

Cass County Friend of the Court Parenting Time Guideline

Effective May 3, 2021

PARENTS SHOULD BE DECISION MAKERS FOR THEIR CHILDREN

Parents are the best people to make decisions about parenting time details. Even if the parents' relationship has ended, they will always be "Dad" and "Mom" to their children.

THERE IS NO ONE-SIZE FITS ALL APPROACH FOR PARENTS SHARING TIME WITH THEIR CHILDREN

WORKING TOGETHER MAY BE UNCOMFORTABLE AT FIRST—IT CAN BE DONE

- Work with the other parent to develop your own unique parenting time plan that meets your family's unique needs.
- While children need a "voice," as they grow older, parents must be parents—children need time with BOTH parents.
- Courts handle many cases—parents know more about their own family and can be more creative.
- Be flexible and adapt your parenting time schedule as things change—children grow up and what once worked, doesn't work forever.

There are times when parents may not be able to work together:

- Domestic violence, criminal misconduct, or serious mental health issues
- When one parent is completely absent from the children's lives

RESOURCES FOR PARENTS

Virtual FOC Orientation/SMILE Program

- The FOC sends a link to parties with new cases to complete this program
- If you have an older case and would like the link, email foc@cassco.org.

SCAO Michigan Parenting Time Guideline

- Link: [MI Parenting Time Guideline](#)

Michigan Legal Help

Legal resource for people without attorneys

- Website: <https://michiganlegalhelp.org/>
- Link: [I-Need-a-Custody-Order Resource](#)
- Link: [Do-It-Yourself Custody Case \(unmarried\)](#)
- Link: [Divorce-with-Children Toolkit](#)
- Link: [Motion to Change Parenting Time](#)

THIS PARENTING TIME GUIDELINE IS A LIVING DOCUMENT

This document is a "living" document and will be updated over time. There are prior "Parenting Time Guidelines." If parents can't agree about the "Parenting Time Guideline":

- Parents should read their Order and decide which "Parenting Time Guideline" they want to use.
- If the FOC gets involved, the FOC will direct parties to use the "Parenting Time Guideline" currently in effect. If parties disagree, parties are always free to go to Court to ask for help.

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HOW CAN PARENTS FIGURE THINGS OUT REGARDING THEIR CHILDREN?

1. Parents can get together in a neutral setting and make agreements
2. Parents can work with a mediator (a neutral 3rd party) who helps the parents make agreements
3. Parents can attend a Resolution Conference with FOC staff
4. Parents can hire attorneys and the attorneys help the parents
5. Parents, with or without attorneys, can go to Court and the Court will decide what happens
6. Once there is a Court order, parents can work with a Parenting Time Enforcement Specialist in the FOC if problems arise

Agreements can be reached in person, via Zoom, via telephone, etc.

Agreements must be in writing and approved by the Court by a Court Order to get enforced.

Good agreements are ones everyone can “live with” and may involve compromise.

If the Court decides a case, the decisionmaker knows less than the parents.

ACCESS TO CHILDREN’S RECORDS

Most times, both parents are given a right to access records or information concerning children.

This includes children’s medical, dental, school, and day care provider records, as well as notification of meetings regarding a child’s education. See MCL 722.30.

LEGAL CUSTODY

Legal custody means the right to make major decisions about raising a child including decisions about a child’s medical care, school, religion, and other things. A parent with sole legal custody makes these decisions alone. Parents with joint legal custody make these decisions together.

PHYSICAL CUSTODY

Physical custody means who the child lives with. The court may grant joint physical custody, meaning the child lives with each parent some of the time. Or, the court may grant sole physical custody, meaning the child lives with only one parent. Normally, if a parent has sole physical custody, the other parent has regular parenting time (sometimes called visitation).

PARENTING TIME

Children have the right to spend time with both parents unless a Judge or Attorney Referee finds there is clear and convincing evidence that it would be a danger to the child's physical, mental, or emotional health. The court will normally order parenting time if either parent asks for it. If one parent is awarded sole physical custody, the other parent will probably have regular parenting time with the child. If the parents have joint physical custody, the parenting time schedule determines the schedule.

