

Rule 22. Participants**22.01 Participant Status**

Unless already a party pursuant to Rule 21, 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 (2) 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.

(Amended effective January 1, 2004; amended effective July 1, 2007; amended effective July 1, 2014.)

1999 Advisory Committee Comment (amended 2004)

The former rules did not distinguish between parties and participants. Rule 21 delineates the status and rights of parties, and Rule 22 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 this rule 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 23 or may be joined as a party pursuant to Rule 24.

22.02 Rights of Participants

Subdivision 1. Generally. Unless a participant intervenes as a party pursuant to Rule 23, or is joined as a party pursuant to Rule 24, the rights of a participant shall be limited to:

- (a) notice and a copy of the petition pursuant to Rule 32;
- (b) attending hearings pursuant to Rule 27; and
- (c) 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.

(Amended effective January 1, 2004; amended effective July 1, 2007.)

22.03 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. If a participant is endangered, the participant may ask the court to keep the participant's name and address confidential and, if the court grants the request, the name and address shall be provided to the court in a separate information statement that shall not be accessible to the public, parties, or participants, but shall be accessible to the attorneys and the guardian ad litem.

(Amended effective January 1, 2004; amended effective July 1, 2014; amended effective July 1, 2015.)