



4. The parties are married and are the parents of the following joint minor child(ren):

, born ;  
, born ; and  
, born .

**OR**

5. The parties were divorced by Judgment and Decree entered \_\_\_\_\_ and are the parents of the following joint minor child(ren) (Hennepin County court file number FA- \_\_\_\_\_):

, born ;  
, born ; and  
, born .

**OR**

6. The parties are (check all that apply):

- Living together
- Lived together (from \_\_\_\_\_ to \_\_\_\_\_)
- Have a child(ren) together
- Have an unborn child together
- Parent/child
- Related by blood
- Significant romantic or sexual relationship

7. Petitioner's birth date is \_\_\_\_\_. [Petitioner's address is \_\_\_\_\_.]

8. Respondent's birth date is \_\_\_\_\_. Respondent's address is \_\_\_\_\_.

**OPTIONS**

9. Respondent does not object to an Order for Protection and understands that the order will be enforced as if there was an admission or finding of domestic abuse.

10. Respondent was notified that the issuance of this Order for Protection restricts his/her right to ship, transport, possess or receive any firearm or ammunition. Respondent was also notified that the issuance of this Order for Protection may have a negative impact on any immigration status.

**OR**

11. Respondent requested an evidentiary hearing on petitioner's allegations of domestic abuse. An evidentiary hearing was held and both parties testified. Petitioner testified that \_\_\_\_\_. Petitioner also testified that he/she is fearful for his/her safety [and/or the safety of the parties' children.]

12. The Court finds petitioner's affidavit and oral testimony to be credible, and respondent's testimony to be less credible with respect to petitioner's allegations of domestic abuse. The Court finds that petitioner has sufficiently established that domestic abuse as defined by Minn.

Stat. § 518B was committed against him/her by respondent, and that he/she has met his/her burden and that an Order for Protection should be issued.

13. Petitioner is required to meet the burden of proof that it is more likely than not that the allegations in the petition are not only true but also rise to the statutory requirement of physical harm, bodily injury, or assault; the infliction of fear of imminent physical harm, bodily injury, or assault; or terroristic threats. Petitioner did not meet the burden of proof necessary for an Order for Protection.

### **CUSTODY/PARENTING TIME OPTIONS**

14. By order dated \_\_\_\_\_, petitioner / respondent was granted sole physical custody. ( County court file number \_\_\_\_\_.)
15. The safety of petitioner and/or the child(ren) require that petitioner be granted temporary sole legal and physical custody.
16. The safety of petitioner and/or the child(ren) will be jeopardized by unsupervised or unrestricted parenting time with respondent.
17. Respondent is granted parenting time as set forth below.
18. \_\_\_\_\_, guardian *ad litem*, was appointed by separate order to make recommendations regarding the children's best interests.
19. Based on the testimony of the guardian, the children are not in fear of respondent, respondent has not harmed them, nor has he threatened to harm them. Therefore, the Court finds that an Order for Protection should not be issued on behalf of the children, and that they should be dismissed from this proceeding.
20. **NO PATERNITY AJUDICATION/ROP.** The parties were not married when the child(ren) were conceived or born. Paternity has not been adjudicated and the parties have not signed Recognition(s) of Parentage. Therefore, petitioner retains sole legal and physical custody pursuant to Minn. Stat. § 257.541, and the Court will not address the issues of custody, parenting time or support in this proceeding.
21. **ROP.** The parties signed Recognition(s) of Parentage, but custody and parenting time have not been determined in a separate proceeding. Therefore, petitioner retains sole legal and physical pursuant to Minn. Stat. § 257.75.

### **SUPPORT OPTIONS**

22. Petitioner's financial circumstances: **(include only those that apply)**
- a. Petitioner's gross monthly income is \$\_\_\_\_\_.
  - b. Petitioner receives cash public assistance.
  - c. Petitioner has a court-ordered child support obligation(s) for a non-joint child(ren) in the amount of \$\_\_\_\_\_ per month.
  - d. Petitioner has \_\_\_\_\_ non-joint child(ren) who reside(s) in her home. The non-joint child deduction is \$\_\_\_\_\_.
  - e. Petitioner's PICS is \$\_\_\_\_\_.

