

RULE 32. PARTIES**Rule 32.01. Party Status**

Subd. 1. Parties Generally. Parties to a juvenile protection matter shall include:

- (a) the child's guardian ad litem;
- (b) the child's legal custodian;
- (c) in the case of an Indian child, the child's parents, the child's Indian custodian, and the Indian child's tribe through the tribal representative;
- (d) the petitioner;
- (e) any person who intervenes as a party pursuant to Rule 34;
- (f) any person who is joined as a party pursuant to Rule 35; and
- (g) any other person who is deemed by the court to be important to a resolution that is in the best interests of the child.

Subd. 2. Habitual Truant, Runaway, and Sexually Exploited Child. In addition to the parties identified in subdivision 1, in any matter alleging a child to be a habitual truant, a runaway, or a sexually exploited child, the child, regardless of age, shall also be a party. In any matter alleging a child to be a habitual truant, the child's school district may be joined as a party pursuant to Rule 35.

Subd. 3. Termination of Parental Rights Matters and Permanent Placement Matters. In addition to the parties identified in subdivision 1, in any termination of parental rights matter or permanent placement matter the parties shall also include:

- (a) the child's parents, including any noncustodial parent and any adjudicated or presumed father;
- (b) any person entitled to notice of any adoption proceeding involving the child;
- (c) the responsible social services agency when the agency is not the petitioner; and
- (d) any other person who is deemed by the court to be important to a resolution that is in the best interests of the child.

Subd. 4. Relatives Recommended as Permanent Custodians. Relatives have the right to participate as parties in permanency proceedings where required by Minnesota Statutes, section 260C.163, subdivision 2.

Rule 32.02. Rights of Parties

A party shall have the right to:

- (a) notice pursuant to Rule 44 or 53;
- (b) legal representation pursuant to Rule 36;
- (c) be present at all hearings unless excluded pursuant to Rule 38;
- (d) conduct discovery pursuant to Rule 17;
- (e) bring motions before the court pursuant to Rule 14;

- (f) participate in settlement agreements pursuant to Rule 19;
- (g) subpoena witnesses pursuant to Rule 12;
- (h) make argument in support of or against the petition;
- (i) present evidence;
- (j) cross-examine witnesses;
- (k) request review of the referee's findings and recommended order pursuant to Rule 7;
- (l) request review of the court's disposition upon a showing of a substantial change of circumstances or that the previous disposition was inappropriate;
- (m) bring post-trial motions pursuant to Rule 21;
- (n) appeal from orders of the court pursuant to Rule 23; and
- (o) any other rights as set forth in statute or these rules.

Rule 32.03. Parties' Names and Addresses

It shall be the responsibility of the petitioner to set forth in the petition the names and addresses of all parties if known to the petitioner after reasonable inquiry, and to specify that each such person has party status. It shall be the responsibility of each party to inform the court administrator of any change of address or e-mail address; Registered Users of the E-Filing System shall also update any change of e-mail address in the E-Filing System.

2019 Advisory Committee Comment

Rule 32 is amended in 2019 as part of a revision of the Rules of Juvenile Protection Procedure. The rule was formerly codified as Rule 21. The amendments are not intended to substantively change the rule's meaning.

Rule 32 delineates the status and rights of parties, and Rule 33 delineates the status and rights of participants. There may be many individuals concerned about the best interests of a child who do not have the immediate connection to the child that justifies treating them as parties. The intent of these rules is to ensure that such individuals are aware of the proceedings and are available to provide information useful to the court in making decisions concerning that child. A person with participant status may intervene as a party pursuant to Rule 34 or may be joined as a party pursuant to Rule 35.

Former Rule 21 had provisions for a party to ask the court to keep the party's name and address confidential if the party was endangered. This issue is now addressed by Rule 8.04, subd. 2(p).