

Sanilac County Friend of the Court

60 West Sanilac Avenue, Room 110

P.O. Box 187

Sandusky, MI 48471

(810) 648-4866; fax (810) 648-3020

MOTION REGARDING PARENTING TIME CHECKLIST

Use the following checklist to make sure you have done all the steps that are needed.

DID YOU . . .

- 1) Fill out all requested information on the form?
- 2) Make a copy of yourself?
- 3) Pay the motion fee to the clerk? (cash or money orders only)

If you cannot answer “yes” to all the above steps, a hearing on your motion may be delayed.

By using this form packet you are representing yourself in a court action regarding parenting time. In order to receive the action you seek, you must follow the instructions in this packet. If you fail to do even one of the required steps, the order you get from the court may not give you the relief you want.

**INSTRUCTIONS FOR COMPLETING
“MOTION REGARDING PARENTING TIME”**

Please print neatly. Use blue or black ink only. If the motion is not legible, it will be returned. The print must be no smaller than 12-point type (MCR 1.109). You may not use any type of correction tape or correction fluid.

Items A through H must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A) Before you fill in the Case No., get your court papers for divorce, separate maintenance, paternity or family support and copy the Case No. from those court papers onto this form.
- 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 the 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, paternity, or family support, 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 these boxes only if you checked box a. in “C” above. Read your court papers for divorce, separate maintenance, paternity, or family support.
- E) Complete section “E” if there is an agreement between the parties regarding parenting time. If you need more space, use a separate sheet of paper and attach to your motion. Print this information as neatly as you can. The paper must be 8 ½ X 11 inch paper (MCR 1.109).
- 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.** If you need more space, use a separate sheet of paper and attach to your motion. Print this information as neatly as you can. The paper must be 8 ½ X 11 inch paper (MCR 1.109).
- 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.** If you need more space, use a separate sheet of paper and attach to your motion. Print this information as neatly as you can. The paper must be 8 ½ X 11 inch paper (MCR 1.109).
- H) Date and sign this document before returning to the Sanilac County Clerk’s Office for filing.

*****INFORMATION ABOUT ATTENDING THE HEARING*****

Bring the Motion Regarding Parenting Time with you to the hearing. Also bring all supporting papers you have and any witnesses who are willing to testify.

- 1) Because you are representing yourself, you are expected to conduct yourself as an attorney would and to follow the Michigan Rules of Evidence and Court Rules as an attorney would.
- 2) Make a list of information you think is important for the referee to know. The information should relate to the reasons stated in your motion. You can use this list as a reminder to bring up the points you think are important.
- 3) If you think 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 referee hearing on the scheduled day and time. Dress neatly. Arrive 10 to 15 minutes early. Bring any witnesses with you.

- 5) When your case is called, be prepared to state:
 - a) Your name.
 - b) That you are representing yourself.
 - c) That you need a parenting time order or a change in a parenting time order.
 - d) The facts or reasons for your request (**bring papers 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.
- 6) Answer the referee's questions clearly and directly. If the referee wants to hear from the other witnesses, ask them to tell the court what they saw or know regarding your situation.
- 7) 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.
- 8) Do not bring any children to the referee hearing as the court does not provide child care services, and a clear, concise record of the hearing must be made.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION REGARDING PARENTING TIME	(A) CASE NO.
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Court address Court telephone no.

(B) Plaintiff's name, address, and telephone no. moving party

Third party name, address, and telephone no. moving party

v

Defendant's name, address, and telephone no. moving party

(C) 1. a. On _____ a judgment
Date
or order was entered regarding parenting time.
 b. There is currently no order regarding parenting time.

2. Attached is a completed Uniform Child Custody Jurisdiction Enforcement Act Affidavit (MC 416).

(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 Moving party's signature

NOTICE OF HEARING

(I) A hearing will be held on this motion before _____
Judge/Referee Bar no.
on _____ at _____ at _____
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, a Uniform Child Custody Jurisdiction Enforcement Act Affidavit and notice of hearing on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 3.203.

(J) _____
Date Moving party's signature