

State of Minnesota

District Court

County of _____

Judicial District: _____
Court File Number: _____
Case Type: **Dissolution without Children**

In Re the Marriage of:

Name of Petitioner (first, middle, last)

**Findings of Fact, Conclusions
of Law, Order for Judgment,
Judgment and Decree**

and

Name of Respondent (first, middle, last)

A. This proceeding for dissolution of marriage came before the undersigned judicial officer of district court on _____ (date) at _____ (location) in the State of Minnesota. Petitioner did did not appear. Respondent did did not appear. _____ appeared as attorney for _____.

B. Petitioner is NOT represented by an attorney OR
Petitioner is represented by the following attorney: _____.

C. Respondent is NOT represented by an attorney OR
Respondent is represented by the following attorney: _____.

D. Service of the *Summons and Petition for Dissolution of Marriage*:
 Respondent was personally served on _____, _____. **OR**
 Respondent signed an *Admission of Service* on _____, _____. **OR**
 Respondent was served by alternate means as ordered by the court as follows:
 By mailing the *Summons and Petition* to Respondent at the address(es) stated in the *Order for Service by Alternate Means* on this date: _____
 By publication of the *Summons* in _____ newspaper for 3 consecutive weeks, once each week, on the following 3 dates: _____

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

If YES, Petitioner was served with the *Answer and Counter-Petition* on _____
Month Day Year

F. Respondent did not respond, so Petitioner proceeded by default.

(Note: If the parties reached an agreement, use the *Stipulated Findings of Fact, Conclusions of Law, Order for Judgment, Judgment and Decree.*)

Findings of Fact

1. Information about Petitioner

Full Name: _____
First Middle Last

Address where you live: _____
Street Address Apt. No.

City County State Zip Code

Mailing address: Same as above address OR

Street Address Apt. No.

City County State Zip Code

Date of Birth: _____
Month Day Year

List all of 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 and submitted along with the Petition.

Respondent has been living in Minnesota for the past six (6) months.

YES NO UNKNOWN

Petitioner and Respondent were married in Minnesota, but neither Petitioner nor Respondent reside in Minnesota, nor reside in a jurisdiction that will allow an action for dissolution because of the sex or sexual orientation of the Petitioner and Respondent.

YES NO

5. Armed Forces

Is Petitioner an active duty member of the armed forces? YES NO

If YES, has Petitioner been stationed in Minnesota for the past six (6) months?

YES NO

Is Respondent an active duty member of the armed forces?

YES NO UNKNOWN

If YES, has Respondent been stationed in Minnesota for the past (6) months?

YES NO

6. Marriage Cannot be Saved

There has been an irretrievable breakdown of the marriage relationship and the marriage between Petitioner and Respondent cannot be saved.

7. Physical Living Situation

The Petitioner and Respondent live together at this time. YES NO

If NO, the date of separation was: _____
Month Day Year

If YES, Petitioner and Respondent are living together because: _____

8. Other Proceedings

A separate court case for marriage dissolution, legal separation, or annulment has already been started by Petitioner or Respondent in Minnesota or elsewhere. YES NO

If YES, the type of court case is: _____, and it was started in _____ County in the State of _____ and the Court file number is _____, and the status or outcome of the case is:

Open Closed Unknown or _____

9. 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 and the Order was filed in _____ County in _____ State on _____ date, and the Court file number is _____.

10. Children “Minor” children are under age 18, or under age 20 but still in high school.

a. Do Petitioner and Respondent have minor children together? YES NO

b. Do Petitioner and Respondent have any adult dependent children who are not able to support themselves because of a physical or mental condition? YES NO

c. Has either Petitioner or Respondent given birth during the marriage to a child who is not a child of the other spouse? YES NO

If you answered NO to c, skip to d. If YES, continue below:

i. Fill in the information for all children during the marriage who are not biological children of both spouses.

