

Rule 314. Parentage Proceedings.

In proceedings to determine parentage, the following additional rules apply:

(a) Parentage proceedings are commenced by a Summons and Complaint.

(b) The parties in parentage proceedings are one or more Petitioners and one or more Respondents, and must be so named in the initial pleadings. After so designating the parties, it is permissible to use descriptive labels as allowed by Rule 302.02(a).

(c) Upon proper demand, the parties to parentage proceedings may obtain a jury trial.

(Added effective May 1, 2012.)

Advisory Committee Comment - 2012 Amendment

Rule 314 is a new rule, included to collect in one place the special procedures followed in parentage (paternity) cases. The rule is not the source of the procedures set forth in the rule; these procedures are either dictated by statute or common law. See, e.g., Minnesota Statutes, sections 257.57, 257.67 (commencement of parentage action and specifying that the proper designation of parties in family court proceedings is as petitioner and respondent). Where a proceeding is commenced jointly, both parties may be designated as co-petitioners or as petitioner and co-petitioner. The rule permits the parties, once properly designated in the appropriate pleadings, to be designated by less formal terms that indicate their relationship. See Rule 302.02(a). Parentage proceedings may be brought by a parent as well as a governmental entity, thus the provision for plural petitioners in Rule 314(b); they are commonly brought against multiple respondents.

Rule 314 provides additional rules applicable to parentage proceedings. As to a wide array of procedural matters not addressed in this rule, other rules govern their use. Rule 301.01; see, e.g., Minn. R. Civ. P. 56 (summary judgment); Minn. R. Civ. P. 55 (default).