

OAKLAND COUNTY FRIEND OF THE COURT
PARENTING TIME GUIDELINES

Parents are to abide by the specific days and times outlined in their Court Order regarding parenting time, holidays, and vacation times.

"Reasonable Rights" to parenting time allows parents to develop their own parenting time schedules and assumes parents will cooperate with each other and agree on a schedule for their child(ren). Parents should take into account their child's age, school schedule, the parents' work schedules, and the distances between the two homes. Such an arrangement may include one midweek contact, every other weekend and alternating holidays. Because an order for reasonable parenting time assumes parents will agree upon the terms and schedule of parenting time, Friend of the Court cannot enforce reasonable parenting time. However, the Friend of the Court can provide mediation services and forms to request a modification of the court order upon request.

When parents cannot reach a satisfactory agreement about what "reasonable rights" of parenting time means, they may file a petition with the court asking for a specific parenting time order. This can be done through an attorney or on your own using forms provided by the Friend of the Court. If you choose to represent yourself you can file a motion to change parenting time at the Friend of the Court (FOC) or at the Circuit Court. A motion form and instructions for requesting a FOC referee hearing can be obtained by mail, at the front desk or on the FOC website (www.oakgov.com/foc). Parents representing themselves and filing their own Circuit Court motions may wish to research the law in this area at the Law Library adjacent to the Courthouse. However, county employees may not give legal advice. As a reference for parenting time, Michigan Parenting Time Guidelines is available at www.courts.michigan.gov/scao/resources.

If parents agree to change their custody or parenting time orders, always check with the Family Counselor assigned to your case first, before you place your agreement in writing. Included in the letter of agreement should be the case/docket number, both parent's contact information, the minor child(ren)'s name(s) and birth date(s), and the date the arrangements are effective. It must be co-signed and notarized. Upon its receipt and a specific request, the Friend of the Court will prepare a consent order. Upon its entry with the court, this will be an enforceable order that you will be expected to abide by.

Unless your order provides specific details to the contrary, some general rules about parenting time follow:

- If a parent exercising parenting time has a business or personal conflict (i.e. a business trip, personal trip, hunting, military service including national guard services, etc.) or they do not appear, then this time is forfeited unless the other parenting is willing to switch time or allow for a make-up time.
- If the child is too sick to go to daycare or school and misses parenting time, make-up time is allowed.
- Parents should not make plans for the child(ren) that conflict with the other parents parenting time unless you consult with the other parent first. If plans are made for your child(ren) which conflict with the other parent's parenting time, a risk for court enforcement action exists.
- If the child(ren) has an activity during parenting time like sports, music, academics etc. the parent with that information gives the other parent the details (date, time and place). The parent with parenting time gets the child(ren) to the activity. The activity goes with the child(ren) regardless of which parent has the child during the activity.
- When you are taking your child(ren) on vacation, please give the other parent, at least one week of advance written notice, unless otherwise ordered. As a courtesy, include your destination and a

telephone number where you can be reached. A week is defined as seven overnights inclusive of - NOT in addition to - the vacationing parent's regularly scheduled weekend.

- Unless otherwise ordered, the parent who has parenting time (specified or reasonable) in an order shall provide transportation.
- When supervised parenting time has been ordered, there shall be no phone contact, letter writing, email or instant messaging during this time.
- You must be prompt to have your child(ren) ready for all parenting time exchanges. Times are either agreed upon or court ordered and they must be followed. Please contact the other parent if there is a delay. There is a half-hour waiting period for **EMERGENCIES ONLY**. At least forty-eight (48) hours advance notice should be given when parenting time cannot be exercised.
- Withholding parenting time due to non-payment of support is not allowed. Child Support and parenting time are two separate issues. Support should not be withheld because parenting time is not taking place. Failure to follow the court order, as written, may result in enforcement action being taken against you.
- If you want to move out of state or more than 100 miles away, you must get permission from the court. Unless both parents agree and have a consent order entered, the moving parent will need to file a motion for a change of domicile at the Circuit Court level.
- If a child is reluctant to participate in parenting time, each parent shall be responsible to ensure the child complies with the scheduled parenting time. In no event shall a child be allowed to make the decision as to whether scheduled parenting time takes place.
- A child may not determine where he or she wants to live until the age of eighteen (18).

Make Up Parenting Time:

- If it is confirmed that parenting time was denied, the denied parent may choose the make-up time to be taken within one year from the date of denial. The other parent does not have a say in when parenting time will be made up.
- A parent's denied/missed weekend is made up on the other parent's weekend. A denied/missed holiday is made up on the other parent's holiday and so forth. After the make up parenting time is accomplished, the regular parenting time schedule resumes.

Parenting Time Violations:

- If you believe a parenting time violation has occurred you **MUST** put your complaint in writing. The complaint should contain the date and times, when you appeared for parenting time and were denied, and a brief description of the circumstances. The complaint should be filed within 10 days of the violation.
- If a complaint is filed 56 days after violation, this office has the discretion to decline enforcement action. The Family Counselor assigned to the case will review the complaint and will respond according to the statute outlining parenting time.

If you believe your child has/is being abused or neglected, and they live in Oakland County, contact Children's Protective Services at 248 975-5010. Friend of the Court does not have the authority to investigate such matters or other moral or child welfare complaints/concerns.

Family Counselors at the Friend of the Court only enforce court orders regarding parenting time and custody. For enforcement of child support orders, contact the Domestic Support Specialist assigned to your case.