

**SPECIAL INSTRUCTIONS FOR FILING A MOTION REGARDING CUSTODY  
IN MACOMB COUNTY CIRCUIT COURT**

**PURSUANT TO LOCAL ADMINISTRATIVE ORDER 2011-04, A FEE OF  
UP TO \$500.00 SHALL BE CHARGED FOR A FULL INVESTIGATION.**

A. PLEASE NOTE THE FOLLOWING CHANGES TO THE INSTRUCTION PACKET:

1. FORM FOC 87 MOTION REGARDING CUSTODY: Page 3, #1: DO NOT CALL THE FRIEND OF THE COURT for a hearing date. All hearing dates are on Monday. Contact the Circuit Court section of the Macomb County Clerk's Office to schedule your hearing.
2. FORM FOC 87 MOTION REGARDING CUSTODY: Page 4, "What you need for service": You must serve the opposing party with FORM FOC 88-RESPONSE TO MOTION REGARDING CUSTODY and REQUEST FOR HEARING ON A MOTION (MC-288) in addition to FORM FOC 87.
3. FORM FOC 87 MOTION REGARDING CUSTODY: Page 5, #9, If your case is heard by a Referee, the Referee will complete a Recommended Order for you.
4. FORM FOC 87 MOTION REGARDING CUSTODY: Page 5, NOTE: You must follow the instructions of the Referee regarding any objections you have to the decision. YOU HAVE 21 DAYS TO OBJECT TO A REFEREE DECISION. The Referee will instruct you as to your appeal rights.

B. The attached motion packet has instructions for filing.

1. The REQUEST FOR HEARING ON A MOTION must be completed and filed with the Circuit Court section of the Macomb County Clerk's Office at the same time the MOTION REGARDING CUSTODY is filed.
2. The REQUEST FOR HEARING and MOTION REGARDING CUSTODY must be filed at least nine days prior to any hearing date. The motion fee for the REQUEST FOR HEARING and MOTION REGARDING CUSTODY is \$20, a filing fee of \$80, which brings the total to \$100.
3. If the REQUEST FOR HEARING and MOTION REGARDING CUSTODY are **not filed**, the case will not be placed on the Judge's docket and **will not be heard**.

YOU ARE RESPONSIBLE FOR COMPLETION OF ALL APPLICABLE FORMS. FRIEND OF THE COURT AND COURT PERSONNEL CANNOT PROVIDE YOU WITH ANY ASSISTANCE OR LEGAL ADVICE.

\*\*\*AFTER YOU FILL OUT THE **REQUEST FOR A HEARING ON A MOTION** AND THE **MOTION REGARDING CUSTODY** PLEASE MAKE **4 COPIES** AND FILE WITH THE CLERK'S OFFICE ON THE 1<sup>ST</sup> FLOOR . CLERK WILL GIVE YOU A HEARING DATE. \*\*\*

**PLEASE NOTE: DUE TO SPACE LIMITATIONS, WE REQUEST ONLY LITIGANTS  
AND THEIR ATTORNEYS APPEAR AT THE FRIEND OF THE COURT OFFICE.**

# Form FOC 87

## MOTION REGARDING CUSTODY

### Use this form if:

- you have a pending case for custody, divorce, separate maintenance, family support or paternity; or
- you are a party who has a custody order through a judgment of custody, divorce, separate maintenance, or family support order, or an order of filiation; or
- you want to change domicile of the child(ren) to another state or to more than 100 miles away. You must also use form FOC 115, Motion to Change Domicile.

### You cannot use this form:

- to start a custody case; or
- if you are a third party and want to intervene to get custody of the child(ren) in a pending case for custody, divorce, separate maintenance, family support, or paternity.

## MOTION CHECKLIST

Use the following checklist to make sure you have done all the steps that are needed.

