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Standards for Professional and Nonprofessional Parenting Time Supervisors in Family Court Proceedings

Preamble

[Minn. Stat. § 518.175, subd. 1\(a\)](#), authorizes judicial officers to order parenting time. It also provides that “[i]f the court finds, after a hearing, that parenting time with a parent is likely to endanger the child’s physical or emotional health or impair the child’s emotional development, the court shall restrict parenting time with that parent as to time, place, duration, or supervision and may deny parenting time entirely, as the circumstances warrant.”

[Minn. Stat. § 518.175, subd. 1a\(b\)](#), states that “[t]he state court administrator, in consultation with representatives of parents and other interested persons, shall develop standards to be met by persons who are responsible for supervising parenting time. Either parent may challenge the appropriateness of an individual chosen by the court to supervise parenting time.” The standards are applicable only in family court proceedings.¹

Supervisor Role and Responsibilities; Qualifications

A. Role and Responsibility

In each case, the role and responsibility of the parenting time supervisor are left to the discretion of the judicial officer. When appointing a parenting time supervisor, the judicial officer is encouraged to consider including the following language in the order:

1. The role of the supervisor is to:
 - Promote the safety and welfare of the child; and
 - Help children have safe parental contact consistent with the court order.
2. The supervisor should not act as an investigator or evaluator of the quality of parenting time.

B. Qualifications

The court should not appoint as a parenting time supervisor any individual whom the court knows lacks the age, character, maturity, communication skills, physical ability, or willingness to serve as a parenting time supervisor. If, following appointment, the court becomes aware that an individual lacks any of these qualifications, the court should remove the individual from appointment as a parenting time supervisor. The supervisor should be able to speak the language of the child and supervised parent.

¹ The legislation directing establishment of these standards applies solely to parenting time for parents and legal custodians in family court proceedings (including paternity proceedings), not to visitation in juvenile protection proceedings. At the court’s discretion or upon the parties’ agreement, these standards may be applied to other family court visitation situations (e.g., third-party visitation).