

FRIEND OF THE COURT PARENTING TIME GUIDELINES

UNLESS YOUR COURT ORDER SPECIFIES DIFFERENTLY, THE FRIEND OF THE COURT WILL ENFORCE THE MOST RECENT REVISION OF THE GUIDELINES

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COURT'S PHILOSOPHY = Both parents should facilitate and encourage the relationship that the child has with the other parent. Parenting time is granted in accordance with the **best interest of the child**. The child should develop strong bonds with both parents and both should be involved in their child's life. If parents agree on parenting terms, the Court will follow those terms unless it determines on the record, that the parenting terms are not in the best interest of the child. **A child has the RIGHT to have parenting time with a parent unless it is proven that it would endanger the child's physical, mental or emotional well being.**

The Court MAY consider the following factors:

- Special circumstances of the child (i.e. whether the infant is a nursing baby).
- The likelihood of abuse to the child during parenting time and/or to a parent resulting from the exercise of parenting time.
- The burdensome impact on the child traveling long distances.
- Whether a parent will "visit" in accordance with the court's order.
- Whether a parent has frequently failed to exercise parenting time.
- The threatened or actual detention of a child with the intent to retain or conceal the child from the other parent.
- Any other relevant factors.

The Child Custody Act allows Courts to impose any reasonable terms or conditions designed to facilitate the orderly and meaningful spending of time by a non-custodial parent with a child. Court orders may include:

- Division of responsibility and/or cost of transporting a child.
- Restrictions of or requirements for the presence of third persons.
- Requirements that the child be ready at a specific time.
- Requirements that the parent arrive, pick-up and return the child at specific times.

- Requirements that a party post a cash bond.
- Requirements of reasonable notice when scheduled contact will not occur.
- Any other reasonable condition determined to be appropriate in the particular case.

AGREEMENTS BETWEEN PARTIES:

THE FOC CANNOT ENFORCE VERBAL OR WRITTEN AGREEMENTS BETWEEN THE PARTIES.

Mutual agreements must be put in a consent agreement and signed by the judge in order to be enforced by the FOC.

Support and parenting time are two separate issues. One parent **CANNOT WITHHOLD PARENTING TIME** due to non-payment of support. Likewise, the payer of support **CANNOT WITHHOLD PAYMENT OF SUPPORT** due to denial of parenting time.

REASONABLE PARENTING TIME:

If your court order states “reasonable” parenting time, the Court considers this as times that do not interfere with the school routine of the children. The current parenting time guidelines are the parenting time schedule when the parties do not agree. If your order states days and times as specified, the Friend of the Court and the parties **MUST FOLLOW** the orders of the Court. **When the parties cannot agree on the beginning dates, the non-custodial parent should submit the beginning weekend date in writing to the custodial parent and the FOC at least seven (7) days prior to the date.**

AT ALL TIMES, PICK UP OF THE CHILD(REN) MUST BE ATTEMPTED REGARDLESS OF THREATS BY THE OTHER PARENT TO DENY THE PARENTING TIME.

RE-ACQUAINTANCE PERIOD:

The Friend of the Court may recommend a re-acquaintance period if there has been a prolonged period of no contact between the parent and the child(ren). If the prolonged period is due to one parent’s denial, make-up parenting time may be banked and granted at a later time.

BANKED PARENTING TIME:

Under certain circumstances, Parenting Time that is not exercised may be banked or recorded and used at a later date. Banked parenting time may occur upon the request of the Guardian Ad Litem, Child Protective Services, and/or pending an investigation of the FOC. If there is a hearing, banked Parenting Time should be addressed by the court. If no hearing is held, the FOC will review the parties complaints and make a determination upon written request

PARENTING TIME ABATEMENTS – You will need to refer to your court order to see if you qualify for a child support credit. If you do qualify, a written request with exact dates and the names of the children must be submitted to the Friend of the Court’s office within 30 days of the exercised parenting time. Under the new Michigan Child Support Formula, the parenting time abatement has been calculated and included within the Uniform Support Order (USO) effective 10/01/08. Refunds, if any, are reimbursed by the Michigan State Disbursement Unit.