### DID YOU . . .

1. Fill out all requested information on the form? YES
2. Complete and attach MC 416, Uniform Child Custody Jurisdiction Enforcement Act Affidavit? YES
3. Make all necessary copies? YES
4. Pay the fees to the clerk? YES
5. Mail (serve) a copy of the motion and MC 416 on the other party and on any other custodian/guardian after the judge and hearing date were assigned to your case by the clerk? YES
6. Return to the clerk's office **after** you mailed the motion and notice of hearing and MC 416 to the other party and completed the certificate of mailing? YES
7. Keep one copy of the motion and notice of hearing and MC 416 forms for yourself? YES
8. Give two copies of the completed form to the clerk of the court? YES

If you cannot answer "yes" to all the above steps, a hearing on your motion may be delayed or your motion may be dismissed.

By using this form packet you are representing yourself in a court action regarding custody. In order to receive the action you seek, you must follow the instructions in this packet. If you fail to do even one of the required steps, the order you get from the court may not give you the custody you want.

**If you have any questions about any steps in the process, refer to pages 3 through 5 of this booklet for details.**

**INSTRUCTIONS FOR USING FORM FOC 87  
FILING A MOTION AND SERVING A MOTION**

**»» FILING A MOTION**

**1. Fill out the Motion form.**

Use the instructions on page 6. Be careful not to make mistakes.

Before filling out the “Notice of Hearing” part of the form, contact the friend of the court office to find out whom to contact about getting a hearing date. Then contact the person or office as directed by the friend of the court office. Fill in the form with the information you get about the hearing date, location of hearing, and name of the judge or referee who will be hearing the motion.

**Make at least five copies of the form after you have filled it out.**

**2. Fill out MC 416, Uniform Child Custody Jurisdiction Enforcement Act Affidavit.**

**3. File the Motion form and MC 416 with the county clerk.**

Take the original and five copies of the form and MC 416 to the county clerk in the county where your case is located.

You must pay a \$20.00 motion fee. You may also be required to pay an \$80.00 judgment and order entry fee when the motion and MC 416 are filed. If you can't afford to pay the fees, ask the county clerk for an Affidavit and Order, Suspension of Fees/Costs (form MC 20 not included in this packet) to fill out.

The county clerk will write the name of the judge assigned to your case on your form. The clerk will keep the original and one copy of the motion, MC 416 and any attachments for the court file and the friend of the court. Then the clerk will return four copies and remaining attachments to you. Do not lose them.

What you should have when you leave the clerk's office:

- One copy of FOC 87 and MC 416 (with any attachments) - for you
- One copy of FOC 87 and MC 416 (with any attachments) - for the other party
- One copy of FOC 87 - for proof of service to the court
- One copy of FOC 87 - for proof of service to the friend of the court

**»» SERVING THE MOTION ON THE OTHER PARTY OR PARTIES**

**1. Serve the Motion, MC 416 and Notice of Hearing on the other party.**

The other parent, or other party (if there is a custodian or guardian other than a parent) must be served with (notified of) the motion and hearing date at least 9 days before the hearing date.

**NOTE:** Serve the papers by mailing them to the other party by first-class mail.

## **What you need for service:**

One copy of FOC 87 and MC 416 (with any attachments) - for the other party

Two copies of FOC 87 - for proof of service

Any additional copies of FOC 87 and MC 416 (with any attachments) - for another custodian or guardian if there is someone other than the other parent who has care or custody of the child(ren)

Mail one copy with attachments and MC 416 to the other party. If there is a custodian or guardian, mail one copy with attachments and MC 416 to him or her. Then fill out the Certificate of Mailing on the front of the remaining three copies. Keep one copy of the forms and attachments for your own records.

## **2. Return to the county clerk.**

Once you have mailed the motion and notice of hearing and MC 416 and filled out the Certificate of Mailing on the remaining three copies of FOC 87, return to the county clerk's office with two copies. Remember to keep one copy for your own records. The county clerk will deliver one copy to the friend of the court.

## **3. Response from other party.**

If you receive a response to your motion from the other party, make sure you read it before you attend the hearing. Think about what you want to say on your behalf.

