

INSTRUCTIONS

Request to Establish Third Party Custody

Important Notices and Resources

The Court has forms and instructions, for some types of cases, as a general guide to the court process. These instructions explain the steps in more detail and answer common questions, but are not a full guide to the law. Court employees may be able to give general information on court rules and procedures, but they cannot give legal advice.

Have questions about court forms or instructions?

- Visit www.MNCourts.gov/SelfHelp
- Call the Statewide Self-Help Center at 651-435-6535

Not sure what to do about a legal issue or need advice?

- Talk with a lawyer
- Visit www.MNCourts.gov/Find-a-Lawyer.aspx

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . For more information, contact court administration or call the Minnesota State Law Library at 651-297-7651.

Forms You May Need

- *Summons* (CHC602);
- *Petition to Establish Third Party Custody* (CHC603);
- *Certificate of Representation and Parties* (CIV102);
- *Affidavit of Personal Service* (SOP102);
- *Waiver of Service* (CHC604);
- *Notice to Public Authority with Affidavit of Mailing* (DIV813, DIV816);
- *Instructions – Form 11.1 and Form 11.2* (CON110);
- *Confidential Information Form 11.1* (CON111);
- *Cover Sheet for Non-Public Documents Form 11.2* (CON112);
- *Instructions – Exhibit List and List of Supporting Documents (Family Cases)* (FAM901); and
- *List of Supporting Documents (Family Case)* (FAM903).

If you have reason to know that the child, parent, or custodian is a member of (or may be eligible for membership in) an Indian tribe, then you will also need:

- *Supplemental Instructions – ICWA and MIFPA (Indian Child)* (CHC601-Supp); and
- *ICWA Notice – Third Party Custody* (CHC605).

Forms are available on the Minnesota Judicial Branch website at www.mncourts.gov/forms (look under the “Child Custody/Parenting Time” category).

What You Need to Do

1. Complete the court forms, following all of the steps in these instructions.
2. Make a copy of all of your forms and attachments for each party.
3. Arrange for service of a copy of *Summons* and *Petition to Establish Third Party Custody* on each of the other parties. If you have reason to know that a child, parent, or custodian is a member of an Indian tribe (or may be eligible for membership in an Indian tribe), then there are other service requirements explained in the Supplemental Instructions (CHC601-Supp).
4. File the original forms with the court (filing fee is required; if you cannot afford the filing fee, you can apply for a fee waiver).
5. The other parties have 21 days to respond to your request for third party custody. If they do not respond or file papers, contact court administration for how to proceed. Some counties may require you to file a *Motion for Third Party Custody* and request a hearing before the judicial officer can consider your request for third party custody.

More details about each of these steps is found below.

General Information about Third Party Custody

These Instructions are for starting a court case to establish custody of a child who is not your biological, adopted, or legal child.

Know all of your options before filing for Third Party Custody. There are many options for either temporary or permanent custody of a child who is not your own child. These options may include the following:

- Delegation of Parental Authority (not a court proceeding, good for up to one year, signed by a parent and the person taking custody, but is limited in nature);
- Standby Custodian (if a parent named you as the standby custodian and the reason for having the standby custodian has happened);
- Third Party Custody (through the Family Court);
- Child Protection (known as CHIPS through the Juvenile Court);
- Guardianship (through the Probate Court);
- Adoption (through the Juvenile Court).

Do you have a legal right to ask for third party custody?

Before you complete these papers, you should determine if you have a legal right to seek custody of a child who is not your child (this is called “standing”).

According to Minnesota law, you have standing if you are a “**de facto custodian**” or “**an interested third party**.” Use these forms *only* if you are a “de facto custodian” or an “interested third party.” The following definitions from [Minn. Stat. § 257C.01](https://revisor.mn.gov/statutes/cite/257C.01), subs. 2 and 3 (revisor.mn.gov/statutes/cite/257C.01), should help you determine if you are a “de facto custodian” or an “interested third party.”

DEFINITION OF “DE FACTO CUSTODIAN”

- A. **If the child is under three years old**, you may qualify as a “**de facto custodian**” if *all* the following statements are true:
- You have been the primary caretaker to the child while the child was living in your home; **and**
 - The child lived with you for at least six (6) out of the last twenty-four (24) months. The months do not have to be consecutive (in a row). (For example, the time can be one month with you, two weeks not with you, two weeks with you—just so the total amount of time is six (6) out of the last twenty-four (24) months); **and**
 - During this time, neither parent was residing in your home, and the parents have not consistently participated in the child’s life.
- B. **If the child is more than three years old**, you may qualify as a “**de facto custodian**” if *all* the following statements are true:
- You have been the primary caretaker to the child while the child was living in your home; **and**
 - The child lived with you for at least twelve (12) out of the last twenty-four (24) months. The months do not have to be consecutive (in a row). The time can be, for example, one month with you, two weeks not with you, two weeks with you—just so the total amount of time is twelve (12) out of the last twenty-four (24) months; **and**
 - During this time, neither parent was residing in your home, and the parents have not consistently participated in the child’s life.

DEFINITION OF “INTERESTED THIRD PARTY”

You may qualify as an “**interested third party**” if you are not a de facto custodian, and one or more of the following statements is true:

- The parents have abandoned, neglected, or otherwise show a disregard for the child’s well-being and the child would be harmed by living with either parent; **or**
- The child is in physical or emotional danger if the child lives with either parent; **or**

- Other grave and weighty reasons make it necessary for the child to live with you and for you to have legal custody.



IMPORTANT! If you do not qualify as a “de facto custodian” or an “interested third party,” and you wish to bring a custody action, you should contact an attorney. **DO NOT use these forms if you do not qualify in one of the two ways listed above** (“de facto custodian” or “interested third party”).

What if the child is in danger?

An Order for Protection (OFP) or a Child Protection (CHIPS) order may be options in extreme situations as a way to get temporary custody. An OFP will not permanently change custody and you still need to go to court to ask for permanent custody. For information about Orders for Protection, [contact your local courthouse](#) or County Domestic Abuse Service Center if your county has one (mncourts.gov/Find-Courts.aspx). For information about Child Protection orders, [contact your local county or tribal child protection office](#) (mn.gov/dhs/people-we-serve/children-and-families/services/child-protection/contact-us/).

In *extremely rare cases*, a judicial officer will make a temporary decision about custody before a full hearing with sworn testimony has been held. Those rare cases may be:

- Where the child is in immediate, significant danger if the existing custody arrangement continues; or
- If you have the child, and you have strong reason to believe that if you serve the *Summons* and *Petition*, the parents will take the child from you, and that the child will be harmed or be in immediate danger.

