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

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1654**

In re the Custody of the Children of:

Samuel Thomas Lorang, petitioner,
Appellant,

vs.

Malaree Dawn Perez,
Respondent.

**Filed August 10, 2026
Affirmed in part, reversed in part, and remanded
Bond, Judge**

Hennepin County District Court
File No. 27-FA-20-4608

Bonnie S. Westlin, Bonnie S. Westlin, Esq LLC, St. Louis Park, Minnesota (for appellant)

Malaree Dawn Perez, Minneapolis, Minnesota (pro se respondent)

Considered and decided by Larson, Presiding Judge; Wheelock, Judge; and Bond,
Judge.

NONPRECEDENTIAL OPINION

BOND, Judge

In this child-custody dispute, appellant father challenges the district court's denial of his motion for an order directing that the parties' minor child receive all physician-recommended vaccinations. Appellant, who shares joint legal custody with respondent

mother, argues that the district court: (1) misinterpreted a provision addressing vaccinations in the parties' stipulated order, (2) abused its discretion by failing to consider the child's best interests, and (3) erred by ordering appellant to sign a vaccine exemption form contrary to his beliefs. We affirm in part, reverse in part, and remand.

FACTS

Appellant Samuel Thomas Lorang (father) and respondent Malaree Dawn Perez (mother) are parents of a child born in 2019. The parties were never married and executed a recognition of parentage shortly after child was born. By an order entered in 2021 based on the parties' stipulation for custody, parenting time, and child support (the 2021 stipulated order), the district court ordered joint legal custody and awarded mother sole physical custody until child turned five, after which physical custody would be subject to de novo review. The 2021 stipulated order further provided that "[m]other and [f]ather shall ensure the minor child receives those vaccinations and inoculations as necessary for him to be enrolled in day care or school."

In 2025, after child had turned five years old, father filed a motion requesting joint physical custody and other relief related to custody and parenting time. Relevant here, father requested an order requiring that child "receive all vaccinations recommended by his physician," which father contended was required by the 2021 stipulated order. Father alleged in a supporting affidavit that mother was not allowing child to be vaccinated and had obtained a vaccination exemption from child's school. Mother responded to father's motion and argued that she did not want child vaccinated because of her concerns about vaccine safety. Mother provided the district court with a notarized statement (the vaccine

exemption form) attesting that child had not received school and childcare required vaccinations because of her conscientiously held beliefs. *See* Minn. Stat. § 121A.15, subd. 3(d) (2024) (providing that a parent or guardian may submit a notarized statement to their minor child’s school stating that child has not received school-required immunizations because of conscientiously held beliefs of the parent or guardian).

Following a hearing, father filed additional information at the district court’s request related to immunization requirements for school-age children. Father also argued that, because the parties have joint legal custody, the court’s decision on vaccines must be based on child’s best interests.

The district court denied father’s motion for an order directing that child receive physician-recommended vaccinations. The district court determined that the 2021 stipulated order required only that the child receive the vaccines necessary to attend school or childcare and, because mother had executed the vaccine exemption form based on her conscientiously held beliefs, vaccines are not necessary for child to attend school. As to father’s argument that the vaccine exemption form allows mother to unilaterally decide an issue implicating joint legal custody—whether child should receive recommended vaccinations—the district court reasoned that, “if the [c]ourt mandates the vaccinations, the [c]ourt is invading [m]other’s joint legal custody status and gives [f]ather unilateral choice.” Noting that “[t]here is no clear tie breaker between [the] parties,” the district court ordered that child may attend school without receiving vaccinations and that both parties must sign the vaccine exemption form.

Father appeals.¹

DECISION

Father challenges the district court's decision on child's vaccines, raising three arguments that we have partially reordered for ease of discussion. First, father argues that the district court erred in interpreting the vaccine provision in the 2021 stipulated order. Second, father maintains that, even if the 2021 stipulated order is not dispositive to the parties' current dispute, the district court abused its discretion because it failed to consider the best interests of child. And third, father argues that the district court improperly compelled him to sign the vaccine exemption form stating that he holds a conscientious objection to vaccinations, a position that is contrary to his beliefs. We address these arguments in turn.

The 2021 Stipulated Order

Father argues that the district court erred as a matter of law in determining that the 2021 stipulated order does not require child to be vaccinated. "We treat a stipulated order as a contract for purposes of construction." *Wolfv. Oestreich*, 956 N.W.2d 248, 253 (Minn. App. 2021), *rev. denied* (Minn. May 18, 2021). We review *de novo* whether a stipulated order is ambiguous because its language is susceptible to more than one reasonable interpretation. *Id.* If a stipulated order is unambiguous, we must apply its plain meaning. *Id.*

¹ Mother did not file a brief in this court. This court ordered the appeal to proceed pursuant to Minnesota Rule of Civil Appellate Procedure 142.03, which provides that, if the respondent does not file and serve a brief, "the case shall be determined on the merits."

