

Rule 77. District Courts and Court Administrators**77.01 District Courts Always Open**

The district courts shall be deemed always open for the purpose of filing any pleading or other proper documents, of issuing and returning mesne and final process, and of making and directing all interlocutory motions, orders, and rules.

(Amended effective July 1, 2015.)

77.02 Trials and Hearings; Orders in Chambers

All trials upon the merits shall be conducted in open court and so far as convenient in a regular courtroom. All other acts or proceedings may be done or conducted by a judge in chambers, without the attendance of the court administrator or other court officials and at any place either within or outside the district; but no hearing, other than one ex parte, shall be conducted outside the district without the consent of all parties affected thereby.

77.03 Court Administrator's Office and Orders by Court Administrator

All motions and applications in the court administrator's office for issuing mesne process, for issuing final process to enforce and execute judgments, for entering judgments by default, and for other proceedings which do not require allowance or order of the court are grantable of course by the court administrator; but the court administrator's action may be suspended, altered, or rescinded by the court upon cause shown.

77.04 Notice of Orders or Judgments

Immediately upon the filing of an order or decision or entry of a judgment, the court administrator shall transmit a notice of the filing or entry by mail, e-mail, or by use of an e-filing and e-service system, to every party affected thereby or upon such party's attorney of record, whether or not such party has appeared in the action, at the party or attorney's last known mail or e-mail address, and shall note the transmission in the court records. Notice under this rule shall not limit the time for taking an appeal or other proceeding on such order, decision, or judgment.

(Amended effective September 1, 2012.)

Advisory Committee Comment - 2012 Amendment

Rule 77.04 is amended to permit any notice required by the rule to be sent by electronic means in all cases. Although this will necessarily occur in cases using mandatory e-filing and e-service, the rule permits court administrators to use e-mail or electronic noticing in any other case where it is feasible.

Notice is required to be provided to the last known address of the party or attorney. The burden is squarely on the party or attorney to advise the court of any changes in address. This rule should be read in conjunction with Rule 13.02 of the General Rules of Practice which permits the court administrator to discontinue providing postal notice where that last known address is known to be obsolete, typically by the return of prior mailings by the postal service.