

1420.2250 MOTION PRACTICE.

Subpart 1. **Timing.** Unless otherwise provided or due to circumstances occurring just prior to or after a pretrial conference, a motion must be served and filed on or before the date set for a pretrial conference. An adverse party has ten days from the date the motion was served to serve and file a response.

Subp. 2. **Contents of motion and response to motion.** A motion must be filed as a separate document and may not be included within another pleading. A motion and a response to a motion must contain the following information:

- A. the complete case caption and descriptive title in the case caption;
- B. a statement of the specific relief sought;
- C. a statement of the grounds supporting or opposing the motion including citations to applicable law and, if oral argument is requested in the motion, the reasons it is needed;
- D. if the motion is untimely, a showing of good cause for the delay; and
- E. one copy of an order granting or denying the motion ready for signature by the judge.

Motions and responses must also, as appropriate, include affidavits, memoranda, briefs, or other support setting forth the legal or factual grounds for the motion. If supporting documentation was previously filed, those documents may be incorporated by reference.

Subp. 3. **Judge action on motion.** The office shall assign a motion to a judge when action by a judge is needed. The judge shall take action on the motion within 30 days of the filing of the motion by issuing an order, advising the parties of how the motion will be resolved, or scheduling a conference or hearing to resolve the motion.

Statutory Authority: *MS s 14.51; 176.081; 176.155; 176.285; 176.312; 176.361; 176.83*

History: *29 SR 1446*

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