

# FOC Alternative Dispute Resolution

FOC Alternative Dispute Resolution (ADR) is a process established under MCL 552.513 and MCR 3.224 by which the parties are assisted to voluntarily agree to resolve a dispute regarding child custody, parenting time, or support that arises from a domestic relations matter. Ingham County 30th Judicial Circuit Court Local Administrative Order 2019-10 sets forth the FOC Alternative Dispute Resolution plan that was adopted in Ingham County per MCR 3.224.

Friend of Court ADR in Ingham County includes the following processes:

**Facilitative and Information Gathering Conference:** A Facilitative and Information Gathering Conference is a non-adversarial process in which a Facilitator assists the parties in reaching an agreement regarding custody, parenting time and support unless otherwise provided by statute or court rule. At a Facilitative and Information Gathering Conference both parties present their positions and provide information to a FOC Facilitator/Investigator. Attorneys are permitted to attend and participate. If the parties fail to reach an agreement the Facilitator/Investigator may prepare a report and recommended order. If a Personal Protection Order is in place the parties may meet separately with the Facilitator/Investigator.

If both parties attend the Conference and reach an agreement the Facilitator/Investigator will draft a Stipulation and Order. The Stipulation would then be forwarded to the Judge assigned to the case for signature.

If the parties are not able to reach agreement the Facilitator/Investigator will submit a timely recommendation to the court on the issues of child custody, parenting time and support in the following manner:

- If there is no prior existing order regarding custody, parenting time or support, the FOC Facilitator/Investigator's recommendation will be submitted for immediate entry as the order of the court. However, either party may file an objection within 21 days after the order was mailed (the date of the proof of mailing). If an objection is filed the order of the court will remain in effect until the court modifies the order. Support, custody and parenting time orders will be legally binding on all parties.
- If there is a prior existing order the FOC Facilitator/Investigator's recommendation will not take immediate effect. The recommendation and order will be mailed to the parties (and attorneys if either party is represented). If an objection to the recommended order is not filed within 21 days of the date of mailing (the date on the proof of mailing), the proposed order will be signed by the Judge and become the order of the court. If an objection is filed within 21 days, a hearing will be scheduled either before a Friend of Court Referee or directly before the assigned Judge.

**Joint Meeting (pre-judgment):** Joint meetings are a process in which a FOC Facilitator/Investigator discusses proposed solutions with the parties to resolve parenting time issues, custody or parenting time complaints, or an objection to a support recommendation. At a joint meeting both parties present their positions and provide information. Attorneys are permitted to attend and participate. If the parties fail to reach an agreement the Facilitator/Investigator may prepare a report and recommended order. If a Personal Protection Order is in place the parties may meet separately with the Facilitator/Investigator.

If both parties attend the joint meeting and reach an agreement, the FOC Facilitator/Investigator will draft a Stipulation and Order. The Stipulation would then be forwarded to the Judge for signature.

If the parties are unable to reach an agreement, the FOC Facilitator/Investigator will submit a timely recommendation to the court to resolve parenting time issues, custody or parenting time complaints, or an objection to a support recommendation in the following manner:

- A recommendation and order will be mailed to the parties (and attorneys if either party is represented). If an objection to the recommended order is not filed within 21 days of the date of mailing (the date on the proof of mailing), the proposed order will be signed by the Judge and become the order of the court. If an objection is filed within the 21 days, a hearing will be scheduled either before a Friend of Court Referee or directly before the assigned Judge.

**Domestic Relations Mediation:** Domestic Relations Mediation is a process in which a neutral third party facilitates confidential communication between parties to explore solutions to settle custody, parenting time and/or support issues. *In Ingham County domestic relations mediation is currently referred to an outside agency on a case-by-case basis only.*

The procedure regarding Ingham County FOC Alternative Dispute Resolution is outlined in the [30th Judicial Circuit Court Local Administrative Order 2019-10](#). [Click the link to read the Local Administrative Order in its entirety.](#)

## FOC Investigation

A FOC Investigation is not an Alternative Dispute Resolution process; however, as allowed by MCR 3.224(l)(4) the court may, on its own motion, order the Friend of Court to conduct an Investigation regarding child custody, parenting time or support, and provide a report and recommendation under MCL 552.505(1)(G).

If both parties attend an Investigation Conference and reach an agreement, the FOC Facilitator/Investigator will draft a Stipulation and Order. The stipulation would then be forwarded to the Judge for signature.

If the parties are unable to reach agreement the FOC Facilitator/Investigator will prepare a report and recommendation. Note that a FOC Investigation differs from a Facilitative and Information Gathering Conference in that the FOC Facilitator/Investigator only prepares a report and recommendation and does not prepare a recommended order. If the parties do not reach an agreement a hearing will be scheduled either before a Friend of Court Referee or directly before the assigned Judge.