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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0523**

In re the Custody of the Children of:

Nicole Marie Petersen,
Respondent,

vs.

Ruby Niveló,
Appellant,

Rafael Silva,
Respondent.

**Filed January 12, 2026
Affirmed
Frisch, Chief Judge**

Washington County District Court
File No. 82-FA-23-2908

Delmar V. Flynn, Fiddler Osband Flynn LLC, Minnetonka, Minnesota (for respondent Nicole Petersen)

Ruby Niveló, Woodbury, Minnesota (pro se appellant)

Considered and decided by Frisch, Chief Judge; Reyes, Judge; and Larson, Judge.

NONPRECEDENTIAL OPINION

FRISCH, Chief Judge

Appellant-mother challenges the district court's order awarding joint legal custody and joint physical custody of minor child to both herself and a nonrelative de facto custodian. Appellant-mother also challenges the aspect of the district court's order

establishing a phased parenting-time schedule. She argues that the district court abused its discretion in its (1) failure to apply a parental presumption in favor of awarding custody to a biological parent, (2) determinations of the best interests of the child, and (3) creation of a parenting-time schedule that does not provide adequate parenting time for mother. Because the district court followed the statutory requirements of chapter 257C, Minn. Stat. §§ 257C.01-.08 (2024), and based its determinations on detailed findings supported by the record, we affirm.

FACTS¹

This matter relates to the custody of minor child S.L.N. (child), who was born in 2012. Respondent Nicole Marie Petersen is not related to child. Appellant-mother Ruby Niveló chose Petersen to care for child at various times throughout child's life while Niveló attended school, worked, and recovered from certain life events.²

Petersen and Niveló met sometime in 2012, when Niveló began working at the same restaurant where Petersen worked. At that time, Niveló was a high-school student and was pregnant with child. Petersen provided some daytime care for child during the first few years of child's life, but Niveló and her family members were the primary caregivers during this time.

When child was about six years old, the parties established a regular schedule related to child's care. Under this schedule, child spent weekdays with Niveló and

¹ The following facts are drawn from the district court's findings following a court trial.

² Respondent Rafael Silva is child's father. He has neither custody of child nor parenting time. He has not made an appearance in this appeal.

weekends with Petersen, as Niveló worked at a restaurant on weekend nights. Around April 2022, when child was about ten years old, the parties altered this schedule, so Petersen cared for child on weekdays and Niveló cared for child on weekends. This change occurred because Niveló experienced several traumatic events causing a decline in her mental health. From April 2022 until June 2023, child primarily lived with Petersen.

Petersen Petitions for Third-Party Custody as a De Facto Custodian

In June 2023, Petersen petitioned the district court for sole legal custody and sole physical custody of child as child's de facto custodian under chapter 257C. *See* Minn. Stat. §§ 257C.01-.05. She also filed an ex parte emergency motion seeking temporary sole legal custody and sole physical custody of child. That month, the district court entered an order determining that Petersen made a prima facie showing as a de facto custodian and finding endangerment if child were to be in Niveló's care. The district court granted to Petersen temporary sole legal custody and sole physical custody of child, and it reserved parenting time for Niveló at Petersen's discretion. The following month, the district court filed an order granting Niveló three-hour unsupervised visits with child twice per week.

Between July and September 2023, the district court assigned a guardian ad litem (GAL) to provide interim parenting-time recommendations. The GAL submitted two interim reports, one in November 2023 and one in January 2024. In between these reports, the district court formally ordered Niveló and child to begin family therapy as soon as the provider deemed them ready, and it expanded Niveló's parenting time.

In October 2023, the district court entered a stipulated order appointing a neutral custody and parenting-time evaluator (neutral custody evaluator). The neutral custody evaluator began her custody evaluation investigation in November 2023.

In February 2024, the district court filed an order granting joint legal custody of child to the parties and left in place the order for Petersen’s temporary sole physical custody of child. The order required, among other things, Niveló and child to continue individual mental-health services and for Niveló to follow all recommendations from the provider, and it required all parties to follow the directions of a family therapist regarding family therapy services and follow the provider’s recommendations. The parties were further instructed to “consider expansion of parenting time depending on [child’s] comfort level and on recommendations from the family therapist, [child’s] therapist, and the GAL.”