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CHILD SUPPORT

Children have a legal right to support from their parents and parents have a legal duty to provide that support until a child turns 18 (or up to 19 ½ if still attending high school full time and working towards a diploma) unless otherwise agreed upon by the parties. In Michigan, the Court cannot order parents to pay for college or other education after high school; however, parents can reach their own agreements about whether or how they will pay for their child's college or education after high school.

The number of overnights for parenting time is one factor used in a formula along with incomes and other costs to set child support. You can use the [MiChildSupport Calculator](#) to find out how much you might pay in child support or the Cass County FOC or your attorney can calculate child support.

HOW DO PARENTS DEVELOP A PARENTING TIME PLAN?

Developing a parenting time plan can be a lot of work. A parenting time plan that puts the child first and is tailored to your family's needs usually works best. Don't focus on what others have done. Your family is your own. What works for one family may not work for another family. Families are all different.

Parents should think about parenting time in manageable chunks. Some helpful questions might be:

- What will happen during the week?
- What will happen on the weekends?
- How will children get to school/childcare and home from school/childcare?
- What will happen when school/childcare is not in session or available?
- Is childcare needed?
- Who will provide transportation?
- How will holidays be shared?
- The parents' schedules including working hours or time focused on other commitments
- The children's schedules
- The children's ages
- The children's activities
- The children's relationships with others (siblings, family, friends, etc.)
- What happens when children are sick?

Parents are in the best position to brainstorm ideas to ensure the children get to spend quality time with each parent. Parents are encouraged to be flexible and creative in developing parenting time plans.

Parenting time plans don't have to be set in stone. Things change—all the time. The parenting time plans on the next few pages are just ideas—they are not meant to suggest that parents cannot come up with their own unique plans. The best plans are created by the family.

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WEEK ON, WEEK OFF PARENTING TIME

This schedule is easy for parents and children to remember. It also provides families with only one exchange point each week.

Some families choose to add an optional mid-week visit to this schedule for the parent who doesn't have parenting time for a meal or short visit, typically 2-4 hours in length.

Overnights with Parent A: 182.5

Overnights with Parent B: 182.5

The exchange times, unless specified differently by the parties, are at 6 pm.
(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

2/2/5/5 PARENTING TIME

This type of schedule may work better for older children; it is a variation of the week on week off schedule.

Week 1

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A

Week 2

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent B				

Rotating thereafter.

Overnights with Parent A: 182.5

Overnights with Parent B: 182.5

The exchange times, unless specified differently by the parties, are at 6 pm.
(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

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2/2/3 PARENTING TIME

This type of schedule may work better for younger children so there is frequent contact with both parents. It also provides a full weekend for each parent with the children. The family never goes more than 2 days without seeing each other.

Week 1

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A

Week 2

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B

Rotating thereafter.

Overnights with Parent A: 182.5

Overnights with Parent B: 182.5

The exchange times, unless specified differently by the parties, are at 6 pm.

(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

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EXTENDED REASONABLE PARENTING TIME

This schedule works best for families where the children live primarily with one parent while also providing the other parent with extended overnight parenting time.

Families share parenting time as follows (another variation is starting this schedule for Week 1 on Thursday and ending on Monday of Week 2, with the 3-hour visit during Week 2 being on Thursday):

Week 1

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent A then Parent B overnight	Parent B	Parent B	Parent B	Parent B then Parent A overnight

Week 2

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent A then Parent B for 3-hour evening visit then Parent A	Parent A	Parent A	Parent A	Parent A

Rotating thereafter.

Overnights with Parent A: 239

Overnights with Parent B: 126

The exchange times, unless specified differently by the parties, are at 6 pm.
(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

The 3-hour visit, unless specified differently by the parties, is from 5:30-8:30 pm.

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REASONABLE RIGHTS OF PARENTING TIME

This schedule works best for families where the children live primarily with one parent while also providing the other parent with regular parenting time.

