

What is an **Extreme Risk Protection Order?**

When a person is in crisis, they may show warning signs that they could harm themselves or others. Family members and law enforcement are often the first to recognize these signs.

An Extreme Risk Protection Order (ERPO) can be one important tool to temporarily restrict access to firearms during high-risk moments.

In Minnesota, ERPO laws empower certain individuals to petition a civil court judge to assess whether a person poses a danger to themselves or others. If the court finds them to be a threat, it can issue temporary orders to prevent them from owning or possessing handguns, rifles or shotguns.

These laws are a proven way to intervene before a tragedy occurs and safeguard individuals in crisis without resulting in a criminal record.



For more information, visit the Department of Public Safety's website.

dps.mn.gov/ERPO

Resources for support

988

SUICIDE & CRISIS
LIFELINE

Call or text the **988 Lifeline** for judgment-free care.



Visit **NamiMN.org** to learn more about the warning signs of a mental health crisis.



A Statewide Program of Cornerstone

Call **1-866-223-1111** for free and confidential support with domestic violence, trafficking or sexual violence.



How to file an **Extreme Risk Protection Order**



If you or someone else
is in immediate danger
CALL 911

Overview

You can file an ERPO if you are a city or county attorney, law enforcement, or a family or household member, including:

- A spouse or former spouse
- A parent, child or guardian
- Anyone currently residing with the person
- Anyone in a significant romantic or sexual relationship with the person

Complete the petition

Include basic information about the person, why they may be a danger, any firearms they own, where they are located and how they are stored. Summarize all relevant facts and include documentation.

Judges may consider evidence that demonstrates prior threats or acts of violence, domestic abuse or stalking, violations of court orders, reckless firearm usage, animal cruelty, suicide attempts or serious mental health issues, and existing protective orders.

File the petition

There are two types of ERPOs. You may request one or both:

- **Emergency (ex-parte) ERPO:** This is for situations where there is an immediate safety concern. It lasts for up to 14 days.
- **Long-term (final) ERPO:** This may be issued after court and can last from six months to one year.

Judicial review

The judge may either approve or deny your emergency ERPO petition at this stage.

If you requested a long-term ERPO and a judge finds enough evidence of a threat, they will schedule a final hearing.

If an emergency ERPO is denied

The court will schedule a hearing and notify you of the time and location if you requested a hearing in your emergency petition or a long-term ERPO.

If an emergency ERPO is granted

If the court issues an emergency ERPO, law enforcement will serve the order in person and will generally take the person's firearms at that time.

Final hearing for a long-term ERPO

If a long-term ERPO is requested, law enforcement will notify the person of their upcoming hearing. The person will have a chance to speak and present their side at the final hearing.

You must appear for the final hearing. If you do not, the ERPO may be dismissed.

At the hearing, the judge will decide whether to grant or deny the ERPO based on the evidence presented by both sides. If you requested a long-term ERPO and a judge finds enough evidence of a threat, they will issue the long-term order.



Fill out an ERPO petition and firearms form on the Minnesota Judicial Branch website.
mncourts.gov