

CHAPTER 563

PROCEEDINGS IN FORMA PAUPERIS

563.01 Forma pauperis proceedings;
 authorization.

563.01 FORMA PAUPERIS PROCEEDINGS; AUTHORIZATION.

Subdivision 1. [Repealed, 1999 c 216 art 7 s 45]

Subd. 2. Whenever pursuant to this section the court directs expenses to be paid, the expenses shall be paid by the state.

[For text of subds 3 to 8, see M.S.1998]

Subd. 9. Upon motion, the court may rescind its permission to proceed in forma pauperis if it finds the allegations of poverty contained in the affidavit are untrue, or if, following commencement of the action, the party becomes able to pay the fees, costs and security for the costs. In such cases, the court may direct the party to pay to the court administrator any costs allowing the action to proceed. The court administrator shall transmit the costs to the state treasurer for deposit in the state treasury and credit them to the general fund.

Subd. 10. Judgment may be rendered for costs at the conclusion of the action as in other cases. In the event any person recovers moneys by either settlement or judgment as a result of commencing or defending an action in forma pauperis, the costs deferred and the expenses directed by the court to be paid under this section shall be included in such moneys and shall be paid directly to the court administrator by the opposing party. The court administrator shall transmit the costs to the state treasurer for deposit in the state treasury and credit them to the general fund.

[For text of subds 11 and 12, see M.S.1998]

History: 1999 c 216 art 7 s 38–40

NOTE: Laws 1999, chapter 216, article 7, section 46, subdivision 3, provides specific effective dates for the state takeover of miscellaneous court costs under subdivisions 2, 9, and 10, as amended by Laws 1999, chapter 216, article 7, sections 38 to 40.