Families share parenting time as follows:

Week 1

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent A then Parent B for 3-hour evening visit then Parent A	Parent A	Parent A then Parent B overnight	Parent B	Parent B then Parent A overnight

Week 2

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Parent A	Parent A	Parent A then Parent B for 3-hour evening visit then Parent A	Parent A	Parent A	Parent A	Parent A

Rotating thereafter.

Overnights with Parent A: 275

Overnights with Parent B: 90

The exchange times, unless specified differently by the parties, are at 6 pm.

(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

The 3-hour visit, unless specified differently by the parties, is from 5:30-8:30 pm.

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LONG DISTANCE PARENTING TIME FOR PARTIES LIVING MORE THAN 200 MILES APART (IN TRAVEL MILES)

Alternative C below will be applied by the FOC unless the parties agree or the Court orders otherwise, for parents living more than 200 miles apart, regardless of the age of a child. Parents should consider the Alternatives below to adopt “as is” or fashion their own plan that meets the family’s needs. Parents may want to look at school holidays and days off as ways to set up extended parenting time.

Alternative A

Parent B living 200+ miles away from the child(ren):

- 1 weekend per month as agreed and if no agreement then the 3rd weekend of every month, from Friday - Sunday;
- ½ of Christmas Break (see Pages 10 - 11);
- Every Spring Break (see Pages 10 - 11);
- A large part of summer break (see Page 11) except that the exchange at the end of the summer will occur at 6 pm, 14 days prior to school resuming;
- ½ of Holidays (see Page 10);
- Additional parenting time of up to 1 time per month (up to 24 hours total) if visiting parent travels to the child(ren)’s hometown to exercise parenting time there with reasonable advance notice to the other parent.

Alternative B

Parent B living 200+ miles away from the child(ren):

- Up to 3 long weekends during the school year, for up to 4 overnights, with reasonable advance notice to the other parent;
- ½ of Christmas Break (see Pages 10 - 11);
- Every Spring Break (see Pages 10 - 11);
- A large part of Summer break (see Page 11) except that the exchange at the end of the summer will occur at 6 pm, 21 days prior to school resuming;
- ½ of Holidays (see Page 10);
- Additional parenting time of up to 1 time per month (up to 24 hours total) if visiting parent travels to the child(ren)’s hometown to exercise parenting time there with reasonable advance notice to the other parent.

Alternative C

Parent B living 200+ miles away from the child(ren):

- ½ of Christmas Break (see Pages 10 - 11);
- Every Spring Break (see Pages 10 - 11);
- The majority of Summer break (see Page 11) except that the exchange at the end of the summer will occur at 6 pm, 7 days prior to school resuming;
- ½ of Holidays (see Page 10);
- Additional parenting time of up to 1 time per month (up to 24 hours total) if visiting parent travels to the child(ren)’s hometown to exercise parenting time there with reasonable advance notice to the other parent.

Alternatives A, B, & C:

Overnights Parent A: 275

Overnights Parent B: 90

The exchange times, unless specified differently by the parties or the Court order, are at 6 pm.

(Parents should consider if exchanges will occur at childcare, after school, etc. which may impact the agreed upon exchange time)

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TELEPHONE, FACETIME/SKYPE & OTHER CONTACT

Parents with unsupervised parenting time shall have reasonable contact with their children by telephone, Facetime/Skype, or other electronic methods, unless the Court order says differently.

Parents shall receive two weekly phone contacts with their children for a reasonable amount of time of up to 30 minutes on days and times agreed upon by the parties and in the absence of agreement the parent initiating contact may do so every Tuesday and Thursday between the hours of 6:00 pm and 8:00 pm, unless the Court order says differently, with calls promptly returned by the other parent with the child in the event the call is not answered.

When setting up telephone, Facetime/Skype, or other contact, parents should think about:

- The ages and attention spans of the children
- If the children have their own electronic devices
- Whether the children or the parent will reach out for the contact
- Children may want and need the ability to contact the other parent every day
- If a vacation, trip, or outing will interfere with regular contact, the parents should notify each other in advance and work out a different time for the contact to occur
- If phone numbers or other methods of contact change, the parents should let each other know right away so that parents don't have to worry about not being able to reach their children

MOVING YOUR CHILD OUT OF STATE OR FAR AWAY (LEGAL RESIDENCE/DOMICILE)

Parents cannot change the legal residence of their children to outside the state of Michigan without getting approval from the Court **BEFORE moving**.

