

**Rule 1. Mandatory Assignment of Certain Actions to the Expedited Litigation Track**

**(a) General; Effective Date.** Unless excluded by an order of the court made pursuant to Rule 1(c) herein, all civil actions identified in Rule 1(b) that are filed in the First Judicial District in Dakota County, the Fourth Judicial District, and the Sixth Judicial District in St. Louis County in Duluth on or after January 1, 2016, shall be assigned to the ELT and managed pursuant to these Special Expedited Litigation Track Rules (ELT Rules).

**(b) Actions Included.** The following civil actions shall be assigned to the ELT, unless excluded pursuant to Rule 1(c) herein:

(1) in the Sixth Judicial District in St. Louis County in Duluth and in the First Judicial District in Dakota County, all civil matters having the case type indicator Consumer Credit Contract, Other Contract, Personal Injury, Other Civil, or Conciliation Appeal;

(2) in the Fourth Judicial District, all civil matters having the case type indicator Consumer Credit Contract and Conciliation Appeal, and, where designated by the presiding judge by assignment to ELT (referred to in these rules as "Assignment to ELT"), matters having the case type indicator Other Contract, Personal Injury, or Other Civil; provided that this shall not prevent the Fourth Judicial District from initially requiring any Conciliation Appeal to first proceed with mediation before Assignment to ELT;

(3) Any action where all the parties voluntarily agree to be governed by the ELT Rules by including an "ELT Election" in the civil cover sheet filed under the General Rules of Practice or by jointly filing an ELT Election certificate with the court, and the court has accepted such agreement by Assignment to ELT.

**(c) Initial Motion for Exclusion from ELT.** A party objecting to the mandatory assignment of a matter to the ELT must serve and file a motion setting forth the reasons that the matter should be removed from the ELT. Said motion papers must be served and filed within 30 days of the filing of the action or, where applicable, Assignment to ELT. The motion shall be heard during the Case Management Conference, if any, under Rule 3 of these rules or at such other time as the court shall direct. The factors that should be considered by the court in ruling on said motion include:

(1) Multiple parties or claims;

(2) Multiple or complex theories of liability, damages, or relief;

(3) Complicated facts that require the discovery options provided by the Minnesota Rules of Civil Procedure;

(4) Substantial likelihood of dispositive motions; or

(5) Any factor that demonstrates that assignment to the ELT would substantially affect a party's right to a fair and just resolution of the matter (e.g., timing of obtaining discovery from a third party, estimated damages significantly exceeding \$100,000).

**(d) Subsequent Motion for Exclusion from ELT.** After the time for bringing a motion under Rule 1(c) of this rule has expired and no later than the trial date, a party may by motion request that the case be removed from the ELT for good cause shown related to a new development that could not have been previously raised.

(Added effective July 1, 2013; amended effective January 1, 2016.)