- f. Petitioner's monthly living expenses are approximately \$\_\_\_\_\_.
23. Respondent's financial circumstances:
- a. Respondent's gross monthly income is \$\_\_\_\_\_.
  - b. Respondent receives cash public assistance.
  - c. Respondent has a court-ordered child support obligation(s) for a non-joint child(ren) in the amount of \$\_\_\_\_\_ per month.
  - d. Respondent has \_\_\_\_\_ non-joint child(ren) who reside(s) in her home. The non-joint child deduction is \$\_\_\_\_\_.
  - e. Respondent's PICS is \$\_\_\_\_\_.
  - f. Respondent's monthly living expenses are approximately \$\_\_\_\_\_.
24. Petitioner / Respondent carries health insurance and/or dental insurance for petitioner / respondent [and the children]. The cost to cover the child(ren) is \$\_\_\_\_\_ per month. Petitioner's / Respondent's proportionate share of the cost of this coverage is \$\_\_\_\_\_% , or \$\_\_\_\_\_ per month.
25. Petitioner has education or work-related child care costs of \$\_\_\_\_\_ per month before estimated tax credits. Adjusted child care costs after estimated tax credits are \$\_\_\_\_\_ per month. Respondent's \_\_\_\_\_% proportionate share of adjusted child care costs is \$\_\_\_\_\_ per month.
26. As a result of respondent's acts of domestic abuse, petitioner suffered damages of \$\_\_\_\_\_ for: \_\_\_\_\_.
27. Other: \_\_\_\_\_.

NOW, THEREFORE, based on the above Findings of Fact, the Court issues the following:

**ORDER**

1. The Petition for an Order for Protection is dismissed, and the *ex parte* Order for Protection dated \_\_\_\_\_ is vacated.

**OR**

**ORDER FOR PROTECTION**

**PROTECTION**

2. Respondent must not commit acts of domestic abuse against petitioner [and the child(ren)]. This specifically includes, but is not limited to:
  - a. causing imminent physical harm, bodily injury, or assault;
  - b. causing fear of imminent physical harm, bodily injury, or assault;
  - c. making terroristic threats;
  - d. engaging in criminal sexual conduct; and

- e. interfering with an emergency phone call.
3. **If applicable:** Respondent must not physically abuse or injure any pet or companion animal, without legal justification, known to be owned, possessed, kept or held by either party or a minor child residing in the residence or household of either party as an indirect means of intentionally threatening the safety of such person.

**NO CONTACT**

4. Respondent must not go to or enter petitioner's residence located at \_\_\_\_\_ or any future residences **except as set forth in paragraph below.**

**RESPONDENT MUST NOT ENTER OR STAY AT PETITIONER'S HOME FOR ANY REASON EVEN IF INVITED BY PETITIONER OR ANY OTHER PERSON. PETITIONER IS NOT IN VIOLATION OF THIS ORDER AND THE ORDER IS NOT CANCELED EVEN IF RESPONDENT IS FOUND AT PETITIONER'S RESIDENCE.**

5. Respondent must stay away from a reasonable area surrounding petitioner's residence and/or any future residence, specifically, two (2) city blocks or 1/4 mile, whichever is greater, in all directions **except as set forth in paragraph below.**
6. Respondent must not go to or enter petitioner's place of employment located at \_\_\_\_\_ or any future places of employment, and must stay away from a reasonable area surrounding those places of employment, including all land, parking facilities and buildings, specifically, *two (2) city blocks or 1/4 mile, whichever is greater, in all directions* **except as set forth in paragraph below.**
7. Respondent must not have contact, either direct or indirect, with petitioner [or the child(ren)], whether in person, by telephone, mail, over the internet and/or through social media (i.e., Facebook, Twitter, etc.) or by any other electronic means, such as pager, cell phone, e-mail, text message, etc. or through a third party **except as set forth in paragraph below.**
8. Respondent's must not enter: \_\_\_\_\_.