In May 2024, the GAL submitted her final report. The GAL’s evaluation was based on meetings with the parties, child, and others, and discussions with the neutral custody evaluator. The GAL’s final report recommended that the parties be awarded joint legal custody, that Petersen be awarded sole physical custody, and that the parties gradually expand to equal parenting time—provided the relationship between Niveló and child could be repaired successfully. In July 2024, the district court again expanded Niveló’s parenting time.

In September 2024, the neutral custody evaluator submitted her final report. During the neutral custody evaluator’s investigation, she “spoke and observed the parties and [child]; interviewed many collateral contacts for both parties, which included the Guardian ad Litem; and completed a thorough review of court pleadings, questionnaires, GAL

reports, text messages, screenshots from Snapchat, medical records, videos, etc.” Based on the neutral custody evaluator’s investigation and evaluation, she made recommendations regarding “legal custody, physical custody, parenting time, family time, holiday parenting time, services, and communication rules.” Like the GAL, the neutral custody evaluator recommended that the parties be awarded joint legal custody, that Petersen be awarded sole physical custody, and that this custody arrangement “should not be a barrier to Niveló having equal parenting time in the future.”

Trial on Petersen’s Third-Party Custody Petition

The district court held a two-day trial in October 2024 on Petersen’s petition. During trial, Petersen and six additional witnesses testified on Petersen’s behalf, Niveló and three additional witnesses testified on Niveló’s behalf, and the district court received numerous exhibits into evidence, including the reports, investigations, and recommendations of the GAL and neutral custody evaluator.

The district court filed a thorough and detailed 52-page order, concluding that Petersen had established that she is child’s de facto custodian and that it is in the best interests of child to remain, at least in part, in Petersen’s legal custody and physical custody. In addition to awarding joint legal custody, the district court awarded joint physical custody to both parties and designated Petersen’s home as child’s primary address. The district court also established a phased parenting-time schedule, initially affording Petersen with greater parenting time than Niveló, with the stated goal of expanding this schedule to ultimately reach equal parenting time between the parties. The district court acknowledged in its order that both the GAL and neutral custody evaluator recommended that sole

physical custody be awarded to Petersen, noting, however, that both also recommended that the parties work toward equal parenting time. The district court ordered the parties to return for a 90-day review hearing on whether its parenting-time decision should be modified, stating its intention was to continue to hold 90-day review hearings on the need for any modification.

Nivelo appeals.

DECISION

Nivelo argues that the district court abused its discretion in awarding joint legal custody, joint physical custody, and greater parenting time to Petersen—a nonrelative de facto custodian. We understand her to argue that the district court (1) misapplied the law by not separately addressing the deference a district court must provide to a parent’s fundamental right to the care, custody, and control of their child; (2) made findings of fact unsupported by the record in assessing the best interests of the child; and (3) awarded a parenting-time schedule in a manner contrary to logic and the facts on record.

Under chapter 257C, a person other than a child’s parent may petition a district court for custody of that child as either a “de facto custodian” or an “interested third party.” Minn. Stat. §§ 257C.01-.05. To seek custody as a de facto custodian, a petitioner must file a petition satisfying certain statutory criteria, *see* Minn. Stat. § 257C.03, subd. 2, and establish that they satisfy two statutory requirements, *see* Minn. Stat. § 257C.03, subd. 6(a). First, a petitioner must show by clear and convincing evidence that they are

the primary caretaker for a child who has, within the 24 months immediately preceding the filing of the petition, resided with the individual without a parent present and with a lack of

demonstrated consistent participation by a parent for a period of . . . one year or more, which need not be consecutive, if the child is three years of age or older.

Minn. Stat. § 257C.01, subd. 2(a)(2); *see* Minn. Stat. § 257C.03, subd. 6(a)(1) (clear and convincing evidence standard); *see also* Minn. Stat. §§ 257C.01, subd. 2(c) (defining a “lack of demonstrated consistent participation” by a parent), .03, subd. 6(b) (providing six factors the district court must consider in addressing a parent’s lack of demonstrated consistent participation). If a petitioner establishes that they are a de facto custodian, they must then “prove by a preponderance of the evidence that it is in the best interests of the child to be in the custody of the de facto custodian.” Minn. Stat. § 257C.03, subd. 6(a)(2).

