

**Rule 6. Commencement**

A proceeding for commitment or early intervention is commenced upon filing a petition with the District Court pursuant to Minnesota Statutes, chapter 253B or 253D.

(Amended effective September 18, 2013; amended effective July 1, 2015.)

***Advisory Committee Comment - 1999***

*The committee has attempted to address concerns where conflicts occur between the county of financial responsibility (respondent's residence) and the county where respondent is present, regarding who shall file the petitions, and to provide guidance in light of short statutory time constraints. The committee did not intend to remove discretion from the county attorney in the county where the respondent is present. If statutory conditions are present for commitment and the county attorney in the county where the respondent is present determines that a commitment is necessary and reasonable for the protection of the respondent or others, then the petition must be filed. Ultimate financial responsibility will be resolved in accordance with Minnesota Statutes, sections 256G.01 to 256G.12.*

*See also Minnesota Statutes, section 253B.07, subdivision 2a, when dealing with a person subject to Minn. R. Crim. P. 20.01 or 20.02. It is not the intent of the committee to affect venue when the person is subject to a proceeding governed by Minn. R. Crim. P. 20.01 or 20.02 or Minn. R. Juv. Del. P. 20.01 or 20.02.*

*A petition for commitment as a sexual psychopathic personality or a sexually dangerous person may also be filed in a county where a related criminal conviction was entered. See Minnesota Statutes, section 253B.185, subdivision 1.*

***Advisory Committee Comment - 2015 Amendments***

*Various statutes set forth where pre-petition screenings are conducted, where petitions are filed, and which county is the county of financial responsibility. See Minnesota Statutes, section 253B.23, subdivision 1b (2014). The committee determined the statute supersedes the second paragraph of Rule 6 and as such, the second paragraph of the former rule no longer serves a purpose.*