

STATE OF MICHIGAN

IN THE TENTH JUDICIAL CIRCUIT, COUNTY OF SAGINAW

In the matter of Family Services
Division, Domestic Relations Cases
in Saginaw County

Administrative Order 1985-6

On the Court's own Motion and under the provisions of MCR 8.112(B), and pursuant to the approval received from the Supreme Court of the State of Michigan;

IT IS ORDERED that the procedure for referrals to Family Services Division for mediation or investigation of custody cases in domestic relations matters is as follows:

- A. In all cases wherein there is a minor child and either party has filed notice that custody is disputed, the Friend of the Court shall notify the Family Services Division of said dispute. Family Services Division shall immediately contact both parties in writing advising each of the availability of domestic relations mediation for custody disputes and that custody will be mediated if both parties agree to same within ten (10) days.
- B. Upon both parties agreeing to mediation, Family Services Division shall immediately schedule mediation sessions and notify the parties and their attorneys of same. As mediation communications are confidential under MCLA 552.513(3); MSA 25.176 (13) (3), only the parties shall attend the domestic relations mediation sessions.
- C. If an agreement is reached by the parties, the mediator shall prepare a written statement of the agreement and send copies of same to the parties or their attorneys. An order incorporating the agreement shall be prepared as provided by MCLA 552.513(2); MSA 25.176(13)(2).
- D. If domestic relations mediation is not successful within thirty (30) days of the date upon which the parties had agreed to mediate, then the cause shall be considered to be a contested custody case and Family Services Division shall proceed as provided by subsection E. The parties may agree in writing to extend mediation beyond thirty days.
- E. If a party declines to accept mediation or if mediation is unsuccessful within the prescribed time limits, then Family Services Division shall schedule a contested custody interview for the parties and the minor child(ren). The parties shall be advised that they should inform their attorneys of the scheduled interview date in order that the attorneys may prepare the parties for the interview. Said interview shall be scheduled within ninety (90) days of the date on which the Division was notified of the custody dispute.
- F. Where a custody dispute will not be resolved by mediation, or if the Court orders, the Friend of the Court shall complete its investigation under MCR 3.207 (A). Where the report and recommendation of Family Services Division has not been completed, same shall constitute good cause within the meaning of MCR 3.206(F)(3).
- G. The report and recommendation of Family Services Division shall be filed with the Court within thirty (30) days of the date on which the parties have completed the contested custody interview. A copy of same shall be provided to each party or their attorney and to the Friend of the Court.

This administrative order may be cited as "Tenth Judicial Circuit Administrative Order 1985-6". Same shall have immediate effect.

Dated: 1/15/85

FRED J. BROWN, Chief Circuit Judge

COUNTERSIGNED:

[Signature]
Deputy Clerk