

State of Minnesota

District Court

County

Judicial District:	_____
Court File Number:	_____
Case Type:	_____

In Re the Custody of:

Born (mo/day/yr)_____

Born (mo/day/yr)_____

Petitioner

and

Respondent

**Answer and Counterpetition to
Establish Custody and Parenting
Time**

ANSWER

Respondent's Answer to the Petition for Custody and Parenting Time is that:

1. The statements in the Petition in the following paragraphs are **TRUE**:

2. The statements in the Petition in the following paragraphs are **NOT TRUE**:

3. The statements in the Petition in the following paragraphs are **PARTLY TRUE AND PARTLY NOT TRUE**:

4. Respondent does not have information to admit or deny statements in the following paragraphs of the Petition:

COUNTERPETITION

Respondent states that the following information is true:

1. The Petitioner is the father mother.

Petitioner's full name: _____
First Middle Last

Street Address Apt. #

City State Zip Code

2. I am the Respondent. I am the father mother.

Respondent's full name: _____
First Middle Last

Street Address Apt. #

City State Zip Code

3. The names and dates of birth of the minor children involved in this action are:

Child's Full Name *Date of Birth*

First Middle Last Month / Day / Year

First Middle Last Month / Day / Year

4. The children currently live with: Me Other parent Other person

(print full name of other parent or person): _____.

The address of the children is: _____ in the City of

_____, County of _____, State of

_____, zip code _____. The children have lived at this address since

_____ (mo/day/yr).

If children have lived less than six months at the above listed address, list dates and locations of where the children have been living for the last six months: _____

5. Petitioner and Respondent signed a Minnesota Recognition of Parentage for the minor children listed above. The Recognition of Parentage has been filed with the Minnesota Department of Health and is a basis for bringing an action to grant custody, parenting time, and/or child support pursuant to Minn. Stat. § 257.75, subd. 3 (2007). *(check one)*

Petitioner attached a certified copy of the Recognition of Parentage to their *Petition*.

Petitioner stated on their *Petition* that they requested a certified copy from the Minnesota Department of Health and will file it with the court when Petitioner receives it.

I have attached a certified copy of the Recognition of Parentage to this *Answer and Counterpetition*.

6. A court-appointed guardian or custodian has been appointed for the children.

No

Yes – A guardian or custodian has been appointed for the children by court order in Court File No. _____ in the County of _____, State of _____, and the name of the guardian or custodian is _____.

7. Respondent's request for custody:

a. Legal Custody: *Legal custody means having a right to participate in the major decisions regarding the child's life, including education, religious upbringing and medical treatment.*

It is in the child's best interests that legal custody is granted as follows: *(check one)*

Joint legal custody to both parents **OR**

Sole legal custody to Petitioner Respondent

b. Physical Custody: *Physical custody identifies who will handle the routine daily care and control of the child, and who the child will live with.*

It is in the children's best interests that physical custody is granted as follows: *(check one)*

Joint physical custody to both parents **OR**

Sole physical custody to Petitioner Respondent

8. A child protection case involving the children in this case is open: YES NO

If YES, this case is in _____ County in the State of _____,
and the Court File Number is _____. The child protection worker's
name is _____.

9. An *Order for Protection* involving me and the other parent (*print full name*): _____
_____ and/or the children is open:

YES NO

If YES, this case is in _____ County in the State of
_____, and the Court File Number is _____. **If
the order is from another county or state, include a copy of the *Order for Protection* with
this *Answer and Counterpetition* if it was not included with the *Petition*.**

10. Respondent's request for parenting time:

It is in the child's best interests that parenting time be granted as follows:

Grant parenting time to the Petitioner Respondent **OR**

Grant supervised parenting time to the Petitioner Respondent **OR**

Deny parenting time to the Petitioner Respondent

11. Child Support: (*check only one box*)

There is no existing child support order and I am asking the court to establish child support in
accordance with child support guidelines.

There is no existing child support order and I am not asking the court to establish child
support.

There is an existing child support order for the children named in this action, located in the
County of _____, State of _____, Court File
Number _____.

The Respondent requests that the court grant the following relief:

1. I am asking the court to grant legal custody as follows: *(check one)*

Joint legal custody to both parents

OR

Sole legal custody to Petitioner Respondent

2. I am asking the court to grant physical custody as follows: *(check one)*

Joint physical custody to both parents

OR

Sole physical custody to Petitioner Respondent

3. I am asking the court to: *(check one)*

grant parenting time

OR

grant supervised parenting time to Petitioner Respondent

OR

deny parenting time to Petitioner Respondent

4. *Optional – only check this box if asking the court for child support.*

I am asking the court to establish child support according to the child support guidelines. Child support includes basic support, medical support, and child care support.

5. Granting such other and further relief as the court may deem just and equitable.

6. I certify to the court that:

- a. I have read this document. To the best of my knowledge, information and belief the information contained in this document is well grounded in fact and is warranted by existing law.

- b. I have not been determined by any court in Minnesota nor in any other state to be a frivolous litigant and I am not the subject of an Order precluding me from serving or filing this document.
- c. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the court.
- d. I understand that if I am not telling the truth or if I am misleading the court or if I am serving or filing this document for an improper purpose, the court can order me to pay money to the other party, including the reasonable expenses incurred by the other party because of the serving or filing this document, court costs, and reasonable attorney's fees. I understand that I could also be prosecuted for perjury if I am not telling the truth in my Answer and Counter-Petition.

DATE: _____

Respondent's Signature

Street Address

City, State, Zip Code

Telephone

E-mail address