



United States District Court  
**DISTRICT OF MINNESOTA**

**LR 58.1 FIXED-SUM PAYMENT FOR PETTY OFFENSES AND OTHER MISDEMEANORS**

**(a) Authorization.** For a petty offense or misdemeanor listed in the court's fixed-sum payment schedule, the court may accept a fixed-sum payment in lieu of the defendant's appearance and end the case.

**(b) Fixed-Sum Payment Schedule.** The full-time magistrate judges must maintain a schedule of petty offenses and other misdemeanors for which a fixed-sum payment may be accepted in lieu of the defendant's appearance. The fixed-sum payment schedule must specify the amount of payment required for each identified offense and the effective date of the schedule. The fixed-sum payment schedule must be filed in the clerk's offices and made available on the court's website. The magistrate judges may amend the fixed-sum payment schedule periodically.

**(c) Payment.**

*(1) How Made.* To pay a fixed sum, a defendant must submit payment to the Central Violations Bureau on or before the date the defendant is scheduled to appear in court.

*(2) Effect.* A defendant who pays a fixed sum in lieu of appearing for a petty offense or other misdemeanor waives the right to contest the charged violation.

**(d) Failure to Appear.** If a defendant does not pay a fixed sum and does not appear in court for a charged petty offense or other misdemeanor, the magistrate judge may:

(1) impose any punishment — including fine, imprisonment or probation — that would be permitted upon conviction;

(2) direct that a new summons be issued that orders the defendant to appear on a new date; or

(3) order that a warrant be issued for the defendant's arrest.

**(e) Arrest and Mandatory Appearance.** Local Rule 58.1 does not prohibit a law-enforcement officer from:

(1) requiring a defendant to appear in court based on the aggravated nature of the offense;

- (2) arresting a defendant for committing an offense; or
- (3) taking an arrested defendant, promptly after the arrest, before a magistrate judge.

[Adopted effective February 9, 2006; amended May 14, 2013]

**2013 Advisory Committee's Note to LR 58.1**

The language of LR 58.1 has been amended in accordance with the restyling process described in the 2012 Advisory Committee's Preface on Stylistic Amendments.

Local Rule 58 was renumbered to LR 58.1 to be consistent with the court's local rule numbering conventions. Subsection (b) was amended to eliminate the list of agencies that may have a fixed-sum payment schedule and instead require that the fix-sum payment schedule be posted on the court's website. Subsection (c) is amended to reflect that fixed sum payments must now be made through the federal courts' Central Violation Bureau (CVB). Payments to CVB may be made by phone, mail, or online at [www.cvb.uscourts.gov](http://www.cvb.uscourts.gov). Subsection (e) was combined with former subsection (f) to include those instances where, within the law-enforcement officer's discretion, the defendant must appear in court due to the aggravated nature of the offense or that an arrest must be made.