

MN State Bar Association

HF114/SF303: Court Deadline Suspension Clarification

- During the 2020 session, in response to the COVID-19 pandemic, the Legislature passed a law that suspended court-related deadlines.
 - ***This suspension is scheduled to sunset on February 15, 2021.***
- The law suspends “the running of deadlines,” which has caused some confusion because attorneys refer to a statute of limitation (SOL) “running” in two different ways:
 1. The ***ticking clock*** of a SOL
 2. The ***expiration*** of a SOL
- ***It is not clear which interpretation was intended.***
- The first interpretation—stopping the ticking clock—would mean that the length of the suspension period would need to be added to every deadline, no matter how distant (e.g., there are some time periods related to real property that last decades).
 - ***This could create tremendous confusion and potential for errors in the future.***
- This bill would clarify that the second interpretation is correct, so that the law only suspends the expiration of deadlines during the suspension period.
 - ***This will provide for much greater clarity and should prevent court resources from being spent on resolving deadline-related disputes.***