

STATE OF MINNESOTA
COUNTY OF _____

IN DISTRICT COURT
FAMILY COURT DIVISION
FIFTH JUDICIAL DISTRICT

**Early Neutral Evaluation
Memorandum of Custody and
Parenting Time Agreement**

Petitioner

VS

Respondent

File _____

Jointly agree on the decisions of religion, education and medical upbringing of the children. Yes No

Primary Place of Residence with DAD / MOM; Jointly Agree to Co-Parent Yes / No

Required Designation of Legal and Physical Custody Minn. Stat. §518.1705 Subd. (4). Solely for enforcement of the final judgment and decree where this designation is required for that enforcement and for no other purpose or legal effect under the laws of this state, any other state, or another country, the following designations are made:

Physical Custody is with MOM / DAD / JOINT / DISPUTED

MOM / DAD will have Family Time as follows:

The parties shall be equally responsible for providing transportation to facilitate parenting time.

Rule of thumb: *Whoever is getting the family time, will pick the kids up. . . OR as indicated*

Weekends: ___ See Other Agreed Upon Issues for further comments

***Every** weekend from ____:00 a.m./p.m. on _____ day to ____:00 a.m./p.m. _____ day

***Every other** weekend from ____:00 a.m./p.m. on _____ day to ____:00 a.m./p.m. _____ day

Transportation: _____

Weekday: NON-Overnight ___ See Other Agreed Upon Issues for further comments

***Every:** Mon Tues Wed Thurs Fri from ____:00 a.m./p.m. to ____:00 a.m./p.m.

***Every other:** Mon Tues Wed Thurs Fri from ____:00 a.m./p.m. to ____:00 a.m./p.m.

Transportation: _____

Weekday: Overnight: ___ See Other Agreed Upon Issues for further comments.

***Every:** Mon Tues Wed Thurs Fri from____:00 a.m./p.m. to ____:00 a.m./p.m.

***Every other:** Mon Tues Wed Thurs Fri from____:00 a.m./p.m. to ____:00 a.m./p.m.

Transportation: _____

SUMMER PARENTING TIME: ___ See Other Agreed Upon Issues for further comments

___ The summer parenting time schedule shall remain the same as the school year schedule

___ The summer parenting time schedule defined as June, July and August. The summer schedule will

begin_____ and end _____ Children will be with;

MOM / DAD **Every** Sun Mon Tues Wed Thurs Fri Sat
from____:00 a.m./p.m. to ____:00 a.m./p.m.

MOM / DAD **Every other** Sun Mon Tues Wed Thurs Fri Sat
from____:00 a.m./p.m. to ____:00 a.m./p.m.

Transportation: _____

VACATION TIME: ___ See Other Agreed Upon Issues for further comments

This time shall supersede the standard parenting time, and is not restricted to the summer months.

Each parent shall be entitled to **vacation** time with the child(ren) up to a total of _____ days.

Parents will notify each other no later than or by _____ of their selected vacation time.

Vacation time will be taken in _____ increments.

Phone calls/emails: YES / NO ___ See Other Agreed Upon Issues for further comments

Parents agree and understand that children are sometimes too young or do not like to talk on the telephone. The parties (parents between children and children between parents) shall enjoy *reasonable* telephone and e-mail contact with the minor child(ren). If the other parent does not answer and voice mail is available, a message will left and call returned in a timely manner.

FIRST RIGHT: If the parent who is scheduled to be with the child(ren) is unable to be responsible for their care for more than **SIX (6)** _____ hours he/she shall ask the other parent to care for the child(ren). If that parent is unable to be responsible for the child(ren), the scheduled parent will find alternate care for the child(ren).

____ **It is understood the holiday schedule will supersede standard parenting time.**

Please note if the holiday includes the weekend.

<u>Holidays:</u>	<u>ODD</u>	<u>EVEN</u>	<u>EVERY</u>	Notes (times, transportation)
New Years Eve	_____	_____	_____	_____
New Years Day	_____	_____	_____	_____
Easter	_____	_____	_____	_____
Memorial Day	_____	_____	_____	_____
4 th of July	_____	_____	_____	_____
Labor Day	_____	_____	_____	_____
Halloween	_____	_____	_____	_____
Thanksgiving	_____	_____	_____	_____
Christmas Eve	_____	_____	_____	_____
Christmas Day	_____	_____	_____	_____
Spring Break	_____	_____	_____	_____
Winter Break	_____	_____	_____	_____
MEA	_____	_____	_____	_____
Fathers Day	_____	_____	_____	_____
Mothers Day	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

FOR HOLIDAYS ONLY: If it **IS** your weekend, but **NOT** your holiday, the exchange time for that day will be from _____:00 a.m. to _____:00a.m./p.m. unless otherwise agreed to.

