

County of: _____	Court File Number: _____
Judicial District: _____ Tenth _____	Case Type: _____

In Re the Custody of:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Children's Names

\_\_\_\_\_

Petitioner

AND

\_\_\_\_\_

Respondent

AND

\_\_\_\_\_

Intervenor (if applicable)

### Stipulation and Order for Custody, Parenting Time, and Child Support

1. This proceeding came before the undersigned Judge of District Court on \_\_\_\_\_ (date), in \_\_\_\_\_ County, State of Minnesota.  
Petitioner  did  did not appear. Respondent  did  did not appear.
2. Petitioner  is NOT represented by an attorney OR  
Petitioner  is represented by the following attorney: \_\_\_\_\_
3. Respondent  is NOT represented by an attorney OR  
Respondent  is represented by the following attorney: \_\_\_\_\_
4. \_\_\_\_\_, appeared on behalf of \_\_\_\_\_
5. Service of the Summons and Petition for Custody and Parenting Time. (Check one)
  - a.  Respondent was personally served on \_\_\_\_\_

- b.  Respondent signed a Waiver of Service of Summons on \_\_\_\_\_
- c.  Respondent was served by alternate means as ordered by the court as follows (*check one*):
  - i.  By mailing the Summons and Petition to Respondent at the address stated in the Order for Service by Alternate Means on \_\_\_\_\_ (*date*).
  - ii.  Respondent was served by publication of the Summons in a legal newspaper in \_\_\_\_\_ County, State of \_\_\_\_\_ once each week for three consecutive weeks, on the following three dates: \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.
  - iii.  Other. \_\_\_\_\_

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

a. If YES, Petitioner was served with the *Answer* and *Counter-Petition* on \_\_\_\_\_ (*date*).

7. Petitioner and Respondent have reached an agreement on *all* issues in this case. The parties prepared this Stipulation and Order, incorporating the stipulated facts and terms of the parties' agreement. A signed Acknowledgement regarding this agreement is also included in this document.

NOW, THEREFORE, IT IS AGREED by and between the parties, the Court shall enter the following:

**ORDER**

1. **Petitioner's Information.**

Name: (*first, middle, last*) \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

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

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

The social security number of Petitioner is listed on Confidential Form 11.1 and submitted along with this Stipulation and Order.

2. **Respondent's Information.**

Name: *(first, middle, last)* \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

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

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

\_\_\_\_\_  
The social security number of Respondent is listed on Confidential Form 11.1 and submitted along with this Stipulation and Order.

3. **180 Day Requirement.**

a. Petitioner has been living in Minnesota for the past six months:  YES  NO

b. Respondent has been living in Minnesota for the past six months:  YES  NO

4. **Armed Forces.**

a. Petitioner is an active-duty member of the armed forces:  YES  NO

i. If YES, has Petitioner been stationed in Minnesota for the past six months?

YES  NO

b. Respondent is an active-duty member of the armed forces:  YES  NO

i. If YES, has Respondent been stationed in Minnesota for the past six months?

YES  NO

5. **Prior Orders and Other Proceedings.** *(Check all that apply)*

a.  A separate court case for custody, parenting time or child support has already been started in Minnesota or another state. The type of court case is:

\_\_\_\_\_ and it was started in \_\_\_\_\_

County in the State of \_\_\_\_\_ and the court file number is

\_\_\_\_\_.

The outcome of the case is:  Open  Closed OR  Other: \_\_\_\_\_

\_\_\_\_\_

b.  The County has started a Child Support case involving Petitioner and Respondent or their children. The type of court case is: \_\_\_\_\_ and it was

started in \_\_\_\_\_ County in the State of \_\_\_\_\_

and the court file number is \_\_\_\_\_. The outcome of the case

is:  dismissed  pending OR  resulted with an Order for Support.

- c.  There is an open child protection case involving the children. The court file number is \_\_\_\_\_ and the case is in \_\_\_\_\_ County, State of \_\_\_\_\_. The child protection worker's name is \_\_\_\_\_.
- d.  There is a protection, harassment, or no contact order between the parties and/or children currently in place.
- i. The order protects:  Petitioner  Respondent  Children
  - ii. The order was issued in court file number \_\_\_\_\_, \_\_\_\_\_ County, State of \_\_\_\_\_. A copy of the order is submitted along with this Stipulation and Order.
  - iii. If an Order for Protection is in effect, does the Order for Protection include a child support obligation?  YES  NO

6. **Joint Children.** List all minor children that Petitioner and Respondent have together:

Full Name of Minor Child and any prior names	Date of Birth	Who does the child live with now? List full name.

