

1420.3700 SANCTIONS.

Subpart 1. **Generally.** Failure to comply with the order of a judge, or the willful failure to comply with the applicable provisions of this chapter or other applicable law, may subject a party or attorney to any of the following sanctions:

- A. continuance of the proceeding;
- B. striking of pleadings;
- C. preclusion of evidence;
- D. evidence sought deemed proven, where a party fails to comply with an order compelling discovery;
- E. dismissal of proceedings;
- F. to pay the reasonable expenses, including attorney fees, incurred by the other parties due to failure to appear, prepare, or participate in good faith; or
- G. other sanction permitted by rule, statute, or case law, as the judge deems just or appropriate under the circumstances.

Subp. 2. **Procedures.** A motion to impose sanctions may be brought by a party under part 1420.2250 or upon the judge's own motion. An order for sanctions issued without a hearing is a summary decision under Minnesota Statutes, section 176.305, subdivision 1a.

Subp. 3. **Failure to appear or notify.** The petitioner must notify the office and other parties of settlement or other resolution of a conference or hearing immediately following resolution of the case. If the petitioner fails to provide notice of resolution and does not appear, and a court reporter, interpreter, or security guard appears, or the office incurs an expense to reserve a facility with video equipment, the office may impose a sanction of \$150 or the reasonable fee charged by the court reporter, interpreter, security guard, or video facility if the fee is more than \$150. A party seeking cancellation of a proceeding must take reasonable steps to notify the other parties of a late settlement, rescheduling, or other cancellation of a proceeding. If the party seeking cancellation fails to take reasonable steps to notify the other parties and a party makes an appearance, the office may impose a reasonable sanction payable to the appearing party to cover the expense incurred by the appearing party.

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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