

Instructions for Filing a Motion Regarding Support

Otsego County Friend of the Court, 800 Livingston Blvd. Ste 1A Gaylord, MI 49735
Phone: (989)731-7450 Fax: (989)731-0226

This motion packet is used for those who wish to represent themselves in a court action regarding support. Carefully follow the instructions to avoid delays in the process.

The Case No., item (A) can be located on other court documents in your case. If you need additional assistance with the case number, you may contact the Friend of the Court or Circuit Court Clerk's office.

The Plaintiff and Defendant on a case remain throughout the life of the case regardless of who files a motion. The person who is filing the motion would check the 'moving party' box under item (B).

1. Complete the Motion Regarding Support form items (A) – (J) based upon what you are asking the court and why. Attach any additional information.

2. Call the **Friend of the Court Scheduling Clerk at (989)731-7471** to request a hearing date and time. Ask for the name of the Referee and the location address of the hearing. Complete item (K) Notice of Hearing on the Motion form.

3. Sign and Date under (L) Certificate of Mailing on the Motion form with the actual date you are serving/mailing the copy.

4. Make the appropriate number of copies and mark the upper corner of the copies as follows: Make three (3) copies of the completed Motion and any attachments. An additional copy may be necessary if the other party is represented by an attorney.

Mark one copy of each document, "FOC."

Mark one copy, "Plaintiff **or** Defendant", (the other party)

Mark one copy, to keep for yourself.

5. File the original Motion form and all copies with the Circuit Court Clerk at 225 West Main Street Gaylord, MI 49735. A filing and order entry fee of \$60.00 is due at the time of filing.

If seeking a Fee Waiver, please contact FOC for the MC20 form and instructions prior to receiving your hearing date and time. If a Fee Waiver (MC20) is approved, then contact the FOC Scheduling Clerk. The Fee Waiver is to be presented to the Circuit Court Clerk along with the Motion form in place of the filing fee. If the Order is not approved, you are responsible to pay the fee at filing.

6. Serve all other copies of the Motion. They are to be mailed on the date as reflected in the Certificate of Mailing on the Motion and no later than 9 days prior to the date of hearing. If there are less than 9 days before the hearing date, contact Friend of the Court to cancel the original hearing date and schedule a new one, otherwise the Motion will simply be removed from the docket for the original hearing date. Keep a copy of all documents for your records.

7. Appear for Court prepared and dressed appropriately at the location, date and time as reflected on the Notice of Hearing (K) on the Motion form. Failure to attend the hearing may result in your motion being dismissed by the Court.

For additional information:
www.michiganlegalhelp.org

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION REGARDING SUPPORT	(A) CASE NO.
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Court address Court telephone no.

(B) Plaintiff's name, address, and telephone no. moving party

Third party name, address, and telephone no. moving party

Defendant's name, address, and telephone no. moving party

v

(C) 1. a. On _____ a judgment
Date
or order was entered regarding support.
 b. There is currently no order regarding support.

- (D)** 2. The plaintiff defendant is ordered to pay support of \$ _____ each month.
- (E)** 3. The plaintiff defendant is ordered to pay child care of \$ _____ each month.
- (F)** 4. The plaintiff defendant is ordered to pay health care of \$ _____ each month.

(G) 5. Conditions regarding support have changed as follows:
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

(H) 6. _____ and I have agreed to support as follows:
Name
Use a separate sheet to explain in detail what you have agreed on and attach. Include all necessary facts.

(I) 7. I ask the court to order that support be paid as follows: See 6 above for details.
Use a separate sheet to explain in detail what you want the court to order and attach.

(J) _____
Date Moving party's signature

NOTICE OF HEARING

A hearing will be held on this motion before _____
Judge/Referee Bar no.

(K) on _____ at _____ at _____
Date Time Location

If you require special accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements. When contacting the court, provide your case number(s).

Note: If you are the person receiving this motion, you may file a response. Contact the friend of the court office and request form FOC 51.

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this motion and notice of hearing on the parties or their attorneys by first-class mail addressed to the last-known addresses as defined in MCR 3.203.

(L) _____
Date Moving party's signature