

Information Sheet

Conciliation Court Costs on Appeal

If a Conciliation court judgment is appealed to the District Court, the prevailing party may be awarded costs pursuant to the Rules of Court. If you appeal a Conciliation Court judgment and do not prevail in District Court, the Court will order you to pay costs of the appeal plus an additional \$50 to the opposing party. The term "prevail" or "prevailing party" is defined four different ways in Minnesota Statutes. Below you will find definitions and examples which may help you understand what the District Court must decide if you are to prevail upon an appeal.

1. If you recovered nothing in Conciliation Court, you must recover \$500 or 50% of the amount or value of property you requested in Conciliation Court, whichever is less.

Example:

You filed a Conciliation Court claim against the opposing party for \$1,200 and were awarded nothing. To prevail in District Court, you must receive a judgment of at least \$500 (the lesser of \$500 or 50% of the claim).

2. If the opposing party recovered nothing from you in District Court when they had recovered some amount or property in Conciliation Court.

Example:

The opposing party was awarded a judgment of \$125 in Conciliation Court. If you appeal to the District Court and the opposing party recovers nothing, you are the prevailing party.

3. If you recover an amount in Conciliation Court that is less than you feel is justified and appeal to the District Court, you must recover at least the lesser amount of \$500 or 50% of the claim in excess of the Conciliation Court judgment.

Example:

You were awarded a \$600 Conciliation Court judgment but feel that it is too low. To prevail in District Court, you must be awarded a \$900 judgment (50% more than the Conciliation Court judgment);

OR

You were awarded a \$2,000 Conciliation Court judgment but feel that it is too low. To prevail in District Court, you must be awarded a \$2,500 judgment (\$500 more than the Conciliation Court judgment).

4. If the opposing party is awarded a Conciliation Court judgment and you appeal to the District Court, the Conciliation Court judgment is reduced in District Court by at least \$500 or 50%, whichever is less.

Example:

The opposing party is awarded a Conciliation Court judgment of \$500. For you to prevail, the District Court judgment must reduce the Conciliation Court judgment to \$250 (50% less than the Conciliation Court judgment);

OR

The opposing party is awarded a Conciliation Court judgment of \$1,500. For you to prevail, the District Court judgment must reduce the Conciliation Court judgment to \$1,000 (\$500 less than

the Conciliation Court judgment).