The social security numbers of the children are listed on Confidential Form 11.1 and submitted along with this Stipulation and Order.

- a. If the children are living with someone other than a party, the children's current address is: \_\_\_\_\_. The children have lived at this address since \_\_\_\_\_ (date).
- b. If children have lived less than six months at the above listed address, list dates and locations of where the children have been living for the last six months:
- \_\_\_\_\_
- \_\_\_\_\_

7. **Paternity.** Paternity of the children was established by (check all that apply):

- a.  Court Order
- There is an order issued in court file number \_\_\_\_\_, in \_\_\_\_\_ County, State of \_\_\_\_\_, that says  Petitioner  Respondent is the father of the following children: \_\_\_\_\_
- \_\_\_\_\_

b.  Minnesota Recognition of Parentage (“ROP”)

The parties signed a ROP for the following children: \_\_\_\_\_

\_\_\_\_\_ and each ROP was filed with the Minnesota Department of Health (*this is usually done at the hospital or at a county office*). Check one option below:

- i.  A certified copy of the ROP has been filed with the court **OR**
- ii.  A certified copy of the ROP was requested from the Minnesota Department of Health, Bureau of Vital Statistics and shall be filed upon receipt. (*Note: If Petitioner or Respondent were a minor (under the age of 18) when the Minnesota Recognition of Parentage was signed, STOP and consult with an attorney. See Minn. Stat. §257.75, subd. 3 and Minn. Stat. §257.55, subd. 1(h) for more information.*)

c.  Other:

\_\_\_\_\_

8. **Guardian or Custodian.** A guardian or custodian was appointed for the joint children.

YES  NO

- a. If YES, a guardian or custodian was appointed for the children by court order in court file number \_\_\_\_\_ in the State of \_\_\_\_\_. The name of the guardian or custodian is \_\_\_\_\_. (*Note: Minn. Stat. § 518.156, subd. 2 requires the Petitioner to give written notice of this proceeding to the guardian or custodian.*)

9. **Non-Joint Children.** List all the minor children that the parties have from other relationships. (*Check all that apply*)

- a.  Petitioner has children from another marriage or relationship as listed below:

Full Name of Child	Date of Birth	Does child live with Petitioner?	Amount of child support Petitioner is ordered to pay for child or write “None”
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	

- b.  Respondent has children from another marriage or relationship as listed below:

Full Name of Child	Date of Birth	Does child live with Respondent?	Amount of child support Respondent is ordered to pay for child or write "None"
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	

10. **Custody of Joint Children.**

- a. **Legal Custody.** *Legal custody means which parties have a say in the major decisions regarding the children's life including education, religious upbringing, and medical treatment.* It is in the best interests of the children to grant **legal custody** of the joint children as follows (*check one*):

- i.  Joint legal custody to both parties
- ii.  Sole legal custody to Petitioner
- iii.  Sole legal custody to Respondent

- b. **Physical Custody.** *Physical custody identifies which parties will handle the routine daily care and control of the children.* It is in the best interests of the children to grant **physical custody** of the joint children as follows (*check one*):

- i.  Joint physical custody to both parties
- ii.  Sole physical custody to Petitioner
- iii.  Sole physical custody to Respondent

- c. **Additional Terms.**

- i. Both parties will have access to medical records typically available to parents and will have equal rights to obtain information from and to consult with any medical providers. Both parties may seek emergency treatment for the children, notifying the other party as soon as possible.
- ii. Both parties will have access to educational records typically available to parents. They will share information from educational sources, including costs and benefits of programs that may be recommended for the children.

Both parties may attend conferences, programs, and other activities in which the children become involved.

- iii. Both parties may attend games, programs, and special events in which the children participate, unless prohibited by separate court order. Both will have the right to be notified by the school of all such activities and will attempt to keep each other informed of activities and special events.

