

**STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY**

FRIEND OF THE COURT PARENTING TIME POLICY

Effective: January 1, 2016

**Friend of the Court
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**STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY**

Michigan law establishes that minor children have a right to a relationship with both parents. It is the philosophy of the Court that it is in the minor children's best interest for both parents to be involved in a child's life. Parents should facilitate and encourage the relationship that the child has with the other parent. The parties shall conduct themselves at all times with the best interest of the child foremost in their consideration and shall communicate with one another on a regular basis to enhance and foster the child's best interest.

It is the responsibility of the office of the Friend of the Court to enforce orders of the Court involving custody, parenting time, and child support in family division cases involving minor children. While these factors are inter-related when dealing with children, each is considered separate under the laws of this State. **THE FRIEND OF THE COURT OFFICE AND ITS EMPLOYEES CANNOT PROVIDE YOU WITH LEGAL ADVICE.** In the event you require legal advice or representation, please consult an attorney.

The following definitions are provided for your convenience only:

CUSTODY: There are two types of custody: legal and physical. "**Legal custody**" shall mean the decision making authority as to the important decisions affecting the health, education, religious training, and general welfare of the child. "**Physical custody**" shall mean the decision making authority with regard to the day to day care of a child.

PARENTING TIME: "**Parenting time**" shall mean the time a child spends with a non-custodial parent (formerly referred to as "visitation").

CHILD SUPPORT: "**Child support**" shall mean ongoing payments made by a parent to meet the financial needs of that parent's child, including medical, dental, educational, and child care expenses. Child support is determined based on a number of factors in accordance with the Michigan Child Support Formula.

It is also the responsibility of the Friend of the Court to recommend a parenting time schedule reflecting what it considers to be in the best interest of the minor children. Any deviation from the schedule is permissible if the parties agree. It is strongly recommended that parents develop their own arrangements that will consider the unique circumstances of their family, which may be modified from time to time. The Friend of the Court may recommend deviation from the following typical schedule on a case by case basis and such recommendation is based on many factors, including the past parent-child relationship; the age and developmental needs of the child; the location of each parent's residence; as well as consideration of any other special circumstances.

**STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY**

GENERAL PARENTING POLICIES:

1. The parenting time schedule will be exercised in a prompt manner. In the event of an unforeseen circumstance, a thirty (30) minute delay is allowed for picking up and returning the child(ren).
2. The parties will equally share transportation of the minor children. If the parties cannot agree on how to divide the responsibility, the noncustodial parent will be responsible for transporting the child(ren) at the beginning of the parenting time period and the custodial parent will be responsible for transporting the child(ren) at the end of the period.
3. The parties may elect to have a responsible adult transport the minor children for parenting time. A "responsible adult" is defined as an individual over the age of eighteen (18) who is known to the minor child. Advance notice shall be provided to the other party whenever arrangements are made for a non-parent to transport the minor child(ren) for visitation purposes.
4. Age-appropriate safety restraints must be utilized during the transportation of the minor children in accordance with the laws of this State.
5. The noncustodial parent must give at least 24 hours notice to the custodial parent of any inability to exercise parenting time.
6. Summer school necessary for the child(ren) to pass to the next grade must be attended. The custodial parent must obtain written verification from the school regarding the necessity of summer enrollment.
7. A general itinerary and emergency telephone number will be provided to the other parent if an out-of-town vacation is planned.
8. If there are school-age and non-school age children, then the younger child(ren) shall follow the parenting time schedule of the child(ren) in school. Kindergarten or Young Fives is the first recognized school grade.
9. In the event of a denial of parenting time, the *Make-Up Parenting Time Policy* outlined below shall be followed.
10. In the event there is a dispute and the parenting time order does not address the disputed issue(s), the Friend of the Court has authority to determine the following: the distance (mileage) between the parties' homes, what items should be provided by each parent during the noncustodial parent's parenting time, who may pick up and return the child pursuant to the parenting time schedule, and what child-related activities the noncustodial parent cannot engage in during parenting time (such as hair-cutting, ear-piercing, unauthorized non-emergency medical treatment, etc.).

STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY

The Friend of the Court recommends the following standard parenting time schedule for Huron County when parties reside within 150 miles of each other:

Alternate Weekends:

During the school year, parenting time shall occur on alternating weekends from Friday evening at 6:00 p.m. until Monday morning when the minor child begins school (or 10:00 a.m. in the event there is no school or the minor child is not yet school-aged). The non-custodial parent shall be responsible for transporting the minor child to school. *

Weekday Parenting Time:

The non-custodial parent shall have one (1) evening of parenting time for a minimum of two (2) hours on his or her weeks of non-scheduled alternate weekends. If the parents are unable to agree on the specific weekday or time, weekday parenting time shall occur on Wednesday evening from after school until 8:00 p.m. In the event the non-custodial parent is unable to pick the minor child up from school then and in such event, weekday parenting time shall occur from 6:00 p.m. until 8:00 p.m.*

In the event the parents reside in the same school district (or an adjoining district), the non-custodial parent may elect to exercise a weekday overnight visitation so long as the same does not interfere with the minor child's normal school routine. The non-custodial parent shall be responsible for transporting the minor child to school. **Written notification of the non-custodial parent's intent to exercise weekday overnight visitation must be sent to the other party and the Friend of the Court office.**

** Child or children should have evening meal prior to pick up or return from parenting time, unless other arrangements have been made.*

Holiday Parenting Time:

Holiday Parenting Time takes precedence over regularly scheduled parenting time. When the holiday or summer parenting time concludes, the regular alternating weekend schedule will resume as if it had not been interrupted. If the child is not of school age, the school vacation schedule of the district where the child resides will be followed.

Father will have these specified holidays in all even-numbered years and mother will have these holidays in all odd-numbered years:

- ❖ **Memorial Day Weekend** from Friday at 6:00 p.m. until Memorial Day at 6:00 p.m.
- ❖ **Labor Day Weekend** from Friday at 6:00 p.m. until Labor Day at 6:00 p.m.

STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY

- ❖ **Easter Weekend / Spring Break** from 3:00 p.m. the day school recesses for spring break until 6:00 p.m. the evening before school resumes from break. In the event Easter Sunday weekend is not included in the school spring break week, the father has the entire Easter weekend from Good Friday at 9:00 a.m. until Easter Sunday at 6:00 p.m. in the even numbered years and mother has the entire Easter Weekend in the odd numbered years.
- ❖ **Halloween** from 4:00 p.m. until 8:30 p.m. in the event there is school the next day. In the event Halloween falls on a Friday or Saturday, parenting time shall be from 4:00 p.m. on Halloween until 10:00 a.m. the next morning.
- ❖ **Christmas / Winter Break** from 10:00 a.m. on Christmas Day until 6:00 p.m. the Sunday before school resumes (this shall also be referred to as the “second part of Christmas break”).

Father will have the following holidays in all odd-numbered years and mother will have these holidays in all even-numbered years:

- ❖ **Mid-Winter Break** from 3:00 p.m. the day school recesses for mid-winter break until 6:00 p.m. the Sunday before school resumes in the event the child’s school district participates in a mid-winter break.*
- ❖ **Fourth of July** from July 3rd at 6:00 p.m. until July 5th at 6:00 p.m.
- ❖ **Thanksgiving Weekend** from 6:00 p.m. the Wednesday evening before Thanksgiving Day until Sunday at 6:00 p.m.
- ❖ **Christmas / Winter Break** from 3:00 p.m. the day school recesses for winter break until 10:00 a.m. on Christmas Day (this shall also be referred to as the “first part of Christmas break”).
- ❖ **Child’s Birthday** from 9:00 a.m. until 9:00 p.m. in the event there is no school. In the event the child’s birthday falls on a scheduled school day, parenting time shall be from after school until 8:00 p.m.**

***If the child’s birthday takes place on the same date as a recognized holiday or school break, the holiday parenting time or school break parenting time shall take precedence.*

***If there is more than one child, all of the children shall be included in each of the children’s birthday parenting time.*

STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY

- ❖ Mother shall have **Mother's Day Weekend** each year from Friday at 6:00 p.m. until Sunday at 6:00 p.m.
- ❖ Father shall have **Father's Day Weekend** each year from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

The 52nd Circuit Court recognizes the right established by law of same-sex couples to marry. In the event a child or children result from the union, Plaintiff shall follow the holiday schedule outlined above during the even numbered years and Defendant shall follow the holiday schedule outlined above during the odd numbered years. In the event of a specific holiday conflict, the parties shall alternate years for that particular holiday with Plaintiff having said holiday during the even numbered years and Defendant having said holiday during the odd numbered years.

