

Child Custody and Parenting Time Guide

Family Law Solutions

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Serving Family
Law Clients Across
Minnesota

Working with Johnson/Turner

The legal system has an empathy problem.

Whether you're married, unmarried, separating, or already living apart — figuring out what's best for your child can feel overwhelming. Minnesota's custody laws can be complex, and the emotional weight of a custody decision often runs even deeper. You're not just navigating a legal process — you're navigating a turning point in your family's life.

This guide is here to help.

We'll walk you through how custody and parenting time are defined under Minnesota law, how decisions are typically made, and what your options are — whether you're working together, facing conflict, or somewhere in between. We'll also talk about why a formal custody agreement matters — not just legally, but emotionally — and what can happen if you don't have one in place.

Custody is never one-size-fits-all. That's why we built this guide: to give you clarity, options, and support — no matter where you're starting from.



LEGAL DEFINITIONS, REAL-LIFE IMPACT, AND WHY IT MATTERS FOR EVERY PARENT

What Custody Really Means in MN



In Minnesota, child custody includes two parts:

Legal custody — who makes decisions about health, education, and religion

Physical custody — where the child lives and how parenting time is shared

Whether you're married or unmarried, separating or already living apart, these terms affect your rights — and your child's day-to-day life. Without a formal custody agreement, things can get murky fast. Misunderstandings become disputes. Informal arrangements fall apart. And your child's stability can be put at risk.

A custody agreement isn't about making things harder. It's about protecting what matters: your relationship with your child, your ability to co-parent, and your family's future.

Why a Custody Agreement Matters

Many parents start off assuming they can “figure it out” without putting anything in writing — especially if things are still civil. But custody isn’t just about where your child sleeps. It’s about school choices, medical decisions, transportation, holidays, communication, and so much more.

Without a formal agreement:

- There’s nothing to fall back on if things change
- Verbal agreements can be misinterpreted or broken
- One parent may end up making decisions alone, even if that wasn’t the intention
- The child’s routine — and sense of security — can be disrupted



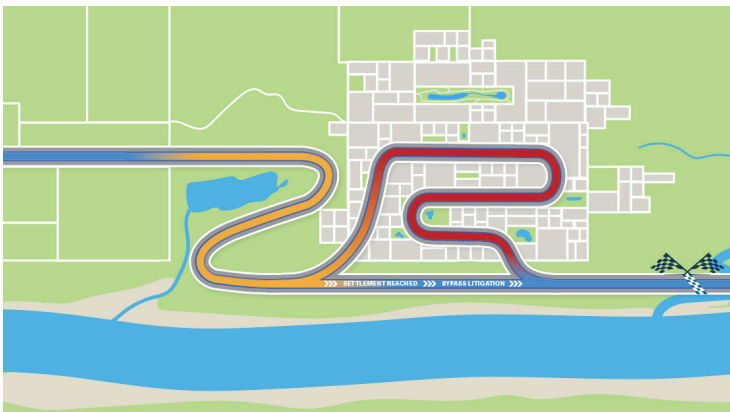
A well-crafted custody agreement helps both parents know where they stand. It prevents future conflict, protects your child’s well-being, and gives everyone involved the clarity they deserve.



Read more about child custody:
johnsonturner.com/minnesota-family-law-attorney/child-custody/

SIMPLIFYING THE LEGAL PROCESS

The Roadmap



Navigating the legal process can feel overwhelming, but understanding what lies ahead empowers you to make the decisions to get to your fresh start.

That’s why we’ve designed our **Roadmap**—a clear, visual guide that simplifies each step of your journey. Broken into four key phases;

- Phase 1:** Strategy Building
- Phase 2:** Path to Settlement
- Phase 3:** Litigation (if needed)
- Phase 4:** The Final Stretch



This tool helps you see the big picture, set expectations, and move forward with confidence. While the legal system is complex, our roadmap empowers you with knowledge, ensuring you always know where you are and what comes next.

On the next page, you’ll find an overview of each phase and guidance on navigating the legal system in a way that best meets your needs.

Phase 1 Strategy Building

Time est: 45-60 days

In this initial phase, we collaborate with you to understand your unique circumstances and objectives, developing a tailored legal strategy that aligns with your goals.

