

# Family Domestic/FOC Filing Instructions

Family Domestic Division and Friend of the Court filings, except for case types listed below, may be filed either in person, via mail, or via the new electronic Domestic Case Filings system. The new electronic Domestic Case Filings System can be found at [www.http://3rdcc.org/agency-resources](http://3rdcc.org/agency-resources).

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

**These instructions are not meant to be a substitute for parties and/or attorneys ensuring their filings are in compliance with all local, state, federal Court rules and statutes or other laws.**

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## Ways to File

Beginning Monday, August 8, 2022, parties and/or attorneys may submit Family Domestic case filings in one of three ways:

1.
  1. **Domestic Case Filings System**
    - **This is the preferred method for Family Domestic Filings.**
    - The new electronic Domestic Case Filings System may be used Monday through Friday, 8:00 a.m. to 4:00 p.m.
    - The System will NOT be available in the evenings, on weekends or on Court holidays.

# Family Domestic/FOC Filing Instructions

- The Domestic Case Filings System can be used for filings on the following case types:
  - DC-Custody, excluding Collaborative Law cases
  - DM-Divorce with minor child(ren)
  - DO-Divorce without minor child(ren)
  - DP-Paternity
  - DS-Family Support
  - DZ-Miscellaneous family domestic
  - NC-Name Change-When filing a name change in the electronic system, the “alias name” is the new name to which the party is requesting the change.
- The Domestic Case Filings System **CANNOT** be used for filings on the following case types. These filings must be done in person or via mail:
  - Collaborative Law Process Cases
  - Emancipations
  - ID-Infectious Disease
  - UIFSA-cases to initiation registration or modification of a support order under UIFSA. See [here](#) for information on how to file these.
  - Waiver of Parental Consent Please see the [section below](#) for more information on these cases.
  - Personal Protection Order Filings Please see the [section below](#) for more information on these cases.
- The Domestic Case Filings System can be found at [www.<http://3rdcc.org/agency-resources>](http://3rdcc.org/agency-resources).
- Review User Guide for Domestic Case Electronic Filers under How to Tutorials for detailed instructions on how to access the system.
- Click on Outside Agency Web Access under Applications Access to set up an account and access the electronic Domestic Case Filings System.
- **PLEASE NOTE:** The Domestic Case Filings System **does NOT** perform service. You will still need to serve your documents in accordance with all applicable laws and statutes.

## 2. In-Person Filings

- All in person filers must go to the Wayne County Clerk, in Room 201 of the Coleman A. Young Municipal Center, located at Two Woodward Avenue, Detroit, 48226 Mondays and Thursdays ONLY 8:00 AM – 12:00 PM and 1:00 – 4:00 PM (must be in line by 3:30 pm)
- **It is important that all documents are complete at the time of submission.**

# Family Domestic/FOC Filing Instructions

## 3. Mail Filings

- Parties and attorneys may 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.
- If you are filing a motion by mail, 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> to determine when the Motion has been filed with the Clerk's Office.
- Once the Motion appears in the Register of Actions, follow the instructions below under Motion Hearing Dates/ePraecipe, to obtain a hearing date.

## Domestic Case Filings System-Helpful Hints

- The Domestic Case Filings System does NOT work with Internet Explorer. Please use a different browser when using the system.
- All documents must be in PDF form.
- When filing a Motion, include your exhibits in the same PDF as the Motion.
- Please do not submit color copies. All PDFs should be in black and white.
- Please ensure you are attaching the correct document to the correct category.
- If you are having issues with the system, please send a specific email to [helpdesk@3rdcc.org](mailto:helpdesk@3rdcc.org). Your email should include:
  - Your name
  - Your contact information
  - Specific details regarding the problem you are having with the system

## Personal Identifying Information

**Per Michigan Court Rule 1.109(D)(9)(a), the following personal identifying information is protected and shall not be included in any public document or attachment filed with the court - (i) date of birth, (ii) social security number or national identification number, (iii) driver's license number or state-issued personal identification card number, (iv) passport number, and (iv) financial account numbers.** If personal identifying information is required, it shall be included on the [MC 97](#) Protected Personal Identifying Information for defendants, respondents, and decedents or the [MC 97a](#) Addendum to Protected Personal Identifying Information for all others.

