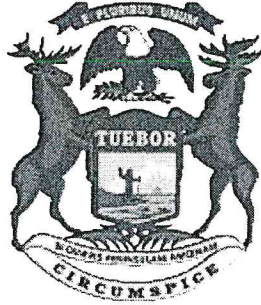


Circuit Judge
Ronald J Schafer
Suzanne Hoseth Kreeger
Montcalm County

THE CIRCUIT COURT
FOR



The Eighth Judicial

Circuit of Michigan

Office Of
Monica J Tissue-Daws
Friend of the Court/Referee
PO Box 305
Stanton, Michigan 48888
Phone (989) 831-7332
Fax (989) 831-7376

MOTION REGARDING PARENTING TIME

Use this form if:

- You have a pending case for divorce, separate maintenance, family support or paternity; or
- You have a judgment of divorce, separate maintenance, family support order or an order of filiation but parenting time was not included; or
- You already have parenting time orders in your judgment of divorce, separate maintenance, family support order or your order of filiation and you want the Court to either order parenting time or change parenting time.

PLEASE NOTE:

By filling in this motion and using the instructions, you are representing yourself in a court action (In Pro Per) regarding parenting time and stating you do not have legal representation.

IF YOU HAVE RETAINED AN ATTORNEY (FOR ANY REASON), YOU CANNOT FILE THIS MOTION ON YOUR OWN. YOU MUST CONTACT YOUR ATTORNEY AND HAVE HIM/HER DO THE NECESSARY FILING.

FILING A MOTION FOR PARENTING TIME:

1. You must complete the **original** form in blue/black ink. Check that **Plaintiff/Defendant** are correct. Also, that the motion is dated and signed.
2. Unless otherwise indigent before motions can be scheduled, the filing fee **MUST** be paid in full. For pre-judgment cases the filing fee is **\$20.00**. For post-judgment cases the filing fee is **\$100.00**. **CASHIER'S CHECK OR MONEY ORDERS ONLY PAYABLE TO THE "COUNTY CLERK," NOT THE FOC. NO PERSONAL CHECKS OR CASH WILL BE ACCEPTED.**
3. The **ORIGINAL** document and fees **MUST** be turned in to the FOC Office. The FOC will file the motion with the Clerk's Office and sent out notice of hearing to all parties.

INFORMATION ABOUT ATTENDING THE HEARING:

1. Since you are representing yourself, you are expected to conduct yourself as an attorney would and to follow the same general rules as an attorney would. Bring all supporting documents and any witnesses who are willing to testify.
2. Make a list of information you feel is important for the Referee to know. The information should be related to the reasons stated in your motion. You can use this list as a reminder to bring up the points you feel are important.
3. If you feel you need to order someone to attend this hearing, follow the procedure in Michigan Court Rule 2.506 or consult with an attorney.
4. Go to the FOC hearing room on the scheduled day and time. Check in at the window upon arrival. Dress neatly and arrive 10 to 15 minutes early. Bring any witnesses with you. Have a seat in the waiting room until your case is called.
5. When your case is called, be prepared to clearly state the following:
 - a. Your name;
 - b. That you are representing yourself;
 - c. That you are requesting a parenting time order or a change in a parenting time order;
 - d. The facts or reason(s) for your request (**bring documents, such as reports, that support your facts or reasons**);
 - e. Why you believe this order would be in the best interests of the child(ren);
 - f. Whether you have witnesses in court who are willing to testify.
 - g. Answer the Referee's questions clearly and directly.
 - h. If the Referee wants to hear from the other witnesses, ask them to tell the Court what they saw or know regarding your situation.
6. If the other party is in court, he or she will have a chance to speak also. When the other party talks, take notes. **DO NOT INTERRUPT THE OTHER PARTY.** After the other party speaks, you will have another chance to talk. Taking notes will help you with this.
7. After the Referee makes the recommendation, that recommendation will be put into the form of an order and signed by the Judge on your case. The order will be filed with the Clerk's Office and a copy will be mailed to both parties.

NOTE: If you do not agree with the Referee's recommendation, you have 21 days from the date the order is mailed to you to file an objection by requesting a De Novo review hearing before the Judge assigned to your case. The De Novo form can be picked up at the FOC Office or on our county website.

INSTRUCTIONS FOR COMPLETING "MOTION REGARDING PARENTING TIME"

PLEASE PRINT NEATLY.

Items A through H must be completed before your motion can be filed with the Court. Please read the instructions for each item, then fill in the correct information for that item on the form.

