



## Legal Assistance Center

### Case Worksheet: Custody Case (Unmarried Parents)

#### What is a custody case?

A custody case is a lawsuit filed with the court by a mother or father to get custody, child support and parenting time when the parents were not married and the father is already the legal father of the child.

#### Requirements to File:

- You are not married to the other parent
- You and the other parent signed an Affidavit of Parentage **OR**
- Paternity was established in the court of another state
- You have lived in Michigan for 180 days and in Kent County for 10 days **AND/OR**
- The other parent has lived in Michigan for 180 days and in Kent County for 10 days

#### Initial Forms:

- Civil Case Cover Sheet (Kent County)
- Summons
- Complaint for Custody
- A copy of the Affidavit of Parentage for each child
- Application for IV-D Services/Verified Statement
- Uniform Child Custody Jurisdiction Enforcement Act Affidavit (UCCJEA)
- 3 copies of the Summons, Complaint, Verified Statement, and UCCJEA

#### Information Needed:

- Your full name
- Your current address (can be a mailing address only)
- Your date of birth
- The other parent's full name
- The other parent's current address
- The other parent's date of birth
- The county where each parent resides
- The name, age, social security number, and date of birth for each child
- Health care information for each child (policy holder, group id, etc.)
- A physical description of each parent
- Employment and income information for each parent
- The current address for each child
- Child's addresses during the past five years (since birth if under 5)
- The names and addresses of the current custodians for each child

**Cost of Filing:**

- LAC Custody Case Packet \$20 (includes forms and instructions)
- Court filing fee of \$255 (waived in some cases, see below)
- Cost of copies for filing (approximately \$10 at LAC)
- Cost of certified mail for service (approximately \$12)

**Waiving Court Filing Fees:**

- You receive public benefits
  - Need DHS Case Number
- Based on your income and expenses the court allows fees to be waived
  - Need information about your income and monthly expenses
- !!** Only waives court filing fee, not other costs (packet, copies, mail)

**Other Information/Questions:**

- Who is best suited to have physical custody of any or all children?
- Who is best suited to have legal custody of any or all children?
- How often will the non-custodial parent have parenting time?
- Where will you meet to drop off and pick up for parenting time?
- Who will be paying child support?
- Who will carry insurance for the minor children?
- When do you need to have an order for custody, support, and parenting time?

**Getting the Forms:**

- Get the "Custody" Case Packet at the Legal Assistance Center.
  - The cost is \$20. Cash only.
  - LAC staff/ volunteers can help you and answer your questions.
- Use the Michigan Legal Help ([www.michiganlegalhelp.org](http://www.michiganlegalhelp.org))
  - Informational articles are available on the website to help you.

**Getting Help at the Legal Assistance Center:**

- Walk in Tuesday to Friday, 8:30 am to 5 pm. No appointment needed.
- Kent County Courthouse, 5<sup>th</sup> Floor, 180 Ottawa NW, Downtown Grand Rapids
- Call 616.632.6000
- Basic information is available on the LAC website ([www.legalassistancecenter.org](http://www.legalassistancecenter.org))

**!!Caution!!**

This worksheet is offered as general legal information only. Each person's situation is different. This is not legal advice for any individual case or situation. You may wish to talk to an attorney before filing a custody case.