

MINNESOTA STATUTES 1979 SUPPLEMENT

484.70 DISTRICT COURTS

either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.

[1979 c 318 s 1]

NOTE: Subdivision 4 expires March 1, 1980. See Laws 1979, Chapter 318, Section 3.

484.71 Trial of civil and criminal actions; St. Louis County.

The district court may, if it deems it necessary, designate some place other than Duluth, Hibbing or Virginia to conduct terms of court.

There may be maintained in the city of Ely suitable facilities for the conduct of terms of court.

The expenses of holding terms of court in places other than Duluth, Hibbing or Virginia shall be paid by the county board. The district court shall not designate any place other than Duluth, Hibbing or Virginia to hold terms of court unless suitable facilities are available.

[1979 c 39 s 3]

CHAPTER 487. COUNTY COURTS

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487.01	Probate and county courts; provisions.	487.28	Misdemeanor violations bureau.
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487.01 Probate and county courts; provisions.

[For text of subs 1 to 7, see M.S.1978]

Subd. 8. All municipal courts and magistrate courts existing pursuant to a municipal ordinance, charter, or legislative act located in counties covered by sections 487.01 to 487.39 are hereby abolished as of July 1, 1972, except the courts located in St. Louis county are hereby abolished as of January 1, 1974, unless an earlier date is designated by a county board or county boards pursuant to Laws 1971, Chapter 951, Section 45.

[For text of subd 9, see M.S.1978]

[1979 c 41 s 2]

487.16 Minor civil and criminal jurisdiction.

The county court shall also have jurisdiction in all civil and criminal cases residing, on the effective date of Laws 1971, Chapter 951 and Laws 1973, Chapter 679, in municipal courts other than municipal courts in Hennepin and Ramsey Counties, except that notwithstanding any law to the contrary, no county court shall have gross misdemeanor jurisdiction.

[1979 c 41 s 3]

487.17 Forcible entry and unlawful detainer.

Whether or not title to real estate is involved, the county court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section 566.175, involving land located wholly or partly within the county court district and of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within the county court district.

[1979 c 56 s 7]

MINNESOTA STATUTES 1979 SUPPLEMENT

COUNTY COURTS 487.38

487.25 Pleading, practice, procedure and forms in criminal proceedings.

Subdivision 1. **General.** Except as otherwise provided in sections 487.01 to 487.39 but subject to the provisions of section 480.059, pleading, practice, procedure and forms in actions or proceedings charging violation of a criminal law or a municipal ordinance, charter provision or rule are governed by the rules of criminal procedure.

Subd. 2. **Court rules.** The court may adopt rules governing pleading, practice, procedure and forms in actions or proceedings charging a violation of a criminal law or a municipal ordinance, charter provision or rule. The rules shall be consistent with the rules of criminal procedure, the provisions of sections 487.01 to 487.39 and any other statute of this state.

Subd. 3. [Repealed, 1979 c 233 s 42]

Subd. 4. [Repealed, 1979 c 233 s 42]

Subd. 5. [Repealed, 1979 c 233 s 42]

[For text of subs. 6 and 7, see M.S.1978]

Subd. 8. [Repealed, 1979 c 233 s 42]

[For text of subs 9 to 11, see M.S.1978]

[1979 c 233 s 5,6]

487.28 Misdemeanor violations bureau.

Subdivision 1. **Establishment.** The county court may establish, consistent with Rule 23 of the rules of criminal procedure, misdemeanor violation bureaus at the places it determines.

Subd. 2. **Supervision.** The judge shall supervise and the clerk shall operate the misdemeanor violations bureaus in accordance with Rule 23 of the rules of criminal procedure. The clerk shall assign one or more deputy clerks to discharge and perform the duties of the bureaus.

[1979 c 233 s 14]

487.29 Misdemeanor offenses.

A person who receives a misdemeanor citation shall proceed as follows:

(a) If a fine for the violation may be paid at the bureau without appearance before a judge, the person charged may pay the fine in person or by mail to the bureau within the time specified. The payment of the fine shall be deemed to be the entry of a plea of guilty to the violation charged and the plea of guilty and waiver on the reverse side of the misdemeanor citation shall be signed by the person charged.

