

The FOC does not enforce joint legal custody issues. Joint legal custody includes important decisions affecting the welfare of children (health and medical; education and religion). You may wish to ask the other parent if they are willing to participate in counseling with you so that parenting issues can be discussed. If the other parent is unwilling to work with you about important decisions regarding your child, you may file a motion, either on your own or through an attorney, and request the court to enforce joint legal custody.

If I have a denied parenting time complaint, will the FOC assist me in collecting evidence to support my complaint?

No, the FOC is not responsible for gathering information or evidence for a parent. The burden of proof is the sole responsibility of the complaining parent.

Will I get in trouble if I do not allow my children to go with the mother/father for their parenting time, when they appear to be intoxicated?

FOC cannot give approval to disobey a court order regardless of the circumstances.

Here are some explanations the local court has determined generally are not valid for denying parenting time:

1. The child/ren have a minor illness.
2. The child/ren had to go somewhere else.
3. The other parent is behind in child support.
4. The custodial parent didn't want the children to go.

5. The weather was bad.
6. The child/ren had no clothes to wear.
7. The child/ren refused to go.
8. The other parent failed to meet non-court ordered preconditions established by the parent denying parenting time.
9. Religious reasons.

Examples of valid explanations may be:

1. The parent attempting parenting time was drinking or using drugs.
2. The parent failed to arrive for parenting time within one half hour of the time specified in the order.

Other brochures that may be of interest:

Parenting Time
Co-Parenting Tips
Co-Parent Sessions
Conciliation
Mediation
Parenting Plan Evaluations

Additional resources to assist you can be found at www.accesskent.com, or a community resources list is available at www.familyresourceguide.info

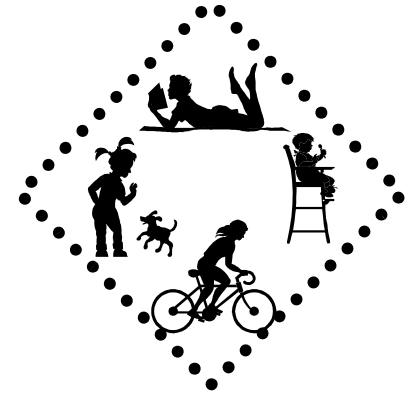


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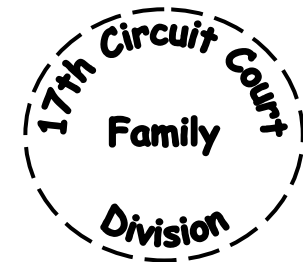
Parenting Time Enforcement

(Frequently Asked Questions)



Friend of the Court

"For Our Children"



February 2009

Parenting Time Enforcement

Frequently Asked Questions

I have another child in my home and my daughter was supposed to come for parenting time, but she had a cold. I decided to have parenting time later when her cold was better. But, now I am not being allowed make-up time. Can't the Friend of the Court (FOC) require this make-up?

The FOC cannot enforce informal agreements between the parents. When you elected not to exercise parenting time due to your daughter's illness, you forfeited that time with her. If the other parent had denied you access because of your daughter's illness, then you could have filed a written complaint. Minor illnesses are not good cause for denial. Under the circumstances, you have no justification for filing a parenting time complaint.

Our son has six weeks each summer with his father. During those weeks, he is sent to camp for a week and spends another week with the paternal grandparents. Isn't parenting time intended to be spent with the parent? Can I refuse to let him go?

Parenting time is intended to provide the other parent the opportunity to continue to develop the relationship with their child/ren. How a parent elects to do this is a decision left to the parent, assuming they do not abuse or neglect their child/ren. You would have no justification to deny the parenting time.

Our child has regular every other weekend parenting time with her mother, but her mother

refuses to return our child on Sunday as written in the court order. She is often returned Monday morning. What can I do about this?

You may file a written complaint to initiate enforcement action. Or you may submit a written request for mediation to seek modification of the order through agreement. You also have the option of consulting with an attorney or filing a Pro Per petition with the court if you want modification of the order. Otherwise, court-ordered specified parenting times are to be followed by both parents.

Each time that I have parenting time scheduled, my teenage daughter calls and states she has to work. What can I do?

If your daughter works most weekends, you may wish to change the parenting time to a time when she does not work, or you can still have your daughter stay with you and go to work from your home. The latter may require you to transport her to and from her place of employment.

At what age can a child decide if they want to have parenting time?

When a child turns 18 years old, they can decide how and when they see their parents.

I do not like the sleeping arrangements the other parent has during their parenting time. What can I do about it?

The Court does not require a bed, bedroom or specific bedding. There is no policy from the Court or Child Protective Services (CPS) regarding sleeping arrangements. However, it is recommended that children of different genders do not sleep together. If you suspect abuse you should contact CPS.

My ex is bringing a date over during his/her parenting time, and the children are telling me they don't like seeing them kiss, and that they feel ignored. Is this allowed?

Most experts believe premature exposure to dating during a divorce or separation is harmful to children. However, once a divorce is final it is often unavoidable and normal. It is suggested, depending on the age of the children, that new romantic interests should be introduced gradually. Particular attention and sensitivity should be paid to the children's feelings as opposed to what the adults or parents want to happen. It is expected that parents will meet other people, date, and remarry or enter into a long term relationship. How this is communicated to your children is up to both parents and their abilities, but you may wish to consult a counselor or other professional if you are unsure.

I believe the house of the other parent is unsuitable and unsafe for parenting time, and the children are exposed to violent adults. Can the FOC investigate this for me?

Neglect and abuse issues are investigated by CPS, not the FOC. If CPS verifies neglect or abuse, you may wish to file a Pro Per petition or contact an attorney to modify your parenting time order to address neglect and abuse concerns.

The mother of my children is constantly changing schools and not informing me about doctor appointments for our child. We have joint legal custody. Can the FOC help me address this problem?