In a third-party custody proceeding under chapter 257C, a district court must make any order it considers “just and proper” concerning, as relevant to this appeal, “the legal custody of a minor child, whether sole or joint,” “the child’s physical custody and residence,” and “the quality and duration of parenting time.” Minn. Stat. § 257C.05, subd. 1(1)-(3). “[A] district court has broad discretion in determining custody and parenting time matters.” *Christensen v. Healey*, 913 N.W.2d 437, 443 (Minn. 2018). Our review of a district court’s third-party custody determination and parenting-time determination is limited to whether the district court abused its discretion. *See Ramirez v. Luna*, 830 N.W.2d 163, 166 (Minn. App. 2013) (“This court’s review of a district court’s third-party custody determination is limited to whether the court abused its discretion.”); *Suleski v. Rupe*, 855 N.W.2d 330, 334 (Minn. App. 2014) (applying abuse-of-discretion standard to parenting-time decisions). A district court abuses its discretion by making findings of fact that are unsupported by the record, misapplying the law, or resolving

discretionary questions in a manner contrary to logic and the facts on record. *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022); *see Smith v. Kessen*, 996 N.W.2d 581, 585 (Minn. App. 2023) (citing this definition of an abuse of discretion in a third-party visitation appeal under chapter 257C), *rev. denied* (Minn. Jan. 31, 2024).

Against this backdrop, we address each of Niveló's arguments.

I. The district court did not abuse its discretion in awarding joint legal custody and joint physical custody to a nonrelative de facto custodian.

Niveló challenges the district court's award of joint legal custody and joint physical custody to Petersen, arguing that the district court's award of custodial rights to a nonrelative de facto custodian is contrary to what she characterizes as a presumption in Minnesota law that a parent is the best person to take care of their child in the absence of a finding of child endangerment. We disagree that Minnesota law requires the district court, in applying the statutory procedures under chapter 257C, to separately make specific findings on the parental presumption in favor of a parent's custody of their child.

"In custody disputes between parents and nonparents, Minnesota courts have traditionally applied a presumption that the child's natural parent is entitled to custody of the child." *Ramirez*, 830 N.W.2d at 167. However, we have reasoned that the statutory requirements set forth in chapter 257C incorporate this common-law parental presumption, and a district court applying the statutory requirements of chapter 257C need not separately address the parental presumption in its order determining custody. *Id.* at 168-69.

Niveló does not argue that the district court failed to apply the statutory requirements for awarding custody to a de facto custodian under chapter 257C, nor does

she challenge the district court’s determination that Petersen proved that she is a “de facto custodian” under Minn. Stat. § 257C.01, subd. 2, by clear and convincing evidence. Because the district court applied the statutory requirements of chapter 257C and there is no requirement under Minnesota law directing a district court to make separate findings on the common-law parental presumption, we conclude that the district court did not abuse its discretion in determining that Petersen is child’s de facto custodian and awarding her joint legal custody and joint physical custody on this basis.

II. The district court did not abuse its discretion in evaluating and applying the best-interests factors under Minn. Stat. § 257C.04.

Nivelo next challenges the district court’s determination that it is in the best interests of child for Petersen—a nonrelative de facto custodian—to have joint physical custody, with Petersen’s home as child’s primary residence. She argues that (1) it is in the best interests of child to be with child’s birth family, (2) the district court disregarded the emotional bond between Nivelo and child, and (3) the district court’s finding that Nivelo’s home was unsuitable lacks evidentiary support. We disagree.