The Friend of the Court Staff has authority to determine the following:

- what items should be provided by each parent during the parenting time;
- who may pick up and return the child according to the parenting schedule or whether the child may travel alone, and if necessary, where the exchange shall occur;
- what child-related activities the non-custodial parent should refrain from during parenting time (i.e. hair cutting, ear-piercing, unauthorized non-emergency health care treatment, etc.); and determine when a parenting schedule begins if the order is silent.

SUMMER SCHOOL- If necessary for the child(ren) **to pass** to the next grade, the child **MUST** attend. The custodial parent must obtain written verification from the school regarding the necessity of enrollment and **provide copies to the non-custodial parent and the Friend of the Court by the 1st of May**. Determination by the Friend of the Court will be made on a case-by-case basis.

TRANSPORTATION - may be shared equally between the parents. If the parents cannot agree as to who will be responsible for the transportation, then the **parent receiving the child(ren) will be the responsible parent to transport**. If a parent refuses and/or fails to carry out his/her responsibility as to the transportation, either party has the right to petition the Court for an order regarding specific transportation directives and/or payment of costs associated therewith. Unless it is specifically stated in the court order, the place of exchange shall be at the parents’ homes or any other mutually agreed upon location.

WHO MAY PICK-UP THE CHILDREN- Children may be transported by a responsible adult (with a valid driver’s license) other than the parent PROVIDED that the child is familiar with that adult. (i.e. grandparent, step-parent, etc.)

FAILURE TO EXERCISE PARENTING TIME:

If either parent fails to exercise his/her parenting time and fails to give the proper 3 day notice, with the exception of an emergency, the other parent may petition the Court for any child care expenses incurred during the scheduled parenting time with the children.

DENIAL OF PARENTING TIME:

PARENTING COMPLAINTS- All are considered NON-EMERGENCY and must be submitted **in the form of an affidavit as required by MCR 3.606**. **The Friend of the Court is given the responsibility to investigate all relevant facts and to make a written report and recommendation to the parties and to the court regarding matters affecting the child.**

The Friend of the Court cannot present telephone information to the Court at a hearing. Therefore, if you feel that your situation needs immediate attention, you must come into the Friend of the Court office to fill out and sign the necessary paperwork.

Please do not call the Friend of the Court regarding possible future parenting disputes. Your caseworker cannot predict the future or act on what MAY OCCUR. The Friend of the Court MUST enforce the most recent order of the Court.

PARENTING TIME REMEDY STEPS:

Violation of Custody or Parenting Time Order (effective 12-01-02)

A custody or parenting time violation is any act or failure to act that interferes with a parent's right to interact with a child as governed by the Court Order [MCL 552.602(e)]. This includes a custodial parent's violation of parenting time provisions, and a non-custodial parent's violation of custody or parenting time provisions.

Read the last parenting/visitation order . The Court speaks through its written orders. If it is not written, it is not so. If there is no parenting order, then the Friend of the Court cannot assist you. It is the parent's responsibility to obtain or change an order.

The complaining parent must **attempt to resolve the issues directly with the other parent** either by telephone or in writing. At all times, the communication should be a sincere effort keeping in mind what is best for your child. Treat the other parent like you would like to be treated and do your talking out of the presence of the child(ren). A complete written description of the attempt or a copy of the correspondence must be submitted to the Friend of the Court office. "We cannot talk to each other" IS NOT AN ACCEPTABLE EXCUSE for avoiding contact with the other parent.

An attempt must be made to pick-up the child(ren) regardless of threats to deny the parenting time. Note: Exceptions to this must be approved by the Friend of the Court on a case-by-case basis.**If the child is not available, the parent who is exercising parenting time must wait 30 minutes beyond the scheduled time of exchange.

Pursuant to MCL 552.602, the parent shall give written notice of an alleged wrongfully denied parenting time within 56 days of the alleged denial.