## **4. Attend the hearing.**

You must attend the hearing on the motion.

## **»» INFORMATION ABOUT ATTENDING THE HEARING**

**Bring the original and five copies of the Order Regarding Custody (form FOC 89) and, as needed, the Uniform Child Support Order (form FOC 10/52) with you to the hearing.** Also bring all supporting papers you have and any witnesses who are willing to testify.

1. Because you are representing yourself, you are expected to conduct yourself as an attorney would and to follow the same general rules an attorney would.
2. Make a list of information you think is important for the referee or judge to know. The information should relate to the reasons stated in your motion. You can use this list as a reminder to bring up the points you think are important.
3. If you think you need to order someone to attend this hearing, follow the procedure in Michigan Court Rule 2.506 or consult with an attorney.
4. Go to the judge's courtroom or referee's hearing room on the scheduled day and time. Dress neatly. Arrive 10 or 15 minutes early. Be prepared to spend most of the morning or afternoon in court. Bring any witnesses with you.

5. If you are responsible for preparing the order, bring all copies of your order form.
6. Go into the courtroom or referee hearing room and tell the referee or clerk (sitting near the judge's bench) your name, that you are there for a hearing, and you are representing yourself. Do not interrupt any hearing in progress. Then take a seat in the back of the courtroom and wait for your case to be called.
7. When your case is called, be prepared to state:
  - 1) your name.
  - 2) that you are representing yourself.
  - 3) that you need a custody order or a change in a custody order.
  - 4) the facts or reasons for your request (**bring papers such as reports that support your facts or reasons including income information such as pay stubs, W-2 forms, income tax forms, etc.**).
  - 5) why you believe this order would be in the best interests of the child(ren).
  - 6) whether you have witnesses in court who are willing to testify.

Answer the judge's or referee's questions clearly and directly. If the judge or referee wants to hear from the other witnesses, ask them to tell the court what they saw or know regarding your situation.

8. If the other party is in court, he or she will have a chance to speak also. When the other party talks, take notes. Do not interrupt the other party. After the other party speaks, you will have another chance to talk. Taking notes will help you with this.
9. After the judge or referee makes a decision, follow the instructions on the packet for FOC 89, "Order Regarding Custody and Parenting Time." As needed, follow the instructions for the packet for FOC 10/52, "Uniform Child Support Order," to complete that part of the order. You are responsible for preparing the order even if you do not get what you are asking.

**NOTE:** If your hearing was held before a referee and you do not agree with the referee's decision, you have 21 days from the date you receive the referee's recommendation to file an objection and request a de novo hearing before the judge. Use the packet FOC 68, "Objection to Referee's Recommended Order."

