

State of Minnesota

District Court

County of: _____

Court File Number: _____

Judicial District: _____

Case Type: Custody

Petitioner

Co-Petitioner, if any

AND

Respondent Parent A

Respondent Parent B

Respondent Legal Guardian or Custodian, if any

Petition to Establish Third Party Custody (CHC603)

Minn. Stat. ch. 257C

Part 1: Information about Parties (Petitioner, Co-Petitioner, Respondents)

1. Petitioner

a. Your Name and Contact Information:

First Name: _____

Middle Name: _____

Last Name: _____

Street Address: _____

Apartment or Unit Number: _____

City/State/Zip: _____

Telephone: _____

Email: _____ or No email address.

b. Your other names (maiden, former married or another legal name, alias): None, **OR**

c. Your Social Security Number should be listed on Form 11.1 and filed with the Court.

d. Explain your relationship to the children: _____

e. Are you in the military? Yes No

2. Co-Petitioner

If you are the only petitioner, leave this "Co-Petitioner" section blank, and check here:

a. Co-Petitioner's Name and Contact Information:

First Name: _____

Middle Name: _____

Last Name: _____

Street Address: _____

Apartment or Unit Number: _____

City/State/Zip: _____

Telephone: _____

Email: _____ or No email address.

b. Co-Petitioner's other names (maiden, former married or another legal name, alias):

None, OR:

c. Co-Petitioner's Social Security Number:

Co-Petitioner's Social Security Number is listed on Form 11.1 and filed with the Court.

d. Co-Petitioner's relationship to you and to the children:

How is Co-Petitioner related to you? (for example: spouse, sibling, parent, adult child) _____

How is Co-Petitioner related to the children? _____

e. Is Co-Petitioner in the military? Yes No

3. Respondent Parent A

a. Parent A's Name and Contact Information:

First Name: _____

Middle Name: _____

Last Name: _____

Street Address: _____

Apartment or Unit Number: _____

City/State/Zip: _____

Telephone: _____

Email: _____ or No email address.

b. Parent A's other names (maiden, former married or another legal name, alias):

OR Unknown **OR** None

c. Parent A's Social Security Number:

Parent A's Social Security Number is listed on Form 11.1 and filed with the Court.

Petitioner does not know Parent A's Social Security Number.

d. How is Parent A related to the children?

Biological mother. Biological father. Adoptive parent.

Other (Explain): _____

e. Is Parent A in the military? Yes. No. Unknown.

f. Is Parent A a member of, or eligible for membership in, an Indian tribe?

Yes. Names of Tribes: _____

No.

Unknown.

4. Respondent Parent B

a. Parent B's Name and Contact Information:

First Name: _____

Middle Name: _____

Last Name: _____

Street Address: _____

Apartment or Unit Number: _____

City/State/Zip: _____

Telephone: _____

Email: _____ or No email address.

b. Parent B's other names (maiden, former married or another legal name, alias):

OR Unknown **OR** None

- c. Parent B's Social Security Number:
 Parent B's Social Security Number is listed on Form 11.1 and filed with the Court.
 Petitioner does not know Parent B's Social Security Number.
- d. How is Parent B related to the children?
 Biological mother. Biological father. Adoptive parent.
 Other (Explain): _____.
- e. Is Parent B in the military? Yes. No. Unknown.
- f. Is Parent B a member of, or eligible for membership in, an Indian tribe?
 Yes. Names of Tribes: _____
 No.
 Unknown.

5. Respondent Legal Guardian or Custodian

If there is no Legal Guardian or Custodian, leave this section blank, and check here:

- a. Legal Guardian or Custodian's Name and Contact Information:

First Name: _____

Middle Name: _____

Last Name: _____

Street Address: _____

Apartment or Unit Number: _____

City/State/Zip: _____

Telephone: _____

Email: _____ or No email address.