11. **Parenting Time with Joint Children.** It is in the best interests of the children that:

a. Petitioner's parenting time with the children be (*check one*):

- i.  Unsupervised  Supervised  Reserved

b. Respondent's parenting time with the children be (*check one*):

- i.  Unsupervised  Supervised  Reserved

c. Regular schedule. The regular parenting time schedule shall be as follows: Clearly explain the time *each* party will spend with *each* child. Include the time (o'clock) when the children will transfer from one party to the other. If you want the order to say who will pick up and drop off the children, include that under "Other."

i. Monday through Friday: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ii. Weekends: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Summer (*if you want a different schedule in summer*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iv. Telephone contact with the children (*check one*):

- 1.  Unlimited
- 2.  Only at certain times, as follows (*describe the days and times when the parent and children may have telephone contact*):

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

d. Exceptions to the Regular Schedule. If you do not want exceptions to the regular schedule, leave this section blank.

i. School release days or breaks during the school year: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

ii. Birthdays (*children's birthdays, parents' birthdays, etc.*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Holidays: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

iv. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Based on the above parenting time schedule:

i. The joint children are with Petitioner \_\_\_\_\_ overnights per year.

ii. The joint children are with Respondent \_\_\_\_\_ overnights per year.

12. **Support for the Joint Children.** (*Check one*)

a.  Establish Child Support. The court shall establish child support in this action.  
(*Note: if you checked this box, go to Paragraph 13.*)

b.  Child Support Already Established. Child support for the children was previously established by court order on \_\_\_\_\_ (*date*) in court file number \_\_\_\_\_ and the case is in \_\_\_\_\_ County, State of \_\_\_\_\_. (*Check one option below*)

i.  Keep Child Support the Same. All financial determinations made by the court in court file number \_\_\_\_\_ remain in full force and effect and are incorporated into this Stipulation and Order.  
(*Note: if you checked this box, go to Paragraph 23.*)



ii.  **Modify Child Support.** Although the court previously entered a child support order in court file number \_\_\_\_\_, based on new financial circumstances and/or a change in parenting time, the parties agree to modify child support based on the information provided below.  
(Note: if you checked this box, go to Paragraph 13.)

c.  **Reserve Child Support.** The parties do not wish to establish child support in this case. 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.

i. Explain why reserving child support is in the best interests of the children:

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(Note: If you checked this box, go to Paragraph 13. By checking this box you are asking the court to reserve child support, which requires the court to consider the factors in Minn. Stat. § 518A.43, subd. 1.)

**13. Public Assistance from State of Minnesota.**

If either party is receiving public assistance from the State of Minnesota or applies for it after this proceeding is started, Petitioner must give notice of this action to the Support and Collections office for the county paying the assistance. Use Court Forms DIV813 and DIV816 to give notice to the county's collections and support office. The court **cannot** approve your agreement absent the approval of the public authority. (Check all that apply)

a.  Petitioner receives public assistance from the State of Minnesota.

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

1.  MFIP in the amount of \$ \_\_\_\_\_ per month
2.  Tribal TANF in the amount of \$ \_\_\_\_\_ per month
3.  General Assistance in the amount of \$ \_\_\_\_\_ per month
4.  Other:  Child Care Assistance  MinnesotaCare  
 Medical Assistance

b.  Respondent receives public assistance from the State of Minnesota.

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

1.  MFIP in the amount of \$ \_\_\_\_\_ per month
2.  Tribal TANF in the amount of \$ \_\_\_\_\_ per month

- 3.  General Assistance in the amount of \$\_\_\_\_\_ per month
- 4.  Other:  Child Care Assistance  MinnesotaCare  
 Medical Assistance

- c.  The joint children receive public assistance from the State of Minnesota.
  - i. If YES, the assistance is from \_\_\_\_\_ County.  
(Check all that apply)

- MFIP  Tribal TANF  General Assistance  MinnesotaCare
- IV-E Foster Case

14. **Expenses for Special Needs for the Joint Children.** Do any joint children have special needs and/or extraordinary medical expenses?  YES  NO (If NO, continue to paragraph 15)

- a. The name of the child with special needs is: \_\_\_\_\_
- b. Describe the special needs: \_\_\_\_\_  
\_\_\_\_\_

c. Living Expenses. (Check one)

- i.  Petitioner and Respondent and their children are still living together. The total monthly living expenses for the family are: \$\_\_\_\_\_.
- ii.  Petitioner and Respondent are living separately.  
Petitioner's total monthly living expenses are \$\_\_\_\_\_. Of  
Petitioner's total monthly living expenses, \$\_\_\_\_\_ is just for  
expenses for the joint children that live with Petitioner. Respondent's total  
monthly living expenses are \$\_\_\_\_\_. Of the total current monthly  
living expenses for Respondent, \_\_\_\_\_ is just for expenses for the  
joint children that live with Respondent.