The Minnesota Judicial Branch does not publish any forms to ask for third party custody on an emergency basis. You might find sample forms at a law library or from a legal publisher. If you want to ask for an emergency ex parte order giving you temporary custody until a hearing or an accelerated hearing date, your *Summons* and *Petition for Third Party Custody* must be completely filled out first.

In what county should you file the third party case?

According to [Minn. Stat. § 257C.03, subd. 1](#) (revisor.mn.gov/statutes/cite/257C.03), you must file your third party custody case in the county where the child permanently lives, or where the child is found, or where there is an earlier court order for custody of the child.

Could the child be an Indian child?

According to the Minnesota General Rules of Practice (Rule 315), a petition for third party custody must contain:

- A statement as to whether the child is or may be an Indian child; and
- A description of the “due diligence used to determine whether the child is an Indian child.”

An “Indian child” means an unmarried person who is under age 18 and is: (1) a member of an Indian tribe; or (2) eligible for membership in an Indian tribe. [Minn. Stat. § 260.755, subd. 8](http://www.revisor.mn.gov/statutes/cite/260.755) (revisor.mn.gov/statutes/cite/260.755).

In the *Petition*, you will need to explain what you have done to determine whether the child is or may be an Indian child. **If you have reason to know that the child or the parents are members of (or may be eligible for membership in) an Indian tribe**, there are extra steps you need to take regarding the Bureau of Indian Affairs (BIA) and the individual Tribes (if known). For more information, see *Supplemental Instructions – ICWA and MIFPA* (CHC601-Supp).

Step 1
Fill Out *Summons for Third Party Custody* (CHC602)

Fill out the *Third Party Custody Summons* form. This is a short document that lets the other parties know two things: that you are asking for custody and makes them aware that they have 20 days to respond to your *Petition*.

The Caption

The caption is at the top of the first page, and it contains important information about the case such as the names of the parties, the identity of the court, and the court file number (once one is assigned).

The image shows a form titled "Summons for Third Party Custody (CHC602)" with the citation "Minn. Stat. ch. 257C". The form contains the following fields and labels:

- A**: State of Minnesota
- B**: County of: _____
- C**: District Court
- D**: Judicial District: _____
- E**: Court File Number: _____
- F**: Case Type: Custody
- G**: Petitioner _____
- H**: Co-Petitioner, if any _____
- AND
- F**: Respondent Parent A _____
- G**: Respondent Parent B _____
- H**: Respondent Legal Guardian or Custodian, if any _____

- A. List the county where you will file (or where you have filed) the third party custody case.
- B. List the judicial district. Each county is in 1 of 10 [judicial districts](http://mncourts.gov/Find-Courts.aspx) (mncourts.gov/Find-Courts.aspx).
- C. Leave the “Court File Number” blank for now. Court Administration will assign a number after you file.

Parties' Full Names

- D. As the person starting the case, you are the **Petitioner**. List your full name. For example:
Rhonda Jane Roe.
- E. If someone else is also asking for third party custody of the children with you, that other person is the **Co-Petitioner**. The Co-Petitioner might be your spouse or another family member. Leave this line blank if you are the only person asking for third party custody.
- F. List the full name of one of the parents on the line for **Parent A**.
- G. If the child has two parents, list the name of the second parent on the line for **Parent B**.
- H. If the court has named a person to act as the child's **guardian**, or if a parent has named an official stand-by **custodian**, please list that person's full name here. The guardian or other custodian may be a person who is not you or your spouse, and is not the parent of the child, with whom the child is living. There would be a court order through family, juvenile or probate court giving that person custody.

The Notice

| | |
|---|--|
| TO THE ABOVE-NAMED RESPONDENTS: | |
| IMPORTANT NOTICE: | |
| The Petitioner has filed a lawsuit against you to ask for custody of the following minor children: | |
| Child 1 First Name: _____ Middle Name: _____ Last Name: _____ Date of Birth: _____ |  Child 2 First Name: _____ Middle Name: _____ Last Name: _____ Date of Birth: _____ |
| Child 3 First Name: _____ Middle Name: _____ Last Name: _____ Date of Birth: _____ | Child 4 First Name: _____ Middle Name: _____ Last Name: _____ Date of Birth: _____ |
| A copy of the <i>Petition for Third Party Custody</i> is served on you with this <i>Summons</i> . | |

- I. List the full name of each child for whom you are asking for third party custody. List each child's date of birth.

The Signature Block

| | |
|--|----------------------------|
| Date: _____ | Signature of Petitioner |
|  | Name: _____ |
| | Address: _____ |
| | City/State/Zip: _____ |
| | Phone: _____ |
| | Email: _____ |
| Date: _____ | Signature of Co-Petitioner |
| | Name: _____ |
| | Address: _____ |
| | City/State/Zip: _____ |
| | Phone: _____ |
| | Email: _____ |

- J. Date and sign the *Summons*. Then include your contact information (street address, city/state/zip, telephone, and email address) in the blanks provided. If there is a Co-Petitioner, they should also date, sign, and include their information.

Step 2
Fill Out the *Petition to Establish Third Party Custody (CHC603)*

Fill out the *Petition for Third Party Custody* form. This form tells the court the facts of your case: information about the children and the parents, and the [type of custody and parenting time](#) that you are asking for (mncourts.gov/Help-Topics/Child-Custody.aspx).

The *Petition* is a long form, and it is very important that you provide details for the court. If you do not provide enough information, the court cannot make a decision about custody. When answering the questions, please do not write in the margins or on the back of the pages. Instead, if you need more room, use a new sheet of paper to finish your answer.

The *Petition* is divided into 11 parts:

1. [Information about the Parties](#);
2. [Information about the Children](#);
3. [Indian Child Welfare Act \(ICWA\) and Minnesota Indian Family Preservation Act \(MIFPA\)](#);
4. [Paternity](#);
5. [Jurisdiction: De Facto Custodian or Interested Third Party](#);
6. [Respondents’ Involvement with, and Others Who Have Provided Care for, the Children](#);
7. [Custody – What is Best for the Children \(Best Interest Factors\)](#);
8. [Income and Ability to Provide Child Support](#);
9. [Public Assistance](#);
10. [Childcare Costs](#); and
11. [Your Requests](#).