SUBMITTING PARENTING TIME COMPLAINTS:

If denied, a **PARENTING TIME AFFIDAVIT** ([attach link to the words parenting time affidavit: http://tuscolacounty.org/foc/forms/ptc](http://tuscolacounty.org/foc/forms/ptc)) must be filed with the Friend of the Court **within fifty-six (56) days of the alleged violation.**

The complaint **MUST** be in the form of an affidavit as required by MCR 3.606, and be filed within **56** days of the violation or the Friend of the Court may not respond. The Friend of the Court will only respond to a named party to the case. Forms are available at the Friend of the Court office or on the FOC website. **Click here for**

The Friend of the Court will send this information to the alleged offending party and request that he/she make a written response to the parenting complaints. After the response is received, the Friend of the Court will make a determination, apply make-up parenting time according to the FOC policy, or set up the matter for **Joint Meeting**.

ATTENDANCE AT SMILE - (Start Making It Livable for Everyone) **program**. SMILE is a 45-minute video that familiarizes parents with the impact of separation/divorce on children and offers information to parents on how to make the process easier for the children. A small fee is assessed to cover the cost of materials for the program. The court encourages and recommends that grandparents, stepparents and any significant others attend this program also. **Repeated viewing may be necessary as determined by the Court.** For more information, call the Friend of the Court office at (989) 673-4848.

Effective 06/01/03

JOINT MEETING (Dispute Resolution)- is a process between the parents and a qualified third party, which allows both parents to present their side of the parenting issues (such as transportation, exchange times, etc.)

The Friend of the Court will determine whether the issues are appropriate for a Joint Meeting. The Joint Meeting allows the parties an opportunity to resolve their disputes without having to go to Court. If an agreement is reached, the Friend of the Court will prepare an order. Communications made during the Joint Meeting are **not** confidential.

If no agreement is reached, the Friend of the Court may submit a recommendation to the Court that will become an Order unless either party files a written objection with the Tuscola County Clerk within 21 days and provides a copy to the Friend of the Court and the other party. An objection will result in a hearing before the Presiding Judge. An objection form is available at the Friend of the Court office or website.

In specific situations such as cases involving domestic violence or parties living out of state, special accommodations can be made (such as telephone meetings). Any need for special accommodations must be reported to the Friend of the Court in writing and approved by the Friend of the Court at least seven (7) prior to the Joint Meeting.

There is no cost to either party for a Joint Meeting unless one or both parents fail to appear. The complaining parent must submit a request for a Joint Meeting in writing. (Forms are available at the FOC office or on the FOC website).

ORDER TO SHOW CAUSE HEARING

Violation of Custody or Parenting Time Order

A custody or parenting time violation is any act or failure to act that interferes with a parent's right to interact with a child as governed by the Court Order [MCL 552.602(e)]. This includes a custodial parent's violation of parenting time provisions, and a non-custodial parent's violation of custody or parenting time provisions.

An order to show cause hearing is a hearing before the Judge to determine if a violation of the Court Order has occurred. The Court will render its opinion regarding contempt and an order will enter. Show cause proceedings are instituted by the offended party or the Friend of the Court; and require a person who is alleged to have violated an Order to come into the Court and explain why the Court should not impose sanctions. The procedure is initiated by filing a motion with the Court alleging the existence of an Order and providing a copy of a party's complaint that the order has been violated. The party's statement should be in the form of an affidavit as required by MCR 3.606. Once the motion is filed, the Court will enter an Order directing the alleged violator to appear before the Court and show cause why the alleged violator should not be held in contempt. The Court will find a person in contempt if the order was violated without good cause. Good cause includes consideration of the safety of a party or child.

The Friend of the Court must have a good reason to petition the court for an Order to Show Cause Hearing. A party may petition the Court on his/her own to seek relief at a show cause hearing. Forms are available at the FOC office or on the FOC website. Any party representing himself/herself will be responsible to prepare the order after the hearing.

