

**State of Minnesota**

**District Court**

County Ramsey

Judicial District: Second

Court File Number: \_\_\_\_\_

Case Type: \_\_\_\_\_

In regard to the case of:

\_\_\_\_\_  
Name of Petitioner

**Order to Establish Custody and  
Parenting Time**

And

\_\_\_\_\_  
Name of Respondent

A. This proceeding came on before the undersigned judicial officer of district court on

\_\_\_\_\_ at \_\_\_\_\_  
in the City of St. Paul, State of Minnesota.

B. Petitioner ☐ did ☐ did not appear.

Respondent ☐ did ☐ did not appear.

C. Petitioner ☐ is NOT represented by an attorney

Petitioner ☐ is represented by the following attorney: \_\_\_\_\_

Respondent ☐ is NOT represented by an attorney

Respondent ☐ is represented by the following attorney: \_\_\_\_\_

D. Service of the Summons and Petition to Establish Custody and Parenting Time:

1. ☐ Respondent was personally served on \_\_\_\_\_.

**OR**

2. ☐ Respondent signed an Admission of Service on \_\_\_\_\_.

**OR**

3. ☐ Respondent was served by alternate means as ordered by the court on \_\_\_\_\_.

- i. ☐ By mailing the Summons and Petition to Respondent at the address stated in the Order for Service by Alternate Means on \_\_\_\_\_.
- ii. ☐ By publication of the Summons in \_\_\_\_\_ newspaper for 3 consecutive weeks on the following dates: \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

E. Petitioner was served with an Answer and Counter-Petition: ☐ YES ☐ NO

If YES, Petitioner was served with the Answer and Counter-Petition on \_\_\_\_\_.

F. Respondent did not properly respond or appear, so Petitioner proceeded by Default.

## Findings of Fact

### 1. Information about Petitioner:

Full Name: \_\_\_\_\_  
First Middle Last

Address: \_\_\_\_\_  
Street Address Apt. No.

\_\_\_\_\_  
City County State Zip Code

Date of birth: \_\_\_\_\_

Petitioner's former or other names or write "None":

\_\_\_\_\_  
First Middle Last

\_\_\_\_\_  
First Middle Last

Petitioner's social security number is listed on Confidential Form 11.1 submitted along with the Petition.

### 2. Information about Respondent:

Full Name: \_\_\_\_\_  
First Middle Last

Address: \_\_\_\_\_  
Street Address Apt. No.

\_\_\_\_\_  
City County State Zip Code

☐ Respondent's address is unknown to Petitioner

Respondent's Date of Birth: \_\_\_\_\_

Respondent's former or other names or write "None":

\_\_\_\_\_  
First Middle Last

\_\_\_\_\_  
First Middle Last

### 3. 180 Day Requirement

A. Petitioner:

1. Has been living in Minnesota for the past six (6) months: ☐ YES ☐ NO

2. Is a member of the armed services and stationed in Minnesota ☐ YES ☐ NO  
for the past six (6) months:

B. Respondent:

1. Has been living in Minnesota for the past six (6) months: ☐ YES ☐ NO  
☐ UNKNOWN

2. Is a member of the armed services and stationed in Minnesota ☐ YES ☐ NO  
for the past six (6) months: ☐ UNKNOWN

### 4. Children Petitioner and Respondent Have Together (Joint Children)

Full Name of Child Date of Birth Child Currently Lives With


The children's social security numbers are listed on Confidential Form 11.1 submitted along with the Petition.

If a child is living with someone other than a parent, write the child's address below:

Address: \_\_\_\_\_  
Street Address Apt. No.

\_\_\_\_\_  
City County State Zip Code

Has each child lived in Minnesota for the past six (6) months? ☐ YES ☐ NO

If NO, list dates and locations of where the children have been living for the last six months:

\_\_\_\_\_  
\_\_\_\_\_

**5. Recognition of Parentage**

Petitioner and Respondent signed a Minnesota Recognition of Parentage for each of the minor children listed above. Each Recognition of Parentage has been filed with the Minnesota Department of Health. ☐ YES ☐ NO

Were Petitioner and Respondent both age 18 or older when they signed the Recognition of Parentage? ☐ YES ☐ NO

**If you answered YES, a certified copy of each Minnesota Recognition of Parentage must be filed in this case. If you answered NO, then you are using the wrong forms.**

**6. Other Alleged or Presumed Fathers**

Was the mother of any of the children listed above married to another man when Petitioner and Respondent signed the Minnesota Recognition of Parentage for that child?

