

MAKE-UP PARENTING TIME POLICY

TO: SEPARATED PARENTS

- A. A custody or parenting time violation is any act or failure to act that interferes with a parent's right to interact with a child as governed by the Court Order (MCL 552.602 ET. Seq.). This includes a custodial parent's violation of parenting time provisions, and a non-custodial parent's violation of custody or parenting time provisions.
- B. Because the Circuit Court strongly believes that it is important for a child to have a good relationship with both parents, the Court adopts a make-up parenting time policy pursuant to MCL 552.642; MSA 25.164(42).
- C. Just as a payer can build up an arrearage by not paying support on time, a parent will now build up a "parenting time arrearage" when a parent wrongfully denies the other parent his/her regular Court-Ordered parenting time. Wrongfully denied parenting time shall be at least the same type and duration of parenting time that was denied, including, but not limited to: weekday for weekday, weekend for weekend, holiday for holiday and summer parenting time for summer parenting time.
- D. The make-up parenting time shall be taken at a time determined by the wrongfully denied parent within one (1) year of the time he/she was wrongfully denied.
- E. In order to assure that the Friend of the Court has correct information upon which to base the custody/parenting time violations, the following procedure is adopted. Within fifty-six (56) days of alleged wrongfully denied parenting time, the wrongfully denied parent shall advise the Friend of the Court in writing of the date(s) of alleged wrongfully denied parenting time. Within fourteen (14) days of the receipt of the complaint, if the Friend of Court determines that action should be taken, the office of the Friend of the Court shall send to each parent a notice of the alleged denial. This notice shall contain the following statement in boldface type of not less than 12 points.

FAILURE TO RESPOND IN WRITING TO THE OFFICE OF THE FRIEND OF THE COURT WITHIN TWENTY-ONE (21) DAYS AFTER THIS NOTICE WAS SENT SHALL BE CONSIDERED AS AN AGREEMENT THAT PARENTING TIME WAS WRONGFULLY DENIED AND THAT THE MAKE-UP PARENTING TIME ESTABLISHED BY ORDER WILL BE APPLIED.

- F. The date of the postmark will be used to determine whether either party has complied within the time limits.
- G. If the parent makes a timely reply with an explanation as to why he/she feels parenting time was not wrongfully denied, the Friend of the Court shall do one (1) or more of the following:
 - 1. Apply the make- up parenting time provision;
 - 2. Schedule a joint meeting;
 - 3. Schedule mediation;
 - 4. Commence civil contempt proceedings;
 - 5. File a motion for modification of existing parenting time provisions to ensure parenting time, unless contrary to the best interests of the child.