SANCTIONS:

If the Court finds a party in contempt, the Court can impose the following sanctions:

- A. Change the Order to add additional terms or conditions consistent with the existing order;
- B. Modify the Order to meet the best interest of the child if requested by a party on a proposed modification of parenting time, and after notice to both parties and a hearing;
- C. Order makeup parenting time in an amount at least as much as that denied;
- D. Order the parent to pay a fine of not more than \$100.00;
- E. Commit the parent to jail for up to 45 days for the first offense or up to 90 days for subsequent offenses with or without the privilege of leaving jail to attend employment;
- F. Suspend the parent's occupational, driver's, or recreational or sporting license conditional upon noncompliance with an order and ongoing parenting time; and
- G. Order the parent to participate in a community corrections program.

Upon finding that a party has acted in bad faith, the Court must order a sanction of not more than \$250.00 for the first time, not more than \$500.00 for the second time, and not more than \$1000.00 for

the third time the Court finds the party acted in bad faith [MCL 552.644(6)]. The sanction applies equally to the party bringing or defending the dispute. In addition to sanctions, the Court must order a party who has acted in bad faith to pay the other party's costs.

NOTICE: The Child Custody Act imposes an obligation on the Court to review even agreed upon arrangements to confirm that they are in the best interests of the children. Courts may reject or modify an agreed arrangement if not in the children's interest. This authority is one more recognition that the best interests of the children are paramount.

MAKEUP PARENTING TIME

It is the philosophy of the Court that both parents should be involved in a child's life. Thus, **both parents should facilitate and encourage a good relationship with the other parent.** This type of behavior is what is in the **best interests of the child.**

The Friend of the Court will apply this makeup parenting time policy in all cases where one parent has wrongfully denied parenting time to the other and the Friend of the Court determines that makeup parenting time is the appropriate method of enforcement available to the Friend of the Court.

Parenting time is every child's right. Responsible parents will put individual differences aside and deal with each other in good faith to see that parenting time is encouraged. The following explanations by a parent for denying parenting time are generally not valid:

1. The child(ren) has a minor illness.
2. The child(ren) had to go somewhere else.
3. The child(ren) was not home.
4. The noncustodial parent is behind in support.
5. The custodial parent did not want the child(ren) to go.
6. The weather was bad. The safety of the child(ren) is important and a parent must use good judgement if the road conditions are unsafe. You **MUST** also contact the other parent regarding transportation changes and alternate parenting time arrangements may be made.
7. The child(ren) had no clothes to wear.
8. The child(ren) refused to go. (REGARDLESS OF THE AGE OF THE CHILD) You are the parent and the Court does not believe that children should be making such decisions.
9. The parent being denied parenting time has not met the terms that the other parent has added as a condition of getting their parenting time but were not included in the Court Order. (For example: One parent has told the other that they can only pick up the children only if their boyfriend or girlfriend is not there, but this is not prohibited in the Court Order).
10. Religious reasons.
11. The child fusses when the other parent picks them up. Understand that your child will have some stresses and growth pain regardless of whether parents are together or not and may have some difficulty during exchanges. **Take care not to jump to conclusions.** This does not necessarily indicate problems with the other parent.

Examples of explanations that may be valid are:

1. The noncustodial parent was drinking or using drugs.
2. The noncustodial parent failed to arrive for parenting time within one half hour of the time specified in the Order.

Determination of a Valid Claim:

The Friend of the Court must first determine if the alleged violation states something which is enforceable under the Court's parenting time Order. If the Friend of the Court finds that it is, it must send the following notice as required by MCL 552.642(2):

FAILURE TO RESPOND IN WRITING TO THE OFFICE OF THE FRIEND OF THE COURT WITHIN 21 DAYS AFTER THIS NOTICE WAS SENT SHALL BE CONSIDERED AS AN AGREEMENT THAT PARENTING TIME WAS WRONGFULLY DENIED AND THAT THE MAKEUP PARENTING TIME POLICY ESTABLISHED BY THE COURT WILL BE APPLIED.

Procedure after Response or The Time For Response to Pass:

If the responding party timely provides a response, the Friend of the Court shall initiate one of the other enforcement methods available under MCL 552.641.

