

Michigan is debating a 50/50 custody rule. Your child deserves better than a rule written for everyone.

*What the law says today, what the bills would change, and how to keep
your own child at the center of every decision you make while the
argument goes on around you.*

SEPTEMBER 2026

A note from Shelley

Your child deserves to be looked at as an individual.

If you are reading this, you are probably worried about your child. You may have seen a news story or a post about Michigan adopting a 50/50 custody law, and you may be wondering what it means for the arrangement you are trying to protect. I put this guide together because I think you deserve to know what the law actually says today, what the bills in Lansing would change, and what none of that changes about the decision in front of you.

I have practiced family law in Michigan for more than thirty years, and I have sat with a great many parents in the middle of a separation. The pull in those months is toward positions. Equal time. More time. Winning. The argument in Lansing is about a rule for every family in the state, and it is easy to get drawn into it. But the decision you are making is about one child, and no rule written for everyone can know that child. That is why I believe a parent should look at their own individual child every time. It is what every child deserves, and it is what the law, as it stands today, asks of the court.

Our role at Wilson Kester is to think it through with you. We will explain the law, show you which facts matter, and keep asking what your child needs while everything else is loud. The decisions stay with you.

Here is what you will find in these pages.

- 1 The debate in Lansing, in plain terms, and what is and is not law today.
 - 2 The law as it stands, which starts with what the two of you can agree on, and the established custodial environment, which sets the burden each parent carries.
 - 3 Two different questions, custody and parenting time, and why the difference matters to what you agree to.
 - 4 What children need in the heat of it, according to the statute and to the research, and three illustrations of how the rules play out.
 - 5 A worksheet built on the statute's own factors, so you can write down what is true for your child today and what you would propose.
 - 6 What to bring to a first conversation with us, if you decide you would like one.
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Nothing in this guide is legal advice about your situation, and nothing here predicts what a court would do in your case. It is general information about Michigan law, arranged so that you can understand it and apply it to your own child.

Shelley

What the bills would change, and what is law today.

Several groups have taken up the cause of amending Michigan's Child Custody Act to add a presumption of equal parenting time. Here is where that stands, without the noise.

WHAT IS BEING PROPOSED

Two packages are pending in the current session. House Bills 5211, 5212, and 5213 of 2025 were introduced in November 2025, reported favorably by the House Judiciary Committee, and referred to second reading in June 2026. Senate Bills 940, 941, and 942 of 2026 were introduced in April 2026 and referred to committee. Each package is tie-barred, meaning the bills take effect only if all of them pass.

In substance, the bills would add to the Act a presumption that equal or approximately equal parenting time is in a child's best interests, require courts to advise parents of that presumption, and allow a court to depart from it only on clear and convincing evidence, after analysis of the existing best-interest factors. The bills would also require the friend of the court to give parents information about the presumption.

WHAT IS LAW TODAY

None of these bills has been enacted as of September 2026, and a bill is not law until it passes both chambers and is signed by the Governor. Michigan law today contains no presumption of equal or approximately equal parenting time. What it contains is a presumption that a child's best interests are served by a strong relationship with both parents, twelve best-interest factors that the court must consider for each child, and a rule that protects a child's established custodial environment once one exists. [MCL 722.23](#), [722.27a\(1\)](#), [722.27\(1\)\(c\)](#)

If you have read online that Michigan already has a 50/50 rule or a shared parenting law, you are reading a description of a proposal rather than of the law in force. We watch these bills closely and will update this guide if the law changes.

Whatever the Legislature decides, the question in front of you is about one child, and the law today asks the court to look at that child. A rule written for every family cannot know yours. That is why I encourage parents to work from their own child's life, on paper, before they take a position on anything. [MCL 722.23](#)

It starts with what the two of you can agree on.

In my experience, custody is very often a function of agreement. Many parents never have a judge decide their children's schedule at all, because they work one out themselves and the court adopts it.

