

**4525.0220 SUMMARY PROCEEDINGS.**

Subpart 1. **Summary proceeding.** A summary proceeding is an action other than a complete formal investigation that is undertaken to resolve a matter, or a part of a matter, that is the subject of a complaint, an investigation, or an audit. A staff review under part 4525.0320 is one form of summary proceeding.

Subp. 2. **Request by respondent.** At any time, a respondent may request that a matter or a part of a matter be resolved using a summary proceeding. The request must be in writing and must:

- A. specify the issues the respondent is seeking to resolve through the summary proceeding;
- B. explain why those issues are suitable for the summary proceeding; and
- C. explain how the proposed summary proceeding would be undertaken.

Subp. 3. **Consideration of request by board.** Upon receipt of a request for a summary proceeding, the executive director must submit the request to the board. If the matter was initiated by a complaint, the complaint has not been dismissed, and a probable cause determination has not been made, the executive director must send a copy of the request to the complainant no later than the time that the request is submitted to the board. Under any other circumstances a complainant must not be notified or provided a copy of the request. The request must be considered by the board at its next meeting that occurs at least ten days after the request was received. If the executive director sends a copy of the request to the complainant pursuant to this subpart, the complainant must be given an opportunity to be heard by the board.

The board is not required to agree to a request for a summary proceeding. If the board modifies the respondent's request for a summary proceeding, the board must obtain the respondent's agreement to the modifications before undertaking the summary proceeding.

**Statutory Authority:** *MS s 10A.01; 10A.02; 10A.022; 10A.025*

**History:** *39 SR 757; 49 SR 979*

**Published Electronically:** *March 17, 2025*