The Caption

Fill out the caption like you did on the *Summons*. See Step 1, above.

| | |
|---|---------------------------|
| State of Minnesota | District Court |
| County of: _____ | Court File Number: _____ |
| Judicial District: _____ | Case Type: <u>Custody</u> |
| Petitioner _____ | |
| Co-Petitioner, if any _____ | |
| AND | |
| Respondent Parent A _____ | |
| Respondent Parent B _____ | |
| Respondent Legal Guardian or Custodian, if any _____ | |
| Petition to Establish Third Party Custody (CHC603) Minn. Stat. ch. 257C | |

Part 1: Information about the Parties

Information about Petitioner and Co-Petitioner

Part 1: Information about Parties (Petitioner, Co-Petitioner, Respondents)

1 1. **Petitioner**

a. Your Name and Contact Information:

First Name: _____
Middle Name: _____
Last Name: _____

a Street Address: _____
Apartment or Unit Number: _____
City/State/Zip: _____

Telephone: _____
Email: _____ or No email address.

b. Your other names (maiden, former married or another legal name, alias): None, **OR**
_____ **b**

c c. Your Social Security Number should be listed on Form 11.1 and filed with the Court.

d. Explain your relationship to the children: _____ **d**

e. Are you in the military? Yes No **e**

1. **Petitioner's Information.** Fill in the following information about yourself:
 - a. Your full name, address, telephone number, and email address (if you have one);
 - b. Other names you have ever used. **Note:** If you have ever used any other legal name (like a maiden name, former married name, or alias), please include the other names in the blank. If you have never used a name other than your current name, then check the box for "None."
 - c. Remember to list your Social Security Number on Form 11.1, which is available online at <https://mncourts.gov/GetForms.aspx?c=11&p=44>.
 - d. Explain your relationship or connection to the children.
 - e. Check whether you are in the military.

2. Co-Petitioner

If you are the only petitioner, leave this "Co-Petitioner" section blank, and check here: **2**

a. Co-Petitioner's Name and Contact Information:

First Name: _____
Middle Name: _____

2. **Co-Petitioner's Information.** If you are the only person in this case who is asking for custody of the children, then there is no Co-Petitioner, and you can check the box. If you are the only petitioner, then leave the rest of the "Co-Petitioner" section blank.

If there is another person joining you in using the court for custody of the children, fill in the information in #2 about the other person (the "Co-Petitioner").

Information about the Respondent Parents

The parties you are suing for third party custody are the respondents. The children’s parents (Parent A and Parent B) are respondents, and if there is a legal guardian or a stand-by custodian, that person will be a respondent, too.

If you do not know some of the information about the parents, and if you cannot get the information, you can say “unknown” in the blanks.

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3. Respondent Parent A

a. Parent A's Name and Contact Information:

First Name: _____
Middle Name: _____
Last Name: _____

a Street Address: _____
Apartment or Unit Number: _____
City/State/Zip: _____

Telephone: _____
Email: _____ or No email address.

b. Parent A's other names (maiden, former married or another legal name, alias):

b
OR Unknown **OR** None

c. Parent A's Social Security Number:
c Parent A's Social Security Number is listed on Form 11.1 and filed with the Court.
 Petitioner does not know Parent A's Social Security Number.

d. How is Parent A related to the children?
d Biological mother. Biological father. Adoptive parent.
 Other (Explain): _____

e. Is Parent A in the military? Yes. No. Unknown. **e**

f. Is Parent A a member of, or eligible for membership in, an Indian tribe?
f Yes. Names of Tribes: _____
 No.
 Unknown.

3. Respondent Parent A. Provide the following information about whichever parent you list as Parent A:

- a. Parent A’s full name, address, and contact information;
- b. Any other names Parent A has used (or “none”);
- c. Whether Parent A’s Social Security Number is listed on Form 11.1, or unknown (check one of the boxes);
- d. How Parent A is related to the children;
- e. Whether Parent A is in the military; and
- f. Whether Parent A is a member of, or may be eligible for membership in, and Indian tribe.

4. Parent B. Provide the same information about whichever parent you list as Parent B.

Servicemember's Civil Relief Act. This is an act that protects military and Reservists or National Guard members on active duty from having a court order issued that affects them when they may not be available to participate in a court process. If you do not know how to serve the party in the military, you should [talk to an attorney](http://mncourts.gov/Help-Topics/Find-a-Lawyer.aspx) (mncourts.gov/Help-Topics/Find-a-Lawyer.aspx).

Information about the Legal Guardian or Custodian

5. **Respondent Legal Guardian or Custodian** 5

If there is no Legal Guardian or Custodian, leave this section blank, and check here:

a. Legal Guardian or Custodian's Name and Contact Information:

First Name: _____

5. **Legal Guardian or Custodian.** If there is a court order naming a person as the Legal Guardian of the children, or if there is a court order giving someone (not you or the parents) custody of the children, then fill in this section. Otherwise, check the box to say there is no Legal Guardian or Custodian.

Part 2: Information about the Children

There is space on the *Petition* to include **4 children**. If this third party custody case involves more than 4 children, you will need to add more paper to include all the information about the other children.

6. **Children's Name, Age, and Date of Birth.** There are separate lines to list each child's first name, last name, and middle name. Also include each child's date of birth and current age.
7. **Other Court Cases.** The first question in #7 is whether you know of any other court cases involving the parties. If the answer is YES, then give as much detail about the cases as you can. You may need to add more paper if there are several cases.
8. **Current Custody of the Children.** List who has legal and physical custody of each child, to the best of your knowledge. If you know there is a court order for custody, include as much detail as you can.
9. **Length of Time in Minnesota.** Include how long each child has lived in Minnesota.

10. **Information about Time the Children May Have Lived with Petitioner.** Have any of the children ever lived with you (the Petitioner)? Yes No 10

If Yes:

- List the child's full name;
- List the number of years or months the child has lived with you; and
- Explain how and why the child came to live with you.

OR Does not apply because the children have never lived with you.

10. **Information about Time the Children May Have Lived with Petitioner.** The first question is whether any of the children in this third party custody case have ever lived with you.

If the answer is **Yes**, then for each child who has lived with you, list their name, how long they lived with you, and how they came to live with you.

Or, if the children have never lived with you, you can check the box for “does not apply.”

11. **Siblings.** In #11, you are letting the court know whether the child you want custody of has any siblings. If so, then fill out the chart with information about the siblings who are not part of this third party custody case.