HOW A COURT TREATS AN AGREEMENT

In every custody dispute between parents, the court must advise the parents of joint custody. If either parent asks for it, the court shall consider it and shall state on the record its reasons for granting or denying the request; in other cases the court may consider it on its own. In deciding whether joint custody is in the child's best interest, the court considers the twelve best-interest factors and whether the parents will be able to cooperate and generally agree concerning important decisions affecting the welfare of the child. [MCL 722.26a\(1\)](#)

If the parents agree on joint custody, the court shall award joint custody unless it determines on the record, based on clear and convincing evidence, that joint custody is not in the best interests of the child. If the parents agree on parenting time terms, the court shall order those terms unless it determines on the record by clear and convincing evidence that the terms are not in the best interests of the child. [MCL 722.26a\(2\)](#), [722.27a\(2\)](#)

What this means in practice is that a court is predisposed to accept the agreement of two parents. The court still has a duty to the child, so it will look at whether the agreement serves that particular child, and it must say on the record why it is granting or denying a request for joint custody.

WHAT CLEAR AND CONVINCING EVIDENCE MEANS

This phrase appears several times in this guide because it is the barrier the law puts in front of anyone who wants to change a child's established custodial environment, which is defined in the next section. It is a high standard. It requires admissible evidence, meaning evidence a court is permitted to consider under the rules, and it requires that the admissible evidence, taken together, be of a magnitude significantly greater than a tipping of the scales. Michigan courts describe it as evidence that produces a firm belief or conviction about the truth of what is claimed. It sits well above the ordinary civil standard, which asks only which side is more likely right, and below the criminal standard of proof beyond a reasonable doubt.

WHEN PARENTS DO NOT AGREE

Where the parents do not agree, the court decides the disputed questions. In a custody dispute between the parents, the best interests of the child control, and “best interests of the child” means the sum total of the twelve factors in the statute, to be considered, evaluated, and determined by the court. If either parent requests joint custody, the court shall consider it and shall state on the record its reasons for granting or denying the request. Parenting time shall be granted in accordance with the best interests of the child, in a frequency, duration, and type reasonably calculated to promote a strong relationship between the child and the parent. [MCL 722.25\(1\)](#), [722.23](#), [722.26a\(1\)](#), [722.27a\(1\)](#)

HOW THE LAW PROTECTS A CHILD’S STABILITY

Once a child has an established custodial environment, the court shall not modify or amend its previous judgments or orders, or issue a new order, so as to change that environment unless there is presented clear and convincing evidence that the change is in the best interest of the child. The next page explains what that term means and why it shapes the whole custody decision. [MCL 722.27\(1\)\(c\)](#)

The question the court answers before it weighs the factors.

Most parents have never heard this term before their first conversation with a lawyer. It decides how heavy a burden each parent carries.

WHAT THE STATUTE SAYS

The Act defines it this way: “The custodial environment of a child is established if over an appreciable time the child naturally looks to the custodian in that environment for guidance, discipline, the necessities of life, and parental comfort. The age of the child, the physical environment, and the inclination of the custodian and the child as to permanency of the relationship shall also be considered.” The court shall not modify or amend its previous judgments or orders, or issue a new order, so as to change the established custodial environment of a child unless there is presented clear and convincing evidence that it is in the best interest of the child. [MCL 722.27\(1\)\(c\)](#)

WHY IT COMES FIRST

When a court decides custody, it does not begin with the twelve factors. It begins by asking whether the child has an established custodial environment and, if so, with whom. The answer sets the burden of proof for everything that follows.

-
- If the child has an established custodial environment with one parent, the other parent must prove by clear and convincing evidence that changing it is in the child’s best interest before the court may do so.
-
- If the child has an established custodial environment with both parents, any arrangement that would change the child’s environment with either parent carries that same burden.
-
- If the child has no established custodial environment, neither parent carries the heavier burden, and the court decides on the ordinary civil standard of which arrangement is more likely in the child’s best interest.
-

Only after the burden is set does the court take up the twelve factors, and it weighs them against that burden. Two parents with the same facts under the factors can get different results depending on where the child’s established custodial environment lies. That is the significance of the concept.

HOW THE COURT FINDS IT, AND WHAT HAPPENS IF YOU DO NOTHING

The established custodial environment is a question of fact about the child’s actual life. The court looks at where the child has been living and whom the child looks to, whatever the paperwork says. An order that has never been followed does not create one, and an arrangement that has been followed can create one whether it was written down or not. Because the statute speaks of “an appreciable time,” a temporary order or an informal arrangement that runs for months can establish a custodial environment without either parent intending it. The arrangement your child is living under today is either building one or it is not, so please think carefully before treating any schedule as temporary.