Full Name of Child	Date of Birth	Age	Which Party is Birth Parent?

ii. Is there a Court Order naming someone other than the spouse as the father of the child(ren) listed at i? YES NO If YES, fill in:

Full Name of Child	Date of Court Order	County/State of Order	Court Case No.

iii. Have the spouse and biological Father signed a Minnesota Recognition of Parentage (ROP) for any of the children listed in (i) above? YES NO

If YES, state the full name of the child: _____

and submit a **certified copy of the Recognition of Parentage**, if not submitted with the Petition.

iv. Has a “Spouse’s Non-Paternity Statement” for any of the children listed at (i) above been signed? YES NO

If YES, state the name of the child: _____

and submit a **certified copy of the “Spouse’s Non-Paternity Statement,”** if not submitted with the Petition.

(For each minor child listed at c.(i.) there should be a paternity court order OR the Recognition of Parentage **and** Non-Paternity Statement to use this Dissolution Without Children form.)

d. Neither spouse is pregnant. YES NO (If either spouse is pregnant use Marriage Dissolution With Children form.)

11. Public Assistance/Medical Assistance

Note: If either party is receiving public assistance from the State of Minnesota or applies for it after this proceeding is started, the Petitioner should give notice of this marriage dissolution action to the Public Authority office for the county paying the assistance.

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

If YES, the assistance is from _____ County. (Check all that apply):

MFIP Tribal TANF General Assistance Child Care Assistance

Minnesota Care Medical 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 Tribal TANF General Assistance Child Care Assistance

Minnesota Care Medical Assistance

12. 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: NO YES in the amount of \$_____ per month.

b. Respondent receives Supplemental Security Income: NO YES in the amount of \$_____ per month, or UNKNOWN

13. Petitioner’s Employment

a. Petitioner is employed. YES NO

b. Petitioner is Self-Employed. YES NO

c. Name and address of Petitioner’s employer. (If Petitioner has more than one job, list the Name and Address of each employer.)

Name of Petitioner’s Employer (If Self-Employed, list name and business address)

Employer’s Street Address

City State Zip Code

Name of Petitioner’s Employer (If Self-Employed, list name and business address)

Employer’s Street Address

City State Zip Code

Name of Respondent's Employer (If Self-Employed list name and business address)

Employer's Street Address

City State Zip Code

Name of Respondent's Employer (If Self-Employed list name and business address)

Employer's Street Address

City State Zip Code

16. Respondent's Gross Income

Petitioner has no information about Respondent's income. OR

Petitioner does not have detailed information about Respondent's income, but has good reason to believe that Respondent's pay is \$ _____ per week month year, with bonuses, overtime or commissions in the additional amount of \$ _____ per week month year. This is Respondent's Net Income (after taxes and deductions) or Gross Income (before taxes and deductions.)
OR

Petitioner has detailed information about Respondent's income. (If this is true, fill out the income information below.)

NOTE: This question asks for monthly income. If Respondent is paid weekly, multiply weekly income by 4.33 to get monthly income. If Respondent is paid every two weeks, multiply by 2.17 to get monthly income. If paid twice a month, multiply by 2.

Source of Income Amount per month (or zero) before taxes and deductions

Self Employment Income \$ _____ per month

Calculate net monthly self employment revenues as follows: (Annual gross revenues minus annual ordinary and necessary business expenses) divided by 12=Net Monthly Revenue.

Income from all jobs \$ _____ per month

Commissions from all jobs \$ _____ per month
 Unemployment benefits \$ _____ per month
 Social Security (SSDI or RSDI) \$ _____ per month
 Investments or Rental Income \$ _____ per month
 Annuity payments \$ _____ per month
 Pension or Disability from work or military \$ _____ per month
 Worker's Compensation \$ _____ per month
 Court-ordered spousal maintenance you receive \$ _____ per month
 Other _____ \$ _____ per month
 Identify Source

Total **gross** income \$ _____ per month

Does Respondent receive child support payments? YES NO If YES,
 Respondent receives child support payments from
 _____ (name(s) of payor(s)) in the total amount of
 \$ _____ per month.