- b. Legal Guardian or Custodian's other names (maiden, former married or another legal name, alias):

OR Unknown **OR** None

- c. Legal Guardian or Custodian's Social Security Number:
 Legal Guardian or Custodian's Social Security Number is listed on Form 11.1 and filed with the Court.
 Petitioner does not know Legal Guardian or Custodian's Social Security Number.

- d. Describe the relationship between the Legal Guardian or Custodian and the children:

- e. Is the Legal Guardian or Custodian in the military? Yes. No. Unknown.

- f. Is the Legal Guardian or Custodian a member of, or eligible for membership in, an Indian tribe?
- Yes. Names of Tribes: _____
- No.
- Unknown.

Part 2: Information about the Children

6. List each child's full name, age, and date of birth:

→ There is space to list 4 children. If this third-party custody case involves more than 4 children, add more paper.

Child 1

First Name: _____
Middle Name: _____
Last Name: _____
Age: _____ Date of Birth: _____

Child 2

First Name: _____
Middle Name: _____
Last Name: _____
Age: _____ Date of Birth: _____

Child 3

First Name: _____
Middle Name: _____
Last Name: _____
Age: _____ Date of Birth: _____

Child 4

First Name: _____
Middle Name: _____
Last Name: _____
Age: _____ Date of Birth: _____

7. **Other Court Cases.** Are you aware of any other court cases involving the parties (such as child support, dissolution/divorce, custody, paternity, juvenile, child protection, harassment restraining order/HRO, order for protection/OFP, or other no-contact order)?
- Yes No

If Yes, list the following information (if known):

Type of Court Case: _____

Court File Number: _____

County and State: _____

Information about the Case: _____

8. **Current Custody of the Children.** Who currently has custody of the children?

→ List who has legal and physical custody of each child, to the best of your knowledge. If you know there is a court order for custody, include as much detail as you can.

Child 1

Child's Name: _____

Who has legal custody? _____

Who has physical custody? _____

Court File Number and State, if there is a court case: _____

Details: _____

Child 2

Child's Name: _____

Who has legal custody? _____

Who has physical custody? _____

Court File Number and State, if there is a court case: _____

Details: _____

Child 3

Child's Name: _____

Who has legal custody? _____

Who has physical custody? _____

Court File Number and State, if there is a court case: _____

Details: _____

Child 4

Child's Name: _____

Who has legal custody? _____

Who has physical custody? _____

Court File Number and State, if there is a court case: _____

Details: _____

9. Length of Time in Minnesota. How long has each child lived in Minnesota?

Child 1

Child's Name: _____

Number of Years or Months the Child Has Lived in Minnesota: _____

Child 2

Child's Name: _____

Number of Years or Months the Child Has Lived in Minnesota: _____

Child 3

Child's Name: _____

Number of Years or Months the Child Has Lived in Minnesota: _____

Child 4

Child's Name: _____

Number of Years or Months the Child Has Lived in Minnesota: _____

10. Information about Time the Children May Have Lived with Petitioner. Have any of the children ever lived with you (the Petitioner)? Yes No

If Yes:

- List the child's full name;
- List the number of years or months the child has lived with you; and
- Explain how and why the child came to live with you.

OR Does not apply because the children have never lived with you.

11. **Siblings.** Does the child you want custody of have any siblings (brothers or sisters) who are not part of this case? Yes No

If Yes:

- List each sibling’s full name;
- List who each sibling lives with; and
- Describe how that sibling is related to the person they live with.

→ The first line in the chart below is filled out as an example.

Sibling’s Full Name	Who Sibling Lives With	That Person’s Relationship to the Sibling
Example: John David Doe	Mary Smith	Aunt (Mother’s sister)

Part 3: Indian Child Welfare Act (ICWA) and Minnesota Indian Family Preservation Act (MIFPA)

- Two of the things that Minnesota court rules require in the *Petition* are:
- A statement as to whether the child is or may be an Indian child; and
 - A description of “the due diligence used to determine whether the child is an Indian child. Minn. Gen. R. Prac. 315.

