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**CHAPTER 12—S.F.No.138**

*An act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1978, Section 481.08, is amended to read:

**481.08 AUTHORITY.** An attorney may bind his client, at any stage of an action or proceeding, by agreement made in open court or in the presence of the clerk, and entered in the minutes by such clerk, or made in writing and signed by such attorney. During any proceeding or action the attorney may receive money claimed therein by his client, and within ~~two~~ six years after judgment, upon payment thereof, may discharge the claim or acknowledge satisfaction of the judgment; but all such authority shall cease upon the substitution of another attorney.

Sec. 2. Minnesota Statutes 1978, Section 548.15, is amended to read:

**548.15 DISCHARGE OF RECORD.** Upon the satisfaction of a judgment, whether wholly or in part, or as to all or any of several defendants, the clerk shall enter such satisfaction in the judgment book, and note the same, with the date thereof, on the docket. If the docketing be upon a transcript from another county, the entry on the docket shall be sufficient. A judgment shall be deemed satisfied when there is filed with the clerk:

- (1) An execution satisfied, to the extent stated in the sheriff's return thereon;
- (2) A certificate of satisfaction signed and acknowledged by the judgment creditor;
- (3) A like certificate signed and acknowledged by the attorney of such creditor, unless his authority as such has previously been revoked and an entry of such revocation made upon the register; but the authority of an attorney to satisfy a judgment shall cease at the end of ~~two~~ six years from its entry;
- (4) An order of the court, made on motion, requiring the execution of a certificate of satisfaction, or directing satisfaction to be entered without it;
- (5) Where a judgment is docketed on transcript, a copy of either of the foregoing documents, certified by the clerk of the court in which the judgment was originally entered and in which the originals were filed.

A satisfaction made in the name of a partnership shall be valid if executed by a member thereof while the partnership continues. The judgment creditor, or his attorney while his authority continues, may also satisfy a judgment of record by a brief entry on

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the register, signed by him and dated and witnessed by the clerk, who shall thereupon note such satisfaction on the margin of the docket. When a judgment is satisfied otherwise than by return of execution, the judgment creditor or his attorney shall give a certificate thereof.

Sec. 3. This act applies to satisfactions executed on and after the effective date of this act.

Sec. 4. **EFFECTIVE DATE.** This act is effective on the day following its final enactment.

Approved March 26, 1979.

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### CHAPTER 13—S.F.No.203

*An act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 508.52, is amended to read:

**508.52 CONVEYANCE; CANCELATION OF OLD AND ISSUANCE OF NEW CERTIFICATE.** An owner of registered land who desires to convey the same land, or any a portion thereof, in fee, shall execute a deed of conveyance, and file the same deed, together with his owner's duplicate certificate, with the registrar. The registrar shall require an affidavit by the grantee, or some person in his behalf, which affidavit shall set forth the name, age, and residence of the grantee, and whether the grantee is or is not under legal disability, whether or not married, and, if married, the name of the husband or wife. The owner's duplicate certificate and the original certificate of title shall be marked "Canceled" by the registrar; who shall thereupon enter in the register a new certificate of title to the grantee, and prepare and deliver to such grantee a new owner's duplicate certificate. All encumbrances, claims, or interests adverse to the title of the registered owner shall be stated upon the new certificate, except so far as they may be simultaneously released or discharged. The deed of conveyance shall be filed and endorsed with the number and place of registration of the certificate. If a deed in fee is for a part only of the land described in a certificate of title, the registrar shall enter a new certificate of title and issue an owner's duplicate certificate to the grantor for that portion of the land not conveyed. Prior to canceling of the outstanding certificate of title the registrar shall show by memorial thereon the registration of the deed on the basis of which it is canceled. Provided, however, that The deed of conveyance shall be filed and endorsed with the number and place of registration of the owner's certificate. Before canceling the outstanding certificate of title the registrar shall show by memorial thereon the registration of the deed on the basis of which it is canceled. The encumbrances, claims, or interests adverse to the title of the registered owner shall be stated upon the new certificate, except so far as they may be simultaneously released or discharged. The

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