

**See Instructions (CHC801) for help in filling out this form.**

**State of Minnesota**

**District Court**

County of: \_\_\_\_\_

Court File Number: \_\_\_\_\_

Judicial District: \_\_\_\_\_

Case Type: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

AND

\_\_\_\_\_  
Respondent

**Motion for Temporary Relief and Notice of Hearing (CHC802)**

Minn. Stat. § 518.131, subd. 1

**To the Other Parties:**

**Hearing Information**

The hearing in this case is scheduled on:

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_  a.m. /  p.m.

**Judicial Officer:** \_\_\_\_\_

**NOTE:** Please contact the court at \_\_\_\_\_ (telephone number) with your current phone number and mailing address in case they need to notify you of any location, date, or time change.

According to Court Administration, the hearing will be:

- Remote using Zoom.** Court Administration will send parties a *Notice of Hearing* or other document that contains important information, including the meeting ID and passcode. See the "Remote Hearing Information" Help Topic online at [www.mncourts.gov/Remote-Hearings.aspx](http://www.mncourts.gov/Remote-Hearings.aspx).

**OR**

- In Person at the following location:**

Courthouse address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**Motion**

My name is \_\_\_\_\_, and I ask the Court for an order granting the following relief:

1.  **Priority Hearing (within 30 days).** I ask the Court to schedule a **priority hearing within 30 days** of this *Motion for Temporary Relief* pursuant to Minn. Stat. § 518.131, subd. 11, because I have been denied parenting time with a child for 14 consecutive days or more.

2.  **Mediation.** I ask the Court to order the other party and me to use mediation to help us reach an agreement. The issues that should be mediated are:

Custody of the minor children.

Parenting time.

Child support.

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

3.  **Legal Custody.** “Legal custody” identifies which parents will have a right to make decisions regarding the medical, educational, and religious upbringing of the children.

I ask the Court to grant **temporary legal custody** of the children as follows:

Jointly to me and the other party.

Solely to me.

Solely to the other party.

4.  **Physical Custody.** “Physical custody” identifies with whom the children will live.

I ask the Court to grant **temporary physical custody** of the children as follows:

Jointly to me and the other party, with the children living with me at the following times: \_\_\_\_\_

\_\_\_\_\_ and living with the other party at the following times: \_\_\_\_\_

\_\_\_\_\_.

Solely to me.

Solely to the other party.

5.  **Parenting Time.** “Parenting time” is the time each parent spends with the children. It does not matter who has custody or what type of custody. Parenting time used to be called “visitation.”

I ask the Court to order **temporary parenting time** as follows:

a. Temporary parenting time for **me**:

Unsupervised.

Supervised by: \_\_\_\_\_

according to this schedule:

Weekends: \_\_\_\_\_

\_\_\_\_\_

Weeknights or after school: \_\_\_\_\_

\_\_\_\_\_

Holidays: \_\_\_\_\_

\_\_\_\_\_

Summer: \_\_\_\_\_

\_\_\_\_\_

Telephone contact: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

b. Temporary parenting time for the **other parent**:

Unsupervised.

Supervised by: \_\_\_\_\_

according to this schedule:

Weekends: \_\_\_\_\_

\_\_\_\_\_

Weeknights or after school: \_\_\_\_\_

\_\_\_\_\_

Holidays: \_\_\_\_\_

\_\_\_\_\_

Summer: \_\_\_\_\_

\_\_\_\_\_

Telephone contact: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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6.  **Temporary Child Support.** I ask the Court to order **temporary child support** as follows:

a. The other party should pay to me \$\_\_\_\_\_ per month for temporary support of the minor children. The payments should be automatically withheld from the other party's wages or salary and paid to me according to Minn. Stat. § 518A.53.

b. I should pay to the other party \$\_\_\_\_\_ per month for temporary support of the minor children. The payments should be automatically withheld from my wages or salary and paid to the other party according to Minn. Stat. § 518A.53.

7.  **Temporary Costs and Reasonable Attorney's Fees.** I ask the Court to order the other party to pay me temporary costs and reasonable attorney's fees. The other party should pay to me \$\_\_\_\_\_ for temporary costs and reasonable attorney's fees pursuant to Minn. Stat. § 518.131, subd. 1(d).

8.  I ask the Court for an order that **restrains both parties from harassing, vilifying, mistreating, molesting, disturbing the peace, or restraining the liberty** of the other party or the children of the parties.

9.  I ask the Court to restrain the other party from removing any joint minor children from the jurisdiction of the court.

10.  In order to facilitate the just and speedy disposition of this case, or to protect the parties and/or the children from physical or emotional harm, I ask the Court to require the other party:

To perform the following acts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To not perform the following acts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11.  **Additional Relief.** I ask the Court to grant additional relief as follows:

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

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12. I ask the Court to grant additional relief that is fair and just.

I have included facts and reasons the Court should grant this motion in an *Affidavit in Support of Motion for Temporary Relief*.

<b>Notice to Other Party</b>
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Court Rules establish deadlines for responding to motions. All responsive pleadings must be **served on the other party** and **filed with court administration no later than 7 days** before the scheduled hearing. The court may, in its discretion, disregard any responsive pleadings served or filed less than 7 days before such hearing in ruling on the motion or matter in question.

- You have the right to object or respond to things I am requesting.
- If you decide to respond or object to anything in my motion or affidavit, a packet of forms titled “Response to Motion for Temporary Relief” is available online at <https://mncourts.gov/GetForms.aspx?c=4>, and from court administration.
- **NOTE:** If you choose to respond and **raise new issues**, then your written response (a “counter motion”), along with your *Financial Affidavit* (FAM102), must be served upon all parties and filed with the court at least **14 days** before the scheduled hearing. A “counter motion” is where you can raise new issues in addition to responding to the issues raised in this motion.

<b>Acknowledgment</b>
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By presenting this form to the court, I certify that to the best of my knowledge, information, and belief, the following statements are true. I understand that if a statement is not true, the court can order a penalty against me (such as to pay money to the other party, pay court costs, and/or other penalties).

1. The information I included in this form is based on facts and supported by existing law.
2. I am not presenting this form for any improper purpose. I am not using this form to:
  - a. Harass anyone;
  - b. Cause unnecessary delay in the case; or
  - c. Needlessly increase the cost of litigation.
3. No judicial officer has said I am a frivolous litigant.

4. There is no court order saying I cannot serve or file this form.
5. This form does not contain any "restricted identifiers" or confidential information as defined in Rule 11 of the General Rules of Practice ([https://www.revisor.mn.gov/court\\_rules/gp/id/11/](https://www.revisor.mn.gov/court_rules/gp/id/11/)) or the Rules of Public Access to Records of the Judicial Branch ([https://www.revisor.mn.gov/court\\_rules/rule/ra-toh/](https://www.revisor.mn.gov/court_rules/rule/ra-toh/)).
6. If I need to file "restricted identifiers," confidential information, or a confidential document, I will use Form 11.1 and/or Form 11.2, as required by Rule 11.

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

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_