→ An “Indian child” is defined as an unmarried person who is under age eighteen and is: (1) a member of an Indian tribe; or (2) is eligible for membership in an Indian tribe. Minn. Stat. § 260.755, subd. 8.

12. ICWA and MIFPA

- a. Tell whether each child is an Indian child. If the answer is Yes, list the names of the Tribes.

Child 1

Child's Name: _____

Is this child an Indian child?

- Yes. Name of tribes: _____
- No.
- Unknown.

Child 2

Child's Name: _____

Is this child an Indian child?

- Yes. Name of tribes: _____
- No.
- Unknown.

Child 3

Child's Name: _____

Is this child an Indian child?

- Yes. Name of tribes: _____
- No.
- Unknown.

Child 4

Child's Name: _____

Is this child an Indian child?

- Yes. Name of tribes: _____
- No.
- Unknown.

b. Describe what you did to determine whether each child is or may be an Indian child.

Part 4: Paternity

13. How do you believe paternity of the children has been established?

→ Check all that apply:

a. **Court Order**

There is a court order in the State of _____ that says
Parent _____ (A or B) is the father of the following children:

b. **Minnesota Recognition of Parentage (ROP)**

The Respondent Parents (A and B) signed a Minnesota Recognition of Parentage (ROP) for the following children: _____

_____, **AND** each
ROP was filed with the Minnesota Department of Health (this is usually done at
the hospital or at a county office).

c. **Voluntary Acknowledgment of Paternity or Parentage (VAP) in another state**

The VAP is like the Minnesota ROP, but for a different state.

The Respondent Parents (A and B) signed a (VAP) in a state other than
Minnesota for the following children: _____

_____,
AND each VAP was filed in the following state: _____

d. **Other reasons that Respondent Parent _____ (A or B) is presumed to be the father of the children:**

→ Check all that apply:

The Respondent Parents (A and B) were married with the following children
were born: _____

The following children were born within 280 days after Respondent Parents (A
and B) were divorced (or after the marriage of the Respondent Parents ended
by death, annulment, declaration of invalidity, or after a decree of legal
separation was entered by a court): _____

Respondent Parent _____ (A or B) received the following children into his home, and openly holds them out as his biological children: _____

Genetic testing was done, and it shows that Respondent Parent _____ (A or B) is likely to be the father of the following children: _____

Petitioner believes that Respondent Parent _____ (A or B) is likely to be the father of the following children:

because: _____

Other: _____

Part 5: Jurisdiction – De Facto Custodian or Interested Third Party

→ A person may have the standing to ask for custody of another person’s child as a **De Facto Custodian** or as an **Interested Third Party**.

→ **You may not choose both.** If you are not sure which to choose, look at the *Instructions* (CHC601) for more information. You may need legal advice.

14. Are you asking for custody of the children as a **De Facto Custodian**? Yes No

If **Yes**, give the following information:

- Child’s name and age;
- Total number of months (out of the last 24 months) that you have been the child’s primary caretaker. The months do not have to be sequential (in a row).

Child 1

Child’s Name: _____ Age: _____

Number of Months (out of the last 24) that you have been the child’s primary caretaker:

During the time that the child lived with you, did either parent also live with you?

Yes No

Has either parent been active in the child's life on a regular basis while the child lived with you? Yes No

Child 2

Child's Name: _____ Age: _____

Number of Months (out of the last 24) that you have been the child's primary caretaker:

During the time that the child lived with you, did either parent also live with you?

Yes No

Has either parent been active in the child's life on a regular basis while the child lived with you? Yes No

Child 3

Child's Name: _____ Age: _____

Number of Months (out of the last 24) that you have been the child's primary caretaker:

During the time that the child lived with you, did either parent also live with you?

Yes No

Has either parent been active in the child's life on a regular basis while the child lived with you? Yes No

Child 4

Child's Name: _____ Age: _____

Number of Months (out of the last 24) that you have been the child's primary caretaker:

During the time that the child lived with you, did either parent also live with you?

