

STATE OF MINNESOTA
COUNTY OF HENNEPIN

FILED
2014 JUN 18 AM 9:30
JUVENILE DIVISION
DEPUTY
JUDICIAL DISTRICT
COURT ADMINISTRATOR

DISTRICT COURT
JUVENILE DIVISION/FAMILY DIVISION
FOURTH JUDICIAL DISTRICT

IN RE:
Motions to Modify Juvenile Court
Transfers of Legal Custody

STANDING ORDER

WHEREAS, prior to August 1, 2012, following a Transfer of Legal Custody in Juvenile Court, motions to modify custody and parenting time motions were filed in Family Court as required by Minnesota Statute §260C.521;

WHEREAS, effective August 1, 2012, Minnesota Statute §260C.521 was amended to add a provision for Juvenile Court to hear motions to modify Transfer of Legal Custody orders;

WHEREAS, effective July 1, 2014, the Minnesota Rules of Juvenile Protection Procedure, Rule 42.07 was modified to reflect the amendment made to Minnesota Statute §260C.521, and requires that if an order to Transfer Legal Custody was filed prior to August 1, 2012, a motion to modify shall be heard in Family Court, and if the order to Transfer Legal Custody was filed on or after August 1, 2012, a motion to modify shall be heard in Juvenile Court.

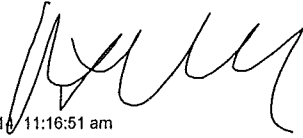
THEREFORE, THE FOLLOWING SHALL BE THE STANDING ORDER OF THE COURT:

1. If a Transfer of Legal Custody order was filed **prior** to August 1, 2012, motions to change custody and parenting time assistance-motions shall be filed in Family Court.
2. If a Transfer of Legal Custody order was filed **on or after** August 1, 2012, motions to change custody and parenting time assistance motions shall be filed in Juvenile Court.
3. All motions for contempt of court and motions to relocate or move a child out of state shall be filed in Family Court regardless of when the Transfer of Legal Custody order was filed.
4. If necessary, Family Court is authorized to open a "Family – Other" case type using a certified copy of the Juvenile Court Transfer of Legal Custody order when accompanied by a motion for contempt of court or to relocate.
5. The initial filing fee in the Family Court matter is waived. The standard motion fee applies unless the petitioner has an In Forma Pauperis order.
6. Any other motion, such as a Third-Party Custody motion following a Transfer of Legal Custody, shall be reviewed on a case by case basis to determine the appropriate court for filing. The staff attorneys for Family and Juvenile Court will review the motion and

make a recommendation to the Presiding Judges, who will determine in which court the motion should be filed.

7. If a motion to modify custody or a parenting time motion has already been heard in Juvenile Court, any subsequent motions shall also be filed in Juvenile Court, regardless of when the Transfer of Legal Custody order was entered.

Dated: _____

 SigPlus1
06/13/2014 11:16:51 am

Margaret Daly
Presiding Judge
Hennepin County Juvenile Court

Dated: _____

 SigPlus2
06/17/2014 02:34:26 pm

Anne McKeig
Presiding Judge
Hennepin County Family Court