45 days after service of the summons and complaint upon that defendant. |

TRIALS

Subpoena

- **Subpoena for Taking Depositions; Place of Examination**

| | | |
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| Rule 45.03(b)(2) | The person to whom the subpoena is directed may serve upon the attorney designated in the subpoena, written objection to the production, inspection or copying of any or all of the designated materials | on or before the time specified in the subpoena for compliance OR within 14 days if such time is less than 14 days after service thereof. |
|-----------------------------|--|---|

Default

- **Judgment**

| | | |
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| Rule 55.01(b) | If a party against whom judgment is sought has appeared in the action, that party shall be served with written notice of the application for judgment | at least 14 days prior to the hearing on such application. |
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Summary Judgment

- **Time to File a Motion**

| | | |
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| Rule 56.02 | Service and filing of the motion must comply with the requirements of Rule 115.03 of the General Rules of Practice, provided that | in no event shall the motion be served less than 14 days before the time fixed for the hearing. |
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| Rule 56.02 | Unless the court orders otherwise, a party may not file a motion for summary judgment | more than 30 days after the close of discovery |
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New Trials

- **Time for Motion**

Rule 59.03 A notice of motion for a new trial shall be served within 30 days after a general verdict or service of notice by a party of the filing of the decision or order.

Rule 59.03 Unless the time for hearing be extended by the court within the 60-day period for good cause shown, a motion for a new trial shall be heard within 60 days after such general verdict or notice of filing.

- **Time for Serving Affidavits**

Rule 59.04 Unless such period is extended by the court pursuant to Rule 59.03, when a motion for a new trial is based upon affidavits and served with the notice of motion, the opposing party shall serve opposing affidavits within 14 days after service of the motion for new trial.

Relief From Judgment or Order

- **Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud; etc.**

Rule 60.02 A motion to the court to grant a new trial or grant such other relief as may be just on the basis of mistake, inadvertence, surprise or excusable neglect; newly within a reasonable time and not more than 1 year after the judgment, order, or proceeding was entered or

discovered evidence which by due diligence could not have been discovered in time to move for a new trial pursuant to Rule 59.03; or fraud, misrepresentation or other misconduct of an adverse party, shall be made taken.

**Disability or Disqualification of Judge; Notice to Remove;
Assignment of a Judge**

• **Notice to Remove**

| | | |
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| Rule 63.03 | A notice to remove shall be served and filed | within 10 days after the party received notice of which judge or judicial officer is to preside at the trial, but not later than the commencement of the trial or hearing. |
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| PROVISIONAL AND FINAL REMEDIES AND SPECIAL PLEADINGS |
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Offer of Judgment or Settlement

| | | |
|-----------------------|--|--|
| Rule 68.01 | Any party may serve upon an adverse party a written damages-only or total-obligation offer to allow judgment to be entered to the effect specified in the offer, or to settle the case on the terms specified in the offer | at any time more than 14 days before the trial begins. |
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| Rule 68.02(a) | Acceptance of an offer shall be made by service of written notice of acceptance | within 14 days after service of the offer. |
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| Rule 68.02(d) | An offer is deemed withdrawn if it is not accepted | within 14 days after service of the offer. |
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**GENERAL RULES OF PRACTICE
FOR THE DISTRICT COURT**

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| RULES APPLICABLE TO ALL COURT PROCEEDINGS |
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| RULE | ACTION | TIME LIMIT |
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Proof of Service

- **Proof of Service**

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|-------------------|---|--------------------------------------|
| Rule 7 | If a document is filed before conventional service has been made, proof of service shall be filed | within 7 days after service is made. |
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The record of service on the E-Filing System shall constitute proof of service when a document has been served through the E-Filing System in accordance with Rule 14.