Yes No

Has either parent been active in the child's life on a regular basis while the child lived with you? Yes No

15. Are you asking for custody of the children as an **Interested Third Party**? Yes No

If **Yes**, check all that apply:

Petitioner does not qualify as a De Facto Custodian.

- The parents have abandoned, neglected, or otherwise shown a disregard for the children’s wellbeing **AND** the children would be harmed by living with **either** parent because: _____

- The children are in physical or emotional danger if they live with either parent because:

- There are other grave and weighty reasons (very important reasons) that make it necessary for the children to live with you. Explain these reasons:

Part 6: Respondents’ Involvement with, and Others Who Have Provided Care for, the Children

16. Respondent Parent A’s Involvement with the Children

- a. Parent A’s parenting time until now:
 How often and under what circumstances (where and how) has Parent A seen the children? _____

- b. Has Parent A committed acts of domestic violence (physical or emotional abuse) or neglect against the children? Yes No Unknown
- c. Is there a Court Order that says Parent A cannot have custody of the children (for example, an Order for Protection or Child Protection Order)?
 Yes No Unknown
 If **Yes**, give the following information:
 Date of Court Order: _____
 Court File Number: _____

County and state where order was issued: _____

Name of person court gave custody to: _____

Were conditions set in the court order for custody to be returned to Parent A?

Yes No Unknown

If **Yes**, did Parent A follow the conditions? Yes No Unknown

17. Respondent Parent B's Involvement with the Children

a. Parent B's parenting time until now:

How often and under what circumstances (where and how) has Parent B seen the children? _____

b. Has Parent B committed acts of domestic violence (physical or emotional abuse) or neglect against the children? Yes No Unknown

c. Is there a Court Order that says Parent B cannot have custody of the children (for example, an Order for Protection or Child Protection Order)?

Yes No Unknown

If **Yes**, give the following information:

Date of Court Order: _____

Court File Number: _____

County and state where order was issued: _____

Name of person court gave custody to: _____

Were conditions set in the court order for custody to be returned to Parent B?

Yes No Unknown

If **Yes**, did Parent B follow the conditions? Yes No Unknown

- A "standby custodian" is a person officially named by a parent to care for the child if something happens to that parent.

18. Has a **Standby Custodian** been named by either parent? Yes No Unknown

If **Yes**:

- a. Who named the Standby Custodian? (check all that apply)
 Parent A Parent B Legal Guardian or Other Custodian
- b. What is the Standby Custodian's name? _____
- c. How is the Standby Custodian related to the children? _____

19. Are there people other than you who have cared for the children in their home for an extended period of time without the parents' involvement? Yes No

If **Yes**, please give the following information:

- Name of the person who cared for the child;
- The person's relationship to the child;
- Amount of time the person cared for the child; and
- The time period when the person cared for the child.

Name of Person	Relationship to Child	Amount of Time and When
Example: Tim and Sue Smith	Maternal uncle and aunt	3 months – June, July, and September 20 23

Part 7: Custody – What Is Best for the Children (Best Interest Factors)

- Minnesota law requires the judicial officer to consider and evaluate all relevant factors in determining the best interests of the children, including the “best interest factors” found in statute.
- The questions in this section are based on the “best interest factors” found in Minn. Stat. § 257C.04 (revisor.mn.gov/statutes/cite/257C.04).

20. **The Wishes of the Parties as to Custody of the Children** [Minn. Stat. § 257C.04, subd. 1(a)(1)]

- a. What do you think is best for the children regarding custody? _____

- b. What does the Co-Petitioner think is best for the children regarding custody? N/A (because there is no Co-Petitioner) **OR:** _____

- c. What do you believe **Parent A** wants regarding custody of the children? _____

d. What do you believe **Parent B** wants regarding custody of the children? _____

e. What do you believe the children's **Legal Guardian/Custodian** wants regarding custody? N/A (not applicable because there is no legal guardian or custodian); **OR**

21. **The Reasonable Preferences of the Children** [Minn. Stat. § 257C.04, subd. 1(a)(2)]

→ One factor the court must consider and evaluate is “the reasonable preference of the child, if the court deems the child to be of sufficient age to express preference.”