15. **Petitioner's Employment and Income.**

- a. Petitioner is employed:  YES  NO
- b. Petitioner is Self-Employed:  YES  NO
- c. Petitioner is working at least 40 hours per week:  YES  NO

If Petitioner is unemployed or working less than 40 hours per week, answer the following questions:

- i. Why is Petitioner unemployed or working less than 40 hours per week?

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

ii. What is Petitioner's past work experience (*type of jobs, hours, pay, length of time at the job*) and what are Petitioner's professional qualifications or licenses? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

d. Current Employment. If Petitioner currently has more than two jobs, use an attachment.

i. Name of Petitioner's 1<sup>st</sup> Employer: \_\_\_\_\_

1. Employer's Address: \_\_\_\_\_  
 \_\_\_\_\_

2. Petitioner is paid:  hourly OR  salary. Petitioner works an average of \_\_\_\_\_ hours per week. Petitioner receives an average of \$\_\_\_\_\_ per week in overtime pay. Petitioner  does OR  does not receive bonuses. If Petitioner receives bonuses, Petitioner received \$\_\_\_\_\_ in bonuses last year and expects to receive \$\_\_\_\_\_ in bonuses this year.

ii. Name of Petitioner's 2<sup>nd</sup> Employer: \_\_\_\_\_

1. Employer's Address: \_\_\_\_\_  
 \_\_\_\_\_

2. Petitioner is paid:  hourly OR  salary. Petitioner works an average of \_\_\_\_\_ hours per week. Petitioner receives an average of \$\_\_\_\_\_ per week in overtime pay. Petitioner  does OR  does not receive bonuses. If Petitioner receives bonuses, Petitioner received \$\_\_\_\_\_ in bonuses last year and expects to receive \$\_\_\_\_\_ in bonuses this year.

e. Petitioner's Income.

<b>Source of Income</b>	<b>Amount Per Month (before deductions or taxes)</b>
Self-Employment Income <i>(Self-Employment income means gross receipts minus costs of goods sold minus ordinary and necessary business expenses.)</i>	\$
Job with _____ <i>Monthly income from a job = Hourly wage x Hours worked per week x 4.33 (weeks per month)</i>	\$
2 <sup>nd</sup> Job with _____	\$
Commissions from all jobs. <i>Divide the total amount you expect this year by 12 to get a monthly average.</i>	\$

Source of Income	Amount Per Month (before deductions or taxes)
Unemployment benefits	\$
Social Security Retirement, Survivors or Disability Income (RSDI) (do not include SSI)	\$
Investment and rental income	\$
Annuity payments	\$
Pension or disability from work or military	\$
Worker's compensation	\$
Court-ordered spousal maintenance you receive	\$
Other Income (identify source): _____	\$
<b>TOTAL MONTHLY INCOME (add all of the above)</b>	<b>\$</b>

f. Other Financial Information. (Check all that apply)

- i.  Petitioner is court-ordered to pay \$\_\_\_\_\_ per month in court-ordered child support for non-joint children.
- ii.  Petitioner is court-ordered to pay \$\_\_\_\_\_ per month in spousal maintenance to a current or former spouse.
- iii.  The joint children receive \$\_\_\_\_\_ per month in Social Security or Veteran's Benefits because of Petitioner's retirement, disability, or other eligibility.  Petitioner OR  Respondent receives this payment.

16. Respondent's Employment and Income.

- a. Respondent is employed:  YES  NO
- b. Respondent is Self-Employed:  YES  NO
- c. Respondent is working at least 40 hours per week:  YES  NO

If Respondent is unemployed or working less than 40 hours per week, answer the following questions:

- i. Why is Respondent unemployed or working less than 40 hours per week?