The rule that the established custodial environment sets the burden of proof comes from Michigan appellate decisions applying MCL 722.27(1)(c), including *Baker v Baker*, 411 Mich 567 (1981), and *Pierron v Pierron*, 486 Mich 81 (2010).

Custody and parenting time are decided separately.

Most of the confusion I see, and most of the heat in the public debate, comes from treating these as one question. They are two, and a parent who understands the difference knows what they are agreeing to.

	Custody	Parenting time
THE QUESTION	Who makes the important decisions for the child (legal custody), and where the child's home base is, with one parent or with both (physical custody).	How the child's time is shared between the parents: the schedule, its frequency, duration, and type.
STATUTES TO CHECK OUT	MCL 722.23 (best-interest factors), 722.25, and 722.26a (joint custody).	MCL 722.27a.
WHAT THE COURT PRESUMES	Between two parents, the best interests of the child control. If the parents agree on joint custody, the court awards it absent clear and convincing evidence against it.	A strong relationship with both parents is presumed to be in the child's best interests. A child has a right to parenting time with a parent unless clear and convincing evidence shows it would endanger the child's physical, mental, or emotional health.
WHAT THE COURT WEIGHS	The twelve factors, and for joint custody, whether the parents can cooperate and generally agree on important decisions.	The child's best interests, plus nine schedule-specific factors the court may consider, such as special needs, travel burden, and whether a parent can be expected to keep the schedule.
WHAT "JOINT" MEANS	Joint custody is an order that the child resides alternately for specific periods with each parent, or that the parents share decision-making authority, or both. MCL 722.26a(7)	Joint legal custody does not mean equal parenting time. Two parents can share every important decision and still have a schedule that is far from equal.
CHANGING IT LATER	A court may modify either for proper cause or a change of circumstances. A change that would alter the child's established custodial environment requires clear and convincing evidence that it is in the child's best interest. A change that would not alter it carries a lower burden.	This is why parents should understand what they are locking in before they agree, and why the established custodial environment on the previous page matters to both questions. MCL 722.27(1)(c)

Either parent may ask that parenting time be set in specific terms, and the court must then do so. A parenting time order may also contain reasonable conditions, such as who transports the child, when exchanges happen, and notice when parenting time will not occur. While a child is with a parent, that parent decides all routine matters concerning the child. [MCL 722.27a\(8\), \(9\), and \(11\)](#)

Your child is the one person in this who did not choose it.

In the middle of a separation, parents drift toward positions. The statute and the research both point somewhere else, toward the same short list of things a child needs.

WHAT THE STATUTE SAYS A CHILD NEEDS

The twelve factors are the Legislature's description of what matters to a child. Read together, they ask about a few things:

-
- Emotional ties with each parent, and each parent's capacity to give love, affection, and guidance. **722.23(a), (b)**
 - Continuity: how long the child has lived in a stable, satisfactory environment, and the permanence of each home. **722.23(d), (e)**
 - Each parent's willingness to support the child's relationship with the other parent. **722.23(j)**
 - Freedom from domestic violence, whether or not it was directed at the child or witnessed by the child. **722.23(k)**
 - For joint custody, whether the parents can cooperate on the decisions that affect the child. **722.26a(1)(b)**
-

None of these is a count of overnights. The one that comes closest is continuity, which asks how long the child has lived in a stable, satisfactory environment and whether it is desirable to maintain it. That question is about the life the child has actually been living, and the schedule the child has been living under is part of that life. The factors look at the child's experience of the arrangement rather than at the arithmetic of it.

Children deserve home environments where they can thrive, supported by love, encouragement, support, and attention. I want to be careful with research, because it is often overstated in both directions, so here is what the studies I rely on actually found.

A 2019 study in JAMA Pediatrics of 6,188 adults measured seven positive childhood experiences, among them being able to talk to family about feelings, feeling the family stood by them in hard times, having adults who took genuine interest in them, and feeling safe and protected by an adult at home. Adults who reported six or seven had 72 percent lower odds of depression or poor mental health than adults who reported two or fewer, and the effect held even for adults with high adversity scores.