17. Health Care Coverage

a. Petitioner has insurance coverage **through their employment.**

Medical: YES NO Dental: YES NO

If YES, this medical insurance covers: Petitioner Respondent and this dental insurance covers: Petitioner Respondent

b. Respondent has insurance coverage **through their employment.**

Medical: YES NO UNKNOWN

Dental: YES NO UNKNOWN

If YES, this medical insurance covers: Petitioner Respondent
 and this dental insurance covers: Petitioner Respondent

c. Petitioner receives Medical Assistance or Minnesota Care through the State of Minnesota. YES NO

d. Respondent receives Medical Assistance or Minnesota Care through the State of Minnesota. YES NO UNKNOWN

18. Spousal Maintenance

Spousal Maintenance is money paid by one spouse to the other for living expenses.

Check only one box:

Petitioner and Respondent can each pay their own living expenses and do not need spousal maintenance at this time, or in the future.

Petitioner or Respondent may need spousal maintenance in the future. The court should reserve maintenance to allow either party to ask for spousal maintenance in the future because: (explain why you want to do this) _____

Petitioner needs spousal maintenance from Respondent now. Petitioner is _____ years of age. Petitioner and Respondent have been married for _____ years. Petitioner has the following education: _____ . Petitioner's gross monthly income totals \$ _____. Petitioner's monthly expenses total \$ _____ and Petitioner is not able to maintain the standard of living established during the marriage because: _____

Respondent has the ability to pay Petitioner \$ _____ per month for spousal maintenance.

Respondent needs spousal maintenance from Petitioner now. Respondent is _____ years of age. Petitioner and Respondent have been married for _____

years. Respondent has the following education: _____.

Respondent's gross monthly income totals \$_____. Respondent's monthly

expenses total \$_____, and Respondent is not able to maintain the standard

of living established during the marriage because: _____

Petitioner has the ability to pay Respondent \$_____ per month for spousal maintenance.

19. Vehicles

Vehicles are cars, trucks, boats, motorcycles, snowmobiles, personal watercraft, all terrain vehicles etc. owned by Petitioner and Respondent together or separately, including vehicles purchased after separation:

Petitioner owns a vehicle. YES NO

Respondent own a vehicle. YES NO UNKNOWN

List all vehicles owned by Petitioner and Respondent together or separately:

Type of Vehicle (car, boat, truck etc.)	Year/Make/Model	Name(s) on Title	Value	Balance Owed	Monthly Payment
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$

20. Marital Property

Marital property means almost anything that you or your spouse now own that was received or bought during the marriage, even during the times you were separated. Marital Property includes household goods, furniture, jewelry, boats, real estate and other things. Marital property does *not* include a gift or inheritance received by one spouse *alone*.

The marital property been divided between Petitioner and Respondent already, to

Petitioner's satisfaction. YES NO

If **NO**, Petitioner requests the following marital property: _____

21. Non-Marital Property

Non-marital property means: (1) anything that you or your spouse owned before the marriage; (2) anything that you or your spouse received as a gift, bequest, devise, or inheritance, *to you or your spouse alone*; (3) anything that you or your spouse got in trade or in exchange for your non-marital property; (4) anything that is an increase in the value of non-marital property; (5) anything you or your spouse received after the valuation date set by the court; or (6) anything defined as non-marital property by a valid antenuptial contract.

a. Petitioner has non-marital property. YES NO

If YES, list Petitioner's non-marital property: _____

b. Respondent has non-marital property. YES NO UNKNOWN

If YES, list Respondent's non-marital property: _____

22. Cash & Accounts – Not including Pension and Employer-Funded Retirement Accounts

Petitioner has money in banks, savings, cash or investments. YES NO

Respondent has money in banks, savings, cash or investments. YES NO

UNKNOWN

If YES,

a. List all accounts owned by you alone, your spouse alone, or owned by both of you jointly including those opened after separation. "Type of account" means checking,

savings, money market accounts, certificates of deposit, stocks, bonds, stock options, mutual funds, savings bonds, and Treasury Bills, etc. Use Confidential Information Form 11.1 (CON111) to list Financial Institution name, account holder name(s), and account numbers.

Do not include Pension or Employer-Funded Retirement Accounts, which are listed at #26.

Financial Institution	Type of Account	Amount	Belongs to: (name on account)
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

b. List cash not listed at a.:

Petitioner has cash in the amount of \$_____.