Phase 2 Path to Settlement

Time est: 1-3 months

During the Path to Settlement, we focus on negotiation and mediation to achieve a fair resolution with minimal conflict and stress.



Start with Johnson/Turner

Service Agreement & Payment

Develop Your Plan

Phone Call with Your Attorney & Senior Paralegal

Summons & Petitions

First Documents are Served to Other Party

Informal Discovery

Ongoing

Case Strategy

All Communication is Free

ICMC: Intial Case Management Conference

First Court Hearing

Issue Analysis

Assets & Debts, Custody & Parenting Time, Child Support, Spousal Maintenance

Settlement Eff orts

Mediation, ENE, Settlement Negotiation, Settlement Conference

Informal Discovery

Ongoing

Settlement Decision

Determines Next Steps

Settlement: Skip Litigation

No Settlement: Litigation

Phase 3 Litigation

Time est: 2-6 months

If a settlement cannot be reached, we enter the Litigation phase. Here, we advocate vigorously for your interests in court, leveraging our expertise and resources to secure a favorable outcome.

Phase 4 The Final Stretch

Time est: 30-60 days

This phase involves finalizing legal documents, ensuring compliance with court orders, and supporting you to ensure a smooth transition to your next chapter.



Prep for Trial

Formal Discovery, Motions for Temporary & Other Relief, Depositions, Bring in Experts

Pre-Trial

A meeting in front of the judge to discuss the remaining unresolved issues and encourage parties to settle. If parties can't, the attorneys and the judge make a trial plan.

Trial

When all other settlement attempts fail, the court decides the issues of the divorce.

Post-Trial

Prior to the court making a decision, the parties will be asked to submit written closing arguments and a proposed court Judgment and Decree.

Investment: _____

Final Decree

Your final order, laying out in print how the issues were resolved.

Concluding Documents

Set-up auto withdrawal for child support, if applicable.

Your Fresh Start!

Investment: _____

Why Johnson/Turner

Choosing the right legal team is about more than just solving a problem—it's about feeling supported, understood, and confident every step of the way. At Johnson/Turner, we take that seriously. Our flat-fee **package pricing**, streamlined **proven process**, and integrated **life coaching** support ensure you're not just getting legal answers—you're getting a partner who's invested in your full journey, both legally and personally.



Package Pricing

Legal services should be clear, predictable, and tailored to your needs—not a mystery or a financial burden. At Johnson/Turner, our flat-rate package pricing gives you transparency, flexibility, and control from day one.

- **Know What You Owe**

No hourly billing, no hidden fees. You'll receive one clear price up front, so you always know what you're paying and why.

- **Only Pay for What You Need**

Choose the services that make sense for you. Our a-la-carte options allow you to customize your legal journey without paying for extras you don't need.

- **Communication Without Fees**

Have questions? Call, email, or meet with your legal team anytime—without worrying about extra costs. Your peace of mind is part of the package.

Proven Process

We don't just react—we guide. Our proven process was designed to simplify complex legal situations while giving you clarity, control, and flexibility at every step. Whether you want hands-on guidance or prefer to take the lead, our process adapts to you.

- 1. Choose Your Method and Pricing**

Select the approach and flat-fee package that best fits your needs—clear, simple, and customized.

- 2. Design and Build Your Team**

Work with the right mix of legal professionals and support staff tailored to your situation.

- 3. Design and Build Your Strategy**

Create a personalized legal plan that aligns with your goals and values.

- 4. Carry Out the Strategy**

Put your plan into action with your legal team by your side, every step of the way.

- 5. Adjust as Needed**

Stay flexible—update your method, team, or strategy as your situation evolves.

- 6. Achieve a Resolution**

Reach a confident conclusion and move forward with clarity and peace of mind.

Life Coaching



Legal matters often come with more than paperwork—they come with big emotions, life changes, and tough decisions. That's why Johnson/Turner includes access to professional life coaching as part of your legal journey. We help you stay grounded, clear, and focused—so you can move forward with purpose.

- **Clarity Beyond the Case**

Life coaching helps you explore your values, goals, and mindset—not just your legal strategy—so your decisions reflect who you are and where you want to go.

- **Support Through Uncertainty**

Whether you're feeling overwhelmed, stuck, or unsure, coaching offers a calm space to sort through emotions and regain control.

