

**Subject** Parenting Time; Denied Access to Parenting Time; Remedies

**Authors** Moller and Others

**Analyst** Mary Davis

**Date** March 18, 2024

## Overview

This bill updates statutes related to custody and parenting time and adds remedies for compensatory parenting time when a child is kept from visits with their other parent, including a statutory notice on following through with parenting time that has been ordered by the court.

## Summary

Section	Description
1	<p><b>Public policy statement.</b></p> <p>Provides that the state seeks to ensure substantial contact with children’s parents when the parents act in the best interest of the child, the state seeks to ensure parents provide a safe environment for children, and that it is the state policy to encourage parents to share the rights and duties of raising children.</p>
2	<p><b>Custody and parenting time disputes.</b></p> <p>Requires the court to consider the parenting time statutes and custody statutes when making determinations on custody and parenting time.</p>
3	<p><b>Permissible orders.</b></p> <p>Requires the court to consider the parenting time prior to an action and to determine custody and parenting time with an opportunity to develop a relationship with each parent.</p>
4	<p><b>Cases given priority for temporary relief.</b></p> <p>Provides that when a parent has been denied access to a child for two weeks, or financial resources during a divorce, they can have priority for a temporary motion hearing.</p>

Section	Description
5	<p><b>Costs and disbursements; attorney fees, collection costs.</b></p> <p>Allows a parent who sues for relief when they have been denied parenting time to get attorney fees and costs.</p>
6	<p><b>Best interest of the child.</b></p> <p>Requires the court to consider the child’s best interest and not the parent’s gender to determine custody.</p>
7	<p><b>Custody order.</b></p> <p>Requires the court to order parenting time when making a custody determination.</p>
8	<p><b>General.</b></p> <p>Adds mental health and safety to list of considerations for the court when determining parenting time, and makes terminology changes. This section also directs the court when the parties request to include school break parenting time in court orders.</p>
9	<p><b>Remedies.</b></p> <p>Requires parties to follow parenting time orders, whether decided by a judge or parenting time consultant or mediator. Requires the court to order compensatory parenting time when the child was intentionally kept from visits, and for the court to consider all relevant evidence on motions for compensatory parenting time, and the court must award attorney fees and may award a civil penalty and may change custody if parenting time was interfered with.</p> <p>Provides a statutory notice regarding compliance with parenting time orders that includes the possible remedies in court if a parent keeps a child from doing court ordered parenting time, including existing civil and criminal remedies.</p>



**MN HOUSE  
RESEARCH**

*Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.*

[www.house.mn.gov/hrd](http://www.house.mn.gov/hrd) | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155