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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5072

03/20/2024 Authored by McDonald and Scott
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

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 2022, 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 2022, 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 parenting
1.8 consultant must meet the qualifications in subdivision 2c for a parenting time expeditor or
1.9 the qualifications of a marriage and family therapist in section 148B.33, subdivision 1. For
1.10 the purposes of this section, a "parenting consultant" is a third-party neutral hired by the
1.11 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 issues
1.13 that arise due to implementing a custody and parenting time court order. A parenting
1.14 consultant may not modify a custody order or change the percentage of the parenting time
1.15 awarded to either party.

1.16 (c) Any party may discharge a parenting consultant by providing written notice to the
1.17 consultant. The party must also file the notice with the court and serve all parties with the
1.18 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 their
1.21 parenting time dispute to a neutral third party or from otherwise resolving parenting time
1.22 disputes on a voluntary basis.

2.1 Sec. 2. Minnesota Statutes 2022, 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 consultant
2.4 must not be binding on the parties to an action under this chapter. The court must not be
2.5 bound by the decisions of a parenting time consultant. The court must treat evidence of a
2.6 parenting consultant's determination as inadmissible to proceedings commenced under this
2.7 chapter. Any evidence, evaluations, or recommendations made by a parenting consultant
2.8 must not be admissible in court.