

	DOMESTIC RELATIONS HEARINGS	LOCAL ADMINISTRATIVE ORDER C36 2020-10
		RESCINDS: C36 2016-02

Court Address
212 E. Paw Paw Street, Paw Paw, MI 49079

Court Telephone No.
(269) 657-8200

This local administrative order is issued in accordance with Michigan Court Rule 3.215, Domestic Relations Referees. The purpose of this order is to assist court staff in scheduling hearings with the appropriate judge or referee and to provide attorneys and litigants with information regarding motion practice in the 36th Circuit Court.

IT IS ORDERED:

All domestic relations motions shall be noticed for hearing before the judge or the domestic relations referee according to the following schedule:

A. MATTERS TO BE HEARD BY THE REFEREE:

1. Support establishment and modification motion.
2. Order to show cause regarding support, parenting time, maintenance of health care insurance for children, spousal support, payment of health care expenses, domicile, and legal residence.
3. Motion for redirection of support.
4. Motion to determine past-due support or, pursuant to MCR 2.612, to set aside part or all of a child support judgment.
5. Motion for payment on past-due support.
6. Motion for determination of parenting time abatement.
7. Motion for custody.
 - a. Pre-judgment motions for custody, except those specified in section B. 1. shall be heard by the referee and scheduled for:
 - Either a status conference or an initial hearing on a motion for custody;
 - A settlement conference, if necessary; and
 - An evidentiary hearing, if necessary.
 - b. Post-judgment motions for custody shall be heard by the referee. The referee shall make a determination as to whether proper cause or a substantial change of circumstances exists, and may either:
 - Grant the motion,
 - Deny the motion, or
 - Refer the matter for mediation and/or evaluation. Following receipt of a written custody evaluation, the custody motion shall be scheduled for hearing with the referee.
8. Motion regarding post-majority support.
9. Motion for establishment or modification of parenting time orders.
10. Motion requesting attorney fees and/or costs associated with any motion heard by the referee.

11. Administrative hearing on objection to credit reporting, passport denial, and income tax refund intercept.
12. Motion to suspend driver and/or occupational license.
13. Motion for payment plan and discharge of state-owed debt.
14. Objection pursuant to MCR 3.215(E)(3)(d)(ii) if the original hearing was heard by the referee.
15. Motion to exempt a domestic relations case from Friend of the Court services.
16. Objection to lien being processed by the State of Michigan Financial Institution Data Match unit.
17. Motion to rescind license suspension.
18. Motion for entry of order of filiation.
19. Motion for psychological examination.
20. Motion for post-judgment transfer of case.
21. Motion to determine reasonable cost of health insurance.
22. Motion to determine financial responsibility for uninsured health care expenses.

B. MATTERS TO BE HEARD BY THE JUDGE:

1. Custody motion at any time a minor child is under the jurisdiction of the family division in a neglect/abuse matter or a juvenile delinquency matter.
2. Objection to ex parte order.
3. Motion for change of domicile or legal residence and any subsequent motion to change custody or parenting time filed in response to a motion to change domicile or legal residence. **Note: Rains v Rains, 301 Mich App 313 (2013)** requires the Court to decide the issue of domicile prior to the change of custody and/or parenting time.
4. Motion to change custody or parenting time, when filed simultaneously with a motion to change domicile or legal residence.
5. All matters pertaining to personal protection orders.
6. Motion for restraining order regarding property.
7. Domestic relations pre-trial.
8. Motion for attorney fees and/or costs not addressed in I.(J.), above. Also, any motions to enforce all previously ordered attorney fees.
9. Attorney's motion to withdraw from case.
10. Motion regarding genetic testing.
11. Motion for change of venue.
12. Discovery motions, including motions to compel discovery.
13. Motion to establish or modify spousal support.

14. Motion for payment of expenses while a divorce or separate maintenance action is pending, i.e., mortgage, utilities, car payments, insurance, etc.
15. Motion to set aside default.
16. Motion pursuant to the revocation of paternity act.
17. Motion to establish grandparent visitation.
18. Objection pursuant to MCR 2.602 (B)(3).
19. Motion to determine jurisdiction pursuant to the uniform child custody jurisdiction enforcement act.
20. Dispute involving only a legal custody issue.
21. Trial or hearing to accept proofs for judgments of divorce or separate maintenance.
22. Motion for alternate service.
23. Motion for exclusive use of home or vehicle.
24. Motion regarding foreign travel and/or passport for a minor child.
25. Objection to referee recommendation pursuant to MCR 3.215(F).
26. Motion to waive statutory waiting period to finalize divorce action.

C. DISCRETION OF THE JUDGE

1. Nothing in this administrative order shall prevent the judge from scheduling an emergency hearing before the judge on any matter for good cause shown.
2. To the extent permitted by law, the judge may refer a matter listed in section II. to a referee.

Effective Date: 7/8/20

Date: 7/8/20

Chief Judge Signature: 

From: Region5 Info
To: [Kathleen Brickley](#); [Frank Hardester](#); [Lynn Bullard](#)
Cc: [Region5 Info](#); [Cari Elmore](#)
Subject: C36 2020-10 Domestic Relations Hearings - Approved
Date: Wednesday, July 15, 2020 1:13:45 PM

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C36 2020-10 Domestic Relations Hearings - Approved
Rescinds C36 2016-02

This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed.

Jill Booth
Region V Administrator
P.O. Box 30048
Lansing, MI 48909
517-373-8679

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