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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Frivolous Litigation

- **Motion for Order Requiring Security or Imposing Sanctions**

| | | |
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| Rule 9.01 | All motions for relief requiring security or imposing sanctions or preconditions under this Rule shall be made separately from other motions or requests, and shall be served as provided in the Rules of Civil Procedure, but shall not be filed with or presented to the court unless the challenged claim, motion, or request is not withdrawn or appropriately corrected | within 21 days after service of the motion. |
|------------------|--|---|

- **Stay of Proceedings**

| | | |
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| Rule 9.04 | When a motion requiring security or imposing sanctions or preconditions pursuant to Rule 9.01 is properly filed before trial, the action or proceeding is stayed and the moving party need not plead or respond to discovery or motions until, | if denied, 14 days after the motion if denied; or if granted, 14 days after the required security has been furnished and the moving party given written notice thereof. |
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- **Appeal**

| | | |
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| Rule 9.05 | Any appeal of an order requiring security or imposing sanctions pursuant to Rule 9.01 may be taken to the court of appeals as in other civil cases | within 60 days after filing of the order to be reviewed. |
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GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>RULES GOVERNING CIVIL ACTIONS Part A Pleadings, Parties, and Lawyers</p> |
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**Civil Cover Sheet and
Certificate of Representation and Parties**

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| Rule 104 | File a civil cover sheet (non-family civil case other than those listed in Minn. Gen. R. Prac. 111.01) or a certificate of representation and parties (family law case or a civil case listed in Rule 111.01) | At the time of filing of the case |
| Rule 104 | If information required by the certificate of representation/civil cover sheet is not then known to the filing party, it shall be provided to the court administrator in writing by the filing party | within 7 days of learning such information. |
| Rule 104 | Any party to the action may file a supplemental civil cover sheet | Within 7 days of service of the filing party's civil cover sheet |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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**Procedure for Challenge for Having a Referee
Hear a Matter**

- **Procedure for Challenge for Having a Referee Hear a Matter**

| | | |
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| Rule 107 | Any party objecting to having any referee hear a contested trial, hearing, motion or petition shall serve and file the objection | within 14 days of notice of the assignment of a referee to hear any aspect of the case, but not later than the commencement of any hearing before a referee. |
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Guardian Ad Litem

- **Role of Guardian**

| | | |
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| Rule 108.01 | Except upon a showing of exigent circumstances, the guardian ad litem shall submit any recommendations, in writing, to the parties and to the court | at least 7 days before any hearing at which such recommendations shall be made. |
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GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>RULES GOVERNING CIVIL ACTIONS Part B Scheduling</p> |
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Scheduling of Cases

- **The Party's Scheduling Input**

| | | |
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| Rule 111.02 | The parties may submit scheduling information to the court as part of the civil cover sheet | See Rule 104 |
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Alternative Dispute Resolution

- **Selection of Neutral; Removal**

| | | |
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| Rule 114.05(c) | Any party or the party's attorney may file with the court administrator and serve on the opposing party a notice to remove | within 7 days of notice of the appointment of the qualified neutral. |
|-----------------------|--|--|

- **Arbitration Proceedings; Evidence**

| | | |
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| Rule 114.09 (b)(2)(I) | An arbitrator may consider written medical and hospital reports, records, and bills; documentary evidence of loss of income, property damage, repair bills or estimates; and police reports concerning an accident which gave rise to the case, if copies have been delivered to all other parties | at least 14 days before the hearing. |
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GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>Rule 114.09 (b)(2)(ii)</p> | <p>The written statements of any other witness, including written reports of expert witnesses not otherwise enumerated in Rule 114.09 (a)(2)(ii) and statements of opinion which the witness would be qualified to express if testifying in person, shall be received in evidence if:</p> <p>(1) copies have been delivered to all other parties</p> <p>AND</p> <p>(2) no other party has delivered to the proponent of the evidence a written demand</p> | <p>at least 14 days before the hearing.</p> <p>at least 7 days before the hearing that the witness be produced in person to testify at the hearing.</p> |
| <p>Rule 114.09 (b)(2)(iii)</p> | <p>Subject to objections, the deposition of any witness shall be received in evidence, even if the deponent is not unavailable as a witness and no exceptional circumstance exist, if:</p> <p>(1) the deposition was taken in the manner provided for by law or by stipulation of the parties,</p> <p>AND</p> <p>(2) the proponent of the deposition serves on all other parties notice of the intention to offer the deposition in evidence</p> | <p>not less than 14 days before the hearing.</p> |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>• Arbitration Proceedings; The Award</p> | | |
| <p>Rule 114.09(e)(2)</p> | <p>The court administrator shall enter the decision of judgment and shall promptly mail notice of entry of judgment to the parties if no party has filed a request for a trial</p> | <p>within 21 days after the award is filed.</p> |
| <p>Rule 114.09(e)(4)</p> | <p>A party against whom a judgment is entered pursuant to an arbitration award may move to vacate the judgment on only those grounds set forth in Minnesota Statutes Chapter 572</p> | <p>within 90 days after entry of judgment.</p> |
| <p>• Arbitration Proceedings; Trial After Arbitration</p> | | |
| <p>Rule 114.09(f)(1)</p> | <p>Any party may request a trial by filing a request for trial with the court, along with proof of service upon all other parties,</p> | <p>within 21 days after the arbitrator files the decision with the court.</p> |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>RULES GOVERNING CIVIL ACTIONS Part C Motions</p> |
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Motion Practice

