

FRIEND OF THE COURT
Renaë Topolewski



ASSISTANT FRIEND OF THE COURT
Edward V. Messing, Jr.

ST. CLAIR COUNTY FRIEND OF THE COURT
31st Judicial Circuit
201 McMorran Blvd., Room 1600
Port Huron, Michigan 48060
Phone (810) 985-2285
www.stclaircounty.org/offices/foc

FILING A MOTION TO MODIFY PARENTING TIME OR MODIFY PARENTING TIME AND SUPPORT

1. Complete the Motion for Modification of Parenting Time.
2. Complete and attach the Uniform Child Custody Jurisdiction Enforcement Act Affidavit.
3. Attach any supporting documentation to the motion. (Support documentation may include school records, police reports or protective services reports, etc.). Please use 8 ½ X 11 paper on one side only for attachments.
4. Bring your completed Motion with any attachments along with four (4) complete copies to the Friend of Court Office. A hearing date will then be scheduled. You must also bring \$100.00 for the filing fee. Check or money orders must be made payable to the St. Clair County Clerk.
5. If mailing the original motion, attachments and copies, send to the Friend of Court office at 201 McMorran Blvd, Room 1600, Port Huron, MI 48060. You must enclose a check or money order payable to the St Clair County Clerk in the amount of \$100.00 or the motion will be returned to you.
6. A motion and hearing notice will be sent to the other party. No additional notices will be sent.

You **MUST** appear for the hearing or your motion may be dismissed.

STATE OF MICHIGAN
JUDICIAL CIRCUIT
COUNTY

MOTION REGARDING PARENTING TIME

(A) CASE NO.

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
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

Original - Court
1st copy - FOC (if applicable)
2nd copy - Defendant/Respondent
3rd copy - Plaintiff/Petitioner

Approved, SCAO

STATE OF MICHIGAN JUDICIAL CIRCUIT PROBATE COURT COUNTY	UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT AFFIDAVIT	CASE NO.
--	---	----------

Court address

Court telephone no.

CASE NAME:

1. The name and present address of each child (under 18) in this case is:
2. The addresses where the child(ren) has/have lived within the last 5 years are:
3. The name(s) and present address(es) of custodians with whom the child(ren) has/have lived within the last 5 years are:
4. I do not know of, and have not participated (as a party, witness, or in any other capacity) in any other court decision, order, or proceeding (including divorce, separate maintenance, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence) concerning the custody or parenting time of the child(ren), in this state or any other state, **except:** Specify case name and number, court name and address, and date of child custody determination, if one.
5. I do not know of any pending proceeding that could affect the current child custody proceeding, including a proceeding for enforcement or a proceeding relating to domestic violence, a protective order, termination of parental rights, or adoption, in this state or any other state, **except:** Specify case name and number, court name and address, and nature of the proceeding.
That proceeding is continuing. has been stayed by the court.
 Temporary action by this court is necessary to protect the child(ren) because the child(ren) has/have been subjected to or threatened with mistreatment or abuse or is/are otherwise neglected or dependent. Attach explanation.
6. I do not know of any person who is not already a party to this proceeding who has physical custody of, or who claims rights of legal or physical custody of, or parenting time with, the child(ren), **except:** State name(s) and address(es) of each person.
7. The child(ren)'s "home state" is _____ . See back for definition of "home state."
8. I state that a party's or child's health, safety, or liberty would be put at risk by the disclosure of this identifying information.

I have filled this form out completely, and I acknowledge a continuing duty to advise this court of any proceeding in this state or any other state that could affect the current child-custody proceeding.

Signature of affiant _____ Name of affiant (type or print) _____ Address of affiant _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Date Signature: _____

Notary public, State of Michigan, County of _____

"Home state" means the state in which the child(ren) lived with a parent or a person acting as a parent for at least 6 consecutive months immediately before the commencement of a child-custody proceeding. In the case of a child less than 6 months of age, the term means the state in which the child lived from birth with a parent or person acting as a parent. A period of temporary absence of a parent or person acting as a parent is included as part of the period.