☐ YES ☐ NO

If YES, did the husband sign a Spouse's Non-Parentage Statement for that child?

☐ YES ☐ NO

**If you answered YES, you must file a certified copy of the Spouse's Non-Parentage Statement in this case. If you answered NO, then you are using the wrong forms.**

Is there any other man who would meet the definition of an alleged or presumed father of any of the children listed above? ☐ YES ☐ NO

**If you answered YES, then you are using the wrong forms.**

**7. Protection or Harassment Order**

An Order for Protection or a Harassment/Restraining Order is in effect regarding Petitioner and Respondent: ☐ YES ☐ NO.

If YES, the Order protects: ☐ Petitioner ☐ Respondent ☐ the children. The Order was filed in the County of \_\_\_\_\_, on the date \_\_\_\_\_, and the Court file number is \_\_\_\_\_.

**8. Child Protection Case**

Has a Child Protection case involving Petitioner and Respondent's children taken place in Minnesota or another state? ☐ YES ☐ NO

If YES, the case is in the County of \_\_\_\_\_ in the State of \_\_\_\_\_ and the Court file number is \_\_\_\_\_. The name of the child or children involved in the Child Protection case is:\_\_\_\_\_.

**9. Other Proceedings**

Has a separate court case for custody, parenting time, or child support involving one or more of the children at issue in this proceeding been started in Minnesota or elsewhere?

☐ YES ☐ NO

If YES, the type of court case is \_\_\_\_\_. The case is in the County of \_\_\_\_\_ in the State of \_\_\_\_\_ and the Court file number is \_\_\_\_\_.

The case ☐ has been Dismissed ☐ is Pending ☐ resulted with a final Order.

**10. Prior Crimes as Identified by Minn. Stat. § 518.175, 518.179, 631.52**

Has Petitioner been convicted of one of the following crimes or similar crimes under the law of the United States or any other state:

☐ YES (Please write your initials next to each crime for which you were convicted)

☐ NO

Has Respondent been convicted of one of the following crimes or similar crimes under the law of the United States or any other state:

☐ YES (Please write your initials next to each crime for which you were convicted)

☐ NO

☐ UNKNOWN

☐ Murder in the first, second, or third degree

☐ Solicitation of a child to engage in sexual conduct

☐ Manslaughter in the first degree

☐ Depriving another of custodial or parental rights

☐ Assault in the first, second, or third degree

☐ Criminal Sexual Conduct in the first degree

☐ Kidnapping

☐ Criminal Sexual Conduct in the second degree

☐ Incest

☐ Criminal Sexual Conduct in the third degree

☐ Malicious punishment of a child

☐ Felony stalking

☐ Neglect of a child

☐ Domestic assault by strangulation

☐ Terroristic threats

☐ Soliciting, inducing, promoting, or receiving profit derived from prostitution involving a minor

Parenting time with the convicted parent is in the best interests of the children because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## 11. Custody

A. Legal Custody means which parents have a say in the major decisions regarding the joint children's lives including education, religious upbringing and medical treatment. It is in the children's best interests that legal custody be granted as follows: (*check one*)

☐ Joint legal custody to both parents

☐ Sole legal custody to ☐ Petitioner ☐ Respondent

B. Physical custody identifies which parents will handle the routine daily care and control of the joint children. It is in the children's best interests that physical custody be granted as follows: (*check one*)

☐ Joint legal custody to both parents

☐ Sole legal custody to ☐ Petitioner ☐ Respondent

## 12. Parenting Time

A. It is in the best interests of the children that:

1) Petitioner's parenting time with the joint children be: *(check one)*

☐ unsupervised ☐ supervised ☐ reserved

2) Respondent's parenting time with the joint children be: *(check one)*

☐ unsupervised ☐ supervised ☐ reserved

If parenting time is unsupervised for both parents, skip to Question 13.

B. Supervised parenting time:

Supervision is necessary because unsupervised parenting time is likely to endanger the children's physical or emotional health or impair the children's emotional development.

