

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE
FAMILY DIVISION

GUIDELINES REGARDING DOMESTIC CASES

The Family Division Judges provide the following guidelines for parties and counsel as they initiate a domestic case. They are intended to provide guidance and encourage parties to conduct themselves in such a way as to minimize the negative effects of divorce on themselves and minor children.

RELOCATION OF CHILDREN:

Neither party should remove, cause to be removed, nor permit the removal of any minor children from their current county of residence without written consent of both parties or an order of this court.

CHILD SUPPORT:

Child support can be ordered retroactive to the date of filing the petition, therefore, this Court encourages the non-residential parent to make voluntary payments of child support prior to the entry of an order requiring payment of child support. Child support should be in the amount as determined by the Michigan Child Support Guidelines. AFTER ENTRY OF AN ORDER FOR CHILD SUPPORT, PAYMENTS MUST BE MADE TO THE OFFICE OF THE FRIEND OF THE COURT through the MiSDU, P.O. Box 30351, Lansing, MI 48909-7851.

TREATMENT OF CHILDREN:

The safety, financial security, and mental well-being of minor children are of the utmost concern to the Court. Therefore, it is strongly encouraged that parents attend the Divorce Orientation and Education Program scheduled by the Genesee County Friend of the Court. Parents will receive written notice from the Friend of the Court as to the exact date. If the parents cannot agree on custody and parenting time issues, they will be required to attend the Divorce Orientation and Education Program.

CONDUCT OF THE PARTIES DURING THE CASE:

Both parties are encouraged to refrain from physical, verbal, or any other form of harassment of the other, whether directly or indirectly, including but not limited to acts done in person or by telephone at their residence or at their place of work. Failure to refrain from this type of conduct may result in the issuance of restraining orders and, if violated, punishable by incarceration in the county jail.

DISPOSITION OF ASSETS AND CASH:

Neither party should conceal, damage, or dispose of any asset, whether jointly or separately owned, or dissipate the value of an asset (for example, by adding a mortgage to real estate)

except by written consent of the parties or an order of the Court. The parties may spend their income in the ordinary course of their personal and family affairs. The parties should not conceal, hoard, or waste jointly owned funds, whether in the form of cash, bank accounts or other highly liquid assets, except said funds can be spent for the necessities of life. Any party not conducting themselves in conformity with this guideline may be required to render an accounting and their conduct viewed as wasting a marital asset.

VERIFIED PERSONAL FINANCIAL STATEMENT:

Every party filing a new divorce, with or without children, must provide the other party and the Friend of the Court with a verified personal financial statement within 21 days after the Defendant filed the first responsive pleading or appearance. This statement is not required if the Defendant files nothing with the County Clerk. This statement is not in place of other discovery and providing this statement does not limit other discovery permitted by law. Do not file this statement with the County Clerk. The form that must be followed for this statement is available at the County Clerk or at the information counter at the Genesee County Friend of the Court.

PERSONAL AND BUSINESS RECORDS/INSURANCE:

Neither party should, directly or indirectly, conceal from the other party or destroy any records, including but not limited to, family records, business records, or any records of income, debt, or other obligations. Any insurance policies in effect at the time the petition was filed should not be terminated, allowed to lapse, concealed, modified, borrowed against, pledged, or otherwise encumbered by either of the parties or at the direction of either party. All insurance policies of every kind should remain the same without any change in terms or beneficiaries. All policy premiums should continue to be paid in full on a timely basis unless there is written consent by both parties or by an order of the Court.

ADDITIONAL DEBT:

Neither party should incur additional personal debt which would bind the other spouse, nor tie up assets except by written consent of the parties or by an order of this Court. The parties are strongly urged to temporarily refrain from using joint credit cards except for absolute necessities and only as a last resort. Abuse of credit, especially the other spouse's credit, is often viewed as offensive to the Court's sense of equity and will be accordingly considered.

SANCTIONS:

In any case where a party fails without good cause to satisfactorily comply with the Michigan Court Rules pertaining to the production of financial records and other documents, or fails without good cause to answer interrogatories or attend a deposition, the Court will sanction the violator with an appropriate award of attorney fees (or a fine of an equal amount if the spouse seeking compliance has no attorney).

EXCHANGE OF INFORMATION:

Within 14 days of the filing of an answer to the complaint or other responsive pleadings, the parties should exchange the following:

- a. Complete federal and state income tax returns for the most recent two (2) years filed, including W-2, W-9, and 1099 forms, if applicable.

- b. A verified statement of earnings year-to-date and/or a copy of the party's most recent paystubs, if applicable.
- c. A statement of proposed custodial/parenting time arrangement for the children, if applicable.
- d. A written request for additional information needed for final resolution of this matter.

RETIREMENT OF A PARTY:

If a party is going to retire during the pendency of a divorce and/or separate maintenance case, the party and/or their counsel have an affirmative duty to notify the other party and/or their counsel immediately prior to the event. If a party retires between the time a settlement is placed on the record and the Judgment is entered, the issues of property and spousal support may be reopened upon proper petition.

CERTIFICATION:

I, the undersigned attorney, certify that the following Guidelines Regarding Domestic Cases is identical in all respects to that prepared by the Court and on file in the Genesee County Clerk's Office, except the addition of information in the hearing. I also certify that I have served a copy of said Guidelines Regarding Domestic Cases on my client and have fully explained same to my client.

Date

Attorney for Plaintiff

Address

Telephone



JUDGE DUNCAN M. BEAGLE P24980
Chief Judge of the Circuit Court

1-15-21

Date



JUDGE JOHN A. GADOLA P46456
Presiding Judge, Family Division

1-17-21

Date



JUDGE ELIZABETH KELLY P71790

1/15/2021

Date



JUDGE B. CHRIS CHRISTENSON P61009

1-20-2021

Date