**STATE OF MINNESOTA DISTRICT COURT**

**COUNTY OF ANOKA TENTH JUDICIAL DISTRICT**

In Re the Marriage of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Petitioner, **[ ]  PETITIONER’S [ ]  RESPONDENT’S**

 **INITIAL CASE MANAGEMENT**

and **CONFERENCE DATA SHEET (Appendix V)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Respondent. Court File No. \_\_\_\_\_\_\_\_\_\_

**THIS FORM MUST BE COMPLETED WITH THE BEST INFORMATION AVAILABLE AT THE TIME OF COMPLETION AND SUBMITTED TO THE COURT AT LEAST TWO (2) BUSINESS DAYS BEFORE THE INITIAL CASE MANAGEMENT CONFERENCE. A COPY OF THE COMPLETED FORM MUST ALSO BE PROVIDED TO THE OTHER PARTY.**

\*This information will be used solely for the purposes of Initial Case Management Conference or Early Neutral Evaluation.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (print your full name), state that the information contained in this document is true and correct to the best of my knowledge.

1. **BACKGROUND INFORMATION**

|  |  |  |
| --- | --- | --- |
| a) | Your date of birth:  |  |
| b) | Your current address:  |  |
| c) | Name any other adults who live with you:  |  |

2. **INFORMATION REGARDING THE CHILDREN**

a) List the names, birthdates, and ages of the minor children of this relationship:

|  |  |  |  |
| --- | --- | --- | --- |
| Child’s Name | Child’s Birth Date | Child’s Age | With whom does the child live? |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

b) List the names, birthdates, and ages of *other* minor children residing with you:

|  |  |  |  |
| --- | --- | --- | --- |
| Child’s Name | Child’s Birth Date | Child’s Age | What is your relationship to the child? |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

c) Do you have any other children not included above? Yes No

If yes, explain: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

d) Have any of the children of this relationship been the subject of a child protection case? Yes No

If yes, which child(ren)? \_\_\_\_\_\_\_\_\_\_\_\_

When? \_\_\_\_\_\_

Where? \_\_\_\_\_\_\_\_\_\_\_\_

 e) Do any of the children of this relationship have special needs? Yes No

 If yes, explain: \_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_

 f) Is there an agreement regarding legal custody of the children? Yes No

 If yes, what is the legal custody agreement? \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 g) Is there an agreement regarding physical custody of the children? Yes No

 If yes, what is the physical custody agreement? \_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 h) Is there an agreement regarding parenting time? Yes No

 If yes, what is the parenting time agreement? \_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 i) What are the current parenting time arrangements for the children? \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

3. **INFORMATION REGARDING FINANCES**

a) Is there an agreement regarding financial support (spousal maintenance/child support)? Yes No

If yes, what is the agreement? \_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| b) | Petitioner’s Employer and Address: | Respondent’s Employer and Address |
|  |  |

c) My current gross income is $\_\_\_\_\_\_\_\_\_\_ per month, that I receive from: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

d) How long have you been employed? \_\_\_\_\_\_\_\_\_\_\_\_

 e) Is there an agreement regarding the division of property? Yes No

If yes, what is the agreement?

f) Are you currently receiving any form of public assistance? Yes No (check all that apply)

 [ ]  Cash public assistance (MFIP) [ ]  Food Stamps

 [ ]  Medical Assistance [ ]  General Assistance from State of MN

 [ ]  Minnesota Care [ ]  Social Security Benefits (SSI)

 [ ]  Child Care subsidy [ ]  TEFRA

 [ ]  Diversionary Work Program (DWP) [ ]  Other

g) If you checked any of the above, did you serve the County of Anoka with a copy of your divorce documents, as required? Yes No

4. **COURT ORDER(S) PROHIBITING CONTACT**

 a) Is there an existing court order that applies to you? (check all that apply)

[ ]  Harassment Restraining Order (HRO)

[ ]  Domestic Abuse Order for Protection (OFP)

[ ]  No Contact Order or other court order.