The circumstances supporting this finding are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is in the best interests of the children that supervision of parenting time be arranged as follows: (State who should supervise parenting time, and if there is a cost involved, who should pay the cost, and any other important details) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Reserved Parenting time:

It is in the best interests of the children that parenting time should be reserved because: \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. **Public Assistance.** (Note: If either person is receiving public assistance from the State of Minnesota or applies for it after this proceeding is started, notice of this action must be given to Public Authority office. See Minnesota Statutes Section 518A.44)

A. Petitioner receives public assistance from the State of Minnesota: ☐ YES ☐ NO

If YES, the assistance is from \_\_\_\_\_ County. (check all that apply) :

☐ MFIP in the amount of \$ \_\_\_\_\_ per month

- ☐ Tribal TANF in the amount of \$\_\_\_\_\_ per month
- ☐ General Assistance in the amount of \$ \_\_\_\_\_per month
- ☐ Medical Assistance      ☐ MinnesotaCare
- ☐ Child Care Assistance

B. Respondent receives public assistance from the State of Minnesota: ☐ YES ☐ NO  
☐ UNKNOWN

If YES, the assistance is from \_\_\_\_\_ County. (check all that apply):

- ☐ MFIP in the amount of \$\_\_\_\_\_ per month
- ☐ Tribal TANF in the amount of \$ \_\_\_\_\_ per month
- ☐ General Assistance in the amount of \$ \_\_\_\_\_ per month
- ☐ Medical Assistance      ☐ MinnesotaCare
- ☐ Child Care Assistance

C. The joint children of the parties receive public assistance from the State of Minnesota:

☐ YES ☐ NO

If YES, the assistance is from \_\_\_\_\_ County. (check all that apply):

- ☐ MFIP    ☐ Medical Assistance    ☐ Tribal TANF    ☐ MinnesotaCare
- ☐ IV-E Foster Care

**14. Supplemental Security Income (SSI).** Supplemental Security Income (SSI) is a Federal income supplement program. It is available to low-income people if they are over age 65, or blind or disabled.

A. Petitioner receives Supplemental Security Income (SSI): ☐ YES ☐ NO

B. Respondent receives Supplemental Security Income (SSI): ☐ YES ☐ NO  
☐ UNKNOWN

C. The joint children of the parties receive Supplemental      ☐ YES ☐ NO  
Security Income (SSI):

**15. Petitioner's Financial Information**

A. Petitioner is currently (*check one*) ☐ employed ☐ unemployed (*if employed, answer the following*):



- 1) Employer: \_\_\_\_\_
- 2) Address: \_\_\_\_\_
- 3) Work telephone number: \_\_\_\_\_
- 4) Occupation /Type of work: \_\_\_\_\_
- 5) Length of employment: \_\_\_\_\_
- 6) Supervisor: \_\_\_\_\_
- 7) Gross Pay: \$\_\_\_\_\_ This ☐ does ☐ does not include overtime pay.
- 8) Paid: ☐ Weekly ☐ Every other week ☐ Twice a month ☐ Monthly
- 9) Previously employed by \_\_\_\_\_ for \_\_\_\_\_ years prior to the above employment.

B. Petitioner has the following additional sources of income:

Commissions \$\_\_\_\_\_ Pension Payments \$\_\_\_\_\_

Annuity Payments \$\_\_\_\_\_ Unemployment Benefits \$\_\_\_\_\_

Military / Naval Retirement \$\_\_\_\_\_ Workers' Compensation \$\_\_\_\_\_

Spousal Maintenance Received \$\_\_\_\_\_ Disability Payments \$\_\_\_\_\_

Self-Employment \$\_\_\_\_\_ Other \_\_\_\_\_ \$\_\_\_\_\_

C. The children currently receive monthly social security or veteran's benefits in the amount of \$\_\_\_\_\_ based on ☐ my disability ☐ the other parent's disability and is paid to ☐ Petitioner ☐ Respondent.

D. Petitioner is court ordered to pay monthly spousal maintenance (*check one*):

☐ YES ☐ NO *If yes, how much?* \_\_\_\_\_

E. Petitioner supports the following nonjoint children:

Child's Name	Date of Birth	Relationship	Court ordered child support	Living in my home
_____	_____	_____	\$_____	Yes / No
_____	_____	_____	\$_____	Yes / No
_____	_____	_____	\$_____	Yes / No
_____	_____	_____	\$_____	Yes / No

16. Respondent's Financial Information

A. ☐ Petitioner has no information about Respondent's employment or income.

**OR**

B. ☐ Petitioner does not have detailed information about Respondent's employment, but has good reason to believe that Respondent's gross income is \$\_\_\_\_\_ per ☐ week ☐ month ☐ year.

