



**FRIEND OF THE COURT  
FOR THE  
FIFTIETH JUDICIAL CIRCUIT COURT OF MICHIGAN**

County Building  
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James P. Lambros  
*Chief Circuit Court Judge*

Elizabeth C. Chambers  
*Friend of the Court*

**MAKEUP PARENTING TIME POLICY**

The Friend of the Court will apply this makeup parenting time policy in all cases where one parent has wrongfully denied parenting time to the other and the Friend of the Court determines that makeup parenting time is the appropriate method of enforcement. Court orders, joint meetings, mediation and contempt proceedings are alternative methods of enforcement available to the Friend of the Court.

Parenting time is every child's right. Responsible parents will put individual differences aside and deal with each other in good faith to see that parenting time is encouraged. The following explanations/excuses for denying parenting time **ARE NOT VALID**:

1. The child had to go somewhere else.
2. The child is not home. You are responsible to see that the child is available for parenting time.
3. The parent paying support is behind in his/her obligation.
4. The child wants to stay home (REGARDLESS OF AGE). **You are the parent and the Court does not believe that the child should be making such decisions.**
5. The parent does not want the child to go.
6. The child does not have clothes to wear.

The following additional explanations/excuses **MAY NOT BE VALID** reasons for denying parenting time:

1. The child is sick.
2. The weather was bad.

If parenting time is denied for either of these two reasons, the parent who denied parenting time bears the burden of proving that the denial was reasonable. The Chippewa County Friend of the Court encourages parents to communicate regarding the above and make alternative arrangements if possible.

**PROCESS:**

**(1) Determination of valid claim**

The Friend of the Court must first determine if the alleged violation states something which is enforceable under the Court's parenting time order. If the Friend of the Court finds that it does, it must send the following notice as required by MCL 552.642(2):

**FAILURE TO RESPOND IN WRITING TO THE OFFICE OF THE FRIEND OF THE COURT WITHIN 21 DAYS AFTER THIS NOTICE WAS SENT SHALL BE CONSIDERED AS AN AGREEMENT THAT PARENTING TIME WAS WRONGFULLY DENIED AND THAT THE MAKEUP PARENTING TIME POLICY ESTABLISHED BY THE COURT WILL BE APPLIED.**

As required by MCL 552.642(3), the party sent the notice must respond in writing to the Friend of the Court office within 21 days after the office sends the notice to prevent application of makeup parenting time.

**(2) Procedure after response or the time for response passes**


If the responding party timely provides a response, the Friend of the Court will initiate one of the other enforcement methods available under MCL 552.641, which include, but are not limited to: applying makeup parenting time; commencing civil contempt proceedings; and/or filing a motion for modification of the existing parenting time schedule. The Friend of the Court may also refer the issue to the referee for a determination.

If a written response is not provided to the Friend of the Court within 21 days of when the notice was sent, the Friend of the Court shall apply makeup parenting time as set forth in MCL 552.642(1):

- (a) That makeup parenting time shall be at least the same type and duration of parenting time as the parenting time that was denied, including but not limited to weekend parenting time for weekend parenting time, holiday parenting time for holiday parenting time, weekday parenting time for weekday parenting time, and summer parenting time for summer parenting time.
- (b) That makeup parenting time shall be taken within 1 year of the makeup parenting time was to have occurred.
- (c) That the wrongfully denied parent shall choose the time of the makeup parenting time.
- (d) That the wrongfully denied parent shall notify both the office of the Friend of the Court and the other parent in writing not less than 1 week before making use of the makeup weekend or weekday parenting time or not less than 28 days before making use of makeup holiday or summer parenting time.

**PLEASE NOTE: THE FRIEND OF THE COURT CANNOT ENFORCE AGREEMENTS BETWEEN THE PARTIES THAT ARE NOT IN A WRITTEN COURT ORDER.**

The foregoing policy is adopted May 4, 2017.

  
Hon. James P. Lambros  
Chief Circuit Court Judge

  
Elizabeth C. Chambers  
Friend of the Court for Chippewa County