

# HOUSE RESEARCH

## Bill Summary

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### Overview

The bill requires parenting plans or orders to be created unless certain conditions are met.

- 1 Plan elements.** Amends § 518.1705, subd. 2. Allows a parenting plan or parenting order to use other terms for legal and physical custody if the terms are defined in the plan or order. Strikes language referring to the voluntary creation of parenting plans.
- 2 Adoption of parenting plan.** Amends § 518.1705, subd. 3.

Paragraph (a) requires use of a parenting plan. It requires parents to participate in mediation if they unable to agree to terms of a parenting plan, and if issues remain unresolved, those issues shall be decided by the court.

Paragraph (b) provides that if the court finds a parent has committed domestic abuse against the other parent, then a parenting plan is not required.

Paragraph (c) makes technical changes.

Paragraph (d) adds that parenting plan are not required in actions under the Parentage Act.

Paragraph (e) clarifies that if a parenting plan is not required, orders for custody and parenting time are to be entered as required in sections 518.17, 518.175, or 257.541.
- 3 Custody designation.** Amends § 518.1705, subd. 4, by striking existing language and inserting new language. Provides that in a parenting plan designations of sole or joint legal or physical custody are not required, but if a designation is needed for enforcement of the plan, then the parents shall be considered to have joint legal and physical custody.
- 4 Restrictions on preparation of parenting plan.** Amends §518.1705, subd. 6. Provides that processes other than the judicial process are not required in preparing a parenting plan if the court finds that a parent has committed domestic violence toward a parent or child who is a party to, or subject of, the proceeding.
- 5 Repealer.** Repeals §518.1705, subd. 5. (Role of the court in developing parenting plans.)

