

Rule 506. Fees; Affidavit in Lieu of Fees

Except as otherwise provided by law, the court administrator shall charge and collect a filing fee in the amount established by law and the law library fee, from every plaintiff and from every defendant when the first document for that party is filed in any conciliation court action. If the plaintiff or defendant who is a natural person signs and files with the court administrator an affidavit claiming an inability to pay the applicable fees, no fees are required. If the affiant prevails on a claim or counterclaim, the amount of the fees which would have been payable by the affiant must be included in the order for judgment and paid to the administrator of conciliation court by the affiant out of any money recovered by the affiant on the judgment.

(Amended effective July 1, 2015; amended effective November 22, 2023.)

1993 Committee Comment

Statewide conciliation court filing fees are established by the legislature (see Minnesota Statutes, section 357.022). The law library fee is established by the local law library board, and these fees typically range from \$0 to \$10. Minnesota Statutes 1990, section 134A.09, and Minnesota Statutes 1991 Supplement, section 134A.10. The fee waiver procedure under Rule 506 is essentially a clerical process, and the waiver applies to the conciliation court filing and law library fees only. The procedure for waiver of other fees [e.g. service fees under Rule 508(d)(3), subpoena fees under Rule 512(a), and removal/appeal fees under Rule 521(b)(4)] is set forth in Minnesota Statutes 1990, section 563.01, which requires a formal application to, and decision by, the court. Only a party who is a natural person may utilize the fee waiver procedures under section 563.01 and Rule 506.

Advisory Committee Comment - 2023 Amendments

Rule 506 is modified in 2023 to accommodate fee waivers including statutory fee waivers under Minnesota Statutes, sections 169A.63, subdivision 8, paragraph (e), and 609.5314, subdivision 3, paragraph (a).