

CHAPTER 488A

MUNICIPAL COURTS; HENNEPIN AND
RAMSEY COUNTIES

488A.12 Establishment; jurisdiction; powers; computation of time.

488A.14 Commencement of action; filing fee; requisites of claim; summons; counterclaim; replevin.

488A.29 Establishment; jurisdiction; powers; computation of time.

488A.30 Judges; administrator; salaries; quarters.

488A.31 Commencement of action.

488A.12 ESTABLISHMENT; JURISDICTION; POWERS; COMPUTATION OF TIME.

[For text of subds 1 and 2, see M.S.1984]

Subd. 3. **Jurisdiction.** (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try, and determine civil actions at law where the amount in controversy does not exceed the sum of \$2,000. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Hennepin.

(b) Notwithstanding the provisions of paragraph (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Hennepin county, and the summons in the action may be served anywhere within the state of Minnesota.

(c) Notwithstanding the provisions of paragraph (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine a civil action commenced by a plaintiff, a resident of Hennepin county, to recover the amount of a dishonored check issued in the county, even though the defendant or defendants are not residents of Hennepin county, if the notice of nonpayment or dishonor described in section 609.535, subdivision 3, is sent to the maker or drawer as specified therein and the notice states that the payee or holder of the check may commence a conciliation court action in the county where the dishonored check was issued to recover the amount of the check. This clause does not apply to a check that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check to the summons before it is issued.

(d) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine a civil action commenced by a plaintiff educational institution, including but not limited to, a state university or community college, with administrative offices in the county in which the conciliation court is located, to recover the amount of a student loan or loans even though the defendant or defendants are not residents of Hennepin county under the following conditions:

- (1) the student loan or loans were originally awarded in Hennepin county;
- (2) the loan or loans are overdue at the time the action is commenced;
- (3) the amount sought in any single action does not exceed \$2,000;
- (4) notice that payment on the loan is overdue has previously been sent by first class mail to the borrower to the last known address reported by the borrower to the educational institution; and

(5) the notice states that the educational institution may commence a conciliation court action in Hennepin county to recover the amount of the loan.

Notwithstanding any law or rule or civil procedure to the contrary, a summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the overdue loan or loans to the summons before it is issued.

[For text of subds 4 to 7, see M.S.1984]

History: 1985 c 149 s 2; 1985 c 273 s 4

488A.14 COMMENCEMENT OF ACTION; FILING FEE; REQUISITES OF CLAIM; SUMMONS; COUNTERCLAIM; REPLEVIN.

[For text of subds 1 to 5, see M.S.1984]

Subd. 6. **Replevin.** If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of \$2,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

[For text of subd 7, see M.S.1984]

History: 1985 c 149 s 3

488A.29 ESTABLISHMENT; JURISDICTION; POWERS; COMPUTATION OF TIME.

[For text of subds 1 and 2, see M.S.1984]

Subd. 3. **Jurisdiction.** (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of \$2,000. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

(b) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Ramsey county, and the summons in the action may be served anywhere in the state of Minnesota.

(c) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine a civil action commenced by a plaintiff, resident of Ramsey county, to recover the amount of a dishonored check issued in the county, even though the defendant or defendants are not residents of Ramsey county, if the notice of nonpayment or dishonor described in section 609.535, subdivision 3, is sent to the maker or drawer as specified therein and the notice states that the payee or holder of the check may commence a conciliation court action in the county where the dishonored check was issued to recover the amount of the check. This clause does not apply to a check that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check to the summons before it is issued.

(d) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine a

civil action commenced by a plaintiff educational institution, including but not limited to, a state university or community college, with administrative offices in the county in which the conciliation court is located, to recover the amount of a student loan or loans even though the defendant or defendants are not residents of Ramsey county under the following conditions:

- (1) the student loan or loans were originally awarded in Ramsey county;
- (2) the loan or loans are overdue at the time the action is commenced;
- (3) the amount sought in any single action does not exceed \$2,000;
- (4) notice that payment on the loan is overdue has previously been sent by first class mail to the borrower to the last known address reported by the borrower to the educational institution; and
- (5) the notice states that the educational institution may commence a conciliation court action in Ramsey county to recover the amount of the loan.

Notwithstanding any law or rule or civil procedure to the contrary, a summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the overdue loan or loans to the summons before it is issued.

[For text of subds 4 to 7, see M.S.1984]

History: 1985 c 149 s 4; 1985 c 273 s 5

488A.30 JUDGES; ADMINISTRATOR; SALARIES; QUARTERS.

Subdivision 1. **Judges.** (a) The judges of the municipal court shall serve as judges of the conciliation court for such periods and in such rotation as the judges may determine. While so serving they shall act and be known as conciliation judges.

(b) The municipal judge who conducts the conciliation court hearing shall act upon any applications to vacate a judgment or an order for judgment whatever the grounds may be and shall sign the certificate upon a removed cause, but any other municipal judge may act upon such an application or sign such a certificate in the event that the judge who conducted the hearing has not previously denied the application and cannot act upon the application promptly or sign the certificate due to expiration of his term, death, disability, absence from the courthouse or any other cause.

(c) A majority of the judges of the municipal court may appoint attorneys to act as referees in conciliation court. A majority of the judges of the municipal court shall establish qualifications for the office, specify the duties, compensation, and length of service of such referees. This compensation is payable out of the county treasury at the same time and in the same manner as salaries of the judges of conciliation court.

[For text of subds 2 to 4, see M.S.1984]

History: 1985 c 41 s 1

488A.31 COMMENCEMENT OF ACTION.

[For text of subds 1 to 5, see M.S.1984]

Subd. 6. **Replevin.** If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of \$2,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

History: 1985 c 149 s 5