

State of Minnesota

County _____

District Court

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

In Re the Marriage of:

Name of Petitioner

and

Name of Respondent

**Affidavit in Support of Motion
for Parenting Time Assistance**

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

My true and correct name is _____

In answering the following questions I understand that I must tell the truth.

1. a. This *Notice of Motion* is NOT a request to establish parenting time rights because an Order establishing parenting time rights for (*check one*): me the other party has already been issued in this case. Instead, my *Notice of Motion and Motion* is a request to resolve a parenting time problem.
 b. An Order exists reserving parenting time rights. This *Notice of Motion* requests an Order granting me parenting time rights.
2. An *Order for Protection* involving me and the other party and/or the child(ren) (*check one*):
 a. IS NOT currently in effect in any state.
 b. IS in effect from _____ County in the State of _____ and its court file number is _____
3. A child protection proceeding involving one or more of the children in this case (*check one*)
 a. IS NOT now taking place in any state.

b. IS now taking place in _____ County in the State of _____ and its court file number is _____

4. The following child(ren) are involved in this case (*attach another sheet of paper if necessary*):

<u>Name of Child</u>	<u>Birth Date</u>	<u>My Relationship to Child</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. The child(ren) live in the State of _____ and have lived there since (month) _____, _____. The child(ren) live with _____ who is related to them as _____.

The address of the child(ren) is:

Street Address: _____

City/State/Zip: _____

6. I have a parenting time problem. It is: _____

For questions 7-18, check off only those that apply – the same as on your *Notice of Motion and Motion* form.

7. **I was scheduled to have parenting time on the following date(s):** _____

_____ at the following times _____
but the other party wrongfully denied my scheduled parenting time by doing the following:

I ask the Court to give me **makeup (compensatory)** parenting time because of the parenting time that was denied to me. The makeup parenting time should take place on the following date(s): _____

at the following time(s) _____

which is within one year of the date my scheduled parenting time/visitation was wrongfully denied.

8. I ask the Court to **appoint a Parenting Time Expeditor** to help me and the other party resolve this parenting time problem and/or any future parenting time problems that may happen. I understand that the other party and I may be required by the Court to pay for the fees and costs of the Parenting Time Expeditor.

9. I ask the Court to change the parenting time to **supervised** parenting time. I believe that it is in the best interests of the child(ren) that the existing Parenting Time/Visitation Order be changed to require **supervised** parenting time because: _____

10. I ask the Court to change the parenting time to **unsupervised** parenting time. I believe it is in the best interests of the child(ren) that the existing Parenting time/Visitation Order

be changed to allow **unsupervised parenting time** because: _____

11. I ask that the existing Parenting Time/Visitation Order be changed to provide for **drop-offs and pick-ups of the child(ren) to occur at a visitation exchange center**, and for both parties to be ordered to follow all rules of the visitation exchange center because: _____

12. I ask that the existing Parenting Time/Visitation Order be changed to provide for the **transportation of the child(ren)** for parenting time as follows: _____
_____ because: _____

13. I ask that the parenting time be changed to a specific schedule. I believe that it is in the best interests of the child(ren) that the existing Order **be changed from “reasonable visitation” to the specific parenting time schedule** stated in my motion because: _____

14. I ask that the Court change the existing schedule to a new schedule as in my *Notice of Motion and Motion*. I believe that it is in the best interest of the child(ren) that the **existing Parenting Time/Visitation schedule should be changed** because: _____

15. I ask that the Court change the existing Order “**reserving parenting time/visitation**” to **give me specific scheduled parenting time** as requested in my *Notice of Motion and Motion*. (Answer all of a-f)

a. I believe it is in the best interests of the child(ren) that I have parenting time with the child(ren) because: _____

b. I last saw the child(ren) on the following date: _____
The circumstances were: _____

c. My last overnight visit with the child(ren) was on the following date: _____
The circumstances were: _____

d. My work schedule is: (list hours and days of the week that you work) _____

- e. My net monthly income is: \$_____. (Net income is gross income minus deductions for taxes, social security, child support payments, pension, and health insurance.)
- f. If I am awarded parenting time, I will will not be able to transport the child(ren) to or from visits.

16. I ask that the other party be ordered to **pay me for my court fees and costs** which total \$_____ and consist of: *(list each fee/cost, and the separate amount for each)* _____

I am asking the Court to order the other party to pay me for my court fees and costs because: _____

17. Because the other party wrongfully disobeyed the Parenting Time/Visitation Order or an agreement made with or a decision made by a Parenting Time Expeditor, I incurred expenses I would not have otherwise had. I ask the Court to order the other party to **pay me for my other expenses** which total \$_____ and consist of *(list each expense separately, the reason for each expense and the amount of each expense)*: _____

18. Because the other party wrongfully disobeyed the existing Parenting Time/Visitation Order, or wrongfully failed to follow our agreement made with a Parenting Time Expeditor or failed to follow the decision of a Parenting Time Expeditor, I ask that the other party be ordered to **pay to the Court a civil penalty of up to \$500.**

19. I have already paid a total of \$_____ for *(list each expense separately, and state the amount of each expense)*: _____

_____ in connection with an upcoming scheduled parenting time. As allowed under Minnesota Statutes section 518.175, subdivision 6(d), I ask the Court to direct the other party to **pay to the Court to be held in escrow account an amount of money equal to my prepaid expenses for the upcoming parenting time** to help guarantee that the other party obeys the Parenting Time Order. I also ask that if the other party denies my upcoming parenting time that the money be paid to me.

20. I believe the following additional information would be helpful to the Court in understanding this parenting time problem: _____

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: _____

Signature

Name: _____

Address: _____

City/State/Zip: _____

Telephone: () _____

E-mail address: _____