

1.1 moves to amend H.F. No. 1135 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 518.091, subdivision 2, is amended to
1.4 read:

1.5 Subd. 2. **Parent education program requirements.** Every summons involving
1.6 custody or parenting time of a minor child in a marriage dissolution or legal separation
1.7 proceeding must include the notice in this subdivision.

1.8 NOTICE OF PARENT EDUCATION PROGRAM REQUIREMENTS
1.9 UNDER MINNESOTA STATUTES, SECTION ~~518.157~~ 518.159, IN A
1.10 ~~CONTESTED~~ PROCEEDING INVOLVING CUSTODY OR PARENTING TIME OF
1.11 A MINOR CHILD, THE PARTIES MUST ~~BEGIN PARTICIPATION IN COMPLETE~~
1.12 A PARENT EDUCATION PROGRAM THAT MEETS MINIMUM STANDARDS
1.13 ~~PROMULGATED BY THE MINNESOTA SUPREME COURT~~ BEFORE THE
1.14 FIRST COURT APPEARANCE OR HEARING OR WITHIN 30 DAYS AFTER
1.15 THE FIRST FILING WITH THE COURT, WHICHEVER IS SOONER. ~~IN SOME~~
1.16 ~~DISTRICTS, PARENTING EDUCATION MAY BE REQUIRED IN ALL CUSTODY~~
1.17 ~~OR PARENTING PROCEEDINGS.~~ YOU MAY CONTACT THE DISTRICT COURT
1.18 ADMINISTRATOR FOR ADDITIONAL INFORMATION REGARDING THIS
1.19 REQUIREMENT AND THE AVAILABILITY OF PARENT EDUCATION PROGRAMS.

1.20 Sec. 2. [518.159] MARRIAGE DISSOLUTION AND LEGAL SEPARATION
1.21 EDUCATION REQUIREMENTS.

1.22 Subdivision 1. **Application.** This section applies to marriage dissolution and legal
1.23 separation proceedings involving minor children.

1.24 Subd. 2. **Participation requirements.** (a) Parents shall attend a four-hour marriage
1.25 dissolution education program. Unless otherwise ordered by the court, participation in
1.26 the program must be completed before the first court appearance or hearing, or within 30

2.1 days of the first filing with the court, whichever is sooner. At the first court appearance
2.2 or hearing, the court must verify course completion. If a party has not completed the
2.3 course, the court must order a timetable for completion, or may exempt a party from
2.4 completing the course requirement upon a showing of good cause. If a case is settled
2.5 without a court hearing, each party shall submit a certificate of completion along with the
2.6 marital termination agreement or stipulated judgment and decree. The court may exempt
2.7 a party from completing the course requirement upon a showing of good cause. For
2.8 purposes of this paragraph, good cause includes an inability to speak the language used
2.9 in the program, a determination that taking the course is not in a child's best interests, or
2.10 that the party cannot afford the course fee. Judges and referees may also order parent
2.11 education in cases involving unmarried parents.

2.12 (b) The party must submit a certificate provided by the marriage dissolution
2.13 education program verifying completion of the program. The certificate must be titled
2.14 "Certificate of Completion of Education Requirement" and contain the following language:
2.15 "This certifies that (party's name) has successfully completed the course
2.16 (course name), which qualifies as a marriage dissolution education program in
2.17 accordance with Minnesota Statutes, section 518.159."

2.18 Subd. 3. **Program requirements.** (a) An education program under this section may
2.19 be conducted in person or online if the program meets the criteria in this subdivision.

