

FILED

July 16, 2024

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8049

**ORDER ESTABLISHING PUBLIC COMMENT PERIOD
ON PROPOSED AMENDMENTS TO THE MINNESOTA RULES OF
CRIMINAL PROCEDURE**

On June 30, 2023, we directed the Minnesota Supreme Court Advisory Committee on the Rules of Criminal Procedure to: (1) 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)); and (2) 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. In a November 30, 2023 order, we also directed the committee to consider whether to amend Minn. R. Crim. P. 22.03 to authorize electronic service of a subpoena. The committee filed its report and recommendations on June 28, 2024, recommending amendments to Minn. R. Crim. P. 26.02 and 22.03. The committee also recommended an amendment to Minn. R. Crim. P. 18.02 to address how a prospective grand juror can be removed from jury service. The committee’s report with the proposed amendments is available on the public access site for the Minnesota Appellate Courts, under

case number ADM10-8049—*Report and Proposed Amendments to the Minnesota Rules of Criminal Procedure* (filed June 28, 2024).

The court will consider the proposed amendments to the Minnesota Rules of Criminal Procedure after providing a period for public comment and reviewing any comments received on the proposed amendments.

IT IS HEREBY ORDERED that any person or organization wishing to provide written comments in support of or in opposition to the amendments proposed to the Minnesota Rules of Criminal Procedure must file those comments with the Clerk of the Appellate Courts consistent with the filing requirements of Minn. R. Civ. App. P. 125.01(a). All comments must be filed so as to be received by the Clerk’s office no later than Friday, September 13, 2024.

Dated: July 16, 2024

BY THE COURT:

A handwritten signature in black ink, appearing to read "Natalie E. Hudson". The signature is written in a cursive, flowing style.

Natalie E. Hudson
Chief Justice