**OR**

C. ☐ Petitioner has detailed information about Respondent's employment:

1) Respondent is currently (*check one*) ☐ employed ☐ unemployed (*if employed, answer the following*):

- a. Employer: \_\_\_\_\_
- b. Address: \_\_\_\_\_
- c. Work telephone number: \_\_\_\_\_
- d. Occupation /Type of work: \_\_\_\_\_
- e. Length of employment: \_\_\_\_\_
- f. Supervisor: \_\_\_\_\_
- g. Gross Pay: \$\_\_\_\_\_ This ☐ does ☐ does not include overtime pay.
- h. Paid: ☐ Weekly ☐ Every other week ☐ Twice a month ☐ Monthly
- i. Previously employed by \_\_\_\_\_ for \_\_\_\_\_ years prior to the above employment.

2) Respondent has the following additional sources of income:

Commissions \$_____	Pension Payments \$_____
Annuity Payments \$_____	Unemployment Benefits \$_____
Military / Naval Retirement \$_____	Workers' Compensation \$_____
Spousal Maintenance Received \$_____	Disability Payments \$_____
Self-Employment \$_____	Other _____ \$_____

3) The children currently receive monthly social security or veteran's benefits in the amount of \$ \_\_\_\_\_ based on ☐ my disability ☐ the other parent's disability and is paid to ☐ Petitioner ☐ Respondent.

4) Respondent is court ordered to pay monthly spousal maintenance (*check one*):

☐ YES ☐ NO *If yes, how much?* \_\_\_\_\_

5) Respondent supports the following nonjoint children:

<b>Child's Name</b>	<b>Date of Birth</b>	<b>Relationship</b>	<b>Court ordered child support</b>	<b>Living in my home</b>
_____	_____	_____	\$ _____	Yes / No
_____	_____	_____	\$ _____	Yes / No
_____	_____	_____	\$ _____	Yes / No
_____	_____	_____	\$ _____	Yes / No

**17. Child Support**

A. ☐ Child Support Order exists in File \_\_\_\_\_. Child support does not need to be addressed in this Order.

B. ☐ Child Support needs to be established.

C. ☐ Child support should be reserved because \_\_\_\_\_

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**18. Health Care Coverage**

A. ☐ Petitioner ☐ Respondent ☐ Joint Children receives MinnesotaCare or Medical Assistance.

B. Petitioner: (*check all that apply*)

☐ Petitioner does not have healthcare coverage available for the joint children.

**OR**

☐ Petitioner has healthcare coverage available for the joint children other than MinnesotaCare or Medical Assistance.

1) Petitioner has medical insurance available for the joint children.

a. ☐ through his/her employment

b. ☐ buys private medical insurance

c. How much does the medical insurance cost?

\$\_\_\_\_\_per month for single coverage

\$\_\_\_\_\_per month for single plus spouse (if this is offered)

\$\_\_\_\_\_per month for family coverage

d. Who is currently covered by this medical insurance?

☐ Petitioner ☐ Respondent ☐ Joint Children ☐ Nonjoint Children

2) Petitioner has dental insurance available for the joint children.

a. ☐ through his/her employment

b. ☐ buys private medical insurance

c. How much does the dental insurance cost?

\$\_\_\_\_\_per month for single coverage

\$\_\_\_\_\_per month for single plus spouse (if this is offered)

\$\_\_\_\_\_per month for family coverage

☐ Dental insurance costs are included in medical insurance costs

d. Who is currently covered by this dental insurance?

☐ Petitioner ☐ Respondent ☐ Joint Children ☐ Nonjoint Children

C. Respondent: *(check all that apply)*

☐ Petitioner has no information about Respondent's healthcare coverage.

**OR**

☐ Respondent does not have healthcare coverage available for the joint children.

**OR**

☐ Respondent has healthcare coverage available for the joint children other than MinnesotaCare or Medical Assistance.

1) Respondent has medical insurance available for the joint children.

a. ☐ through his/her employment

b. ☐ buys private medical insurance

c. How much does the dental insurance cost?

\$\_\_\_\_\_per month for single coverage

\$\_\_\_\_\_per month for single plus spouse (if this is offered)

\$\_\_\_\_\_per month for family coverage

☐ Dental insurance costs are included in medical insurance costs

d. Who is currently covered by this dental insurance?

☐ Petitioner ☐ Respondent ☐ Joint Children ☐ Nonjoint Children

2) Respondent has dental insurance available for the joint children

a. ☐ through his/her employment

b. ☐ buys private medical insurance

c. How much does the dental insurance cost?

\$\_\_\_\_\_per month for single coverage

\$\_\_\_\_\_per month for single plus spouse (if this is offered)

\$\_\_\_\_\_per month for family coverage

☐ Dental insurance costs are included in medical insurance costs

d. Who is currently covered by this dental insurance?

