

## CHAPTER 484

### DISTRICT COURTS

484.54	Expenses of judges.	484.65	Family court division; fourth judicial district.
484.545	Law clerks.	484.68	District administrator.
484.62	Compensation and reporter.	484.74	Alternative dispute resolution.
484.64	Family court division; second judicial district.		

#### 484.54 EXPENSES OF JUDGES.

*[For text of subd 1, see M.S.1988]*

Subd. 2. A judge shall be paid travel and subsistence expenses for travel from the judge's place of residence to and from the judge's permanent chambers only for a period of two years after July 1, 1977, or the date the judge initially assumes office, whichever is later.

*[For text of subd 3, see M.S.1988]*

**History:** 1989 c 335 art 1 s 257

#### 484.545 LAW CLERKS.

*[For text of subd 1, see M.S.1988]*

Subd. 2. Notwithstanding any law to the contrary, in all judicial districts the salary for each law clerk shall be set annually by the district administrator within the range established under, or referred to in, section 480.181, as provided in the judicial branch personnel rules.

Subd. 3. The law clerks, in addition to their salary, shall be paid necessary mileage, traveling and hotel expenses accrued in their discharge of official duties while absent from their permanent work assignment location. Upon presentation of a verified statement approved by one of the judges, the state shall pay the expenses.

*[For text of subd 4, see M.S.1988]*

**History:** 1989 c 335 art 3 s 16,17

**NOTE:** Subdivision 3, as amended by Laws 1989, chapter 335, article 3, section 17, is effective January 1, 1992, in all judicial districts except the 8th, except that it is effective to make affected district administration staff, other than district administration staff in the second and fourth judicial districts, state employees on July 1, 1990, and law clerks state employees October 1, 1990. See Laws 1989, chapter 335, article 3, section 58, subdivision 1.

#### 484.62 COMPENSATION AND REPORTER.

When a retired judge undertakes such service, the retired judge shall be provided with a reporter, selected by the retired judge, at the expense of the state, and with a deputy clerk, bailiff, if the judge deems a bailiff necessary, and a courtroom or hearing room for the purpose of holding court or hearings, to be paid for by the county in which the service is rendered and shall receive pay and expenses in the amount and manner provided by law for judges serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving, said payment to be made in the same manner as the payment of salaries for judges of the district court, on certification by the chief judge of the judicial district or by the chief justice of the supreme court of the state of Minnesota. A deputy court administrator may act as bailiff when called to do so for the purposes of this section. A retired judge who solemnizes a marriage while not assigned under section 484.61 is not entitled to the compensation provided by this section.

**History:** 1989 c 335 art 3 s 18

**NOTE:** This section, as amended by Laws 1989, chapter 335, article 3, section 18, is effective January 1, 1992, in

all judicial districts except the 8th, except that it is effective to make affected district administration staff, other than district administration staff in the second and fourth judicial districts, state employees on July 1, 1990, and law clerks state employees October 1, 1990. See Laws 1989, chapter 335, article 3, section 58, subdivision 1.

#### **484.64 FAMILY COURT DIVISION; SECOND JUDICIAL DISTRICT.**

*[For text of subs 1 and 2, see M.S.1988]*

Subd. 3. The board of county commissioners of Ramsey county shall provide suitable chambers and courtroom space, clerks, bailiffs, and other personnel to assist said judge, together with necessary library, supplies, stationery and other expenses necessary thereto. The state shall provide referees, court reporters, and law clerks.

*[For text of subs 4 and 5, see M.S.1988]*

##### **History: 1989 c 335 art 3 s 19**

**NOTE:** This subdivision, as amended by Laws 1989, chapter 335, article 3, section 19, is effective January 1, 1992, in all judicial districts except the 8th, except that it is effective to make affected district administration staff, other than district administration staff in the second and fourth judicial districts, state employees on July 1, 1990, and law clerks state employees October 1, 1990. See Laws 1989, chapter 335, article 3, section 58, subdivision 1.

#### **484.65 FAMILY COURT DIVISION; FOURTH JUDICIAL DISTRICT.**

*[For text of subs 1 and 2, see M.S.1988]*

Subd. 3. The board of county commissioners of Hennepin county shall provide suitable chambers and courtroom space, clerks, bailiffs, and other personnel to assist said judge, together with necessary library, supplies, stationery and other expenses necessary thereto. The state shall provide referees, court reporters, and law clerks.

*[For text of subs 4 to 6, see M.S.1988]*

Subd. 7. The district court judge, family court division, may, with the consent and approval of the judges of the district court of the fourth judicial district, appoint one or more suitable persons to act as referees. Such referees shall be learned in the law and shall hold office at the pleasure of the judges of the district court.

*[For text of subs 8 to 10, see M.S.1988]*

##### **History: 1989 c 335 art 3 s 20,21**

**NOTE:** Subdivisions 3 and 7, as amended by Laws 1989, chapter 335, article 3, sections 20 and 21, are effective January 1, 1992, in all judicial districts except the 8th, except that it is effective to make affected district administration staff, other than district administration staff in the second and fourth judicial districts, state employees on July 1, 1990, and law clerks state employees October 1, 1990. See Laws 1989, chapter 335, article 3, section 58, subdivision 1.

#### **484.68 DISTRICT ADMINISTRATOR.**

*[For text of subs 1 to 4, see M.S.1988]*

Subd. 5. **Budget for office.** The office budget of the district administrator shall be paid by the state. The budget must include sufficient money for the staff authorized by this section and other staff and expenses authorized under law. A county shall provide office facilities for the district administrator.

*[For text of subs 7 and 8, see M.S.1988]*

##### **History: 1989 c 335 art 3 s 22**

**NOTE:** Subdivision 5, as amended by Laws 1989, chapter 335, article 3, section 22, is effective July 1, 1990, in all judicial districts except the eighth. See Laws 1989, chapter 335, article 3, section 58, subdivision 2.

#### **484.74 ALTERNATIVE DISPUTE RESOLUTION.**

*[For text of subs 1 and 2, see M.S.1988]*

Subd. 2a. **Consensual special magistrates.** In addition to the alternatives under subdivision 1, in cases where the amount in controversy exceeds \$50,000, and with the

consent of all of the parties, the presiding judge may submit to the parties a list of retired judges or qualified attorneys who are available to serve as special magistrates for binding proceedings under this subdivision. If the parties agree on selection of a person from the list, the presiding judge may appoint, by order, the person as a special magistrate. The special magistrate may preside over any pretrial and trial matters as determined by the presiding judge. If there is a right to a jury trial, the special magistrate shall conduct the jury trial pursuant to the rules of court and shall use the jury pool of the county in which the action is venued. The presiding judge may adopt the rulings and findings of the special magistrate and the results of any jury trial without modification. The parties have a right to appeal from the presiding judge's rulings and findings and from the jury verdict as in other civil matters.

Subject to chapter 563, the special magistrate's fees and expenses must be borne by the parties on a basis determined to be fair and equitable by the presiding judge, upon recommendation by the special magistrate. The special magistrate may assess costs against a party for failure to comply with rules or orders, or for litigation that is frivolous or brought in bad faith.

*[For text of subd 3, see M.S.1988]*

**Subd. 4. Application.** This section applies only to the fourth judicial district, which will serve as a pilot project to evaluate the effectiveness of alternative forms of resolving commercial and personal injury disputes. The state court administrator shall evaluate the pilot project and report the findings to the chairs of the house and senate judiciary committees by January 15, 1991.

**History:** 1989 c 229 s 1,2