

## About this guide

This guide has basic information about paternity, custody, child support, and parenting time for unmarried fathers in Minnesota. **Every state has different laws on family law. This guide is for Minnesota only.**

In this guide, the word “you” means the unmarried father. Even though not all biological mothers have physical custody of their children, the words “mother” and “custodial parent” mean the same thing in this guide. This is because if unmarried parents do not have a court order about custody, then the mother of a child born to unmarried parents has sole legal and physical custody. Some of the legal ideas and legal standards in this guide are like those for

divorced fathers but there are many important differences. For example, an unmarried father has to first establish himself as the legal father before he has any right to ask for court-ordered custodial or visitation (parenting time) rights. This guide explains how this is done.

**If someone other than the mother has physical or legal custody of the child, different legal standards and/or different legal proceedings than those discussed in this guide may apply.** Examples of people other than the mother who may have custody are the state or county through child protection proceedings in juvenile court, or a grandparent or relative through a custody action in family court.

THIS GUIDE PROVIDES GENERAL LEGAL INFORMATION.

**IT IS NOT A SUBSTITUTE FOR ADVICE FROM AN ATTORNEY ABOUT YOUR PARTICULAR SITUATION.**

THIS GUIDE WAS UPDATED IN **SEPTEMBER 2007** TO REFLECT CHANGES TO MINNESOTA LAWS INCLUDING CHANGES TO THE CHILD SUPPORT GUIDELINES (INCOME SHARES).

CHECK WITH AN ATTORNEY FOR ANY RECENT CHANGES IN LAW.

## How this guide was made possible

This guide was first produced in 2004 by Melissa Froehle, an attorney at Central Minnesota Legal Services providing legal assistance to participants in the FATHER Project, a program serving low-income unmarried fathers. It was most recently updated in September 2007.

Support for the initial production of this guide was provided by the Berkeley Law Foundation, New York University’s Public Interest Law Foundation, Central Minnesota Legal Services, Goodwill/Easter Seals (MN) FATHER Project, Minnesota State Bar Foundation, Southside Community Health Services, Minnesota Fathers and Families Network, and the African American Men Project of Hennepin County. The author is solely responsible for the information in this guide.

This guide is available as a free download pdf file from the Minnesota Fathers & Families Network (MFFN) website at [www.mnfathers.org](http://www.mnfathers.org), from the Central Minnesota Legal Services website at [www.centralmnlegal.org](http://www.centralmnlegal.org), and is also available at [www.LawHelpMN.org](http://www.LawHelpMN.org).



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