☐ Petitioner ☐ Respondent ☐ Joint Children ☐ Nonjoint Children

**19. Child Care Costs**

Are there childcare costs for joint children because of work or school? ☐ YES ☐ NO

A. How many of the joint children need childcare? ☐ One ☐ Two ☐ Three ☐ \_\_\_\_\_

B. How much does the daycare center(s) or babysitter charge per month? \$ \_\_\_\_\_

C. Does the County child support agency pay for childcare through a subsidy or childcare assistance? ☐ YES ☐ NO

If YES, please identify the childcare assistance is being received

- ☐ Petitioner pays \$\_\_\_\_\_ per month  
☐ Respondent pays \$\_\_\_\_\_ per month  
☐ The County pays \$\_\_\_\_\_ per month  
☐ Petitioner ☐ Respondent applied for the childcare assistance

D. Petitioner should pay \$\_\_\_\_\_ per month for his/her proportional share of childcare costs and Respondent should pay \$\_\_\_\_\_ per month for his/her proportional share of childcare costs. These amounts ☐ are ☐ are not based upon calculations using the child support guidelines worksheet.

**BASED UPON THE ABOVE INFORMATION,** the Court makes the following:

**ORDER**

1. **Legal Custody.** It is in the best interests of the children to grant **legal** custody of each minor joint child of the parties as follows:

**Full Name of Child**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Granting Legal Custody to:**

- ☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties

2. **Physical Custody.** It is in the best interests of the children to grant **physical** custody of each of the minor joint children of the parties as follows:

**Full Name of Child**

\_\_\_\_\_  
\_\_\_\_\_

**Granting Legal Custody to:**

- ☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties

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- ☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties  
☐ Solely to Petitioner ☐ Solely to Respondent  
☐ Jointly to both parties

3. **Parenting Time**

A. Petitioner's parenting time shall be: ☐ Unsupervised ☐ Supervised ☐ Reserved

B. Respondent's parenting time shall be: ☐ Unsupervised ☐ Supervised ☐ Reserved

C. Parenting Time shall be scheduled as follows:

(Clearly explain the time each parent will spend with each child. Include the time (o'clock) when the children will transfer from one parent to the other. You may also want the order to say who will pick up and drop off the children).

**Regular schedule:**

Monday through Friday:

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Weekends:

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Summer (if you want a different schedule in summer):

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Telephone contact with the children: ☐ Unlimited or ☐ Only at certain times as follows  
(describe the days and times when the parent and children may have telephone contact):

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**Exceptions to the Regular Schedule:**

You can have a different schedule for holidays, school release days, and birthdays. If you do not want a different schedule, leave it blank.

School release days or breaks during the school year:

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Any school release day schedule will supersede the regular parenting schedule.

Birthdays (child's birthday, parent's birthday):

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Holidays:

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Any holiday or birthday schedule will supersede the regular and school release parenting schedule.

Vacation Time:

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Any vacation time will supersede the regular parenting schedule.

Other exceptions to the regular schedule:

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**D. Under the above Schedule:** (Please be as precise as possible. The amount of overnights each party has may affect your child support)

- 1) ☐ The annual number of overnights for Petitioner is \_\_\_\_\_. The annual number of overnights for Respondent is \_\_\_\_\_.

**OR**

- 2) ☐ Petitioner has \_\_\_\_\_% of annual overnights with the children and Respondent has \_\_\_\_\_% of annual overnights with the children.

4. **Child Support**

A. ☐ Child support shall continue as ordered in File \_\_\_\_\_.

**OR**

B. ☐ The issue of child support is reserved. Child support shall be reserved because: \_\_\_\_\_

\_\_\_\_\_  
Either party can ask the court to order the payment of child support in the future by filing a Motion stating that there is a change in circumstances.

**OR**

C. ☐ Child support shall be established according to the child support guidelines as described in detail below. (Fill in 1 or 2)

1) ☐ Petitioner ☐ Respondent shall pay to ☐ Petitioner ☐ Respondent  
\$\_\_\_\_\_ per month starting on (date):\_\_\_\_\_ as the basic support obligation for the parties' joint children. This amount is based on the calculations from the child support guidelines worksheet, which is attached and incorporated into this Order. Any past due amounts pursuant to a different court order of child support are still owed.

