

State of Minnesota

District Court

County _____

Judicial District: _____
Court File Number: _____
Case Type: Family

In Re the Marriage of:

Name of Petitioner

**Affidavit in Response to Motion
for Parenting Time Assistance**

v.

Name of Respondent

STATE OF MINNESOTA)
) S.S.
COUNTY OF _____)

My true and correct name is _____ . In answering the following questions, I understand that I am under oath and I must tell the truth.

- This *Responsive Notice of Motion* is NOT a request to establish parenting time rights because an Order establishing parenting time/visitation rights for (check one): me the other party has already been issued in this case. Instead, this *Responsive Notice of Motion and Motion* is a request to resolve a parenting time dispute.
- An *Order for Protection* involving me and the other party and/or the child(ren) (check one):
 - a. IS NOT currently in effect in any state.
 - b. IS in effect from _____ County in the State of _____ and the court file number is _____ .
- A juvenile court (child protection, delinquency, or foster care) proceeding involving one or more of the children in this case (check one):
 - a. IS NOT currently in effect in any state.
 - b. IS in effect from _____ County in the State of _____ and the court file number is _____ .
- The following child(ren) are involved in this case (attach another sheet of paper if necessary):

Name of Child

Birth Date

My Relationship to Child

5. The child(ren) live in the State of _____ and have lived there since
(month, day) _____, _____. The child(ren) live with _____
_____ who is related to them as _____. The address
of the child(ren) is: _____,
City/State/Zip: _____.
6. I have a parenting time problem. It is: (list date, times, names of witnesses, and any other
information helpful to understanding the problem)

For questions 7-20, check off only those that apply – the same as on your *Responsive Notice of Motion and Motion* form.

7. The other party was scheduled to have parenting time on the following date(s):

at the following times _____
I have not wrongfully denied the scheduled parenting time. The other party missed visits:
 YES NO. If YES, the other party missed visits because: _____
8. I agree that the other party can have makeup (compensatory) parenting time:
 YES NO. If YES, the makeup parenting time should take place on the following date(s):
_____ at the
_____ following time(s):
_____ because _____

If NO, the other party should not have makeup time because

9. I ask the Court to **appoint a visitation expeditor** to help me and the other party resolve this parenting time problem and/or any future parenting time problems that may happen. I understand that the other party and I may be required by the Court to pay for the fees and costs of the visitation expeditor. It is in the best interests of the child(ren) for the Court to appoint a visitation expeditor because:
10. I ask the Court for supervised parenting time: YES NO. If YES, I believe that it is in the best interests of the child(ren) that the existing Parenting Time/Visitation Order be changed to require **supervised** parenting time because:
11. I ask the Court for unsupervised parenting time: YES NO. If YES, I believe it is in the best interests of the child(ren) that the existing Parenting Time/Visitation Order be changed to

allow **unsupervised parenting time** because:

12. I ask that the existing parenting time/visitation order be changed to provide for **drop-offs and pick-ups of the child(ren) to occur at a visitation exchange center**, and for both parties to be ordered to follow all rules of the visitation exchange center:

YES NO. If YES, I ask this because:

If NO, the other party's request to exchange the child(ren) at a visitation exchange center should be denied because:

13. I ask that the existing parenting time order be changed to provide for the **transportation of the child(ren)** for parenting time: YES NO. If YES, the transportation of the child(ren) for parenting time should be as follows:

because:

If NO, the other party's request to change the transportation should be denied because:

14. I ask that the parenting time order be changed from reasonable parenting time/visitation to a specific schedule: YES NO. If YES, I believe that it is in the best interests of the child(ren) that the existing order **be changed from "reasonable parenting time/visitation" to the specific parenting time schedule** stated in my *Responsive Motion* because:

If NO, I do not believe a specific parenting time schedule is in the best interests of the child(ren) because:

15. I am asking the Court to change the existing specific schedule:
 YES NO. If YES, I believe that it is in the best interests of the child(ren) that the **existing parenting time schedule should be changed** to the new specific schedule in my *Responsive Motion* because:

If NO, the existing schedule should not be changed because:

16. I ask that the other party be ordered to **pay me for my Court fees and costs** which total \$ _____ and consist of: *(list each fee/cost, and the separate amount for each)*

17. I am asking the Court to order the other party to pay me for my other expenses which total: \$ _____ and include costs for (list each expense separately, the reason for each expense and the amount of each expense):

because the other party wrongfully disobeyed the parenting time/visitation order, or wrongfully disobeyed the parenting time/visitation order, or wrongfully disobeyed an agreement made with or a decision made by a visitation expeditor, and caused me to have these expenses that I would not have otherwise had.

18. I have not wrongfully disobeyed the existing parenting time/visitation order, or wrongfully failed to follow our agreement made with a visitation expeditor or failed to follow the decision of a visitation expeditor. I ask that the Court deny the other party's request for me to **pay to the Court a civil penalty of up to \$500.**

19. I have already paid a total of \$ _____ for (list each expense separately, and state the amount of each expense):

in connection with an upcoming scheduled parenting time. As allowed under Minnesota Statutes section 518.175, subdivision 6(d), I ask the Court to direct the other party to **pay to the Court to be held in escrow account an amount of money equal to my prepaid expenses for the upcoming parenting time** to help guarantee that the other party obeys the parenting time

order. I also ask that if the other party denies my upcoming parenting time that the money be paid to me.

20. I believe the following additional information would be helpful to the Court in understanding this parenting time problem:

Dated:

Signature *(Sign only in front of notary public or court administrator.)*

Name:

Sworn/affirmed before me this

Address:

day of _____ .

City/State/Zip:

Telephone: ()

Notary Public \ Deputy Court Administrator