→ List each child, the child's age, and what the child's preference is regarding custody (if you know it).

Child 1

Child's Name: _____ Age: _____

Child 1's preference regarding custody: _____

Child 2

Child's Name: _____ Age: _____

Child 2's preference regarding custody: _____

Child 3

Child's Name: _____ Age: _____

Child 3's preference regarding custody: _____

Child 4

Child's Name: _____ Age: _____

Child 4's preference regarding custody: _____

22. **The Children's Primary Caretaker** [Minn. Stat. § 257C.04, subd. 1(a)(3)]

Who is the child's primary caretaker? _____

23. The Intimacy of the Relationship Between Each Party and the Children [Minn. Stat. § 257C.04, subd. 1(a)(4)]

Briefly describe how close the children are to everyone involved:

- a. How close are the children to **you** (the Petitioner)? _____

- b. How close are the children to the **Co-Petitioner**? N/A (there is no Co-Petitioner); **OR**

- c. How close are the children to **Parent A**? _____

- d. How close are the children to **Parent B**? _____

- e. How close are the children to the children's **Legal Guardian or Custodian**?
 N/A (there is no Legal Guardian or Custodian); **OR** _____

24. The Interactions and Interrelationships of the Children with Others [Minn. Stat. § 257C.04, subd. 1(a)(5)]

Briefly describe the relationships and interaction the children have with you, with the Co-Petitioner, with the parents, with any siblings, and with any other person who has played an important role in the children's lives: _____

25. The Children's Adjustment to Home, School, and Community [Minn. Stat. § 257C.04, subd. 1(a)(6)]

- a. How well adjusted are the children to **life at home**? _____

b. How well adjusted are the children in school? _____

c. How well adjusted are the children in the community? _____

26. The Length of Time the Children Have Lived in a Stable, Satisfactory Environment, ... [Minn. Stat. § 257C.04, subd. 1(a)(7)]

- a. Do the children currently live in a stable, safe, place? Yes No
- Where do the children live? _____

 - How long have the children lived there? _____

 - Is it best for the children to stay there? Yes No

b. Explain the answers you gave in 26a: _____

27. The Permanence, as a Family Unit, of the Existing or Proposed Custodial Home [Minn. Stat. § 257C.04, subd. 1(a)(8)]

a. Who else lives with you in your home? _____

b. Do you consider these people to be your permanent family unit? Yes No

c. Explain your answer in 27b: _____

d. If the children do not live with you, describe the permanence of the family unit where the children are currently living: N/A (not applicable, because the children currently live with Petitioner); **OR:** _____

28. The Mental and Physical Health of All Individuals Involved [Minn. Stat. § 257C.04, subd. 1(a)(9)]

Briefly describe the **mental** and **physical health** of everyone involved:

- a. You (Petitioner): _____

- b. Co-Petitioner: N/A (not applicable because there is no Co-Petitioner); **OR:** _____

- c. Parent A: _____

- d. Parent B: _____

- e. Children: _____

- f. Legal Guardian or Custodian: N/A (not applicable because there is no Legal Guardian or Custodian); **OR:** _____

29. The Capacity and Disposition of the Parties to Give the Children Love, Affection, and Guidance, and to Continue Educating and Raising the Children in Their Culture and Religion or Creed, if any [Minn. Stat. § 257C.04, subd. 1(a)(10)]

- a. Explain whether the parties can give the children love, affection, and guidance:
 - How will you do this? _____

 - How will the Co-Petitioner do this? N/A (not applicable because there is no Co-Petitioner); **OR:** _____

 - Explain whether Parent A is capable of giving the children love, affection and guidance: _____