2) ☐ Petitioner ☐ Respondent shall pay to ☐ Petitioner ☐ Respondent  
\$\_\_\_\_\_ per month starting on (date):\_\_\_\_\_ as the basic support obligation for the parties' joint children. This amount is a deviation from the basic support obligation under Minnesota laws, and the facts supporting the deviation from the basic amount are:\_\_\_\_\_

\_\_\_\_\_  
The monthly amount shall be:

☐ subject to income withholding from the payor's income, regardless of source, by his by his or her employer, trustee, or other payor of funds and mailed to: Minnesota Child Support Payment Center, P.O. Box 64326, St. Paul, MN 55164-0326. If the person paying child support is self-employed, send payments to Minnesota Child Support Payment Center, P.O. Box 64306, St. Paul, MN 55164-0306. **To start income withholding, Petitioner or Respondent must apply for IV-D services or**



**income withholding-only services at the Child Support office in the County where the children live.** Until income withholding starts, the person owing support shall pay the other parent directly.

**OR**

☐ paid directly by the parent owing the child support to the parent receiving the child support, payable on the \_\_\_\_\_ day of each month.

**5. Medical and Dental Insurance for the Joint Children**

Ordering Medical insurance as follows:

- A. ☐ Petitioner ☐ Respondent shall provide medical insurance for the joint children through his/her **employer or union**. The other parent must pay a pro rata share of the health coverage costs by paying \$\_\_\_\_\_ OR ☐ pay nothing toward the medical insurance costs because he/she is financially unable to contribute to the costs.

**OR**

- B. ☐ Petitioner ☐ Respondent shall provide medical insurance for the joint children by obtaining and paying for **private insurance**. The other parent must pay a pro rata share of the health coverage costs by paying \$\_\_\_\_\_ OR ☐ pay nothing toward the medical insurance costs because he/she is financially unable to contribute to the costs.

**OR**

- C. ☐ Petitioner ☐ Respondent shall pay \$ \_\_\_\_\_ per month as reimbursement for Medical Assistance or MinnesotaCare, payable by income withholding through the Minnesota Child Support Payment Center, provided Medical Assistance or MinnesotaCare is open for the joint children.

**OR**

- D. ☐ Reserving the issue of medical insurance for the joint children.

Ordering Dental Insurance as follows:

- A. ☐ Petitioner ☐ Respondent shall provide dental insurance for the joint children through his/her **employer or union**. The other parent must pay a pro rata share of the dental coverage costs by paying \$\_\_\_\_\_ OR ☐ pay nothing toward the dental coverage costs because he/she is financially unable to contribute to the costs.

**OR**

- B. ☐ Petitioner ☐ Respondent shall provide dental insurance for the joint children by obtaining and paying for **private insurance**. The other parent must pay a pro rata share of the dental coverage costs by paying \$\_\_\_\_\_ OR ☐ pay nothing toward the dental coverage costs because he/she is financially unable to contribute to the costs.

**OR**

- C. ☐ Reserving the issue of dental insurance.

**OR**

- D. ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6. Uninsured and Unreimbursed Medical and Dental Expenses for the Joint Children**

"Uninsured and unreimbursed medical and dental costs" are expenses not covered by insurance and not paid by medical assistance or MinnesotaCare. Examples include deductibles, co-pays, and procedures not covered by insurance or assistance. Usually, the parent with physical custody of the child will receive and pay the bill for the unreimbursed costs.

- A. ☐ Petitioner shall pay \_\_\_\_\_ % of the uninsured and/or unreimbursed medical and dental costs for the joint children of the parties, and Respondent shall pay \_\_\_\_\_% based on the percentage share of combined PICS (parental income for determining child support).

**OR**

- B. ☐ Reserving the issue of uninsured and unreimbursed medical and dental costs.

The parent who paid the bill must tell the other parent to pay his/her percentage share. To ask for payment, send to the other parent a) a copy of the bill, b) evidence that you have paid the bill, and c) a letter requesting payment to you of your percentage share. This request for payment should be made promptly, and no later than 3 months after the bill is paid. If a request for payment is made after 3 months, there must be exceptional circumstances to support the late request for payment.

The person receiving the request for payment shall make the payment within 30 days. If there is a good reason to question the payment, send a letter to the other parent stating what additional information is needed, or why payment is disputed. If neither payment nor a written letter disputing payment is sent within 30 days of receiving the request for payment, then the unpaid bill can be considered back due child support.

If the parents are not able to work out payment problems, either parent can bring a motion in court asking the court to decide the dispute or asking the court to adjust how they divide the bills, based on changes in the incomes of the parties.

**7. Child Care Support**

- A. ☐ Petitioner shall pay \$ \_\_\_\_\_ per month for childcare expenses,  
and Respondent shall pay \$ \_\_\_\_\_ per month for childcare expenses.

**OR**

- B. ☐ Reserving the issue of childcare expenses.

