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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2531

02/27/2012 Authored by Shimanski, Mahoney, Drazkowski, Scalze, Scott and others
The bill was read for the first time and referred to the Committee on Civil Law
03/05/2012 By motion, recalled and re-referred to the Committee on Judiciary Policy and Finance
03/14/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to family law; requiring mediation to develop parenting plans; requiring
1.3 training; amending Minnesota Statutes 2010, section 480.30, by adding a
1.4 subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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

1.6 Section 1. Minnesota Statutes 2010, section 480.30, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 4. **Parenting plans.** The Supreme Court's judicial education program must
1.9 include ongoing parenting plan training for district court judges.

1.10 Sec. 2. **[518.161] MEDIATION.**

1.11 (a) When parties file for a dissolution of marriage in which child custody matters
1.12 will be determined, the court shall send notice to the parties of the requirement for them to
1.13 attend two hours of mediation to develop a parenting plan. The notice must be included
1.14 with paperwork normally mailed to the parties by the court in regard to the initial hearing
1.15 or initial case management conference. The court shall also include a form that lists the
1.16 exceptions to the mediation requirement contained in paragraph (b).

1.17 (b) Parties are not required to comply with the mediation requirement if:

1.18 (1) one party has authorization from a court to proceed in forma pauperis or cannot
1.19 afford mediation. However, the other party may agree to pay for the total cost of mediation;

1.20 (2) section 518.179 applies;

1.21 (3) there has been a finding by a court that a parent has committed domestic abuse
1.22 against a parent or a child who is a party to, or subject of, the matter before the court;

1.23 (4) one party is concerned for his or her personal safety;

2.1 (5) the parties have agreed upon and submitted to the court a written parenting plan
2.2 or final agreement regarding custody and parenting time; or

2.3 (6) at the initial hearing or the initial case management conference, the court grants
2.4 the request of a party to be relieved of the mediation requirement.

2.5 (c) The two hours of mediation should be completed no later than 30 days from the
2.6 date of filing. The parties must submit verification to the court that they have completed
2.7 the mediation.

2.8 (d) The court must order the parties to participate in mediation before the court may
2.9 order the parties to participate in early neutral evaluation unless one of the exceptions
2.10 in paragraph (b) applies.