

State of Minnesota

District Court

County _____

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

In Re the Marriage of:

Name of Petitioner

**Affidavit in Support of
Motion for Temporary Relief with
Children**

and

Name of Respondent

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 *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. 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

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

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

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

11. I am asking the Court to decide temporary child support.

My monthly gross income is \$ _____ from _____
My spouse's monthly gross income is \$ _____ from _____

12. 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. I cannot support myself because _____
- _____
- _____
- _____

13. 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 _____
- _____
- _____

14. 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)* _____
- _____
- _____
- _____

15. 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 _____

16. 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 _____

17. 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 _____

18. 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 _____

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

_____ because _____

20. 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: _____

21. 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

22. 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

23. 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 _____

24. 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: _____

Notary Public \ Deputy Court Administrator

Telephone: _____