BETHELL ET AL., 2019

The Adverse Childhood Experiences (ACE) Study, conducted by Kaiser Permanente and the Centers for Disease Control and Prevention, surveyed more than 17,000 adults and found a graded relationship: the more categories of adverse childhood experience a person reported, including household dysfunction, the higher their risk of a range of adult health problems.

FELITTI ET AL., 1998

A 2018 evidence review found that conflict between parents, whether they live together or apart, is associated with emotional and behavioral difficulties in children, and that how conflict is expressed and managed matters more to children than the fact of separation itself.

HAROLD AND SELLERS, 2018

A meta-analysis found that children of divorced parents scored, on average, somewhat lower than children of continuously married parents on measures of well-being, with modest effect sizes and wide variation among families.

AMATO, 2001

Taken together, these say that a child who feels loved, supported, and attended to in a stable, low-conflict home does better, and that how parents handle a separation matters more than the separation itself. These describe patterns across large groups, not the outcome for any one child. Full citations are on the last page.

How the rules play out for three families.

These three families are composites, written to show how the rules on the previous pages work in practice. They are not descriptions of actual clients or cases, and your situation will differ from all three.

1

The parents agree, and the court adopts it

Two parents of a nine year old separate. Both work weekdays, and both want joint legal custody. Using a worksheet like this one, they map the school week and see that the child's routine already runs through one home on school nights and the other on most weekends. They agree on joint legal custody, a school-year schedule that keeps that pattern with a midweek dinner, and alternating summer weeks. Because the parents agree on joint custody and on parenting time terms, the court shall award joint custody and shall order the agreed terms unless it finds on the record, by clear and convincing evidence, that the agreement is not in the child's best interests. The court enters the order. Nobody testifies about the twelve factors, because the parents did that work themselves. [MCL 722.26a\(2\)](#), [722.27a\(2\)](#)

2

The parents agree, and the court has a question

Two parents of a two year old agree on joint custody and on alternating full weeks. At the hearing, the court asks how a two year old will manage seven days away from each parent, and asks the parents whether they have considered the developmental guidance the friend of the court uses. The court cannot set aside the agreement on a hunch. It would need clear and convincing evidence on the record that the terms are not in the child's best interests, and it must state its reasons. Rather than test that, the parents ask for a short adjournment, revise the schedule to shorter blocks with more frequent exchanges for the next two years and a step up to longer blocks after that, and the court enters the revised agreement. The agreement still governed; the court's role was to make sure it served this child. [MCL 722.26a\(1\) and \(2\)](#), [722.27a\(2\)](#)

3

The parents do not agree, and the court decides

Two parents of a seven year old separate in the fall. Without an order, the child stays in the family home with one parent through the school year, and the other parent, who moved forty minutes away, has the child most weekends. In the spring, the second parent files for equal parenting time. The court first asks whether the child has an established custodial environment. After eight months in which the child has looked to the first parent for guidance, discipline, the necessities of life, and parental comfort on school days, the court finds one there. Because equal time would change that environment, the second parent must show by clear and convincing evidence that the change is in the child's best interests. The court then takes up the twelve factors, and under the parenting time section it considers the child's travel burden and each parent's ability to keep a schedule. It expands the second parent's time with a midweek overnight and longer summer blocks, and keeps the child's school-week home where it is. The informal arrangement that both parents treated as temporary decided the burden of proof. [MCL 722.27\(1\)\(c\)](#), [722.23](#), [722.27a\(1\) and \(7\)](#)

In each illustration the parents who wrote down the child's actual week, and proposed from it, were the ones whose proposal the court could work with. That is what the worksheet that follows is for.

Start with your child’s week, as it is today.

This is where the guide stops being about the debate and becomes about your child. Before you work through the factors, I would like you to write down a normal school week for your child. Please fill in the week you actually had, rather than the week you wish you had. The factors are about the life your child is living now, and this grid will make the rest of the worksheet easier and more accurate.