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- ii. What is Respondent's past work experience (type of jobs, hours, pay, length of time at the job) and what are Respondent's professional qualifications or licenses? \_\_\_\_\_

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

d. Current Employment. If Respondent currently has more than two jobs, use an attachment.

i. Name of Respondent's 1<sup>st</sup> Employer: \_\_\_\_\_

1. Employer's Address: \_\_\_\_\_  
 \_\_\_\_\_

2. Respondent is paid:  hourly OR  salary. Respondent works an average of \_\_\_\_\_ hours per week. Respondent receives an average of \$\_\_\_\_\_ per week in overtime pay. Respondent  does OR  does not receive bonuses. If Respondent receives bonuses, Respondent received \$\_\_\_\_\_ in bonuses last year and expects to receive \$\_\_\_\_\_ in bonuses this year.

ii. Name of Respondent's 2<sup>nd</sup> Employer: \_\_\_\_\_

1. Employer's Address: \_\_\_\_\_  
 \_\_\_\_\_

2. Respondent is paid:  hourly OR  salary. Respondent works an average of \_\_\_\_\_ hours per week. Respondent receives an average of \$\_\_\_\_\_ per week in overtime pay. Respondent  does OR  does not receive bonuses. If Respondent receives bonuses, Respondent received \$\_\_\_\_\_ in bonuses last year and expects to receive \$\_\_\_\_\_ in bonuses this year.

e. Respondent's Income.

Source of Income	Amount Per Month (before deductions or taxes)
Self-Employment Income <i>(Self-Employment income means gross receipts minus costs of goods sold minus ordinary and necessary business expenses.)</i>	\$
Job with _____ <i>Monthly income from a job = Hourly wage x Hours worked per week x 4.33 (weeks per month)</i>	\$
2 <sup>nd</sup> Job with _____	\$
Commissions from all jobs. <i>Divide the total amount you expect this year by 12 to get a monthly average.</i>	\$
Unemployment benefits	\$
Social Security Retirement, Survivors or Disability Income (RSDI) <i>(do not include SSI)</i>	\$

Source of Income	Amount Per Month (before deductions or taxes)
Investment and rental income	\$
Annuity payments	\$
Pension or disability from work or military	\$
Worker's compensation	\$
Court-ordered spousal maintenance you receive	\$
Other Income ( <i>identify source</i> ): _____	\$
<b>TOTAL MONTHLY INCOME (<i>add all of the above</i>)</b>	<b>\$</b>

f. Other Financial Information. (Check all that apply)

- i.  Respondent is court-ordered to pay \$\_\_\_\_\_ per month in court-ordered child support for non-joint children.
- ii.  Respondent is court-ordered to pay \$\_\_\_\_\_ per month in spousal maintenance to a current or former spouse.
- iii.  The joint children receive \$\_\_\_\_\_ per month in Social Security or Veteran's Benefits because of Respondent's retirement, disability, or other eligibility.  Petitioner OR  Respondent receives this payment.

17. Child Support Guidelines Worksheet.

The parties have completed the Minnesota Child Support Guidelines Worksheet, which is attached and incorporated into this Stipulation and Order. The child support guidelines calculator considers various factors, including but not limited to both parties' gross income, the number of children, parenting time, and medical and child care expenses. The child support guidelines calculator is used to estimate the amount of child support in your case and can be found at <http://childsupportcalculator.dhs.state.mn.us/>.

18. Basic Support Obligation for the Joint Children. (Check option "a" OR "b")

- a.  Order Basic Support.  Petitioner  Respondent shall pay **basic support** to the other party in the amount of \$\_\_\_\_\_ per month starting on \_\_\_\_\_ (date). Any past due amount of support is still owed.
  - i. Calculation of Basic Support. (Check one)
    - 1.  This amount is based on calculations from the child support guidelines worksheet, which is attached and incorporated into this Stipulation. Any past due amount of support is still owed.

2.  This amount is a deviation from the basic support obligation under Minnesota laws. However this deviation is in the best interest of the children because: \_\_\_\_\_

\_\_\_\_\_

ii. The basic support payments shall be (*check one*):

1.  Subject to income withholding from the payor's income, regardless of source, by their employer, trustee, or other payor of funds and mailed to: Child Support Payment Center, P.O. Box 64326, St. Paul, MN 55164-0326. 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 party owing support shall pay the other party directly.
2.  Paid directly by the party owing the child support to the party receiving the child support, payable on the \_\_\_\_\_ day of each month.

b.  Reserve Basic Support.

Basic support should be reserved because: \_\_\_\_\_

\_\_\_\_\_

**19. Current Medical and Dental Insurance Information.**

a. Who receives MinnesotaCare or Medical Assistance?