- **Empowered Decision-Making**

You'll be equipped to make choices with confidence, knowing they align with both your legal goals and your life priorities.



HOW ARE YOU DOING?

Self-Reflection

This quick assessment is here to help you pause, reflect, and get a clearer sense of where you stand and where you want to go.

1. How are you feeling emotionally on a day-to-day basis?

- Calm and emotionally balanced (0 pts)
- A little overwhelmed, but getting by (1 pt)
- Anxious, sad, or tense most of the time (2 pts)
- Emotionally exhausted or disconnected (3 pts)

2. How confident are you that your current parenting arrangement is working for your child?

- Very confident—it's going well for everyone involved (0 pts)
- It works okay, but there's room for improvement (1 pt)
- I'm concerned it's not meeting my child's needs (2 pts)
- It's causing stress or harm to my child or me (3 pts)

3. How clearly do you understand what matters most to you right now?

- Very clear—I know my priorities and values (0 pts)
- Somewhat clear—I have a general sense (1 pt)
- I feel unsure or pulled in different directions (2 pts)
- I haven't had the space to reflect on this at all (3 pts)

4. How well do you and the other parent communicate about your child's needs?

- We communicate openly and respectfully (0 pts)
- We manage basic communication when needed (1 pt)
- Communication is tense or inconsistent (2 pts)
- We rarely communicate or it often turns into conflict (3 pts)

5. How clear are you on what parenting time arrangement would be best for your child?

- Very clear—I know exactly what I believe is best (0 pts)
- I have a general idea but need some guidance (1 pt)
- I feel uncertain or conflicted (2 pts)
- I have no idea where to start (3 pts)

6. How supported do you feel in your life right now?

- I have strong support from friends, family, or professionals (0 pts)
- I have some support, but I'm carrying a lot on my own (1 pt)
- I feel mostly alone in this season of life (2 pts)
- I feel completely isolated or emotionally unsupported (3 pts)

7. How much conflict do you anticipate in reaching or modifying a custody agreement?

- Little to none—we're likely to work it out cooperatively (0 pts)
- Some—we disagree, but I think we can talk it through (1 pt)
- A lot—it will likely be a difficult process (2 pts)
- Very high—the other parent refuses to cooperate (3 pts)

8. How often are you thinking about making a change in your life?

- Rarely—I feel content where I am (0 pts)
- Sometimes—I'm open to small changes (1 pt)
- Often—I feel like something needs to shift soon (2 pts)
- Constantly—I'm craving big change or a fresh start (3 pts)

9. How confident do you feel in making big decisions right now?

- Very confident—I trust my judgment (0 pts)
- Somewhat confident—I just need support or clarity (1 pt)
- Not very confident—I tend to second-guess myself (2 pts)
- Not confident at all—I'm paralyzed by indecision (3 pts)

10. How ready are you to take the next step toward positive change?

- I already have a plan in motion (0 pts)
- I'm ready, I just need support or guidance (1 pt)
- I want to change, but feel stuck (2 pts)
- I don't know where to begin—I just know this isn't working (3 pts)

Your Score: _____ / 30

0-5 Points | You're in a grounded and stable space.

You're feeling aligned, supported, and clear on your direction. While change may not be urgent, this is a great time to take proactive steps toward long-term goals.

6-14 Points | You may be ready for change.

Stress or misalignment is creeping in. You're juggling a lot, and some thoughtful adjustments may help you feel more centered and in control.

15-22 Points | You're experiencing significant imbalance.

You may feel emotionally or physically drained, unclear on your values, or unsupported. Change could bring relief and help realign your life with what matters most.

23-30 Points | Your well-being is at risk—change is critical.

You're likely feeling overwhelmed, stuck, or disconnected. We're here to help you pause, reflect, and take your first step forward—with legal support, life coaching, and care.