Parents also have to get permission from the Court **BEFORE moving** more than 100 miles away within the state of Michigan. See MCL §722.31.

If the Court allows a parent to move with children, the moving parent is sometimes is ordered to pay for all the travel costs for the other parent's parenting time.

If parents are in agreement with a parent's move with the children:

- The parents can fill out a Stipulation to Change Legal Residence and turn it in to the FOC
- The FOC will prepare and submit an Order to the Court approving of the move.

If parents do not agree on a move, the parent requesting the move must file a motion and the matter will be set for a hearing with the Court.

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TRANSPORTATION

Parents share transportation with the visiting parent picking up to start parenting time and the other parent picking up at the end, unless the parties agree otherwise, or the Court Order says differently.

If a parent cannot do their own transportation, the parent can have a licensed, insured adult, who is not under the influence of any intoxicant and/or mood-altering substance, provide transportation. The child must be familiar with the adult if the adult will be transporting the child without a parent present.

LONG DISTANCE TRANSPORTATION

Transportation arrangements should be made at least 14 days in advance of long-distance parenting time. If air travel is used, the airline rules for children traveling without an adult must be followed.

There may also be an increased need to share transportation to allow the maximum amount of parenting time to occur "off the road." Unless your Court order says differently, each parent shares the transportation responsibilities to carry out parenting time. If travel occurs by car, many parents choose to meet ½ way at the start and end of parenting time when they live farther apart instead of each parent driving the full distance at pick up or drop off.

If air travel is used, the visiting parent is responsible for payment of the airline ticket (at times agreed upon by the parties) for travel by the child to the visiting parent and the other parent is responsible for payment of the airline ticket (at times agreed upon by the parties) for travel by the child back home at the end of parenting time. Another option is for one parent to purchase an agreed upon round trip ticket (at times and at a price agreed upon by the parties) and then the parties share the costs of that ticket equally with the non-purchasing parent paying the other parent within 14 days or as otherwise agreed by the parents. Unaccompanied minor fees charged by airlines shall be shared by the parties in the same manner as the airline fees themselves. Whoever purchases tickets for a child's travel shall promptly supply the other parent with a copy of the ticket or a travel itinerary.

Extra costs for vacations, spring break, etc., are the sole responsibility of the parent making such plans.

CARSEATS & AIRBAGS

Car seats shall be used as required by law. Each parent is to provide the appropriate car seat. Seat belts shall be used as required by law. Children shall only ride in the front seat of a vehicle as allowed by law and as parents deem safe taking into consideration health and safety guidelines and the vehicle, including presence of air bags. Parents may want to contact the Michigan State Police or other law enforcement to see if car seat safety inspection is available.

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EXCHANGE TIME, PUNCTUALITY, EXCHANGE LOCATION & EXCHANGE BEHAVIOR

- **STICK TO THE EXCHANGE TIMES:** Parents should follow the exchange times in their Court order and if their Court order is silent then they should follow the exchange times in this Guideline unless both parents agree to a change.
- **BE ON TIME:** Parents should be on time for pick up and drop off. A parent who is running late must contact the other parent otherwise the other parent has no obligation to wait beyond the exchange time. In addition, if the parent who is running late is more than 30 minutes late, he/she will need to make mutually agreeable arrangements to pick up the child at a later time from the other parent.
- **EXCHANGE LOCATIONS:** Exchanges will occur at the residence of each parent unless the Court Order specifically states otherwise. Both parents may agree to set a neutral location for exchanges.
- **BEHAVE AT EXCHANGES:** Don't argue with one another, exchange bills, discuss child support issues, discuss parenting time or to behave disrespectfully toward the other parent or anyone else present at the child exchanges. Children are watching and it can be very upsetting to them to see this.

