

**Allegan County Friend of the Court
Parenting Time Policy
48th Circuit Court**

Introduction

In order for the child/ren to successfully adjust to having two homes, it is essential that the child/ren continue to have a stable and nurturing relationship with both parents. The 48th Circuit Court and the Friend of the Court strongly encourage parents to agree on a schedule that will ensure that the best interests of the child/ren are met. In circumstances where the parents have failed to reach such an agreement and the court has determined that reasonable parenting time is in the best interest of the child/ren, the following policy will be followed by the parents.

Parenting time for all children is based upon the age of the oldest child.

A. Parenting Time Schedule for Child/ren Under One-Year-Old

1. Alternate Weekends: Saturday 9:00 a.m. to 6:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m. If the parents cannot agree, the non-custodial parent will have the first weekend following entry of the order.
2. Weekday: One weekday evening each week for up to three hours. Return time will be no later than 8:00 p.m. If the parents cannot agree on a day, then they should use Wednesday. If the parents cannot agree on a time, then they should use 5:00 p.m. to 8:00 p.m.
3. Alternate Holidays (see the Holiday section, except for Spring Break and Christmas Break).
4. Summer: The non-custodial parent will have one week between June 1st and September 1st. The non-custodial parent should notify the custodial parent and the Friend of the Court, in writing, by April 1st of each year with the dates they will exercise summer parenting time. If the non-custodial parent does not supply notice by April 1st of that year, then the summer parenting time will be the 3rd week of July. Alternate weekends remain the same during this time.

B. Parenting Time Schedule for Child/ren One-Year-Old until the Beginning of Kindergarten

1. Alternate Weekends: Friday 6:00 p.m. to Sunday 6:00 p.m. If the parents cannot agree, the non-custodial parent will have the first weekend following entry of the order.
2. Weekday: One weekday evening each week for up to three hours. Return time will be no later than 8:00 p.m. If the parents cannot agree on a day, then they should use Wednesday. If the parents cannot agree on a time, then they should use 5:00 p.m. to 8:00 p.m.
3. Alternate Holidays (see the Holiday section, except for Spring Break and Christmas Break).

4. Summer: The non-custodial parent will have three weeks to be taken in one week segments. The non-custodial parent should notify the custodial parent and the Friend of the Court, in writing, by April 1st of each year with the dates they will exercise summer parenting time. If the non-custodial parent does not supply notice by April 1st of that year, then the summer parenting time will be the 3rd week of June, July, and August. Alternate weekends remain the same during this time.
5. Summer: The custodial parent will have three weeks to be taken in one week segments. The custodial parent should notify the non-custodial parent and the Friend of the Court, in writing, by April 15th of each year with the dates they will exercise summer parenting time. If the custodial parent does not supply notice by April 15th of that year, then the summer parenting time will be the 2nd week of June, July, and August. Alternate weekends remain the same during this time.
6. Each parent is entitled to electronic/telephone contact two times each week. If the parents cannot agree on the days, then the days will be Tuesdays and Thursdays.

C. Parenting Time for Child/ren Beginning Kindergarten until the 18th Birthday

1. Alternate Weekends: Friday 6:00 p.m. to Sunday 6:00 p.m. If the parents cannot agree, the non-custodial parent will have the first weekend following entry of the order.
2. Weekday: One weekday evening each week for up to three hours. Return time will be no later than 8:00 pm. If the parents cannot agree on a day, then they should use Wednesday. If the parents cannot agree on a time, then they should use 5:00 p.m. to 8:00 p.m. This will occur from September 1st to June 1st of each year.
3. Alternate Holidays (see Holiday section).
4. Extended Parenting Time as Follows:
 - a. Summer: alternating weeks. Alternate weeks from Friday at 6:00 p.m. to Friday at 6:00 p.m. The parenting time will begin with the parent who has parenting time for the first weekend following the end of the school year. If the parents cannot agree, the summer parenting time will begin 6:00 p.m. the first Friday after the school year ends.
 - b. Christmas: one-half of Christmas Break from school. Alternate weekends remain the same during this break.
 - c. Spring Break: alternating years. If the parents cannot agree, the spring break parenting time will begin 6:00 p.m. on the day school ends for spring break and finish 6:00 p.m. on Sunday prior to school resuming from spring break. Alternate weekends do not take place during spring break parenting time. The alternate weekend parenting time will resume as normal for the weekend following spring break.
5. Each parent is entitled to electronic/telephone contact two times each week. If the parents cannot agree on the days, then the days will be Tuesdays and Thursdays.

