

STATE OF MINNESOTA  
COUNTY OF OL MSTED

DISTRICT COURT- FAMILY DIVISION  
THIRD JUDICIAL DISTRICT

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**In Re: Statutory Valuation Date  
In Olmsted County District Court.**

**ORDER**

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WHEREAS Minnesota Statutes § 518.58, subd. 1 states that:

The Court shall value marital assets for purposes of division between the parties as of the day of the initially scheduled prehearing settlement conference, unless a different date is agreed upon by the parties, or unless the court makes specific findings that another date of valuation is fair and equitable;

WHEREAS Olmsted County currently has an Early Case Management (ECM) system in place;

WHEREAS a large portion of the cases managed under ECM are handled to conclusion without ever having an appearance that can be labeled an "initially scheduled prehearing settlement conference" and thus some other appearance or event must be treated as the statutory valuation date;

WHEREAS Referee Gail D. Baker, the judicial officer who administers ECM in Olmsted County announced and requested input from attorneys at various Bar Association meetings, including the OCBA family law committee, as to whether the Initial Case Management (ICMC) should be the statutory valuation date and has received positive feedback that it should;

WHEREAS the designation of the ICMC as the statutory valuation date in Olmsted County does not preclude either party from persuading individual judicial officers to determine on a case by case basis "that another date of valuation is fair and reasonable;"

WHEREAS litigants always remain free to argue on a case by case basis that the court should adjust the valuation of a particular asset when there has been a substantial change in value since the valuation date;

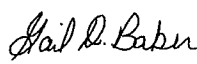
WHEREAS initial uniform application of the statutory valuation date will lead to judicial economy and save litigant resources by eliminating any uncertainty regarding the

statutory valuation date, along with additional litigation, while still retaining each litigant's ability to request a different date or different asset value as aforesaid.


NOW THEREFORE, IT IS HEREBY **ORDERED**:

1. Henceforth, the statutory valuation date for purposes of division of property between the parties in a dissolution or legal separation case in Olmsted County shall be the Initial Case Management Conference (ICMC).

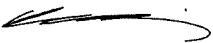
Recommended for approval

 Baker, Gail  
2021.03.31  
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Gail D. Baker  
Referee of District Court

 Chase, Joseph  
2021.03.31  
14:46:04 -05'00'

Joseph F. Chase  
Judge of District Court

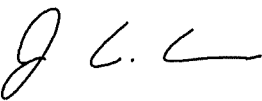
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Pamela A. King  
Judge of District Court


 Stevens, Christina  
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Christina K. Stevens  
Judge of District Court

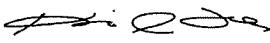
BY THE COURT

 Allen, Jacob  
2021.03.31  
14:20:34

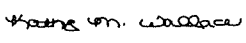
Jacob C. Allen  
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 Hayne, Lisa  
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Lisa R. Hayne  
Judge of District Court

 Lund, Kevin  
2021.04.05  
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Kevin A. Lund  
Judge of District Court

 Wallace, Katherine  
2021.04.05  
16:17:07 -05'00'

Kathy M. Wallace  
Judge of District Court