Petitioner  Respondent  Joint Children  None

b. Petitioner's Insurance.

i. Does Petitioner currently have medical insurance *other than* MinnesotaCare or Medical Assistance?  YES  NO

1. If YES, who is currently covered by this medical insurance?

Petitioner  Respondent  Joint Children

2. If YES, the cost for dependent coverage per month is \$\_\_\_\_\_.

(*dependent coverage can be calculated by subtracting the monthly cost of single coverage from the monthly cost of family coverage*)

ii. Does Petitioner have dental insurance *other than* MinnesotaCare or Medical Assistance?  YES  NO

1. If YES, who is currently covered by this dental insurance?  
 Petitioner  Respondent  Joint Children
2. If YES, the cost for dependent coverage is  \$\_\_\_\_\_ per month  
OR  included in the medical insurance costs.

c. Respondent's Insurance.

- i. Does Respondent currently have medical insurance *other than* MinnesotaCare or Medical Assistance?  YES  NO
  1. If YES, who is currently covered by this medical insurance?  
 Petitioner  Respondent  Joint Children
  2. If YES, the cost for dependent coverage per month is \$\_\_\_\_\_.  
*(dependent coverage can be calculated by subtracting the monthly cost of single coverage from the monthly cost of family coverage)*
- ii. Does Respondent have dental insurance *other than* MinnesotaCare or Medical Assistance?  YES  NO
  1. If YES, who is currently covered by this dental insurance?  
 Petitioner  Respondent  Joint Children
  2. If YES, the cost for dependent coverage is  \$\_\_\_\_\_ per month  
OR  included in the medical insurance costs.

- d. Joint Children's Insurance. If the joint children are **without** health care coverage, is coverage available for purchase through either parties' employer?  
 YES  NO  Joint Children currently have health coverage

20. Future Medical and Dental Insurance Order.

- a. Ordering **Medical Insurance** as follows (*check one*):
  - i.  Employer Coverage.  Petitioner  Respondent shall provide medical insurance for the joint children through their *employer or union*. The other party must pay a share of the health coverage costs by  paying \$\_\_\_\_\_ per month OR  pay nothing toward the medical insurance costs because they are financially unable to contribute to the costs.
  - ii.  Private Insurance.  Petitioner  Respondent shall provide medical insurance for the joint children by obtaining and paying for *private insurance*. The other party must pay a share of the health coverage costs by  paying \$\_\_\_\_\_ per month OR  pay nothing toward the medical insurance costs because they are financially unable to contribute to the costs.



- iii.  Medical Assistance or MinnesotaCare.  Petitioner  Respondent shall pay \$\_\_\_\_\_ per month as reimbursement for Medical Assistance or MinnesotaCare, payable by income withholding through the Child Support Payment Center, provided Medical Assistance or MinnesotaCare is open for the joint children.
- iv.  Reserve. Reserving the issue of medical insurance for the joint children because: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Ordering **Dental Insurance** as follows (*check one*):

- i.  Employer Coverage.  Petitioner  Respondent shall provide medical insurance for the joint children through their *employer or union*. The other party must pay a share of the health coverage costs by  paying \$\_\_\_\_\_ per month OR  pay nothing toward the medical insurance costs because they are financially unable to contribute to the costs.
- ii.  Private Insurance.  Petitioner  Respondent shall provide medical insurance for the joint children by obtaining and paying for *private insurance*. The other party must pay a share of the health coverage costs by  paying \$\_\_\_\_\_ per month OR  pay nothing toward the medical insurance costs because they are financially unable to contribute to the costs.
- iii.  Reserve. Reserving the issue of medical insurance for the joint children because: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- iv.  Other. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

21. **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 party with physical custody of the children will receive and pay the bill for the unreimbursed costs. (*Check one*)

- a.  Petitioner shall pay \_\_\_\_\_% of the uninsured and unreimbursed medical and dental costs for the joint children, and Respondent shall pay \_\_\_\_\_% of the uninsured and unreimbursed medical and dental costs for the joint children.

- i.  This amount is based on the percentage share of combined PICS (*parental income for determining child support*). OR
- ii.  This amount is a deviation from the percentage share of combined PICS (*parental income for determining child support*). The deviation is appropriate because: \_\_\_\_\_  
\_\_\_\_\_

The party who paid the bill must ask the other party to pay their percentage share. To ask for payment, the party who paid the bill shall send to the other party: a) a copy of the bill; b) evidence that you have paid the bill; and c) a letter requesting payment to you in the amount claimed to be owed. This request for payment should be made promptly, and no later than three months after the bill is paid. If a request for payment is made after three 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 thirty days. If there is a good reason to question the payment, the party questioning the payment shall send a letter to the other party stating what additional information is needed, or why payment is disputed. If neither payment nor a written letter disputing payment is sent within thirty days of receiving the request for payment, then the unpaid bill can be considered back due child support.