BIRTHDAYS: YES / NO All (children, mother & father) birthdays will be celebrated during their scheduled parenting time.

IMPORTANT NOTICE:

We understand this schedule needs to be incorporated in a prepared order that must include Findings of Fact, Conclusions of Law, Order for Judgment and Judgment and Decree and that those papers still need to be submitted to the Court before our action is complete.

Attorney _____ (initial here) _____ shall prepare the Order **and** submit to court within **fourteen (14) days or if the time before our next hearing is less than 14 days, at least 5 days before the next scheduled hearing.**

The attorneys and the parties shall sign the stipulated Order and shall submit the same to the court within 30 days. If the county has an interest in child support, the proposed order shall be submitted to them for signed approval before submitting it to the court.

PRO SE Party's: We understand the information on this agreement will be used to complete a Stipulated Findings of Fact, Conclusions of Law, and Order for Judgment to be submitted to the Court within 14 days or 5 days before the next scheduled hearing.

Please see Court staff immediately following the ENE to complete the dissolution process.

Dated: _____, 20_____

Party's Signature

Attorney Signature

Party's Signature

Attorney Signature

General Agreements:

___ Before either party may bring a motion for parenting time assistance; the parties must attempt to resolve their disputes by **1) On their own OR 2) With assistance of a neutral third party (PTE, mediation, etc)** and share equally in all expenses unless specifically stipulated. They must further negotiate in good faith, and file a summary of their attempts to resolve the disputes with any future court documents

___ If either parent desires to move outside the school district or out of the state, or either parent believes that such a move will require a change in the parenting schedule, the parents agree to discuss how the child (ren) will be affected by changes in residence and to *renegotiate* the parenting schedule, in the best interest of the child (ren). The parents shall use one or a combination of the following process.

***PTE, *Custody Study, *Modify themselves by mutual agreement, *Parenting Consultant, *Mediation**

___ Parents agree to continue to cooperate and co-parent the children.

___ Parent agree to use one of the following methods of communications: Please circle all that may apply.

***Our Family Wizard, * Communication Notebook, *Emails, *Telephone/Voicemail/Text Message**

___ Parents will exchange and have all current contact information (cell phone, emails, landline phone)

___ **All** involved parties will refrain from any rude or inappropriate communication.

___ Parents will give a minimum of **1 week** notice for any change in agreed scheduled, excluding emergencies.

___ Orders prohibiting the parties from any contact may be amended to allow for contact /communication between the parties regarding the children. You will need to see Court Administration/your attorney, to complete this process.

___ Notify the other parent as soon as humanly possible regarding emergency medical/dental treatment

___ All other written or oral evaluations, notices, information will be exchanged to include school and all school related and extra curricular activities, medical and dental

___ Each parent will make direct contact with school, teachers, medical, dental and all other providers for the child (ren)

MOM / DAD shall submit to random drug / alcohol testing. The requesting party will pay the fee if any.

MOM / DAD will participate, complete and follow all treatment plans as noted.

Drug ____, Alcohol ____, Mental Health ____, Parenting Assessment ____, Other _____

Month _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Month _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

STATE OF MINNESOTA
COUNTY OF _____

IN DISTRICT COURT
FAMILY COURT DIVISION
FIFTH JUDICIAL DISTRICT

**Early Neutral Evaluation
Memorandum of
Non - Agreement**

Petitioner

Respondent

File # _____

The above parties met for the scheduled Early Neutral Evaluation on _____ 20____, the parties were unable to reach an agreement on the disputed parenting issues.

_____ Required Designation of Legal and Physical Custody Minn. Stat. §518.1705 Subd. (4). Solely for enforcement of the final judgment and decree where this designation is required for that enforcement and for no other purpose or legal effect under the laws of this state, any other state, or another country, the following designations are made: **Physical Custody is . . . DISPUTED**

_____ Parties will continue to work on a settlement with their attorneys and report to the court within **thirty (30) days** by _____ 20____, of settlement status, or if future court involvement is needed.

_____ Parties have elected to pursue mediation, another form of ADR, or custody study. Attorney _____ will notify the court within 3 business days of selected mediator or evaluator, and timeframe for completion.

_____ To the extent the parties have not resolved all issues related to their dissolution **within 30 days**, the attorney indicated below will notify the court with a status report. The court will then reschedule.

Attorney _____ (initial here) _____ Dated: _____, 20____

Pro Se Cases ONLY:

_____ All issues have been stipulated per the signed Memorandum of Agreement

_____ The following issues remain disputed _____

Client Signature

Attorney Signature

Client Signature

Attorney Signature