

Rule 101. Scope of Rules; Definitions**101.01 Scope**

These rules govern procedure in the Supreme Court and the Court of Appeals of Minnesota in civil appeals; in criminal appeals insofar as the rules are not inconsistent with the Rules of Criminal Procedure; in proceedings for review of orders of administrative agencies, boards or commissions; and on applications for writs or other relief in civil proceedings which the Supreme Court, the Court of Appeals or a justice or judge thereof is competent to give.

101.02 Definitions

Subdivision 1. When used in these rules, the words listed below have the meanings given them.

Subd. 2. "Appellate court" means the Supreme Court pursuant to Minnesota Statutes, chapter 480, or the Court of Appeals pursuant to Minnesota Statutes, chapter 480A.

Subd. 3. "Judge" means a justice of the Supreme Court or a judge of the Court of Appeals.

Subd. 4. "Trial court" means the court or agency whose decision is sought to be reviewed.

Subd. 5. "Clerk of the appellate courts" means the clerk of the Supreme Court and the Court of Appeals.

Subd. 6. "Appellant" means the party seeking review including relators and petitioners.

Subd. 7. "Signed" with reference to a document filed or served using the appellate courts' electronic filing and service system requires that the document bear a facsimile of the filer's signature or a typographical signature of an attorney or declarant in the form: /s/ Pat L. Smith. Such a document shall be deemed to be "signed" by the filer for all purposes, and any similar indication that the document has been signed shall be treated as a "signature." Notarization shall be accomplished in accordance with Rule 14.04(c) of the Minnesota General Rules of Practice.

(Amended effective for appeals taken on or after January 1, 1992; amended effective July 1, 2014.)

Advisory Committee Comment - 2014 Amendments

Subdivision 7 of Rule 101.02 is new, implementing part of the electronic filing and service system for the appellate courts. It is substantially similar to Rule 11.01 of the Minnesota Rules of Civil Procedure, applicable in civil proceedings in the district courts. For documents filed using the appellate courts' electronic filing system, the electronically filed document is the original document. There is no requirement that a paper version be physically signed and retained, and such a paper duplicate should not be separately filed with the court, other than pursuant to a court order as referenced in Minn. R. Civ. App. P. 131.03.

This rule functions, in part, to thwart any claim that an electronically filed document is somehow not "signed" because there is no india-ink-on-parchment signed version of the document in the court file. An indication such as "[signed]" is "/s/" is sufficient both to comply with a requirement that a document be signed and to subject the filer to responsibility for that signing. See Minn. R. Civ. P. 11.01, Adv. Comm. Cmt.-2012 Amends.