In determining whether a de facto custodian has met their burden of proving by a “preponderance of the evidence that it is in the best interests of the child to be in the custody of the de facto custodian,” Minn. Stat. § 257C.03, subd. 6(a)(2), a district court must apply the best-interests factors set forth in Minn. Stat. § 257C.04. Minn. Stat § 257C.03, subd. 6(c). Pursuant to Minn. Stat. § 257C.04, when two or more parties seek custody, a district court must consider 12 factors when determining the best interests of the child:

- (1) the wishes of the party or parties as to custody;

(2) the reasonable preference of the child, if the court deems the child to be of sufficient age to express preference;

(3) the child's primary caretaker;

(4) the intimacy of the relationship between each party and the child;

(5) the interaction and interrelationship of the child with a party or parties, siblings, and any other person who may significantly affect the child's best interests;

(6) the child's adjustment to home, school, and community;

(7) the length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;

(8) the permanence, as a family unit, of the existing or proposed custodial home;

(9) the mental and physical health of all individuals involved; except that a disability, as defined in section 363A.03, subdivision 12, of a proposed custodian or the child shall not be determinative of the custody of the child, unless the proposed custodial arrangement is not in the best interests of the child;

(10) the capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in the child's culture and religion or creed, if any;

(11) the child's cultural background; and

(12) the effect on the child of the actions of an abuser, if related to domestic abuse, as defined in section 518B.01, subdivision 2, that has occurred between the parents or the parties.

Minn. Stat. § 257C.04, subd. 1(a) (collectively, best-interests factors). "The court must make detailed findings on each of the factors and explain how the factors led to its conclusions and to the determination of the best interests of the child." *Id.*, subd. 1(b). And "[t]he court may not use one factor to the exclusion of all others." *Id.* Further, "[t]he

court must not give preference to a party over the de facto custodian or interested third party solely because the party is a parent of the child.” *Id.*, subd. 1(c).

We have “scant if any room” to question the district court’s balancing of best-interests considerations, and we will not disturb the district court’s best-interests findings absent clear error. *Ewald v. Nedrebo*, 999 N.W.2d 546, 551-52 (Minn. App. 2023) (quoting *Vangsness v. Vangsness*, 607 N.W.2d 468, 477 (Minn. App. 2000)), *rev. denied* (Minn. Feb. 28, 2024). Findings are clearly erroneous if they are not reasonably supported by the evidence as a whole or are manifestly contrary to the weight of the evidence. *Vangsness*, 607 N.W.2d at 474. “When determining whether findings are clearly erroneous, an appellate court views the record in the light most favorable to the trial court’s findings.” *Knauff v. Rodgers*, 649 N.W.2d 166, 174 (Minn. 2002). In doing so, we do not reweigh the evidence or engage in fact-finding. *See In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221-22 (Minn. 2021).

In its thorough order awarding joint legal custody and joint physical custody to both parties, the district court made detailed findings regarding each of the best-interests factors and explained whether each factor was neutral or weighed in favor of one of the parties. Based on such findings, the district court determined that it is in the best interests of child to maintain an ongoing relationship with both parties and that child’s primary residence would continue to be at Petersen’s home.

With these principles and observations in mind, we address Niveló’s three arguments challenging the district court’s best-interests determination. We note that Niveló summarily asserts that the district court’s “findings were not based on clear,

credible, or admissible evidence,” claiming that the district court’s decision on custody was based on “speculative evidence, especially the statements made by Petersen.” Niveló does not support this assertion with either arguments or citations to legal authority, does not identify any specific evidence—including any specific statements from Petersen—that she believes the district court impermissibly relied upon, and does not identify any specific best-interests findings by the district court that she believes lack evidentiary support. We therefore limit our review to Niveló’s three arguments challenging specific aspects of the district court’s best-interests determination. *See State v. Bartylla*, 755 N.W.2d 8, 22-23 (Minn. 2008) (stating that appellate courts “will not consider pro se claims on appeal that are unsupported by either arguments or citations to legal authority,” particularly when “no prejudicial error is obvious on mere inspection” (quotation omitted)).

A. Child’s Relationship with Birth Family

Niveló first summarily contends that it is in child’s best interest to be placed with child’s birth family, arguing that the relationship between child and child’s birth family is crucial for child’s identity, safety, and growth. This argument is unavailing for two reasons.

First, once a party has established that they are the child’s de facto custodian, a district court is specifically prohibited under chapter 257C from giving “preference to a party over the de facto custodian . . . solely because the party is a parent of the child.” Minn. Stat. § 257C.04, subd. 1(c). Because the district court determined that Petersen proved by clear and convincing evidence that she is child’s de facto custodian under Minn.