D. Holiday Section

1. **ODD NUMBERED YEARS:**

Father:

Easter
July 4th
Halloween
Christmas Eve Day
Child/ren's Birthday
Spring Break
2nd half of Christmas Break

Mother:

New Year's Day
Memorial Day
Labor Day
Thanksgiving Day
Christmas Day
1st half of Christmas Break

2. **EVEN NUMBERED YEARS:**

Father:

New Year's Day
Memorial Day
Labor Day
Thanksgiving Day
Christmas Day
1st half of Christmas Break

Mother:

Easter
July 4th
Halloween
Christmas Eve Day
Child/ren's Birthday
Spring Break
2nd half of Christmas Break

3. **HOLIDAY HOURS:**

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| a. | New Year's Day | 6:00 p.m. December 31st to
7:00 p.m. New Year's Day |
| b. | Easter Day | 6:00 p.m. Saturday to
7:00 p.m. Easter Day |
| c. | Memorial Day | 6:00 p.m. Sunday to
7:00 p.m. Monday, Memorial Day |
| d. | Independence Day (July 4th) | 6:00 p.m. July 3rd to
7:00 p.m. July 5th |
| e. | Labor Day | 6:00 p.m. Sunday to
7:00 p.m. Monday, Labor Day |
| f. | Halloween (October 31st) | 9:00 a.m. to 9:00 p.m. |
| g. | Thanksgiving Day | 6:00 p.m. Wednesday to
6:00 p.m. Friday |
| h. | Christmas Eve Day | 6:00 p.m. December 23rd to
7:00 p.m. December 24th |
| i. | Christmas Day | 7:00 p.m. December 24th to
9:00 p.m. December 25th |
| j. | Child/ren's Birthday
(Birthday Parenting Time shall include all siblings) | 9:00 a.m. to 7:00 p.m. |

4. **ADDITIONAL OBSERVED DAYS** (every year)

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| a. | Mother's Day with Mother | 9:00 a.m. to 7:00 p.m. |
| b. | Father's Day with Father | 9:00 a.m. to 7:00 p.m. |

5. If the holiday falls during the school year, child/ren must attend school.
6. Holiday parenting time takes precedence over any regular parenting time and over additional observed days.

E. Parenting Time Remedies

1. Both parents should read the last parenting time court order. The court speaks through its written orders. If it is not written, then it is not the order of the court. If there is no parenting time order then the Friend of the Court cannot assist you in enforcing parenting time. It is the parent's responsibility to take the necessary steps to obtain or change a court order.
2. Parents must attempt to resolve issues directly with the other parent. "We cannot talk to each other," is not an acceptable excuse for avoiding contact with the other parent.
3. An attempt must be made to pick up the child/ren for parenting time, regardless of threats to deny the parenting time.
4. The Friend of the Court enforcement officers can conduct informal mediation with both parents to help resolve parenting time issues and prepare a Stipulation and Order to modify the parenting time order if both parents are in mutual agreement to those changes. You must file a written request for an appointment with the Friend of the Court office.
5. If a parent is denied parenting time, a written complaint must be filed with the Friend of the Court office and must include the following:
 - a. Docket number.
 - b. Name, address, and telephone number of the Plaintiff and Defendant.
 - c. Child/ren's name.
 - d. Dates of alleged violation.
 - e. Specific problem.
 - f. Whether or not you attempted to pick up the child/ren.
 - g. Whether or not you are requesting makeup parenting time
 - h. Proposed makeup parenting time dates.
6. Following the filing of a written parenting time complaint with the Friend of the Court office, a 21-day notice will be processed to both parents. A written response needs to be filed with the Friend of the Court office within 21 days. Upon receiving the response the Friend of the Court may do one of the following:
 - a. Determine there was no violation.
 - b. Award makeup parenting time.
 - c. Submit a referral for both parents to mediation.
 - d. Schedule a joint office appointment for both parents to meet with their enforcement officer.
 - e. File a motion and order to show cause for contempt.
7. Please do not call the Friend of the Court office regarding possible future parenting time disputes. Your enforcement officer cannot predict the future or act on what may occur. The Friend of the Court must enforce the most recent order of the court.

F. Parenting Time Denial – Invalid Reasons

1. The child/ren is/are not home or available. Each parent is responsible to see that the child/ren is/are available for parenting time.
2. The child/ren wants to stay home (regardless of age). The child/ren should not be making such decisions.
3. The parent does not want the child/ren to go.