- Explain whether Parent B is capable of giving the children love, affection and guidance: _____

- Explain whether the Legal Guardian or Custodian is capable of giving the children love, affection and guidance: N/A (not applicable because there is no Legal Guardian or Custodian); **OR:** _____

b. Explain whether the parties will be able to educate and raise the children in the children’s culture and religion or creed, if any:

- How will you do this? _____

- How will the Co-Petitioner do this? N/A (not applicable because there is no Co-Petitioner); **OR:** _____

- Explain whether Parent A is capable of educating and raising the children in the children’s culture and religion or creed, if any: _____

- Explain whether Parent B is capable of educating and raising the children in the children’s culture and religion or creed, if any: _____

- Explain whether the Legal Guardian or Custodian is capable of educating and raising the children in the children’s culture and religion or creed, if any: N/A (not applicable because there is no Legal Guardian or Custodian); **OR:** _____

30. The Children’s Cultural Background [Minn. Stat. § 257C.04, subd. 1(a)(11)]

Describe the children’s cultural background: _____

31. The Effect on the Children of the Actions of an Abuser, if Related to Domestic Abuse, as Defined in Minn. Stat. § 518B.01, subd. 2, that Has Occurred Between the Parents or the Parties [Minn. Stat. § 257C.04, subd. 1(a)(12)]

Has there been domestic abuse (physical or emotional) by any of the parties in this case against another party or the children? Yes No

→ The parties are the Petitioner, Co-Petitioner, the parents, and the Legal Guardian or Custodian, if any.

If Yes:

- Who has been involved in the domestic abuse? _____

- What effect has the abuse had on the children? _____

Part 8: Income and Ability to Provide Child Support

32. Are you aware of an existing child support order (one that is already in place)? Yes No

33. Petitioner's Gross Income

a. What is your **gross income** (before taxes)? \$ _____ per month

b. What are the sources of your income?

Wages of \$ _____ (amount) per _____ (for example: week or month)
from Employer: _____ (name of employer)

SSI of \$ _____ (amount) per month for: _____ (name of person)

RSDI of \$ _____ (amount) per month

Other (list the source and amount of income): _____

Other (list the source and amount of income): _____

34. Co-Petitioner's Gross Income

N/A (not applicable because there is no Co-Petitioner); **OR:**

a. What is Co-Petitioner's **gross income** (before taxes)? \$ _____ per month

b. What are the sources of Co-Petitioner's income?

Wages of \$ _____ (amount) per _____ (for example: week or month)
from Employer: _____ (name of employer)

SSI of \$ _____ (amount) per month for: _____ (name of person)

RSDI of \$ _____ (amount) per month

Other (list the source and amount of income): _____

Other (list the source and amount of income): _____

35. Respondent Parent A's Ability to Support the Children

a. Does Parent A have the ability to pay support for the children?

Yes No Unknown

b. What is Parent A's employment status?

Employed:

Titles or Types of Jobs Parent A Has:	
Name of Parent A's Employers:	
Amount Parent A Earns:	
Other Details:	

Unemployed. Details: _____

Unknown.

36. Respondent Parent B's Ability to Support the Children

a. Does Parent B have the ability to pay support for the children?

Yes No Unknown

b. What is Parent A's employment status?

Employed:

Titles or Types of Jobs Parent B Has:	
Name of Parent B's Employers:	
Amount Parent B Earns:	
Other Details:	

Unemployed. Details: _____

Unknown.

Part 9: Public Assistance

37. Do you (the **Petitioner**) receive **public assistance**? Yes No

If **Yes**:

a. What is the amount you receive in public assistance per month? \$ _____

b. What county provides the public assistance? _____

c. Are the children included in the public assistance you receive? Yes No

d. What types of public assistance do you receive? (Check all that apply.)

