

CHAPTER 526

PROBATE GENERAL PROVISIONS

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526.01-526.07 [Repealed, 1959 c 578 s 7]

526.09 PSYCHOPATHIC PERSONALITY. The term "psychopathic personality," as used in sections 526.09 to 526.11, means the existence in any person of such conditions of emotional instability, or impulsiveness of behavior, or lack of customary standards of good judgment, or failure to appreciate the consequences of his acts, or a combination of any such conditions, as to render such person irresponsible for his conduct with respect to sexual matters and thereby dangerous to other persons.

[1939 c. 369 s. 1] (8992-184a)

526.10 LAWS RELATING TO MENTALLY ILL PERSONS DANGEROUS TO THE PUBLIC TO APPLY TO PSYCHOPATHIC PERSONALITIES. Except as otherwise provided herein, the provisions of chapter 253A, pertaining to persons mentally ill and dangerous to the public shall apply with like force and effect to persons having a psychopathic personality, to persons alleged to have such personality, and to persons found to have such personality, respectively. Before such proceedings are instituted, the facts shall first be submitted to the county attorney, who, if he is satisfied that good cause exists therefor, shall prepare the petition to be executed by a person having knowledge of the facts and file the same with the judge of the probate court of the county in which the "patient," as defined in such statutes, has his settlement or is present. The judge of probate shall thereupon follow the same procedures set forth in chapter 253A, for judicial commitment. The judge may at his discretion exclude the general public from attendance at such hearing. If, upon completion of the hearing and consideration of the record, the court finds the proposed patient has a psychopathic personality, the court shall commit such person to a public hospital or a private hospital consenting to receive him, subject to a mandatory review by the head of the hospital within 60 days from the date of the order as provided for in chapter 253A for persons found to be mentally ill and dangerous to the public. The patient shall thereupon be entitled to all of the rights provided for in chapter 253A, for persons found to be mentally ill and dangerous to the public, and all of the procedures provided for in chapter 253A, for persons found to be mentally ill and dangerous to the public shall apply to such patient.

[1939 c 369 s 2; 1969 c 431 s 1] (8992-184b)

526.11 NOT TO CONSTITUTE DEFENSE. The existence in any person of a condition of psychopathic personality shall not in any case constitute a defense to a charge of crime, nor relieve such person from liability to be tried upon a criminal charge, unless such person is in a condition of insanity, idiocy, imbecility, or lunacy within the meaning of the laws relating to crimes and criminal procedure.

[1939 c. 369 s. 3] (8992-184c)

526.12 [Repealed, 1967 c 317 s 4]

526.123 [Repealed, 1961 c 596 s 1 subd. 6]

526.124 [Repealed, 1961 c 596 s 1 subd. 6]

526.125 [Repealed, 1961 c 596 s 1 subd. 6]

526.126 [Repealed, 1961 c 596 s 1 subd. 6]

526.127 [Repealed, 1951 c 327 s 6]

526.13 [Repealed, 1961 c 596 s 1 subd. 6]

526.14 [Repealed, 1961 c 596 s 1 subd. 6]

526.15 [Repealed, 1961 c 596 s 1 subd. 6]

526.16 [Repealed, 1961 c 596 s 1 subd. 6]

526.17 [Repealed, 1961 c 596 s 1 subd. 6]

526.18 SALARIES OF JUDGES OF PROBATE IN HENNEPIN AND RAMSEY COUNTIES. The compensation of the judges of the probate court in all counties of this state now or hereafter having a population of 250,000 or more shall be equal to the compensation now or hereafter paid to judges of the district court in such counties, which salary shall be paid in equal monthly instalments out of the county treasury of such counties upon warrants of the county auditor out of any funds of the county not otherwise appropriated.

[1929 c. 96 s. 1; 1935 c. 72 s. 196; 1945 c. 429 s. 1] (8706-1)

526.181 [Repealed, 1969 c 1139 s 89]

526.19 SALARIES OF EMPLOYEES OF PROBATE COURT OF RAMSEY COUNTY. In all counties having more than 300,000 and less than 450,000 inhabitants, the personnel of the probate court, other than the judge, shall consist of one clerk, two deputy clerks, one reporter and such other employees as the judge shall determine. The salaries of such clerk, deputy clerks, reporter and employees shall be fixed by the board of county commissioners, and all except the clerk and reporter shall be employed pursuant to such civil service laws in force in said county.

[1935 c 72 s 196; 1935 c 283 s 1; 1939 c 280 s 1; 1949 c 70 s 1] (8706-3)

526.20 SALARIES AND CLERK HIRE NOT TO BE AFFECTED BY DECREASE IN VALUATION. Neither the salary nor allowance for clerk hire of any judge of probate shall be decreased during the term for which he was elected or appointed by reason of any decline in the population of the county or by a decrease in the valuation of the county, but such salary and clerk hire shall be paid during the balance of such term of office in the amounts authorized prior to such reduction in population, or by a decrease in valuation of the county.

[1931 c. 30] (8706-2)