Rule 352. Definitions

Rule 352.01 Definitions

For purposes of these rules, the following terms have the following meanings:

(a) "Answer" means a written document responding to the allegations of a complaint or motion.

(b) "Child support" means basic support; child care support; and medical support. Medical support includes the obligation to carry health care coverage, costs for health care coverage, and unreimbursed / uninsured medical expenses.

(c) "Child support magistrate" means an individual appointed by the chief judge of the judicial district to preside over matters in the expedited process. "Child support magistrate" also means any family court referee or district court judge presiding over matters in the expedited process.

(d) "County agency" means the local public authority responsible for child support enforcement.

(e) "County attorney" means the attorney who represents the county agency, whether that person is employed by the office of the county attorney or under contract with the office of the county attorney.

(f) "Initiating party" means a person or county agency starting the proceeding in the expedited process by serving and filing a complaint or motion.

(g) "IV-D case" means any proceeding where a party has either (1) assigned to the State rights to child support because of the receipt of public assistance as defined in Minnesota Statutes, section 518A.81, subdivision 1, paragraph (b), or (2) applied for child support services under Title IV-D of the Social Security Act, 42 U.S.C., section 654(4). "IV-D case" does not include proceedings where income withholding is the only service applied for or received under Minnesota Statutes, section 518A.53. Pursuant to Code of Federal Regulations, title 45, section 302.33(a)(4), a case remains a IV-D case when assigned public assistance closes unless the applicant requests closure of the child support case.

(h) "Noninitiating party" means a person or county agency responding to a complaint or motion, including any person who assigned to the State rights to child support because of the receipt of public assistance or applied-for child support services.

(i) "Parentage" means the establishment of the existence or non-existence of the parent-child relationship.

(j) "Parenting time" means the time a parent spends with a child regardless of the custodial designation regarding the child. "Parenting time" previously was known as "visitation."

(k) "Party" means any person or county agency with a legal right to participate in the proceedings.

(l) "Response" means a written answer to the complaint or motion, a "request for hearing" form, or, in a parentage matter, a "request for blood or genetic testing" form.

(m) "Support" means child support, as defined in this rule; expenses for confinement and pregnancy; arrearages; reimbursement; past support; related costs and fees; and interest and penalties. "Support" also means the enforcement of spousal maintenance when combined with basic support, child care support, or medical support.

(Amended effective June 1, 2009; amended effective November 22, 2023, amended effective July 1, 2026.)

Advisory Committee Comment - 2023 Amendments

Rule 352.01(g) is modified in 2023 to include the federal requirement to clarify that a case remains IV-D after the assigned public assistance closes unless the applicant requests case closure.

Advisory Committee Comment - 2026 Amendments

Rule 352.01(g) is amended to reflect a change in statutory citation.