



THIRD JUDICIAL CIRCUIT COURT  
FRIEND OF THE COURT

# REQUEST FOR PARENTING TIME/CUSTODY ENFORCEMENT

**Please read this instruction sheet first.**

You claim that the other parent has violated your court order regarding parenting time and/or custody. A "REQUEST FOR PARENTING TIME/CUSTODY ORDER ENFORCEMENT" is attached. Your situation **must** meet these four requirements:

- **YES**, I have a Wayne County domestic relations case for my child(ren).
- **YES**, I have a court order for custody and a parenting time schedule in my case.
- **YES**, the other parent has violated the court ordered parenting time or has violated the custody provisions of the Order.
- **YES**, the violation happened less than 56 days ago. If the denial of parenting time took place more than 56 days before the filing of this Enforcement Request, your Request will *not* be reviewed.

\*At a minimum, your Request for Enforcement must state the date(s) you were denied parenting time/custody, the custody or parenting time that is allowed in the current Court Order, and describe what happened that makes you believe that you have been denied the custody or parenting time that is allowed in your Court Order.

If your situation meets all the requirements above and you follow the instructions below, the Friend of the Court will take steps to enforce your Order.

**This Enforcement Request must be filed at the Wayne County Clerk's Office.**

***NOTE: These instructions have been updated to reflect the current filing options. As filing options can change, please visit the Court's website at [www.3rdcc.org/divisions/family-domestic/emergency-and-non-emergency-filings](http://www.3rdcc.org/divisions/family-domestic/emergency-and-non-emergency-filings) for the most up to date filing information.***

**THIS PACKET IS ONLY FOR ENFORCEMENT OF EXISTING  
PARENTING TIME/CUSTODY ORDERS.**

IF YOU THINK THE PARENTING TIME OR CUSTODY ORDER SHOULD BE CHANGED, YOU MUST FILE A MOTION TO MODIFY PARENTING TIME (FD/FOC 4031) OR MOTION TO CHANGE CUSTODY (FD/FOC 4018). Modification forms are available on our website at [www.3rdcc.org](http://www.3rdcc.org) and clicking on the Forms tab.

**INSTRUCTIONS:**

1. Fill out Praecipe and Request for Parenting Time/Custody Enforcement. **USE BLACK OR BLUE INK ONLY.**
2. Write your Case Number in the upper right corner of every page.
3. **Attach a copy of your most recent parenting time/custody Order.** If you do not attach a copy of your most recent Order, your enforcement request may take longer to process.
4. Make 3 sets of copies.
5. Always keep a copy of every paper you file with the Court and bring your copies with you to the hearing.
6. Once you file your Request for Parenting Time/Custody Enforcement, your request will be scheduled for hearing before the referee. Prior to the hearing, your motion may be reviewed and one of the following actions occur:
  - a. A decision will be made that you do not have a parenting time schedule in your Order or custody in place that the Court can enforce. If such a decision is made, you will receive a letter notifying you that you must file a Motion to Modify Parenting Time or Custody.
  - b. Your case may be referred to the Dispute Resolution Unit/Family Assessment Mediation and Education Unit of the Court for mediation with a qualified mediator. This process allows the parties to try to resolve this matter.
  - c. Make-up parenting time may be ordered in accordance with the current parenting time Order.

**IF YOU ARE FILING ONLINE (RECOMMENDED):**

1. The electronic filing system can be found at [www.3rdcc.org/agency-resources](http://www.3rdcc.org/agency-resources). Click on Outside Agency Web Access under Applications Access to set up an account and to access the Domestic Case Filings System. Review User Guide for Domestic Case Electronic Filers under How to Tutorials for detailed instructions on how to access the system.
2. **Note: this request must be filed as a pleading (not a motion).**
3. You will receive an email once your Motion has been accepted for filing.
4. Once you receive the email that your Motion has been accepted, you must submit a Friend of the Court ePraecipe at <https://www.3rdcc.org/efiling/epraecipe> to schedule your motion for hearing before the referee assigned to your case.

5. Once you have submitted the ePraecipe, you will receive a completed copy back with your hearing date on it. Please note that the final hearing date may be different from what was requested on the ePraecipe, due to Court availability.

### **IF YOU ARE FILING IN PERSON:**

1. Take your original and three copies of your “Request for Parenting Time/Custody Enforcement” to the Wayne County Clerk in **Room 201 (CAYMC 2<sup>nd</sup> Floor)**.
2. Put case labels (stickers) in the upper right corner of original documents and copies. Case labels are free and available in **Room 201**.
3. Give the Clerk your original “Request for Parenting Time/Custody Enforcement”. There is no filing fee.
4. The Clerk will keep the original forms.
5. Take a copy of your “Request for Parenting Time/Custody Enforcement” to the FOC Scheduling Office in **Room 900A (CAYMC 9<sup>TH</sup> floor)**.
6. At the window of **Room 900A**, an FOC representative will take all of your paperwork and give you a hearing date.
7. **Go to your hearing with all documents that prove the request in your motion.** If you do not show up, or if you show up late, your motion will be dismissed.

