



8TH JUDICIAL CIRCUIT COURT IONIA COUNTY FRIEND OF THE COURT

Rebecca A. Shermak

Friend of the Court

Circuit Court Referee

100 W. Main Street
Ionia, Michigan 48846
Telephone (877) 543-2660

Karen M. Heintzelman

Facilitator - Investigator

Erin N. Randall

Mediator - Support Specialist

Michael S. Ketchum

Facilitator - Mediator

NOTICE TO PARTIES REGARDING REQUEST FOR DE NOVO

You have the right to request a de novo review (a request for a new hearing before the judge) of any matter was heard before the referee by filing the necessary paperwork with the court as follows:

1. File your objection on the "De Novo Review" form with the Clerk's Office (attached) within 21 days from the date of mailing on the Recommendation and Order.
2. Request a transcript of the referee hearing within 21 days from the date of mailing on the Recommendation and Order, and pay for the transcript, using the form attached. See instructions below on how to obtain the transcript.
3. File the Notice of Hearing within 21 days from the date of mailing on the Recommendation and Order.
4. The "De Novo Review" form, Request for Transcript, Notice of Hearing and Certificate of Mailing forms must be filed together within 21 days from the date of mailing on the Recommendation and Order.

If you wish to pursue a de novo review, you are responsible for properly filing the documents and scheduling the hearing with the court. Friend of the Court personnel cannot give legal advice or assist with completing the forms. Special exceptions may only be made for those who have difficulty reading or writing.

PLEASE NOTE

Everyone has the right to de novo review by the Circuit Court Judge of a referee recommendation. However, if the judge finds that your objection is frivolous or has been brought for the purpose of delay, the court may assess additional costs and/or attorney fees. The court may also assess costs and/or attorney fees for parties who fail to attend court hearings.

INSTRUCTIONS FOR COMPLETING OUR LOCAL FORMS FOR DE NOVO REVIEW

On the form entitled "De Novo Review:" Using a black or blue pen, fill in the case number, the parties' names, the date of the referee hearing, the date of the recommendation and order, and the reasons that you are objecting to it. BE SPECIFIC. Sign and date at the bottom.

On the form entitled "Request for Transcript:" Using a black or blue pen, fill out form completely and file it at the Friend of the Court office. It must be filed within 21 days from the date of mailing the Recommendation & Order to which you are objecting. Please email Allie Zeller at: ZellerA@michigan.gov. In your email, request the transcript and include your full name, telephone number, case number, date of hearing, and estimated length of the court hearing that you are requesting to be transcribed. The transcriber will respond to your

email promptly. Follow the transcriber's instructions on paying for the transcript. A deposit (cash, money order, or electronic payment) will be required before the transcript will be prepared.

On the form entitled "Notice of Hearing:" To secure a hearing date, you must contact the circuit court as detailed below:

For Judge Kreeger's cases: call 616-527-5315 or email Aaron at agillman@ioniacounty.org

For Judge Schafer's cases: call is 616-527-5336 or email Sue at sgoerge@ioniacounty.org

For Judge Sykes' case: call 616-527-5326 or email Sallie at spossehn@ioniacounty.org.

Fill in all the blanks on the top half of the form and sign your name. Fill out the portion under "Certificate of Mailing" on the day you mail out copies of the document to the other parties, or their attorney(s) if they are represented. The original forms must be filed at the Clerk's office, within 21 days from the date of mailing on the Recommendation and Order. Copies sent to FOC and the other parties and to their attorneys, if any.

Note: You are responsible for ensuring proper notice is filed. Make sure you date and sign your name under both the 'Notice of Hearing' portion and the 'Certificate of Mailing' portion. The judge will not hold the de novo hearing unless you have fully and properly completed and served the Objection and Request for De Novo Review and Notice of Hearing form.