Part 3: Indian Child Welfare Act (ICWA) and Minnesota Indian Family Preservation Act (MIFPA)

Two things that Minnesota court rules require in the petition are:

- A statement as to whether the child is or may be an Indian child; and
- A description of “the due diligence used to determine whether the child is an Indian child.”
Minn. Gen. R. Prac. 315.

The definition of “**Indian child**”:

“Indian child” means an unmarried person who is under age eighteen and is: (1) a member of an Indian tribe; or (2) is eligible for membership in an Indian tribe. [Minn. Stat. § 260.755, subd. 8](#) (revisor.mn.gov/statutes/cite/260.755).

ICWA and MIFPA and other laws give rights to the Indian child’s family and tribe. The tribe has the right to receive notice of any family law proceeding where someone other than the child’s parent is seeking custody of the child. It is a good idea to get [legal advice](#) if you think this applies to your case (mncourts.gov/Help-Topics/Find-a-Lawyer.aspx).

12. ICWA and MIFPA

a. Tell whether each child is an Indian child. If the answer is Yes, list the names of the Tribes.

Child 1
Child's Name: _____

Is this child an Indian child? **a**

Yes. Name of tribes: _____
 No.
 Unknown.

b. Describe what you did to determine whether each child is or may be an Indian child. **b**

12. ICWA and MIFPA

- a. List each child’s name, and then check the box to show whether the child is an Indian child (whether the child is a member of, or may be eligible for membership in, an Indian tribe).

If the answer is **Yes**, list the names of the tribes.

- b. In this section, explain what you did to find out whether each child is or may be an Indian child.

Part 4: Paternity

In this section, you will be giving information why one of the parents (Parent A or Parent B) is considered the father of the children. Please read through all of the options before choosing your answers, and check all that fit.

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Part 4: Paternity

13. How do you believe paternity of the children has been established?

→ Check all that apply:

a. **Court Order** a

There is a court order in the State of _____ that says Parent _____ (A or B) is the father of the following children: _____

b. **Minnesota Recognition of Parentage (ROP)** b

The Respondent Parents (A and B) signed a Minnesota Recognition of Parentage (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).

c. **Voluntary Acknowledgment of Paternity or Parentage (VAP) in another state**

The VAP is like the Minnesota ROP, but for a different state.

c The Respondent Parents (A and B) signed a (VAP) in a state other than Minnesota for the following children: _____

AND each VAP was filed in the following state: _____

d. **Other reasons that Respondent Parent _____ (A or B) is presumed to be the father of the children:**

d

→ Check all that apply:

The Respondent Parents (A and B) were married with the following children were born: _____

The following children were born within 280 days after Respondent Parents (A and B) were divorced (or after the marriage of the Respondent Parents ended by death, annulment, declaration of invalidity, or after a decree of legal separation was entered by a court): _____

Respondent Parent _____ (A or B) received the following children into his home, and openly holds them out as his biological children: _____

Genetic testing was done, and it shows that Respondent Parent _____ (A or B) is likely to be the father of the following children: _____

Petitioner believes that Respondent Parent _____ (A or B) is likely to be the father of the following children: _____

because: _____

Other: _____

13. Check all of the ways that you believe **paternity** of each child has been established.

The options include the following:

- a. **Court Order.** If there is a court order in any state that names one of the parents as the father of the children, then check this box, and then fill in the rest of section.

- b. **Minnesota ROP.** If both parents signed a Minnesota Recognition of Parentage (ROP), and if the ROP was filed with the MN Department of Health, then please check this box, and list the names of the children for whom the parents signed the ROP.
- c. **VAP from Another State.** A form similar to the Minnesota ROP from another state is sometimes called a Voluntary Acknowledgement of Paternity or Parentage (VAP). If the parents signed and filed a VAP in another state, please list the names of the children for whom the parents signed the VAP.
- d. **Other Reasons.** If there is another reason (not already listed above) that you think one of the parents is the father, then check this box, and write in either A or B to show which parent you believe is the father of the children.

The possible other reasons are listed below. Be sure to check any of these other reasons that fit if you checked “d.”

- Check this box if Parent A and Parent B were married to each other when any of the children were born, and then list the children.
- If any of the children were born within 280 days after Parent A and Parent B divorced, check this box and list the names of the children born within this time period.
 - You would also check this box if any of the children were born within 280 days after the marriage of the two parents ended in some way other than divorce (such as through legal separation or death of one of the parents), and then list the names of the children born within this time period.
- If one of the parents acts like the children are his biological children (if he receives the children into his home and openly says they are his biological children), then check this box, and then list which children this applies to.
- Check this box if there is paternity genetic testing showing that one of the parents is the biological father. Then write which parent (Parent A or Parent B) is likely the biological father, and list the children that this applies to.
- Check this box if you have a reason (that is not already listed) to believe that one of the parents is the biological father of the children. Include the following information:
 - Which parent (Parent A or Parent B) is likely the biological father;
 - The children that this applies to; and
 - The reasons why you believe this parent is the biological father.
- Check this box if there is any other information you want the court to have about paternity of the children, and then give that information.

Part 5: Jurisdiction

In this section, you will tell the court whether you are asking for custody as a “[de facto custodian](#)” or as an “[interested third party](#).”

You cannot choose both “de facto custodian” and “interested third party.”

14. If you are asking for custody as a **De Facto Custodian**, answer **Yes** and give the information requested for each child.
15. If you are asking for custody as an **Interested Third Party**, answer **Yes** in #15, and check all the boxes that apply to your situation.

Part 6: Respondents’ Involvement with, and Others Who Have Provided Care for, the Children

In the first two questions in Part 6, you will give information about how Parent A and Parent B have been involved in the children’s lives.

Part 6: Respondents’ Involvement with, and Others Who Have Provided Care for, the Children

16 Respondent Parent A’s Involvement with the Children

a. Parent A’s parenting time until now:

a How often and under what circumstances (where and how) has Parent A seen the children? _____

b. Has Parent A committed acts of domestic violence (physical or emotional abuse) or neglect against the children? Yes No Unknown **b**

c. Is there a **Court Order** that says Parent A cannot have custody of the children (for example, an Order for Protection or Child Protection Order)? Yes No Unknown

If **Yes**, give the following information:

Date of Court Order: _____

Court File Number: _____

County and state where order was issued: _____

Name of person court gave custody to: _____

Were conditions set in the court order for custody to be returned to Parent A?
 Yes No Unknown

If **Yes**, did Parent A following the conditions? Yes No Unknown

17 Respondent Parent B’s Involvement with the Children

a. Parent B’s parenting time until now:

How often and under what circumstances (where and how) has Parent B seen the children? _____

16. Parent A

- a. Describe where and how Parent A has seen the children, if you know.
- b. If Parent A has committed acts of domestic violence (physical or emotional abuse) or neglect against any of the children, check YES.
- c. Is there a court order that says Parent A cannot have custody of the children? If there is, then give as much information about the order as you can find out.

