

Approved, SCAO

STATE OF MICHIGAN
43rd **JUDICIAL CIRCUIT**
Cass **COUNTY**

**MOTION AND ORDER TO SHOW CAUSE
FOR CONTEMPT
(CUSTODY/PARENTING TIME)**

CASE NO.

Court address
Law & Courts Building, 60296 M-62, Cassopolis, MI 49031

Court telephone no.
(269) 445-4416

Plaintiff's name, address, and telephone no.

MOTION

1. On _____ an order
Date
was entered regarding:

Attorney:

v

2. The moving party alleges
that _____
Name
violated the order as indicated in the attached.

Defendant's name, address, and telephone no.

Attorney:

3. _____ requests the court to issue an order to show cause why _____
Name of person filing this motion Name
should not be held in contempt for violation of the court order.

Date

Signature of person filing this motion

ORDER

IT IS ORDERED: (See Notice on other side.)

4. _____ shall appear in person before this court on _____
Name Date
at _____ at _____ to show cause why he/she should not be held in
Time Location
contempt for failure to comply with the court's order. Both parties should contact _____
one business day before this date to find out if their attendance is still required.

5. If the person named above fails to appear, a bench warrant may be issued for his/her arrest.

6. If contempt is found, the court may apply any enforcement remedy allowed under the law.

7. If the complaining party fails to appear, the contempt proceeding may be dismissed.

8. This matter will be heard before a referee.

Date

Judge Bar no.

If you require special accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements. When contacting the court, provide your case number(s).

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this motion and order and notice (other side) on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 3.203.

Date

Signature

NOTICE TO PARENTS

A motion is being filed requesting the court to issue an order to show cause why you should not be held in contempt for violating a parenting-time/custody order or a makeup and ongoing parenting-time schedule.

If this motion is for violating a parenting-time order, please read the following:

At the show-cause hearing, if the court finds either parent has violated a parenting-time order without good cause, the court shall find that parent in contempt and may do one or more of the following:

1. Require additional terms and conditions consistent with the court's parenting-time order.
2. After notice to both parties and a hearing, if requested by a party, on a proposed modification of parenting time, modify the parenting-time order to meet the best interests of the child.
3. Order that makeup parenting time be provided for the wrongfully denied parent to take the place of wrongfully denied parenting time.
4. Order the parent to pay a fine of not more than \$100.00.
5. Commit the parent to the county jail or an alternative to jail.
6. Commit the parent to the county jail or an alternative to jail with the privilege of leaving the jail or other place of detention during the hours the court determines necessary, and under the supervision the court considers necessary, for the purpose of allowing the parent to go to and return from his or her place of employment.
7. If the parent holds an occupational, driver's, recreational, or sporting license, condition the suspension of the parent's license(s) upon noncompliance with an order for makeup and ongoing parenting time.
8. Order the parent to a community corrections program.
9. Place the parent under the supervision of the office for a term fixed by the court with reasonable conditions, including that the parent do one or more of the following:
 - (i) Participate in a parenting program.
 - (ii) Participate in drug or alcohol counseling.
 - (iii) Participate in a work program.
 - (iv) Seek employment.
 - (v) Participate in other counseling.
 - (vi) Continue compliance with a current support or parenting-time order.
 - (vii) Enter into and comply with an arrearage payment plan.
 - (viii) Facilitate makeup parenting time.

At the show-cause hearing if the court finds that a party to a parenting-time dispute has acted in bad faith, the court shall order the party to pay a sanction of not more than \$250.00 for the first time the party is found to have acted in bad faith, not more than \$500.00 for the second time, and not more than \$1,000.00 for the third or subsequent time. If the court finds that a party to a parenting-time dispute has acted in bad faith, the court shall order the party to pay the other party's costs.

You have the right to a hearing on a proposed modification of parenting time if you request one within 21 days after the date this motion is mailed to you.