

**Instructions for Demand for Judicial Determination of
Motor Vehicle Forfeiture for Alcohol Related Offenses
Vehicle/Property Valued at More than \$7,500**

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

Use this form if:

- You have been served with a Notice of Seizure and Intent to Forfeit.
- **You want your vehicle or property returned.**
- **The vehicle/property is worth more than \$7,500**

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

1. You must file the Demand for Judicial Determination of Motor Vehicle Forfeiture form (hereinafter called Demand form) in the district court of the county where the seizure took place. Demand forms are available online at: www.mncourts.gov/forms, or may be available at the Court Administrator's Office in the county where the seizure took place.
2. Complete the Demand form and attach a copy of the Notice of Seizure and Intent to Forfeit.
3. The person filing the demand is the plaintiff/claimant (your name).
4. The defendant is a description of the seized vehicle. (Example: John Smith vs. 1992 Cherokee.)
5. You must list this information in the body of the Demand 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.
6. The demand must be filed with the district court administrator in the county where the seizure took place within 30 days after you received the Notice of Seizure and Intent to Forfeit.
7. Both the law enforcement agency that initiated the forfeiture and the prosecuting authority in the county where the seizure took place must receive notice of the Demand for Judicial Determination of Forfeiture within 30 days from the date that you received the Notice of Seizure and Intent to Forfeit. Because you are the plaintiff you cannot do this yourself. Service of the notice of Demand for Judicial Determination of Forfeiture must be made by a third party who is at least 18 years old and who has no interest in the case or the outcome. He/she must serve the law enforcement agency and the prosecuting authority, either personally or by mail, a copy of the Demand form.
8. The person who serves the law enforcement agency and the prosecuting authority a copy of the Demand form must fill out a form called an Affidavit of Service (one for each party served) and file it with the court administrator. The Affidavit of Service form is available from the Court Administrator's office.
9. A regular civil filing fee is charged, unless plaintiff/claimant qualifies to have the fee waived.
10. You will be notified of the hearing date and time by Court Administration.

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.