

See Instructions (CHC806) for help in filling out this form.

State of Minnesota

District Court

County of: _____

Court File Number: _____

Judicial District: _____

Case Type: _____

Petitioner

AND

Respondent

Response to Motion for Temporary Relief (CHC807)

Minn. Stat. § 518.131, subd. 1

To the Other Parties:

Hearing Information

This is my response to the other party's *Motion for Temporary Relief*. A hearing in this case has been scheduled as follows:

Date: _____ **Time:** _____ a.m. / p.m.

Judicial Officer: _____

Response to Motion for Temporary Relief

My name is _____.

1. I ask the Court to **deny the other party's requests** for temporary relief.

Counter Motion for Temporary Relief

I ask the Court for the following relief:

2. **Priority Hearing (within 30 days)**. I ask the Court to schedule a **priority hearing within 30 days** pursuant to Minn. Stat. § 518.131, subd. 11, because I have been denied parenting time with a child for 14 consecutive days or more.

3. **Mediation.** I ask the Court to order the other party and me to use mediation to help us reach an agreement. The issues that should be mediated are:

- Custody of the minor children.
- Parenting time.
- Child support.
- Other: _____

4. **Legal Custody.** “Legal custody” identifies which parents will have a right to make decisions regarding the medical, educational, and religious upbringing of the children.

I ask the Court to grant **temporary legal custody** of the children as follows:

- Jointly to me and the other party.
- Solely to me.
- Solely to the other party.

5. **Physical Custody.** “Physical custody” identifies with whom the children will live.

I ask the Court to grant **temporary physical custody** of the children as follows:

- Jointly to me and the other party, with the children living with me at the following times: _____
_____ and living with the other party at the following times: _____
_____.
- Solely to me.
- Solely to the other party.

6. **Parenting Time.** “Parenting time” is the time each parent spends with the children. It does not matter who has custody or what type of custody. Parenting time used to be called “visitation.”

I ask the Court to order **temporary parenting time** as follows:

- a. Temporary parenting time for **me**:
 - Unsupervised.
 - Supervised by: _____
- according to this schedule:
- Weekends: _____

Weeknights or after school: _____

Holidays: _____

Summer: _____

Telephone contact: _____

Other: _____

b. Temporary parenting time for the **other parent**:

Unsupervised.

Supervised by: _____

according to this schedule:

Weekends: _____

Weeknights or after school: _____

Holidays: _____

Summer: _____

Telephone contact: _____

Other: _____

7. **Temporary Child Support.** I ask the Court to order **temporary child support** as follows:

- a. The other party should pay to me \$ _____ per month for temporary support of the minor children. The payments should be automatically withheld from the other party's wages or salary and paid to me according to Minn. Stat. § 518A.53.

b. I should pay to the other party \$ _____ per month for temporary support of the minor children. The payments should be automatically withheld from my wages or salary and paid to the other party according to Minn. Stat. § 518A.53.

8. **Temporary Costs and Reasonable Attorney's Fees.** I ask the Court to order the other party to pay me temporary costs and reasonable attorney's fees. The other party should pay to me \$ _____ for temporary costs and reasonable attorney's fees pursuant to Minn. Stat. § 518.131, subd. 1(d).

9. I ask the Court for an order that **restrains both parties from harassing, vilifying, mistreating, molesting, disturbing the peace, or restraining the liberty** of the other party or the children of the parties.

10. I ask the Court to restrain the other party from removing any joint minor children from the jurisdiction of the court.

11. In order to facilitate the just and speedy disposition of this case, or to protect the parties and/or the children from physical or emotional harm, I ask the Court to require the other party:

To perform the following acts: _____

To not perform the following acts: _____

12. **Additional Relief.** I ask the Court to grant additional relief as follows:

13. I ask the Court to grant additional relief that is fair and just.

I have included facts and reasons the Court should grant this counter motion in an *Affidavit in Support of Response to Motion for Temporary Relief*.

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 unnecessary 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: _____

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____