SCHOOL ENROLLMENT AND SUMMER SCHOOL

CHECK WHO HAS LEGAL CUSTODY—THE PARENT(S) WITH LEGAL CUSTODY DECIDE(S) SCHOOL ISSUES.

School enrollment decisions are made by the parent or parents with legal custody, unless otherwise Court ordered.

The parent that enrolls a child in school must include both parents' contact information on all school enrollment forms. Parents will provide each child's school with both parents' names, addresses, phone numbers, and email addresses (if available).

Parents must facilitate children's attendance at summer school sessions that are mandatory and required by the school for a child to be promoted to the next grade level. Upon learning that mandatory summer school is required, a parent must provide the other parent and the FOC with written verification from the school about the mandatory summer school.

Parents are encouraged to be flexible with the parenting time schedule in order to support a child's summer school attendance, even if it is not mandatory, taking into consideration the child's best interests.

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PRIORITY OF HOLIDAYS AND BIRTHDAYS

Holiday parenting time takes priority over regularly scheduled parenting time. Birthday parenting time includes all siblings in the court order. If a child and parent share a birthday, the child's birthday takes priority over the parent's birthday. Court orders control times and dates of exchanges; otherwise parties may agree or use this guideline.

HOLIDAY/SCHOOL BREAK PARENTING TIME

FATHER	MOTHER
ODD NUMBERED YEARS	
<ul style="list-style-type: none"> New Year's Day (9 am 1/1 - 9 am 1/2) Easter (9 am - 7 pm) Spring Break (see dates/times Page 12) Father's Day (9 am - 7 pm) July 4th (9 am 7/4 - 9 am 7/5) Halloween (9 am - 7 pm) (except school hours) Christmas Eve (9 am 12/24 - 9 am 12/25) New Year's Eve (9 am 12/31 - 9 am 1/1) Children's birthdays (9 am - 7 pm) 1st half of Christmas Break 2nd half of Summer Break Father's birthday (9 am - 7 pm) 	<ul style="list-style-type: none"> Mother's Day (9 am - 7 pm) Memorial Day (6 pm day prior - 6pm day of) Labor Day (6pm day prior - 6 pm day of) Thanksgiving (9 am day of - 6 pm day after) Christmas Day (9 am 12/25 - 9 am 12/26) 2nd half of Christmas Break 1st half of Summer Break Mother's birthday (9 am - 7 pm)

HOLIDAY/SCHOOL BREAK PARENTING TIME

FATHER	MOTHER
EVEN NUMBERED YEARS	
<ul style="list-style-type: none"> Memorial Day (6 pm day prior - 6pm day of) Father's Day (9 am - 7 pm) Labor Day (6pm day prior - 6 pm day of) Thanksgiving (9 am day of - 6 pm day after) Christmas Day (9 am 12/25 - 9 am 12/26) 2nd half of Christmas Break 1st half of Summer Break Father's birthday (9 am - 7 pm) 	<ul style="list-style-type: none"> New Year's Day (9 am 1/1 - 9 am 1/2) Easter (9 am - 7 pm) Spring Break (see dates/times Page 12) Mother's Day (9 am - 7 pm) July 4th (9 am 7/4 - 9 am 7/5) Halloween (9 am - 7 pm) (except school hours) Christmas Eve (9 am 12/24 - 9 am 12/25) New Year's Eve (9 am 12/31 - 9 am 1/1) Children's birthdays (9 am - 7 pm) 1st half of Christmas Break 2nd half of Summer Break Mother's birthday (9 am - 7 pm)

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CHRISTMAS BREAK & SPRING BREAK

Spring break and Christmas break start at 6 pm on the day school lets out for the break and end at 6 pm on the day before school starts again after the break in the school district where the child resides. This is regardless of the age of each child. For example, if Spring break is the week of Monday, April 5th, and the last day of school before Spring break is Friday, April 2nd, Spring break starts for purposes of this guideline at 6 pm on Friday, April 2nd. For example, if Christmas break is the week of December 21st, and the last day of school before Christmas break is Friday, December 18th, Christmas break starts for purposes of this guideline at 6 pm on Friday, December 18th.

