

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

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IN RE: Proposed Orders included with  
Petitions for Expungement

**STANDING ORDER**

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WHEREAS, Minn. Stat. § 609A.03, subd. 3(a); requires petitioners to include a proposed order when serving petitions for expungement;

WHEREAS, in the Fourth District, many petitioners use generic proposed order forms that do not provide additional information about the nature of the expungement request;

WHEREAS, in the Fourth District, one referee decides all expungement cases, and the referee writes each expungement order;

WHEREAS, in the Fourth District, use of generic proposed order forms do not provide any meaningful information to respondents or assistance to the referee in writing expungement orders; and,

WHEREAS, important resources are consumed by providing, explaining, and processing generic proposed expungement orders which have no real substantive value;

Therefore,

IT IS ORDERED

1. The Fourth Judicial District shall not reject any petition for expungement for a petitioner's failure to file or serve a proposed order.
2. The Fourth Judicial District shall not deny any request for expungement solely because of a petitioner's failure to file or serve a proposed order.
3. The prosecuting authority with a responsibility to forward any proposed expungement order to a victim pursuant to Minn. Stat. § 609A.03, subd. 3(b) may provide the generic proposed order currently available to satisfy that notice requirement, but should also inform the victim the proposed order is simply an example of an order that may issue and the court will likely issue a detailed order particular to the case before the court.

Dated: December 30, 2014



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Peter A. Cahill  
Chief Judge  
Fourth Judicial District Court