[ ]  Other court order prohibiting contact with the other party: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**If you checked any of the boxes above, you must attach a copy of the Order.**

 b) Have you been or are you now afraid of your spouse? Yes No

If yes, please explain: \_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_

5. **ATTACH COPIES OF THE FOLLOWING DOCUMENTS TO THIS DATA SHEET. DO NOT SEND ORIGINALS:**

 a) Attach the five (5) most recent paystubs from your employment.

b) Attach your most recent Federal Tax Return with all attachments, including W-2s and 1099s as applicable.

c) Attach any unemployment compensation statements, worker’s compensation statements, social security benefits statements, and all other documents evidencing earnings or income received during the last three months, including any public financial assistance in money or in-kind services (grants, heating assistance, rental assistance, etc).

Dated:

 Signature

 Print Name:

 Address:

 City/State/Zip:

 Telephone:

Please send this form to: Family Division

 Anoka County Courthouse

 325 East Main Street

 Anoka, MN 55303

**STATE OF MINNESOTA DISTRICT COURT**

**COUNTY OF ANOKA TENTH JUDICIAL DISTRICT**

In Re the Marriage of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, **INITIAL CASE MANAGEMENT**

 Petitioner, **CONFERENCE ORDER FOR**

and **EARLY NEUTRAL EVALUATION (ENE) (Appendix W)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Respondent. Court File No.: \_\_\_\_\_\_\_\_\_\_

 The above-entitled matter, blocked to the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, came before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Judge of District Court, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, pursuant to a Notice and Order Setting Initial Case Management Conference. Appearances were as follows:

[ ]  Petitioner [ ]  , Attorney for Petitioner

[ ]  Respondent [ ]  , Attorney for Respondent

[ ]  [ ]

The Minnesota Supreme Court, by its Order dated April 23, 2004, authorized the Tenth Judicial District to implement early case management programs designed to expedite resolution of litigation and peacefully resolve disputes. The Tenth Judicial District has implemented a voluntary program involving Early Neutral Evaluation consistent with the Minnesota Supreme Court’s Order.

The court, upon reviewing the files and proceedings herein, and upon hearing the oral stipulation presented and being fully advised, does hereby make the following:

**ORDER**

[ ]  1. The parties agreed to a temporary resolution of issues at this Initial Case Management Conference. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Attorney at Law, shall prepare and submit a written Stipulation and Temporary Order within \_\_\_\_\_\_\_\_\_\_\_ days from the date of this Order.

[ ]  2. The parties shall submit to Custody and Parenting Time Early Neutral Evaluation (CPENE) with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and telephone) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and telephone), the custody and parenting time neutral evaluators, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), at \_\_\_\_\_\_\_\_ (time), at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (location) to evaluate the following issues:

[ ]  a. Legal custody

[ ]  b. Physical custody

[ ]  c. Parenting Time

[ ]  d. Other:

[ ]  e. Other:

[ ]  3. The parties shall submit to Financial Early Neutral Evaluation (FENE) with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and telephone), a financial neutral evaluator, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), at \_\_\_\_\_\_\_\_\_\_\_\_ (time), at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (location) to evaluate the following issues:

 [ ]  a. Child support

 [ ]  b. Spousal maintenance

 [ ]  c. Qualified and non-qualified plan assets

 [ ]  d. Antenuptial agreement

 [ ]  e. Property division

 [ ]  f. Valuation of marital property

 [ ]  g. Determination of non-marital property

 [ ]  h. Home occupancy

 [ ]  i. Allocation of debt:

 [ ]  j. Other:

[ ]  4. No later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the parties shall provide to each other a letter requesting relevant information and documents they need to resolve this case. The requested information and documents shall be provided to the requesting party no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ]  5. FEES:

a. CPENE – Petitioner shall pay \_\_\_\_\_\_\_\_\_ for the initial 4-hour session and shall pay \_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 4-hour session. Respondent shall pay \_\_\_\_\_\_\_\_\_\_\_ for each initial 4-hour session and shall pay \_\_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 4-hour session.

b. FENE – Petitioner shall pay \_\_\_\_\_\_\_\_\_\_ for the initial 3-hour session and shall pay \_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 3-hour session. Respondent shall pay \_\_\_\_\_\_\_\_\_ for each initial 3-hour session and shall pay \_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 3-hour session.

c. Fees for each initial evaluation session shall be paid at the initial evaluation session, prior to the commencement of the evaluation. Fees for additional evaluator hours shall be paid at the conclusion of each session. Payment shall be made before the session unless other arrangements have been made. Payment must be made with cash, certified funds or credit card if credit cards are accepted by the neutral. CHECKS WILL NOT BE ACCEPTED.