THEIR DAY	MON	TUE	WED	THU	FRI	SAT	SUN
Who wakes them							
School drop off							
Pickup							
Activities							
Homework							
Dinner							
Bedtime							
Where they sleep							

Two more things about the ordinary week

Distance and drive time from each parent’s home to the child’s school, in minutes at the hour the drive happens.

Your child’s extracurricular activities this term, with who signs them up, who pays, who drives, and who stays.

Most parents find at least one surprise in the grid. The week you are living is rarely the week you would have described from memory, and the week you are living is what the factors are about.

Things that do not happen every day.

The grid on the previous page catches the school-day routine. A court also asks about the things that come up a few times a month, because they show whom the child looks to when something is needed. For each one, please write what actually happened the last two or three times, with roughly when.

-
- a Sick days. Who stayed home, and who took the call from school.
-
- b Doctor, dentist, and therapy appointments. Who scheduled them, who took the child, and who followed up.
-
- c Supervision. Who is with your child between the end of school and the end of the workday, on weekends, and in the evening, and who arranged it. If a child is left alone or with a sibling, please note the ages.
-
- d School communication. Who receives and answers teacher emails, permission slips, and conference requests.
-
- e Special needs. Any medical condition, IEP or 504 plan, therapy schedule, or developmental need, and who manages it day to day.
-
- f Contact with the other parent during the week, by phone or video, and how it is arranged.
-
- g Faith or community activities, if any, and who takes the child.
-

Three things about that grid that surprised you

1

2

3

HOW TO ANSWER THE FACTORS ON THE NEXT PAGES

The court must consider, evaluate, and determine all twelve factors. Please answer with specifics rather than adjectives. A sentence like “I read to her every night at 7:30” tells a court something it can verify. A sentence like “I am a good father” does not, and a court that hears the same adjective from both parents has learned nothing from either. For each factor there are two columns: what is true today, and what you would propose. **MCL 722.23**

a

The love, affection, and other emotional ties existing between each parent and your child.

Who does your child go to when they are hurt, scared, or excited? Which parent has shown the capacity and the disposition to put the child's needs ahead of their own, and what happened that shows it? Please write two recent examples for each parent, with roughly when they happened.

TRUE TODAY

WHAT I WOULD PROPOSE

b

Each parent's capacity and disposition to give your child love, affection, and guidance, and to continue the child's education and raising in his or her religion or creed, if any.

Who communicates with teachers? Who sits with homework? If your family practices a faith, who takes your child?

TRUE TODAY

WHAT I WOULD PROPOSE

c

Each parent's capacity and disposition to provide your child with food, clothing, medical care or other remedial care recognized under Michigan law, and other material needs.

Who schedules the doctor and the dentist? Who buys the shoes when they outgrow them? Who packs lunches? Who makes sure your child is supervised when a parent is at work? This factor is about each parent's capacity and disposition to provide, and a difference in income is not the point of it, because that difference can be addressed through child support.

TRUE TODAY

WHAT I WOULD PROPOSE

d

The length of time your child has lived in a stable, satisfactory environment, and the desirability of maintaining continuity.

How long has your child lived where they live now, and how many times has the child moved or changed schools? This factor is about the child's environment rather than the parent, and Michigan courts have looked at things like the number and frequency of moves, the length of time in the current home and school, the presence of siblings, who else lives in or moves through the home, exposure to conflict or substance use in the home, and whether daily routines are kept. Please write what, if anything, is keeping your child's environment from being safe, stable, or as good as it could be, and for each schedule you are considering, exactly what would change about the child's day.

TRUE TODAY

WHAT I WOULD PROPOSE

e

The permanence, as a family unit, of the existing or proposed custodial home or homes.

Where will your child sleep a year from now, in each home? Is that address settled, or still being worked out?

TRUE TODAY

WHAT I WOULD PROPOSE

f

The moral fitness of each parent.

Courts look at this as it bears on parenting, and they are not deciding who is the more admirable adult. Please keep your answer to things that happened in front of your child, or that your child knows about. Substance use belongs here when it has affected a parent's conduct around the child.

TRUE TODAY

WHAT I WOULD PROPOSE

g

The mental and physical health of each parent.