8. **Other:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. NOTICE: Appendix A is incorporated and made a part of this final judgment. Appendix A contains, among other things, provisions regarding payments to the Public Agency pursuant to Minnesota Statutes § 518A.50; Depriving Another of Custodial or Parental Rights - A Felony, Minnesota Statutes § 609.26; Rules of Support and Parenting Time; Parental Rights from Minnesota Statutes § 518.17, subdivision 3; Wage and Income Deduction of Child Support pursuant to Minnesota Statutes § 518A.53; Change of Address or Residence; Cost of Living Increase of Child Support pursuant to Minnesota Statutes § 518A.75; Judgments for Unpaid Child Support pursuant to Minnesota Statutes § 548.091; an Medical Insurance and Expenses pursuant to Minnesota Statutes § 518A.41.

The foregoing Order is recommended.

BY THE COURT

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District Court Referee

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Judge of District Court

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

## Appendix A (FAM301)

### Notice is Hereby Given to the Parties:

- I. **Payments to Public Agency.** According to Minn. Stat. § 518A.50, payments ordered for maintenance and support must be paid to the Minnesota child support payment center as long as the person entitled to receive the payments is receiving or has applied for public assistance or has applied for support and maintenance collection services. Parents mail payments to: P.O. Box 64326, St. Paul, MN 55164-0326. Employers mail payments to: P.O. Box 64306, St. Paul, MN 55164.
- II. **Notice Regarding Compliance With Parenting Time Order.** The parties are expected to fully comply with the court's order unless the parties mutually agree otherwise in writing as defined by Minn. Stat. § 645.44, subd. 14. Pursuant to Minn. Stat. § 518.175, subd. 6, and Minn. Stat. § 518.131, subd. 11, the parties are hereby notified that:
  - (1) The court shall award compensatory parenting time to a parent who has been prevented from exercising parenting time.
  - (2) Deprivation of parental rights is a felony crime pursuant to Minn. Stat. § 609.375.
  - (3) If the court finds that one parent has repeatedly and intentionally denied or interfered with another parent's parenting time, then the court shall award attorney fees to the parent who has been denied parenting time and require the parent who has been denying or interfering with parenting time to pay the other parent for costs incurred as a result of enforcing the decision.
  - (4) If the court finds that one parent has repeatedly and intentionally denied or interfered with parenting time, then the court may also:
    - (i) transfer custody of the child to the other parent;
    - (ii) impose a sanction of up to \$500 on the parent who repeatedly and intentionally denied or interfered with parenting time; or
    - (iii) award other relief as determined to be in the best interests of the children involved.
- III. **Nonsupport of a Spouse or Child.** A person who fails to pay court-ordered child support or maintenance may be charged with a crime, which may include misdemeanor, gross misdemeanor, or felony charges, according to Minn. Stat. § 609.375. A copy of that section is available from any district court clerk.
- IV. **Rules of Support, Maintenance, Parenting Time.**
  - A. Payment of support or spousal maintenance is to be as ordered, and the giving of gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

- B. Payment of support must be made as it becomes due, and failure to secure or denial of parenting time is NOT an excuse for nonpayment, but the aggrieved party must seek relief through a proper motion filed with the court.
- C. Nonpayment of support is not grounds to deny parenting time. The party entitled to receive support may apply for support and collection services, file a contempt motion, or obtain a judgment as provided in Minn. Stat. § 548.091.
- D. The payment of support or spousal maintenance takes priority over payment of debts and other obligations.
- E. A party who accepts additional obligations of support does so with the full knowledge of the party's prior obligation under this proceeding.
- F. Child support or maintenance is based on annual income, and it is the responsibility of a person with seasonal employment to budget income so that payments are made throughout the year as ordered.
- G. *A Parental Guide to Making Child-Focused Parenting Time Decisions* is available from any court administrator.
- H. The nonpayment of support may be enforced through the denial of student grants; interception of state and federal tax refunds; suspension of driver's, recreational, and occupational licenses; referral to the department of revenue or private collection agencies; seizure of assets, including bank accounts and other assets held by financial institutions; reporting to credit bureaus; income withholding, and contempt proceedings; and other enforcement methods allowed by law.
- I. The public authority may suspend or resume collection of the amount allocated for child care expenses if the conditions of Minn. Stat. § 518A.40, subd. 4, are met.
- J. The public authority may remove or resume a medical support offset if the conditions of Minn. Stat. § 518A.41, subd. 16, are met.

