

**Court of Appeals, State of Michigan**

**ORDER**

In re Contempt of Lisa Jill Tribe

Docket No. 364064

LC No. 2015-020885-DM

Mark T. Boonstra  
Presiding Judge

James Robert Redford


Christopher P. Yates  
Judges

---

Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court PEREMPTORILY REVERSES the November 14, 2022 bench ruling of the Montcalm Circuit Court holding plaintiff in contempt of court and VACATES the November 17, 2022 order effectuating that ruling. Before a party may be held in contempt, whether civil contempt or criminal contempt, the party must be given notice and an opportunity to present a defense. *Porter v Porter*, 285 Mich App 450, 456-457; 776 NW2d 377 (2009). Before plaintiff was held in contempt at the November 14, 2022 hearing, she was not given notice of contempt proceedings or an opportunity to present a defense. The hearing was scheduled by the trial court as a parenting-time review hearing, and no show cause order was entered before the hearing.

This order should not be viewed in any manner as addressing the trial court’s substantive conclusions at the November 14, 2022 hearing, including its conclusion that plaintiff was not facilitating the children’s parenting time with defendant. This order does not prohibit the trial court, upon proper notice, from conducting any future contempt proceedings under MCL 552.644 or MCL 600.1711.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

  
Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

December 16, 2022  
Date

  
Chief Clerk