(b) When a fine is not paid, the person charged must appear before the court at the time specified in the citation. If appearance before a misdemeanor bureau is designated in the citation, the person charged must appear within the time specified in the citation and arrange a date for arraignment in the county court.

[1979 c 233 s 15]

487.38 Judges' meetings.

The county court judges in meeting assembled may formulate and revise the general rules of practice in county courts as they deem expedient, conformable to law, and not inconsistent with the county court act or the rules for county courts promulgated by the supreme court. Any other proper business pertaining to county courts may also be transacted. The actual and necessary expenses incurred by attending judges shall be paid as provided in section 487.02. The judges shall also have the powers conferred by section 525.06, upon judges of the probate courts, and the powers conferred upon judges acting as juvenile court judges by section 260.103.

[1979 c 41 s 4]

MINNESOTA STATUTES 1979 SUPPLEMENT

487.40 COUNTY COURTS

487.40 Notice to remove.

Subdivision 1. **Interest or bias of judge.** No judge shall sit in any cause if he be interested in its determination, or if he might be excluded for bias from acting therein.

[For text of subd 1a, see M.S.1978]

Subd. 2. **Initial and subsequent disqualification.** (a) Any party or his attorney, to a cause pending in a court, within one day after it is ascertained which judge is to preside at the trial or hearing thereof, or at the hearing of any motion or order to show cause, may make and file with the clerk of the court in which the action is pending and serve on the opposite party a notice to remove. Thereupon, without any further act or proof, the chief judge of the judicial district shall assign any other judge of any court within the district to preside at the trial of the cause or the hearing of the motion or order to show cause, and the cause shall be continued on the calendar, until the assigned judge can be present. In criminal actions the notice to remove shall be made and filed with the clerk by the defendant, or his attorney, not less than two days before the expiration of the time allowed him by law to prepare for trial and in any of the cases the presiding judge shall be incapacitated to try the cause. In criminal cases, the chief judge for the purpose of securing a speedy trial, may in his discretion change the place of trial to another county.

(b) After a litigant has once disqualified a presiding judge as a matter of right under this subdivision, he may disqualify the substitute judge, but only by making an affirmative showing of prejudice. A showing that the judge might be excluded for bias from acting as a juror in the matter constitutes an affirmative showing of prejudice. If a litigant makes an affirmative showing of prejudice against a substitute judge, the chief judge of the judicial district shall assign any other judge of any court within the district to hear the cause.

[1979 c 233 s 16,17]

CHAPTER 488A. MUNICIPAL COURTS; HENNEPIN AND RAMSEY COUNTIES

Sec. 488A.01	Establishment; jurisdiction; powers; appeals.	Sec. 488A.18	Establishment; jurisdiction; powers; appeals.
488A.03	Clerks, deputies.	488A.25	Misdemeanor violations bureaus.
488A.08	Misdemeanor violations bureaus.	488A.27	Pleading, practice, procedure, and forms in criminal proceedings.
488A.10	Pleading, practice, procedure, and forms in criminal proceedings.	488A.282	Courts abolished.
488A.113	Courts abolished.		

488A.01 Establishment; jurisdiction; powers; appeals.

[For text of subds 1 to 4a, see M.S.1978]

Subd. 5. **Forcible entry and unlawful detainer or unlawful removal or exclusion.** Whether or not the title to real estate is involved, the court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section 566.175, involving land located wholly or in part within Hennepin County and, notwithstanding any provision of subdivision 7 to the contrary, of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within Hennepin County.

[For text of subds 6 to 14, see M.S.1978]

Subd. 15. **Removal to district court.** Whenever a counterclaim in excess of \$6,000 is asserted, an equitable defense interposed, or it shall otherwise appear that the court is without jurisdiction in a cause pending therein, the fact shall be recorded, and the clerk shall transmit to the clerk of the district court a certified transcript of the record and all papers filed in the case. Thereafter the cause shall proceed to judgment in the district court as if it had there been commenced, and the costs shall abide the event.

[1979 c 56 s 8; 1979 c 95 s 1]