

Family Domestic/FOC Filing Instructions

Due to the State of Emergency as a result of the COVID-19 health crisis, the Court is suspending in person filings until further notice.

Parties and attorneys have the option of filing pleadings by email, mail or fax, as detailed below. However, email filing is the preferred filing method.

Please make sure you have read, understood and followed all the instructions on this page before proceeding with your filing.

You **MUST** do the following or else your filing will be rejected or delayed:

- All emailed pleadings filed **MUST** be in PDF format.
- When filing a Motion, the Motion, Brief, Notice of Hearing and Proof of Service can be filed as one single document. All other documents **MUST** be files as separate PDFs. This includes:
 - **Fee Waiver**
 - Receipt
 - Proposed Order (each order **MUST** be its own PDF)
 - Complaints, and include each of the following as their own PDF:
 - Verified Complaint
 - **Confidential Case Inventory**
 - **Certificate on Behalf of Plaintiff**
 - UCCJEA Affidavit
 - **Verified Statement** (**MUST** also send to FOCCOpies@3rdcc.org)
 - **Application for IV-D Services** (**MUST** also send to FOCCOpies@3rdcc.org)
 - Copy of Paid Filing Receipt
- If you are faxing in your pleadings, do **NOT** attach a cover sheet or letter.
- If your filings are rejected, you **MUST** resubmit **ALL** filings, not just the rejected portion.
- Your filings must comply with all statutes and court rules, just as if you were filing in person. For example, the Uniform Child Custody Jurisdiction Enforcement Act Affidavit must be attached with new filings and verified pleadings must be signed by the party.

Personal Protection Order Filings

If you are filing a Petition for a Personal Protection Order, please find the [instructions here](#).

Filing Fees

- **Fees for Filings must be paid prior to emailing or faxing the filing.**
 - Parties can pay filing fees at www.govpaynow.com and use the code **6223**.
 - A copy of the GovPay receipt must be included with the filing.

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- If filing a new case, use the Plaintiff's last name for the case number on GovPay.
- If a party is requesting a [Fee Waiver](#), the party must submit the fee waiver form first. The party must wait for a reply from the Clerk before submitting the Filing. A copy of the approved fee waiver must accompany the Filing.

Emergency Filings

- Emergency filings **MUST** be marked as Emergency on the first page of the filing.
- Emergency filings **MUST** have the [Emergency Filing Fee Cover Sheet](#) attached.
- Once the fee is paid or the fee waiver form is approved, submit the pleadings via email to emergency@3rdcc.org.
- The pleadings will be filed with the County Clerk and forwarded to the Emergency Judge for review.
- If there are problems or deficiencies with the pleadings, you will be contacted.
- Upon the Assigned Judge's review, you will be provided a copy of the Order that is entered.

Non-Emergency Filings

- All Non-Emergency Filings shall be emailed to filings@3rdcc.org.
- Once the document is filed and loaded into Odyssey, a copy will not be sent back to the filing party.

New Case Filings

- For new cases, once the case has been started, you will receive an email from the clerk. Once you have received that, you must produce your own summons:
 - Go to [eSummons](#) on www.3rdcc.org
 - Follow prompts
 - The summons will be available to be created and printed after the filing has been accepted by the County Clerk. The summons shall be served in accordance with court rules.

Motion Hearing Dates

If you are filing a Motion, whether to be heard by the Judge or by the Friend of the Court Referee, you will need to monitor the case on [https://www.3rdcc.org/odyssey-public-access-\(opa\)](https://www.3rdcc.org/odyssey-public-access-(opa)) to determine when the Motion has been filed with the Clerk's Office.

Once the Motion has been entered on Odyssey, you will need to fill out either a [Family Domestic Praecipe](#) (used when Motion will be heard by the Judge) or [Friend of the Court Praecipe](#) (used when Motion will be heard by the Referee) to ensure your Motion is scheduled.

If you need assistance determining which ePraecipe to use, please review the [Domestic Relations Docket Directive](#) to determine if your Motion shall be heard by the Judge or Referee.

Once you have completed 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.

Family Domestic/FOC Filing Instructions

Filing Objection to Referee Recommendation

Objections to a Referee Recommendation and Order must be filed with the Assigned Judge's courtroom.