If parties share Christmas Break parenting time according to this guideline, then each parent has the child for one-half of the break (with parents also getting their holiday parenting time of Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day unless the Court order says otherwise or the parties agree otherwise). If parents are unable to agree upon a midpoint exchange day/time during Christmas Break, then both parties can email the FOC at foc@cassco.org and request the FOC to calculate the exchange day and provide the FOC with the date school lets out and the date school resumes and the FOC will do the calculation and provide it back to both parties via email within 3 business days.

SUMMER BREAK

Alternative 1 below will be applied by the FOC for parents living less than 200 miles apart unless otherwise agreed by the parties or ordered by the Court, for summer break parenting time, regardless of the age of the child so that each parent has half of the child(ren)'s summer break. Parents should consider the Alternatives below to adopt "as is" or fashion their own plan that meets the family's needs. For parents living 200 or more miles apart, see Page 7.

For parents living less than 200 miles apart, Summer break starts at 6 pm on the Sunday after the last day of school and ends at 6 pm on the Sunday prior to the first day of school, in the school district where the child resides even if the child is not school age.

- Alternative 1: Alternate week ("week on/week off") parenting time, with the parties exchanging the children at 6:00 pm on Sundays.
- Alternative 2: Alternating 14 days periods ("two weeks on/two weeks off") of parenting time, with the parties exchanging the children at 6:00 pm on Sundays.
- Alternative 3: Parents split summer in half with or without alternate weekend parenting time from Friday evening at 6 pm until Sunday evening at 6 pm.

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CHILDREN'S ACTIVITIES

Neither parent may enroll children in an activity that occurs during the other parent's Court ordered parenting time unless agreed to by the other parent. When considering children's participation in an activity, parents should determine the following (i) what activity is agreed upon; (ii) who will pay any costs associated with the activity; and (iii) who will transport children to and from the activity.

Each parent shall help children attend and participate in school-related performances and any other activities (e.g. organized sports, music or other lessons, church) the children are involved in. Parents shall exchange information about the children's activities so both parents can attend and participate in the activities even if it is not the other parent's parenting time.

Decisions about children's activities require flexibility to balance children's competing needs: to spend time with both parents and to spend time in activities that they are interested in or that help them grow.

PARENTS' CONTACT INFORMATION

Each parent must provide the other parent with a home phone number or a residential home address of where the children will be staying during parenting time. In the event either parent fails or refuses to exchange this information, then his or her parenting time shall be forfeited without opportunity for make-up until such time as the parent has provided this information. Both parents shall notify the FOC in writing with any changes in address, phone, employment, etc.

In the event either parent travels with a minor child of the parties outside the state of Michigan or more than 100 miles away, for a continuous period of more than 8 hours, that parent shall inform the other parent and provide him/her with a basic itinerary and emergency contact information. A "basic itinerary" is considered information about where the child is traveling, how the child is traveling there, where the child is staying, and the approximate length of the trip.

Given that Cass County borders another state, travel to another state for routine matters (grocery shopping, appointments, etc.) do not require notice to the other parent.

CLOTHING/SPECIAL ITEMS

Each parent should be responsible for providing adequate clothing for children considering the weather and activities the children engage in.

Children's items used exclusively by them or gifted exclusively to them (winter coat, snow boots, favorite toy, special blanket, electronic device) should be transported back and forth with the child for time with each parent.

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PARENTING TIME SHOULD HAPPEN PER THE COURT'S ORDER

Both parents should encourage the child to enjoy their time with the other parent. Parents are expected to follow the Orders in effect. You should not deny parenting time for these reasons:

- **The child is sick**
- **The child is fussy at the start or end of parenting time**
- **Lice infestation**
- **Religious reasons**
- **The child is grounded for the weekend**
- **A parent does not want the child to go**
- **The child has other plans/does not want to go/is not home, or the child is a teenager and wants to make his/her own decisions.** Custody and parenting time orders control what happens (not the child) until a child reaches 18 years old.
- **The parent obligated to pay child support is behind on his/her support obligation.** A parent cannot withhold parenting time due to non-payment of child support. A parent obligated to pay child support cannot withhold payment of child support due to denial of parenting time.
- **The weather is bad.** Parenting time should be cancelled only when a road emergency is declared by the state police or sheriff and then make-up parenting time shall occur within the next 30 days in a similar block of time (evening for evening; weekend for weekend; etc.)

