

# **Parenting Time Expediting – Frequently Asked Questions**

Please e-mail suggestions for improvement to [MediationCenter@Hamline.edu](mailto:MediationCenter@Hamline.edu) with the subject “PTE Updates.” Periodic updates will be posted at this website. Any and all substantive changes made to the Order and Stipulation must conform with Minnesota Statute §518.1751, available at [www.revisor.mn.gov/statutes/?id=518.1751](http://www.revisor.mn.gov/statutes/?id=518.1751).

## **General Questions**

### **Where do these forms come from?**

Based on the challenges of working with high conflict families and increased ethics complaints against family neutrals, there was a perceived need for clarity and predictability of the Parenting Time Expeditor (“PTE”) role in Minnesota. Mediation Center at Hamline University, Minnesota members of the American Academy of Matrimonial Lawyers (AAML) and the Minnesota Chapter of the Association of Family and Conciliation Courts (AFCC) convened a group of PTEs and family court/ADR professionals. The goal of the group was to create and provide a tool for judges, attorneys, and neutrals that represent high standards of practice for PTEs. The group agreed to work with professional associations, the ADR Ethics Board and others to distribute these materials and educate target groups about the PTE role and standards. Representation included: family court services, family law attorneys, parenting time expeditors, family therapists, ADR Ethics Board members, and a very helpful Hamline Law student/recorder.

### **Can I “tweak” the provisions in the Model PTE Contract and Court Order?**

**Any and all substantive changes made to the Order and Stipulation must conform with Minn. Stat. § 518.1751, available at <https://www.revisor.mn.gov/statutes/?id=518.1751>.** However, the parties may also suggest changes in conformity with Minn. Stat. § 518.1751. The comment bubbles on the right side of the document indicate places where the provisions may be revised to fit the parties’ needs within the bounds of Minn. Stat. § 518.1751. This work is designed as a starting point; feel free to use as best fits your needs. Any use or reliance on this work is at your own risk. The authors have not provided you with any legal advice, and you should consult an attorney in your jurisdiction. Format changes (such as spacing, tabbing, font, etc.) are acceptable.

### **What’s with the comments? Do I need to pay attention to those?**

The comments to the right of the document are either explanations of the law regarding PTEs or describe the options available to the drafter. It is expected that you will format the order and stipulation to your case, fill in the appropriate blanks, and delete the comments, headers, and footers before it is submitted to the Court, PTE, and parties.

## PTE Practice

### What qualifications are necessary to be a PTE?

It is highly recommended that the PTE selected have:

- professional experience or a professional license,
- specific PTE training in addition to the 40-Hour Family Mediation Training requirement, and
- participated in at least one consult group.

### There are *a lot* of documents, and I feel a little lost. Which do I pay attention to?

- 1) the appointing Court Order, and
- 2) the PTE agreement/contract, which **must be consistent** with the Court Order.

If they are inconsistent, the PTE should not serve until the parties make it conform.

### Do you have any advice for when it comes time to making a decision as a PTE?

All decisions should be written as though it will be appealed to a judge. All PTE writings should be clear in language and reasoning. All decisions must be written. Decisions need not be formatted as a court order, but should contain clear decision language. Decisions should not be stated as recommendations, as decisions and recommendations are two different documents. The PTE should be clear and intentional about the effect of the document. See Minn. Stat. § 518.1751 for more information.