• **Dispositive Motions**

| | | |
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| Rule 115.03(a) | Service by Moving Party. No dispositive motion shall be heard until the moving party pays any required motion filing fee, serves a copy of the documents required by this Rule on opposing counsel, and files the originals with the court administrator | at least 28 days before the hearing. |
| Rule 115.03(b) | Response to Motion. The party responding to the dispositive motion shall pay any required motion filing fee, serve a copy of the documents required by this Rule on the moving party and other interested parties, and file the original with the court administrator | at least 14 days before the hearing. |
| Rule 115.03(c) | Reply Memoranda. The moving party may submit a reply memorandum, limited to new legal or factual matters raised by an opposing party's response to a motion, by serving a copy on | at least 7 days before the hearing. |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| | opposing counsel and filing the original with the court administrator | |
| | <p>• Non-Dispositive Motions</p> | |
| Rule 115.04(a) | <p>Service by Moving Party.</p> <p>No motion shall be heard until the moving party pays any required motion filing fee, serves a copy of the documents required by this Rule on the other party or parties, and files the originals with the court administrator</p> | at least 21 days before the hearing. |
| Rule 115.04(b) | <p>Response to Motion.</p> <p>The party responding to the non-dispositive motion shall pay any required motion filing fee, serve a copy of the documents required by this Rule on the moving party and other interested parties, and file the original with the court administrator</p> | at least 14 days before the hearing. |
| Rule 115.04(c) | <p>Reply Memoranda.</p> <p>The moving party may submit a reply memorandum, limited to new legal or factual matters raised by an opposing party's response to a motion, by serving a copy on opposing counsel and filing the original with the court administrator</p> | at least 7 days before the hearing. |
| Rule 115.07 | Relaxation of Time Limits. | the court may waive or |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
|------|--|--|
| | If irreparable harm will result absent immediate action by the court, or if the interests of justice otherwise require | modify the time limits established by this rule. |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>RULES GOVERNING CIVIL ACTIONS Part D Miscellaneous Motion Practice</p> |
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Applications for Attorneys' Fees

- Attorneys' Fees in Default Proceedings**

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| Rule 119.05(c) | A defaulting party may request a hearing and further judicial review of the attorney's fees requested by completing a "Request for Hearing" similar to Form 119.05 and may serve the form, provided that the defaulting party is given notice | at least 21 days before the request for judgment is made. |
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| Rule 119.05(c) | A defaulting party must serve the Request for Hearing upon the requesting party or its counsel | within 21 days of its receipt. |
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| <p>RULES GOVERNING CIVIL ACTIONS Part E Trial Management</p> |
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Continuance

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| Rule 122 | A single request for a reasonable continuance of a trial setting set by notice without hearing should be granted by the court upon agreement of all parties, provided | within 21 days after notice of the setting to the parties. |
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GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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that the request is made

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
|---|---|--|
| Judgment - Entry By Adverse Party | | |
| Rule 126 | When a party is entitled to have judgment entered in that party's favor upon the verdict of a jury, report of a referee, or decision or finding of the court, and neglects to enter the same for 14 days after the rendition of the verdict or notice of the filing of the report, decision or finding; or after the expiration of a stay, the opposite party may cause judgment to be entered on | 7 days notice to the party entitled thereto. |
| Retrieval or Destruction of Exhibits | | |
| Rule 128 | Failure of the lawyer or party offering exhibits in evidence to remove all exhibits from the custody of the court upon final disposition will be deemed authorization to destroy such exhibits | within 14 days of being notified to remove. |

GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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| <p>RULES GOVERNING CIVIL ACTIONS Part F Special Provisions</p> |
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**Garnishments and Attachment - Bonds to Release -
Entry of Judgment Against Garnishee**

- **Bond**

| | | |
|------------------------|--|--|
| Rule 136.01 | Unless a surety company's bond is given and notice then shall not be required, garnishments or attachments shall not be discharged through a personal bond under Minn. Stat. §§ 571.931 & .932 without | 7 days' written notice of the application therefor to the adverse party. |
|------------------------|--|--|

Condemnation

- **Objection to Commissioner**

| | | |
|------------------------|--|---|
| Rule 141.01 | The petitioner or any respondent may serve on all other parties and file with the appointing judge an affidavit objecting to the appointment of any one or more of the commissioners and setting forth the reasons for the objection | within 14 days after the order appointing the commissioners has been filed. |
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GENERAL RULES OF PRACTICE

| RULE | ACTION | TIME LIMIT |
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Complex Cases

- **Motion To Exclude Complex Case Designation**

| | | |
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| Rule 146.02(e) | A party objecting to the provisional assignment of a matter to the Complex Case Program (CCP) must serve and file a motion setting forth the reasons that the matter should be removed from the CCP | within 14 days of the date the moving party is served with the CCP designation |
|---------------------------|---|--|

RULES OF CIVIL APPELLATE PROCEDURE

APPEALS FROM JUDGMENTS AND ORDERS

| RULE | ACTION | TIME LIMIT |
|--|--------|------------|
| Time for Filing and Service of Notice of Appeal | | |

- **Time for Filing and Service**

| | | |
|-------------------------------------|--|---------------------------------|
| Rule 104.01, Subd. 1 | Unless a different time is provided by statute, an appeal may be taken from a judgment | within 60 days after its entry. |
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| | | |
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| Rule 104.01, Subd. 1 | Unless a different time is provided by statute, an appeal may be taken from an appealable order | within 60 days after service by any party of written notice of its filing. |
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RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|-----------------------------|---|--|
| Rule 104.01, Subd. 1 | When multiple claims for relief or multiple parties are involved in an action pursuant to Minn. R. Civ. P. 54.02 and only where the trial court makes an express determination that there is no just reason for delay and expressly directs the entry of a final judgment, an appeal may be taken | within 60 days of entry of the judgment. |

*NOTE: The time for appeal for any other judgment entered pursuant to Minn. R. Civ. P. 54.02 shall not begin to run until the entry of a judgment which adjudicates all the claims and rights and liabilities of the remaining parties.

Discretionary Review

• **Petition for Permission to Appeal; Time**

| | | |
|--------------------|--|--|
| Rule 105.01 | Upon petition of a party, in the interests of justice, | within 30 days of the filing of the order. |
| | <ul style="list-style-type: none"> • The Court of Appeals may allow an appeal from an order not otherwise appealable pursuant to Rule 103.03 except an order made during trial; and • The Supreme Court may allow an appeal from an order of the Tax Court or the Workers' Compensation Court of Appeals not otherwise appealable pursuant to Rule 116 or governing statute except an order made during trial. | |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
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• **Content of Petition; Response**

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| Rule 105.02 | An adverse party to a petition seeking permission to appeal an order not otherwise appealable may file a response | within 7 days after service of the petition. |
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| Rule 105.02 | Any reply shall be served | within 3 days after service of the response. |
|------------------------|---------------------------|--|

• **Grant of Permission - Procedure**

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| Rule 105.03 | If permission to appeal is granted, a completed statement of the case shall be filed | within 5 days of the order granting the petition. |
|------------------------|--|---|

Respondent's Right to Obtain Review

| | |
|---------------------|---|
| Rule 106 | A respondent may obtain review of a judgment or order entered in the same action which may adversely affect respondent by filing and serving a notice of related appeal in accordance with Rule 103.02, subdivision 2, and Rule 10401, subdivision 4. |
|---------------------|---|