Summer Parenting Time:

The parents shall each have visitation with the minor children on a week-to-week basis beginning the first Sunday after school releases for summer break or the first Sunday in June in the event the children are not school-aged.

The parents shall each be entitled to one (1) fourteen (14) day period of parenting time during the summer vacation from school. The dates for said period shall be chosen by father on or before May 1st in odd numbered years and on or before May 15th in even numbered years. The dates for said period shall be chosen by mother on or before May 1st in even numbered years and on or before May 15th in odd numbered years.

If proper notification is not given to the other parent and to the Friend of the Court as outlined above, then and in such event father shall have the minor child(ren) commencing the second Sunday of **July** at 6:00 p.m. and ending two (2) weeks later on Sunday at 6:00 p.m. Mother shall have the minor child(ren) commencing the fourth Sunday of **July** at 6:00 p.m. and ending two weeks later on Sunday at 6:00 p.m.

Alternate weekends with the child(ren) are suspended during the summer vacation from school. The other parent shall be entitled to have the child(ren) the week following the end of the fourteen (14) day extended parenting time period regardless of the alternating schedule.

**STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY**

The Friend of the Court recommends the following standard parenting time schedule for Huron County when parties reside more than 150 miles from each other:

Weekend Visitation:

The non-custodial parent shall also have visitation with the minor child(ren) the second weekend of every month from Friday at 5:00 p.m. until Sunday at 4:00 p.m. during the school year (from September through May). The parties shall inform the Friend of the Court in writing when the non-custodial parent is unable to exercise weekend visitation with the minor child(ren) due to geographical restrictions or other reasonable considerations. Upon the written request of the parties, the Friend of the Court may make a determination regarding the best interests of the minor children with regard to this issue.

Summer Vacation:

The non-custodial parent shall have visitation with the minor child(ren) for eight (8) consecutive weeks in the summer. The dates shall be chosen by the noncustodial parent unless said parent fails to give written notification of the desired dates to the custodial parent and the Friend of the Court by May 1st of each year. If proper notification is not given, the noncustodial parent shall have the minor child(ren) for eight (8) consecutive weeks commencing the last Sunday of **June** at 6:00 p.m. and ending eight (8) weeks later on Sunday at 6:00 p.m.

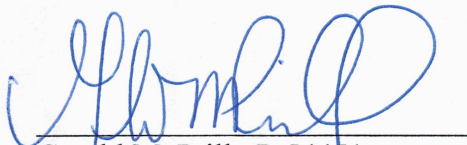
Holidays:

- ❖ **Spring Break** from 3:00 p.m. the day school recesses for spring break until 6:00 p.m. the evening before school resumes from break during the odd numbered years.
- ❖ **Thanksgiving Weekend** from 6:00 p.m. the Wednesday evening before Thanksgiving Day until Sunday at 6:00 p.m. during the even numbered years.
- ❖ **Christmas / Winter Break** from 3:00 p.m. the day school recesses for winter break until 10:00 a.m. on Christmas Day during the odd numbered years and from 10:00 a.m. on Christmas Day until 6:00 p.m. the Sunday before school resumes during the even numbered years.
- ❖ **Mother's Day Weekend or Father's Day weekend** each year from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

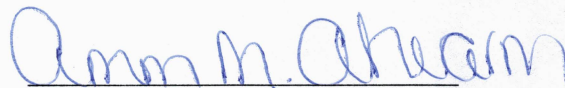
STATE OF MICHIGAN
52ND JUDICIAL CIRCUIT FAMILY DIVISION
HURON COUNTY

APPROVAL

The above definition of *Reasonable Parenting Time* and the *Make-Up Parenting Time* policy are approved on this 15th day of January, 2016.



Gerald M. Prill P-54451
Circuit Judge



Ann M. Ahearn
Friend of the Court

Should you have any questions regarding the definition of reasonable parenting time or make-up parenting time policy, please contact the Friend of the Court Office in writing stating the information you need clarified.