17. **Parent B** – fill out the same information for Parent B.

Others Who Might Have Cared for the Children

18. Standby Custodian

A “standby custodian” is a person officially named by a parent to care for the child if something happens to that parent.

If either parent has named someone as a **Standby Custodian**, check **Yes** and answer the questions in “a” through “c.”

19. Others Who Have Cared for the Children...

If you answer **Yes** in #19, fill out the chart to tell who cared for the children, how they are related to the children, how long they cared for the children, and when they cared for the children.

Part 7: Custody – What Is Best for the Children (Best Interest Factors)

The best interest factors are found in [Minn. Stat. § 257C.04](http://revisor.mn.gov/statutes/cite/257C.04) (revisor.mn.gov/statutes/cite/257C.04).

The court has to consider every single “best interest factor” when deciding whether to grant you custody of someone else’s children, so it is very important that you answer every question and give specific details.

Do not just restate the question in your answer. For example, when asked how close you are to the children, do not just write “I am very close to the children.” Instead, give details that show how close you are. For example, “I listen to the children when they are sad or upset; we go to the park together every weekend; we read together before bed every night.”



Answer **all** the questions. You may need to continue your answers on other sheets of paper (do not write in the margins or on the back of the pages).

20. In #20, you are explaining what you believe each party wants regarding custody of the children. See Minn. Stat. § 257C.04, subd. 1(a)(1).

21. The best interest factor in Minn. Stat. § 257C.04, subd. 1(a)(2) is the reasonable preference of the child, if the court believes the child is of “sufficient age to express preference.”

If you believe one of the children meets this requirement, then list that child, their preference, and age.

22. List the name of the child’s **primary caretaker**. See Minn. Stat. § 257C.04, subd. 1(a)(3).

A primary care taker provides most of the day-to-day care and decision-making for each child. Examples of caregiving include preparing meals, attending medical appointments, disciplining, helping the child get dressed, reading to the child, providing transportation to activities, and looking over homework.

If at different times in each child’s life, different people have been the primary caretaker, name all adults who have provided this care and when that care took place. If this person is not you or one of the parents, this person should also be listed in the chart at paragraph #19.

- 23. Tell about the closeness of the relationship between each child and each party, and with anyone else who is significant in each child’s life (for example, a grandparent or close relative). See Minn. Stat. § 257C.04, subd. 1(a)(4).
- 24. Tell about how each child plays, talks, opens up to or interacts with the all of the parties, with brothers and sisters, and with anyone else who is significant in each child’s life (for example, a grandparent or close relative). See Minn. Stat. § 257C.04, subd. 1(a)(5).
- 25. Tell about how each child has adjusted (or not) to life at home, in school, and in the community.
- 26. Do the children currently live in a safe, stable place? Give the required information, and explain your answers.

27. **The Permanence, as a Family Unit, of the Existing or Proposed Custodial Home** [Minn. Stat. § 257C.04, subd. 1(a)(8)] 27

a. Who else lives with you in your home? a _____

b Do you consider these people to be your permanent family unit? Yes No

c. Explain your answer in 27b: c _____

d If the children do not live with you, describe the permanence of the family unit where the children are currently living: N/A (not applicable, because the children currently live with Petitioner); **OR:** _____

- 27. There are four sections in #27.
 - a. List all of the people who live with you in your home.
 - b. Tell whether you consider these people to be your **permanent** family unit.
 - c. Then explain your response. You can describe how permanent your family is or how permanent the people are in your home. For example: Have the people living in the home been there for a while? Have you lived in one house or apartment for a period of time, or are there frequent moves?
 - d. If the children do not live with you, then in #27d, describe the permanence of the family unit in the home where the children currently live.
- 28. Describe the **mental** and **physical** health of everyone involved in this case. If there is not enough space on the lines for your full answers, continue your answers on another piece of paper.
- 29. There are several sections in #29.

- a. In #29a, explain whether and how the parties (you and any co-petitioner, the parents, and any legal guardian or custodian) can give the children love, affection, and guidance.
- b. In #29b, explain whether and how the parties will be able to educate and raise the children in their culture and religion or creed, if any.

30. Describe the children’s cultural background.

31. There are three parts to this question:

- Whether there has been any domestic abuse between any of the parties in this case;
- *If YES*, who has been involved in the domestic abuse; and
- *If YES*, how the domestic abuse has affected the children.

Part 8: Income and Ability to Provide Child Support

32. If you know that a child support order is already in place, check **YES**.

33. **Petitioner’s Gross Income** (before taxes).

- a. List your gross monthly income.
- b. Specify the sources of your income.

34. **Co-Petitioner’s Gross Income**. Provide the same information about Co-Petitioner’s income. If there is no co-petitioner, you can check the box for N/A (not applicable).

35. **Respondent Parent A’s Information**. This question asks about Parent A’s ability to pay child support and about whether they are employed. Give as much detail as you can.

36. **Respondent Parent B’s Information**. This question asks about Parent B’s ability to pay child support and about whether they are employed. Give as much detail as you can.

Part 9: Public Assistance

The questions in this section (#37 to #41) are about about public assistance. Give as much detail as you can.

Part 10: Childcare Costs

Part 10: Childcare Costs

If the children live with you, do you have childcare costs?

42. Do you have childcare costs (daycare or babysitting so that you can go to work or school)?

Yes: \$ AMOUNT per week per month per _____

OR

No childcare costs.

42. If you are caring for the children, then tell whether you have childcare costs. Childcare costs are costs for childcare (daycare or babysitting) so that you can go to work or school.

Part 11: Your Requests

Up to this point, you have been giving the court *information* about the parties and the children. Now you will tell the court and the other parties what you want the court to order. Specifically, you will describe what you want regarding:

- Custody (legal and physical);
- Parenting time for Parent A and Parent B; and
- Child support.

The numbering starts over in this section.

Legal and Physical Custody



There is information in the [“Child Custody & Parenting Time” Help Topic](#) on the Minnesota Judicial Branch website (mncourts.gov/Help-Topics/Child-Custody.aspx). Look in the “Tools & Resources” tab for links to helpful content.

