

State of Minnesota

District Court

County _____

Judicial District: _____
Court File Number: _____
Case Type: Dissolution with Children

In Re the Marriage of:

Name of Petitioner

and

Name of Respondent

**Affidavit In Support Of
Responsive Motion For
Temporary Relief With Children**

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

My name is _____ and I state under oath that:

1. I am the (*check one*): Petitioner/Plaintiff Respondent/Defendant in this case, and I make this *Affidavit* in support of my *Responsive Motion For Temporary Relief With Children*.

2. A juvenile court proceeding or child protection case involving any or all of the child(ren) in this case:
 - IS NOT taking place in any county or state
 - IS taking place in _____ County in the State of _____ and the file number is _____.

3. An *Order for Protection* involving me and the other party and/or the child(ren):
 - DOES NOT exist in any county or state
 - DOES exist in _____ County in the State of _____ . The *Order for Protection* is dated _____ and the

file number is _____. **A copy of the *Order for Protection* is attached.**

4. My spouse and I have _____ minor child(ren) who is/are:

Full Name of Child (first, middle, last)	Date of Birth (mo/day/year)	Age

5. The child(ren) currently live with:

Petitioner/Plaintiff Respondent/Defendant Other _____

who is the child(ren)'s: Mother Father Other relation to the children. The

address of the child(ren) is _____ in the
City of _____, State of _____, zip code _____.

The child(ren) has/have lived at this address since the date _____

6. I want the Court to grant temporary legal custody of the child(ren): (*check one*)

a. Jointly to me and my spouse because _____

b. Solely to (*check one*): Me My spouse because _____

7. Write your response to paragraph 6 in the other party's *Affidavit*: _____

8. I want the Court to grant temporary physical custody of the child(ren) (check one):

a. Jointly to me and my spouse, with the child(ren) living with me at the following times: _____

_____ and the children living with my spouse at the following times _____

b. Solely to: Me My spouse

9. I believe that my request for physical custody is in the child(ren)'s best interests because

10. Write down your response to paragraphs 7 and 8 in the other party's *Affidavit*: _____

11. I am asking for (*check one*): supervised unsupervised parenting time for the child(ren) and my spouse because _____

12. Write down your response to paragraph 9 in the other party's *Affidavit*: _____

13. I am asking for the parenting time schedule in my *Responsive Motion* and I believe this schedule is in the child(ren)'s best interests because _____

14. If your parenting time schedule is different from the other party's, write down your response to paragraph 10 in the other party's *Affidavit*: _____

15. I am asking the Court to decide temporary child support.
My gross monthly income is \$ _____ from _____
My spouse's gross monthly income is \$ _____ from _____

16. I am NOT asking for temporary spousal maintenance.
- I am asking the Court to decide temporary spousal maintenance LATER.
- I am asking the Court for spousal maintenance. I do not have enough income to meet my needs. My spouse has income to meet his or her needs and is able to help me. My income and expenses are in my *Application for Temporary Relief*. I need \$ _____ per month in spousal maintenance. I cannot support myself because _____
- _____
- _____
- _____

17. Write down your response to paragraph 12 in the other party's *Affidavit*: _____

18. I am asking the Court to order my spouse to pay my attorney's fees: YES NO.
If YES, I need attorney's fees because _____

19. My spouse should go to an evaluation: YES NO. If YES, the evaluations should be ordered for: *(check all that apply)*

Alcohol use Drug use Anger management/Domestic abuse **or** Other (*please specify*) _____

20. Write down your response to paragraph 14 of the other party's *Affidavit*: _____

21. I am asking the Court to order that I have sole use and possession of our home located at (*the address*) _____

I am asking the Court to order that my spouse have sole use and possession of our home located at (*the address*) _____

I am asking the Court to order that my spouse and I stay in the home located at (*the address*) _____

I am asking the Court for the relief checked above because _____

22. Write down your response to paragraph 15 of the other party's *Affidavit*: _____

23. My spouse and I have already divided our personal belongings, household goods and furniture: (*check one*): YES NO. If NO, I am asking for the temporary use and possession of the following personal property, household goods and furniture (*list the specific items*): _____

_____ because _____

I am asking that my spouse have the temporary use and possession of the following household goods and furniture (*list the specific items*): _____

_____ because _____

24. My spouse and I own motor vehicle(s): YES NO. If YES, I want the temporary use and possession of the following motor vehicle(s): (list year/make/model for each vehicle) _____

_____ because _____

I want my spouse to have the temporary use and possession of the following motor vehicle(s): (*list year/make/model for each vehicle*) _____

_____ because _____

I will make the payments and insurance costs for my vehicle(s): YES NO. If no, I want my spouse to make these payments because _____

My spouse should make the payments and insurance costs for his/her vehicle(s):

YES NO. If NO, I want my spouse to make these payments because _____

25. My spouse and I have debts: YES NO. If YES, I am asking the Court to order the debts to be paid temporarily as I asked in my *Motion* because _____

26. I want to change certain medical, dental, automobile or life insurance policies: YES
 NO. If YES, I want to make the following changes: _____

because _____

27. I am asking for insurance to be reinstated: YES NO. If YES, explain:

- a. What insurance has lapsed or been cancelled: _____
- b. The date that the insurance lapsed or was cancelled: _____
- c. Who let the insurance lapse or cancelled it: _____
- d. Why should the insurance be reinstated: _____

28. I believe that my spouse's income will increase: YES NO. If YES, this income is (*check all that apply*): salary or wage increases; overtime pay; bonuses; or
 other (*specify*): _____

I want the Court to order my spouse to immediately notify me of any changes in his or her income: YES NO because (s)he might not tell me and I want to know because

29. I want the Court to order that my spouse shall not spend or otherwise use income raises, income tax refunds, bonuses or other extra income: YES NO. If YES, because___

30. I am asking the Court for permission to sell or otherwise dispose of property: YES NO. If YES, I want to sell or otherwise dispose of the following property (*be specific*): _

_____ because _____

31. I asked the Court for additional relief: YES NO. I asked for this relief because___

Dated: _____

Signature (*Sign only in front of notary public or court administrator.*)

Name: _____

Sworn/affirmed before me this
_____ day of _____, _____.

Address: _____

City/State/Zip: _____

Telephone: (_____) _____

Notary Public \ Deputy Court Administrator