INFORMATION ABOUT ATTENDING THE DE NOVO HEARING

Pursuant to MCR 3.215, the De Novo hearing will be conducted by a review of the transcript of the referee hearing. No additional testimony may be offered by either party unless a motion is filed requesting permission to present additional evidence. The names and addresses of all additional witnesses and the estimated length of their testimony must be included in the motion along with specific good cause as to why they should be allowed to testify now and were not presented at the time of the referee hearing. This motion must be filed and heard prior to the De Novo hearing.

Bring a copy of the order you are objecting to and your copy of the transcript to the De Novo hearing. Also bring all supporting documents you have and any witnesses who may have testified at the referee hearing and are willing to testify again. If you are representing yourself, you are expected to conduct yourself and follow the same rules as an attorney.

Make a list of information you feel is important for the judge to know. The information should relate to the reasons stated in your objection.

If you believe you need an order to get a witness to attend the hearing, follow the procedure in Michigan Court Rule 2.506, or consult an attorney.

Confirm with the court clerk whether your hearing will be in person or done by Zoom. Arrive at the hearing promptly. Dress neatly. Be prepared to spend most of the morning or afternoon in the hearing. Have your witnesses available to testify.

DE NOVO REVIEW

STATE OF MICHIGAN
8th JUDICIAL CIRCUIT

FILE NO.: _____

VS

Plaintiff

Defendant

OBJECTION AND REQUEST FOR DE NOVO REVIEW

I object to the Referee Recommendation made at the hearing that was scheduled on

_____, 20____ and the Referee Recommendation and Order dated _____, 20____ regarding custody / parenting time / child support (circle as many as apply) and request De Novo Review for the following reasons (please be very specific – use additional sheets if necessary):

Date _____

(Sign your name here and print it below)

(Print your name here)

REQUEST FOR TRANSCRIPT

Transcripts of hearings are prepared upon the written request of a party. At the time of the request, an estimate for the cost of the transcript and an estimate as to the amount of time needed to complete the transcript will be provided. Please note, this is only an estimate, as the exact number of pages cannot be determined until completion of the transcript. Once an estimate has been given, a deposit in the amount of that estimate will be required before the transcript is prepared. You may request that a transcript be completed by a particular date, and every attempt will be made to provide the transcript by the date requested; however, the transcripts are prepared in the order that they are received. If there is a request for an expedited transcript, an additional fee will be required. Transcripts are to be picked up from the Friend of the Court office, unless postage for mailing is paid by the party, or other arrangements are made.

I hereby request a transcript(s) be prepared regarding:

Case Number and Names

Date of Hearing

Time of Hearing

Estimated Length of Hearing

- ☐ I acknowledge that the cost of the transcript will be \$3.75 per original page and 90 cents per page for the copy, for a total of \$4.65 per page. The minimum charge for a transcript is \$50.00 for the original, and 90 cents per page for the copy.
- ☐ I acknowledge the entire cost of the transcript will need to be paid prior to receipt of the transcript.
- ☐ I acknowledge that once the deposit has been made and the transcript started, there will be no refunds.
- ☐ I acknowledge that I will be notified after completion of the transcript and will pay the remaining cost of the transcript within seven (7) days.

Date

Signature

Phone Number

Email Address

Received By: _____

Deposit Paid: _____

Dated: _____

Total Transcript Cost: _____

Less Deposit Paid: _____

Balance Due: _____

NOTICE OF HEARING

File No.: _____

TO: _____
(name of other party)

Address: _____

PLEASE TAKE NOTICE that a De Novo Hearing on the above objection will be held before the
Honorable _____ in the Circuit Court Courtroom, in the
Courthouse, 100 E Main Street, Ionia MI the _____ day of _____, 20____,
at _____ a.m. / p.m.

Date: _____

(sign your name here)

CERTIFICATE OF MAILING

I certify that TODAY I mailed, by regular first class mail, a true copy of this objection and Notice of Hearing to the
office of the Friend of the Court - 100 W Main St Ionia MI 48846 and the other
party _____ at his / her last reported address according to the Friend
of the Court records, that being:

_____. Additionally a copy of this
was also mailed to the other party's attorney of record (if applicable) being _____.

Date: _____

(sign your name here)