SOME DO'S AND DON'TS OF CO-PARENTING

- | | |
|---|--|
| <ul style="list-style-type: none">• Do maintain open communication with the other parent about your children.• Do let your children know it is okay to love the other parent.• Do tell children - again and again - that the parents' break up is not their fault.• Do employ consistent policies about homework, television, and social activities between households.• Do keep to a regular schedule and have steady contact with the children as much as possible.• Do develop your own support system of family, friends, churches, etc. | <ul style="list-style-type: none">• Do spend quality time with your child. Minimize the time that a third person watches your child.• Don't speak badly of the other parent.• Don't communicate with the other parent through your children or involve your children in adult conflicts.• Don't ask children to keep secrets from the other parent.• Don't tell a child that he or she has the right to say where they want to live. They do not. The Judge considers many different factors before making that determination and a child's wishes are only one consideration. |
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Email: foc@cassco.org

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CHILDREN'S MEDICAL ISSUES

Both parents have a duty to meet each child's medical needs which includes exchanging with the other parent treatment plans and medication as well as insurance cards and preferred provider information.

Parents should immediately communicate about a child's medical emergencies. Parents may utilize a notebook or other communication method (Google document, Our Family Wizard, etc.) to send information back and forth to one another.

Medical information about the child must be shared so that one parent doesn't unknowingly endanger their child.

CHILDREN'S SAFETY ISSUES

Both parents have an obligation to keep each child safe and well. Parents should minimize each child's exposure to certain foods, plants, animals, smoke, and other elements that can negatively impact the child.

ALLEGATIONS OF ABUSE OR NEGLECT

The FOC **does not** have the authority to tell you to stop parenting time even if you believe your child is being abused or neglected. Children's Protective Services is funded and has the legal authority to investigate allegations of abuse and neglect. **Anyone can make a CPS report by calling 855-444-3911.**

Talk to an attorney if you need legal advice about what to do if you suspect the other parent is abusing or neglecting a child.

PERSONAL PROTECTION ORDERS (PPOS)

If one parent has a PPO, the PPO does not stop custody or parenting time unless the PPO specifically says parenting time is impacted. Custody and parenting time exchanges should occur as scheduled in a manner which ensure that the PPO is not violated. Third parties may need to be used to ensure the PPO is not violated.

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PARENTING TIME PROBLEM SOLVING

Each parent should be flexible. To problem solve parenting time issues, you should do the following:

1. Read the last parenting time order. The Court speaks through its written orders. If there is no parenting time order, then the FOC cannot assist you in enforcing parenting time. It is each parent's responsibility to take the necessary steps to obtain or change a court order.
 2. Make an effort to resolve issues directly with the other parent, either in person, by telephone, or in writing. The communication should be a sincere effort to resolve the issue, keeping the best interests of the children in mind. Think about how you would react to what you are trying to discuss with the other parent and stay positive. "We cannot talk to each other" is not a valid reason for not trying to work with the other parent.
 3. Just because a parent says the other parent cannot pick up a child for parenting time, pick up should still be attempted since one parent doesn't have the power to change the Court's order.
- If you have ongoing issues with your parenting time, and you want advice about what you should do, you can obtain options from an attorney or by visiting <https://michiganlegalhelp.org/>

SUSPENSION OF PARENTING TIME

The only way Court ordered parenting time can be stopped is if another Court order is issued to stop the parenting time.

Police, Child Protective Services (CPS), and other agencies do not have the power or authority to tell anyone to ignore or violate a Court order for parenting time. If CPS believes children are being abused and/or neglected, they can seek emergency orders from the Court.

Parenting time is rarely suspended or stopped completely. Even when families have an open abuse/neglect case where CPS is involved, parents typically have supervised parenting time.

