

Subject Notifying custodians of minor children regarding orders for protection

Authors Urdahl and Moller

Analyst Ben Johnson (ben.johnson@house.mn.gov)

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Overview

Under current law, a person who is the family or household member of a person who has been abused can petition the court for an order for protection. Notice of hearings, orders, and any changes to the order must be served on the petitioner and the respondent.

This bill requires that notice also be provided to any custodian of the petitioner's minor children.

Summary

Section	Description
1	Definitions. Defines the term "custodian" for purposes of the Domestic Abuse Act.
2	Information on petitioner's location or residence. Permits a person petitioning for an order for protection, or the custodian of the petitioner's minor children, to make the location or residence of the petitioner's minor children not accessible to the public.
3	Order for protection. Requires a person petitioning for an order for protection to state whether the petitioner has any minor children and, if so, the name of any custodian of the children and the location or residence of the custodian. Prohibits rejecting or denying a petition on the grounds that it does not contain this information.
4	Hearing on application; notice. Requires that notice of a hearing for an order for protection be served on any custodian of the petitioner's minor children.

Section	Description
5	Subsequent orders and extensions. Requires notice to the custodian when an order for protection is extended or renewed.
6	Ex parte order. Requires the custodian of a petitioner's minor children to be served with any ex parte order for protection. Service may be by mail. Also requires that a custodian must be sent notice that an order has expired.
7	Service; alternate service; publication; notice. Requires that service of an order for protection be served on the custodian of the petitioner's minor children.
8	Short-form notification. Makes conforming changes and provides that the short-form notification does not apply to the notification of the custodian of a petitioner's minor children.
9	Service by others. Permits certain individuals to serve orders for protection on the custodian of a petitioner's minor children.
10	Modifying or vacating order. Requires notice of hearings and any order vacating or modifying an order for protection to be served on any custodian of the petitioner's minor children.
11	Notice to custodian; failure not a bar to enforcement. Establishes that the failure to notify the custodian of a petitioner's minor children of the existence of any order for protection does not prevent enforcement of the order.



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