- A.** Fill in your case/docket number on your case. The case/docket number is listed on your court papers.
- B.** Also, use your court papers to fill in the “**PLAINTIFF**” and “**DEFENDANT**” boxes and if applicable, the “**THIRD PARTY**” box. Copy the names from your court papers onto this form. For example, if your name is in the box that says “**PLAINTIFF**,” then you should write your name in the “**PLAINTIFF**” box on this motion form.
- C.** **CHECK ONLY ONE BOX.** If you have a judgment or order for divorce, separate maintenance, family support order or order of filiation, read it carefully to find out if there is any information in it about parenting time. If there is information about parenting time, check box “**a**”. If there is no information about parenting time, check box “**b**”.
- D.** Check this box only if you checked box “**a**” in Section C above and the parenting time orders have not been obeyed, then check boxes **a** through **d** that best explain what has happened. After you check the boxes, use a separate sheet of paper to explain in as much detail as possible what has happened. Print this information as neatly as you can.
- E.** Check this box if you and the other party have agreed to start parenting time or make changes in the parenting time. If you check this box, use a separate sheet of paper to explain in as much detail as possible what you have agreed upon. Print this information as neatly as you can.
- F.** Check the box which best states what you are asking the Court to order. You need to explain why you think it is in the best interests of the child(ren) for the Court to order this request. Use a separate sheet of paper and print your explanation as neatly as you can.
- G.** Check the box that best explains what you want the Court to order. You need to explain in as much detail as possible what you want the Court to order. Use a separate sheet of paper and print as neatly as you can.
- H.** Write in today’s date and sign your name.

DO NOT COMPLETE ANYTHING BELOW YOUR SIGNATURE. THE FOC OFFICE WILL COMPLETE THE NOTICE OF HEARING AND CERTIFICATE OF MAILING.

Approved, SCAO

Original - Court
1st copy - Other party
2nd copy - Moving party

3rd copy - Friend of the court
4th copy - Proof of service
5th copy - Proof of service

STATE OF MICHIGAN
8TH JUDICIAL CIRCUIT
MONTCALM COUNTY

MOTION REGARDING PARENTING TIME

(A)

CASE NO.

Court address

FRIEND OF THE COURT, 629 N. STATE ST., PO BOX 305, STANTON, MI

Court telephone no.

(989) 831-7332

(B) Plaintiff's name, address, and telephone no. <input type="checkbox"/> moving party	v	Defendant's name, address, and telephone no. <input type="checkbox"/> moving party
Third party name, address, and telephone no. <input type="checkbox"/> moving party		(C) 1. <input type="checkbox"/> a. On _____ a judgment Date or order was entered regarding parenting time. <input type="checkbox"/> b. There is currently no order regarding parenting time.

(D) ☐ 3. _____ has disobeyed the parenting-time order as follows:
Name
☐ a. he/she has denied me parenting time with the child(ren) as follows:
☐ b. he/she has not had parenting time with the child(ren) as follows:
☐ c. he/she has made changes in parenting time without court order as follows:
☐ d. he/she has not followed the specific conditions of parenting time as follows:
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

(E) ☐ 4. _____ and I have agreed to parenting time as follows:
Name
Use a separate sheet to explain in detail what you have agreed on and attach. Include all necessary facts.

(F) 5. It is in the best interests of the child(ren) to ☐ establish parenting time ☐ change parenting time because:
Use a separate sheet to explain why it is in the best interests of the child(ren) and attach.

(G) 6. I ask the court to order that parenting time be ☐ established ☐ changed ☐ made up as follows:
Use a separate sheet to explain in detail what you want the court to order and attach.

(H) _____
Date /s/ _____
Moving party's signature

NOTICE OF HEARING

(I) A hearing will be held on this motion before MONICA TISSUE-DAWS/REFEREE P54434
Judge/Referee Bar no.
on _____ at _____ at FRIEND OF THE COURT, 629 N STATE ST, STANTON, MI
Date Time Location

If you require special accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements. When contacting the court, provide your case number(s).

Note: If you are the person receiving this motion, you may file a response. Contact the friend of the court office and request form FOC 66.

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this motion and a notice of hearing on the parties or their attorneys by first-class mail addressed to their last-known addresses.

(J) _____
Date

Friend of the Court Representative

STATE OF MICHIGAN 8TH JUDICIAL CIRCUIT COURT MONTCALM COUNTY	MOTION REGARDING PARENTING TIME	CASE NO.
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Friend of the Court, 629 N. State St., PO Box 305, Stanton, MI 48888

ph. (989) 831-7332

Plaintiff's name
Third-party's name

Defendant's name

D. Continued from Page 1.

E. Continued from Page 1.

F. Continued from Page 1.

G. Continued from Page 1.