Supervised parenting time can be ordered by the Court if a Judge or Attorney Referee determines that a parent is dangerous to a child in situations where a parent:

- Physically or sexually abuses the child
- Has a pattern or history of failing to take care of the child or meet the child's needs
- Has a pattern or history of putting the child at risk through alcohol or drug use
- Puts the child at serious risk of harm in some other way

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PARENTING TIME COMPLAINTS TO THE FOC

The Cass County FOC offers parenting time enforcement services which parents can access by submitting a completed *Complaint for Parenting Time* form to the FOC. This form is available from the FOC website, at <https://casscourtsmi.org/foc-forms/>. Completed forms can be submitted to foc@cassco.org.

When completing a *Complaint for Parenting Time*, be sure to provide specific information about the date(s), time(s), and facts regarding what is going on. The FOC can only work on parenting time issues that are timely filed with the FOC (parents must request help within 56 days).

Upon receipt of a written Complaint for Parenting Time, and depending on staffing and resources, the FOC will investigate the matter and determine what action if any can be taken by the FOC. Some possible outcomes of an FOC investigation include:

- Informal phone conferences or other contact with both parties
- Issuance of a 21-day notice of make-up parenting time
- Issuance of a show cause order for parties to appear at a Court hearing on parenting time so that the Court can question the parent who is accused of withholding parenting time

PARENTING TIME MAKE-UP POLICY

The FOC may award make-up parenting time when Court ordered parenting time has been withheld by one of the parents. When the FOC determines that make-up parenting time is necessary, a 21-day notice is provided to both parties with details about how the make-up parenting time shall occur.

The parenting time to be made up shall be the same type and length of time as the parenting time missed unless otherwise Court ordered. For example, make-up parenting time will be on a holiday if the missed parenting time was a holiday, a weekend if the missed parenting time was a weekend, and a weeknight if the missed parenting time was a weeknight. Make-up parenting time shall not be exercised in a way that prevents the child's attendance at previously scheduled organized activities, such as school activities and athletics.

If a parent no shows for parenting time or cancels parenting time without giving notice to and working out late pick up with the other parent, no make-up parenting time occurs.

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CHANGING YOUR COURT ORDER

AGREEMENTS

If you and the other parent reach an agreement to modify custody or parenting time, you may fill out and submit to the Court a written Stipulation. Stipulation forms may be obtained from the FOC office or on the FOC website. Forms should be filled out by both parties and submitted to the FOC for review. A Stipulation that modifies custody may be scheduled for a hearing before the Attorney Referee so that the Court can determine that the change is in the child(ren)'s best interests. You may wish to contact an attorney to prepare the agreement and to assure that all aspects of the agreement are fully covered by the Stipulation that you want to become a Court order.

FILING YOUR OWN MOTION(S)

You have the right to file your own motion(s) and to represent yourself in Court without an attorney. If you choose to represent yourself in Court without an attorney, please understand that you will be held to the same standards as an attorney, which means that you need to make yourself aware of Court Rules, statutes and case law applicable to your case. It will be your responsibility to call and question witnesses and present any evidence that you want the Court to consider as part of your case.

Motions and pleadings can be obtained at:
<https://casscourtsmi.org/foc-forms/>

HIRING AN ATTORNEY

In legal matters, it is always best to be represented by an attorney. If you need a motion filed or if you want your order changed or if you just need legal advice about what to do, an attorney can help.

- Visit the Michigan State Bar lawyer referral service at: <https://lrs.michbar.org/>

NOTE: Court staff cannot provide you with legal advice or refer you to a particular attorney.

Michigan Legal Help provides many Do-It-Yourself tools to help you create court forms and get you ready for Court. The website does not give legal advice, and it is not a substitute for having a lawyer.

- To check out Michigan Legal Help, visit: <https://michiganlegalhelp.org/>

TECHNOLOGY CAN SOMETIMES MAKE CO-PARENTING EASIER

- Our Family Wizard: <https://www.ourfamilywizard.com>
- Google calendar: <https://www.google.com/calendar/about/>
- Google documents: [Google Docs: Free Online Documents for Personal Use](#)

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