For parties **without an attorney filing an objection to Referee Recommendation:**

- Complete the [Objection to Referee Recommendation form](#).
- Serve/mail a copy of the objections form to the other party and their attorney, if any.
- Complete the Certificate of Delivery/Mailing section under the party's signature on the Objection to Referee Recommendation form.
- Email the completed Objection, along with a copy of the original Motion and Referee Recommendation and Order to the Assigned Judge's courtroom email box found at www.3rdcc.org/zoom/family-division-domestic.
- The Court will notify all parties of the date and time of the judicial hearing.

For **attorneys** filing objections to a Referee Recommendation:

- The attorney is to follow the same instructions above. The only change is that the attorney shall contact the Assigned Judge's courtroom for a hearing date prior to filing the Objections.
- The attorney must serve a copy of the objection and notice of hearing on the other party and their attorney, if any, and file a proof of service with the Court.

Email is the preferred method for filing; however, parties and attorneys can also mail the Objections directly to the Courtroom.

All hearings will be conducted via Zoom.

Filing Objection to Friend of the Court Child Support Recommendation

Objections to a Friend of the Court Child Support Recommendation must be filed with the County Clerk's Office and a copy sent to the FOC for scheduling. Objections may be filed by email at filings@3rdcc.org, fax to (313) 964-7341, or mail to Wayne County Clerk, 201 CAYMC, 2 Woodward Ave., Detroit, MI 48226. A copy of the objection may be sent to the FOC for scheduling by email at Investigation@3rdcc.org, fax to (313) 237-9276, or mail to Wayne County FOC, P.O. Box 829, Detroit, MI 48231. The FOC will schedule the objection for hearing before the assigned referee and mail notices to the parties. All hearings will be conducted via Zoom.

Judge's Copies

You **MUST** email the Judge's Copy of any filing to the Assigned Judge's email listed on the Family Division-Domestic tab of www.3rdcc.org/zoom.

Stipulated Orders

All Stipulated Orders shall be submitted to the Assigned Judge's general e-mail address, which can be found at www.3rdcc.org/zoom, for review.

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Waiver of Parental Consent

If you have a case for a waiver of parental consent, please send an email to Presiding Judge Kathleen M. McCarthy at JudgeMcCarthy-Court@3rdcc.org with the initials of the Petitioner and the Petitioner's date of birth. Someone from the Court will contact you back within 24 hours of receipt of the email.

Friend of the Court Copies of Filings

If you are filing pleadings with the clerk, and a copy of the pleadings needs to be filed with the Friend of the Court, please carbon copy FOCcopies@3rdcc.org via email. Due to limited staffing, please know that your paperwork will be processed as soon as possible, in the order in which it is received. Emails sent to this email box will NOT be responded to. You may also continue to mail forms to the FOC. See below for a list of pleadings and forms that need to be sent to the FOC. This list is not exhaustive.

1. Verified Statement
2. DHS-1201D Application for IVD Child Support Services
3. Answer to State Initiated Family Support (DS) or Paternity (DP) Case
4. Attorney Appearance
5. A copy of motions filed that will be going before a FOC Referee
6. Demand for Health Care Payment
7. Parenting Time and Custody Enforcement Request
8. Request for Access to FOC Records
9. Domestic Relations Judgment Information Form
10. Request to Reopen FOC Case
11. Attorney Access to FOC File Form
12. Objections to Genetic Test results
13. Any responses filed to any motion that will be heard by an FOC Referee
14. Objections to prejudgment ex-parte custody, parenting time or support orders

Mailing of Filings

Parties and attorneys may be continue to mail filings to the Wayne County Clerk by addressing them to Wayne County Clerk, Room 201, Coleman A. Young Municipal Center, Two Woodward Avenue, 48226.

Faxing of Filings

Parties and attorneys can also fax filings in by faxing to the following numbers:

- Emergency Filings to (313) 964-7340
- Non-Emergency Filings to (313) 964-7341
- FOC Copies to (313) 964-7342

Legal Resources

Below are some resources available for legal help with your filings. The Third Circuit Court cannot guarantee whether all of these resources are in full operation during this time. Their hours and services may be affected by the COVID-19 crisis.

Family Domestic/FOC Filing Instructions

Lakeshore Legal Aid
lakeshorelegalaid.org
(888) 783-8190

William Booth Legal Aid Clinic
wblac.org
(313) 361-6340

Michigan Legal Help
michiganlegalhelp.org