

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF ST. CLAIR

Name Plaintiff,

-vs-

Case Number. _____

Name Defendant.

CONSENT ORDER FOR TEMPORARY CHANGE OF CUSTODY

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: Hon. _____
Circuit Judge, Family Division

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

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

IT IS FURTHER ORDERED that temporary 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 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>

IT IS FURTHER ORDERED that physical custody of the minor child(ren) has been temporarily changed based on agreement of the parents. It is further ordered that in the event the parents no longer agree on physical custody, a referee hearing will be held and a recommendation regarding physical custody will be made.

IT IS FURTHER ORDERED that the _____shall have
(Mother or Father)
parenting time as follows: (check one)

____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:

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. Both parties will receive an income information packet after the motion is filed. Both parties will follow the instructions on the packet. This consent order will not be processed without the support motion being filed.

For Friend of the Court use only

A referee hearing regarding the motion for support will be held in the Friend of the Court office on:

_____at_____.

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 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 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 all previous orders, not modified herein, will remain in full force and effect.

Mother's consent signature

Address_____

City/State/Zip_____

Phone_____

Employer_____

Location_____

Phone_____

Father's consent signature

Address_____

City/State Zip_____

Phone_____

Employer_____

Location_____

Phone_____

Subscribed and sworn to before me on
this_____day of_____, 20____

Subscribed and sworn to before me on
this_____day of_____, 20____

Notary Public

My Commission expires_____

Notary Public

My Commission expires_____

Circuit Judge, Family Division

Dated:_____

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