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**STATE OF MINNESOTA
IN COURT OF APPEALS
A12-1899**

Jessica Leah Weiss, petitioner,
Respondent,

vs.

Alfred Aaron Griffin,
Appellant.

**Filed October 28, 2013
Remanded
Peterson, Judge**

Hennepin County District Court
File No. 27-PA-FA-08-558

Allison Wiles Maxim Carlson, Maxim Law, PLLC, St. Paul, Minnesota (for respondent)

Damon Lee Ward, Ward Law Group, Minneapolis, Minnesota (for appellant)

Considered and decided by Bjorkman, Presiding Judge; Peterson, Judge; and Stoneburner, Judge.

UNPUBLISHED OPINION

PETERSON, Judge

In this custody dispute, appellant-father argues that the district court erred in (1) granting respondent-mother's motion for an order that the child attend school in the school district of mother's residence and (2) failing to apply the best-interests factors and make findings that explain its decision. We remand for findings.

FACTS

The parties are the parents of a child born in 2007. Appellant-father Alfred Aaron Griffin was adjudicated the child's father in a paternity proceeding, and both parties sought custody of the child. In 2010, the district court issued a judgment and decree that awarded the parties temporary joint legal and joint physical custody of the child, granted father parenting time every Thursday overnight and every other weekend, and granted both parties vacation and holiday time.

In June 2012, respondent-mother Jessica Leah Weiss filed a motion in the district court requesting an order that the child, who would be entering kindergarten that fall, attend Basswood Elementary School in Maple Grove and continue attending the preschool program that she had attended for the previous three years. Mother also requested that father's parenting time on Thursdays, which had been overnight, be from 4:00 p.m. until 8:00 p.m. during the school year. Father opposed mother's motion to reduce his parenting time and sought to have the child enrolled in the Eden Prairie school district.

The parties submitted the matter to the district court for decision on written submissions. The district court issued an order stating that it would likely rule that the child will go to the Maple Grove school district. The court then issued an amended order ruling that the child will go to the Maple Grove School district and that the current parenting-time schedule will remain in effect unless the parties agree to an alternative schedule. Neither the order nor the amended order contains any findings of fact or any explanation of the basis for the district court's decision. Father sent a letter to the district

court requesting leave to file a motion for reconsideration based on the lack of findings addressing the child's best interests. When the district court did not respond to this letter, father sent a follow-up letter. The district court did not respond to the follow-up letter. This appeal followed.

D E C I S I O N

Parents who have joint legal custody have “equal rights and responsibilities, including the right to participate in major decisions determining the child’s upbringing, including education.” Minn. Stat. § 518.003, subd. 3(b) (2012). When joint legal custodians cannot agree on which school their child should attend, the district court must resolve the dispute based on the child’s best interests. *Novak v. Novak*, 446 N.W.2d 422, 424-25 (Minn. App. 1989), *review denied* (Minn. Dec. 1, 1989). ““The best interests of the child’ means all relevant factors to be considered and evaluated by the court,” including 13 specific factors identified in the statute. Minn. Stat. § 518.17, subd. 1(a) (2012); *see also Novak*, 446 N.W.2d at 424 (citing Minn. Stat. § 518.17, subd. 3(a)(3), and stating that “[t]he law makes no distinction between general determinations of custody and resolution of specific issues of custodial care”).

To permit effective appellate review, the district court must make sufficiently detailed findings to show its consideration of relevant factors. *See Stich v. Stich*, 435 N.W.2d 52, 53 (Minn. 1989) (stating, in a dispute over an award of spousal maintenance, that “[e]ffective appellate review of the [district court’s] discretion is possible only when the [district] court has issued sufficiently detailed findings of fact to demonstrate its consideration of [all relevant factors]”); *Wallin v. Wallin*, 290 Minn. 261, 267, 187

N.W.2d 627, 631 (1971) (stating that, given the district court’s broad discretion in family cases, it is particularly important that the basis for its decision be set forth with a high degree of particularity).

Because the district court’s order states only that “[t]he child will go to the Maple Grove school district,” we cannot effectively review the basis for the district court’s decision. Therefore, we remand the decision to permit the district court to make findings that demonstrate its consideration of relevant factors.

Remanded.