

Rule 403. Documents

(a) Preparation of Original Documents. It shall be the responsibility of lawyers and others appearing before the court or registrar to prepare for review and execution appropriate orders, decrees, statements, applications, petitions, notices and related documents, complete and properly drafted, to address the subject matter and relief requested.

(b) Official Forms. The official forms adopted by the Minnesota District Judges' Association or promulgated by the commissioner of commerce shall be used.

(c) Documents and Files. The court shall make its files and records available for inspection and copying.

No file, or any part thereof, shall be taken from the custody of the court, except the original court order required to be displayed to an individual or entity when the order is served. A document or exhibit which has been filed or submitted in any proceeding can thereafter be withdrawn only with the permission of the court. Any document which is written in a language other than English shall be accompanied by a verified translation into the English language.

(d) Verification of Filed Documents. Every document filed with the court must be verified as required by the code, except a written statement of claim filed with the court administrator by a creditor or a pleading signed by the lawyer for a party in accordance with the Minnesota Rules of Civil Procedure.

(e) Original Will Deposit. Where a will or codicil is to be filed with the court in any probate proceeding under these rules, the party with possession of the original will or codicil shall promptly deposit the original with the court. Alternatively, an authenticated copy of a will probated in another jurisdiction may be deposited with the court.

(Amended effective September 1, 2018.)

Probate Committee Comment*

The court will accept photocopies of forms if the copies are made by a process that is permanent, on hard stock paper, are free of smudges and otherwise clearly legible and have been reproduced in the same length as the original form and prescribed type size. In using photocopies of forms in courts that are not utilizing a flat file system, the case heading and nomenclature must appear on the outside of the form when folded appropriately for permanent filing.

**Original Advisory Committee Comment - Not kept current.*

Task Force Comment - 1991 Adoption

The change in this rule is made to reflect the new title of the office formerly known as Commissioner of Securities. See Minnesota Statutes 1990, section 80A.14, subdivision 5.

Advisory Committee Comment - 2018 Amendments

Rule 403(e) is new in 2018 and appears to reflect near statewide practice designed to preserve what often becomes a central piece of evidence in probate cases. Statutes also appear to direct the submission of the original paper document. Minnesota Statutes, sections 524.3-301, (informal probate); 524.3-402 (formal probate); and 524.2-516 (upon request).