

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3220

03/16/2016 Authored by Lohmer, Gruenhagen, Whelan, Scott and Pugh

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act
1.2 relating to civil law; regulating the use of parenting consultants in family court
1.3 cases; amending Minnesota Statutes 2014, section 518.1751, subdivision 4, by
1.4 adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 518.1751, subdivision 4, is amended to read:

1.7 Subd. 4. **Other agreements.** (a) A person selected by the parties to serve as a
1.8 parenting consultant must meet the qualifications in subdivision 2c for a parenting time
1.9 expeditor or the qualifications of a marriage and family therapist in section 148B.33,
1.10 subdivision 1. For the purposes of this section, a "parenting consultant" is a third-party
1.11 neutral hired by the parties to resolve parenting time disputes and other parenting conflicts.

1.12 (b) The role of a parenting consultant is to assist and guide the parties in resolving
1.13 issues that arise because of the implementation of a custody and parenting time court
1.14 order. A parenting consultant does not have the authority to modify a custody order or
1.15 change the percentage of the parenting time awarded to either party.

1.16 (c) Any party may discharge a parenting consultant by serving a written notice on
1.17 the consultant. The party shall also file the notice with the court and serve all parties with
1.18 the notice. The court may discharge a parenting consultant when the court finds that the
1.19 consultant is not serving the best interest of the child.

1.20 (d) This section does not preclude the parties from voluntarily agreeing to submit
1.21 their parenting time dispute to a neutral third party or from otherwise resolving parenting
1.22 time disputes on a voluntary basis.

2.1 Sec. 2. Minnesota Statutes 2014, section 518.1751, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 8. **Decisions of parenting consultants.** The decisions of a parenting
2.4 consultant shall not be binding on the parties to an action under this chapter. The court
2.5 shall not be bound by the decisions of a parenting time consultant. The court shall
2.6 treat evidence of a parenting consultant's determination as inadmissible to proceedings
2.7 commenced under this chapter. Any evidence, evaluations, or recommendations made
2.8 by a parenting consultant shall not be admissible in court.