[ ]  6. \_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_

[ ]  7. \_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_

**STANDARD PROVISIONS**

8. **No motions shall be scheduled, served or filed until after completion of the Early Neutral Evaluation Process.**

9. **No formal discovery shall be initiated by either party until after completion of the Early Neutral Evaluation Process.** Except as requested by the Early Neutral Evaluator(s), discovery is suspended pending completion of the Early Neutral Evaluation process.

10. Failure to attend CPENE and/or FENE as agreed to between the parties and ordered by this Court will result in sanctions including, but not limited to, termination from the Early Neutral Evaluation process and payment for the full cost of the missed ENE session.

11. The parties shall provide the Early Neutral Evaluator(s) with a copy of the Petition for Dissolution and Answer, if any, and their ICMC Data Sheets plus attachments prior to the initial meeting with the Early Neutral Evaluator(s). The parties shall cooperate with the evaluator and shall provide necessary releases in the form requested by the Early Neutral Evaluator(s). The Early Neutral Evaluator(s) shall have the authority to request additional information and the parties shall cooperate with the request(s).

12. The Early Neutral Evaluator(s) shall confer with parties and counsel and complete the evaluation no later than thirty (30) days from the Initial Case Management Conference.

13. The Early Neutral Evaluator(s) shall contact the Court in writing within **five (5)** days of the Early Neutral Evaluation session to advise whether or not the parties have a full or partial settlement or to request an extension of time to complete the evaluation. If a full or partial agreement has been reached, a written memorandum of understanding shall be attached to the writing submitted to the court. If one or both parties are represented by an attorney, a written proposed Stipulation and Order shall be submitted to the Court within **fourteen (14)** days of the Early Neutral Evaluation session.

14. Evidence produced during the Early Neutral Evaluation process that is not otherwise discoverable shall remain confidential. Impressions or opinions made by the Early Neutral Evaluator(s) or any other neutral or expert who participates in the process shall remain confidential.

15. The attached Anoka County Family Court Early Neutral Evaluation Program Description is incorporated and made a part of this order.

16. Unless agreed to in writing by the parties with the assistance of their attorneys, both parties are restrained from transferring, encumbering, concealing, or disposing of marital property or assets except in the usual course of business or for the necessities of life. Each party is accountable to the Court for all such transfers, encumbrances, dispositions, and expenditures made after the date of this Order.

17. If at any time prior to the initial ENE session, the Court grants to either party In Forma Pauperis Status (IFP) for this proceeding, that party’s fee for each initial session shall be automatically modified to $0.00 and the fee for any additional evaluation time that is necessary after the initial session shall be $75.00 per hour.

18. All other orders not modified herein shall remain in full force and effect.

 BY THE COURT:

Dated:

 Judge of the District Court

**Admission of Service**

[ ]  Petitioner (I admit service )

[ ]  Copy for Petitioner’s attorney

[ ]  Respondent (I admit service )

[ ]  Copy for Respondent's attorney

[ ]  Copy for County Attorney's file

[ ]  Copy for the Office of the Anoka County Guardian ad Litem

[ ]  Other:

[ ]  Other:

**ANOKA COUNTY FAMILY COURT EARLY NEUTRAL EVALUATION**

**PROGRAM DESCRIPTION (Attachment to Order)**

Early Neutral Evaluation (ENE) is a confidential, voluntary evaluative process designed to facilitate prompt dispute resolution in custody, parenting time (visitation), and financial matters. The program offers the evaluative impressions of experienced professionals to parties engaged in custody, parenting time, and financial disputes. Feedback is provided to parties and their attorneys based on case presentations and a limited amount of information gathering. The ENE process is typically completed within one month. A party may choose to end the ENE session at any time.

1. For Custody and Parenting Time ENE (CPENE), there are two neutral evaluators assigned to the case, one male evaluator and one female evaluator.

2. For Financial ENE (FENE), there is one neutral evaluator assigned to the case.

3. There is a cost for participating in Early Neutral Evaluation. Each person pays a fee and the amount of the fee is determined by his or her income. The initial session has a set fee with any additional sessions charged by the hour. If a person has no or little income or receives cash public assistance, the court may determine that the person does not have to pay a fee to participate in the initial session.

