

Why Jurisdiction Matters in Michigan Divorce Cases

When referring to Michigan divorce cases, the term “jurisdiction” means one thing – which court will be hearing your divorce case. In the state of Michigan, all divorce cases are held in the circuit court of the county in which the person who has filed for divorce lives. This may seem simple enough, but there are two crucial details that can affect how timely, costly, and inconvenient a divorce may be (beyond the obvious).

In this video, Michigan divorce lawyer Jacob Femminineo explains the two most important numbers to remember when it comes to jurisdiction in Macomb County and beyond. Learn about the laws of establishing Michigan residency before legally filing for divorce, as well as the 10-Day Rule for county residency. And find out why, if you’re at all suspicious about a soon-to-be-ex-spouse’s “vacation” or “visit” to another part of the state, it’s in your best interest to file for divorce before they do.

How Long Does It Take to Get a Divorce in Michigan?

One of the most common questions in the divorce process is, “How long is this going to take?” For couples who are filing a DM divorce – in other words, a divorce that involves children – they can expect the process to last a minimum of six months, or 180 days. Divorces that do not involve children are labeled DO – these take a minimum of 60 days to complete.

Before you get too hopeful about the prospect of having a divorce finalized in two months, listen to Michigan lawyer Jacob Femminineo in this video as he delves more deeply into the 180- and 60-day divorce laws. Learn about possible waivers that a judge may grant if it’s in the best interest of children who are wrapped up in a divorce. Understand why divorces take so much time and why so much paperwork needs to be filed. And find out why a 60-day divorce is the minimum for every couple in Michigan, no matter their marital, financial, or parental situation.

The Differences Between Physical Custody and Legal Custody in Michigan

Custody issues in a divorce case can easily become controversial and complicate the divorce process. While there are a variety of elements concerning custody, in this video Michigan lawyer Jacob Femminineo delves more deeply into two aspects of the matter: physical custody and legal custody.

Physical custody is, simply enough, where the child lives. Whether the child ultimately resides with the mother or father or is split between both parents’ homes will be decided during the divorce process. Typically, there is usually one parent who has sole physical custody.

The concept of legal custody is more involved. This type of custody takes into account all the major decisions regarding the child such as care, education, religion, and health. Michigan divorce cases involving children almost always end with joint legal custody. Watch this video to find out why, to get specific examples of situations involving legal custody, and to find out what circumstances will have a judge getting involved.

The Three Main Factors When Determining Child Support in Michigan

Whether two people are married or not, when a couple who has a child together decides to end their relationship, there is one legal constant: One party will have custody of the child and the other party will pay child support.

In this video, Macomb County lawyer Jacob Femminineo goes into detail about the three main factors that are involved in determining what your child support payment will be in the state of Michigan. The first two factors involve money – your income and the other party's income. The third factor involves the number of overnights the child will have at one party's residence and at the other party's home.

When added together, these factors create a non-negotiable number that one party will have to pay to the other. If more than one child is involved, the numbers get multiplied accordingly. That's the objective formula. But there's more – watch this video to learn about the other elements that can affect what that final child support number will actually be.

When Is Child Support Modification Allowed in Michigan?

Anyone who is divorced with children in the state of Michigan is well-acquainted with child support. There is one important facet with this area of the law, however, that often results in some confusion: child support modification.

The first thing to know is that child support modification cannot happen independently of the courtroom. The judge who is assigned to a divorce case when the divorce papers are filed has jurisdiction on all issues thereafter involving custody, parenting time, and, yes, child support... at least until the child turns 19.5 years old or graduates from high school, whichever comes first. That judge will make the decision about when, or if, any modification to child support can occur.

So when can the amount of child support be increased or decreased? What has to take place to convince a judge that a modification is in order? Watch this video featuring Macomb County lawyer Jacob Femminineo for insight into this complex matter.

Understanding Spousal Support Modification in a Michigan Divorce

There are two big questions surrounding spousal support: How much do I have to pay? And how long do I have to pay it? If you have a good divorce attorney, they will argue and negotiate for you to get an equal and fair settlement. However, there are plenty of factors that can come into play to change these numbers – which leads to one of the biggest choices you will make surrounding spousal support: modification.

In this video, Macomb County divorce lawyer Jacob Femminineo explains the difference between a modifiable spousal support arrangement (it can change) and a non-modifiable arrangement (it is set in stone no matter what happens). There are dangers in both choices that must be taken into consideration when considering the final judgment in a divorce. Find out what they are.