

Special Review Board and Supreme Court Appeal Panel Petition and Hearing Process



Minnesota Sex Offender Program (MSOP) client files a petition with the Special Review Board (SRB) for any of the following: transfer, provisional discharge, discharge.

The SRB considers written materials such as: previous court records, treatment team reports that either do or do not support the client's petition; treatment records, and sexual violence risk assessments.

The SRB meets in three-member panels that include an attorney, a psychiatrist and an individual experienced in the mental health field.

The SRB holds a hearing at which the county attorney of the county where the client's civil commitment occurred, county social services, MSOP treatment staff, the MSOP client and his/her attorney make presentations.

The SRB issues its recommendation within 30 days of the hearing. The SRB can make a recommendation to either **grant** or **deny** the petition. This recommendation goes to the Supreme Court Appeal Panel.

Once the SRB recommendation is issued, the client, county attorney or the Commissioner of the Department of Human Services can object by filing a **Petition for Rehearing and Reconsideration** with the Supreme Court Appeal Panel within 30 days.

If an objection is filed, the Supreme Court Appeal Panel must hold a hearing before issuing an order.

If no objection, the Supreme Court Appeal Panel may adopt the recommendation as its order, or it may require a hearing.

The Supreme Court Appeal Panel's order does not take effect for 15 days. Once it does, the client can be moved in accordance with the court order.