The first two items in this section are about **custody**. See [Minn. Stat. § 518.003](#) (revisor.mn.gov/statutes/cite/518.003).

- **Legal custody** refers to the right to make decisions about how to raise the child, including decisions about education, health care, and religious training.
- **Physical custody** refers to the right to make decisions about the routine day-to-day activities of the child and where the child lives.
- **Joint custody** means sharing the rights and responsibility with someone else.
- **Sole custody** means only one person may make the important decisions about the child.

1. Granting **legal custody** as follows:

Sole legal custody to Petitioner.

OR

Joint legal custody to Petitioner AND:

Co-Petitioner Parent A Parent B

Legal Guardian or Custodian

1. **Legal Custody.** What are you asking for regarding legal custody.

2. Granting **physical custody** as follows:

Sole physical custody to Petitioner.

OR

Joint physical custody to Petitioner AND:

Co-Petitioner Parent A Parent B

Legal Guardian or Custodian

NOTE: If you checked "joint physical custody," and the other person is not your spouse, then you need a schedule stating who takes care of the children and when. **Describe the schedule:**

2. **Physical Custody.** What are you asking for regarding **physical custody**?

NOTE: If you are asking the court to share joint physical custody with someone else, you will need to describe the schedule – when will each of you have the children?

3. **Best Interest Factors: Joint Legal or Joint Physical Custody.**

As noted above, the court has to consider and evaluate all relevant factors in determining the best interest of the children when deciding custody. And when a party asks for **joint custody** (either joint legal or joint physical), the court must consider additional "best interest factors" found in [Minn. Stat. § 257C.04, subd. 2](http://revisor.mn.gov/statutes/cite/257C.04) (revisor.mn.gov/statutes/cite/257C.04).

3. **Best Interest Factors: Joint Legal or Joint Physical Custody.**

→ According to Minn. Stat. § 257C.04, subd. 2, there are other factors the court must consider when a party asks for joint legal or joint physical custody.

→ If you checked "joint legal custody" or "joint physical custody" in #1 or #2 above, then answer the following questions about you and the person you hope to share legal and/or physical custody with.

N/A (#3 is not applicable because the Petitioner is not asking for joint legal or joint physical custody).

OR

a. Can you cooperate with the other party in raising the children? Yes No

b. Explain how you will cooperate **OR** if you are not able to cooperate, why not?

c. If you and the other party disagree how will you work out your differences?

d. How willing are you and other party to work out disagreements?

e. Do you believe it would be negative or bad for the children if either you or the

Check this box if:

- you did not ask for **JOINT legal custody in #2; AND**
- you did not ask for **JOINT physical custody in #3.**

If you asked for **SOLE** legal and **SOLE** physical custody, you can check the first box in #3.

3

a. Can you cooperate with the other party in raising the children? Yes No

b. Explain how you will cooperate **OR** if you are not able to cooperate, why not?

c. If you and the other party disagree on major decisions about the children’s lives, how will you work out your differences and make a decision? _____

d. How willing are you and other party to use these methods to resolve disagreements? _____

e. Do you believe it would be negative or bad for the children if either you or the other party (who you are asking to share joint legal or physical custody with) had the sole authority over raising the children rather than joint authority with the other party? Yes No
Explain your answer: _____

f. Has there been domestic abuse between you and the other party?
 Yes No

If **Yes**, explain when the domestic abuse happened: _____

Explain how the situation got better: _____

However, if you asked for JOINT legal **OR** JOINT physical custody, then fill out “a” through “f.” These are the “best interest factors” for joint custody listed in the statute.

Parenting Time for Parent A and Parent B

 You might find it helpful to look at the [parenting time resources](http://lawhelpmn.org/self-help-library/family/custody-and-parenting-time) available through LawHelpMN.org (lawhelpmn.org/self-help-library/family/custody-and-parenting-time).

In this section, you are telling the court what you want each parent’s “parenting time” to be. [Minn. Stat. § 518.003, subd 5](http://revisor.mn.gov/statutes/cite/518.003) (revisor.mn.gov/statutes/cite/518.003), defines parenting time as the time a parent has with the child regardless of who has custody.

If it is best that the children spend time with the parents, you can check the box for “**unsupervised parenting time.**” Then you will be asked to give a parenting time schedule for each parent.

If it is best for the children that a parent be *supervised* while with the children, you can check “**supervised parenting time.**” Be prepared to explain the following:

- Why the parenting time should be supervised;
- Who will supervise the parenting time; and
- Who will pay the cost for supervising, if there is any?

If it is best for the children that they not be around a parent, you can ask that the parenting time be “**reserved.**” Reserved parenting time means that the court would not order any parenting time right now. You will have to explain why a parent should not have any parenting time.

If things change, a parent can go back to court and ask for parenting time later, once it is safe for the children to be around the parent.

| Requests: Parenting Time | |
|--------------------------|--|
| 4 | <p>For Parent A:</p> <p>a. <input type="checkbox"/> Reserving Parent A's parenting time rights.</p> <p style="text-align: center;">OR</p> <p>b. <input type="checkbox"/> Granting Parent A (check one) <input type="checkbox"/> unsupervised <input type="checkbox"/> supervised parenting time with the children according to the schedule described in #6 below.</p> |
| 5 | <p>For Parent B:</p> <p>a. <input type="checkbox"/> Reserving Parent B's parenting time rights.</p> <p style="text-align: center;">OR</p> <p>b. <input type="checkbox"/> Granting Parent B (check one) <input type="checkbox"/> unsupervised <input type="checkbox"/> supervised parenting time with the children according to the schedule described in #6 below.</p> |

4. **Parenting Time for Parent A.** Choose “a” or “b” regarding Parent A.
5. **Parenting Time for Parent B.** Choose “a” or “b” regarding Parent B.
6. **Parenting Time Schedule.**

| | |
|--|---|
| 6 | <p>If granting parenting time, then:</p> <ul style="list-style-type: none"> • When should Parent A be able to spend time with the children? • When should Parent B be able to spend time with the children? |
| <p>6. Requested Parenting Time Schedule:</p> <p>→ Be specific when describing the schedule (for example, is your proposed parenting time schedule the same for Parent A and Parent B?).</p> <p>a. Weekends: _____</p> <p>b. Weeknights or after school (or, if not in school, then Monday through Friday): _____</p> <p>c. Holidays: Include detailed information such as the name of the holiday and whether the holiday schedule includes weekends.</p> <p>_____</p> <p>d. Birthdays: Do you want a different schedule for the children's birthdays? The parents' birthdays?</p> <p>e. School release days: For example, MEA or Spring Break.</p> <p>f. Summer: _____</p> <p>g. Telephone contact with children (When can they talk on the phone with Parent A and with Parent B?): _____</p> <p>h. Transportation: Who should be responsible for transporting the children? For example, how will the children get to Parent A during their parenting time? How will the children get back to their home?</p> <p>i. Other: _____</p> | |

You may need extra paper for the parenting time schedule, especially if you believe Parent A and Parent B should have different schedules.