2.20 (b) A program must meet acceptable standards of scientific evidence for
2.21 effectiveness in reducing parental conflict and improving children's adjustment in marriage
2.22 dissolution situations. These standards may be met either by a listing on the National
2.23 Registry of Evidence-Based Programs and Practices or approval by the Minnesota couples
2.24 on the brink project created under section 137.32. Approved programs must submit a new
2.25 or past empirical study, using an experimental or quasi-experimental research design,
2.26 demonstrating reduced parental conflict and improved adjustment of children. A parent
2.27 education program already implemented by the district courts in Minnesota as of January
2.28 1, 2012, is an eligible program under this subdivision until September 1, 2014, if the
2.29 program includes the information required under paragraph (c). On and after September 1,
2.30 2014, those programs must also meet the scientific criteria specified in this paragraph.

2.31 (c) The program must provide information on:

2.32 (1) constructive parenting in the dissolution process, including risk factors for
2.33 families, how marriage dissolution affects children of different ages, and skills parents
2.34 can learn to increase cooperation and minimize conflict, particularly conflict that involves
2.35 children in loyalty binds. This component of the program must be aimed at increasing
2.36 the parents' sensitivity to children's needs and at giving them skills to improve their own

3.1 and the children's adjustment to the breakup of the family. Information on constructive
3.2 parenting must be the primary emphasis of the program. The program must also include
3.3 information to help parents assess whether they are involved in domestic violence,
3.4 information on local domestic violence resources, and information on situations when
3.5 cooperation in coparenting may not be desirable because of safety risks;

3.6 (2) the legal process of marriage dissolution, including an overview of the
3.7 adversarial litigation process; the nature and availability of alternative processes such as
3.8 mediation, collaborative and cooperative law, and restorative circles; and the advantages
3.9 and disadvantages of alternative processes, including available research on the satisfaction
3.10 levels, reduced conflict, and better parenting cooperation by parties who avoid adversarial
3.11 proceedings; and

3.12 (3) the option of reconciliation, including research on the interest in reconciliation
3.13 among couples considering marriage dissolution, the potential benefits of avoiding
3.14 marriage dissolution, resources to assist with reconciliation for interested couples, and
3.15 information on the circumstances in which the risk of domestic violence should exclude
3.16 consideration of reconciliation.

3.17 The components of the program under clauses (2) and (3) must each constitute no
3.18 less than five percent of the program time.

3.19 (d) An education program not listed on the National Registry of Evidence-Based
3.20 Programs and Practices that is denied approval by the Minnesota couples on the brink
3.21 project may appeal to the State Court Administrator for approval as a course meeting the
3.22 requirements of this subdivision.

3.23 (e) A judicial district may request an exemption from the requirements of this section
3.24 from the State Court Administrator for good cause if there are no available, appropriate, or
3.25 affordable education programs in the district.

3.26 (f) A program that is conducted in person must not require the parties to attend the
3.27 same parent education sessions.

3.28 (g) The couples on the brink project must disseminate to court administrators a list
3.29 of programs that meet the requirements of the subdivision.

3.30 **Subd. 4. Costs and program providers.** Each education program must enable
3.31 persons to have timely and reasonable access to education sessions. A party who qualifies
3.32 for a waiver of filing fees under section 563.01 is exempt from paying the parent education
3.33 program fee. Program providers must implement a sliding fee scale.

3.34 **EFFECTIVE DATE.** This section is effective January 1, 2013, and applies to
3.35 proceedings in which the initial pleading is served or, in the case of a joint petition, signed
3.36 by both parties, on or after that date.

4.1 Sec. 3. **REPEALER.**

4.2 Minnesota Statutes 2010, sections 13.465, subdivision 9; and 518.157, are repealed.

4.3 **EFFECTIVE DATE.** This section is effective January 1, 2013."

4.4 Delete the title and insert:

4.5 "A bill for an act
4.6 relating to marriage; requiring participation in a marriage dissolution education
4.7 program in marriage dissolution or legal separation proceedings involving minor
4.8 children; amending Minnesota Statutes 2010, section 518.091, subdivision 2;
4.9 proposing coding for new law in Minnesota Statutes, chapter 518; repealing
4.10 Minnesota Statutes 2010, sections 13.465, subdivision 9; 518.157."