

**State of Minnesota**

**District Court**

County \_\_\_\_\_

Judicial District: \_\_\_\_\_  
Court File Number: \_\_\_\_\_  
Case Type: \_\_\_\_\_

In Re the Custody of:

\_\_\_\_\_  
Born (mo/day/yr)\_\_\_\_\_

\_\_\_\_\_  
Born (mo/day/yr)\_\_\_\_\_

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

**Answer and Counter-Petition to  
Establish Custody and Parenting  
Time**

**ANSWER**

Respondent's Answer to the Petition for Custody and Parenting Time is that:

1. The statements in the Petition in the following paragraphs are **TRUE**:

\_\_\_\_\_

2. The statements in the Petition in the following paragraphs are **NOT TRUE**:

\_\_\_\_\_

3. The statements in the Petition in the following paragraphs are **PARTLY TRUE AND PARTLY NOT TRUE**:

\_\_\_\_\_

4. Respondent does not have information to admit or deny statements in the following paragraphs of the Petition:

\_\_\_\_\_

**COUNTER-PETITION**

Respondent states that the following information is true:

1. The Petitioner is the  father  mother.

Petitioner's full name: \_\_\_\_\_  
First Middle Last

\_\_\_\_\_  
Street Address Apt. #

\_\_\_\_\_  
City State Zip Code

2. I am the Respondent. I am the  father  mother.

Respondent's full name: \_\_\_\_\_  
First Middle Last

\_\_\_\_\_  
Street Address Apt. #

\_\_\_\_\_  
City State Zip Code

3. The name(s) and date(s) of birth of the minor child(ren) involved in this action is/are:

*Child's Full Name* \_\_\_\_\_ *Date of Birth* \_\_\_\_\_  
First Middle Last Month / Day / Year

\_\_\_\_\_  
First Middle Last Month / Day / Year

4. The child(ren) currently live(s) with:  Me  Other parent  Other person

(print full name of other parent or person): \_\_\_\_\_

The address of the child(ren) is/are: \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, zip code \_\_\_\_\_. The child(ren) has/have lived at this address since \_\_\_\_\_ (mo/day/yr).

If child(ren) has/have lived less than six months at the above listed address, list dates and locations of where the child(ren) has/have been living for the last six months: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Petitioner and Respondent signed a Minnesota Recognition of Parentage for the minor child(ren) listed above. The Recognition of Parentage has been filed with Vital Statistics and is a

basis for bringing an action to grant custody, parenting time, and/or child support pursuant to Minn. Stat. § 257.75, subd. 3 (2007). (check one)

- Petitioner attached a certified copy of the Recognition of Parentage to his/her *Petition*.
- Petitioner stated on his/her *Petition* that he/she requested a certified copy from the Minnesota Department of Health, Bureau of Vital Statistics and will file it with the court when Petitioner receives it.
- I have attached a certified copy of the Recognition of Parentage to this *Answer and Counter-Petition*.

6. A court appointed guardian or custodian has been appointed for the child(ren).

- No
- Yes – A guardian or custodian has been appointed for the child(ren) by court order in Court File No. \_\_\_\_\_ in the County of \_\_\_\_\_, State of \_\_\_\_\_ and the name of the guardian/custodian is \_\_\_\_\_.

7. Respondent’s request for custody:

a. Legal Custody: *Legal custody means having a right to participate in the major decisions regarding the child’s life, including education, religious upbringing and medical treatment.*

It is in the child’s best interests that legal custody is granted as follows: (check one)

- Joint legal custody to both parents **OR**
- Sole legal custody to  Mother  Father

b. Physical Custody: *Physical custody identifies who will handle the routine daily care and control of the child, and who the child will live with.*

It is in the child’s best interests that physical custody is granted as follows: (check one)

- Joint physical custody to both parents **OR**
- Sole physical custody to  Mother  Father

8. A child protection case involving the child(ren) in this case is open:  YES  NO

**If YES**, this case is in \_\_\_\_\_ County in the State of \_\_\_\_\_, and the Court File Number is \_\_\_\_\_. The child protection worker’s

name is \_\_\_\_\_.

9. An *Order for Protection* involving me and the other parent (*print full name*): \_\_\_\_\_  
\_\_\_\_\_ and/or the child(ren) is open:

YES  NO If YES, this case is in \_\_\_\_\_ County in the State  
of \_\_\_\_\_, and the Court File Number is \_\_\_\_\_.

**If the order is from another county or state, attach a copy of the *Order for Protection* to this  
*Answer and Counter-Petition* if it was not attached to the *Petition*.**

10. Respondent's request for parenting time:

It is in the child's best interests that parenting time be granted as follows:

grant parenting time to the  Mother  Father **OR**

grant supervised parenting time to the  Mother  Father **OR**

deny parenting time to the  Mother  Father

11. Child Support: (*check only one box*)

There is no existing child support order and I am asking the court to establish child support in  
accordance with child support guidelines.

There is no existing child support order and I am not asking the court to establish child  
support.

There is an existing child support order for the child(ren) named in this action, located in the  
County of \_\_\_\_\_, State of \_\_\_\_\_, Court File  
Number \_\_\_\_\_.

**The Respondent requests that the Court grant the following relief:**

1. I am asking the court to grant legal custody as follows: (*check one*)

Joint legal custody to both parents **OR**

Sole legal custody to  Mother  Father

2. I am asking the court to grant physical custody as follows: (*check one*)

Joint physical custody to both parents **OR**

Sole physical custody to  Mother  Father

3. I am asking the court to: *(check one)*

grant parenting time **OR**

grant supervised parenting time to  Mother  Father **OR**

deny parenting time to  Mother  Father

4. *Optional – only check this box if asking the court for child support.*

I am asking the court to establish child support according to the child support guidelines. Child support includes basic support, medical support, and child care support.

5. Granting such other and further relief as the court may deem just and equitable.

6. I certify to the Court that:

- a. I have read this document. To the best of my knowledge, information and belief the information contained in this document is well grounded in fact and is warranted by existing law.
- b. I have not been determined by any Court in Minnesota nor in any other State to be a frivolous litigant and I am not the subject of an Order precluding me from serving or filing this document.
- c. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.
- d. I understand that if I am not telling the truth or if I am misleading the Court or if I am serving or filing this document for an improper purpose, the Court can order me to pay money to the other party, including the reasonable expenses incurred by the other party because of the serving or filing this document, Court costs, and reasonable attorney's fees. I understand that I could also be prosecuted for perjury if I am not telling the truth in my Answer and Counter-Petition.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Respondent's Signature

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_