- b.  Reserving the issue of uninsured and unreimbursed medical and dental costs because: \_\_\_\_\_  
\_\_\_\_\_

**22. Child Care Support for the Joint Children. (Check one)**

- a.  Order Child Care Support.
  - i. How many joint children need child care because of work or school? \_\_\_\_\_
  - ii. How much are child care expenses per month? \$ \_\_\_\_\_
  - iii. Does the county child support agency pay for child care through a subsidy or child care assistance? (Check one)
    - 1.  Yes, child care assistance is received. The co-pay for child care per month is \$ \_\_\_\_\_ and is paid by  Petitioner  Respondent.
    - 2.  No county child care assistance is received.
  - iv. The parties agree that Petitioner should pay \$ \_\_\_\_\_ per month for their share of child care costs and Respondent should pay \$ \_\_\_\_\_ per month for their share of child care costs.

1.  This amount is based on calculations from the child support guidelines worksheet, which is attached and incorporated into this Stipulation. Any past due amount of support is still owed. OR
2.  This amount is a deviation from the child support guidelines. However this deviation is in the best interest of the children because:

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b.  Reserve Child Care Support.

Child care support should be reserved because: \_\_\_\_\_

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23. The welfare of the children shall be a paramount concern and consideration for the parties. Each party shall make every effort to foster the respect and affection of the children for the other party and shall do nothing which in any way would tend to influence the children against the other parent.
24. The parties shall refrain from speaking disparagingly about the other or persons with whom the children have a relationship with, including family and friends. The parties shall discourage others from speaking disparagingly of the other party, friends or family, to the children. The parties shall speak positively of the other in the presence of the children and each party shall encourage the children to respect the other parent.
25. The parties shall inform each other of their home addresses, work addresses, email addresses, and telephone numbers unless directed by separate court order.
26. **NOTICE: Appendix A is incorporated and made a part of the order.**  
Appendix A contains provisions regarding Payments to Public Agency, Minnesota Statutes §518A.50; Depriving Another of Custodial or Parental Rights-A Felony, Minnesota Statutes §609.26; Rules of Support, Maintenance, Parenting Time; Parental Rights from Minnesota Statutes §518.17, subdivision 3; Wage and Income Deduction of Maintenance and Child Support pursuant to, Minnesota Statutes §518A.53; Change of Address or Residence; Cost of Living Increase of Maintenance and Support pursuant to Minnesota Statutes §518A.75; Judgments for Unpaid Maintenance and Child Support pursuant to Minnesota Statutes §548.091; Medical Insurance and Expenses pursuant to Minnesota Statutes §518A.41; and Minnesota Statutes §259.115 regarding criminal penalties for failure to comply with felon name change law.
27. **NOTICE: Unless otherwise provided in Minn. Gen. R. Prac. Rules 114.01 and 310.01, Appendix B is incorporated and made a part of this order.**  
Appendix B requires parties to go through mediation when they cannot agree and before they file a motion with the court.

**ACKNOWLEDGEMENT**

The undersigned parties affirm to the Court that the foregoing Stipulation for Order and Order incorporate the parties' complete and full agreement on all issues relative to this custody and parenting time action, and upon approval and entry by the court, shall constitute the final order of the court. Furthermore, the parties assert that the information stated herein are true and accurate, and that this agreement is based upon that full and fair disclosure. The parties ask the Court to enter judgment in strict conformity with the foregoing and, so long as the Court does so, the parties agree that this matter may proceed as by default. If the Court intends to deviate at all from the terms of the foregoing, each party shall be notified and given the opportunity to present all arguments concerning all issues in the custody case.

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

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Respondent

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
County and State where signed

\_\_\_\_\_  
County and State where signed

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

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

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Email

\_\_\_\_\_  
Email

Petitioner  is not represented by an attorney. *(Sign Petitioner's Waiver of Counsel on the following page.)*

Respondent  is not represented by an attorney. *(Sign Respondent's Waiver of Counsel on the following page.)*

Based on the above Stipulation, **IT IS SO ORDERED:**

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

BY THE COURT:

\_\_\_\_\_  
Judge of District Court

**PETITIONER'S WAIVER OF COUNSEL**

I know I have the right to be represented by a lawyer of my choice. I hereby expressly waive that right, and I freely and voluntarily sign the foregoing stipulation.