Respondent has cash in the amount of \$_____ OR UNKNOWN

23. Business Interest

Petitioner has an interest in a business. YES NO

Respondent had an interest in a business. YES NO UNKNOWN

If YES, the name of the business is _____, the address is

_____ and the value is \$_____. I arrived at this value as follows: _____

24. Manufactured Home

Petitioner owns a manufactured home. YES NO

Respondent owns a manufactured home. YES NO UNKNOWN

If either Petitioner or Respondent own a manufactured home, together or separately, complete the following information:

a. Address of the manufactured home: _____

in the city of _____, state of _____

b. What type of home is it? (single, double-wide etc.) _____

c. Whose name(s) is on the title? _____

d. When was the home purchased? _____

e. What was the purchase price? \$ _____

f. What is the current values of the home? \$ _____

g. How did you arrive at that amount as the current value? _____

h. How much money is still owed on the home? \$ _____

i. If money is owed on the home, who is the money owed to? _____

j. Do you own the land the home sits on, or do you rent a lot? Rent Own

Note: If you own the lot, you must list the land at Paragraph 25.

25. Real Property - Land, Buildings, Contracts for Deed

All real property now owned by Petitioner or Respondent together or separately must be listed. Include real property acquired before the marriage, during the marriage, and after separation.

a. Petitioner and Respondent jointly own real property. YES NO

b. Petitioner owns real property solely in their own name or with someone other than Respondent. YES NO

c. Respondent owns real property solely in their own name or with someone other than Petitioner. YES NO UNKNOWN

d. How many properties are owned by you and your spouse in total? None One Two Three _____

If you or your spouse own real property, separately or together, complete the following information about the property. If there is more than one piece of real property, photocopy and complete a Real Property Information page for each piece of property. Staple the additional sheets to the Stipulated Findings of Fact and label each sheet "Attachment to Stipulated Findings of Fact of _____ (your names)"

Real Property Information

1. Real Estate belongs to: (List full names of all owners _____

2. Legal Description is: (The full legal description **must** be included. Copy the legal description from the deed. Do not use the property tax statement legal description. If the legal description is long, you may use an attachment. Type or print neatly.)

3. Street Address of the real property is: _____

City _____ State _____ Zip _____

The property is in _____ County.

4. Purchase date _____ (month , day, year) and purchase price:\$ _____

5. Mortgages or loans: (List all mortgages and loans on the property)

There are no mortgages or loans on this property.

1st Mortgage: Amount currently owed \$ _____ and name of lender _____

2nd Mortgage: Amount currently owed \$ _____ and name of lender _____

Other mortgages or loans: _____

6. Current Market Value of this property: \$ _____

How did you arrive at this value? _____

7. This property is the homestead: _____ Yes _____ No

Real Property #2 Information

1. Real Estate belongs to: (List full names of all owners _____

2. Legal Description is: (The full legal description **must** be included. Copy the legal description from the deed. Do not use the property tax statement legal description. If the legal description is long, you may use an attachment. Type or print neatly.)

3. Street Address of the real property is: _____

City _____ State _____ Zip _____

The property is in _____ County.

4. Purchase date _____ (month , day, year) and purchase price:\$ _____

5. Mortgages or loans: (List all mortgages and loans on the property)

There are no mortgages or loans on this property.

1st Mortgage: Amount currently owed \$ _____ and name of lender _____

2nd Mortgage: Amount currently owed \$ _____ and name of lender _____

Other mortgages or loans: _____

6. Current Market Value of this property: \$ _____

How did you arrive at this value? _____

7. This property is the homestead: _____ Yes _____ No

26. Retirement Plans

a. **Petitioner** has a retirement account. (IRA, 401(k), 403(b) or other)

YES NO If **YES:** The name of the Financial Institution, account holder name(s), and account number is listed on Confidential Information Form 11.1 (CON111). The current balance is: \$ _____

b. **Petitioner**, or Petitioner's past or present employer, union, or other group, paid money into a pension, profit sharing, or other retirement plan for Petitioner.