## INSTRUCTIONS FOR COMPLETING "MOTION REGARDING CUSTODY"

**Please print neatly. After filling in the form, you will need to make at least five copies of the form.**

Items A through J must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A** Before you fill in the Case No., get your court papers for custody, divorce, separate maintenance, family support or paternity and copy the Case No. from those court papers onto this form.
- B** Also use your court papers to fill in the "Plaintiff" and "Defendant" boxes, and if applicable, the "Third Party" box. Copy the names from these court papers onto this form. For example, if your name is in the box that says "plaintiff," then you should write your name in the "plaintiff" box on this motion form.
- You are the "moving party." Once you have written the names where they belong, you must check the box "moving party" in the same box as your name.
- C** **Check only one box.** If you have a judgment or order for custody, divorce, separate maintenance, family support, or paternity, read it carefully to find out if there is any information in it about custody. If there is information about custody, check box a. If there is no information about custody, check box b.
- D** Check this box only if you checked box a. in **C** above. Read your court papers for custody, divorce, separate maintenance, family support, or paternity to find out who was ordered to have custody. Write this information here along with the name(s) of the child(ren).
- E** State who the child(ren) are living with now, the address or location where the child(ren) are living, and the date the child(ren) started living there even if it is different than what was ordered.
- F** State the circumstances that require a custody order or a change in custody. **Explain in as much detail as possible** what has happened. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- G** State the causes that require a custody order or a change in custody. The judge or referee will review these causes using factors from the Child Custody Act to determine the best interests of the child. **Explain in as much detail as possible** what the causes are. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- H** Check this box if you and the other party agree about custody. **Explain in as much detail as possible** what you agreed to including support and parenting time. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- I** You need to **explain in as much detail as possible** what you want the court to order. If you checked **H** above, you only need to write "Same as 7. above." If you need more space, use a separate sheet of paper. You need to include information about support and parenting time as well. Print this information as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- J** Write in today's date and sign your name. Now contact the the friend of the court office in your county to find out how to get a hearing date. See page 3 of this booklet for details.
- K** Once you get a hearing scheduled, fill in the full name of the judge or referee who will be hearing this motion, the date of the hearing, the time of the hearing (include whether it is a.m. or p.m.), and the place of the hearing.
- Now go to the county clerk's office with the original and five copies of this form and the four copies of each separate sheet. The clerk will attach one copy of each separate sheet to four of the copies. The clerk will return four copies to you. Read page 3 of this booklet for details on mailing this form to the other party.
- L** On the date you mail one copy (and the separate sheets) to the other party, write in the date and sign your name on the remaining three copies.
- Return to the county clerk with two copies. See page 4 of this booklet for details.

**STATE OF MICHIGAN  
JUDICIAL CIRCUIT  
COUNTY**

**MOTION REGARDING CUSTODY**

**(A) CASE NO.**

Court address

Court telephone no.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

v

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (C)** 1.  a. On \_\_\_\_\_ a judgment  
Date
- or order was entered regarding custody.
- b. There is currently no order regarding custody.

2. Attached is a completed Uniform Child Custody Jurisdiction Enforcement Act Affidavit (MC 416).

- (D)**  3. The  plaintiff  defendant  third party was ordered to have custody of the following child(ren):

- (E)** 4. The child(ren) have been living with \_\_\_\_\_ at  
Name(s)
- \_\_\_\_\_ since \_\_\_\_\_  
Complete address Date

- (F)** 5. Circumstances have changed as follows that require custody or a change in custody:  
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

- (G)** 6. Proper cause exists as follows that require custody or a change in custody: Use a separate sheet to explain in detail which factors of the Child Custody Act for determining best interests of the child(ren) are affected by the circumstances in 5 above. Include all necessary facts.

- (H)**  7. \_\_\_\_\_ and I agree to custody, support, and parenting time as follows:  
Name
- Use a separate sheet to explain in detail what you have agreed on and attach. Include all necessary facts.

- (I)** 8. I ask the court to order that custody, parenting time, and support be as follows:  
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.

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 88.

**CERTIFICATE OF MAILING**

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

- (L)** \_\_\_\_\_  
Date Moving party's signature



**Form FOC 88**

**RESPONSE TO  
MOTION REGARDING CUSTODY**

**Use this form if:**

- you get a copy of FOC 87, Motion Regarding Custody. By filling out this form, you are answering the statements made in the motion.

## RESPONSE TO MOTION CHECKLIST

Use the following checklist to make sure you have done all the steps that are needed.

### DID YOU . . .

1. Fill out all requested information on the form? YES
2. Make all necessary copies? YES
3. File the response to motion form with the clerk's office? YES
4. Mail (serve) a copy of the response on the other party and on any other custodian/guardian? YES
5. Return to the clerk's office **after** you mailed the response to the other party and completed the certificate of mailing? YES
6. Keep one copy of the response to motion form for yourself? YES
7. Give two copies of the completed form to the clerk of the court? YES

### You must attend the hearing on the motion.

If you cannot answer "yes" to all the above steps, your response may not be heard at the hearing on the motion.

By using this form packet you are representing yourself in a court action regarding custody. In order to receive the action you seek, you must follow the instructions in this packet. If you fail to do even one of the required steps, the order you get from the court may not give you the custody you want.

