

**RULE 33. PARTICIPANTS****Rule 33.01. Participant Status**

Unless already a party pursuant to Rule 32, or unless otherwise specified, participants to a juvenile protection matter shall include:

- (a) the child;
- (b) any parent who is not a legal custodian and any alleged, adjudicated, or presumed father;
- (c) the responsible social services agency, when the responsible social services agency is not the petitioner;
- (d) any guardian ad litem for the child's legal custodian;
- (e) grandparents with whom the child has lived within the two years preceding the filing of the petition;
- (f) relatives or other persons providing care for the child and other relatives who request notice;
- (g) current foster parents, persons proposed as permanent foster care parents, and persons proposed as pre-adoptive parents;
- (h) the spouse of the child, if any; and
- (i) any other person who is deemed by the court to be important to a resolution that is in the best interests of the child.

**Rule 33.02. Rights of Participants**

**Subd. 1. Generally.** Unless a participant intervenes as a party pursuant to Rule 34, or is joined as a party pursuant to Rule 35, the rights of a participant shall be limited to:

- (a) notice and the petition pursuant to Rule 44 or 53;
- (b) legal representation pursuant to Rule 36;
- (c) being present at hearings unless excluded pursuant to Rule 38; and
- (d) offering information at the discretion of the court, except as provided in subdivision 2.

**Subd. 2. Foster Parents, Pre-Adoptive Parents, and Relatives Providing Care.** Notwithstanding subdivision 1, any foster parent, pre-adoptive parent, relative providing care for the child, or relative to whom the responsible social services agency recommends transfer of permanent legal and physical custody of the child shall have a right to be heard in any hearing regarding the child. Any other relative may request an opportunity to be heard. This subdivision does not require that a foster parent, pre-adoptive parent, or relative providing care for the child be made a party to the matter. Each party and the county attorney shall be provided an opportunity to respond to any presentation by a foster parent, pre-adoptive parent, or relative.

**Rule 33.03. Participants' Names and Addresses**

It shall be the responsibility of the petitioner to set forth in the petition the names and addresses of all participants if known to the petitioner after reasonable inquiry, and to specify that each such person has participant status. It shall be the responsibility of each participant to inform the court administrator of any change of address or e-mail address; Registered Users of the E- Filing System shall also update any change of e-mail address in the E-Filing System.

***2019 Advisory Committee Comment***

*Rule 33 is amended in 2019 as part of a revision of the Rules of Juvenile Protection Procedure. The rule was formerly codified as Rule 22. The amendments are not intended to substantively change the rule's meaning.*

*Rule 32 delineates the status and rights of parties, and Rule 33 delineates the status and rights of participants. There may be many individuals concerned about the best interests of a child who do not have the immediate connection to the child that justifies treating them as parties. The intent of these rules is to ensure that such individuals are aware of the proceedings and are available to provide information useful to the court in making decisions concerning that child. A person with participant status may intervene as a party pursuant to Rule 34 or may be joined as a party pursuant to Rule 35.*

*Former Rule 22 had provisions for a party to ask the court to keep the party's name and address confidential if the party was endangered. This issue is now addressed by Rule 8.04, subd. 2(p).*