



# Cass County Friend of the Court

Law & Courts Building, 60296 M-62, Suite 3  
 Cassopolis, MI 49031  
 Phone: (269) 445-4436/Fax: (269) 445-4435  
 Email: [FOC@cassco.org](mailto:FOC@cassco.org)

“Cass County is an equal opportunity provider and employer”

## FRIEND OF THE COURT STAFF AND LEGAL ADVICE

**FOC staff cannot give legal advice because that would be considered the unauthorized practice of law. FOC staff cannot take sides in disputes between parties because that violates concepts of neutrality and impartiality which are imposed on all Court staff.**

<u>FOC STAFF CAN PROVIDE:</u>	<u>FOC STAFF CANNOT PROVIDE:</u>
<p><b>Legal definitions</b></p> <p>Example: What is physical custody?</p> <p>Response: FOC staff can tell you that physical custody is who the child resides with and explain that physical custody can be sole (with one parent) or joint (with both parents).</p>	<p>Legal interpretations</p> <p>Example: My wife and I agree on equal time with the kids. Should we do joint physical custody?</p> <p>Response: FOC staff cannot make legal interpretations and cannot give legal advice. You should consult with an attorney for legal advice.</p>
<p><b>Procedural definitions and explanations</b></p> <p>Example: What happens at a hearing in front of the attorney referee?</p> <p>Response: FOC staff can tell you that the attorney referee initially determines if the parties agree on what is going to happen or if an evidentiary hearing is needed in order for each side to present evidence so that the attorney referee can make a decision about what should happen—then if either side is unhappy with what the attorney referee decides, he/she can request another hearing (called a de novo hearing) in front of the judge.</p>	<p>Procedural advice</p> <p>Example: Should I file a motion and ask for a hearing in front of the attorney referee.</p> <p>Response: FOC staff cannot tell you if you should file a motion and ask for a hearing in front of the attorney referee because FOC staff cannot give you legal advice. You should consult with an attorney for legal advice.</p>
<p><b>Citations of statutes, court rules, and ordinances</b></p> <p>Example: Can I get my divorce done in one month since we don't have kids?</p> <p>Response: FOC staff can tell you that the statutes and court rules require a 60 day minimum waiting period before a divorce can be finalized.</p>	<p>Research of statutes, court rules and ordinances</p> <p>Example: Please provide me with all of the laws related to the divorce waiting period.</p> <p>Response: FOC staff are not allowed to do legal research for you.</p>

**Cass County Friend of the Court: Serving and empowering families to make children's lives better**



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<b><u>FOC STAFF CAN PROVIDE:</u></b>	<b><u>FOC STAFF CANNOT PROVIDE:</u></b>
<p><b>Public case information</b></p> <p>Example: Has my wife filed for divorce?</p> <p>Response: FOC staff can tell you whether the public court records show that your wife filed for divorce.</p>	<p>Confidential case information</p> <p>Example: Has an adoption been filed for my neighbor’s children?</p> <p>Response: Adoption information is confidential. FOC staff cannot provide confidential case information.</p>
<p><b>General information on court operations</b></p> <p>Example: How long will it take to get a hearing date?</p> <p>Response: FOC staff can tell you how long it generally takes to get a hearing date.</p>	<p>Confidential or restricted information on court operations</p> <p>Example: How do I make sure Judge “so and so” doesn’t hear my case?</p> <p>Response: FOC staff cannot provide confidential or restricted information on court operations and since Judges are randomly assigned, FOC staff have no control over judge assignments.</p>
<p><b>Options</b></p> <p>Example: How can I stop the other parent from denying me parenting time?</p> <p>Response: FOC staff can tell you options for dealing with denial of parenting time ranging from making a parenting time complaint and asking for FOC assistance through the filing of a show cause motion or mediation or advising the party that he or she can file their own show cause motion with the Court.</p>	<p>Opinions</p> <p>Example: Has the other parent violated the Court’s order?</p> <p>Response: FOC staff can direct you to look at what your Court order says; however, the FOC staff cannot give you an opinion as to whether or not the other party is violating your Court order. You should talk to an attorney if you need a legal opinion.</p>
<p><b>General referrals</b></p> <p>Example: I can’t afford an attorney, can you give me the number for the local legal aid office?</p> <p>Response: FOC staff can provide you with the telephone number for the local legal aid.</p>	<p>Subjective or biased referrals</p> <p>Example: Can you give me the name of a good divorce lawyer?</p> <p>Response: FOC staff cannot refer you to a specific attorney; however, FOC staff can direct you to the yellow pages or lawyer referral services within the state.</p>

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<b><u>FOC STAFF CAN PROVIDE:</u></b>	<b><u>FOC STAFF CANNOT PROVIDE:</u></b>
<p><b>Forms and instructions on how to complete forms</b></p> <p>FOC staff can facilitate access to the court system by providing forms and instructions on how to complete forms.</p>	<p>Complete forms for a party or give advice on what to fill in a form</p> <p>FOC cannot complete forms for you because it violates the principles of neutrality and impartiality.</p> <p>However, if you need help with forms because of language barriers or literacy issues or disability, you can ask for accommodations from FOC staff because of your language barriers, literacy issues or disability.</p>

### **\*\*\*LAWYER REFERRAL SERVICE AND LEGAL AID\*\*\***

#### **Lawyer Referral Service: 1-800-968-0738**

The State Bar of Michigan Lawyer Referral and Information Service (LRIS) is designed to assist members of the public who want to hire an attorney and can afford to pay for legal services.

Calls are answered between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. When you call, you will be asked to provide your name and address, the general nature of your concern, and the county in which you need assistance. A lawyer referral representative will give you the name and telephone number of one attorney (only 1 referral will be provided per call or request) who is a LRIS panel member. Referrals are made to panel members on an impartial, rotation basis. You will be advised if there is a cost for your consultation with the attorney you have been referred to.

#### **Legal Aid of Western Michigan: 1-888-783-8190**

Legal Aid of Western Michigan’s Kalamazoo Office serves Cass County, Michigan. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday. The office is closed for lunch from 12:00 p.m. to 1:00 p.m. each day. Attorneys in the office see clients by appointment only.

Low income persons and Seniors in Cass County should call the toll-free intake number. The phone lines are open Monday, Tuesday, Thursday from 9:00 a.m. to 4:00 p.m. and on Wednesday from 12:00 p.m. to 6:00 p.m.

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