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

\_\_\_\_\_  
Petitioner's Signature

**RESPONDENT'S WAIVER OF COUNSEL**

I know I have the right to be represented by a lawyer of my choice. I hereby expressly waive that right, and I freely and voluntarily sign the foregoing stipulation.

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

\_\_\_\_\_  
Respondent's Signature

**APPROVAL BY THE PUBLIC AUTHORITY**

*(Note: If public assistance is being provided to a party or joint children, the public authority (county attorney) must sign off on this Stipulation and Order.)*

The public authority responsible for the collection and enforcement of child support reviewed and agreed to the Stipulation and Order of the above-named parties.

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

\_\_\_\_\_  
Name, Title, and Attorney Registration No.

\_\_\_\_\_  
Office Location

\_\_\_\_\_  
Telephone

## APPENDIX A

### NOTICE IS HEREBY GIVEN TO THE PARTIES:

**I. PAYMENTS TO PUBLIC AGENCY.** According to Minnesota Statutes, section 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. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS – A FELONY.** A person may be charged with a felony who conceals a minor child or takes, obtains, retains, or fails to return a minor child from or to the child's parent (or person with custodial or parenting time rights), according to Minnesota Statutes, section 609.26. A copy of that section is available from any court administrator.

**III. NONSUPPORT OF A SPOUSE OR CHILD – CRIMINAL PENALTIES.** 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 Minnesota Statutes, section 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 Minnesota Statutes, section 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 Minnesota Statutes, section 518A.40, subdivision 4, are met.
- J. The public authority may remove or resume a medical support offset if the conditions of section 518A.41, subdivision 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 MINNESOTA STATUTES, SECTION 518.17, SUBDIVISION 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 Minnesota Statutes, section 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 Minnesota Statutes, section 518A.75, are met. Cost of living increases are compounded. A copy of Minnesota Statutes, section 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 Minnesota Statutes, section 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 Minnesota Statutes, section 518A.26, subdivision 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 Minnesota Statutes, section 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 Minnesota Statutes, section 518.1751. A copy of that section and a description of the expeditor process is available from any court administrator.

**XIV. PARENTING TIME REMEDIES AND PENALTIES.** Remedies and penalties for wrongful denial of parenting time are available under Minnesota Statutes, section 518.175, subdivision 6. These include compensatory parenting time; civil penalties; bond requirements; contempt; and reversal of custody. A copy of that subdivision and forms for requesting relief are available from any court administrator.

**In addition to the Notices on pages 1 and 2, 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.



## APPENDIX B: MEDIATION REQUIREMENT

### NOTICE IS HEREBY GIVEN TO THE PARTES:

- I. Mediation Requirement.** When parties cannot agree on issues about custody or parenting time, the parties must go through mediation before filing a motion with the court. The only time mediation is not required is when a party asks for emergency relief.
- II. Definition of Mediation.** Mediation is a process where a professional, also called a “mediator,” helps the parties communicate and come to an agreement.
- III. Mediator’s Role.** A mediator encourages the parties to resolve their disputes together. A mediator helps the parties communicate with each other. A mediator cannot force his or her own judgment on the parties’ issues. A mediator cannot force the parties to agree or compromise.
- IV. Choosing a Mediator.**
  - a. The parties may agree who to use as a mediator. If the parties cannot agree on a mediator, the parties will create a list of five qualified mediators. The parties will take turns crossing the mediators’ names off the list until one name is left.
  - b. When one party will not talk about choosing a mediator, the other party will email or text them requesting mediation and suggest a mediator. This mediator will be used for three months if the issue is not resolved within three days of the request and the other party does not suggest another mediator within five days of the request.
  - c. A list of mediators can be found at: <http://mncourts.gov/Help-Topics/AlternativeDisputeResolution.aspx>
- V. Responsibilities of the Parties.** The parties must cooperate and act in good faith when working with each other and the mediator to resolve all their disputes.
- VI. Paying Costs of Mediator.** The parties will share mediation costs equally, unless they have some other agreement. The mediator will provide his or her costs to the parties before the mediation.
- VII. Confidential and Privileged.** The mediation process is confidential and privileged. Any communications or facts used during mediation cannot be disclosed in later court proceedings unless the law allows. The mediator cannot be called to testify in court about what happened at the mediation.