

**FILED**

September 23, 2024

**OFFICE OF  
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM09-8009

ADM10-8049

**ORDER ESTABLISHING PUBLIC HEARING ON  
PROPOSED AMENDMENTS TO THE MINNESOTA  
GENERAL RULES OF PRACTICE FOR THE DISTRICT COURTS AND  
THE MINNESOTA RULES OF CRIMINAL PROCEDURE**

In an order filed on July 20, 2023, we directed the Advisory Committee on the General Rules of Practice for the District Courts to review Minnesota General Rules of Practice 808(b)(6) in light of new legislation that restored the right to vote for those convicted of a felony during any time they are not incarcerated for the felony offense. In a report filed on November 14, 2023, the committee provided their rule amendment recommendation. Recommendations of Minnesota Supreme Court Advisory Committee on General Rules of Practice, Final Report, No. ADM09-8009 (filed Nov. 14, 2023). We opened a public comment period and received four comments, from the Minnesota State Bar Association Criminal Law Section, the American Civil Liberties Union of Minnesota, the Anoka County Attorney's Office, and a professor.

Correspondingly, in an order filed on June 30, 2023, we directed the Advisory Committee on the Rules of Criminal Procedure to: (1) explore the possibility of modifying Minn. R. Crim. P. 26.02, subd. 5(1)2, to allow persons with felony convictions to vote while on probation in light of recent legislation restoring the right to vote for those convicted of a felony during any time that they are not incarcerated for the felony offense; and (2) review the procedures laid out in Minn. R. Crim. P. 26.02 “[i]n light of the continuing difficulty in


applying the current [*Batson* three-step] test and the growing body of research showing that racial discrimination is not always purposeful” (quoting *State v. Lufkins*, 963 N.W.2d 205, 214 n.6 (Minn. 2021)) (alterations in June 30, 2023 order). In a report filed on June 28, 2024, the committee provided their rule amendment recommendations on these and other rules. Report and Proposed Amendments to the Minnesota Rules of Criminal Procedure, No. ADM10-8049 (filed June 28, 2024). We opened a public comment period and received one comment from the Office of the Minnesota Appellate Public Defender.

After further consideration, including review of the written comments filed, we have decided that a public hearing will assist the court’s consideration of and decision on the committees’ proposed amendments to the Minnesota General Rules of Practice for the District Courts and the Minnesota Rules of Criminal Procedure.

IT IS HEREBY ORDERED that a hearing will be held before this court. The hearing will take place in the Supreme Court Courtroom, State Capitol, Saint Paul, Minnesota, on October 22, 2024, beginning at 9:00 a.m. Any person or organization who wishes to make a presentation at the hearing shall file a request to appear, which shall include a copy of any material to be presented at the public hearing if different than or supplemental to the previously submitted public comments. This must be filed with the Clerk of the Appellate Courts, using the appellate courts’ e-filing application, E-MACS, if required to do so. *See* Minn. R. Civ. App. P. 125.01(a). All requests to appear must be filed so as to be received by the Clerk’s office no later than Wednesday, October 2, 2024.

Dated: September 23, 2024

BY THE COURT:



Natalie E. Hudson  
Chief Justice