9. **EXCEPTIONS TO NO CONTACT:**

- a. To return to \_\_\_\_\_ to retrieve items that the parties agree belong to respondent. POLICE MUST ASSIST by accompanying respondent to this residence for this purpose.
- b. To participate in any Alternative Dispute Resolution processes ordered in [the parties' family court proceeding. (Hennepin County court file number \_\_\_\_\_.)] [any future family court proceeding.
- c.

**CUSTODY AND PARENTING TIME**

10. The prior custody order granting petitioner / respondent custody sole physical custody of the parties' joint minor child(ren) remains in effect.

**OR**

11. Petitioner continues to retain sole legal and physical custody pursuant to Minn. Stat. § 257.541 **OR** Minn. Stat. § 257.75.

**OR**

12. Petitioner is granted temporary sole legal and physical custody of the parties' joint minor child(ren):

\_\_\_\_\_, born \_\_\_\_\_;  
\_\_\_\_\_, born \_\_\_\_\_; and  
\_\_\_\_\_, born \_\_\_\_\_.

13. The issue of parenting time is not being addressed in this proceeding. The parties may seek legal advice and/or commence an appropriate action in Family Court.

14. Respondent is granted no parenting time.

15. Respondent is granted parenting time as follows: \_\_\_\_\_.

16. Respondent's parenting time shall occur in the presence of \_\_\_\_\_.

**FAMILYWISE**

17. Respondent is granted temporary, supervised parenting time at FamilyWise. Respondent's parenting time will be:

High supervision (\$120 / 2hrs)

Medium supervision (\$80 / 2 hours)

Low supervision (\$40 / 2 hours)

**OR**

18. Parenting time exchanges must occur at FamilyWise, located at: 3036 University Ave. SE., Minneapolis, MN **OR** 281 Maria Ave., St. Paul, MN. The cost of each set of parenting time exchange is \$24 (includes at the start and end of parenting time).

19. Respondent's parenting time is conditioned on the following:

Respondent's sobriety.

Respondent's completion of a breath test administered by FamilyWise before each parenting time exchange. If respondent does not complete that breath test or the breath test is positive, parenting time will not occur. Respondent will be responsible for any additional costs associated with this testing.

Respondent having an appropriate car seat(s) for the child(ren).

Other: \_\_\_\_\_

### FOR ALL FAMILYWISE SERVICES

20. The parties must contact FamilyWise at (612) 877-7832 within 5 days of the date of this Order to schedule an intake interview. The cost of the intake interview is \$50 per person. Each party must pay his or her own intake interview fee.
21. When both parties have completed the intake interview, parenting time/parenting time exchanges will begin on the first available date, time and location. Parenting time is subject to FamilyWise' availability.
22. Excluding the intake fee, the cost of supervised parenting time/parenting time exchanges [must be paid by petitioner / respondent] **OR** [will be equally divided by the parties].
23. The parties must follow all of FamilyWise' rules and regulations. Anyone other than respondent may be present during parenting time only as authorized by FamilyWise' policies and procedures. FamilyWise may deny parenting time for any violation of their rules.
24. FamilyWise may contact the Court if any problems arise as it relates to any of the above-referenced Orders. FamilyWise shall prepare a written report regarding any problems and shall fax a copy to this Court at (612) 596-7332. Copies shall also be provided to the parties either by U.S. mail, or by personally serving them with a copy.
25. The Clerk of Court will fax a copy of this order to FamilyWise at (612) 617-0193, "Attention Family Court Supervised Visitation."

