

SUPREME COURT ADVISORY COMMITTEE
700 Series Sub-committee

List of Votes Taken on the Eviction Rules
(Rules in **bold** reflect that the committee has approved the rule in its entirety)

Rule **Action Taken**

- 4 May 18, 2002 no vote taken until we resolve the possession bond issue, which will affect which rules are exempted from the five day rule.
- 143a** May 18, 2002 voted to accept the proposed rule by a unanimous vote
- 190 May 18, 2002 no vote taken until we resolve the discovery issue, which will affect the last sentence of the rule.
- 216** May 18, 2002 voted to accept the proposed rule by a unanimous vote.
- 245** May 18, 2002 voted to accept the proposed rule by a unanimous vote.
- 738** June 15, 2001 voted to accept proposed rule
- 739 June 15, 2001 voted to accept proposed rule
November 2, 2001 the committee consensus was that the appearance date is the trial date, and the language was approved, but the sub-committee has made some minor changes based on comments at the last meeting.
- 740 November 2, 2001 voted to allow jury trials in possession bond cases by a vote of 10 to 7. Also voted to not require the jury trials to be held within 6 days in possession bond cases by a vote of 16 to 1.
May 17, 2002 no vote taken on the rule until after the ad hoc committee looks at this rule.
- 741 May 17, 2002 no vote taken until we resolve the discovery issue which will affect the changes proposed as a result of the January meeting.
- 742** June 15, 2001 voted to accept proposed rule
- 742a** June 15, 2001 voted to accept proposed rule
- 743 May 17, 2002 the proposed rule is acceptable to everyone but a vote is delayed until the discovery issue is resolved which is provided for in the last sentence or sentences of the rule.

- 744 May 17, 2002 no vote taken until the possession bond issue is resolved, which may affect the last sentence of the rule.
- 745 May 18, 2002 voted to accept the proposed rule after a few minor changes to the language by a unanimous vote.
- 746 May 18, 2002 voted to accept the proposed rule by a unanimous vote.
- 747 May 18, 2002 no vote taken because the issue of placing restrictions on the JP's as to how soon they must set the trial is not resolved.
- 747a May 18, 2002 voted to accept the proposed rule by a unanimous vote.
- 748 September 28, 2001 voted to give JP judgment presumptive validity after the perfection of the appeal, by an 8 to 7 vote. Also voted to require the party appealing to pay the county court filing fee into the registry of the JP court in order to perfect the appeal by a vote of 12 to 8.
May 18, 2002 no vote taken until the sub-committee reviews the language.
- 749 May 17, 2002 voted to accept the proposed rule by a vote of 11 to 0, except for (a) dealing with motions for new trial, which was referred to the ad hoc committee.
- 749a September 28, 2001 voted to allow defendants who are indigent to remain in possession pending the appeal without having to post a supersedeas bond by a vote of 13 to 3.
November 2, 2001 voted again to exempt indigents from posting a supersedeas bond in order to remain in possession during the pendency of the appeal.
May 17, 2002 voted to accept the proposed rule by a vote of 13 to 0.
- 749b November 2, 2001 voted to adopt the last two sentences of the proposed rule (appeal on issue of possession moot if tenant evicted because he failed to post a supersedeas or pay rent) by a vote of 8 to 6.
May 18, 2002 no vote taken until after the ad hoc committee meets to see if any changes are necessary.
- 749c May 17, 2002 voted to accept the proposed rule by a vote of 13 to 0, but the sub-committee has recommended some changes since the vote.
- 750 September 28, 2001 voted to require a tenant to post a supersedeas bond in order to remain in possession during the appeal by a vote of 11 to 9.
May 18, 2002 no vote was taken until the sub-committee performs a final review, after the ad hoc committee meets.

- 750a September 28, 2001 voted that rent be paid into the registry of the county court during the pendency of the appeal by a vote of 21 to 0.
May 18, 2002 no vote was taken because the ad hoc committee wanted to see if they could find a way rent could be paid into the registry of the JP court within five days after the appeal was perfected.
- 751 May 18, 2002 no vote taken in order to give sub-committee the opportunity to review language.
- 752** May 18, 2002 voted to accept the proposed rule by a unanimous vote.
- 753 May 18, 2002 no vote taken until warning notice language in the last sentence is approved at the next meeting.
- 753a** May 18, 2002 voted to accept the proposed rule with some minor changes by a vote of 11 to 8.
- 754 May 18, 2002 voted to accept the proposed rule, except for (c), by a unanimous vote.
- 755 May 18, 2002 no vote taken until language about manufactured housing added to the rule.