4. Attorneys and parties meet with the ENE neutral(s) within 7 -10 days after a court referral to ENE. Each attorney or pro se party is asked to present the important issues in the case. Unless it is necessary to gather additional information, the ENE team provides immediate feedback about each party’s case. Settlement possibilities are discussed and areas needing further scrutiny are identified.

5. The ENE neutral(s) may gather additional information as necessary and may interview parties, interview child(ren), or gather limited collateral data.

6. The attorneys and parties may need additional sessions to complete the ENE process. Settlement options for full and partial agreements are discussed. If the case does not settle, the neutral(s) identifies critical issues that may need additional study.

7. If a full or partial settlement is reached, a copy of the agreement is sent to the judge. If a full agreement is not reached, a report is made to the judge by the ENE neutral(s) regarding partial agreements that have been reached. The report will be written. The ENE neutral(s) may not be called as a witness with respect to the information obtained or the recommendations made during the ENE process.

8. In addition to reporting full and partial settlements, the ENE neutral(s) may communicate with the judge for the limited purpose of facilitating case management. For example, if one fact issue stands in the way of settlement, such as a chemical health issue, the ENE neutral(s) may report the disputed issue to the judge for case management purposes. Armed with such information, the judge may opt for a chemical health assessment rather than a full-fledged custody evaluation.

9. If the case does not settle, a scheduling order is issued.

**STATE OF MINNESOTA DISTRICT COURT**

**COUNTY OF ANOKA TENTH JUDICIAL DISTRICT**

In Re the Marriage of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, **INITIAL CASE MANAGEMENT**

 Petitioner, **CONFERENCE ORDER FOR ENE,**

and **STIPULATION AND TEMPORARY ORDER (Appendix X)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Court File No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Respondent.

 The above-entitled matter, blocked to the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, came before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Judge of District Court, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, pursuant to a Notice and Order Setting Initial Case Management Conference. Appearances were as follows:

[ ]  Petitioner [ ]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Attorney for Petitioner

[ ]  Respondent [ ]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Attorney for Respondent

[ ]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [ ]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

There is / is not currently a court order prohibiting contact between the parties in place.

The Minnesota Supreme Court, by its Order dated April 23, 2004, authorized the Tenth Judicial District to implement early case management programs designed to expedite resolution of litigation and peacefully resolve disputes. The Tenth Judicial District has implemented a voluntary program involving Early Neutral Evaluation consistent with the Minnesota Supreme Court’s Order.

The court, upon reviewing the files and proceedings herein and upon hearing any agreement reached by the parties, does hereby make the following:

# ORDER

IT IS SO ORDERED:

[ ]  1. The parties shall submit to Custody and Parenting Time Early Neutral Evaluation (CPENE) with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name and telephone) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name and telephone), the custody and parenting time neutral evaluators, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(date), at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(time), at\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (location) to evaluate the following issues:

 [ ]  a. Legal custody

 [ ]  b. Physical custody

 [ ]  c. Parenting Time

 [ ]  d. Other:

 [ ]  e. Other:

[ ]  2. The parties shall submit to Financial Early Neutral Evaluation (FENE) with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and telephone), a financial neutral evaluator, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(date), at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(time), at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(location) to evaluate the following issues:

 [ ]  a. Child support

 [ ]  b. Spousal maintenance

 [ ]  c. Qualified and non-qualified plan assets

 [ ]  d. Antenuptial agreement

 [ ]  e. Property division

 [ ]  f. Valuation of marital property

 [ ]  g. Determination of non-marital property

 [ ]  h. Home occupancy

 [ ]  i. Division of debt: \_\_\_\_\_\_\_\_\_\_\_\_

 [ ]  j. Other: \_\_\_\_\_\_\_\_\_\_\_\_

The parties shall provide the Financial Early Neutral Evaluator with a copy of the Petition for Dissolution and Answer, if any, and their ICMC Data Sheets plus attachments prior to the initial meeting with the Financial Early Neutral Evaluator.

