

Collaborative Law Process in Wayne County

These instructions apply to all persons participating in the collaborative law process in Wayne County. All filings shall be made pursuant to the general instructions found on the [Family Domestic/FOC Filing Instructions](#) Page at the Third Circuit Court Website. **Please note that Options 1-3 MUST be completed by a collaborative law attorney pursuant to MCR 3.222, while Option 4 may be completed by either a pro se litigant or an attorney under MCR 3.223.**

Instructions

Option #1: If there is an existing domestic relations case AND you signed a collaborative law agreement after the case had already started, the collaborative attorneys shall:

- File a Joint Motion and Order to Stay Proceedings [[SCAO Form CCFD 22](#)] into the existing case.
- When the parties have concluded the collaborative law process, the attorneys shall:
 - Complete and file Status Report/Notice (Collaborative Law Process) [[SCAO Form CCFD 23](#)] **within 364 days** of filing the Joint Motion and Order to Stay Proceedings, and check box that states “concluded”; **AND**
 - File a proposed final judgment/order to request for entry
 - If no proposed final judgment/order has been filed **within 182 days** of filing the Joint Motion and Order to Stay Proceedings, you **MUST** file a Status Report [[SCAO Form CCFD 23](#)]. **IF THE STATUS REPORT IS NOT TIMELY FILED, YOUR CASE MAY BE DISMISSED.**
 - If the Status Report is timely filed, but no proposed final judgment/order has been filed **within 364 days** of filing the Joint Motion and Order to Stay Proceedings, you **MUST** file a Motion to Extend the Stay or a consent judgment/order. **IF THE MOTION TO EXTEND THE STAY IS NOT FILED, YOUR CASE MAY BE DISMISSED.**

Option #2: If you have signed a collaborative law participation agreement, but DO NOT have an existing domestic relations case OR a proposed final judgment/order, the attorneys shall:

- Pay the necessary fees and file the following to submit to the Court’s jurisdiction:
 - A Petition for Collaborative Law Process Form [[SCAO Form CCFD 24](#)] using the proper domestic relations case type of DC (Custody), DO (Divorce without children), DP (Paternity), DS (Child Support), or DZ (Other);
 - Check box #8 on Petition to declare intent to file proposed final judgment or order

- A Domestic Violence Screening Form [[SCAO Form MC 282a](#)] for each party;
 - A Verified Statement [[FOC Form 23](#)]
 - A Judgment Information Form [[FOC Form 100](#)]
 - Confidential Case Inventory Form [[SCAO Form MC 21](#)]; **AND**
 - A Uniform Child Custody Jurisdiction Enforcement Act Affidavit [[SCAO Form MC 416](#)].
- Once you have filed all the required forms and have paid the necessary fees, the Court will schedule a hearing date for the Petition and send you a Notice of Request to Enter Consent Judgment [[SCAO Form CCFD 26](#)]. You will be notified of the hearing date by mail.
 - When the parties have **concluded** the collaborative law process, the parties or attorneys shall:
 - File a proposed final judgment/order to request for entry
 - If no proposed final judgment/order has been filed **within 182 days** of filing the Joint Motion and Order to Stay Proceedings, you **MUST** file a Status Report [[SCAO Form CCFD 23](#)]. **IF THE STATUS REPORT IS NOT TIMELY FILED, YOUR CASE MAY BE DISMISSED.**
 - If the Status Report is timely filed, but no proposed final judgment/order has been filed **within 364 days** of filing the Joint Motion and Order to Stay Proceedings, you **MUST** file a Motion to Extend the Stay or a consent judgment/order. **IF THE MOTION TO EXTEND THE STAY IS NOT FILED, YOUR CASE MAY BE DISMISSED.**

Option #3: If you have signed a collaborative law participation agreement and you HAVE a proposed final judgment/order, but there is NO existing domestic relations case, the attorneys shall:

- Pay the necessary fees and file the following to submit to the Court's jurisdiction:
 - A Petition for Collaborative Law Process Form [[SCAO Form CCFD 24](#)] using the proper domestic relations case type of DC (Custody), DO (Divorce without children), DP (Paternity), DS (Child Support), or DZ (Other);
 - Check box # 9 on Petition to request the Court to enter the proposed final judgment or order.
 - The Proposed Consent Judgment of Divorce;
 - A Domestic Violence Screening Form [[SCAO Form MC 282a](#)] for each party;
 - A Verified Statement [[FOC Form 23](#)];
 - A Judgment Information Form [[FOC Form 100](#)];
 - Confidential Case Inventory Form [[SCAO Form MC 21](#)]; **AND**

- A Uniform Child Custody Jurisdiction Enforcement Act Affidavit [[SCAO Form MC 416](#)].
- Complete proper service by serving a copy of the proposed consent judgment of divorce, within 7 days after it has been signed, on all other parties, and file proof of service with the court clerk.
- Once you have filed all the required forms, paid the necessary fees, and properly served the proposed consent judgment of divorce, the Court will schedule a hearing date for the Petition and send you a Notice of Request to Enter Consent Judgment [[SCAO Form CCFD 26](#)]. You will be notified of the hearing date by mail.

Option #4: If you have a consent judgment or order that you received as a result of an alternative dispute resolution or simple negotiations, the attorneys or parties shall:

- Pay the necessary fees and file the following:
 - A Petition for Consent Judgment [[SCAO Form CCFD 25](#)] using the proper domestic relations case type of DC (Custody), DO (Divorce without children), DP (Paternity), DS (Child Support), or DZ (Other);
 - The Proposed Consent Judgment/Order signed by both parties;
 - A Uniform Child Custody Jurisdiction Enforcement Act Affidavit [[SCAO Form MC 416](#)];
 - A Verified Statement [[FOC Form 23](#)];
 - A Judgment Information Form [[FOC Form 100](#)];
 - Confidential Case Inventory Form [[SCAO Form MC 21](#)]; **AND**
 - A Domestic Violence Screening Form for each party [[SCAO Form MC 282a](#)].
- Once the parties or attorneys have filed all the required forms and have paid the necessary fees, the Court will schedule a hearing date for the Petition and send a Notice of Request to Enter Consent Judgment [[SCAO Form CCFD 26](#)]. The parties and attorneys, if any, will be notified of the hearing date by mail. **FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE CASE BEING DISMISSED.**