### **IF YOU ARE FILING BY MAIL:**

1. Mail your original forms and 3 sets of copies to: **Wayne County Clerk, Room 201, Coleman A. Young Municipal Center, Two Woodward Ave., Detroit, MI 48226**. There is no filing fee.
2. Keep copies of everything you mail to the Court.
3. Include a Self-Addressed Stamped Envelope and a letter asking the County Clerk to mail you a receipt and a copy of your motion stamped “filed.”

### **QUESTIONS?**

Call the Wayne County Friend of the Court at (844) 785-7593 or email [CustomerService@3rdcc.org](mailto:CustomerService@3rdcc.org). Employees of the Friend of the Court and the Wayne County Circuit Court cannot give you legal advice or help prepare documents. General Court information can be found on the website: [www.3rdcc.org](http://www.3rdcc.org).

**Failure to complete all of the above steps may result in delay or dismissal of your motion.**

**The Court is required by law to use the Michigan Child Support Formula to set the child support amount, unless the Court finds that application of the formula would be unjust or inappropriate.**

<b>STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY</b>	<b>REQUEST FOR PARENTING TIME/ CUSTODY ENFORCEMENT</b>	<b>CASE NO.  HON.</b>
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Please print or type information

Plaintiff name, address, telephone no., and email address   Attorney name, address, telephone no., and email address  <input type="checkbox"/> This party is incarcerated and a telephone hearing is required.  Prisoner ID# _____ Department of Corrections' Prison Name _____	Defendant name, address, telephone no., and email address   Attorney name, address, telephone no., and email address  <input type="checkbox"/> This party is incarcerated and a telephone hearing is required.  Prisoner ID# _____ Department of Corrections' Prison Name _____
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The other parent has denied me parenting time or custody rights that are in my Parenting Time/Custody Order.

1. I have a domestic relations case (DM, DC, DP, DS) in Wayne County Circuit Court that orders custody and parenting time between me and the following children:

_____	_____
_____	_____

2. With whom does the child(ren) live? \_\_\_\_\_

3. I last saw the child(ren) for parenting time on \_\_\_\_\_.

4. I believe that I am entitled to the following parenting time according to the current Court Order:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Be sure to attach a copy of your most recent custody/parenting time Order. If you do not attach a copy of your Order, your Enforcement Request will take longer to process.

5. The other parent has violated the Order(s) as follows: (Write down the violation(s) with date(s), and attach a copy of your Order). **Dates must have occurred in the last 56 days.**

Date:	Description of Violation: _____ _____ _____
Date:	Description of Violation: _____ _____ _____

Date:	Description of Violation: _____ _____ _____
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6. I have filed \_\_\_\_\_ previous Parenting Time/Custody Enforcement Requests. The Parenting Time/Custody Enforcement Requests were  GRANTED  DENIED
7. Is there a history of domestic violence between you and the other parent?  YES  NO
8. DOMESTIC VIOLENCE: If there is a history of domestic violence, has a Restraining Order or Personal Protection Order been issued:  YES  NO Is the Order still valid:  YES  NO

Date Order Issued: \_\_\_\_\_ Issuing Court \_\_\_\_\_ Case No. \_\_\_\_\_

The Restraining Order/Personal Protection Order was issued against: \_\_\_\_\_

9. I ask that enforcement action be taken by the Friend of the Court as allowed by law, based upon this request.

**Wayne County Circuit/Wayne County Friend of the Court Staff will review each request for enforcement and determine the appropriate enforcement process. You will receive notification, by mail, as to the next step in the enforcement process.**

My statements and answers on this form are true to the best of my information, knowledge and belief.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
YOUR SIGNATURE

**NOTICE TO THE PETITIONER (the parent who filed this request for enforcement):** PLEASE BE ADVISED THAT THE OPPOSING PARTY WILL RECEIVE A COPY OF THIS REQUEST FOR ENFORCEMENT.

**NOTICE TO THE RESPONDENT (the parent against whom this complaint is filed):** YOUR FAILURE TO RESPOND *IN WRITING* TO THE FRIEND OF THE COURT SCHEDULING OFFICE (900A COLEMAN A. YOUNG MUNICIPAL CENTER, 2 WOODWARD AVENUE, DETROIT MI 48226) WITHIN 21-DAYS AFTER THIS NOTICE WAS SENT SHALL BE CONSIDERED AN AGREEMENT THAT PARENTING TIME WAS WRONGFULLY DENIED AND THAT THE MAKEUP PARENTING TIME POLICY ESTABLISHED BY THE COURT WILL BE APPLIED.

**YOU MUST USE A “MOTION TO CHANGE PARENTING TIME – FD/FOC 4031” OR “MOTION TO CHANGE CUSTODY – FD/FOC 4018” INSTEAD OF THIS FORM IF:**

- YOU DO NOT HAVE A PARENTING TIME ORDER
- YOU WANT TO CHANGE THE CURRENT PARENTING TIME ORDER OR CUSTODY ORDER

**YOUR MOTION/ENFORCEMENT REQUEST WILL BE REVIEWED BY THE FRIEND OF THE COURT. YOU WILL RECEIVE FURTHER INSTRUCTIONS BY MAIL INCLUDING THE DATE OF ANY SCHEDULED MEDIATION OR YOUR SCHEDULED HEARING DATE.**

**FOLLOW THE ATTACHED INSTRUCTIONS TO SUBMIT YOUR DOCUMENTS**