## Personal Protection Order Filings

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

# Family Domestic/FOC Filing Instructions

## Fee Waivers

- **Fee waivers** must be submitted and approved prior to filing. Fee waivers can be submitted two ways:
  - To the physical Courtroom of the Chief Judge, 701 CAYMC, Monday through Friday between the hours of 8:30 a.m. to 12:30 p.m. and 2:00 p.m. to 4:30 p.m., OR
  - Via the **Domestic Case Filings System-Helpful Hints**
- IF YOUR FEE WAIVER REQUEST IS DENIED: You have 14 days from the issue date to pay the filing fees or request a review. To request a review, fill out a **Request for Review of Denied Fee Waiver** and file it with the Clerk's Office.

## Filing Fees

- **In Person Filing Fees:** Fees for in-person filings can be paid at the time of filing. Fees may be paid via credit card, cash, money order or an attorney check with the attorney's P-Number on the check.
- **Mail Filing Fees:** If mailing in a filing, the payment must be included and be a money order or an attorney check with the attorney's P-Number on the check.
- **Domestic Case Filing System Fees:** Fees for filings must be paid prior to using the Domestic Case Filing System.
  - Parties can pay filing fees at **<https://www.govpaynow.com/gps/user/cyg/plc/6223>** and use the **code 6223**.
  - A copy of the Allpaid receipt must be included with the filing.
  - If filing a new case, use the Plaintiff's last name for the case number on Allpaid.
- Information regarding the amount of filing fees can be **[found here](#)**.

## Emergency Filings

- Emergency filings **MUST** be marked as Emergency on the first page of the filing.
- Once the fee is paid or the fee waiver form is approved, file the pleadings with the Clerk's Office.
- If the filing was done in person, once the pleadings have been filed with the Clerk, submit the pleadings via email to the assigned Judge's Courtroom Email found at [3rdcc.org/zoom/family-division-domestic](https://3rdcc.org/zoom/family-division-domestic).
- If there are problems or deficiencies with the pleadings, you will be contacted by the Courtroom.

# Family Domestic/FOC Filing Instructions

- Upon the Assigned Judge's review, you will be provided a copy of the Order that is entered.

## Motion Hearing Dates/ePraecipe

- If you need assistance determining if your Motion shall be heard by the Judge or Referee, please review the [Domestic Relations Docket Directive](#).
- Judge Motions:
  - Once the Motion is filed with the Clerk or you have received an email from the Domestic Case Filing System stating your Motion has been accepted, you will need to fill out a [Family Domestic Praecipe](#) online.
  - Once you have completed the ePraecipe and your ePraecipe has been processed, 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 you requested on the ePraecipe, due to Court availability.
- Friend of the Court Referee Motions:
  - Once the Motion is filed with the Clerk or you have received an email from the Domestic Case Filing System stating your Motion has been accepted, you can either:
    - Fill out the [Friend of the Court Praecipe](#) online to receive your hearing date.
      - Once you have completed the ePraecipe and your ePraecipe has been processed, 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 you requested on the ePraecipe, due to Court availability.
      - **NOTE: For FOC Praecipe, be sure to select the FOC Praecipe checkbox in Step 3 to ensure your motion is properly scheduled.**
    - **OR** you may go in-person to Room 900A CAYMC to obtain a Referee hearing date from the Friend of the Court Scheduling Office.
      - The Scheduling Office is open Monday and Thursday ONLY from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. Parties must be in line by 3:45 p.m. for same day service.
      - On Tuesdays, Wednesdays and Fridays, parties may place their filed motion in the drop box located at 900F CAYMC.
- Motion to Set Aside DP (FDFOC 4038) and Motion to Set Aside DS (FDFOC 4021)
  - These Motions must be emailed to the Courtroom of the Presiding Judge [JudgeFarhat-Court@3rdcc.org](mailto:JudgeFarhat-Court@3rdcc.org) after they have been filed with the Clerk's Office.
  - The Presiding Judge's Courtroom will schedule the motion for hearing and you will receive notice of your hearing date.