- | | |
|--|---|
| <input type="checkbox"/> MFIP | <input type="checkbox"/> Medical Assistance (MA) or MinnesotaCare |
| <input type="checkbox"/> Child Care Assistance | <input type="checkbox"/> IV-E Foster Care |
| <input type="checkbox"/> Tribal TANF | <input type="checkbox"/> General Assistance (GA) |

38. Does the **Co-Petitioner** receive **public assistance**? Yes No N/A

If **Yes**:

a. What is the amount Co-Petitioner receives in public assistance per month? \$ _____

b. What county provides the public assistance? _____

c. Are the children included in the public assistance Co-Petitioner receives? Yes No

d. What types of public assistance does Co-Petitioner receive? (Check all that apply.)

- | | |
|--|---|
| <input type="checkbox"/> MFIP | <input type="checkbox"/> Medical Assistance (MA) or MinnesotaCare |
| <input type="checkbox"/> Child Care Assistance | <input type="checkbox"/> IV-E Foster Care |
| <input type="checkbox"/> Tribal TANF | <input type="checkbox"/> General Assistance (GA) |

39. Does **Parent A** receive **public assistance**? Yes No Unknown

If **Yes**:

a. What is the amount Parent A receives in public assistance per month? \$ _____

b. What county provides the public assistance? _____

- c. Are the children included in the public assistance Parent A receives?
 Yes No Unknown
- d. What types of public assistance does Parent A receive? (Check all that apply.)
- | | |
|--|---|
| <input type="checkbox"/> Unknown | |
| <input type="checkbox"/> MFIP | <input type="checkbox"/> Medical Assistance (MA) or MinnesotaCare |
| <input type="checkbox"/> Child Care Assistance | <input type="checkbox"/> IV-E Foster Care |
| <input type="checkbox"/> Tribal TANF | <input type="checkbox"/> General Assistance (GA) |

40. Does **Parent B** receive **public assistance**? Yes No Unknown

If **Yes**:

- a. What is the amount Parent B receives in public assistance per month? \$ _____
- b. What county provides the public assistance? _____
- c. Are the children included in the public assistance Parent B receives?
 Yes No Unknown
- d. What types of public assistance does Parent B receive? (Check all that apply.)
- | | |
|--|---|
| <input type="checkbox"/> Unknown | |
| <input type="checkbox"/> MFIP | <input type="checkbox"/> Medical Assistance (MA) or MinnesotaCare |
| <input type="checkbox"/> Child Care Assistance | <input type="checkbox"/> IV-E Foster Care |
| <input type="checkbox"/> Tribal TANF | <input type="checkbox"/> General Assistance (GA) |

41. Do **the children** receive **public assistance**? Yes No Unknown

If **Yes**:

- a. What is the amount the children receive in public assistance per month? \$ _____
- b. What county provides the public assistance? _____
- c. What types of public assistance do the children receive? (Check all that apply.)
- | | |
|--|---|
| <input type="checkbox"/> Unknown | |
| <input type="checkbox"/> MFIP | <input type="checkbox"/> Medical Assistance (MA) or MinnesotaCare |
| <input type="checkbox"/> Child Care Assistance | <input type="checkbox"/> IV-E Foster Care |
| <input type="checkbox"/> Tribal TANF | <input type="checkbox"/> General Assistance (GA) |
- d. If only *some* of the children receive public assistance, what are the names of those children that do receive public assistance? _____
- _____

Part 10: Childcare Costs

42. Do you have childcare costs (daycare or babysitting so that you can go to work or school)?

Yes: \$ _____ per week per month per _____

No childcare costs.

Part 11: Your Requests

→ In this section, you will state what you are asking the Court to order regarding legal and physical custody and parenting time.

The Petitioner asks the Court for an Order as follows:

Requests: Legal and Physical Custody

1. Granting **legal custody** as follows:

Sole legal custody to Petitioner.

OR

Joint legal custody to Petitioner AND:

- Co-Petitioner Parent A Parent B
 Legal Guardian or Custodian

2. Granting **physical custody** as follows:

Sole physical custody to Petitioner.

