



THE THIRD JUDICIAL CIRCUIT
OF MICHIGAN

711 COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3413

DOCKET DIRECTIVE 2006 – 08

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT**

SUBJECT: Domestic Relations Actions

This Docket Directive is issued pursuant to MCL 8.110 and is necessary to ensure the orderly assignment of the business of the Court and to delineate responsibilities between Domestic Relations Judges and Friend of the Court Referees.

IT IS ORDERED THAT:

Motions filed by an attorney: All motions filed by an attorney in domestic relations cases, including motions to be heard by a Friend of the Court Referee, and including complaints pursuant to the Support and Parenting Time Enforcement Act, MCL 552.60, must be filed in the Office of the County Clerk, Room 201, Coleman A. Young Municipal Center, Two Woodward Avenue, Detroit, MI 48226.

Motions filed by a party without an attorney (in pro per): All motions filed by a party without an attorney (in pro per) in domestic relations cases, including motions to be heard by a Friend of the Court Referee, and including complaints pursuant to the Support and Parenting Time Enforcement Act, MCL 552.60, must be filed in the Office of the County Clerk, Room 928, Coleman A. Young Municipal Center, Two Woodward Avenue, Detroit, MI 48226.

Motions cannot be filed at Friend of the Court.

Copies of all motions to be heard by the assigned Judge must be delivered to the courtroom of the Judge assigned to the case to facilitate scheduling on the Judge's docket.

Attorneys and litigants must file separate motions and praecipes for motions to be heard before the Judge and for motions to be heard before a Friend of the Court Referee. If more than one motion on the same case is filed at the same time, only one motion fee will be charged.

CUSTODY MATTERS

PRE-JUDGMENT CHILD CUSTODY – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Objections to Ex Parte Custody Orders; and
2. Motions regarding Temporary Physical/Legal Custody on all cases.

PRE-JUDGMENT CHILD CUSTODY – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. All Legal Issues, including but not limited to UCCJEA issues;
2. Orders to Show Cause on Custody Matters, *i.e.* Parental Kidnapping; and
3. Final Orders of Custody.

POST-JUDGMENT CHILD CUSTODY – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Threshold Questions for Motions to Change Custody;
2. Motions regarding Change of Physical/Legal Custody on all cases;
3. All Legal Issues, including but not limited to UCCJEA;
4. Motions regarding Joint Legal Custody Issues and/or disputes; and
5. Orders to Show Cause on Custody Matters.
6. Motions for Change of School

IN PRO PER CONSENT POST-JUDGMENT CUSTODY MODIFICATION DOCKET – REFEREE

In Pro Per Requests for Consent Change of Physical/Legal Custody shall be heard and decided by a Friend of the Court Referee.

CHILD SUPPORT MATTERS

PRE-JUDGMENT CHILD SUPPORT – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Objections to Ex Parte Support Orders;
2. Motions for Temporary/Interim Support;
3. Consent or In Pro Per Support Motions; and
4. Non-Contempt Enforcement of Support Orders.

PRE-JUDGMENT CHILD SUPPORT – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Orders to Show Cause for Failure to Pay Support; and
2. Final Order of Child Support.

POST-JUDGMENT CHILD SUPPORT – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Consent or In Pro Per Support Motions;
2. Non-Contempt Enforcement of Support Orders;
3. Medical Support Enforcement; and
4. Motions for Post-Judgment Modification of Support Orders.

POST-JUDGMENT CHILD SUPPORT – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Orders to Show Cause for Failure to Pay Support.

SPOUSAL SUPPORT MATTERS

PRE-JUDGMENT SPOUSAL SUPPORT – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Motions for Temporary Spousal Support on DM or DZ cases, when there are children.

PRE-JUDGMENT SPOUSAL SUPPORT – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Orders to Show Cause for Failure to Pay Support;
2. All other Motions; and
3. Final Order of Spousal Support.

POST-JUDGMENT SPOUSAL SUPPORT – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Motions for Modifications to Final Order of Spousal Support;
2. Orders to Show Cause for Failure to Pay Support; and
3. All other Motions.

PARENTING TIME MATTERS

PRE-JUDGMENT PARENTING TIME MATTERS – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Objections to Ex Parte Orders;
2. Motions for Temporary/Interim Parenting Time;
3. Parenting Time Enforcement Complaints;
4. Orders to Show Cause for Parenting Time Violations; and
5. Parenting Time Violations (PA 568 of 2002).

PRE-JUDGMENT PARENTING TIME MATTERS – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Final Order for Parenting Time.

POST-JUDGMENT PARENTING TIME MATTERS – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Motions for Modification of Parenting Time Order;
2. Parenting Time Enforcement Complaints;
3. Orders to Show Cause for Parenting Time Violations; and
4. Parenting Time Violations (PA 568 of 2002).

ALL OTHER MATTERS

PRE-JUDGMENT OTHER MATTERS – REFEREE

A Friend of the Court Referee shall be responsible for hearing and deciding the following:

1. Motions to Maintain the Financial Status Quo in cases with children;
2. Motions to Modify Income Withholding Orders;
3. Motions regarding other Financial Aspects of Support in cases with children;
4. Motions to Opt Out of the Friend of the Court System; and
5. Motions to Opt Back In to the Friend of the Court System.

PRE-JUDGMENT OTHER MATTERS – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Orders to Show Cause;
2. Motions for Discovery;
3. Motions to Vacate the Home;
4. Motions to Appoint Experts and Receivers and to Assess Fees;
5. Motions for Change of Domicile;
6. Motions to Enforce a Judgment;
7. Motions regarding all Legal Issues; and
8. Motions regarding all other Financial Aspects.

POST-JUDGMENT OTHER MATTERS – REFEREE

1. Motions to Modify Income Withholding Orders;
2. Motions regarding other Financial Aspects of Support in cases with children
3. Motions to Opt Out of the Friend of the Court System;
4. Motions to Opt Back In to the Friend of the Court System; and
5. Motions regarding Continuing Exclusive Jurisdiction under UIFSA.

POST-JUDGMENT OTHER MATTERS – JUDGE

The assigned judge shall be responsible for hearing and deciding the following:

1. Orders to Show Cause;
2. Motions for Discovery;
3. Motions to Vacate the Home;
4. Motions for Attorney Fees;
5. Motions to Appoint Experts and Receivers and to Assess Fees;
6. Motions for Relief from Judgment;
7. Motions to Cancel Arrears where there is a pending felony non-support matter;
8. Motions for Change of Domicile;
9. Motions to Enforce a Judgment;
10. Motions regarding Statute of Limitations;
11. Motions regarding all Legal Issues; and
12. Motions regarding Financial Aspects other than child support.

This Docket Directive rescinds and replaces Docket Directive 2003-04.



Mary Beth Kelly
Chief Judge
Third Judicial Circuit

Dated: August 21, 2006