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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-2171**

In re the Estate of Clarence Vathauer, Deceased,
In re the Estate of Fern S. Vathauer, Deceased.

**Filed September 8, 2026
Reversed and remanded
Ross, Judge**

Red Lake County District Court
File Nos. 63-PR-15-17, 63-PR-23-186

Evan A. Nelson, Carly J. Johnson, Maslon LLP, Minneapolis, Minnesota (for appellant David Clarence Vathauer)

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Considered and decided by Wheelock, Presiding Judge; Ross, Judge; and Harris, Judge.

NONPRECEDENTIAL OPINION

ROSS, Judge

David Vathauer successfully petitioned the district court in 2015 to probate his father Clarence Vathauer's 1982 will, which gave a life estate in land to Clarence's wife, Fern, and the remainder to David. Clarence's daughter Julie Ford later uncovered Clarence's 1989 will, which devised the land to Fern in fee simple. Julie successfully petitioned the district court in 2024 to vacate its 2017 decree of descent based on the court's alleged lack of subject-matter jurisdiction for having issued the decree without David's

having filed a clearance for medical-assistance claims against Clarence's estate, as required by statute. The district court then probated the 1989 will. We reverse and remand because, although the district court erred by failing to meet this statutory requirement, the failure did not strip it of subject-matter jurisdiction so as to render void the decree of descent.

FACTS

Clarence Vathauer owned and farmed the "Home Parcel," about 300 acres of productive farmland and cattle pasture in Red Lake County. He executed a will in 1982 devising a life estate in the Home Parcel to his wife, Fern Vathauer, and the remainder to his son, appellant David Vathauer. Clarence and Fern also executed wills in 1989. Clarence's 1989 will revokes all prior wills and devises the Home Parcel to Fern in fee simple. Fern's 1989 will devises all her property to her children in equal shares.

Clarence died in 2005. David petitioned the district court in 2015 for a decree of descent in Clarence's estate and submitted the 1982 will to probate. But he did not file a clearance for medical-assistance claims against Clarence's estate with the county. No one apparently raised any concern that a statutory provision directs district courts not to enter descent decrees until any medical claims against the estate are resolved. And the record does not suggest that any family member knew about Clarence's 1989 will. The district court issued a decree of descent in 2017 declaring property ownership based on the terms of Clarence's 1982 will.

Meanwhile Fern's health declined, and in 2022 respondent Julie Ford was appointed her guardian. Julie contacted the law firm that had handled her parents' estate planning and learned of Fern's and Clarence's 1989 wills. She petitioned the district court to vacate the

prior decree of descent and to probate Clarence's 1989 will. Julie maintained that the decree was void and subject to vacation under Minnesota Rule of Civil Procedure 60.02(d) for lack of subject-matter jurisdiction because the district court issued it without a statutorily required medical-assistance-claim clearance. She alternatively maintained that the extraordinary circumstances entitled her to relief under rule 60.02(f). Julie filed a quiet-title action against David, asserting that Fern owned the Home Parcel in fee simple.

Fern died in October 2023, and Julie petitioned the district court to probate her 1989 will. The court ordered Fern's will and Clarence's 1989 will probated. It also vacated its decree of descent, reasoning that it had lacked subject-matter jurisdiction to issue the decree without the statutorily required medical-assistance-claim clearance on file. It therefore deemed the decree void under rule 60.02(d) and did not reach Julie's alternative rule 60.02(f) argument.

After a bench trial on remaining issues, the district court ordered the formal probate of Clarence's 1989 will. The Home Parcel transferred to Fern in fee simple and was distributed to her surviving children in equal shares through her will. The district court entered judgment in the estates and quiet-title actions.

David appeals.

DECISION

David argues on appeal that the district court erred by reopening Clarence's estate and vacating the 2017 decree of descent. He acknowledges that the district court's issuing the decree without a clearance for medical-assistance claims on file was error but contends that the error did not divest the court of subject-matter jurisdiction. Julie disputes David's

argument. The outcome of the parties' dispute on this issue is significant because it will determine whether the district court properly applied rule 60.02(d) of the Minnesota Rules of Civil Procedure to grant Julie's request for relief from the decree. Julie argues that, if we disagree with her jurisdictional argument, we should instruct the district court on remand to consider whether to invalidate the decree under rule 60.02(f), the catchall provision that allows relief from a final order for "[a]ny other reason justifying" it. Only David's argument prevails.

