

State of Minnesota

District Court

County of: _____	Judicial District: _____
	Court File Number: _____
	Case Type: Dissolution with Children

In Re the Marriage of:

Name of Petitioner (first, middle, last)

and

Name of Respondent (first, middle, last)

**Responsive Notice of Motion And
Motion For Temporary Relief with
Children**

To: Petitioner Respondent

First Middle Last

Address Apt. No.

City County State Zip Code

Notice

I will ask the court for things stated in my motion (below) at a hearing scheduled as follows:

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

Courthouse address: _____

Telephone: _____

NOTE: Please contact the court with your current phone number and mailing address in case they need to notify you of any location or date/time change.

Motion

1. The Court should order the other party and me to use mediation to help us reach an agreement:

Yes No

If Yes, the issues that should be mediated are:

a. Custody of the minor children;

b. Parenting Time;

- c. Dividing our household goods, furnishings, vehicles, bank accounts, other assets and personal property.
- d. Dividing our real property;
- e. Maintenance/Alimony;
- f. Dividing our debts;
- g. Other _____

2. "Legal custody" identifies which parent will have a right to make decisions regarding the medical, educational, and religious upbringing of the children. Temporary legal custody of the children should be granted : *(check one)*

- a. Jointly to me and the other party
- b. Solely to *(check one)*:
 - me the other party

3. "Physical custody" identifies with whom the children will live. Temporary physical custody of the children should be granted: *(check only "a" or "b")*

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

and the children living with the other party at the following times:

- b. Solely to *(check one)*: me the other party

4. Parenting time between the minor children and *(check one)*: me the other party
 should be: supervised unsupervised and scheduled as follows:

a. Weekends:

b. Week nights or after school:

c. Holidays:

d. Summers:

e. Telephone Contact:

f. Other:

5. Temporary child support should be paid as follows: (check one)

- 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 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.

6. Temporary maintenance (alimony) should be granted as follows: (check one)

- a. Temporary maintenance should not be granted either to me or the other party.
- b. The Court should decide temporary maintenance later.
- c. The other party should pay to me _____ per month for temporary maintenance. The payment should be automatically withheld from the other party's wages or salary and paid to me according to Minn. Stat. §518A.53

7. Attorney's fees should be awarded as follows: (check one)

- a. The Court should require me and the other party to each pay our own attorney's fees and expenses if we have any.
- b. The Court should require the other party to pay me _____ towards my attorney's fees and expenses.
- c. The Court should decide attorney's fees later.

8. The other party should go to an evaluation or to counseling.

Yes No

If Yes, the evaluation and counseling is for: (check all that apply)

- a. Alcohol use;
- b. Drug use;

c. Anger management or domestic abuse;

9. Until the final decree is ordered (check one):

a. I should have sole use and possession of the home located at _____ in the city of _____ in the state of _____, and (check one) I the other party should pay the mortgage and other expenses for the home.

b. The other party should have sole use and possession of the home located at _____ in the city of _____ in the state of _____, and (check one) I the other party should pay the mortgage and other expenses for the home.

c. The other party and I should share the use and possession of the home located at _____ in the city of _____ in the state of _____. The mortgage and other expenses for the home should be paid as follows.

	Expense	Who Should Pay

d. The other party and I should share the use and possession of the home located at _____ in the city of _____ in the state of _____. The mortgage and other expenses for the home should be paid as follows.

	Expense	Who Should Pay

10. Until the final decree is ordered (check one):

a. The other party and I should have temporary use and possession of the personal belongings, household goods, and furnishings that each of us now has in possession.

b. The Court should give me temporary sole use and possession of the following personal belongings, household goods, and furnishings (list the items you want).

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c. The Court should give the other party temporary sole use and possession of the following personal belongings, household goods, and furnishings (*list the items they want*).

11. *Check one*

a. Until the final decree is ordered, temporary use and possession of the vehicle(s) should be divided, and the vehicle loan(s) and insurance should be paid, as follows:

Year	Make	Model	Awarded to whom	Who pays vehicle loan/ insurance

b. We do not own any vehicles.

12. *Check one*

a. Until the final decree is ordered, our debts should be paid as follows:

Creditor (to whom the money is owed)	Total Balance Owed	Monthly Amount Due	Who Should Pay

b. We do not have any debts.

13. The Court should allow me to change certain medical, dental, automobile, or life insurance policies:

Yes No

If Yes, list the policy and the changes you want to make:

14. The other party should reinstate insurance:

Yes No

If Yes, list the insurance that should be reinstated:

15. The Court should order the other party to immediately notify me of any salary or wage increase, bonuses or other extra income.

Yes No

16. The Court should order that the other party shall not spend or otherwise use income raises, income tax refunds, bonuses, or other extra income:

Yes No

17. Restrain both parties from transferring, encumbering, concealing or disposing of property, including any tax refunds, except in the usual course of business or for the necessities of life, except as to any future earned income, except as the parties with their attorneys may mutually agree in writing.

18. The Court should allow me to sell or otherwise get rid of other property:

Yes No

19. Restrain both parties from harassing, vilifying, mistreating, molesting, disturbing the peace, or restraining the liberty of the other party of the children of the parties.

20. The Court should grant the additional relief:

Yes No

If Yes, the relief I request is:

21. The Court should grant other additional relief that is fair and just.

The grounds for this *Motion* are as stated in the *Responsive Affidavit* and the *Application for Temporary Relief* which accompanies this *Responsive Notice of Motion and Motion*.

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.

Dated: _____

Signature

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

E-mail address: _____