If a written response is not provided to the Friend of the Court within 21 days of when the notice was sent, the Friend of the Court shall apply makeup parenting time as set forth in MCL 552.642(1):

- (a) That makeup parenting time shall be at least the same type and duration of parenting time as the parenting time that was denied, including but not limited to weekend parenting time for weekend parenting time, holiday parenting time for holiday parenting time, weekday parenting time for weekday parenting time, and summer parenting time for summer parenting time.
- (b) That makeup parenting time shall be taken within one (1) year after the wrongfully denied parenting time was to have occurred.
- (c) That the wrongfully denied parent shall choose the time of the makeup parenting time.
- (d) That the wrongfully denied parent shall notify both the office of the Friend of the Court and the other parent in writing not less than one (1) week before making use of makeup weekend or weekday parenting time or not less than 28 days before making use of makeup holiday or summer parenting time.

NOTICE: Effective 01/01/97, the law provides that **violation of a parenting /visitation** order shall be handled in the same manner as non-support. The court has a wide range of powers to enforce its orders, including fines, make-up time, loss of professional or driver's license, jail time and in repeated and extreme cases, loss of custody.

PROBLEMS TO AVOID:

1. Avoid expensive events, places or gifts. **Children want your time.**
2. Parenting time is for the **benefit of the child-parent relationship**. Time spent with baby-sitters, extended family, etc. when the parent is not present should be minimized.
3. DON'T expect **either** parent to let you have the children if you have been drinking or using drugs.

4. **If you do not have a driver's license**, a relative or friend must do the driving when the children are being transported.
5. If you are the custodial parent, you must supply **ADEQUATE CLOTHING & PRESCRIPTION MEDICATION** for parenting time and inform the other parent of necessary medication and possible illness. You **MUST** also have the children ready at the scheduled parenting time. **BOTH PARENTS** are expected to send and return clothing in the same condition it was received. Clothing and prescription medication should always go with the child.
6. **CAR SEATS ARE REQUIRED BY LAW.** Michigan law was amended in 1991 to require all back seat passengers age 16 and under to **WEAR SEATBELTS**. The custodial parent should provide an infant or child car seat if the person transporting the child does not have one available. Children under the age of 12 should be transported in the back seat of any vehicle equipped with front seat airbags.
7. Parents should **always speak positively** to children about the other parent, or say nothing at all. Speaking negatively about the parent accomplishes nothing and will do more harm than good.
8. **Take responsibility for the inconvenience and difficulty** of parenting time rather than putting your child at risk or making the child pay. Imagine how you would feel about leaving the child in one home and you and your ex-partner move in and out according to the parenting time schedule. Understand that this constant change may be even more difficult for the child to manage.
9. **Keep to a regular schedule as much as possible.** This helps your child anticipate and prepare for transitions and to develop a sense of trust in relationships. Irregular contacts can lead to a sense of helplessness in the child.
10. **Try to maintain continuity in care-taking patterns** so that the child is able to focus on play and exploration, rather than being distracted or disturbed by major changes in routine. It is important for the child to build on care-giving routines rather than compete or conflict with them.

The FOC recognizes that each parent has his/her own individual parenting style. Avoid passing judgment upon the other parent for what he/she does with his/her time. The child will grow into adulthood and will recognize the relationship between him/herself and each of his/her parents for what it has developed into.

If you would like assistance with parenting skills and/or techniques, contact the FOC office for a list of references to area agencies that are offering such programs/classes.

EXTRACURRICULAR ACTIVITIES:

As a general rule activities should not be scheduled during the other parents time. The parties should cooperate with each other when enrolling the child(ren) in extracurricular activities to ensure that the activities do not interfere with the ability of the child(ren) to exercise parenting time. Neither the custodial parent nor the non-custodial parent should enroll the child(ren) in the excessive activities that serve to interfere with the other's ability to spend time with the child(ren).

When supervised parenting time is ordered, the child(ren) should not be enrolled in activities that would interfere with the supervised scheduled.