Bond or Deposit for Costs

• **When Bond Required**

| | |
|-----------------------------------|--|
| Rule 107.01 107.02 | The appellant may move the trial court for an order waiving the bond or setting a lesser amount or deposit |
|-----------------------------------|--|

• **No Cost Bond Required**

prior to filing the notice of appeal, or within 14 days of the order requiring a bond.

| | | |
|-------------|--------------------|------------------------------------|
| Rule | The respondent may | upon the appellant's filing of the |
|-------------|--------------------|------------------------------------|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|--|---|---|
| 107.01 | move the trial court for | required cost bond or deposit. |
| 107.02 | an order requiring a supplemental bond or deposit | |
| <p>• Motion for Leave to Proceed <i>In Forma Pauperis</i> in the Court of Appeals</p> | | |
| Rule 109.02 | Any motion to proceed <i>in forma pauperis</i> by a party initiating an appeal shall be filed | on or before the date the appeal is commenced. |
| Rule 109.02 | If the trial court grants the motion to proceed <i>in forma pauperis</i> and a transcript is to be prepared for appeal, the party shall file the certificate as to transcript required by Rule 110.02, subdivision 1(a), | within 14 days from the date of the trial court administrator's filing of the order granting leave to proceed <i>in forma pauperis</i> OR within 14 days after filing the notice of appeal, whichever is later. |
| Rule 109.02 | If the trial court denies the motion to proceed <i>in forma pauperis</i> , the party shall either: (a) pay the filing fee, post the cost bond, and file a completed transcript, if a transcript is required, OR (b) serve and file a motion in the Court of Appeals for review of the trial court's order denying <i>in forma pauperis</i> status | within 14 days from the date of the trial court administrator's filing of the order. |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
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The Record on Appeal

- **The Transcript of Proceedings; Duty of Appellant to Order; Notice to Respondent if Partial Transcript is Ordered; Duty of Reporter; Form of Transcript**

Duty to Order Transcript

| | | |
|-----------------------------|---|--|
| Rule 110.02, Subd. 1 | <p>The appellant has the duty to order a transcript of the proceedings for appeal and shall:</p> <p>(a) pursuant to subdivision 1 of Rule 110.02, order from the reporter a transcript of those parts of the proceedings not already part of the record which are deemed necessary for inclusion in the record; or</p> <p>(b) file a notice of intent to proceed pursuant to Rule 110.03 or Rule 110.04; or</p> <p>(c) notify the respondent in writing that no transcript or statement will be ordered or prepared</p> | <p>within 14 days after filing the notice of appeal.</p> |
| Rule 110.02, Subd. 1 | <p>If the entire transcript is not to be included, the appellant shall file and serve on the respondent a description of the parts of the transcript which appellant intends to include in the record and a statement of the issues intended to be presented on appeal</p> | <p>within 14 days after filing the notice of appeal.</p> |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|-----------------------------|---|--|
| Rule 110.02, Subd. 1 | If the respondent deems a transcript to be necessary and does not serve and file a motion in the trial court for an order requiring the appellant to order those other parts of the proceedings from the reporter, the respondent shall order the transcript pursuant to subdivision 2 of this Rule | within 14 days of service of the description or notification of no transcript. |

Transcript Certificates

| | | |
|-----------------------------|---|---|
| Rule 110.02, Subd. 2 | If any part of the proceeding is to be transcribed by a court reporter, a certificate as to transcript signed by the designating counsel and by the court reporter shall be filed with the clerk of the appellate courts, with a copy | within 14 days of the date the transcripts was ordered. |
|-----------------------------|---|---|

• **Statement of the Proceedings When No Report Was Made or When the Transcript is Unavailable**

| | | |
|--------------------|---|---|
| Rule 110.03 | If no report of the proceedings at a hearing or trial was made, or if a transcript is unavailable, the appellant may prepare a statement of the proceedings from the best available means and shall file the original proposed statement with the trial court administrator and the clerk of the appellate courts, and serve a copy on respondent | within 14 days after filing the notice of appeal. |
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RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|---|--|--|
| Rule 110.03 | The respondent may file objections or proposed amendments to the statement with the trial court administrator and the clerk of the appellate courts, and serve a copy on appellant | within 14 days after service of appellant’s statement. |
| <ul style="list-style-type: none"> • Agreed Statement as the Record | | |
| Rule 110.04 | If, in lieu of a record as defined in Rule 110.01, the parties prepare and sign a statement of the record, the statement shall be approved by the trial court and such approval of the statement shall be filed with the clerk of the appellate courts | within 60 days of the filing of the notice of appeal. |

