

STATE OF MICHIGAN

IN THE TENTH JUDICIAL CIRCUIT, COUNTY OF SAGINAW

In the matter of Approved Interim
Order Forms, Domestic Relations
Cases for Saginaw County

Administrative Order 1989-1

On the Court's own Motion and pursuant to the approval received from the Supreme Court of the State of Michigan, the following is the approved form for interim orders in domestic relations cases:

STATE OF MICHIGAN

IN THE TENTH JUDICIAL CIRCUIT, COUNTY OF SAGINAW

Plaintiff

File #

- vs

EX PARTE INTERIM ORDER FOR
CUSTODY, SUPPORT, MEDICAL
EXPENSES, AND VISITATION

Defendant

AT A SESSION OF SAID COURT HELD IN THE COURTHOUSE
IN THE CITY AND COUNTY OF SAGINAW, STATE OF MICHIGAN
THIS _____ DAY OF _____, 19__.

Upon the filing of the Complaint and the verified statement by _____ wherein the Court finds that there are _____ minor child(ren) and the Court being fully advised in the premises.

The Court having determined from _____'s verified statement that during the past _____ year(s) the minor child(ren) have been in the physical custody of _____, IT IS HEREBY ORDERED that the minor child(ren) shall remain in the custody of _____ until further order of the Court.

IT IS FURTHER ORDERED that _____ pay the sum of \$_____ per week for the support and maintenance of the _____ minor child(ren) of the parties until each attains the age of eighteen or graduates from high school, whichever occurs later, or until further order of the Court. Said payments will commence on the first Monday after service of this Order upon _____ and will continue each Monday thereafter. All payments must be made through the Saginaw County Friend of the Court.

IT IS FURTHER ORDERED that if _____ is not required to pay child support, he/she must report to the Office of the Friend of the Court, at intervals specified by said Office, regarding his/her income and employment status. The Friend of the Court will mail notification of the first reporting date.

IT IS FURTHER ORDERED that EITHER PARTY MAY MOVE TO MODIFY OR SET ASIDE CHILD SUPPORT BY FILING A MOTION WITH THE COUNTY CLERK WITHIN FOURTEEN (14) DAYS AFTER SERVICE OF THIS ORDER AND ANY CHANGE MAY BE EFFECTIVE AS OF THE DATE OF THIS ORDER. Upon the filing of such a motion, the Court will sign an ex parte order, submitted by either party, for a referee hearing on any of the provisions herein.

IT IS FURTHER ORDERED that _____ (Plaintiff/Defendant) shall continue to maintain health care insurance for the benefit of _____ (Plaintiff/Defendant) until further order of this Court.

IT IS FURTHER ORDERED that if either party is employed or becomes employed, that party shall obtain and maintain any health care coverage that is available to that party at a reasonable cost as a benefit of employment, for the minor child(ren) of this cause. If either party is self-employed and obtains or maintains health care coverage for his/her own benefit, that party shall obtain and maintain health care coverage for the minor child(ren) of this cause, if available at a reasonable cost.

IT IS FURTHER ORDERED that, in accordance with LCR 3.204 (B)(8), _____ shall file a completed verified statement with the Office of the Friend of the Court within 21 days after service of this Order upon _____. Said statement may be obtained at the Office of the Friend of the Court, 615 Court Street, Saginaw, Michigan.

IT IS FURTHER ORDERED that, in order to reimburse the county for the cost of handling the aforesaid child support payments, _____ shall pay the annual statutory collection fee, presently \$24.00, as provided by law. The Friend of the Court may deduct an unpaid fee from support money paid to the Office.

IT IS FURTHER ORDERED that, pursuant to the provision of MCLA 552.604; MSA 25.164(4), an order of income withholding shall be entered if child support arrearage exceed the amount fixed by law. The Friend of the Court shall give such notice as required by law to effectuate such an order. The payer shall have 14 days from the date of the notice to request a hearing in order to prevent the entry of the order of income withholding.

IT IS FURTHER ORDERED that the noncustodial parent shall have reasonable rights of visitation with the minor child(ren) of this cause unless otherwise ordered by the Court. In the event the parties cannot agree upon the meaning of reasonable rights, then they shall be bound by the following schedule until further order of the Court:

- A. The noncustodial parent shall have the child(ren) on alternate weekends, beginning with the first weekend occurring ten days after service of this order, from 6:00 p.m. Friday until 6:00 p.m. Sunday. The noncustodial parent is to give at least 24 hours notice to the custodial of any inability to keep said schedule.
- B. The noncustodial parent shall have the child(ren) on alternate holidays, beginning with the first holiday occurring ten days after service of this order. Said holidays are defined as New Year's Day (9:00 a.m.-6:00 p.m.); Easter (9:00 a.m.-6:00 p.m.); Memorial Day (9:00 a.m.-6:00 p.m.); Fourth of July (9:00 a.m.-6:00 p.m.); Labor Day (9:00 a.m.-6:00 p.m.); Thanksgiving (9:00 a.m.-6:00 p.m.); Christmas Eve (Noon-10:00 p.m.); Christmas Day (10:00 a.m.-8:00 p.m.); and the birthday(s) of the minor child(ren) (9:00 a.m.-6:00 p.m. for birthdays during the summer and on weekends; 5:30 p.m.-9:00 p.m. for weekday birthdays during the school year).
- C. The father shall have the child(ren) on Father's Day regardless of the aforesaid schedule and the mother shall have the child(ren) on Mother's Day regardless of the aforesaid schedule. Visitation on these days will occur from 9:00 a.m.-6:00 p.m.
- D. The noncustodial parent shall have the child(ren) for two weeks during the summer school vacation period. The dates for this period shall be chosen by the noncustodial parent unless said parent fails to give 60 days written notification to the custodial parent and the Friend of the Court. In that event, the custodial parent shall be entitled to select the dates. The custodial parent shall be entitled to a like two-week period during the summer. Alternate weekend visitation for the noncustodial parent shall be suspended during this latter period.

NOTICE

1. You may file a written objection to the order or a motion to modify or rescind the visitation schedule contained in this order.
2. The written objection or motion must be filed with the clerk of the court within 14 days after you were served with the order. A true copy of the objection or motion shall be served on the friend of the court and the opposing party.
3. If you file a written objection to the visitation schedule contained in this order, the friend of the court shall try to resolve the dispute. If the friend of the court cannot resolve the dispute and if you wish to bring the matter before the court without the assistance of counsel, the friend of the court shall provide you with form pleadings and written instructions and schedule a hearing with the court.

IT IS FURTHER ORDERED that neither party shall cause the domicile of the minor child(ren) to be changed to outside the State of Michigan.

COUNTERSIGNED:

DEPUTY CLERK

Prepared by:

CIRCUIT JUDGE

Approved:
FRIEND OF THE COURT
SAGINAW COUNTY

By: _____

Date: _____

This administrative order may be cited as "Tenth Judicial Circuit Administrative Order 1989-1." Same shall be effective March 31, 1989.

Dated: _____

ROBERT S. GILBERT
CHIEF CIRCUIT JUDGE

Countersigned:

Deputy Clerk