

KATHLEEN M. BRICKLEY
Chief Judge



JEFFREY J. DUFON
Circuit Judge – Family Division

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**THIRTY-SIXTH JUDICIAL CIRCUIT COURT
FAMILY DIVISION – FOC**

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SPECIAL NOTE REGARDING BRACES/ORTHODONTIA TREATMENT

Prior to obtaining non-emergency orthodontia treatment for a minor child, you must notify the other parent of the proposed treatment plan and the costs for the treatment plan. You must try to reach an agreement with the other parent for the payment of the orthodontia treatment. When an agreement is reached, put the agreement in writing and make sure both parents sign the written agreement.

IN THE EVENT YOU CANNOT REACH AN AGREEMENT YOU MUST REQUEST A HEARING AND OBTAIN A COURT ORDER FOR PAYMENT OF ORTHODONTIA TREATMENT. FAILURE TO REACH A WRITTEN AGREEMENT WITH THE OTHER PARENT AND FAILURE TO OBTAIN AN ORDER FOR PAYMENT OF ORTHODONTIA TREATMENT PRIOR TO THE BEGINNING OF ANY TREATMENT MAY RESULT IN YOU BEING SOLELY RESPONSIBLE FOR THE COST OF THE TREATMENT.

If you have tried to reach an agreement with the other parent and have been unsuccessful, contact the Friend of the Court (FOC) Office for assistance. Your request must be in writing and state all of the following:

1. You tried to reach an agreement with the other party and were unsuccessful. NOTE: Saying that you and the other party do not talk so you did not try to reach an agreement is not satisfactory. You are the parents of a child; your first recourse is always to discuss longterm health care treatments and the associated costs with the other parent.
2. Name of physician that will be providing orthodontia treatment,
3. Estimated cost of the treatment, and
4. Estimated insurance coverage, if any.

When the FOC Office receives this information from you, the FOC Office will file a motion with the Court and schedule a hearing so that the Court can determine the amount each parent should pay for orthodontia treatment.