YES NO If **YES:**

i. The name of the plan is: _____

ii. The employer, union or group providing the plan is: _____

iii. The date Petitioner began working at the job or joined the union or group plan is:

iv. The type of plan is: (e.g. defined benefit, defined contribution) _____

v. The present value of the pension or plan is: _____

c. **Respondent** has a retirement account. (IRA, 401(k), 403(b) or other)

YES NO UNKNOWN If YES: The name of the Financial Institution, account holder name(s), and account number is listed on Confidential Information Form 11.1 (CON111). The current balance is: \$ _____

d. **Respondent**, or Respondent's past or present employer, union, or other group, paid money into a pension, profit sharing, or other retirement plan for Respondent.

YES NO UNKNOWN **If YES, and it is a Pension, Profit-Sharing, or other Retirement Plan:**

i. The name of the plan is: _____

ii. The employer, union or group providing the plan is: _____

iii. The date Respondent began working at the job or joined the union or group plan is: _____

iv. The type of plan is: (e.g. defined benefit, defined contribution) _____

v. The present value of the pension or plan is: _____

27. Debts

Petitioner has debts. YES NO

Respondent has debts. YES NO UNKNOWN

If YES, list debts in your name, your spouse's name and in both names jointly. Include unpaid debts from before the marriage date, during the marriage, and after separation. Fill in all information completely and attach another sheet of paper if necessary.

Money is owed to:	Money was used for:	Whose Name is on the Account and When was the Debt Incurred? Name Date	Balance Owed	Monthly Payment
			\$	\$

- ii. An *Affidavit of Service of the Notice* marked Exhibit “A” has been submitted along with this Findings of Fact, Conclusions of Law, Order for Judgment, Judgment and Decree.

29. Other (Include other facts you think the Court should know.)

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

CONCLUSIONS OF LAW

1. The bonds of matrimony between Petitioner and Respondent are dissolved, so they are single and not married.

2. **Health Care Coverage for the Parties**
 - a. Ordering each party to provide for his or her own medical dental insurance.
 - b. Ordering _____ (full name) shall provide medical dental insurance for _____ (full name)
 - c. Allowing _____ (full name), at their own expense, to continue the dependent coverage available under the other party’s insurance plan, pursuant to federal and state statutes.
 - d. Reserving the issue of medical and dental insurance for the parties.

3. Spousal Maintenance

a. Neither party is awarded spousal maintenance.

b. Maintenance is reserved because: _____

Either party can ask the court to order the payment of spousal maintenance in the future by filing a Motion stating a change in circumstances.

c. Petitioner Respondent shall pay spousal maintenance **indefinitely** (permanently) to the other party in the amount of \$ _____ per month starting on (date): _____ . Any past due amounts are still owed.

d. Petitioner Respondent shall pay **transitional** (temporary) spousal maintenance to the other party in the amount of \$ _____ per month starting on (date): _____ and ending: _____ . Any past due amounts are still owed.

The monthly amount of spousal maintenance shall be:

subject to income withholding from the payor's income, regardless of source, by their 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 spousal 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 income withholding at the Child Support Office in their county.** Until income withholding starts, the person owing maintenance shall pay the amount directly to the spouse receiving it.

OR

Maintenance shall be paid directly by the spouse owing the maintenance to the spouse receiving it, payable on the _____ day of each month.

4. Vehicles

Awarding the vehicles as follows and ordering the party receiving the vehicles to pay for any loans or insurance for such vehicle:

Year / Make / Model	Awarded to:

5. Marital Property

The parties' marital property, household goods, furniture and furnishings are awarded:

- a. As currently divided **OR**
- b. As follows (add pages if necessary):

To Petitioner: _____

To Respondent: _____

6. Non-Marital Property

The parties' non-marital property is awarded:

- a. As currently divided **OR**
- b. As follows (add pages if necessary):

To Petitioner: _____

To Respondent: _____

7. Cash and Accounts

a. Awarding the savings and investments as follows:

Institution	Type of Account	Amount	Awarded to
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

b. Awarding any cash not included in a. above to the party who currently has the cash

OR

c. Awarding the cash as follows: _____

8. Business

None OR

Awarding the parties' **business** as follows: _____

9. Manufactured Home

None OR

Awarding the manufactured home located at : _____
street address

city

state

to Petitioner Respondent. The debt on the manufactured home owed to: _____
_____ shall be paid by Petitioner Respondent.