Stat. § 257C.01, subd. 2, it was precluded from affording preference to Niveló solely because she is child's parent in making its best-interests determination.

Second, as part of its best-interests analysis, the district court made detailed findings on child's relationship with her birth family that are supported by the record and not clearly erroneous. For example, the fifth best-interests factor requires a district court to assess "the interaction and interrelationship of the child with a party or parties, siblings, and any other person who may significantly affect the child's best interests." Minn. Stat. § 257C.04, subd. 1(a)(5). On this factor, the district court made detailed findings regarding child's relationship with Petersen and her fiancé and children, as well as child's relationship with maternal and paternal family members. The district court concluded that child had "significant" relationships with family members of both parties and determined that this factor was neutral. The district court's findings on this factor are supported by witness testimony and the reports of both the GAL and the neutral custody evaluator. We conclude that the finding that child has significant relationships with the families of both parties has sufficient evidentiary support in the record.

B. Child's Emotional Bond with Niveló

Niveló next argues that the district court disregarded her emotional bond with child. We note that Niveló does not identify any specific best-interests factor she believes the district court failed to consider. In any event, the district court's findings related to child's strained emotional bond with Niveló have ample support in the record.

Contrary to Niveló's assertion, the district court carefully considered and made detailed findings on child's emotional bond with *both* parties. And the district court's order

includes numerous findings regarding Niveló's strained emotional relationship with child. For example, the district court noted that *child* described several things that damaged her relationship with Niveló, namely that (1) child was left alone at Niveló's home for an extended period of time, (2) child feels that Niveló prioritized significant others over her and has on multiple occasions been exposed to Niveló's sexual interactions with significant others, and (3) Niveló is unable to have productive conversations when child tries to address her needs or concerns with Niveló.³ The district court emphasized in its order that "[i]t is in [child's] best interests for her relationship with Niveló to be repaired," but it determined that child should remain with Petersen while Niveló and child worked on repairing their relationship, as Petersen's home is where child "feels the safest both emotionally and physically." And the district court repeatedly emphasized that Niveló demonstrated a lack of self-awareness regarding the impact of her own actions in causing damage to her relationship with child and that Niveló must take accountability for this harm to repair her relationship with child.

The record evidence supports the district court's findings on child's damaged emotional bond with Niveló. The neutral custody evaluator and GAL's investigations, reports, and recommendations; the district court's numerous orders requiring family

³ The district court highlighted these examples in its assessment of the second best-interests factor, "[t]he reasonable preference of the child, if the court deems the child to be of sufficient age to express preference"; the fourth best-interests factor, "[t]he intimacy of the relationship between each party and the child"; the eighth best-interests factor, "the permanence, as a family unit, of the existing or proposed custodial home"; and the tenth best-interests factor, "[t]he capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in the child's culture and religion or creed." See Minn. Stat. § 257C.04, subd. 1(a).

therapy; and testimony from multiple witnesses support the district court’s findings on this strained emotional bond.

C. The Suitability of Niveló’s Home Environment

Niveló also summarily asserts that the district court’s findings regarding the suitability of her home environment are unsupported by the evidence in the record. Specifically, Niveló asserts that the district court’s finding that her home environment is “unsuitable” because of “instability” is without any evidentiary support. We disagree.

The record contains evidence to support the district court’s conclusion that Petersen’s home environment is currently more suitable for child than Niveló’s home environment. Within the context of its best-interests findings, the district court addressed the stability of both parties’ home environments and the parties’ respective capacity to provide for child’s needs—including child’s needs for consistency and emotional support. For example, the district court concluded that the seventh best-interests factor, “[t]he length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity,” Minn. Stat. § 257C.04, subd. 1(a)(7), favors Petersen because her home environment has been “stable and satisfactory” since child began primarily living with her, and maintaining consistency with Petersen is “important for [child’s] development as she gets older.” In the context of the eighth best-interests factor, “the permanence, as a family unit, of the existing or proposed custodial home,” and the tenth best-interests factor, “the capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in the child’s culture and religion or creed,” Minn. Stat. § 257C.04, subd. 1(a)(8), (10), the district court

found that child currently feels both emotionally and physically safer with Petersen than with Niveló.⁴ These findings are supported by the neutral custody evaluator and GAL's investigations, reports, and recommendations, as well as testimony from family-member witnesses. And "[t]hat the record might support findings other than those made by the [district] court does not show that the court's findings are defective." *Vangness*, 607 N.W.2d at 474. We therefore conclude that the district court's determination that Petersen's home environment was currently more suitable for child's needs than Niveló's home environment has sufficient evidentiary support in the record.