### PERSPECTIVES

26. Respondent is granted temporary, supervised parenting time at Perspectives. Respondent must participate in the accompanying Parent Coaching Program. Unless a sliding fee scale is available, the cost of this service is \$80 for a 2-hour session.

**OR**

27. Respondent is granted temporary, monitored parenting time at Perspectives. Unless a sliding fee scale is available, the cost of this service is \$60 for a 2-hour session.

**OR**

28. Parenting time exchanges must occur at Perspectives, located at 3381 Gorham Ave., St. Louis Park, MN. Exchanges may be coached exchanges by mutual agreement of the parties when legally permissible. Unless a sliding fee scale is available, the cost of this service is \$30 per exchange (includes beginning and ending exchange).

29. Respondent's parenting time is conditioned on the following:

- Respondent's sobriety.
- Respondent's completion of a breath test administered by Perspectives before each parenting time exchange. If respondent does not complete that breath test or the breath test is positive, parenting time will not occur. Respondent will be responsible for any additional costs associated with this testing.

- Respondent having an appropriate car seat(s) for the child(ren).
- Other: \_\_\_\_\_

**FOR ALL PERSPECTIVES SERVICES**

- 30. The parties must contact Perspectives at (952) 926-2600 within 5 days of the date of this Order to schedule an intake interview. The cost of the intake interview is \$50 per person. Each party must pay his or her own intake interview fee.
- 31. When both parties have completed the intake interview, parenting time will begin on the first available date, time and location. Parenting time is subject to Perspectives' availability.
- 32. Excluding the intake fee, the cost of cost of Perspectives services [must be paid by petitioner / respondent] **OR** [will be equally divided by the parties].
- 33. The parties must follow all of Perspectives' rules and regulations. Anyone other than respondent may be present during parenting time only as authorized by Perspectives' policies and procedures. Perspectives may deny parenting time for any violation of their rules.
- 34. Perspectives is authorized to contact this Court if any problems arise as it relates to any of the above-referenced Orders. Perspectives shall prepare a written report regarding any problems and shall fax a copy to this Court at (612) \_\_\_\_\_ - \_\_\_\_\_. Copies shall be provided to the parties either by U.S. mail, or by personally serving them with a copy.
- 35. The Clerk of Court will fax a copy of this order to Perspectives at (952) 926-9395.

**SUPPORT**

- 36. Beginning \_\_\_\_\_, respondent must pay:
  - a. \$\_\_\_\_\_ per month in temporary basic child support.
  - b. \$\_\_\_\_\_ per month for his portion of the cost of dependent health and dental insurance coverage carried by petitioner.
  - c. \$\_\_\_\_\_ per month in temporary child care support.
  - d. \$\_\_\_\_\_ per month in temporary spousal maintenance.
  - e. \_\_\_\_\_% toward the child(ren)'s uninsured medical and dental expenses.
- 37. Either party may apply for child support collection and enforcement services by completing the application at: <http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-1958-ENG>, and submitting the completed application to:

Hennepin County Attorney's Office  
Child Support Enforcement Division  
110 South 4<sup>th</sup> Street  
Minneapolis, MN 55402



If child support services are in place, all support payments must be immediately withheld by respondent's present and future employer(s) or other payor(s) of funds in accordance with Minn. Stat. § 518A.53, subd. 5.

If child support services are not in place, all support payments must be made to petitioner [how].

38. Respondent must continue the existing health and dental insurance coverage without change in coverage or beneficiaries.
39. **IF CUSTODY, PARENTING TIME OR SUPPORT ORDERED.** Appendix A is attached and incorporated herein by reference.

### **PET, PROPERTY AND DAMAGE ISSUES**

40. Petitioner/Respondent is granted the care, possession and control of the pet/companion animal, \_\_\_\_\_.
41. Petitioner is awarded use and possession of the following personal property: \_\_\_\_\_
42. Respondent is awarded use and possession of the following personal property: \_\_\_\_\_
43. Neither party will sell, give away, damage, destroy, hide, or permit any other person to obtain legal rights in any property, whether real estate or personal property, owned or possessed by the parties together, or individually if the parties are married, except in the usual course of business or for the necessities of life.
44. Respondent must pay petitioner the amount of \$\_\_\_\_\_ for damages sustained as the result of respondent's domestic abuse, payable as follows: \_\_\_\_\_.

