

**1408.0050 CONTESTED CASE PROCEEDINGS.**

Subpart 1. **Conduct of hearings.** To the extent not inconsistent with Minnesota Statutes, chapter 442A, a hearing on any contested sanitary district boundary adjustment must be conducted according to parts 1408.0010 to 1408.0070.

Subp. 2. **Duties of administrative law judge.** The provisions of parts 1400.5500 and 1400.6400 apply to the duties of the administrative law judge.

Subp. 3. **Representation.** The provisions of part 1400.5800 apply to representation.

Subp. 4. **Notice of appearance.** Each party intending to appear at a contested case hearing shall file with the judge and serve upon all other known parties a notice of appearance. The notice must advise the judge of the party's intent to appear and indicate the title of the case, the docket number, the party's current address and telephone number, and the name, office address, and telephone number of the party's attorney or other representative. After an attorney has filed a notice of appearance, withdrawal by the attorney is effective only if a notice of withdrawal is served on all parties and filed with the judge. The notice of withdrawal must include the address and telephone number of the party. Withdrawal of counsel does not create any right to a continuance.

Subp. 5. **Alternative dispute resolution.** The provisions of parts 1400.5900, 1400.5950, and 1400.6550 apply to alternative dispute resolution.

Subp. 6. **Default.** The judge shall dispose of a contested case adverse to a party which defaults. A default occurs when a party fails to appear without the prior consent of the judge at a prehearing conference, settlement conference, or hearing, or fails to comply with any interlocutory orders of the judge.

Subp. 7. **Prehearing conference.** The provisions of part 1400.6500 apply to prehearing conferences.

Subp. 8. **Motions.** The provisions of part 1400.6600 apply to motions.

Subp. 9. **Discovery.** The provisions of parts 1400.6700, 1400.6800, and 1400.6900 apply to discovery.

Subp. 10. **Prefiling witness lists and exhibits.** The provisions of part 1400.6950 apply to prefiling witness lists and exhibits.

Subp. 11. **Subpoenas.** The provisions of part 1400.7000 apply to subpoenas.

Subp. 12. **Rights and responsibilities of parties.** The provisions of part 1400.7100 apply to the rights and responsibilities of the parties.

Subp. 13. **Witnesses.** The provisions of part 1400.7200 apply to witnesses.

Subp. 14. **Rules of evidence.** The provisions of part 1400.7300 apply to the rules of evidence.

Subp. 15. **Hearing record.** The provisions of part 1400.7400 apply to the hearing record.

Subp. 16. **Continuances.** The provisions of part 1400.7500 apply to continuances.

Subp. 17. **Conduct of the hearing.** The provisions of part 1400.7800 apply to conduct of the hearing.

Subp. 18. **Disruption of the hearing.** The provisions of part 1400.8000 apply to disruption of the hearing.

Subp. 19. **Reconsideration or rehearing.** The provisions of part 1400.8300 apply to reconsideration or rehearing.

**Statutory Authority:** *MS s 442A.02*

**History:** *42 SR 39*

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