In sum, because the district court made detailed findings on each of the best-interests factors under Minn. Stat. § 257C.04 that are not clearly erroneous, and because the district court's ultimate best-interests determination is supported by its findings of fact, we

⁴ Niveló summarily asserts in her brief that "[n]ot only does [she] feel like she has been discriminated against for her race, but also for being a solo mom," and that "[t]he courts are to be aware [she] will not stop fighting for how unfair she was treated in this matter." This issue is not properly before us because Niveló did not raise these concerns to the district court and does not specify any basis for these claims on appeal. *See, e.g., State v. Modern Recycling, Inc.*, 558 N.W.2d 770, 771 (Minn. App. 1997) ("This court will not review issues that are argued under a new theory on appeal or that are unsupported by any argument or authority in a party's brief."); *see also Fitzgerald v. Fitzgerald*, 629 N.W.2d 115, 119 (Minn. App. 2001) ("Although some accommodations may be made for pro se litigants, this court has repeatedly emphasized that pro se litigants are generally held to the same standards as attorneys and must comply with court rules."). Although the district court noted child's feelings that she is "safer" and "treated better" with Petersen may in part be attributable to the family composition of Petersen's home, we do not discern such a finding, or any other aspect of the district court record, as evidence of discrimination. And we do not discern any evidence of discrimination based on our independent review of the proceedings. To the contrary, it appears that the district court thoughtfully considered the positive development of child's cultural and racial identity in its best-interests analysis, and the district court's reference in its order to Niveló's status as a single parent was directly relevant to its best-interests analysis.

conclude the district court did not abuse its discretion in determining that it is in child's best interests to live primarily with Petersen while Niveló works to repair her relationship with child.

III. The district court did not abuse its discretion in ordering parenting time.

Finally, Niveló challenges the district court's order of a phased parenting-time plan, arguing that the plan is too rigid and could negatively impact her relationship with child. We discern no abuse of discretion by the district court.

A district court generally has broad discretion in determining parenting-time matters. *Christensen*, 913 N.W.2d at 443. In making such determinations, a district court must be guided by the best interests of the child. *Clark v. Clark*, 346 N.W.2d 383, 385 (Minn. App. 1984) ("It is well established that the ultimate question in all disputes over [parenting time] is what is in the best interest of the child."), *rev. denied* (Minn. June 12, 1984). We review a district court's parenting-time decisions for an abuse of discretion. *Suleski*, 855 N.W.2d at 334. We will not set aside a district court's decision on parenting time unless its findings are unsupported by the evidence or its decision is against logic and the facts on record. *See Woolsey*, 975 N.W.2d at 506; *see also Hagen v. Schirmers*, 783 N.W.2d 212, 215 (Minn. App. 2010).

The district court expressly acknowledged in its order that "no easy solution of custody and parenting time [exists] due to [child's] competing needs of ongoing stability, consistency and emotional support she has with Petersen, and the developmental benefits that repairing her relationship with Niveló can provide." As set forth above, the district court determined that it is in child's best interests to maintain an ongoing relationship with

both parties, emphasizing the goal of equal parenting time between the parties. As a result, the district court ordered a phased parenting-time schedule that provided Niveló with increased parenting time after two months and included requirements for child to remain in individual and family therapy and for the parties to follow both therapists' recommendations for the transition to phased parenting time. The district court's parenting-time determination also expressly provided the opportunity for Niveló's parenting time to expand—provided it is in child's best interests—by ordering the parties to return for a 90-day review hearing to determine whether modification of parenting time was necessary and stating its intention is to continue holding 90-day review hearings thereafter on modification.

Because the district court's parenting-time decision is based on its detailed findings on each of the best-interests factors, which are supported by ample evidentiary support in the record, we conclude the district court did not abuse its discretion in ordering parenting time.

Affirmed.