

Fortieth Judicial Circuit of Michigan
Lapeer County Friend of the Court

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**INFORMATION ON LAPEER COUNTY
FRIEND OF THE COURT STIPULATED ORDER REQUEST PROGRAM**

What is a Stipulated Order? A written agreement between the parties and approved by the court. The Friend of the Court will only prepare a Stipulated Order for parties not more than every three years. If the parties wish to change their order in less than three years, they would be required to file a motion or hire an attorney.

Who can use the Stipulated Order Request Form? Parties who **agree**, and;

- Have a child support order or judgment of divorce entered in Lapeer County.
- Language of prior orders and the terms of the proposed stipulation may limit the ability to process the request.

Issues that may be able to be addressed:

- Alimony arrearages owed to one of the parties, if modifiable.
- Change of Domicile.
- Child care contribution.
- Child support.
- Child support arrearages owed to one of the parties.
- Custody (A change in physical custody will affect child support and parenting time.)
- Parenting time abatement.
- Parenting time provisions.
- Uninsured medical expenses.

Issues that cannot be addressed:

- Changes in child support that deviates from the Michigan Child Support Formula.
- Changes in the property provisions of the judgment of divorce.
- Elimination of automatic enforcement.
- Elimination of the order of income withholding.
- Reduction in the collection rate arrearages owed to the State of Michigan.
- Requests for direct payments.
- Termination of parental rights.

Scheduling a Stipulated Order appointment:

- Stipulated order request forms must be completely filled out and signed by both parties.
- Notice of the appointment date and time will be mailed to you within two weeks of receipt of the stipulated order request form.

- Appointments are given on a first-come first-served basis, usually within three months.
- Appointments are scheduled for one hour.
- Both parties **must** attend if their residence is in the lower peninsula of Michigan.
- You must provide a copy of your current medical insurance card.
- Current income information must be provided if the change involves support or custody. **This means a copy of your last three Federal income tax returns and your six most recent pay stubs.**
- A filing fee of \$40.00 is required for all stipulated orders involving the issue of child support **or** a filing fee of \$80.00 is required for all stipulated orders involving the issue(s) of custody and/or parenting time and child support. It must be paid by certified check or money order, made payable to the Lapeer County Clerk. It **must** be presented to the Friend of the Court caseworker at the time of your appointment.

Why must current income be provided involving support or custody?

- The law requires that all support orders must conform with the levels of child support recommended by the Michigan Child Support Formula.

What happens at the appointment?

- Each party checks in with the Friend of the Court receptionist.
- The filing fee is given to the Friend of the Court caseworker by the parties.
- The parties are interviewed by a Friend of the Court caseworker.
- If the parties' request is reasonable and they agree, the order is drafted.
- If the parties' request is unreasonable or they do not agree, the appointment is ended, no order is drafted, and the filing fee is returned to the parties.
- If both parties sign the order, each is given a copy and the original is sent to the judge and the filing fee is processed through the Lapeer County Clerk.

What happens after the judge signs the order?

- The Friend of the Court receives a copy of the order.
- The Friend of the Court makes the necessary adjustment to the account.
- The Friend of the Court adjusts the order of income withholding.
- Both parties are mailed a copy of the order that was signed by the judge.

Commonly asked questions regarding the Stipulated Order Request Program:

- Do we have to keep the appointment? After all, both of us signed the request form and agree. **Yes**
- Neither one of us now live in Michigan. Can we use this program? **Yes**
- Do I have to sign the order if I'm having second thoughts about the change? **No**
- When the other party and I agree and sign the stipulated order request form, isn't that the order? **No, the order must be signed by the Judge.**

If you have additional questions about the stipulated order request form, please contact your caseworker in writing.