



THIRD JUDICIAL CIRCUIT COURT

FRIEND OF THE COURT

**Questions?
FOC Attorney Line:
(313) 224-5295**

ADDRESS FOR OPPOSING PARTY

Attorneys of record on a case can contact the FOC Attorney Line to request the address of an opposing party. The Attorney must have their appearance on file with the Court before requesting address information.

If the opposing party's address is confidential, upon request the FOC will serve the opposing party if the filer provides an extra copy of the Motion. The FOC will **only** serve the opposing party if the address is **confidential**.

FINANCIAL DOCUMENTATION

The **original** FOC Financial Information Form FD/FC 4008, along with all supporting documentation must be submitted separately to FOC Scheduling Office Room 900A and should **not** be filed at the County Clerk's Office in Room 928.

FOC MOTION PRACTICE UPDATE 2010

PURSUANT TO DOCKET DIRECTIVE 2010-02

- **Motions should be filed first in CAYMC Room 928.** The filer pays the filing fee to file the original Motion, then obtains a receipt and stamped Praecepte from the County Clerk.
- After paying to file the original Motion in Room 928, the filer must take two (2) copies of the Motion (plus proof of payment) to the **FOC Scheduling Office located in CAYMC Room 900A.**
- If the Motion has the required documents attached, the FOC Scheduling Office will immediately schedule the motion and provide the hearing date and time.
- Requests for Emergency Motions with expedited hearing dates must be approved by the assigned Judge before they are filed.
- The Attorney **must** serve the opposing party with a copy of the Motion and Hearing Date.



**ALWAYS BRING YOUR
ORIGINAL MOTION
PLUS
TWO COMPLETE COPIES
WHEN FILING**

DOCUMENTS NOW REQUIRED WITH REFEREE MOTIONS

Filers must attach a copy of the current Order that they are seeking to change or enforce to every copy of their Motion. Failure to attach the required Order will result in rejection of your Motion without a hearing.

Change of Support Motions must also have the following documents attached:

- Financial Information Form
- Income Verification - Pay stubs, W-2 forms, tax returns, proof of public assistance.
- Current Parenting Time Order

Change of Custody Motions must have a copy of the current Custody and Parenting Time Order(s) attached.

Parenting Time Enforcement Motions must also have the following documents attached:

- Completed FD/FOC 4052 – Parenting Time Enforcement Form
- Current Parenting Time Order with specific parenting time.



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FOC email help:
focattorneyline@3rdcc.org

PARENTING TIME MOTIONS MUST ONLY ADDRESS PARENTING TIME

All motions involving parenting time will be heard on the dedicated Parenting Time docket in CAYMC Room 1501. **The Parenting Time Referee will not hear any other issues.** If you need to address child support or a change of custody, you must file separate motions. If all motions are filed in the same case simultaneously, only a single filing fee will be charged.

EMERGENCY HEARINGS

Emergency motions **must** have written approval from the assigned Judge's clerk before they will be given an expedited hearing date. The filer must obtain an "Emergency Motion Request Form" from CAYMC 900A.

The filer must take the Motion and Form to the assigned Judge's clerk. If approved, the filer should then bring the approved documents back to CAYMC 900A for a hearing date.

FOC MOTION PRACTICE

UPDATE 2010

Continued

OBTAINING A REFEREE HEARING DATE

After you file your original motion at the County Clerk's office in CAYMC 928, you must obtain a hearing date from the FOC Scheduling Office at CAYMC 900A. **If you do not do this, your Motion will never be heard.**

1. Take a copy of your motion and proof of payment of the filing fee to CAYMC 900A.
2. If the motion has the required attachment(s) the FOC Scheduling Office will provide the next available date for the assigned Referee.
- 3. If the motion does not have the required attachment(s), the motion will be returned and a hearing date will not be scheduled.**
4. If the filer requests a specific date and that date is available, you will be given that hearing date.
5. Once the Referee hearing date is provided, counsel must serve the other party with a copy of the Motion, attachments and a Notice of Hearing.
6. If the opposing party's address is confidential on the FOC system, Room 900A will accept the opposing party's copy of the motion and the FOC will serve the opposing party.

MOTIONS FOR ORDER TO SHOW CAUSE

Referees cannot hear Motions seeking the issuance of an Order to Show Cause. These motions must be heard before the assigned Judge.

A Show Cause Order will not be issued to address minor parenting time disputes.

If the Judge declines to hear the Show Cause, the party must re-file the motion as a Motion to Enforce Custody/Parenting Time. The filer must attach a completed **FOC Form 4052** in addition to a copy of the current Custody/Parenting Time Order before the Motion will be accepted for scheduling.

Questions? Help is available for Attorneys and Litigants:

Weekdays: 8:00 am to 3:45 pm
Information Service Department
Penobscot Building, FOC 2nd Floor

Weekdays: 8:30 am to 4:30 pm
Wayne County Call Center
(313) 224-5300