

## CHECKLIST FOR FILING A PETITION FOR REHEARING WITH THE COMMITMENT APPEAL PANEL

Below is a general checklist to assist individuals who wish to file a petition for rehearing with the Commitment Appeal Panel pursuant to Minn. Stat. § 253B.19 or Minn. Stat. § 253D.28.

The below must be filed with the Clerk of Appellate Courts Office within 30 days (plus 3 days for mailing, if applicable):

- Petition for Rehearing
- A copy of the Special Review Board Findings and Recommendation (MID cases only)
- Proof of service of the petition on the county attorney of the county of commitment and the county of financial responsibility (if separate) and the attorney for the Commissioner of Human Services
- Request to self-represent (if applicable)

### Representation before the Panel:

Once a petition for rehearing has been filed, if a request to self-represent has been made, a competency hearing will be held with a Commitment Appeal Panel Judge.

If no request to self-represent has been made, the attorney who appeared before the Special Review Board will be appointed as counsel before the Commitment Appeal Panel.

### Filing documents and correspondence:

It is expected that all documents will be e-filed using the appellate courts' EMACS system. Additional information regarding registering for EMACS is available on the Clerk of Appellate Courts' web page:

<http://www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling>

If a client is self-representing and unable to use EMACS, filing and service by mail are acceptable. All filings and correspondence shall be directed to the Clerk of Appellate Courts' Office at the following address:

Clerk of Appellate Courts  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

**STATE OF MINNESOTA**  
**COMMITMENT APPEAL PANEL**

CASE TITLE:

In the Matter of the Civil Commitment of:

\_\_\_\_\_.

PETITION

Appeal Panel File # \_\_\_\_\_

County File # \_\_\_\_\_

Pursuant to Minn. Stat. § 253B.19 (MID) or § 253D.28 (SDP/SPP/PP), the above-named committed person petitions for rehearing and reconsideration of the Special Review Board Recommendation dated \_\_\_\_\_.

The following are at issue (check all that apply):

Transfer

Provisional Discharge

Discharge

Date: \_\_\_\_\_

\_\_\_\_\_

Signature and contact information

**STATE OF MINNESOTA**  
**COMMITMENT APPEAL PANEL**

CASE TITLE:

In the Matter of the Civil Commitment of:

\_\_\_\_\_.

REQUEST TO SELF-REPRESENT

Appeal Panel File # \_\_\_\_\_

County File # \_\_\_\_\_

I wish to self-represent before the Commitment Appeal Panel.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature and contact information

**STATE OF MINNESOTA  
COMMITMENT APPEAL PANEL**

CASE TITLE:

In the Matter of the Civil Commitment of:

\_\_\_\_\_.

**MOTION**

**Appeal Panel File #** \_\_\_\_\_

**County File #** \_\_\_\_\_

I am asking for a Panel Order as follows: *(describe what you are asking the Panel to do)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reasons for my requests are: *(describe why the Panel should grant your request and include any legal reasons and facts supporting your request and any court rules or statutes that apply to your request)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**STATE OF MINNESOTA  
COMMITMENT APPEAL  
PANEL**

CASE TITLE:

In Matter of the Civil Commitment of:

\_\_\_\_\_.

**AFFIDAVIT IN SUPPORT OF  
MOTION**

**Appeal Panel File #** \_\_\_\_\_

**County File #** \_\_\_\_\_

My name is: \_\_\_\_\_

My written statement of facts supporting the reasons for my motion:  
*(Attach additional paper if you need more room)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that everything that I have stated in this document is true and correct. Minn. Stat. §358.116.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

County and State where signed: \_\_\_\_\_

**STATE OF MINNESOTA  
COMMITMENT APPEAL PANEL**

CASE TITLE:

CASE #:

\_\_\_\_\_  
**In the Matter of the Civil Commitment of:**

**CERTIFICATE OF SERVICE  
BY MAIL**

\_\_\_\_\_  
STATE OF MINNESOTA  
COUNTY OF:

\_\_\_\_\_  
I, \_\_\_\_\_ (Name), certify that on \_\_\_\_\_ (Date), I served the attached \_\_\_\_\_ (Documents mailed), on the following parties by mailing to each of them a copy thereof, enclosed in an envelope, postage pre-paid, and by depositing the same in the United States Mail, directed to said party as follows:

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under the penalty of perjury that everything I have stated in this document is true and correct.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(County where certificate was signed)

\_\_\_\_\_  
(Date of Signature)

\_\_\_\_\_  
State where certificate was signed)