570.051 ATTACHMENT ORDER.

Subdivision 1. **Requirements of order.** An order for attachment shall:

(1) contain the findings required by section 570.026;

(2) state with particularity the facts upon which the findings are made;

(3) state that any respondent who attended the hearing was offered an opportunity to identify exempt property, without waiver of the right to claim exemption in property not identified at the hearing;

(4) direct the sheriff of the county in which the court is located or of any other county to seize and safely keep all nonexempt property of the respondent or such specific property as the court may specify, or so much as is necessary to satisfy the amount claimed with expenses and costs using the full force of the county;

(5) authorize the sheriff to keep the property attached in any manner considered appropriate in the reasonable judgment of the sheriff, unless the order otherwise specifies the method of keeping; and

(6) specify the amount of the bond.

Subd. 2. **Other provisions of order.** An order for attachment may:

(1) describe the place or places which may be entered by the sheriff using the full force of the county subject to the limitations of clause (3);

(2) require the respondent, the respondent's agents or employees, or any other person having possession of the property subject to the order to deliver the property to the sheriff. The order may also require the respondent, its officers or managing agent, or any other person named in the order to disclose the location of any nonexempt property that was assigned, secreted, or disposed of, or removed or about to be removed from the state with intent to delay or hinder the respondent's creditors, or property that was converted or was about to be converted for the purpose of putting it beyond the reach of the respondent's creditors. The order may also provide that, if delivery is not made or the location is not disclosed, the respondent or any other person specified in the order appear in court at a specified time and place to give testimony as to the location of the property and to show cause why an order should not be entered finding the respondent or other person specified in this section in contempt of court for failure to deliver the property or to disclose its location; and

(3) provide that if the property, or any of it, is concealed in a building or elsewhere, and a public demand made by the sheriff for its delivery is refused or there is no response, the sheriff shall cause the building or enclosure to be broken open and shall take the property from it. The sheriff may not enter the residence of a person other than the respondent unless the order so specifies, identifying with particularity the residence or residences which may be entered, on the basis of a finding by the court that probable cause exists to believe that the property is at this residence.

History: *1985 c 153 s 7*