[ ]  3. This is a court order requiring Early Neutral Evaluation. A failure to appear as scheduled will result in a return to court and sanctions including, but not limited to, termination of the Early Neutral Evaluation process and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. No later than\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the parties shall provide to each other a letter requesting relevant information and documents they need to resolve this case. The requested information and documents shall be provided to the requesting party no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ]  5. FEES:

a. CPENE – Petitioner shall pay \_\_\_\_\_\_\_\_\_ for the initial 4-hour session and shall pay \_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 4-hour session. Respondent shall pay \_\_\_\_\_\_\_\_\_\_\_ for each initial 4-hour session and shall pay \_\_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 4-hour session.

b. FENE – Petitioner shall pay \_\_\_\_\_\_\_\_\_\_ for the initial 3-hour session and shall pay \_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 3-hour session. Respondent shall pay \_\_\_\_\_\_\_\_\_ for each initial 3-hour session and shall pay \_\_\_\_\_\_\_\_\_\_ per hour for any additional time that is necessary after the initial 3-hour session.

c. Fees for each initial evaluation session shall be paid at the initial evaluation session, prior to the commencement of the evaluation. Fees for additional evaluator hours shall be paid at the conclusion of each session. Payment shall be made before the session unless other arrangements have been made. Payment must be made with cash, certified funds or credit card if credit cards are accepted by the neutral. CHECKS WILL NOT BE ACCEPTED.

[ ]  6. The services of any expert shall be disclosed no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Any necessary intake and testing shall be completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the evaluation shall be completed, with copies to the Court, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ]  7. Prior to the filing of any motions, the parties shall contact the clerk to schedule a telephone conference with the Court.

[ ]  8. The parties agree to custody as follows:

[ ]  Joint Legal - permanent / temporary (circle one)

[ ]  Sole Legal to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - permanent / temporary (circle one)

[ ]  Joint Physical - permanent / temporary (circle one)

[ ]  Sole Physical to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - permanent / temporary (circle one)

[ ]  Other: \_\_\_\_\_\_\_\_\_\_\_\_

[ ]  9. Until the parties reach an agreement at Early Neutral Evaluation or until further court order, the parties shall follow these parenting time arrangements: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  10. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is awarded temporary occupancy of the parties’ homestead and shall be responsible for the principal, interest, taxes, and insurance (PITI).

[ ]  11. The parties are awarded temporary possession of the vehicles they currently drive and \_\_\_\_\_\_\_\_\_\_\_ shall maintain the automobile insurance until further order of the Court.

[ ]  12. Beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay temporary spousal maintenance of $\_\_\_\_\_\_\_\_\_\_ per month.

[ ]  13. Beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay temporary basic support of $\_\_\_\_\_\_\_\_\_\_\_ per month.

[ ]  14. Beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Petitioner shall:

[ ]  a. Enroll or continue to enroll the minor child in dependent medical and dental health care coverage available through his or her employer or union or purchased in the private market.

[ ]  b. Pay $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as temporary medical support.

[ ]  c. Pay \_\_\_\_\_\_\_% of the child’s unreimbursed and uninsured health-related expenses.

[ ]  15. Beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Respondent shall:

[ ]  a. Enroll or continue to enroll the minor child in dependent medical and dental health care coverage available through his or her employer or union or purchased in the private market.

[ ]  b. Pay $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as temporary medical support.

[ ]  c. Pay \_\_\_\_\_\_\_% of the child’s unreimbursed and uninsured health-related expenses.

[ ]  16. Beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_, Petitioner/Respondent shall pay $\_\_\_\_\_\_\_\_\_\_ per month as temporary child care support.

[ ]  17. Each party shall continue to pay the joint and individual debts they have been responsible for during the marriage and since the commencement of this proceeding as follows:

Petitioner shall pay: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondent shall pay:

[ ]  18. Neither party shall seek, accept, or secure credit in the name of the other, and each party shall be responsible for the debts they incur as of this date.

[ ]  19. Both parties are restrained from harassing, vilifying, mistreating, molesting, disturbing the peace, or restraining the liberty of the other party or the children of the parties. Violation of any portion of this paragraph shall be a misdemeanor punishable by imprisonment up to 90 days or $1,000.00 fine or both.

[ ]  20. Neither party shall make disparaging remarks about each other in front of the child, question the child regarding the personal activities of any other party, discuss these legal proceedings with the child except to answer questions asked by the child in a fair and impartial manner, or attempt to influence the child to take sides.

