

SCOTT COUNTY DISTRICT COURT FAMILY COURT REQUIREMENTS AND PROCEDURES

1. FORMS AND RESOLUTION OF CASES

Court forms, along with instructions, are available online at www.mncourts.gov/selfhelp or at http://www.scott.lib.mn.us/Law_Library.html. If you do not have a computer, you may use the computer at the Self-Help Center at the Scott County Law Library located at the Scott County Government Center, 200 Fourth Avenue West, Shakopee, MN 55379-1220. Court forms, along with instructions, are also available from Scott County Court Administration for a minimal copying fee.

If you are able to resolve the issues in your Dissolution action with a Marital Termination Agreement, the Proposed Findings of Fact, Conclusions of Law, Order for Judgment and Judgment and Decree **must match** the Marital Termination Agreement before the Court will be able to proceed on your case.

If you are unable to resolve the issues in your Dissolution action, and you decide to proceed to trial without an attorney, you will be held to the same burden of proof and procedural requirements as parties who proceed with an attorney. At trial, you must be fully prepared to present evidence, whether by way of testimony or by the introduction of exhibits, in a legally admissible form, whether you are represented by an attorney or not.

2. CHILD SUPPORT CALCULATOR

A child support calculator, with instructions, is also available online at the above websites or at <http://childsupportcalculator.dhs.state.mn.us> to assist you in determining what child support should be paid under the Child Support Guidelines. For further information on child support services or for an application form for child support services, go to www.dhs.state.mn.us or call 952-496-8183.

3. SELF-HELP KIOSK AND TELEPHONE LINE.

The Scott County Law Library also offers access to an online Self-Help Center with instructions and information about how to proceed in your family law case, as well as a direct phone link to the Hennepin County District Court Self-Help Center. Phone calls are answered by Hennepin County court employees Tuesday through Friday from 10 a.m. to 3 p.m., except for legal holidays. While court employees are not able to give legal advice, they assist callers with general questions about court forms, procedures, and legal resources. Bilingual staff is available to provide services in Spanish as well.

4. ALTERNATIVE DISPUTE RESOLUTION (ADR).

In family law matters, including post-decree matters which request a change in a final decision in a divorce case, a resolution of disputed issues in a less stressful environment than the courtroom is preferable for the parties and their families. To reach the goal of resolving disputes outside of the courtroom, Rule 114.04 of the Rules of General Practice

for the District Courts requires that the parties confer and select at least one Alternative Dispute Resolution (ADR) process. If there are claims of domestic abuse, both parties are to select the form of ADR which they prefer or the judge, upon request, will select the form of ADR that is most appropriate for the case. The parties will be responsible for the payment of any fees charged for ADR. Among other forms of ADR, the most commonly used processes in family law matters are:

Early Neutral Evaluation (ENE). A chance for the parties and/or their attorneys to present the dispute to a neutral evaluator soon after the case is filed. See attached brochure outlining ENE in Scott County.

Mediation. A forum in which a neutral third party helps with communication between parties to promote settlement.

Other forms. The parties may create their own form of ADR or use one of the other forms of ADR as set forth in Rule 114 of the Rules of General Practice for the District Courts.

Neutrals. A “neutral” is an individual or organization that provides an ADR process. A “qualified neutral” is an individual or organization included on the State Court Administrator’s roster at <http://www.mncourts.gov/?page=860>. A roster of qualified neutrals based in Scott County can also be located at http://www.scott.lib.mn.us/Law_Library.html.

PLEASE NOTE THAT THE REQUIREMENT THAT THE PARTIES PARTICIPATE IN SOME FORM OF ALTERNATIVE DISPUTE RESOLUTION WILL BE STRICTLY ENFORCED.

5. COURT STAFF.

Scott County Court Administration staff is available to assist you with information, but is not available for legal assistance. The staff **CAN** do the following: (a) provide information on a court case, unless it is unavailable by law; (b) provide general information on how to find court rules, procedures, and practices; (c) provide court-approved forms; (d) assist in filling out forms in conciliation court, domestic abuse, and harassment cases; and (e) provide court calendars and information on how to get matters scheduled in court. The staff **CANNOT** do the following: (a) give advice about whether you should file a case or motion; (b) advise you as to what to say in court or what a judge might do; (c) collect on a judgment; (d) provide service of papers; or (e) give you legal advice.

6. LEGAL ASSISTANCE.

If you need legal assistance, you can check with the following websites to find a roster of family law attorneys: www.mnfindalawyer.com, www.mnbar.org, or www.lawhelpmn.org. If you have limited income, you may be able to obtain an attorney by calling your local Legal Aid Office at 952-402-9890 or 651-222-4731 or by checking online at www.smrls.org.