

HOUSE RESEARCH

Bill Summary

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Version: As introduced

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Subject: Revisions to the notice of custodial rights; Appendix A

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Overview

This bill changes the requirements of the family court “Appendix A” which is currently attached to all divorce, custody, and parenting time orders. The bill would make notice of those rights part of the court’s order instead of an attachment. The bill does not change the rights currently included in the notice.

This bill also amends the judgment interest rate on family court actions and ties those judgments to the lower judgment interest rate which is four percent or less, regardless of the award amount, and provides the court with more discretion for certain family law judgments to have impose a lower interest rate or no interest rate.

Section

- 1 **Custody order.** Makes conforming changes to the law to indicate that the rights previously listed in section 518.17, subdivision 3, are now listed in section 518.17, subdivision 3a, and removes the existing language that appears in section 2, creating section 518.17, subdivision 3a. This section also requires the court to include the notice in the court’s order. This information and notice was previously included in an attached “Appendix A” to a court’s order.
- 2 **Contents on notice.** Provides the notice that the court must include in each court order and the form in which the notice should be provided. The rights and access to the child and information about the child does not change.

Section

3 **When owed; rate.** Provides the judgment interest rate for awards in family law actions, regardless of the amount of the award. The interest rate is calculated by the state court administrator annually and is calculated as a simple interest per annum. The interest rate cannot be more than four percent. This section also provides that the court can order or the parties can agree to a lower interest rate, or no interest rate, if it avoids causing unfair hardship to the debtor, however this does not include child support or spousal maintenance arrears. This section provides that judgment interest in Minnesota statute for judgment awards over \$50,000, which is ten percent per year, does not apply to family court judgments.