[ ]  21. The parties are required to attend a co-parenting class within sixty (60) days and shall cooperate fully with Court Services.

[ ]  22. The attached APPENDIX A is incorporated and made a part of this order.

[ ]  23.

[ ]  24. \_\_\_\_\_\_\_\_\_\_\_\_

**STANDARD PROVISIONS**

25. **No motions shall be scheduled, served or filed until after completion of the Early Neutral Evaluation Process.**

26. **No formal discovery shall be initiated by either party until after completion of the Early Neutral Evaluation Process.** Except as requested by the Early Neutral Evaluator(s), discovery is suspended pending completion of the Early Neutral Evaluation process.

27. Failure to attend CPENE and/or FENE as agreed to between the parties and ordered by this Court will result in sanctions including, but not limited to, termination from the Early Neutral Evaluation process and payment for the full cost of the missed ENE session.

28. The parties shall provide the Early Neutral Evaluator(s) with a copy of the Petition for Dissolution and Answer, if any, and their ICMC Data Sheets plus attachments prior to the initial meeting with the Early Neutral Evaluator(s). The parties shall cooperate with the evaluator and shall provide necessary releases in the form requested by the Early Neutral Evaluator(s). The Early Neutral Evaluator(s) shall have the authority to request additional information and the parties shall cooperate with the request(s).

29. The Early Neutral Evaluator(s) shall confer with parties and counsel and complete the evaluation no later than thirty (30) days from the Initial Case Management Conference.

30. The Early Neutral Evaluator(s) shall contact the Court in writing within **five (5)** days of the Early Neutral Evaluation session to advise whether or not the parties have a full or partial settlement or to request an extension of time to complete the evaluation. If a full or partial agreement has been reached, a written memorandum of understanding shall be attached to the writing submitted to the court. If one or both parties are represented by an attorney, a written proposed Stipulation and Order shall be submitted to the Court within **fourteen (14)** days of the Early Neutral Evaluation session.

31. Evidence produced during the Early Neutral Evaluation process that is not otherwise discoverable shall remain confidential. Impressions or opinions made by the Early Neutral Evaluator(s) or any other neutral or expert who participates in the process shall remain confidential.

32. The attached Anoka County Family Court Early Neutral Evaluation Program Description is incorporated and made a part of this order.

33. Unless agreed to in writing by the parties with the assistance of their attorneys, both parties are restrained from transferring, encumbering, concealing, or disposing of marital property or assets except in the usual course of business or for the necessities of life. Each party is accountable to the Court for all such transfers, encumbrances, dispositions, and expenditures made after the date of this Order.

34. If at any time prior to the initial ENE session, the Court grants to either party In Forma Pauperis Status (IFP) for this proceeding, that party’s fee for each initial session shall be automatically modified to $0.00 and the fee for any additional evaluation time that is necessary after the initial session shall be $75.00 per hour.

35. All other orders not modified herein shall remain in full force and effect.

 BY THE COURT:

Dated:

 Judge of District Court

Admission of Service

[ ]  Petitioner (I admit service )

[ ]  Copy for Petitioner’s attorney

[ ]  Respondent (I admit service )

[ ]  Copy for Respondent's attorney

[ ]  Copy for County Attorney's file

[ ]  Copy for the Office of the Anoka County Guardian ad Litem

[ ]  Other:

[ ]  Other:

**ANOKA COUNTY FAMILY COURT EARLY NEUTRAL EVALUATION**

**PROGRAM DESCRIPTION (Attachment to Order)**

Early Neutral Evaluation (ENE) is a confidential, voluntary evaluative process designed to facilitate prompt dispute resolution in custody, parenting time (visitation), and financial matters. The program offers the evaluative impressions of experienced professionals to parties engaged in custody, parenting time, and financial disputes. Feedback is provided to parties and their attorneys based on case presentations and a limited amount of information gathering. The ENE process is typically completed within one month. A party may choose to end the ENE session at any time.

1. For Custody and Parenting Time ENE (CPENE), there are two neutral evaluators assigned to the case, one male evaluator and one female evaluator.

