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## **CHILD CUSTODY REVIEW TASK FORCE**

Monday, February 23, 2026  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator David A. Clemens, Chairman, called the meeting to order at 10:01 a.m.

**Members present:** Senators David A. Clemens, Jose L. Castaneda\*; Representatives Nels Christianson, Mary Schneider; Citizen Members James D. Hovey, Victoria S. Konidaris\*, Jason Kraft, Jason W. McLean, Stacy Moldenhauer, Catie Palsgraaf, Derrick Sherwood

**Member absent:** Citizen Member Corey Johnson

**Others present:** John Perez, Fargo\*  
*\*Attended remotely*

**It was moved by Representative Schneider, seconded by Mr. Sherwood, and carried on a voice vote that the minutes of the December 11, 2025, meeting be approved as distributed.**

Ms. Beth Dittus, Assistant Legal Division Director, Legislative Council, presented a memorandum entitled [Legislative Proposals for Task Force Consideration](#).

### **CUSTODY ISSUES**

Dr. John Perez, Fargo, provided testimony regarding child custody issues. He noted the need to adopt laws and policies to address parental alienation and shared examples from his personal and professional experience of individuals who have experienced its detrimental effects on their familial relationships.

### **CREATION OF A FAMILY COURT**

Task force members discussed the need for continued study regarding the establishment and implementation of a family court. Members noted:

- It may be appropriate to begin the family court as a pilot project in one judicial district or larger jurisdiction.
- The study should be conducted by a legislative committee and include input from a broad range of professionals and stakeholders, including representatives from the Family Law Section of the State Bar Association of North Dakota, judges, mental health professionals, and the State Court Administrator.

The task force requested the Legislative Council staff prepare a bill draft to direct the Legislative Management to study the establishment and implementation of a family court during the 2027-28 interim.

### **EDUCATION**

Task force members expressed the need for additional education for attorneys, judges, and parents involved in family law disputes. Members:

- Suggested developing a brief animated video for parents which explains the legal process, the court's authority, the operation of parenting plans, and the establishment and enforcement of child support.

- Noted the need for enhanced judicial training at conferences.
- Discussed the use and benefits of the Parents Forever course, and noted parents are responsible for the cost of completing the course and that judicial practices vary, with some judges ordering participation while others do not.

The task force requested the Legislative Council staff prepare a bill draft requiring parents involved in custody disputes to complete the Parents Forever course.

### **EXPEDITED PROCEEDINGS**

Task force members discussed the need to establish expedited time frames or clear deadlines requiring the court to promptly address allegations that a child is being withheld in violation of a court order. Members reviewed various mechanisms for enforcing orders and requesting hearings, including the contempt process, procedures for enforcing out-of-state orders, and the process for requesting an ex parte interim order under Rule 8.2 of the North Dakota Rules of Court.

The task force requested the Legislative Council staff prepare a bill draft requiring the court to schedule a hearing within 30 days after the filing of a request for an order to show cause alleging a violation of a parenting plan.

The task force requested the Legislative Council staff prepare a bill draft requiring the Supreme Court to develop standardized forms to assist self-represented litigants in requesting an order to show cause for an alleged violation of a parenting plan.

### **RULES OF COURT**

Task force members discussed the need for the Supreme Court to adopt and implement specific rules of procedure and court for domestic matters. Members noted:

- Interim order proceedings are governed by Rule 8.2 of the North Dakota Rules of Court, while most motions to modify an order are addressed under Rule 3.2 of the North Dakota Rules of Court.
- There is a lack of uniformity in how these procedural rules are applied across the state.
- Minnesota follows different motion practices that include time limitations for hearings, which allow hearings to be scheduled and matters to be resolved more quickly.

The task force requested the Legislative Council staff prepare a bill draft requiring the Supreme Court to adopt specific rules of court for domestic relations matters.

### **TASK FORCE DISCUSSION**

Task force members discussed the role of law enforcement in parenting time disputes. Members noted involving law enforcement is not an appropriate solution to parenting disputes and judicial remedies are available to address noncompliance with court orders.

Task force members discussed the establishment of parenting time expeditors to address parenting time disputes. Members noted:

- Minnesota law allows for the appointment of a parenting time expeditor to resolve parenting time disputes by enforcing, interpreting, clarifying, and addressing issues not specifically covered by an existing parenting time order.
- There is a distinction between parenting coordinators and parenting time expeditors; notably, parenting coordinators are not able to issue binding decisions and are used infrequently.

No further business appearing, Chairman Clemens adjourned the meeting at 2:48 p.m.

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Beth Dittus  
Assistant Legal Division Director