### **PROGRAMMING/TREATMENT PROVISIONS**

45. Respondent must participate in the following programming and/or treatment services:
  - a. Domestic Abuse Project ("DAP") Men's Program, 204 W. Franklin Avenue, Minneapolis, MN 612.874.7063:
    - Men's Education Group (Part 1, 12 weeks)
    - Men's Process Group (Part 2, 12 weeks)
    - Men's Change Step Group (veteran's)
  - b. Respondent shall undergo a chemical dependency evaluation, and shall comply with all treatment recommendations.
  - c. Other (specify): \_\_\_\_\_.

It is respondent's responsibility to immediately contact the program. Respondent shall comply with the recommendations of the program/evaluation. Petitioner cannot excuse the respondent from complying with the treatment provisions of this order.

### **REVIEW HEARING**

46. A review hearing is scheduled for       **at**       at the:

Hennepin County Family Justice Center  
110 South 4<sup>th</sup> Street  
Minneapolis, Minnesota

The following issues shall be reviewed at the review hearing:

- a. Respondent's compliance with the above-referenced treatment provisions. ***Respondent shall appear at the review hearing with proof of attendance and/or completion of the program(s) ordered.***
- b. Whether respondent's parenting time should continue to be supervised and/or whether respondent's parenting time should be modified.
- c. [Other]

### ***SELECT APPLICABLE OPTION***

**Petitioner and counsel, if represented, must call Referee Madden's chambers on the 4<sup>th</sup> floor telephone near the elevators, and wait to be called for the hearing in a conference room near Courtroom 435.**

**Respondent and counsel, if represented, must call Referee Madden's chambers on the 4<sup>th</sup> floor telephone near the elevators, and wait to be called for the hearing in a conference room near Courtroom 443.**

**Petitioner and counsel, if represented, must call Referee Madden's chambers on the 4<sup>th</sup> floor telephone near the elevators, and wait to be called for the hearing in a conference room near Courtroom 435.**

**Respondent and counsel, if represented, must call Referee Madden's chambers on the lobby phone, and wait to be called for the hearing near the Sheriff's Desk on the 1<sup>st</sup> floor.**

**Petitioner may appear by telephone by contacting the Court's clerk at \_\_\_\_ at least three days prior to the hearing.**

### **DISMISSALS**

47. The guardian *ad litem* is dismissed from this proceeding.
48. The parties' minor children, \_\_\_\_\_, born \_\_\_\_\_, are dismissed from this proceeding. District Court Administration shall amend the caption accordingly.

### **STATUTORY NOTICES TO RESPONDENT**

49. Violation of this order for protection is either (i) a misdemeanor punishable by imprisonment for up to 90 days or a fine of up to \$1,000, or both, (ii) a gross misdemeanor punishable by imprisonment of up to one year or a fine of up to \$3,000, or both, or (iii) a felony punishable by imprisonment of up to five years or a fine of up to \$10,000, or both.
50. Respondent is forbidden to enter or stay at petitioner's residence, even if invited to do so by petitioner or any other person; in no event is the order for protection voided.
51. A peace officer must arrest without warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order for protection restraining the person or excluding the person from a residence.
52. Pursuant to the Violence Against Women Act of 1994, United States Code, title 18, section 2265, this order is enforceable in all 50 states, the District of Columbia, tribal lands, and United States territories. Violation of the order may also subject the respondent to federal charges and punishment under United States Code, title 18, sections 2261 and 2262. If a final order is entered against respondent after the hearing, respondent may be prohibited from possessing, transporting, or accepting a firearm under the 1994 amendment to the Gun Control Act, United States Code, title 18, section 922(g)(8).
53. A violation of this Order for Protection is a deportable offense. If you are not a United States citizen, a violation of this Order could result in your deportation.
54. In a subsequent custody proceeding the Court must consider a finding in a domestic abuse proceeding under this chapter or under a similar law of another state that domestic abuse has occurred between the parties.
55. Minnesota law prohibits the possession of firearms by respondent in an Order for Protection for the length of the order.

