

**STATE OF MICHIGAN**  
**IN THE CIRCUIT COURT FOR THE COUNTY OF ST. CLAIR**

\_\_\_\_\_  
 Name Plaintiff,

-vs-

Case Number. \_\_\_\_\_

\_\_\_\_\_  
 Name Defendant.

**CONSENT ORDER REGARDING CUSTODY AND PARENTING TIME**

At a session of said Court, continued and held at the County Building, in the City of Port Huron, said County and State, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Present: \_\_\_\_\_

Pursuant to the agreement between the parties and the Court being fully advised in the premises; now therefore,

IT IS ORDERED that physical custody of the minor child(ren):

(Name) \_\_\_\_\_ Birthdate \_\_\_\_\_

(Name) \_\_\_\_\_ Birthdate \_\_\_\_\_

(Name) \_\_\_\_\_ Birthdate \_\_\_\_\_

(Name) \_\_\_\_\_ Birthdate \_\_\_\_\_

is awarded to the \_\_\_\_\_ effective as of this date \_\_\_\_\_.  
 (Mother or Father)

IT IS FURTHER ORDERED the parties will share joint legal custody of the minor child(ren).

IT IS FURTHER ORDERED that the minor child(ren) whose custody is being changed by this order will attend school in the school district where the: (check one) \_\_\_\_\_ mother \_\_\_\_\_ father, resides.

- **List below any other minor child(ren) you have together whose custody is not being changed by this order:**

<p>IT IS FURTHER ORDERED that physical custody of the minor child(ren):</p> <p>(Name)_____ Birthdate_____</p> <p>(Name)_____ Birthdate_____</p> <p>(Name)_____ Birthdate_____</p> <p>will remain with _____ per prior court order.</p> <p style="text-align: center;">(Mother/Father)</p>
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IT IS FURTHER ORDERED that physical custody of the minor child(ren) has been changed based on agreement of the parents. It is further ordered that in the event the parents no longer agree on physical custody, either party may file a motion for a change of custody or enter a new consent order regarding custody.

IT IS FURTHER ORDERED that the \_\_\_\_\_ shall have parenting time as follows: (check one)

(Mother or Father)

\_\_\_\_\_ Liberal as mutually agreed upon between the parents, in the event the parties disagree they are to follow the Friend of the Court parenting time guidelines.

\_\_\_\_\_ As stated in the St. Clair County Friend of the Court Parenting Guideline

\_\_\_\_\_ As agreed to between the parents as stated below:

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IT IS FURTHER ORDERED if either party experiences a change in circumstance or they no longer are in agreement regarding parenting time a motion to modify parenting time must be

filed with the court.

IT IS FURTHER ORDERED that the custody and parenting time provisions of this order shall not be in effect if the terms conflict with any provision in a current Guardianship or Juvenile Court Division Order. The parties must notify the Friend of the Court of any Guardianship and/or Juvenile Court proceedings involving the above child(ren) and to provide copies of all Guardianship and/or Juvenile Division Orders to the St. Clair County Friend of the Court.

IT IS FURTHER ORDERED that any current support obligation for the minor child(ren) whose custody has been changed by this order will be stopped as of (date)\_\_\_\_\_. In the event there is any Medicaid and/or a TANF case grant, then support not be stopped until the date of decertification.

IT IS FURTHER ORDERED given the State of Michigan requires a Uniform Child Support Order be entered with a Deviation Attachment to the Uniform Child Support Order when the parties agree to either a zero support amount or agree to a support amount that deviates from the Michigan Child Support Formula, it will be required that child support be calculated by the Friend of the Court via a support motion being filed by either party on the same date as this consent order is executed. **Upon entry of this order, both parties will receive an income information packet along with a notice to appear for a referee hearing for a review of support.** Parties are to submit the completed income information packet for the hearing.

IT IS FURTHER ORDERED that all arrearages due and owing to the State of Michigan are preserved. Arrearages due and owing to [ ] mother [ ] father are [ ] preserved or [ ] cancelled. Any overpayment on the account is eliminated.

IT IS FURTHER ORDERED that the residence of the minor child(ren) may not be removed from the State of Michigan without prior approval of the Court.

IT IS FURTHER ORDERED that parents awarded joint legal custody of a minor child shall not change the legal residence of the child except in compliance with section 11 of the "Child Custody Act of 1970", 1970 PA 91, MCL 722.31" which states that neither parent can change the child's legal residence to a location that is more than 100 miles from the child's legal residence at the time of the filing of the action in which joint legal custody order is issued unless the Court or the other party gives written consent or permission. For the purposes of section 11, the Act establishes 2 legal residences for the minor child – one with each parent. This does not apply if: (1) a parent is awarded sole legal custody; (2) at the time of the filing of the action in which the joint legal custody order is issued, the child's two residences were more than 100 miles apart; or (3) the legal residence change results in the child's two legal residences being closer to each other than before the change.

IT IS FURTHER ORDERED either party is prohibited from exercising parenting time in a foreign country/nation that is not a party to the Hague Convention on the civil aspects of international child abduction, unless both parents provide the court with written consent to allow a parent to exercise parenting time in a country/nation that is not a party to this convention.

IT IS FURTHER ORDERED the court finds the agreement the parties reached, as presented in this order, is in the child(ren)'s best interest.

IT IS FURTHER ORDERED that all terms and provisions of prior Orders, except as amended herein, shall remain in full force and effect.

\_\_\_\_\_

Judge

I have reviewed all provisions and understand the terms of this order. I understand the terms of this order may be modified upon a showing of change of circumstance or proper cause. This reflects my agreement and I agree this is in the best interest of my child(ren).

\_\_\_\_\_  
Mother's consent signature

\_\_\_\_\_  
Father's consent signature

Address\_\_\_\_\_

Address\_\_\_\_\_

City/State/Zip\_\_\_\_\_

City/State Zip\_\_\_\_\_

Phone\_\_\_\_\_

Phone\_\_\_\_\_

Employer\_\_\_\_\_

Employer\_\_\_\_\_

Location\_\_\_\_\_

Location\_\_\_\_\_

Phone\_\_\_\_\_

Phone\_\_\_\_\_

Subscribed and sworn to before me on:

Subscribed and sworn to before me on:

this\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

this\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

My Commission expires\_\_\_\_\_

My Commission expires\_\_\_\_\_

**WEBSITE/IVR:** Upon entry of an order, the Friend of the Court account information is available at all times. Parties MUST use the Interactive Voice Response System (IVR) by calling (810)-989-6970. Further, both parties are encouraged to refer to the Friend of the Court website when concerns arise regarding parenting time, custody, moving out of state, moving more than 100 miles, child support and/or medical. The Friend of the Court handbook is readily available for reference and/or information. The website also offers all Friend of the Court forms, motions and instruction sheets. [www.stclaircounty.org/offices/foc](http://www.stclaircounty.org/offices/foc)