

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

In re the Rules of Practice for Administrative
Order to Show Cause Hearings

STANDING ORDER

WHEREAS, [Minn. Stat. § 588.04](#) provides for an order to show cause to issue if a debtor fails to respond to a financial disclosure form under [Minn. Stat. § 550.11](#).

WHEREAS, the Fourth Judicial District is dedicated to increasing access to court services.

WHEREAS, Minn. Stats. §§ 588.04 and 550.11 both anticipate that the order to show cause process could result in the debtor's arrest. and commitment to jail.

WHEREAS, service of process by the sheriff addresses the due process rights of a debtor who could be incarcerated as a result of the hearing, and puts the debtor on high alert to the impending matter.

WHEREAS, the Fourth Judicial District Civil Bench authorizes Minn. Stats. § 588.04 order to show cause hearings to occur at the civil filing counter.

Order

1. Order to Show Cause hearings under Minn. Stats. § 588.04 will be scheduled for an appearance before Court Administration.
2. An Order to Show Cause will not issue for a debtor's failure to respond to a Demand/Order for Disclosure that issued more than 6 months prior.
3. The Order to Show Cause must be served personally on each debtor by the Hennepin County Sheriff or other law enforcement agency at the creditor's expense.
4. Hearings may occur in-person, by telephone, or through Zoom technology at the discretion of Court Administration.
5. Both debtor and creditor must appear for the Order to Show Cause Hearing.

6. If the creditor fails to appear at the scheduled hearing, another Demand/Order for Disclosure must be served on the debtor prior to another Order to Show Cause Order being issued.
7. If the debtor fails to appear at the hearing, the creditor may request a warrant for the debtor's arrest by filing an Affidavit in Support of Issuance of Bench Warrant which will be reviewed by a judge.
8. If there is a dispute, or if the debtor refuses to fill out the Financial Disclosure Form, the parties will be referred and assigned to a judge. The assigned judge may hear the matter that same day, or a hearing will be scheduled for a later date.

BY THE COURT:

Susan M. Robiner
Civil Presiding Judge