RESPONDENT MUST SURRENDER ANY FIREARMS IN HIS OR HER POSSESSION WITHIN THREE BUSINESS DAYS OF THE DATE THIS ORDER IS ISSUED TO A FEDERALLY LICENSED FIREARMS DEALER, A LAW ENFORCEMENT AGENCY, OR A THIRD PARTY WHO MAY LAWFULLY RECEIVE THEM AND DOES NOT RESIDE WITH RESPONDENT. RESPONDENT MUST FILE A PROOF OF TRANSFER WITH THE COURT WITHIN TWO DAYS OF TRANSFER.<sup>1</sup>

The above transfer may be permanent or temporary. A temporary firearm transfer only entitles the receiving party to possess the firearm and does not transfer ownership or title. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the abusing party permanently transferred the abusing party's firearms to the third party or agreeing to temporarily store the abusing party's firearms until such time as the abusing party is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the abusing party to the third party. The affidavit or proof of transfer shall be filed under seal.

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<sup>1</sup> Go to [http://mncourts.gov/forms/public/forms/Domestic\\_Abuse/Order\\_for\\_Protection/OFP108.pdf](http://mncourts.gov/forms/public/forms/Domestic_Abuse/Order_for_Protection/OFP108.pdf) to obtain a Proof of Transfer form.

Federal law prohibits the shipment, possession, or receipt of any firearm or ammunition by respondent in interstate commerce for the length of any order for protection that was issued after a hearing in which the person received actual notice and had the opportunity to participate, the order restrains the person from harassing, stalking, or threatening an intimate partner or partner's child, and the order includes a finding that the person is a credible threat to such partner or partner's child, or by its terms prohibits the use, attempted use or threatened use of such force against such partner or partner's child. 18 U.S.C. § 922 (g). An "intimate partner" includes a current or former spouse, a parent of a child in common with the abuser, or an individual with whom the abuser does or has cohabited. 18 U.S.C. § 921 (a)(32).

56. **This Order for Protection is effective for a period of TWO YEARS from the date of the *ex parte* Order for Protection, or until \_\_\_\_\_ unless modified by subsequent court order.**
57. **IF PARTIES DO NOT WAIT FOR A COPY OF THE ORDER.** A copy of this order shall be e-served on each party's counsel. **Counsel for respondent shall file an Admission of service by respondent within five (5) days of the date of this order.**

IT IS SO ORDERED.

Dated:

The foregoing order is recommended.

Findings of Fact and Order approved.

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Mary Madden  
Referee of District Court

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Patrick Robben  
Judge of District Court

## 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; interest charging, 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.
- K. The public authority may suspend or resume interest charging on child support judgments if the conditions of section 548.091, subdivision 1a, 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, EACH PARTY HAS THE FOLLOWING RIGHTS:

- A. 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 child(ren);
- B. The right of access to information regarding health or dental insurance available to the minor child(ren);

- C. The right to be informed by the other party as to the name and address of the school of attendance of the minor child(ren);
- D. The right to be informed by school officials about the child(ren)'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;
- E. 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;
- F. The right to be notified by the other party if a 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; and
- G. The right to reasonable access and telephone or other electronic contact with the minor child(ren).

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; INTEREST. According to Minnesota Statutes, section 548.091:

- A. 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.
- B. Interest begins accruing on a payment or installment of child support whenever the unpaid amount due is greater than the current support due.

XI. JUDGMENTS FOR UNPAID MAINTENANCE. 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.

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.