

## CHAPTER 487

### COUNTY COURTS

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#### 487.01 PROBATE AND COUNTY COURTS; PROVISIONS.

*[For text of subds 1 to 7, see M.S.1982]*

Subd. 8. [Repealed, 1983 c 359 s 151]

*[For text of subd 9, see M.S.1982]*

#### 487.19 CONCURRENT JURISDICTION.

Subdivision 1. **Jurisdiction.** The county court shall have concurrent jurisdiction in the following cases:

- (a) Proceedings for the administration of trust estates or actions relating thereto;
- (b) Proceedings for divorce, annulment, and legal separation, and actions related thereto, as prescribed by chapter 518;
- (c) Proceedings under the reciprocal enforcement of support act, chapter 518C;
- (d) Proceedings for adoption and change of name under chapter 259;
- (e) Proceedings to quiet title to real estate and real estate mortgage foreclosures by action; and
- (f) Proceedings for the determination of paternity of and establishment and enforcement of child support payments for a child born to a mother who was not married to the child's father when the child was conceived nor when the child was born.

*[For text of subds 2 and 3, see M.S.1982]*

**History:** 1983 c 7 s 12; 1983 c 243 s 5 subd 10

#### 487.25 PLEADING, PRACTICE, PROCEDURE AND FORMS IN CRIMINAL PROCEEDINGS.

*[For text of subds 1 to 9, see M.S.1982]*

Subd. 10. **Prosecuting attorneys.** Except as otherwise provided by law, violations of state law which are petty misdemeanors, misdemeanors, or violations of a municipal ordinance, charter provision, rule or regulation shall be prosecuted by the attorney of the municipality where the violation is alleged to have occurred. The municipality may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other offenses shall be prosecuted by the county attorney of the county in which the alleged violation occurred.

In the counties of Anoka, Carver, Dakota, Scott, and Washington, violations of state law which are petty misdemeanors, misdemeanors, or gross misdemeanors except as provided in section 388.051, subdivision 2, or violations of a municipal

ordinance, charter provision, rule, or regulation shall be prosecuted by the attorney of the municipality where the violation is alleged to have occurred. The municipality may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense. All other offenses shall be prosecuted by the county attorney of the county in which the alleged violation occurred.

*[For text of subd 11, see M.S.1982]*

**History:** 1983 c 177 s 9; 1983 c 345 s 11

#### 487.30 CONCILIATION COURT.

*[For text of subds 1 to 3, see M.S.1982]*

Subd. 4. **Jurisdiction; dishonored checks.** The conciliation court has jurisdiction to determine a civil action commenced by a plaintiff, resident of the county, to recover the amount of a dishonored check issued in the county, even though the defendant or defendants are not residents of the county, if the notice of nonpayment or dishonor described in section 609.535, subdivision 3, is sent to the maker or drawer as specified therein and the notice states that the payee or holder of the check may commence a conciliation court action in the county where the dishonored check was issued to recover the amount of the check. This subdivision does not apply to a check that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this subdivision may be served anywhere within the state of Minnesota. The conciliation court clerk shall attach a copy of the dishonored check to the summons before it is issued.

**History:** 1983 c 225 s 7

#### 487.33 DISPOSITION OF FINES, FEES AND OTHER MONEYS; ACCOUNTS.

Subdivision 1. **Disposition.** Except as otherwise provided by sections 487.01 to 487.39 or 574.34, the clerk of county court shall pay to the county treasurer all fines, penalties and fees collected by him, all sums forfeited to the court and all other moneys received by him.

*[For text of subds 2 to 4, see M.S.1982]*

Subd. 5. **Allocation.** The clerk shall provide the county treasurer with the name of the municipality or other subdivision of government where the offense was committed which employed or provided by contract the arresting or apprehending officer and the name of the municipality or other subdivision of government which employed the prosecuting attorney or otherwise provided for prosecution of the offense for each fine or penalty and the total amount of fines or penalties collected for each municipality or other subdivision of government. On or before the last day of each month, the county treasurer shall pay over to the treasurer of each municipality or subdivision of government within the county all fines or penalties for parking violations for which complaints and warrants have not been issued and one-third of all fines or penalties collected during the previous month for offenses committed within the municipality or subdivision of government from persons arrested or issued citations by officers employed by the municipality or subdivision or provided by the municipality or subdivision by contract. An additional one-third of all fines or penalties shall be paid to the municipality or subdivision of government providing prosecution of offenses of the

type for which the fine or penalty is collected occurring within the municipality or subdivision, imposed for violations of state statute or of an ordinance, charter provision, rule or regulation of a city whether or not a guilty plea is entered or bail is forfeited. Except as provided in section 299D.03, subdivision 5, or as otherwise provided by law, all other fines and forfeitures and all fees and costs collected by the clerk of court shall be paid to the county treasurer of the county in which the funds were collected who shall dispense them as provided by law.

*[For text of subd 6, see M.S.1982]*

**History:** 1983 c 177 s 10,11

#### **487.332 JOINT POWERS.**

Nothing contained in Laws 1983, chapter 177 shall supersede any powers any governmental unit has under section 471.59.

**History:** 1983 c 177 s 13

#### **487.39 APPEALS.**

Subdivision 1. **To court of appeals.** An aggrieved party may appeal to the court of appeals from a determination of a county court or a county municipal court. The provisions of this section govern all appeals from the county court and the county municipal court.

(a) Except as provided in clause (b), the appeal in a civil case shall be in accordance with the rules of civil appellate procedure.

(b) In the appeal of petty misdemeanor, ordinance or criminal cases, the written notice of appeal shall be filed with the clerk of court of the county in which the action was heard within ten days of the conviction or other determination, and sentencing, appealed from.

(c) A written notice of appeal shall be served by the appellant upon all parties to the original proceedings or their attorneys not more than five days after filing. A written notice of appeal and proof of service shall be filed with the clerk of county court or county municipal court in the county in which the action was heard not more than three days after the service of notice on the opposite party or the party's attorney.

Subd. 2. **Record.** The appeal shall be confined to the record. By stipulation of all parties, the record may be shortened. The court of appeals may affirm, reverse or modify the judgment or order appealed from, or take any other action as the interests of justice require. On appeal from an order, the court of appeals may review any order affecting the order from which the appeal is taken and an appeal from a judgment may review any order involving the merits or affecting the judgment.

**History:** 1982 c 501 s 18,19; 1983 c 247 s 178,219