**PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND**

The procedure to convert Abstract land records into the Torrens system of registered titles, is Initial Registration. Actions affecting Torrens title after initial registration are Proceedings Subsequent to Initial Registration, or “Pro Sub.” A Pro Sub may be necessary:

* To obtain a new certificate of title following a foreclosure of a mortgage by advertisement
* To quiet title after tax forfeiture
* To amend the land description or names on a certificate of title or in a document
* To remove memorials or add memorials of interests which cannot otherwise be recorded

The steps in a Proceeding Subsequent are:

1. Draft, sign and notarize a Petition with Verification. Sample Petitions covering common situations are available as free downloads on this website. If yours is not one of the common situations, send an email requesting advice before proceeding to: 2ndexamineroftitles@courts.state.mn.us
2. File the signed and notarized Petition with the Court Administrator of the Second Judicial District, Civil Division**.** Attorneys must use e-filing. Applicants who are not represented by an attorney should check with the Court Administrator for procedures to file on paper.
3. The Petition does not need Examiner of Titles approval before filing. **NOTE:** If the Petition is a request to determine boundaries of Torrens land, email the Examiner of Titles to discuss additional recording requirements and fees before proceeding.
4. Petitioner/attorney will receive notice of case filing through the MNCIS e-file-and-serve system so make sure your email address is attached to the court file so that you receive copies of anything filed into your case. If your email is not attached, the Examiner of Titles cannot add your email address to receive a courtesy copy, and therefore you will not receive it.
5. When you receive the Court File number from the Court Administrator, draw a check payable to “Ramsey County” in the amount of $300.00 for the examination fee (this fee is in addition to the court filing fee). Write the Court File number on the memo line of the check and send it by First Class mail to:

Examiner of Titles

90 West Plato Blvd., Suite 110

Saint Paul MN 55107

1. After payment is received, the Examiner of Titles will review the matters alleged in the Petition and issue a Report of Examiner. The Report will recommend Findings; name Defendants to be served; set forth evidence required at the hearing; and recommend an Order to be entered. The Report will be e-filed in the court file. Petitioner will receive a copy through the MNCIS e-file-and-serve system.
2. Hearings are held remotely at 2:00 p.m. on the 1st and 3rd Wednesdays of each month. Petitioner may choose the hearing date that works best for them, draft a “Zoom Hearing Order to Show Cause” (OSC) using the template on this website, and then email the OSC in Word format to: 2ndexamineroftitles@courts.state.mn.us

**NOTE:** If the Petition is to determine boundary lines of Torrens lands, the Report of Examiner may require a Summons instead of an Order to Show Cause. In that case, email the Examiner of Titles for forms and procedures using their court email address: 2ndexamineroftitles@courts.state.mn.us

1. The Examiner of Titles staff will obtain electronic signatures of the Examiner and Judge on the OSC, file the OSC in the court file, and schedule the case for hearing on the Torrens calendar. Petitioner will receive a signed copy of the OSC through the MNCIS file-and-serve system. Use that copy for service of process.

1. Petitioner must ascertain the current address of Defendants named in the OSC and serve a plain photocopy of the OSC on every Defendant using the manner of service set forth in the Report of Examiner.
2. Not less than one week before the scheduled hearing date, Petitioner must file in the court file all proofs of service and a Certificate of Evidentiary Facts Required by Report of Examiner using the template available on this website.
3. If the Report requires evidence of bankruptcy and military service:
4. Search bankruptcy records at <https://www.pacer.gov/>
5. Search military records at <https://scra.dmdc.osd.mil/scra/#/home>
6. Not less than one week before the scheduled hearing, Petitioner must draft a proposed Order but Do Not file it in the court file as a ‘proposed order.’ Instead, email the proposed Order to 2ndexamineroftitles@courts.state.mn.us in Word format. The proposed Order should track the Report of Examiner with common sense changes, e.g. "should be served" in the Report becomes "has been served" in the Order. If there is a variation between the name of a Defendant listed in the Report and the name of the person you served, the variation also must be explained and justified by evidence in the Certificate of Evidentiary Facts and covered by separate Findings of Fact in the Order.
7. Neither Petitioner nor Attorney for Petitioner is required to appear at the Zoom hearing.

If anyone appears at the hearing to object to entry of the proposed Order, the Examiner will continue the hearing for two weeks to give the objector time to file an Answer. Petitioner will receive notice of the continued hearing date through the MNCIS file-and-serve system.

If no one appears at the hearing to object to entry of the proposed Order, the Examiner will recommend entry of the proposed Order.

1. After the hearing, the Examiner of Titles office will obtain electronic signatures of the Examiner and Judge on the Order, then will file the Order in the court file. Petitioner will receive notice of entry of the Order through the MNCIS file-and-serve system.
2. Petitioner must obtain a CERTIFIED copy of the Order from District Court Records (call 651-266-8237 or email 2ndDistrictCourtRecords@courts.state.mn.us) and then submit the CERTIFIED copy to the Registrar of Titles for recording in Torrens. NOTE: If the Order determines boundaries, it may also need to be recorded in Abstract. Email the Examiner of Titles at 2ndexamineroftitles@courts.state.mn.us with questions.

End of memo