

## **FRIEND OF THE COURT CONSENT HEARING INFORMATION**

The Wayne County Friend of the Court has created a special **CONSENT DOCKET** to hear cases in which the parties have resolved certain issues on their own and have agreed to come to court together to have these issues heard by a referee. The Consent Docket is a service provided by the Friend of the Court to speed up the **In Pro Per** (self-representation) hearing process and to reduce the number of motions filed. It is important to remember that although both parties are in agreement, the referee has the final decision to approve the agreement and to enter it as an order of the Court. The Consent Docket will be based upon referee availability and may be cancelled for unforeseen circumstances. All hearings will be held via Zoom until further notice. **DO NOT APPEAR AT THE COURTHOUSE FOR YOUR SCHEDULED HEARING.**

A **CONSENT HEARING** is designed to handle some of the following domestic relations issues:

- **CREDIT OF ARREARAGE**: this does not include arrears owed to the state, service fees, or processing fees
- **CHANGE OF PARENTING TIME**: modification of child support based on change of parenting time will not be addressed at the consent hearing; however, it is at the discretion of the referee
- **OTHER APPROPRIATE ISSUES**: such as: change in income withholding, etc.

The following are some of the issues that **CANNOT** be heard at a consent hearing:

- Change of Custody
- Change of Domicile
- Modification of the current monthly support or medical obligation. A party must file a motion.
- State Arrears cannot be credited or waived. A party may file the documents to request a payment plan for State owed arrears.
- Active public assistance cases or newly closed public assistance cases. State assistance cases must be closed for at least **90 days**.
- Direct pay of current support will not be permitted. A party may file the appropriate pleadings to seek that relief.
- Any matter if a license suspension notice has been mailed or a hearing has been scheduled
- Any matter if there is an active bench warrant
- Requests to change medical insurance provisions.
- Any issue deemed inappropriate by the consent referee or the Friend of the Court personnel.

## **CONSENT HEARING PROCEDURES**

1. Appointments are on Tuesdays in half-hour increments, subject to availability.
2. **The party who scheduled the appointment must forward the confirmation email with the link to join the meeting to the other party.**
3. BOTH PARTIES must be present virtually at the time of the scheduled appointment. If both parties do not appear at the time of their appointment they may be asked to reschedule for another day.
4. You must have an updated internet browser to join the virtual appointment. Microsoft Edge and Google Chrome are preferred.
5. **Children are not allowed during the interview process or in the virtual courtroom with the referee.**
6. The maximum number of hearings per day is 7. Appointments must be scheduled at least a day in advance.
7. The length of time needed to complete the hearing process is unpredictable; therefore, parties should be prepared to wait.
8. To facilitate the hearing, you will be contacted by a Domestic Relations Specialist by telephone the week before your scheduled appointment to determine if your case meets the eligibility requirements for the Consent Docket.
9. Parties should be able to clearly define their agreement without prompting from the interviewer. **The interviewer cannot give legal advice.**
10. If the interviewer determines the parties are not eligible, they will not go before a referee. However, a motion can be filed.
11. If eligible, the parties will go before a referee via Zoom at the time of their scheduled appointment. The Domestic Relations Specialist will instruct the parties which referee will be hearing the case. The referee Zoom hearing rooms are located at:  
<http://www.3rdcc.org/zoom/family-division-foc>
12. The parties will be asked to state the facts of their agreement and show any supporting documentation electronically via the courtroom email drop box if necessary.
13. If the referee approves the parties' agreement, then the referee will issue a Referee Recommendation and Order (RRO) incorporating the agreement, by consent, and indicating that the parties waive the right to object to the RRO.

14. To schedule an appointment for an interview with a Domestic Relations Specialist to determine eligibility for a consent hearing, go to the Court's website at <https://thirdjudicialcircuitofmichigan.setmore.com/> and select "FOC Consent Docket" (DO NOT select FOC Virtual Customer Service). Again, expect to receive a telephone call from a Domestic Relations Specialist the week before your appointment to screen for eligibility.