# Family Domestic/FOC Filing Instructions

## **Judge's Copies**

- If you are filing in person or via mail, you **MUST** email the Judge's Copy of any filing to the Assigned Judge's email listed on the Family Division-Domestic tab of [3rdcc.org/zoom/family-division-domestic](https://3rdcc.org/zoom/family-division-domestic).
- If you are using the Domestic Case Filings System, you DO NOT need to email a Judge's copy of the pleadings.

## **Stipulated, Proposed, 7-Day and Ex-Parte Orders**

- All Stipulated, Proposed, 7-Day and Ex-Parte Orders shall be submitted to the Assigned Judge's general e-mail address, which can be found at [3rdcc.org/zoom](https://3rdcc.org/zoom), for review.

## **Waiver of Parental Consent**

- If you have a case for a waiver of parental consent, please send an email to Presiding Judge Melissa A. Cox at [JudgeFarhat-Court@3rdcc.org](mailto:JudgeFarhat-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.

## **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 [3rdcc.org/zoom/family-division-domestic](https://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:

## **Family Domestic/FOC Filing Instructions**

- 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 Case Establishment Referee Recommended Judgment**

Objections to a Referee Recommended Order of Filiation, Judgment of Support or UIFSA Judgment must be sent to the FOC for filing and scheduling. The objection may be sent to the FOC by email to [PendingEstablishment@3rdcc.org](mailto:PendingEstablishment@3rdcc.org), fax to (313) 237-9303, or mail to Wayne County FOC, 11th Floor Case Establishment Department, 645 Griswold St., Detroit, MI 48226. The FOC will schedule the objection for hearing before the Presiding Judge and mail notices to the parties. All hearings will be conducted via Zoom.

### **Filing Other Friend of the Court Objections**

The following four objections must be filed with the County Clerk's Office and a copy sent to the FOC for scheduling. See the objection form for how to submit your objection to the FOC via mail, fax or email.

- Objection to Friend of the Court Child Support Recommendation
- Objection to Notice of Abatement or Redirection of Support
- Objection to Notice of Enforcement of Health Care Expenses
- Objection to FOC Loading Support Order into MiCSES

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.

### **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 submit those to the Clerk at the time of filing. If using the Domestic Case Filing System, you do not have to submit a separate FOC Copy. The System will send the FOC its copy. The [FOCcopies@3rdcc.org](mailto:FOCcopies@3rdcc.org) is no longer in service for use.

### **Self-Help Center**



# Family Domestic/FOC Filing Instructions

- Self-represented parties who need assistance can visit the Third Circuit Court's Self-Help Center (SHC) located on the 19th floor of CAYMC.
- The SHC will be open Monday through Friday from 9:00 a.m. until 3:00 p.m.
- Individuals seeking to use the SHC must be in line no later than 2:00 p.m.; however, this deadline may be moved forward to ensure that all potential users have adequate time to use the navigation tools.
- Navigators at the SHC cannot provide legal advice.
- Visitors to the SHC can use the Michigan Legal Help Do-It-Yourself interview tools to prepare legal documents for filing with the Court.

## **Collaborative Law Process Cases**

The process for filing Collaborative Law cases can be found [here](#).

## **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.

### Detroit Legal Services Virtual Clinic

[Click here](#) to schedule a virtual legal consultation with a member of the Detroit Bar Association! The volunteer attorneys are available to assist with a variety of legal issues.

Lakeshore Legal Aid  
[lakeshorelegalaid.org](http://lakeshorelegalaid.org)  
(888) 783-8190

William Booth Legal Aid Clinic  
[wblac.org](http://wblac.org)  
(313) 361-6340

Michigan Legal Help  
[michiganlegalhelp.org](http://michiganlegalhelp.org)