Transmission of the Record

• **Transmission of Record; Time**

| | | |
|--------------------|---|---|
| Rule 111.01 | The trial court administrator shall transmit the record to the clerk of the appellate court | within 7 days after the due date for the filing of the appellant’s brief. |
| | A party having possession of exhibits shall transmit them with an itemized list in quadruplicate to the clerk of the appellate courts | within 14 days after the due date for the filing of the respondent’s brief. |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
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Court of Appeals Review of Administrative Rules

- **Record on Review of Petition for Declaratory Judgment;
Transmission of Record**

Rule 114.03 **NOTE:** To the extent possible, the provisions of Rules 110.02, 110.05 and 111 shall apply to declaratory judgment actions, and briefing shall proceed in accordance with Rule 131.01

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
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|---|
| <p>DECISIONS REVIEWABLE BY CERTIORARI TO THE COURT OF APPEALS OR THE SUPREME COURT</p> |
|---|

**Court of Appeals Review of Decisions of the
Commissioner of Jobs and Training Economic Security
and Other Decisions Reviewable by Certiorari
and Review of Decisions Appealable Pursuant to the
Administrative Procedure Act**

Contents of the Petition and Writ; Filing and Service

- Contents and Form of Petition, Writ and Response**

| | | |
|-------------------------------------|---|---|
| Rule 115.03, Subd. 1 | The respondent's statement of the case, if any, shall be filed and served | within 14 days after service of the petitioner's statement. |
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- Service**

| | | |
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| Rule 115.03, Subd. 4 | The petitioner shall serve copies of the petition and the writ, if issued, upon the agency or body to which it is directed and upon every party, and shall file proof of service with the clerk of the appellate courts | within 7 days of service. |
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**The Record on Review by Certiorari;
Transmission of the Record**

- General Application of Rules 110 and 111**

| | |
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| Rule 115.04, Subd. 1 | NOTE: To the extent possible, the provisions of Rules 110 and 111 respecting the record and the time |
|-------------------------------------|---|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|---|--|---|
| | and manner of its transmission and filing or return in appeals shall govern upon the issuance of the writ and the parties shall proceed as though the appeal had been commenced by the filing of notice of appeal, unless otherwise provided by Rule 115, the court or by statute | |
| | <ul style="list-style-type: none"> • Transcript of Audiotaped Proceedings | |
| Rule 115.04, Subd. 2 | If a proceeding has been audiotaped and a record of the proceeding is necessary for the appeal, the relator shall order the transcript from the agency or body | within 14 days after writ of certiorari is filed. |
| Supreme Court Review of Decisions of the Workers' Compensation Court of Appeals, Decisions of the Tax Court, and of Other Decisions Reviewable by Certiorari | | |
| | <ul style="list-style-type: none"> • How Obtained; Time for Securing | |
| Rule 116.01 | Unless an applicable statute prescribes a different period of time, Supreme Court review of decisions of the Workers' Compensation Court of Appeals, decisions of the Tax Court, and of other decisions reviewable by certiorari may be had by securing issuance of a writ of certiorari | within 30 days after the date the party applying for the writ was served with written notice of the decision sought to be reviewed. |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|------|--------|------------|
|------|--------|------------|

Contents of the Petition and Writ; Filing and Service

- **Contents and Form of Petition, Writ and Response**

| | | |
|-----------------------------|---|---|
| Rule 116.03, Subd. 1 | The respondent’s statement of the case, if any, shall be filed and served | within 14 days after service of the petitioner’s statement. |
|-----------------------------|---|---|

- **Service; Time**

| | | |
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| Rule 116.03, Subd. 4 | Unless an applicable statute prescribes a different period of time, the petitioner shall serve copies of the petition and writ upon the court or body to whom it is directed and upon any party | within 30 days after the petitioner was served with written notice of the decision to be reviewed. |
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| | | |
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| Rule 116.03, Subd. 4 | Proof of service shall be filed with the clerk of the appellate courts | within 7 days of service. |
|-----------------------------|--|---------------------------|

