

480A.08 DECISION OF THE COURT.

Subdivision 1. **Decision of cases.** Each case shall be submitted to a panel of at least three judges. The decision of a majority of the judges to which it is submitted shall be the decision of the court.

Subd. 2. **Assignment of judges to panels.** In assigning judges to panels, the chief judge shall rotate assignments, so that as nearly as practicable, each judge serves a proportionate time with every other judge. The chief judge shall also rotate assignments to various locations for hearings.

Subd. 3. **Decisions.** (a) A decision shall be rendered in every case within 90 days after oral argument or after the final submission of briefs or memoranda by the parties, whichever is later. The chief justice or the chief judge may waive the 90-day limitation for any proceeding before the Court of Appeals for good cause shown. In every case, the decision of the court, including any written opinion containing a summary of the case and a statement of the reasons for its decision, shall be indexed and made readily available.

(b) The decision of the court need not include a written opinion. A statement of the decision without a written opinion must not be officially published and must not be cited as precedent, except as law of the case, *res judicata*, or collateral estoppel.

(c) The Court of Appeals may publish only those decisions that:

- (1) establish a new rule of law;
- (2) overrule a previous Court of Appeals' decision not reviewed by the Supreme Court;
- (3) provide important procedural guidelines in interpreting statutes or administrative rules;
- (4) involve a significant legal issue; or
- (5) would significantly aid in the administration of justice.

Unpublished opinions of the Court of Appeals are not precedential. Unpublished opinions must not be cited unless the party citing the unpublished opinion provides a full and correct copy to all other counsel at least 48 hours before its use in any pretrial conference, hearing, or trial. If cited in a brief or memorandum of law, a copy of the unpublished opinion must be provided to all other counsel at the time the brief or memorandum is served, and other counsel may respond.

Subd. 4. **Interlocutory matters.** The Rules of Appellate Procedure may provide for the decision of interlocutory or procedural matters by a single judge.

History: 1982 c 501 s 10; 1983 c 247 s 172; 1987 c 404 s 182; 1989 c 335 art 1 s 256