**V. Modifying Child Support.** If either the obligor or obligee is laid off from employment or receives a pay reduction, child support may be modified, increased, or decreased. Any modification will only take effect when it is ordered by the court, and will only relate back to the time that a motion is filed. Either the obligor or obligee may file a motion to modify child support, and may request the public agency for help. **Until a motion is filed, the child support obligation will continue at the current level. The court is not permitted to reduce support retroactively.**

**VI. Parental Rights from Minn. Stat. § 518.17, subd. 3. Unless otherwise provided by the court:**

- A. Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, police reports, and other important records and information about the minor children. Each party has the right of access to information regarding health or dental insurance available to the minor children. Presentation of a copy of this order to

the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.

- B. Each party has the right to be informed by the other party as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.
- C. Each party has the right to be notified by the other party of an accident or serious illness of a minor child, including the name of the health care provider and the place of treatment.
- D. Each party has the right to be notified by the other party if the minor child is the victim of an alleged crime, including the name of the investigating law enforcement officer or agency. There is no duty to notify if the party to be notified is the alleged perpetrator.
- E. Each party has the right of reasonable access and telephone contact with the minor children.

**VII. Wage and Income Deduction of Support and Maintenance.** Child support and/or spousal maintenance may be withheld from income, with or without notice to the person obligated to pay, when the conditions of Minn. Stat. § 518A.53, have been met. A copy of that section is available from any court administrator.

**VIII. Change of Address or Residence.** Unless otherwise ordered, each party shall notify the other party, the court, and the public authority responsible for collection, if applicable, of the following information within ten days of any change: residential and mailing address, telephone number, driver's license number, social security number, and name, address, and telephone number of the employer.

**IX. Cost of Living Increase of Support and Maintenance.** Basic support and/or spousal maintenance may be adjusted every two years based upon a change in the cost of living (using the U.S. Department of Labor, Bureau of Labor Statistics, consumer price index Mpls. St. Paul, for all urban consumers (CPI-U), unless otherwise specified in this order) when the conditions of Minn. Stat. § 518A.75, are met. Cost of living increases are compounded. A copy of Minn. Stat. § 518A.75, and forms necessary to request or contest a cost of living increase are available from any court administrator.

**X. Judgments for Unpaid Support.** If a person fails to make a child support payment, the payment owed becomes a judgment against the person responsible to make the payment by operation of law on or after the date the payment is due, and the person entitled to receive the payment or the public agency may obtain entry and docketing of the judgment without notice to the person responsible to make the payment.

**XI. Judgments for Unpaid Maintenance.**

- A. A judgment for unpaid spousal maintenance may be entered and docketed when the conditions of Minn. Stat. § 548.091, are met. A copy of that section is available from any court administrator.
- B. The public authority is not responsible for calculating interest on any judgment for unpaid spousal maintenance. When providing services in IV-D cases, as defined in Minn. Stat. § 518A.26, subd. 10, the public authority will only collect interest on spousal maintenance if spousal maintenance is reduced to a sum certain judgment.

**XII. Attorney Fees and Collection Costs for Enforcement of Child Support.** A judgment for attorney fees and other collection costs incurred in enforcing a child support order will be entered against the person responsible to pay support when the conditions of Minn. Stat. § 518A.735, are met. A copy of that section and forms necessary to request or contest these attorney fees and collection costs are available from any court administrator.

**XIII. Parenting Time Expeditor Process.** On request of either party or on its own motion, the court may appoint a parenting time expeditor to resolve parenting time disputes under Minn. Stat. § 518.1751. A copy of that section and a description of the expeditor process is available from any court administrator.

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In addition to the Notices listed above, the following Notice applies to all orders addressing custody pursuant to Minn. Stat. § 518.17, subd. 3a.

## **Notice**

### **Each Party is Granted the Following Rights:**

1. Right of access to, and to receive copies of, school, medical, dental, religious training, police reports, and other important records and information about the minor children.
2. Right of access to information regarding health or dental insurance available to the minor children.
3. Right to be informed by the other party as to the name and address of the school of attendance of the minor children.
4. Right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent-teacher conferences. The school is not required to hold a separate conference for each party, unless attending the same conference would result in violation of a court order prohibiting contact with a party.
5. Right to be notified by the other party of an accident or serious illness of a minor child, including the name of the health care provider and the place of treatment.
6. Right to be notified by the other party if the minor child is the victim of an alleged crime, including the name of the investigating law enforcement officer or agency. There is no duty to notify if the party to be notified is the alleged perpetrator.
7. Right to reasonable access and telephone or other electronic contact with the minor children.