

STATE OF MINNESOTA  
IN SUPREME COURT

C9-85-1134  
CX-89-1863

PROMULGATION OF AMENDMENT TO  
GENERAL RULES OF PRACTICE, RULES  
OF FAMILY COURT, FORM 3, APPENDIX A

**ORDER**

WHEREAS, 1993 Minn.Sess.L., Chapter 322, Sec. 16, requires that every court order for judgment and decree that provides for child support, spousal maintenance, custody, or visitation must contain the attached notice, and

WHEREAS, 1993 Minn.Sess.L., Chapter 322, Sec. 13 amended the notice to be given concerning capital gains on the sale of a principal residence,

NOW, THEREFORE, IT IS HEREBY ORDERED:

The attached Form 3, Appendix A, is hereby adopted, prescribed and promulgated for use in family law matters, effective August 1, 1993.

DATED: July 26, 1993

BY THE COURT:



A.M. Keith  
Chief Justice

OFFICE OF  
APPELLATE COURTS

JUL 26 1993

**FILED**



**V. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE.** CHILD SUPPORT AND / OR SPOUSAL MAINTENANCE MAY BE WITHHELD FROM INCOME, WITH OR WITHOUT NOTICE TO THE PERSON OBLIGATED TO PAY, WHEN THE CONDITIONS OF MINNESOTA STATUTES, SECTIONS 518.611 AND 518.613, HAVE BEEN MET. A COPY OF THOSE SECTIONS IS AVAILABLE FROM ANY COURT ADMINISTRATOR.

**VI. CHANGE OF ADDRESS OR RESIDENCE.** UNLESS OTHERWISE ORDERED, THE PERSON RESPONSIBLE TO MAKE SUPPORT OR MAINTENANCE PAYMENTS SHALL NOTIFY THE PERSON ENTITLED TO RECEIVE THE PAYMENT AND THE PUBLIC AUTHORITY RESPONSIBLE FOR COLLECTION, IF APPLICABLE, OF A CHANGE OF ADDRESS OR RESIDENCE WITHIN 60 DAYS OF THE ADDRESS OR RESIDENCE CHANGE.

**VII. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE.** CHILD SUPPORT AND / OR SPOUSAL MAINTENANCE MAY BE ADJUSTED EVERY TWO YEARS BASED UPON A CHANGE IN THE COST OF LIVING (USING THE U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX MPLS. ST. PAUL, FOR ALL URBAN CONSUMERS (CPI-U), UNLESS OTHERWISE SPECIFIED IN THIS ORDER) WHEN THE CONDITIONS OF MINNESOTA STATUTES, SECTION 518.641, ARE MET. COST OF LIVING INCREASES ARE COMPOUNDED. A COPY OF MINNESOTA STATUTES, SECTION 518.641, AND FORMS NECESSARY TO REQUEST OR CONTEST A COST OF LIVING INCREASE ARE AVAILABLE FROM ANY COURT ADMINISTRATOR.

**VIII. JUDGMENTS FOR UNPAID SUPPORT.** IF A PERSON FAILS TO MAKE A CHILD SUPPORT PAYMENT, THE PAYMENT OWED BECOMES A JUDGMENT AGAINST THE PERSON RESPONSIBLE TO MAKE THE PAYMENT BY OPERATION OF LAW ON OR AFTER THE DATE THE PAYMENT IS DUE, AND THE PERSON ENTITLED TO RECEIVE THE PAYMENT OR THE PUBLIC AGENCY MAY OBTAIN ENTRY AND DOCKETING OF THE JUDGMENT WITHOUT NOTICE TO THE PERSON RESPONSIBLE TO MAKE THE PAYMENT UNDER MINNESOTA STATUTES, SECTION 548.091.

**IX. JUDGMENTS FOR UNPAID MAINTENANCE.** A JUDGMENT FOR UNPAID SPOUSAL MAINTENANCE MAY BE ENTERED WHEN THE CONDITIONS OF MINNESOTA STATUTES, SECTION 548.091, ARE MET. A COPY OF THAT SECTION IS AVAILABLE FROM ANY COURT ADMINISTRATOR.

**X. MEDICAL INSURANCE AND EXPENSES.** THE PERSON RESPONSIBLE TO PAY SUPPORT AND THE PERSON'S EMPLOYER OR UNION ARE ORDERED TO PROVIDE MEDICAL AND DENTAL INSURANCE AND PAY FOR UNCOVERED EXPENSES UNDER THE CONDITIONS OF MINNESOTA STATUTES, SECTION 518.171, UNLESS OTHERWISE PROVIDED IN THIS ORDER OR THE STATUTE. A COPY OF THIS STATUTE IS AVAILABLE FROM ANY COURT ADMINISTRATOR.

**XI. CAPITAL GAIN ON SALE OF PRINCIPAL RESIDENCE.** INCOME TAX LAWS REGARDING THE CAPITAL GAIN TAX MAY APPLY TO THE SALE OF THE PARTIES' PRINCIPAL RESIDENCE AND THE PARTIES MAY WISH TO CONSULT WITH AN ATTORNEY OR TAX ADVISOR CONCERNING THE APPLICABLE LAWS. THESE LAWS MAY INCLUDE, BUT ARE NOT LIMITED TO, THE EXCLUSION AVAILABLE ON THE SALE OF A PRINCIPAL RESIDENCE FOR THOSE OVER A CERTAIN AGE UNDER SECTION 121 OF THE INTERNAL REVENUE CODE OF 1986, OR OTHER APPLICABLE LAW.