4. The child/ren fusses when the other parent picks them up. Take care not to jump to conclusions. This does not necessarily indicate problems with the other parent.
5. The child/ren is/are sick.
6. The weather is bad.
7. The parent paying support is behind in his or her obligation.

G. General Information

1. The Friend of the Court cannot force a parent to exercise parenting time if they choose not to exercise their parenting time.
2. The Friend of the Court office cannot enforce agreements between the parents that are not written in a court order; this is including mediated agreements, until they are written in a court order.
3. Parents should exercise the parenting time schedule on time and in a prompt manner. In cases of unforeseen circumstances a 30-minute delay in picking up/returning the child/ren is allowed. The parent should advise the other parent that they are going to be late. This does not mean that a parent can habitually exercise a pick-up or return time of 6:00 p.m. at 6:30 p.m. This 30-minute exception is an exception to be used only when absolutely necessary. When either of the parents become aware of a delay they shall notify the other parent as soon as possible. Remember, while it is an inconvenience for the parent to keep them waiting, the real harm is done to the child/ren. Nothing disappoints a child/ren more than to be kept waiting to be picked up, or even worse, never to be picked up at all.
4. Each parent is responsible to make sure all the child/ren's personal belongings that the child/ren may need are ready along with the child/ren at the time of pick up and that they are returned at the time of drop off. If something is not sent or returned with the minor child/ren it is the responsibility of that parent to deliver it to the other parent.
5. If you are the custodial parent, you must supply adequate clothing for parenting time and inform the other parent of necessary medications and possible illness. Both parents are expected to send and return clothing in the same condition received. If your court order grants the parents joint physical custody with an equal 50/50 split, then each parent is responsible for supplying their own clothing.
6. If a child/ren is on medication, written instructions of the dosage and proof of the physician's prescription are to be supplied to the non-custodial parent.
7. Unless provided for otherwise, the parents will share transportation for parenting time. The parent exercising parenting time will pick the child/ren up at the beginning of parenting time. The other parent will pick up the child/ren at the end of the parenting time. Each parent may have any licensed driver supply the transportation.
8. Car seats are required by law. It is the responsibility of the custodial parent to provide a car seat. If your court order grants the parents joint physical custody with an equal 50/50 split, then each parent is responsible to provide their own car seat.
9. Each parent should have a way to contact the other parent for emergency purposes.

10. It is not necessary to inspect the home where parenting time will occur. The other parent does not have to provide detail on where, what, and how the parenting time will be exercised except if a trip or vacation is planned and then a general itinerary and emergency telephone number must be provided to the other parent.
11. Parents should always speak positively to the child/ren about the other parent, or say nothing at all. Parents should avoid speaking negatively about the other parent and strongly discourage friends and family members from doing so in the presence of the minor child/ren. Each parent should encourage the child/ren to respect the other parent.
12. Each parent has his or her own individual parenting style. Neither parent should arrange for appointments or activities during the other parents time with the child/ren. Neither parent can determine what happens during the other parents parenting time with the child/ren.
13. The Friend of the Court office does not handle neglect and abuse cases. Information should be immediately reported to Child Protective Services at the Department of Health and Human Services and a local law enforcement agency in the county where the child resides. The Friend of the Court office may not enforce a parenting time order during a Child Protective Services investigation upon a written request to suspend parenting time for 30 days by the Department of Health and Human Services.
14. If there is a Personal Protection Order between the parents it is your responsibility to notify the Friend of the Court office. Under MCR 3.706(C)(3) *Effect of Personal Protection Order*. A personal protection order takes precedence over any existing custody or parenting time order until the personal protection order has expired, or the court having jurisdiction over the custody or parenting time order modifies the custody or parenting time order to accommodate the conditions of the personal protection order.

H. Other Issues

1. Unless your court order prohibits, either parent may take the minor child/ren out-of-state for a vacation.
2. Parenting time exchanges are not the time to discuss adult issues, i.e., spousal support, child support, and property. Your child/ren need your full attention.
3. Parents should never use the child/ren as a source of information on the activities of the other parent. The child/ren quickly learns to supply information they think you want to hear, and may become skillful in playing one parent against the other. Be careful not to see the child/ren as an object or possession to be won or divided.
4. Most law enforcement agencies do not become involved in settling custody and/or parenting time disputes and will only refer the parents to the Friend of the Court office. The only time the police should be called is if the child/ren or the parents are in immediate danger.