- **The Record on Review by Certiorari; Transmission of the Record**

| | |
|--------------------|--|
| Rule 116.04 | NOTE: To the extent possible, the provisions of Rules 110 and 111 respecting the record and the time and manner of its transmission and filing or return in appeals shall govern upon the issuance of the writ and the parties shall proceed as though the appeal had been commenced by the filing of notice of appeal, unless otherwise provided by Rule 116, the court or by statute |
|--------------------|--|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|--|--------|------------|
| Petition in Supreme Court for Review of Decisions of the Court of Appeals | | |

- **Filing of Petition**

| | | |
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| Rule 117, Subd. 1 | Any party seeking review of a decision of the Court of Appeals shall separately petition the Supreme Court and shall file the petition, with proof of service, with the clerk of the appellate courts | within 30 days of the filing of the Court of Appeals' decision. |
|--------------------------|---|---|

- **Response and Request for Cross-Review**

| | | |
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| Rule 117, Subd. 4 | Any opposing party may file with the clerk of the appellate courts a response to the petition | within 21 days of service. |
|--------------------------|---|----------------------------|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|----------------------------|--------|------------|
| EXTRAORDINARY WRITS | | |

Writs of Mandamus and Prohibition Directed to a Judge or Judges and Other Writs

- Submission of Petition; Response to the Petition**

| | | |
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| Rule 120.02 | All parties other than the petitioner shall be deemed respondent and may answer jointly or separately | within 7 days after service of the petition. |
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| |
|---|
| GENERAL PROVISIONS |
| As permitted by Rule 6.01(a)(2) of Civil Procedure, the time periods in this rule do not include intermediate Saturday, Sunday or legal holidays. |

Motions

| | | |
|-----------------|---|--|
| Rule 127 | Any party may file a response to a motion | within 5 days after service of the motion. |
| Rule 127 | Any reply shall be served | within 3 days after service of the response. |

Brief of an Amicus Curiae

- Request for Leave to Participate**

| | | |
|--------------------|---|--|
| Rule 129.01 | Upon prior notice to the parties, a brief of an amicus curiae may be filed with leave of the appellate court and the appellant shall serve and file the request for leave | no later than 15 days after the filing of the notice of appeal, the petition which initiates the appeal, the appellate petition for declaratory judgment, or the |
|--------------------|---|--|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|---|---|--|
| | | appellate court order granting review. |
| <p>• Time for Filing and Service</p> | | |
| Rule 129.02 | Copies of an amicus curiae brief shall be served on all parties and filed with the clerk of the appellate courts with proof of service | no later than 7 days after the time allowed for filing the brief of the party supported, or if in support of neither party, no later than the time allowed for filing the petitioner's or appellant's brief. |
| <p>Filing and Service of Briefs, the Appendix, and the Supplemental Record</p> | | |
| <p>• Time for Filing and Service</p> | | |
| <p>Appellant's Brief</p> | | |
| Rule 131.01, Subd. 1 | The appellant shall serve and file a brief and appendix | within 30 days after delivery of the transcript by the reporter or after the filing of the trial court's approval of the statement pursuant to Rules 110.03 and 110.04. |
| Rule 131.01, Subd. 1 | If the transcript is delivered by United States Mail | 3 days are added to the briefing period which is measured from the date the transcript was mailed. |
| Rule 131.01, Subd. 1 | If the transcript is obtained prior to appeal or if the record on appeal does not include a transcript, then the appellant shall serve and file a brief and appendix with the clerk | within 30 days after the filing of the notice of appeal, the petition which initiates the appeal, the appellate petition for declaratory |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|-----------------------------|---|---|
| | of the appellate courts | judgment, or the appellate court order granting review. |
| Respondent's Brief | | |
| Rule 131.01, Subd. 2 | The respondent shall serve and file a brief and appendix, if any, | within 30 days after the later of: (a) service of the brief of the appellant or the last appellant's brief, if there are multiple appellants OR (b) after delivery of a transcript ordered by respondent pursuant to Rule 110.02, subdivision 1. |
| Reply Brief | | |
| Rule 131.01, Subd. 3 | The appellant may serve and file a reply brief | within 14 days after the later of: (a) service of the respondent's brief or the last respondent's brief if there are multiple respondents; OR (b) service of the brief of an amicus curiae granted leave to participate under Rule 129. |