As child(ren) grow, they are involved in different activities. As their development needs change, both parents need to be flexible with their parenting time schedules and allow room for adjustment. Because continuity in activities is important, parents must be willing to alter the parenting time schedule.

Parents should keep one another apprised of all the child(ren)'s activities so the other parent has the opportunity to attend or participate in the activity, even if the activity occurs during the parent's off schedule.

OTHER ISSUES:

SHOW UP FOR PARENTING ON TIME - If the children are expecting you to come for a scheduled parenting period, be sure to show up and be on time. Nothing disappoints a child more than to be waiting and the parent fails to show. **A parent should not have to wait, however, if the child is not available, a parent is expected to wait 30 minutes beyond the scheduled time of exchange. This should not be a regular practice. **If you are unable to exercise parenting time as planned, you must phone the other party three (3) days ahead. If you do not attempt to pick up the child(ren) within the 30 minutes of the schedule time of exchange, your right to parenting time is considered forfeited.**

SPARE THE CHILDREN – Exchange of the child for parenting time does not have to be traumatic for the children. The parent is expected to pick-up and drop off children period. It is not necessary to inspect the home. Neither parent has to provide a detail on where, what and how the parenting time will be exercised.

PARENTING TIME IS FOR THE PARENT AND THE CHILD - Parenting time exchanges are not the time to discuss adult issues, i.e., alimony, child support, and property. This manner of communication should be on your time, not the child's. Many disputes begin because one parent arrives with or invites in a new girlfriend or boyfriend. Your children need your full attention. They have a rough enough time adjusting to the divorce without learning a new cast of players. Unless you are seriously contemplating a commitment, leave your new acquaintances at home. Dating can be reserved for a time when the children are not around.

KEEP THE CHILDREN OUT OF THE MIDDLE – Parents should communicate with each other not through their child(ren). Parents should **NEVER use the children** as sources of information on the activities of a former spouse. Children quickly learn that if they supply information they think you want to hear, they will tailor their remarks accordingly. Such information only creates problems and parents will discover that children who are forced to be in the middle will become skillful in playing one parent against the other. Beware; you may get what you ask for. **Be careful not to see the child as an object or possession to be won or divided.**

CUSTODY/PARENTING TIME CHANGES - **DO NOT DISCUSS WITH OR PROMISE** the children that you will obtain custody of them until after the hearing and an order of custody is SIGNED BY THE JUDGE.

MAINTAIN TEAMWORK AND COMMUNICATION - How you interact with the other parent will

indirectly affect your child. One of the better things you can do is to encourage your child's ability to have a secure relationship with the other parent. Co-parenting helps the child establish a secure self-concept on the inside. Lack of coordination makes a child feel split between parents. **Concentrate on filtering your best qualities through your child.**

OUT-OF-STATE VACATIONS - Unless the court order prohibits it, either parent may take the minor child out-of-state for a vacation. **An order of domicile refers only to the residence of a child** being changed and does not apply to vacations **unless** the court order specifically states so.

Parents must notify the other parent of a telephone number and provide a general itinerary of where the minor child may be reached in case an emergency arises.

GRANDPARENT "VISITATION". Recent changes in the law affect the rights of grandparents. It is recommended that you seek the advice of counsel regarding visitation. The Friend of the Court will enforce court orders for grandparents.

FUNERALS – The Friend of the Court expects both parties to cooperate and be flexible with parenting time at the time of a death in the family or the death of someone who is important to the children. The Friend of the Court feels that it is in the children's best interest to allow them time to grieve their loved ones.

NEGLECT & ABUSE CASES - The Friend of the Court does not have the necessary staff nor expertise to handle neglect and abuse cases. Information should **immediately** be reported to Protective Services at the Family Independence Agency (FIA) and a local law enforcement agency in the county where the children reside. The Friend of the Court may not enforce the parenting time order during a Protective Services Investigation upon the recommendation of the FIA worker. If parenting time is withheld pending investigation, you must sign a release at the FIA to have information sent to the Friend of the Court.

FALSE ACCUSATIONS - Laws effective 01/01/97 provide for criminal charges, sanctions and penalties for any intentional false statements made regarding abuse and neglect.

