

Rule 374. Civil Contempt**Rule 374.01 Initiation**

Civil contempt proceedings initiated in the expedited process shall be brought according to the procedure set forth in Minn. Gen. R. Prac. 309.

Rule 374.02 Resolution of Contempt Matter

If the parties reach agreement at the initial appearance, the agreement may be stated orally on the record or the county attorney may prepare an order that shall be signed by all parties and submitted to the child support magistrate for approval. If approved, the order shall be forwarded to the court administrator for signing by a district court judge. The order is effective upon signing by a district court judge.

Rule 374.03 Evidentiary Hearing

If the parties do not reach agreement at the initial appearance, the child support magistrate shall refer the matter for an evidentiary hearing before a district court judge or a family court referee. A child support magistrate shall not consider or decide a contempt matter, except as provided in Rule 353.01, subd. 2.

(Amended effective November 22, 2023.)

Advisory Committee Comment - 2023 Amendments

Rule 374.03 is modified in 2023 to make clear that the matter is referred to the district court for an evidentiary hearing and not to court administration to schedule a hearing on a contested contempt proceeding.

Rule 374.04 Failure to Appear

If the alleged contemnor fails to appear at the initial appearance, the child support magistrate may certify to a district court judge that the alleged contemnor failed to appear and may recommend issuance of a warrant for the person's arrest. Only a district court judge may issue arrest warrants.