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|------|--------|------------|
|------|--------|------------|

**Form of Briefs, Appendices, Supplemental Records,
Motions and Other Papers**

- **Length Limit**

| | | |
|-------------------------------------|--|--|
| Rule 132.01, Subd. 3 | A motion for filing an enlarged brief shall be filed | at least 14 days prior to the date the brief is due. |
|-------------------------------------|--|--|

Prehearing Conference; Calendar; Statement of the Case

- **Statement of the Case**

| | | |
|------------------------|---|---|
| Rule 133.03 | The respondent shall serve on all parties and file with proof of service 2 copies of its statement, if any, clarifying or supplementing the appellant’s statement of the case | within 14 days after receiving the appellant’s statement of the case. |
|------------------------|---|---|

Oral Argument

- **Allowance of Oral Argument**

| | | |
|------------------------|--|---|
| Rule 134.01 | A party aggrieved by the decision of the appellate court to deny that party’s request for oral argument may request the court to reconsider its decision | within 7 days after the receipt of the notification and pursuant to Rule 127. |
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- **Notice of Hearing; Postponement**

| | | |
|-------------|-----------------------------------|-----------------------------|
| Rule | A request for postponement of the | immediately upon receipt of |
|-------------|-----------------------------------|-----------------------------|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|--------|-----------------------|------------------------------------|
| 134.02 | hearing must be filed | the notice of the date of hearing. |

Costs and Disbursements

- **Taxation of Costs and Disbursements; Time**

| | | |
|------------------------|---|---|
| Rule 139.03 | Failure by a prevailing party to file and serve a notice of taxation of costs and disbursements shall constitute a waiver of taxation if not filed and served | within 15 days after the filing of the decision or order. |
|------------------------|---|---|

| | | |
|------------------------|--|---|
| Rule 139.03 | Upon reversal in the Supreme Court, a prevailing party in that Court who did not prevail in the Court of Appeals may file and serve a notice for costs and disbursements incurred in both appellate courts | within 15 days after the filing of the decision of the Supreme Court. |
|------------------------|--|---|

- **Objections**

| | | |
|------------------------|--|--|
| Rule 139.04 | Written objections to the taxation of costs and disbursements shall be served and filed with the clerk of the appellate courts | within 5 days after service of the notice of taxation. |
|------------------------|--|--|

- **Request for Fees on Appeal**

| | | |
|-------------------------------------|---|---|
| Rule 139.06, Subd. 1 | A party seeking attorneys' fees shall submit such a request by motion | within 15 days* after the filing of the decision or order, or such other period of time as the court directs. |
|-------------------------------------|---|---|

RULES OF CIVIL APPELLATE PROCEDURE

| RULE | ACTION | TIME LIMIT |
|---|---|---|
| *See Rule 139.03 for time for taxation of costs. | | |
| <ul style="list-style-type: none"> Response | | |
| Rule 139.06, Subd. 2 | Unless the appellate court allows a longer time, any response to a motion for fees shall be filed | within 10 days of the date the motion is served. |
| Petition for Rehearing in Supreme Court | | |
| <ul style="list-style-type: none"> Petition for Rehearing | | |
| Rule 140.01 | Unless the time is enlarged by order of the Supreme Court, a petition for rehearing in the Supreme Court may be filed | within 14 days after the filing of the decision or order. |
| <ul style="list-style-type: none"> Service; Filing | | |
| Rule 140.02 | A party served with and opposed to the petition for rehearing may answer | within 7 days after service. |
| Parties; Substitution; Attorneys | | |
| <ul style="list-style-type: none"> Certified Students | | |
| Rule 143.05, Subd. 3 | A law student who is certified pursuant to the Minnesota Student Practice Rules and wishes to present oral argument to the appellate court must file a motion for leave to present such oral argument | no later than 14 days before the date of the scheduled oral argument. |

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