I

The competing arguments on appeal begin with the parties' agreement that the district court made a mistake. We are asked to characterize the nature of that mistake. The mistake occurred when the district court issued the 2017 decree of descent, which declared David the fee owner of the Home Parcel. If a testator has been dead longer than three years but his will has not been probated, an interested party may petition the district court for a decree "to determine the descent of such property and to assign such property to the persons entitled thereto." Minn. Stat. § 525.31 (2024). But a statutory prerequisite exists: "The court shall not enter a decree of descent until the petitioner has filed a clearance for medical assistance claims . . . , and until any medical assistance claims . . . have been paid, settled, or otherwise finally disposed of." Minn. Stat. § 525.313(a) (2024). We are not asked whether the district court violated section 525.313(a) because, without dispute, it did; it issued the contested 2017 decree while it lacked any evidence that David filed a clearance of claims under that provision. We are asked instead to characterize the nature of the district

court’s mistake, because that characterization will inform us as to whether the district court properly granted Julie relief from the decree.

Julie supports the district court’s 2024 decision holding the decree void as an action beyond the court’s subject-matter jurisdiction, while David argues that the district court acted within its jurisdiction, albeit in violation of section 525.313(a). We hold that the district court’s mistake did not divest it of subject-matter jurisdiction over Clarence’s estate proceedings. Subject-matter jurisdiction is a court’s authority to decide a type of dispute. *Giersdorf v. A & M Constr., Inc.*, 820 N.W.2d 16, 20 (Minn. 2012). The existence of subject-matter jurisdiction is a question of law we review *de novo*. *Seehus v. Bor-Son Constr., Inc.*, 783 N.W.2d 144, 147 (Minn. 2010). The probate code grants district courts broad jurisdiction over “all subject matter relating to estates of decedents.” Minn. Stat. § 524.1-302(a) (2024). While the legislature can write statutes that divest district courts of their subject-matter jurisdiction, the allegedly divesting statute must demonstrate its “clear intention” to do so. *Thunderbird Motel Corp. v. Hennepin County*, 183 N.W.2d 569, 571 (Minn. 1971). We therefore look to the probate code to determine whether it demonstrates clearly that the legislature intended the district court to lose subject-matter jurisdiction by making the mistake the district court made in this case.

Julie identifies no “clear legislative statement” in the probate code divesting district courts of subject-matter jurisdiction over descent decrees for failing to meet the medical-assistance-claim-clearance prerequisite, and we have found none. *In re Civ. Commitment of Giem*, 742 N.W.2d 422, 430 (Minn. 2007). The operative statute—section 525.31—authorizes the district court to issue descent decrees, and the restrictive statute—section

515.313(a)—imposes the prerequisite without prescribing any particular consequence for a breach. More specifically as it regards our issue, the controlling statutes neither expressly condition the district court’s subject-matter jurisdiction on its honoring the prerequisite nor expressly strip the district court’s subject-matter jurisdiction for disregarding it. The related probate statutes that discuss the procedure and substance of a decree petition likewise say nothing that suggests, let alone clearly states, that the district court’s subject-matter jurisdiction depends on whether it restrains itself as the prerequisite provision dictates. *See* Minn. Stat. §§ 525.311, 525.312 (2024). We therefore hold that the district court had subject-matter jurisdiction to issue the decree and retained it notwithstanding its failure to abide by the restrictive provision.

Our holding that the district court had, and never lost, subject-matter jurisdiction to issue the decree of descent renders erroneous its September 2024 determination that “the Court issued the . . . Decree without having proper subject matter jurisdiction because it did not obtain proper medical assistance claim clearance, in accordance with Minn. Stat. § 525.313(a).” For the same reason, it also erred when it attempted to provide clarity in its October 2025 order describing its September 2024 decision. It purported to correct the 2024 order by clarifying that it indeed “had subject matter jurisdiction over the issue” but that it lacked statutory authority to grant the decree. The clarification does not impact our analysis, because in the same paragraph, the district court reclaimed its error by repeating that “the Court issued the Decree without having proper subject matter jurisdiction because it did not obtain the proper [medical-assistance] clearance.” Because the district court erroneously determined that it lacked subject-matter jurisdiction to issue the decree, it also

erroneously vacated the decree based on rule 60.02(d) of the Minnesota Rules of Civil Procedure on the precept that a judgment rendered without subject-matter jurisdiction is void.