Please note anything that affects either parent's day to day ability to care for your child, including a mental health condition or substance abuse. This is a question about capacity to parent. Having a condition is not by itself the point of the factor; what matters is whether it is being managed and how it shows up in your child's day.

TRUE TODAY

WHAT I WOULD PROPOSE

h

Your child's home, school, and community record.

Attendance, grades, teacher notes, activities, friendships, the coach who knows them. Who gets them there, and who shows up?

TRUE TODAY

WHAT I WOULD PROPOSE

i

The reasonable preference of your child, if the court considers the child to be of sufficient age to express a preference.

Please do not ask your child to choose. Write their age here and leave the rest of this factor alone. The court must determine your child's reasonable preference if it considers the child old enough to express one, and it does that itself, usually by speaking with the child privately in chambers, so that the child is not asked to take a side in front of either parent.

CHILD'S AGE

j

Each parent’s willingness and ability to facilitate and encourage a close and continuing relationship between your child and the other parent.

Please write three specific things you already do, or would commit to doing, that make the other parent’s time with your child easier. One protection is written into this factor: a court may not consider negatively any reasonable action you took to protect your child, or yourself, from sexual assault or domestic violence by the child’s other parent.

TRUE TODAY

WHAT I WOULD PROPOSE

k

Domestic violence, regardless of whether the violence was directed against or witnessed by your child.

The statute asks about this directly, so this worksheet does too. If this is part of your situation, please do not work through it alone on paper. Talk to a lawyer before you file anything, and reach a safety resource first if you need one. The National Domestic Violence Hotline (thehotline.org) and the Michigan Coalition to End Domestic and Sexual Violence (mcedsv.org) both help with safety planning, separately from anything legal.

If you are reading this on a device someone else can check, that matters too, and it is worth thinking about before you save this file.

l

Any other factor the court considers relevant to your child’s custody.

What would someone reading factors (a) through (k) miss about your family? A grandparent who does pickup three days a week, a sibling in the same school, a medical need that shapes the whole calendar. Please write it here.

The twelve shape the arrangement. Nine more shape the schedule.

Once custody is settled, the court still has to set the frequency, duration, and type of parenting time. For that question the statute gives the court a second list of nine factors it may consider. Most will not apply to your family. The ones that do tend to matter a great deal. Please note anything that applies, with specifics. [MCL 722.27a\(7\)](#)

-
- a Any special circumstances or needs of the child. A medical condition, a therapy schedule, an IEP, a developmental need.
-
- b Whether the child is a nursing child less than 6 months of age, or less than 1 year of age if the child receives substantial nutrition through nursing.
-
- c The reasonable likelihood of abuse or neglect of the child during parenting time. If this applies, please see the note under factor (k) on the previous page rather than writing here.
-
- d The reasonable likelihood of abuse of a parent resulting from the exercise of parenting time. The statute treats a risk to a parent as its own consideration. The same note applies.
-
- e The inconvenience to, and burdensome impact on, the child of traveling for parenting time. Please write the actual number of minutes each way, on a weekday, at the hour the drive would happen.
-
- f Whether a parent can reasonably be expected to exercise parenting time in accordance with the court order. Shift work, travel, unpredictable hours, and a long commute belong here.
-
- g Whether a parent has frequently failed to exercise reasonable parenting time. If time has been going unused, please note roughly how often and over what period.
-
- h The threatened or actual detention of the child with the intent to retain or conceal the child from the other parent or from a third person who has legal custody. A custodial parent's temporary residence with the child in a domestic violence shelter shall not be construed as evidence of that intent.
-
- i Any other relevant factor. A work rotation, a sibling's calendar, a school across the county.
-

The court may consider these nine. It shall grant parenting time in a frequency, duration, and type reasonably calculated to promote a strong relationship between the child and the parent. [MCL 722.27a\(1\)](#).

What your child's age asks of a schedule.

Before you draft a proposal, I would like you to consider your child's developmental needs, because a schedule that works for a fourteen year old can be hard on a two year old, and the reverse is also true.

The Michigan Parenting Time Guideline, published by the State Court Administrative Office through its Friend of the Court Bureau, describes what children at each stage of development generally need from a parenting time schedule, from infancy through the teenage years. Friend of the court offices across the state use it, and I served on the advisory committee that updated it. It is general information rather than a rule, and it is the best starting point I know for thinking about your own child's age. Please read the section for your child's age group before you draft anything, and keep in mind that siblings of different ages can need different things from the same schedule.

