

Preparing and Entering Your Judgment of Divorce with Minor Children

Introduction

In the 13th Circuit Court litigants receive a notice of final hearing approximately two weeks after the divorce case is filed. In divorce cases where minor children are involved, this date will generally be slightly beyond the six-month statutory waiting period, allowing you plenty of time to prepare your Judgment of Divorce ("JOD").

Your Judgment of Divorce is one of the most important legal documents you will have during your lifetime as it defines your rights and responsibilities for many years to come. It is important that it be accurate, comprehensive, and clear. Ideally, it should be typewritten, or word processed so it is easy to read.

Forms

A blank, fillable Judgment of Divorce is attached. The fillable form may not meet your needs. **The Friend of the Court and the Clerk of the Court cannot provide legal advice and cannot assist you to prepare a Judgment of Divorce. The Court strongly encourages litigants to seek legal advice as to any divorce matter about which they are uncertain.**

Orders for child support must be stated in a Uniform Child Support Order ("UCSO"), a blank, fillable form is attached.

FOC Approval

In the 13th Circuit Court, Friend of the Court ("FOC") approval of the proposed Judgment of Divorce and the Uniform Child Support Order is required. **You must submit your proposed Judgment and Uniform Child Support Order to the FOC a minimum of two weeks prior to the final hearing date.** Your Case Manager needs time to review the documents and indicate what changes, if any, need to be made. You may even need to re-submit your documents. When FOC approves the JOD and UCSO, it is signed by FOC and routed to the appropriate Judge until your final hearing date. **Once your JOD and UCSO have been approved by FOC you cannot make any changes to any of the child-related provisions.**

Along with your proposed Judgment of Divorce and Uniform Child Support Order, you are also required to provide FOC with a completed **Domestic Relations Judgment Information** form (FOC 100). A blank, fillable form is attached. **You must then submit Proof of Service to the Clerk of the Court on or before the filing of the Judgment of Divorce, indicating that the Domestic Relations Judgment Information form has been provided to FOC.** A blank, fillable Proof of Service is attached.

You cannot be divorced unless your Judgment is approved by FOC and signed by the Judge. Even if you have been approved for or are requesting to close your FOC case ("Opt Out"), you must submit your proposed Judgment and UCSO to FOC for approval. If child support is to be paid, it must be reflected in a UCSO. A **Uniform Child Support Order, No FOC Services** (FOC 10a/52a) is used in cases where your FOC case will close once your JOD is filed.

FOC reviews the proposed Judgment as to the child related issues only. **Generally, those provisions should be the same as in the Temporary Order.** FOC does not review property division or any other provisions that are not related to your children.

Day of Final Hearing

If you have had your proposed Judgment approved by FOC ahead of time, the Judge will have your proposed Judgment available for e-signing on the date of your final hearing.

Once your Judgment is e-signed by the Judge, you must serve a copy of it on the other party to the case (obtain a copy from the Clerk). FOC will receive its copy electronically from the Clerk.

Resources you may find helpful are your Temporary Order for Custody, Support and Parenting Time and The Michigan Divorce Book. Other resources are available at the Traverse Area District Library located at 610 Woodmere Ave. in Traverse City and www.MichiganLegalHelp.org.