Some things to consider when creating a parenting time schedule include:

- Which holidays are important to the children and the parties?
- Should there be a different schedule for the children’s or parents’ birthdays?
- Should there be a different schedule for summers or school release days?
- Should there be limits on telephone contact?
- Who will be responsible for transportation for parenting time exchanges?

Child Support and Other

Requests: Child Support and Other

7 Regarding **child support**:

There is an existing child support order in Name of County County. I ask the Court to order that the child support payments be redirected to me.

OR

Ordering that basic support, medical support, and childcare support shall be set according to Minnesota Child Support Guidelines, and based on each parent’s income and ability to pay.

8 Granting such other relief as the Court deems just and equitable.

7. There are 2 options for child support:

- Either there is already an order (list what county it is in), and you want the payments redirected to you if you are granted custody of the children;

OR

- There is no order, and the court will set an amount of child support based on each parent’s income and ability to pay.

8. You do not have to fill in anything in #8. This is standard language in many court forms.

Acknowledgments and Signature Block

Read the Acknowledgments very carefully. When you sign your name to this petition, you are telling the court that you are telling the truth in the petition and that your requests are made in good faith. If you are not telling the truth, if you are misleading the court, or if you are using this petition for an improper purpose, the court can order you to pay money to the other party or impose other sanctions.

Date and sign the last page of the petition, and then print your name and contact information under your signature.

If there is a Co-Petitioner, they should also date and sign the last page, and then print their name and contact information.

Step 3

Fill Out the *Confidential Information Form 11.1 (CON111)*

Fill Out the *Cover Sheet for Non-Public Documents Form 11.2 (CON112)* when necessary



NOTE! Most documents filed with the court are considered public documents and are available to the public. Certain information that is filed with the court may be considered confidential based on court rule and not available to the public. To keep this information confidential and not available to the public, you must take certain steps that are described below.

The steps listed below are for filers who are filing paper documents. Filers who are using eFS to submit their court documents must identify and designate their filings as required in Minn. Gen. R. Prac. 11.03 and 14.06.

Confidential Information Form 11.1

All social security numbers, employer identification numbers, and financial account numbers (also called “restricted identifiers”) must not be listed on papers you file with the court. This is to protect your privacy, the other parties and your children. Only provide social security numbers, employer identification numbers, and financial account numbers when the court requires this information to be provided to the court. For example, if you must provide the court with bank account numbers, or medical account numbers, do not include any account number in your document (your motion, supporting affidavit, etc.). Instead, you must use Form 11.1 to list these confidential numbers.

If account numbers are not required to be provided to the court, and the numbers appear on documents that are considered available to the public, (such as medical invoices or credit account numbers on statements) you must remove the number on the document before filing the document with the court.

Cover Sheet for Non-Public Documents Form 11.2

Most documents filed with the court are public. However, some documents are considered non-public documents based on court rules. You must identify these documents as non-public at the time you file the documents with the court. You must complete and file the “Cover Sheet for Non-Public Documents Form 11.2 (also called Form 11.2 cover sheet) when you file non-public documents. The most common non-public documents are called “financial source documents.” Examples of financial source documents include:

- Paycheck stubs, employer statements, W-2 forms, or business income and business expenses;
- Copies of your tax returns and schedules;
- Bank statements;
- Credit card statements; and

- Check registers.

You may also need to submit other documents that court rules identify as non-public documents, such as a medical record. For example, a report from a doctor that provides a medical diagnosis or treatment plan for you or the child would qualify as a medical record.

You must use the Form 11.2 cover sheet when filing other non-public documents, such as medical records, with the court. One Form 11.2 cover sheet can be used for submitting all non-public documents.



The failure to use Form 11.2 or Form 11.1 may result in your document being rejected by court administration, being available to the public, stricken from the court record, and sanctions from the court.

See Rule 11 of the Minnesota General Rules of Practice for more information about how to file documents containing social security numbers, financial account numbers, “financial source documents” and other non-public documents.

Form 11.1 and Form 11.2 can be found at www.mncourts.gov/forms under the court forms category of “Confidential Information” and is court form number CON111 and CON112. There are **INSTRUCTIONS** (CON110) to help you fill out these forms.

Step 4

Make Copies and Arrange for Service on the Parties

Supporting Documents

If you have any supporting documents (such as police reports or domestic abuse orders) that you want the court to see, then be sure to label these supporting documents very clearly (for example: Attachment 1). If a document supports a statement you have made in the Petition (CHC603), then be sure to mention the document in your answer (for example, you can add “See Attachment 1” to your answer wherever that attachment supports your statement).

There is a [packet of forms online](#) that includes Instructions (FAM901) and a blank List of Supporting Documents (FAM903) (mncourts.gov/GetForms.aspx?c=18&p=127).

Copies for Each Party

Make copies of the completed *Summons* (CHC602), *Petition* (CHC603), and any supporting documents.

You need to make a copy for the following people:

- Yourself (bring your copy with you to any court hearing);
- Co-Petitioner (if any);
- Parent A;

- Parent B; and
- Legal Guardian or Custodian (if any).



You may need more copies:

- If there is any public assistance, you will need an extra copy for the county support agency. See Step 7 below.
- If you have reason to know that the children or parents are members of, or may be eligible for membership in, an Indian tribe, you will need a copy of the *Petition* and the special *ICWA Notice for Third Party Custody* (CHC605) for each tribe, the Bureau of Indian Affairs (BIA), and the parents and Indian custodian (if any). See the [Supplemental Instructions \(CHC601-Supp\)](https://mncourts.gov/GetForms.aspx?c=4&f=943) for details (mncourts.gov/GetForms.aspx?c=4&f=943).

NOTE: If you have reason to know that the children or parents are members of, or may be eligible for membership in, an Indian tribe, then there are service requirements beyond what is described below. It is very important that you follow the steps listed in the Supplemental Instructions (CHC601-Supp) when the child or parent is or may be a member of (or eligible for membership in) an Indian tribe.