2. For Financial ENE (FENE), there is one neutral evaluator assigned to the case.

3. There is a cost for participating in Early Neutral Evaluation. Each person pays a fee and the amount of the fee is determined by his or her income. The initial session has a set fee with any additional sessions charged by the hour. If a person has no or little income or receives cash public assistance, the court may determine that the person does not have to pay a fee to participate in the initial session.

4. Attorneys and parties meet with the ENE neutral(s) within 7 -10 days after a court referral to ENE. Each attorney or pro se party is asked to present the important issues in the case. Unless it is necessary to gather additional information, the ENE team provides immediate feedback about each party’s case. Settlement possibilities are discussed and areas needing further scrutiny are identified.

5. The ENE neutral(s) may gather additional information as necessary and may interview parties, interview child(ren), or gather limited collateral data.

6. The attorneys and parties may need additional sessions to complete the ENE process. Settlement options for full and partial agreements are discussed. If the case does not settle, the neutral(s) identifies critical issues that may need additional study.

7. If a full or partial settlement is reached, a copy of the agreement is sent to the judge. If a full agreement is not reached, a report is made to the judge by the ENE neutral(s) regarding partial agreements that have been reached. The report will be written. The ENE neutral(s) may not be called as a witness with respect to the information obtained or the recommendations made during the ENE process.

 In addition to reporting full and partial settlements, the ENE neutral(s) may communicate with the judge for the limited purpose of facilitating case management. For example, if one fact issue stands in the way of settlement, such as a chemical health issue, the ENE neutral(s) may report the disputed issue to the judge for case management purposes. Armed with such information, the judge may opt for a chemical health assessment rather than a full-fledged custody evaluation.

8. If the case does not settle, a scheduling order is issued.

**STATE OF MINNESOTA DISTRICT COURT**

**COUNTY OF ANOKA TENTH JUDICIAL DISTRICT**

In Re the Marriage of:

 ,

 **ORDER ASSIGNING EVALUATOR**

 Petitioner, **FOR EARLY NEUTRAL EVALUATION (Appendix Y)**

and

 ,

 Court File No.: \_\_\_\_\_\_\_\_\_\_

 Respondent.

 The above-entitled matter came before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Judge of District Court, without hearing, upon the request of the Early Neutral Evaluation Program Coordinator.

Based on unavailability of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to serve as an evaluator in this matter, it is necessary for a substitute evaluator to be assigned.

**ORDER**

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is hereby assigned to serve as an evaluator in this matter. The Early Neutral Evaluation shall be held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ may be reached at \_\_\_\_\_\_\_\_\_\_. The additional evaluator shall be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. All other Orders not modified herein shall remain in full force and effect.

 BY THE COURT:

Dated:

 Judge of District Court

**STATE OF MINNESOTA DISTRICT COURT**

**COUNTY OF ANOKA TENTH JUDICIAL DISTRICT**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 **ORDER REFERRING**

 Petitioner, **TO COURT SERVICES (Appendix Z)**

and

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 Court File No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Respondent.

1. The parties are referred to Anoka County Court Services for the services noted below. Both parties shall immediately report to Anoka County Corrections, Room C100, directly after court or call (763) 323-5830. Failure to report or comply with all terms of this order will be considered contempt of this Order.

[ ]  Custody Evaluation

[ ]  Joint Physical Custody Assessment

[ ]  Split Physical Custody Assessment

1. Both parties shall cooperate with Court Services in all respects, including submission to psychological testing, chemical dependency assessments, random chemical testing or any other assessment requested, and both parties shall sign the necessary releases of information.
2. Within ninety (90) days of commencement of a custody evaluation, each party shall pay a fee for the evaluation as assessed by Court Services, unless that party is receiving public assistance, legal aid from a qualified legal services program, or has an annual income below the poverty level. Note: These fees are only for custody evaluations and not for any other assessment.
3. Within ninety (90) days, both parties shall complete a co-parenting program. The parties shall provide Court Services with written proof of completion of such program to verify compliance with this Order. If the parties have not been provided program information by the Court, Court Services will provide the information upon request. A co-parenting program is an educational seminar designed to assist parents in minimizing the negative impact of divorce or separation and recognizing that their parental roles continue throughout the lives of their child(ren).

 BY THE COURT:

Dated:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge of the District Court