

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

Court File No. 19-_____

- In Re the Marriage of:
- In Re the Custody of the Child(ren) of:

_____,
Petitioner,

and

_____,
Respondent.

STIPULATION TO WAIVE ICMC AND
 PARTICIPATE IN ENE AND ORDER
 GRANTING DENYING

-
1. This matter is scheduled to come before the Court for an Initial Case Management Conference (ICMC) on _____ (date).
 2. The parties agree to waive the ICMC and participate in the following type(s) of Early Neutral Evaluation (ENE):
 - Social Early Neutral Evaluation (SENE) and/or
 - Financial Early Neutral Evaluation (FENE).
 3. Petitioner is is not represented by an attorney.
 4. Respondent is is not represented by an attorney.
 5. The parties do not have joint minor child(ren) have the following joint minor child(ren):

Child(ren)'s name(s)	Date(s) of birth

6. An Order for Protection (OFP) is not currently in effect between the parties is currently in effect between the parties and the parties will inform the ENE provider(s) of the existence of an OFP before scheduling the first ENE session.
7. The parties agree do not agree on the date of valuation. If agreed, the date of valuation shall be _____ (date). If the parties do not agree on the date of valuation, the date of valuation

shall be the date of the initially scheduled ICMC. *See* January 7, 2020 Order Regarding Property Valuation Date in the First Judicial District for Initial Case Management Conferences. If there is a substantial change in value of an asset between the date of valuation and the final distribution, the Court may adjust the valuation of that asset as necessary to effect an equitable distribution. *See* Minn. Stat. § 518.58, subd. 1.

8. The parties agree to use the following Dakota County SENE and/or FENE provider(s)¹:

Name of ENE provider	Type of ENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE
	<input type="checkbox"/> SENE <input type="checkbox"/> FENE

9. The parties understand that the Court will not approve this Stipulation unless an ENE session has first been scheduled. The parties are scheduled to attend an ENE session on _____ (date).
10. The parties have conferred the Dakota County ENE Fee Schedule(s) and understand they are individually responsible for payment of the fees for ENE as set forth in that fee schedule.
11. The parties agree to abide by the following cancellation policy: ENE session(s) cannot be cancelled unless a full written stipulation on all issues is completed no less than five (5) business days before the ENE session with notice to the ENE Provider(s). If the parties fail to attend ENE or fail to give timely and proper notice of the cancellation of the session because of a full agreement having been completed and reduced to writing, the parties will be responsible for payment of the full cost of the missed ENE session. In addition to paying the cost of the session, the Court may consider the failure to attend a violation of the ENE Order, and take such violation into consideration when determining the issue of an award of attorney fees or other disputed issues between the parties.
12. The following party is IFP status: Petitioner Respondent.
13. The hourly rate charged by each party's attorney is as follows:

Petitioner's attorney: \$_____ per hour
 not applicable

Respondent's attorney: \$_____ per hour
 not applicable.

14. The annual income of each party, if not represented by attorney: \$_____ Petitioner
 \$_____ Respondent.

15. The hourly provider charged for each ENE provider shall be \$_____.

¹ For SENE, the parties may choose either one or two providers, unless the provider roster indicates a provider performs only "team SENEs," in which case the parties must choose a second provider.

For FENE, only one provider is chosen.

For SENE and FENE, the parties may choose separate providers for each type of ENE or, if the provider roster indicates a provider performs both types of ENE, the parties may choose a single provider for SENE and FENE.

- In Re the Marriage of:
- In Re the Custody of the Child(ren) of:

Court File No. 19

_____,
Petitioner,

and

_____,
Respondent.

ORDER
 GRANTING DENYING
 TO WAIVE ICMC AND
 PARTICIPATE IN ENE AND
 ORDER

ORDER DENYING ICMC WAIVER

1. The parties’ request to waive the ICMC is **DENIED**.
2. Court Administration shall serve a copy of this Order upon each party or counsel (if represented).

BY THE COURT:

Dated: _____

JUDGE OF DISTRICT COURT

ORDER GRANTING ICMC WAIVER AND ORDER FOR ENE

1. The parties’ request to waive the ICMC and participate in ENE on the terms and conditions set forth in the foregoing Stipulation is **GRANTED**.
2. The ICMC is waived and Court Administration shall strike it from the court calendar.
3. The ENE provider(s) shall confer with the parties and counsel (if represented) and complete the evaluation(s) within 60 days from the date of this Order. Any unresolved issues shall proceed to Pre-Trial Conference.
4. If the parties have a joint minor child, then each party must complete a parenting education program within 60 days from the date of this Order. See link for approved parenting education classes. <http://www.mncourts.gov/Find-Courts/First-Judicial-District/Parent-Education.aspx>.
5. Court Administration shall review this file in 60 days from the date of this Order. If the matter is not settled by the time of the 60-day review, Court Administration shall schedule a Pre-Trial Conference and issue notices to the parties.
6. The valuation date for all assets and liabilities shall be _____ unless a different date is agreed upon by the parties, or unless the Court makes specific findings that another date of valuation is fair and equitable pursuant to Minnesota Statutes Section 518.58. See January 7, 2020 Order Regarding Property Valuation Date in the First Judicial District For Initial Case Management Conferences. If there is a substantial change in value of an asset between the date of valuation and the final distribution, the Court

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may adjust the valuation of that asset as necessary to effect an equitable distribution. *See* Minn. Stat. § 518.58, subd. 1.

7. Court Administration shall serve a copy of this Order on each party or counsel (if represented). The parties are responsible for providing a copy of this Order to the ENE provider(s).

BY THE COURT:

Dated: _____

JUDGE DISTRICT COURT