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State of Minnesota

Printed **535**  
Page No.

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **1262**

February 22, 2007

Authored by Mahoney, Eastlund, Johnson, Lesch, Abeler and others

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

March 4, 2008

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

March 31, 2008

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act  
1.2 relating to family law; providing for a joint physical custody study group;  
1.3 providing for a comprehensive family court process study.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **JOINT PHYSICAL CUSTODY; STUDY GROUP.**

1.6 (a) The state court administrator shall convene a study group of 12 members to  
1.7 consider the impacts of a presumption of joint physical custody in Minnesota. The  
1.8 evaluation shall consider the positive and negative impact on parents and children of  
1.9 adopting a presumption of joint physical custody, the fiscal impact of adopting this  
1.10 presumption, and the experiences of other states that have adopted a presumption of  
1.11 joint physical custody. The study must consider data and information from academic  
1.12 and research professionals.

1.13 (b) In appointing members to the study group, the state court administrator must  
1.14 ensure that the viewpoint of parent advocacy groups, citizen members who are not  
1.15 associated with a parent advocacy group, academics and policy analysts, judges, court  
1.16 administrators, attorneys, domestic violence advocates, and other interested parties are  
1.17 represented. The state court administrator must consult with the chairs of the house public  
1.18 safety finance division and the senate public safety budget division on the composition  
1.19 of the working group. The state court administrator shall report to the legislature on the  
1.20 evaluation of presumption of joint physical custody, the experiences of other states, and  
1.21 recommendations made by the study group no later than January 15, 2009.

1.22 Sec. 2. **COMPREHENSIVE FAMILY COURT PROCESS; STUDY.**

- 2.1           The state court administrator shall report on a plan to conduct a multidisciplinary,  
2.2 comprehensive study on family law to the chairs of the budget and policy committees in  
2.3 the house and senate with jurisdiction over family law no later than January 15, 2009.