

STATE OF MINNESOTA

COUNTY OF *****

DISTRICT COURT
***** JUDICIAL DISTRICT
FAMILY COURT DIVISION

In Re the Marriage of:

Court File No. *****

*****,

Petitioner,

**ORDER TO APPOINT
PARENTING TIME EXPEDITOR**

and

*****,

Respondent.

The above-entitled matter came duly before the undersigned, the Honorable _____,
Judge of _____ County District Court, on the __ day of _____, 20__, at the _____,
_____, Minnesota. Based upon the file and prior proceedings herein *[and agreement of the parents]
the Court issues the following

FINDINGS AND ORDER:

FINDINGS

Domestic Abuse

1. (a) Neither parent claims to be a victim of domestic abuse;
- (b) There has been no determination by the Court of probable cause that one of the parents or a child of the parents has been physically abused or threatened with physical abuse by the other parent; OR
- (c) There has been a history of domestic abuse.

2. (a) The parents have been advised by counsel;
(b) The parents agree to use the Parenting Time Expeditor process; AND
(c) The process does not involve face-to-face meetings.
3. Fees: The parents are able to pay the costs of the Parenting Time Expeditor.

Parenting Time Expeditor Qualifications

4. The Court finds that the Parenting Time Expeditor appointed in this Order has completed a minimum of 40 hours of family mediation training that has been certified by the Minnesota Supreme Court, which included certified training in domestic abuse issues as required under Rule 114 of the Minnesota General Rules of Practice for the District Courts;
OR
5. The parents have selected the Parenting Time Expeditor appointed in this Stipulated Order by agreement.

ORDER

Appointment of Parenting Time Expeditor

1. *[Pursuant to the mutual agreement of the parents herein,] the Court appoints (*name of PTE*) as the Parenting Time Expeditor for the parents pursuant to Minn. Stat. § 518.1751. The PTE may be reached at the following address, telephone number, and email:

Name
Address
Email
Phone

6. The Parenting Time Expeditor is appointed:
- (a) To resolve the following specific issue _____; OR
 - (b) To resolve **issues** on an ongoing basis.

Commented [TL1]: Parenting time issues/disputes?

Commented [tm2R1]: The PTE statute says "parenting time disputes"

Term

- 7. The Parenting Time Expeditor shall serve for a term of two (2) years from the date of signing of this Order, unless otherwise specified herein. This term may be extended by the execution of a new fee agreement at the conclusion of a term.
- 8. The Parenting Time Expeditor's appointment may be terminated by mutual written agreement of the parents, or by Order of the Court.
- 9. If a different Parenting Time Expeditor is needed because the selected one is unavailable, does not agree to serve, is removed by written agreement of the parents or an Order of the Court, a new Parenting Time Expeditor shall be named by mutual agreement of the **parents** or by Order of the Court.

Commented [TL3]: Should we also add: Or appointed by the Court?

Scope of Authority

- 10. The duties of the Parenting Time Expeditor shall be as set forth in Minn. Stat. § 518.1751.

Process

- 11. The Parenting Time Expeditor shall assist the parents to reach an agreement to resolve any parenting time disputes. Per Minn. Stat. § 518.1751, **subdivision 2(c)**, if the parents are unable to reach an agreement with the assistance of the expeditor, the expeditor is authorized to make a decision resolving the dispute which is binding upon the parents, unless modified or vacated by the Court.

Commented [TL4]: Subd. 2(c)?

Confidentiality

12. The Parenting Time Expeditor is a confidential process pursuant to Minn. Stat. § 518.1751.

Fee Arrangement

13. The costs of the Parenting Time Expeditor shall be shared and apportioned as follows:

_____.

14. It is within the discretion of the Parenting Time Expeditor to allocate fees and costs differently if the Parenting Time Expeditor determines that one parent has unreasonably contributed to the costs or abused the process. The Parenting Time Expeditor may allocate the fees, costs and deposit in a manner different than described above when the Parenting Time Expeditor deems appropriate.

STIPULATION

The parents and their counsel stipulate their intent that the Court sign and enter the above Stipulation as its Order.

Petitioner

Respondent

Subscribed and sworn to before me
this ___ day of _____, 20__.

Subscribed and sworn to before me
this ___ day of _____, 20__.

Notary Public

Notary Public

APPROVED AS TO FORM:

ATTORNEY FOR PETITIONER

ATTORNEY FOR RESPONDENT

ORDER

The Court, having reviewed the Stipulation herein of the parents and finding the same to be fair and equitable and in the best interests of the minor children of the parents, and thereafter being fully advised in the premises, does hereby enter the Stipulation of the parents as its Order.

Dated: _____

Judge of District Court