

# HOUSE RESEARCH

## Bill Summary

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### Overview

The bill requires parenting plans or orders to be created unless certain conditions are met. It allows parents to avoid using the designations of sole or joint legal or physical custody in their parenting plan.

#### Section

- 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 Creating parenting plan; restrictions on creation; alternative.** Amends § 518.1705, subd. 3, paras. (a) and (b).

Paragraph (a) removes the option of creating a parenting plan and requires the court to adopt a parenting plan proposed by both parents. Provides that if the court makes detailed findings the plan is not in the best interests of the child, the court does not have to adopt the plan

Paragraph (b) provides that the court must create a parenting order if the parents do not create a parenting plan unless the court finds that a parenting plan is not reasonable or finds that one of the parents has committed domestic abuse against the other parent or a child who is a party to, or subject of, the matter before the court.
- 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. States that if alternative language is chosen or no designations are made, then solely for enforcement of the order in another jurisdiction the parents shall be considered to have joint legal and physical custody.