The 2021 stipulated order states: “[m]other and [f]ather shall ensure the minor child receives those vaccinations and inoculations as necessary for him to be enrolled in day care or school.” Father maintains that this language requires that child receive all physician-recommended vaccinations. We disagree. The unambiguous language of the 2021 stipulated order requires that child receive “*those* vaccinations and inoculations *as necessary* for him to be enrolled in day care or school.” (Emphasis added.) These terms plainly limit the required vaccinations to those that are “necessary” for child “to be enrolled” in school or day care. As the district court determined, vaccinations are not currently necessary in order for child to be enrolled in school because mother—who has joint legal custody of child—executed the vaccine exemption form pursuant to Minn. Stat. § 121A.15, subd. 3(d).

Father maintains that his understanding at the time he agreed to the terms in the 2021 stipulated order was that child would receive all vaccinations. But when language in a stipulated order is unambiguous, “we apply its plain meaning.” *Wolf*, 956 N.W.2d at 253. We therefore conclude that the district court did not err in its interpretation of the 2021 stipulated order’s vaccination provision.

The Best-Interests Analysis

Father argues, alternatively, the district court abused its discretion by deciding the disputed issue of child’s vaccinations without analyzing child’s best interests. A district court has broad discretion when deciding matters of custody. *Hansen v. Todnem*, 908 N.W.2d 592, 596 (Minn. 2018). A district court abuses its discretion by making factual findings unsupported by the evidence or by misapplying the law. *Id.*

When, as here, parents share legal custody, they have “equal rights and responsibilities” regarding the child’s upbringing, including healthcare. Minn. Stat. § 518.003, subd. 3(b) (2024). In determining custody issues, the district court must consider the best interests of the child. Minn. Stat. § 518.17, subd. 1 (2024). This requirement applies equally to “resolutions of specific issues of custodial care.” *Novak v. Novak*, 446 N.W.2d 422, 424 (Minn. App. 1989), *rev. denied* (Minn. Dec. 1, 1989).

In *Novak*, parents sharing joint legal custody disagreed about their child’s schooling—the mother wanted to homeschool the child and the father wanted the child to attend public school. *Id.* at 423. We remanded the matter and directed the district court to resolve the dispute based on the child’s best interests. *Id.* at 425. In a nonprecedential but persuasive opinion, we followed *Novak* and concluded that the district court abused its discretion by deciding a disagreement between parents with joint legal custody about their child’s vaccinations without addressing or making findings on the child’s best interests. *Nieber v. Nieber*, No. A20-0616, 2021 WL 1525184, at *1-3 (Minn. App. Apr. 19, 2021).²

Here, the parties disagree about the child’s vaccinations, an issue related to child’s healthcare on which the parties have “equal rights and responsibilities” as joint legal custodians. Minn. Stat. § 518.003, subd. 3(b). After determining that the 2021 stipulated order did not resolve the dispute, the district court decided the vaccination issue in accordance with mother’s preferences, without considering the child’s best interests. In so doing, the district court abused its discretion. *See* Minn. Stat. § 518.17, subd. 1; *Novak*,

² *See* Minn. R. Civ. App. 136.01, subd. 1(c) (providing that a nonprecedential opinion may be cited for its persuasive value).

446 N.W.2d at 424; *Nieber*, 2021 WL 1525184, at *1-2. Accordingly, we reverse the vaccination order and remand for the district court to consider the child’s best interests in resolving the parties’ dispute on whether child should receive physician-recommended vaccinations.

The Vaccine Exemption Form

Lastly, father argues that the district court abused its discretion and exceeded its authority by ordering him to sign the vaccination exemption form stating that child is exempt from school-required vaccinations because of his conscientiously held beliefs. Father contends that he “does not hold any such belief against vaccinations,” and that “the [c]ourt does not have the authority to order a party to sign and swear to something that is untrue.”

Because we are reversing the vaccination order and remanding for the district court to consider child’s best interests, we do not decide whether the district court erred. But we recognize father’s concern that, by being ordered to sign the vaccine exemption form, he is being compelled to express views with which he disagrees. We also note that the record does not indicate that mother requested an order directing father to sign the vaccine exemption form and that the vaccine exemption form, and the statute on which it is based, do not require the notarized signature of both parents or guardians. *See* Minn. Stat. § 121A.15, subd. 3(d) (providing that a child is exempt from school immunization requirements if “a notarized statement signed by the minor child’s parent or guardian” is submitted to the school stating that child has not been immunized “because of the

conscientiously held beliefs of the parent or guardian of the minor child”). We trust that the district court on remand will be mindful of these issues.

Affirmed in part, reversed in part, and remanded.