

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2973

(SENATE AUTHORS: HALL and Pappas)

| DATE | D-PG | OFFICIAL STATUS |
|------------|---------------|---|
| 03/21/2016 | 5148 | Introduction and first reading Referred to Judiciary |
| 04/11/2016 | 5789a 5799 | Comm report: To pass as amended Second reading |

1.1 A bill for an act
 1.2 relating to civil law; requiring the court to provide information on alternative
 1.3 dispute resolution to parties in family law cases; amending Minnesota Statutes
 1.4 2014, section 518.168.

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

1.6 Section 1. Minnesota Statutes 2014, section 518.168, is amended to read:

1.7 **518.168 HEARINGS.**

1.8 (a) Custody proceedings shall receive priority in being set for hearing.

1.9 (b) The court may tax as costs the payment of necessary travel and other expenses
 1.10 incurred by a person whose presence at the hearing the court deems necessary to determine
 1.11 the best interests of the child.

1.12 (c) The court without a jury shall determine questions of law and fact. If it finds that
 1.13 a public hearing may be detrimental to the child's best interests, the court may exclude
 1.14 the public from a custody hearing, but may admit any person who has a direct interest in
 1.15 the particular case.

1.16 (d) If the court finds it necessary for the protection of the child's welfare that the
 1.17 record of an interview, report, investigation, or testimony in a custody proceeding be kept
 1.18 secret, the court may make an appropriate order sealing the record.

1.19 (e) At the first hearing or an initial appearance before the court under this chapter,
 1.20 the court shall provide an information sheet to the parties explaining that:

1.21 (1) the parties have the option to use alternative dispute resolution including
 1.22 mediation, arbitration, and other processes to resolve the divorce or custody matter;

1.23 (2) the parties may choose which method of alternative dispute resolution to use; and

2.1 (3) the court administrator can provide additional information about resources for
2.2 alternative dispute resolution.

2.3 The court shall obtain the signatures of the parties who are present, verifying that the
2.4 parties have received the information sheet on alternative dispute resolution in each case.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2016, and applies to cases
2.6 filed on or after that date.