Service

There is a [“Service of Process” Help Topic](https://mncourts.gov/Help-Topics/Service-of-Process.aspx) on the Minnesota Judicial Branch website (mncourts.gov/Help-Topics/Service-of-Process.aspx).

You have to arrange for the other parties to get copies of all of your forms. **One party is not allowed to serve the other party**, so you have to arrange for someone else (someone who is at least 18 years old and who is not a party in this case) to hand-deliver the papers to the other parties (this is called “personal service”).

- You can ask a friend or family member to serve for you.
- You can hire the sheriff’s office in the county where the party lives.
- You can hire a professional process server.

An exception to personal service is when a party says they will accept the papers from you and that they will sign a form called [Waiver of Service \(CHC604\)](https://mncourts.gov/GetForms.aspx?c=4&f=519) (mncourts.gov/GetForms.aspx?c=4&f=519). Then you can be the one to hand-deliver or mail the papers to that party.

If you do not know where a party lives, you might try asking friends or relatives who might know where the person is. You could also look online.

Step 5

Completing the *Affidavits of Service* (SOP102)

After the *Summons*, *Petition*, and supporting documents are served, then the person who served them (the “server”) must fill out the [Affidavit of Personal Service \(SOP102\)](#) (mncourts.gov/GetForms.aspx?c=33&f=27).

You will need a separate *Affidavit of Service* for each party that was served.

These affidavits tell the court when and where a copy of the *Summons* and *Petition* (and any supporting documents) were served on each party.

Step 6

Complete *Confidential Information Form* (CON111) and *Certificate of Representation and Parties* (CIV102)

The two forms in this section do not have to be served on the Co-Petitioner or Respondents.

CON111

Fill out the [Confidential Information Form \(CON111\)](#) (mncourts.gov/GetForms.aspx?c=11&p=44). You will need to add extra lines in the caption for all of the parties (the top of the form) because the form has only one blank for petitioner and one blank for respondent.

Then list the names of each party and each child in the middle section, and list the person’s social security number. If you do not know a person’s social security number, it is okay to put “unknown.”

CIV102

Fill out the [Certificate of Representation and Parties \(CIV102\)](#) form (mncourts.gov/GetForms.aspx?c=7&f=149). Again, you will have to add extra lines to fit all of the parties in the caption.

On the second page is where you start to list the names and contact information for all parties that are not represented by an attorney. Since there are not enough blocks for each party, you will need to add another sheet of paper if there is a Co-Petitioner, or if there is more than one Respondent.

Step 7

Giving Notice to the Public Authority

If you, either of the parents, or any of the children receive public assistance from the State of Minnesota, or receive child support services from a county, then you must mail or hand-deliver a [Notice to the Public Authority \(DIV813\)](#) (mncourts.gov/GetForms.aspx?c=15&f=53) and a copy of the *Summons* and *Petition* to the Public Authority (usually the county support agency) in the county where you are filing your third party custody case (mn.gov/dhs/people-we-serve/children-and-families/services/child-support/contact-us/county-offices.jsp).

You have to do each of the following steps:

- Fill out the *Notice to the Public Authority (DIV813)* form, and make a copy.
- Make one copy of Confidential Information Form 11.1 (CON111) (see Steps 3 and 6 above).
- Mail or hand-deliver a copy of DIV813 and CON111 to the county support agency (this time, it is okay for you to do the service).
- Fill out the *Affidavit of Mailing or Delivery of Notice to the Public Authority (DIV816)*. You will file a copy of DIV813 and the original DIV816 with Court Administration (see Step 8).

Step 8 Filing the Forms with the Court Filing Fee

File the following with the court:

- The *Summons (CHC602)* and *Petition (CHC603)* for Third Party Custody, and all attachments;
- All *Affidavits of Personal Service or Admissions of Service* proving that all parties have been served;
- *Confidential Information Form 11.1 (CON111)*;
- *Cover Sheet for Non-Public Documents Form 11.2 (CON112)*, if needed;
- *Certificate of Representation and Parties (CIV102)*; and
- If it applies, the following two forms:
 - Copy of the *Notice to the Public Authority (DIV813)*; and
 - *Affidavit of Mailing or Delivery...* (DIV816).

IMPORTANT! If you have reason to know that the child or a parent is a member of (or may be eligible for membership in) an Indian tribe, then you will also need to file the *ICWA Notice for Third Party Custody* and other proof of service. See the *Supplemental Instructions (CHC601-Supp)* for details.

Filing Fee

There will be a filing fee due when you file the forms. If you cannot afford to pay the filing fee, a judicial officer may waive it under certain circumstances. The fee waiver paperwork is available online at <https://mncourts.gov/GetForms.aspx?c=19&p=69>. The fee waiver paperwork will be reviewed by a judicial officer who will decide whether you have to pay the fee. If the judicial officer doesn't waive the filing fee, you will have to pay it, or Court Administration cannot process your forms.

How to File

At the Courthouse:

- File the forms with court administration.
- This can be done either in person at the courthouse or by mail. Addresses for courthouses are online at <https://www.mncourts.gov/Find-Courts.aspx>.

Electronic Filing through eFS System:

- If you have an account, or want to create one, with the eFS System, you can file electronically (eFile). See <https://www.mncourts.gov/eFile>.
- **NOTE:** Once you decide to eFile, you must continue to eFile for the entire case.
- Along with the filing fee and costs, there is also a fee of \$5 for using the eFS System when a fee is collected. If a judicial officer has granted you a fee waiver (IFP), the \$5 fee is waived.

What Happens Next

What happens next depends on what the Respondents do and the facts of your case.

After you file your forms (see Step 8 above), you will receive a notice in the mail from Court Administration that gives you more information (like the name of the judicial officer assigned to the case).

Once you receive the notice from Court Administration, you can contact the judicial officer's clerk to ask how to schedule a hearing.

If you have questions about the next steps, the following may be helpful resources for you:

- [Self-Help Centers](https://www.mncourts.gov/Help-Topics/Self-Help-Centers.aspx) (mncourts.gov/Help-Topics/Self-Help-Centers.aspx);
- [Law Libraries](https://www.mncourts.gov/Help-Topics/Law-Libraries.aspx) (mncourts.gov/Help-Topics/Law-Libraries.aspx); and
- [Free or low-fee legal advice clinics or lawyer referral programs](https://www.mncourts.gov/Help-Topics/Find-a-Lawyer.aspx) (mncourts.gov/Help-Topics/Find-a-Lawyer.aspx).