SCHOOL/HEALTH CARE PROVIDER INFORMATION – MCL722.21 to 722.30 require that schools, hospitals, physicians, etc., **MUST provide information** regarding the minor child **to either parent regardless of which parent has legal custody, unless there is a court order prohibiting access.**

CALLING THE POLICE - The **ONLY TIME** that police should be called is if the child(ren) or the parties are in immediate danger. **Calling the police for parenting time disputes is very traumatic for the children. Most law enforcement agencies do not become involved and refer all matters to the Friend of the Court.** At all times, parents should make every effort to refrain from calling the police and settle the dispute through the Friend of the Court. Handle these situations in a civil manner by walking away and filing your complaint with the FOC office. Make-up parenting time is available. **Minimize the tension and conflict to which the children are exposed.**

PERSONAL PROTECTION ORDERS - Personal protection orders should not be used to deny custody or parenting time. The Court will not issue a personal protection order restraining a parent from contact with his/her child **unless** there is evidence that the children are in danger. It is your responsibility to inform the court of a custody/parenting time court order when presenting your motion

before the Judge. Should a parent feel uncomfortable picking up a child due to a Personal Protection Order see “WHO MAY PICK-UP AND RETURN THE CHILD(REN)” pg. 7

STEP-PARENTS - When a parent re-marries, the spouse will be involved in the child(ren)’s life. Since the stepparent will be at least in part a caregiver to the child, every effort should be made to **promote a good relationship** between the stepparent and the children. Likewise, the stepparent should **promote communication between the natural parents** to give them an opportunity to make mutual decisions regarding the welfare of the children.

LICE INFESTATION:

The FOC does not investigate a home based on an accusation of head or body lice. The Tuscola County Health Department is **no longer providing** examinations or written documentation of head lice checks. As soon as a head lice problem is detected, either parent should take the child to a health authority immediately for treatment information. **The parents must cooperate fully on this matter because THIS IS IN THE BEST INTEREST OF THE CHILD.**

DIAPERS & FORMULA:

It is the responsibility of the custodial parent to provide formula for infants during the parenting time. In cases where parenting time exceeds 3 overnights, the custodial parent shall provide the name of the formula to the non-custodial parent so that he/she may purchase enough to last for the entire parenting time. The custodial parent for the transportation portion of the parenting time should send clean disposable diapers. Otherwise, the non-custodial parent is responsible to provide diapers for the entire parenting time.

DEFINITIONS:

Banked Parenting Time: Under certain circumstances, parenting time that is not exercised may be banked or recorded and used at a later date.

Custodial Parent: The parent who is awarded the primary domicile of the minor child(ren).

Domicile: An order of domicile refers only to the residence of the child(ren). MCL 722.31 provides that a parent whose custody or parenting time is governed by a court order shall not change the legal residence of the child(ren) without an order of the Court. The child has a legal residence with the mother *and* the father. Therefore, a parent cannot move more than 100 miles from his/her residence without the Court’s permission. If you anticipate a change in residence, it is recommended the parent contact the FOC or seek legal counsel to see if the move is allowed by the court order.

Joint Legal Custody: The parties shall share the decision-making authority as to the important decisions affecting the health, education and welfare of the child(ren). In cases where there is any type of joint custody, neither parent may move more than 100 miles of their residence at the time without the prior approval of the Court. The law defines the residence of the child as the residence of either parent.

Joint Physical Custody: Means that the child(ren) live with one parent part of the time and the other parent part of the time. This time does not have to be equal. The parent who has

care of the child(ren) at any given time is responsible for routine decisions regarding the child.

Non-Custodial Parent: The party awarded parenting time with the minor child(ren).

Primary Domicile: The parent who has the physical custody of the child(ren).

Suspended: In regards to parenting time, suspended means parenting time is temporarily stopped, is not subject to make up parenting time, and does not alter the normal alternate weekend schedule. Parenting time suspended due to a Child Protective Service investigation may be subject to make up parenting time, based on the determination of the FOC.