

Default Scheduling Request Instructions

If your divorce does not require a contested hearing or you do not need a hearing, your divorce is considered a Default and you must submit a Default Scheduling Request. The court may require you to submit proposed Findings of Fact, Conclusions of Law, and Order for Judgment and Judgment when you file your Default Scheduling Request form.

The judge will review the paperwork you submitted and may sign your Findings without requiring you to appear at a hearing.

If you meet the criteria outlined in the first part of #3a below, you qualify to proceed by default without a hearing.

If you meet the criteria outlined in the second part of #3b below, you qualify to proceed to a default hearing with a required court appearance. You will receive a hearing notice from the Court Administrator's office noting the date, time, and place of your default hearing along with notification of which judge has been assigned to your case.

To fill out the form:

1. Complete the heading of the form with the county and judicial district.
2. Fill in the petitioner and respondent's names on the appropriate blanks.
- 3a. Check *approval with no hearing* if any of the following applies:**
 - If you have minor children, and both you and the other party are represented by an attorney
 - There are no minor children involved and both you and the other party has signed a stipulation
 - There are no minor children involved and at least 50 days since you served the Summons and Petition on the respondent, and the Respondent has not filed a response. If the Summons and Petition was served by publication, you must wait 71 days after the first date of publication.
- 3b. Check *Default hearing required or requested* if:**
 - There are minor children involved and either you or the other party is not represented by an attorney
4. Complete the bottom of the form with your name, address and telephone number.

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 your court administrator or call the Minnesota State Law Library at 651-297-7651.