OR

Joint physical custody to Petitioner AND:

- Co-Petitioner Parent A Parent B
 Legal Guardian or Custodian

NOTE: If you checked “joint physical custody,” and the other person is not your spouse, then you need a schedule stating who takes care of the children and when. Describe the schedule:

3. **Best Interest Factors: Joint Legal or Joint Physical Custody.**

→ According to Minn. Stat. § 257C.04, subd. 2, there are other factors the court must consider when a party asks for joint legal or joint physical custody.

→ If you checked “joint legal custody” or “joint physical custody” in #1 or #2 above, then answer the following questions about you and the person you hope to share legal and/or physical custody with.

N/A (#3 is not applicable because the Petitioner is not asking for joint legal or joint physical custody).

OR

a. Can you cooperate with the other party in raising the children? Yes No

b. Explain how you will cooperate **OR** if you are not able to cooperate, why not?

c. If you and the other party disagree on major decisions about the children’s lives, how will you work out your differences and make a decision? _____

d. How willing are you and other party to use these methods to resolve disagreements? _____

e. Do you believe it would be negative or bad for the children if either you or the other party (who you are asking to share joint legal or physical custody with) had the sole authority over raising the children rather than joint authority with the other party? Yes No

Explain your answer: _____

f. Has there been domestic abuse between you and the other party?

Yes No

If **Yes**, explain when the domestic abuse happened: _____

Explain how the situation got better: _____

Requests: Parenting Time

4. For **Parent A**:

a. Reserving Parent A's parenting time rights.

OR

b. Granting Parent A (check one) **unsupervised** **supervised** parenting time with the children according to the schedule described in #6 below.

5. For **Parent B**:

a. Reserving Parent B's parenting time rights.

OR

b. Granting Parent B (check one) **unsupervised** **supervised** parenting time with the children according to the schedule described in #6 below.

6. **Requested Parenting Time Schedule:**

→ Be specific when describing the schedule (for example, is your proposed parenting time schedule the same for Parent A and Parent B?).

a. Weekends: _____

b. Weeknights or after school (or, if not in school, then Monday through Friday): _____

c. Holidays: _____

- d. Birthdays: _____

- e. School release days: _____

- f. Summer: _____

- g. Telephone contact with children (When can they talk on the phone with Parent A and with Parent B?): _____

- h. Transportation: _____

- i. Other: _____

Requests: Child Support and Other

7. Regarding **child support**:

There is an existing child support order in _____ County. I ask the Court to order that the child support payments be redirected to me.

OR

Ordering that basic support, medical support, and child care support shall be set according to Minnesota Child Support Guidelines, and based on each parent's income and ability to pay.

8. Granting such other relief as the Court deems just and equitable.

ACKNOWLEDGMENT

By presenting this form to the court, I certify that to the best of my knowledge, information, and belief, the following statements are true. I understand that if a statement is not true, the

court can order a penalty against me (such as to pay money to the other party, pay court costs, and/or other penalties).

1. The information I included in this form is based on facts and supported by existing law.
2. I am not presenting this form for any improper purpose. I am not using this form to:
 - a. Harass anyone;
 - b. Cause unnecessarily delay in the case; or
 - c. Needlessly increase the cost of litigation.
3. No judicial officer has said I am a frivolous litigant.
4. There is no court order saying I cannot serve or file this form.
5. This form does not contain any “restricted identifiers” or confidential information as defined in Rule 11 of the General Rules of Practice (https://www.revisor.mn.gov/court_rules/gp/id/11/) or the Rules of Public Access to Records of the Judicial Branch (https://www.revisor.mn.gov/court_rules/rule/ra-toh/).
6. If I need to file “restricted identifiers,” confidential information, or a confidential document, I will use Form 11.1 and/or Form 11.2, as required by Rule 11.

Date: _____

Signature of Petitioner
Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

Date: _____

Signature of Co-Petitioner
Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____