**There's a future beyond this moment—
let's build toward it.**

Common Legal Terms

Legal language can be confusing, especially during an emotional time. That's why we've put together this list of common terms you may hear during your case. It's a quick, helpful reference to guide you through the process with more clarity and confidence.

| | |
|---|---|
| Best Interests of the Child | The standard Minnesota courts use when deciding custody—based on factors like the child's needs, safety, relationships, and stability. |
| Child Support | Financial payments one parent makes to the other to help cover the child's needs, based on income and parenting time. |
| Contempt of Court | When someone fails to follow a court order (like child support or parenting time), the court can enforce penalties. |
| Child Custody | A general term describing the legal and/or physical responsibility for a child. |
| Legal Custody | The right to make important decisions about a child's upbringing, like education, medical care, and religion. In Minnesota, this is often shared between parents unless one is unfit. |
| Physical Custody | When both parents share legal and/or physical custody of the child. Doesn't always mean equal parenting time. |
| Sole Custody | One parent has full responsibility for either legal or physical custody—or both. |
| Parenting Time | The schedule for when each parent spends time with the child. Formerly called "visitation." |
| Debt Allocation | Deciding how debts (like credit cards, loans, or mortgages) will be divided between spouses during divorce. Both marital and non-marital debts may be considered. |
| Default Judgement | When one party doesn't respond to the divorce paperwork, the other may be granted what they requested by default. |
| Deviation from Guidelines | A request to change the standard child support amount based on special circumstances. |
| Discovery | The process in which both parties exchange financial and other relevant information before trial. Includes documents, disclosures, and sometimes depositions. |
| Dissolution of Marriage | The legal term for divorce in Minnesota. |
| Equitable Distribution (Fair & Equitable State) | The method Minnesota courts use to divide property—fair, though not always 50/50. |
| Financial Disclosure Statement | A required form listing income, expenses, debts, and assets. Both parties must submit accurate disclosures during divorce or custody proceedings. |
| Guardian ad Litem (GAL) | A professional appointed to represent the best interests of the child in contested custody cases. |

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| ICMC (Initial Case Management Conference) | A first, informal court meeting in Minnesota family law cases where both parties meet with a judge to identify issues and explore early resolutions—no decisions are made at this stage. |
| Income Shares Model | Minnesota’s formula for calculating child support, which considers both parents’ incomes and the amount of parenting time each has. |
| Marital Property | Assets and debts acquired during the marriage, usually divided equally during divorce. |
| Mediation | A confidential process where a neutral third party helps parents reach agreements without going to court. |
| Motion | A formal request to the court to make a decision before or after the main hearing. |
| Non-Marital Property | Property one spouse owned before the marriage or received as a gift or inheritance during the marriage. Usually not divided. |
| Order for Protection (OFP) | A court order designed to protect someone from abuse or threats, often used in domestic violence cases. |
| Parenting Plan | A detailed written agreement outlining parenting time, decision-making responsibilities, holidays, transportation, and more. |
| Power of Attorney | A document allowing someone to make legal or financial decisions on your behalf. <i>(Note: more common in estate planning but sometimes comes up in family cases involving guardianship.)</i> |
| Property Division | The legal process of dividing assets and property between spouses during divorce. Minnesota uses “equitable distribution,” meaning property is divided fairly—not always equally. |
| Relinquishment of Parental Rights | When a biological parent voluntarily gives up their legal rights and responsibilities to a child—often a required step in adoption cases. |
| Right of First Refusal | A clause in some parenting plans requiring that a parent must offer the other parent childcare before using a third party. |
| Serve / Service of Process | The official delivery of legal documents (like a Summons and Petition) to the other party, notifying them that a legal action has started. Must follow strict rules to be valid. |
| Spousal Maintenance (Alimony) | Payments made by one spouse to the other after divorce, meant to support them financially. May be temporary or long-term. |
| Stipulation | A written agreement between both parties, often filed with the court to finalize without trial. |
| Summons and Petition | The documents that start a divorce or custody case in Minnesota. The petition outlines what one spouse is asking the court to decide. |
| Temporary Order | A court order issued before the final divorce, setting rules for parenting time, support, or property use during the case. |

Other Practice Areas

Johnson/Turner offers the same type of client-centered, non-traditional approach to a wide range of legal practice areas. For more information as well as FAQs, eBooks, and other resources, please visit johnsonturner.com.



FAMILY LAW

If legal difficulties or a complex situation are unsettling your family, we can help you restore balance.



ESTATE PLANNING

Every adult needs some form of Estate Planning, even if it's just a health care directive. Securing your future is a concern of ours today.



PROBATE

The death of a loved one can begin a complicated and confusing process, made all the harder by your grief. We're here to help you navigate the process.

AND MORE!

We also offer a wide range of practice areas, including litigation, real estate law, and many other areas.



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