

**Instructions for Conciliation Court Demand for Judicial Determination of
Motor Vehicle Forfeiture for Alcohol Related Offenses
Vehicle/Property \$7,500 or less**

Citation: Minn. Stat. § 169A.63, subd. 8 and 9

Use court form CCT102 if:

- You have received a Notice of Seizure and Intent to Forfeit.
- **You want your vehicle or property returned.**
- **Your vehicle or property is worth \$7,500 or less.**

Within 30 days after you are served with the Notice of Seizure and Intent to Forfeit:

1. You must file the Conciliation Court Claim form for a Judicial Determination. Conciliation Court claim forms are available at the Court Administrator's office in the county where the seizure took place or online at www.mncourts.gov/forms.
2. The Conciliation Court Claim form must be filed in the county where the seizure took place.
3. Complete the claim form and attach a copy of the Notice of Seizure and Intent to Forfeit. Bring the papers to the Court Administrator's office for filing. A conciliation court fee is charged unless plaintiff/claimant qualifies to have the fee waived. No conciliation court fee is required if the value of the vehicle is less than \$500.
4. The person filing the claim is the plaintiff/claimant (your name). The defendant is a description of the seized vehicle. Example: John Smith vs. 1992 Cherokee. You must list this information in the body of the claim form:
 - the make
 - model
 - license plate number
 - VIN number
 - the demand must specifically state the grounds on which the plaintiff alleges the vehicle was improperly seized and the plaintiff's interest in the seized vehicle.
5. You will be notified of the hearing date and time by Court Administration.
6. If the property value is \$2,500.00 or less, the Court Administrator's Office will serve the demand claim form by first class mail on both the law enforcement agency that initiated the forfeiture and the prosecuting authority in the county where the seizure took place.
7. If the property is valued between \$2,501.00 and \$7,500.00, the plaintiff must serve the claim form on both the law enforcement agency that initiated the forfeiture and the prosecuting authority in the county where the seizure took place by certified mail (as per Minn. Stat § 491A.01, subd. 3(b)). Person service may be made by a third party who is at least 18 years old and who has no interest in the case or its outcome. The plaintiff cannot personally serve the claim form.
8. The person who serves the law enforcement agency and the prosecuting authority a copy of the claim form must fill out a form called an Affidavit of Service (one for each party served) and file it with conciliation court. This must be done within 30 days from the date that you received the Notice of Seizure and Intent to Forfeit. The Affidavit of Service form is available from conciliation court or online at www.mncourts.gov/forms.

If the plaintiff/claimant prevails, the filing fee must be reimbursed to the person who filed the demand. Reimbursement shall be paid from other forfeiture proceeds of the law enforcement agency or prosecuting authority pursuant to Minn. Stat. § 169A.63, subd. 9(h).

Helpful materials may be found at your public county law library. For a directory, see <http://www.lawlibrary.state.mn.us/cllppubdir.rtf> . For more information, contact your court administrator or call the Minnesota State Law Library at 651-296-2775.