

Rule 83. Rules by District Courts

Any court may recommend rules governing its practice not in conflict with these rules or with the General Rules of Practice for the District Courts, and those rules shall become effective as ordered by the Supreme Court.

(Amended effective January 1, 1992.)

Task Force Comment - 1991 Adoption

This rule replaces existing Minn. R. Civ. P. 83.

The purpose of this rule is to insure a mechanism to maintain uniformity in the local rules. The Task Force believes it is imperative that some method be enforced to provide for uniformity of rules that may be adopted in the future. This rule will allow either local rules, or statewide rules based on proposed local rules, and will permit the Supreme Court to review and coordinate the adoption of those rules. In the absence of this provision, uniformity would be achieved on the day these rules are adopted, but would disappear as soon as one court adopted a rule to supplement or vary the new Code of Rules.

The American Bar Association Standards Relating to Court Administration also favor the promulgation of uniform rules of practice issued by a central court. Standard 1.11(c) provides:

(c) Uniform standards of justice. The procedures by which the court system administers justice should be based on principles applicable throughout the system, and, so far as practicable, should be uniform in their particulars. The court system should have:

(i) Uniform rules of procedure, promulgated by a common authority;

(ii) Rules of court administration that are uniform so far as possible and have local variations only as approved by an appropriate central authority in the court system;

ABA Standards Relating to Court Administration, Standard 1.11(c)(i) & (ii) (1990).