The district court's mistake in issuing the decree without obeying the statutory prerequisite was, as the parties agree, nevertheless a judicial error. *See Carter v. Anderson*, 554 N.W.2d 110, 113 (Minn. App. 1996) (explaining that to charge a district court with a failure to abide by the law is to charge it with judicial error), *rev. denied* (Minn. Dec. 23, 1996). The error was subject to correction by various mechanisms. For example, the district court in a probate action may correct any judicial error in its orders within the deadline for filing an appeal, Minn. Stat. § 524.1-304(b)(2) (2024), or a party may present the error for correction in an appeal to this court within the 60-day filing period, Minn. R. Civ. App. P. 104.01, subd. 1. The 60-day error-correction and appeal period ended seven years before the district court entered its order vacating the descent decree. And rule 60.02 is not a mechanism for correcting judicial errors. *Reid v. Strodtman*, 631 N.W.2d 414, 420 (Minn. App. 2001). Because the district court's stated basis is flawed, it erroneously invalidated the decree.

Julie argues for a different result, contending that the decree was void *ab initio* because the clearance requirement for medical-assistance claims is a condition precedent to issuing a descent decree. The argument is especially unpersuasive. She offers no text from the controlling statute, no caselaw, and no convincing logic to support the argument, which, at its root, appears to undercut the clear legislative policy toward clarity and finality in probate proceedings and decisions. The legislature has said that it intends the probate

code “to promote a speedy and efficient system for liquidating the estate of the decedent and making distribution to successors.” Minn. Stat. § 524.1-102(b)(3) (2024). It imposes a strict, three-year time limit on initiating probate proceedings with few defined exceptions. Minn. Stat. § 524.3-108 (2024). It has generally made formal testacy orders “final as to all persons with respect to all issues concerning the decedent’s estate that the court considered or might have considered incident to its rendition relevant to the question of whether the decedent left a valid will, and to the determination of heirs.” Minn. Stat. § 524.3-412 (2024). It also strictly imposes tight deadlines on creditors with any claims “against the estate, the personal representative, and the heirs and devisees of the decedent.” Minn. Stat. § 524.3-803(a) (2024). Julie’s position appears to conflict with express state policy.

Accepting Julie’s position would, in contrast to this policy, prop the door perpetually open for a party to collaterally attack and invalidate a final decree of descent years, even decades, after its entry, long after the property has been distributed. It could be declared void based on a legal error that no one noticed in a timely fashion or challenged when the matter was ripe before the court. We do not think we could at once adopt both Julie’s legal position and the admonition of long-standing precedent that emphatically endorses the finality of probate court decisions. Affirming a decision of the Minnesota Supreme Court, the United States Supreme Court stressed the importance of finality this way: “If the determination of the probate court was wrong, [the challenger’s] remedy was to appeal from that determination. The heirs were entitled to one day in court, but not to two.” *Doran v. Kennedy*, 237 U.S. 362, 368 (1915). And the state supreme court later listed

examples to demonstrate just how closed probate decisions stand against after-the-fact challenges, like the one Julie advocates:

We have held in a variety of cases that a decree of a probate court in a matter over which it has jurisdiction is not subject to collateral attack. Such decree is not subject to collateral attack because the petitioner had no right to file a petition; because of failure to give proper notice of proceedings; because the court made an error of fact; because an intestate decree is not subject to collateral attack on discovery of a will; because a court misconstrued the will; or because the court made an error of law.

Bengtson v. Setterberg, 35 N.W.2d 623, 629 (Minn. 1949) (citations omitted). We cannot accept Julie’s invitation to read into the statute a means to perpetually hold a final decree of descent open to revision long after rights to the estate’s property have been resolved.

II

We are also not persuaded by Julie’s suggestion that we should remand this case with instructions for the district court to consider the argument that it previously declined to reach based on rule 60.02(f) of the Minnesota Rules of Civil Procedure. That provision for “[a]ny other reason justifying relief” is a residual clause allowing for the district court to consider “exceptional circumstances” for potential relief from a final order when that circumstance is not one of rule 60.02’s expressly listed circumstances. *City of Barnum v. Sabri*, 657 N.W.2d 201, 207 (Minn. App. 2003). But the district court would have no authority on remand to apply rule 60.02(f) to undo a judicial error, since judicial errors are not circumstances covered by the rule. *See Sullivan v. Spot Weld, Inc.*, 560 N.W.2d 712, 715–16 (Minn. App. 1997), *rev. denied* (Minn. Apr. 24, 1997). On remand, the district

court must instead enter orders as necessary to recognize that it improperly vacated the 2017 decree and that the decree became final when no party appealed it.

Reversed and remanded.