10. Real Property

None OR

Awarding solely to Petitioner Respondent all right, title, and interest of the parties in the real property located at:

Street address _____
in the City of _____, County of _____,
State of _____, which has the following legal description: _____

with the following mortgages and loans to be paid, after the divorce is final, by

Petitioner Respondent:

1st Mortgage: Amount currently owed: \$ _____ and name of lender: _____

2nd Mortgage: Amount currently owed: \$ _____ and name of lender: _____

and subject to the following liens or other agreements:

A lien in favor of Petitioner Respondent in the amount of \$ _____

Other request regarding the property: (describe the request fully) _____

11. Additional Real Property

None OR

Awarding solely to Petitioner Respondent all right, title, and interest of the parties in the real property located at:

Street address _____
in the City of _____, County of _____,
State of _____, which has the following legal description: _____

with the following mortgages and loans to be paid, after the divorce is final, by

Petitioner Respondent:

1st Mortgage: Amount currently owed: \$ _____ and name of lender: _____

2nd Mortgage: Amount currently owed: \$ _____ and name of lender: _____

and subject to the following liens or other agreements:

A lien in favor of Petitioner Respondent in the amount of \$ _____

Other request regarding the property: (describe the request fully) _____

12. Retirement Funds

a. Awarding Petitioner’s pension, profit sharing, retirement plan, I.R.A., or 401(k) or other retirement fund as follows:

- Petitioner has no retirement funds OR
- 100% to Petitioner OR
- Dividing Petitioner's retirement benefits fairly and equitably between the parties as follows: _____

b. Awarding Respondent's pension, profit sharing, retirement plan, I.R.A., or 401(k) or other retirement fund as follows:

- Respondent has no retirement funds OR
- 100% to Respondent OR
- Dividing Respondent's retirement benefits fairly and equitably between the parties as follows: _____

13. Debts

- a. Dividing the debts as follows and ordering each party to hold the other harmless from any responsibility for the debts so divided. *Include all debts listed at #27 above.*

Debt Owed To:	To Be Paid By:

- b. Ordering that each party is solely responsible for paying any other debts incurred solely by him or her and ordering each party to hold the other harmless from any responsibility for such separately incurred debts.

14. Name Change

- Neither party is requesting a name change.

OR

- Changing Petitioner's name to:

First

Middle

Last

- Changing Respondent's name to:

First

Middle

Last

- 15. Other:** _____
- _____
- _____
- _____

- 16.** Each party shall execute any and all documents necessary to transfer real and personal property as awarded herein without further order of the Court. Should either party fail to execute the necessary documents, a certified copy of the Judgment and Decree shall operate to transfer title as awarded.

- 17.** Petitioner shall personally serve Respondent with a copy of the *Judgment and Decree* by having a third party (the server), age 18 or older, hand a copy of the *Judgment and Decree* to Respondent. The server's *Affidavit of Service*, filed with the Court by Petitioner, will be proof of service.

NOTICE: APPENDIX A SHALL BE INCORPORATED AND MADE A PART OF THE JUDGMENT AND DECREE. 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 Support and Maintenance, Minnesota Statutes § 518A.53; Change of Address or Residence; Cost of Living Increase of Support and Maintenance pursuant to Minnesota Statutes § 518A.75; Judgments for Unpaid Support pursuant to Minnesota Statutes § 548.091; Judgments for Unpaid Maintenance 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.

**ORDER FOR JUDGMENT
LET JUDGMENT BE ENTERED IMMEDIATELY.**

The foregoing facts were found by me after due hearing and the Order thereon is recommended.

BY THE COURT

District Court Referee

Judge of District Court

Dated: _____

Dated: _____

JUDGMENT

I certify the above order constitutes the Judgment of the Court.

Court Administrator

By _____

Date _____

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.

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.