

## Fourth Judicial District Bench Policy

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<b>Category:</b>	Case Related Policies: Specialty Courts
<b>Title:</b>	Family Court
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<b>Supersedes:</b>	Standing Order re: Child Education Program, Judge D. Mabley and Judge D. Eagon August 14, 1997; Criminal Cases Involving Visitation Custody Matters, Bench December 4, 1989; Ex Parte Orders on Domestic Abuse Cases, Executive Committee October 11, 1995; Jurisdiction to Address All Children from the Same Parents, Standing Order Judge C. Porter May 20, 2003; Juvenile Domestic Abuse and Harassment Cases, Executive Committee May 12, 1993; Parenting Education Program, Standing Order Judge C. Porter June 3, 2003; Scheduling Reduction Motions, Standing Order Judge D. Eagon May 6, 1997; Screening Pro Se Motions, Standing Order Judge C. Porter March 18, 2002; Statutory Valuation Date, Standing Order Judge J. Swenson November 7, 2003

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### Family Court

#### CRIMINAL CASES INVOLVING VISITATION/CUSTODY MATTERS

Judges shall refer all visitation/custody matters to the Family Court (if a case has been filed) rather than issue orders that might conflict with orders for protection.

#### EX PARTE ORDERS ON DOMESTIC ABUSE CASES (ABRIDGED)

- No order for protection for a period of longer than 14 days shall be issued without a hearing in Hennepin County Family Court.
- The signing judge needs to pay particular attention to sign and date forms.

## **JURISDICTION TO ADDRESS ALL CHILDREN FROM THE SAME PARENTS**

The Court shall have jurisdiction to address all children from the same parents with Hennepin County cases in proceedings involving paternity and/or financial support. Proceedings involving financial support include proceedings regarding establishment, modification, and enforcement of financial support. The moving party or entity in such proceedings shall include in their pleadings all Hennepin County cases involving children from the same parties for hearings involving primary paternity and/or financial support issues.

## **JUVENILE DOMESTIC ABUSE AND HARASSMENT CASES**

Juvenile domestic abuse and harassment cases shall be transferred to the calendars that hear the adult matters of the same case type.

**Note:** Legislation passed in 1997 (Minn. Session Laws 1997, Ch. 239, Art. 10) transferred responsibility for Domestic Abuse Perpetrated by a Minor cases to Juvenile Court during a pilot period which expired 7-31-2000 in Hennepin County. In practice, Juvenile Court only handles cases where the respondent is a minor **and** the abuse was against parents or siblings **and** there is no safe living plan for the child respondent if he or she is removed from the home.

## **SCHEDULING REDUCTION MOTIONS**

When there is a pending contempt motion for the payment of child support, and the obligor files a motions for reduction of child support, the reduction shall be heard at the same time as the contempt hearing.

## **SCREENING PRO SE MOTIONS**

All pro se family court motions, including responsive motions, but excluding child support heard in expedited process, must be screened by a facilitator or the designated person, prior to the scheduling of a hearing. The facilitator shall indicate that the motion has been screened by stamping the motion papers or by entry into the CATS system or both.

## **STATUTORY VALUATION DATE**

The statutory valuation date in the Fourth Judicial District shall be the date of the Initial Case Management Conference.