WHAT YOUR CHILD NEEDS, AND WHAT THE CURRENT SITUATION IS COSTING

Please answer three things in plain terms, for each child.

What your child needs right now, at this age

The challenges you and your child are facing today, and what they are costing your child

Please be specific: sleep, school, mood, friendships, time with a parent, or anything else you have seen change.

What it will cost your child if nothing changes over the next year

Turn what you wrote into a proposal.

Please look back at your “what I would propose” column and at what you wrote about your child’s age, and draft the schedule below. It does not have to be your final answer. It does have to be written down, because a written proposal is something the other parent can respond to and something a court can adopt, and because writing it down keeps the proposal about your child rather than about the argument.

School year week

Who has which nights, and where does each handoff happen?

Summer

What changes, and what stays the same on purpose?

Holidays and school breaks

Please name the three that matter most to your child.

Exchanges

Where, what time, and who drives?

Communication

How do the two of you handle a schedule change, a sick day, a school email?

Important decisions

Education, medical care, religion. Will you make these together? If you are proposing joint legal custody, the court will want to know whether the two of you can cooperate and generally agree on them. MCL 722.26a(1)(b)

Before you finish, please read back through what you wrote. Anywhere you described yourself with an adjective, replace it with something that happened, with roughly when it happened.

What to bring to a first conversation.

Please bring this worksheet with you. It is the record of what your child needs, written by the person who knows your child best.

Alongside it, three things make a first conversation more useful:

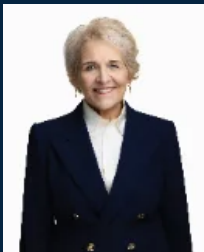
- Your child's actual school and activity calendar for this term.
- Both parents' current work schedules, including any shift or travel pattern.
- The three surprises you wrote down about your child's week.

A first conversation at Wilson Kester starts with a Client Empowerment Specialist who gets to know you and what brought you in, before anyone talks strategy. Our job in that conversation, and in everything after it, is to be the person in the room who keeps asking what your child needs while everything else is loud. Walking in with a week already mapped and a proposal already drafted means we can spend the time on that question instead of on the background. Whether you decide to work with us or not, you will leave understanding your situation better than you did when you arrived.

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Shelley A. Kester, Esq.

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Shelley Kester has practiced family law in Michigan for more than thirty years and built Wilson Kester on a belief she states plainly: people are more capable than they know of what they can do with their lives. A family law case can feel uneven when one person understands the process and the other is learning it as it happens. Our team levels that ground early, by explaining what Michigan law actually says, what it means for your family, and which decisions are yours to make. You walk in informed, and you stay the one making the choices.

Sources. Child Custody Act of 1970, MCL 722.21 et seq., as rendered by the Michigan Legislature September 5, 2026: MCL 722.23 (best interest factors); 722.25(1) (best interests control); 722.26a (joint custody); 722.27(1)(c) (modification and established custodial environment); 722.27a (parenting time). Pending legislation: HB 5211, 5212, and 5213 of 2025; SB 940, 941, and 942 of 2026. Michigan Parenting Time Guideline, State Court Administrative Office, Friend of the Court Bureau, rev. 2021. Bethell C, Jones J, Gombojav N, Linkenbach J, Sege R, Positive childhood experiences and adult mental and relational health in a statewide sample, JAMA Pediatr 2019;173(11):e193007. Felitti VJ et al., Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults: the Adverse Childhood Experiences (ACE) Study, Am J Prev Med 1998;14(4):245-258. Harold GT and Sellers R, Annual Research Review: Interparental conflict and youth psychopathology, J Child Psychol Psychiatry 2018;59(4):374-402. Amato PR, Children of divorce in the 1990s: an update of the Amato and Keith (1991) meta-analysis, J Fam Psychol 2001;15(3):355-370.

Reviewed and approved September 13, 2026, by Shelley A. Kester, Esq. This guide is general information about Michigan law, not legal advice about your situation.

RECOGNITION

