

SCHOOL SELECTION/DISTANCE ROLE PLAY

Parents, Jim and Lynn, have been separated for approximately one (1) year and have agreed on a shared parenting time schedule with their three (3) children, Ben, age 9, Laura, age 5, and Megan, age 4. During the marriage, parties resided in Pine City, MN. After their separation, Father remained in the family home and reports he remodeled the whole home and wants to continue living there. Mother lived with her parents.

Recently, maternal grandparents moved to Eagan, MN and Mother wants to live near them. Without Father's agreement, Mother moved to Eagan at the beginning of the school year stating that the schools in Eagan are superior to the school the children attended in Pine City. She has a yearlong lease that is renewable in August before the next school year.

Ben is in the 3rd grade, and Laura just began kindergarten. Mother enrolled Megan in a preschool program near her two (2) bedroom apartment in Eagan. Although there is a park near her residence, the children share a room at Mother's apartment and have their own rooms at Father's home.

The school has expressed some concerns about possible ADHD for Ben. Mother wants to have him tested, but Father says he sees no signs that Ben has ADHD. Mother had Ben tested without Father's consent, and the diagnosis is ADHD. Father refuses to accept this diagnosis as he was not consulted by the agency that completed the testing.

Father is engaged to be married and they are expecting a child. Father intends to remain in Pine City and seeks to have Mother return the children to Pine City for school. Mother works weekends as a wedding consultant and has consented to the children spending weekends with Father and the weekdays with her. Mother reports she is available to transport the children to sports and activities and Father is working long hours during the week at his construction job.

The distance between homes is approximately seventy-five (75) miles one way. Parents meet to exchange the children on Fridays and Sundays in Forest Lake, MN. Father reports the children are exhausted when he sees them, fall asleep on the car ride to his home and by the time they are rested it is time to return to Forest Lake on Sunday.

Mother has signed Ben up for counseling and now reports Laura also has ADHD. Father wants to be part of his children's lives and not a "weekend father." Parents do not communicate except at exchanges. Each believes that what is best for the children is to remain with them for the school year. Megan begins kindergarten in the fall and

Father has initiated court action for them to return to Pine City for the coming school year.

The Court orders them to attend mediation to resolve the school selection issue and develop a parenting time schedule that is in the best interest of the children.