**If you have any questions about any step in the process, refer to pages 3 through 5 of this booklet for details.**

## **INSTRUCTIONS FOR USING FORM FOC 88 RESPONDING TO A MOTION**

### **»» FILING A RESPONSE**

#### **1. Fill out the Response to Motion form.**

If you receive a motion and notice of hearing from the other party, you have time before the hearing to respond in writing to the party and the court. Use the instructions on page 6. Be careful not to make mistakes.

**Make at least five copies of the form after you have filled it out.**

#### **2. File the Response form with the county clerk.**

Take the original and five copies to the county clerk in the county where the motion was filed. The name of the county will be in the upper left-hand corner of the motion form.

The county clerk will write the name of the judge assigned to your case on your form. The clerk will keep the original and one copy for the court file and the friend of the court. Then the clerk will return four copies and any remaining attachments to you. Do not lose them.

What you should have when you leave the clerk's office:

- One copy of FOC 88 (with any attachments) - for you
- One copy of FOC 88 (with any attachments) - for the other party
- One copy of FOC 88 - for proof of service to the court
- One copy of FOC 88 - for proof of service to the friend of the court

### **»» SERVING THE RESPONSE ON THE OTHER PARTY OR PARTIES**

#### **1. Serve the Response on the other party.**

The other party must be served with (notified of) your response at least 5 days before the hearing date.

**NOTE:** Serve the papers by mailing them to the other party by first-class mail.

What you need for service:

- One copy of FOC 88 (with any attachments) - for the other party
- Two copies of FOC 88 - for proof of service
- Any additional copies of FOC 88 (with any attachments) - for another custodian or guardian if there is someone other than the other parent who has care or custody of the child(ren).

Mail one copy with attachments to the other party. If there is a custodian or guardian, mail one copy and the attachments to him/her. Then fill out the Certificate of Mailing on the front of the remaining three copies. Keep one copy for your records.

## **2. Return to the county clerk.**

Once you have mailed the response and filled out the Certificate of Mailing on the remaining three copies, return to the county clerk's office with two copies. Remember to keep one copy for your own records. The county clerk will deliver one copy to the friend of the court.

## **3. Attend the hearing.**

You must attend the hearing on the motion.

### **»» INFORMATION ABOUT ATTENDING THE HEARING**

Bring your copy of the motion and your response along with all supporting papers and any witnesses who are willing to testify.

1. Because you are representing yourself, you are expected to conduct yourself as an attorney would and to follow the same general rules an attorney would.
2. Make a list of information you think is important for the referee or judge to know. The information should relate to the reasons stated in your response. You can use this list as a reminder to bring up the points you think are important.
3. If you think you need to order someone to attend this hearing, follow the procedure in Michigan Court Rule 2.506 or consult with an attorney.
4. Go to the judge's courtroom or referee's hearing room on the scheduled day and time. Dress neatly. Arrive 10 or 15 minutes early. Be prepared to spend most of the morning or afternoon in court. Bring any witnesses with you.
5. Go into the courtroom or referee hearing room and tell the referee or clerk (sitting near the judge's bench) your name, that you are there for a hearing, and you are representing yourself. Do not interrupt any hearing in progress. Then take a seat in the back of the courtroom and wait for your case to be called.
6. When your case is called, be prepared to state:
  - 1) your name.
  - 2) that you are representing yourself.

- 3) that you want to respond to the motion for a custody order or to change a custody order.
- 4) the facts or reasons for your response (**bring papers such as reports that support your facts or reasons including income information such as pay stubs, W-2 forms, income tax forms, etc.**).
- 5) whether you have witnesses in court who are willing to testify.

Answer the judge's or referee's questions clearly and directly. If the judge or referee wants to hear from the other witnesses, ask them to tell the court what they saw or know regarding your situation.

7. If the other party is in court, he or she will have a chance to speak also. When the other party talks, take notes. Do not interrupt the other party. After the other party speaks, you will have another chance to talk. Taking notes will help you with this.
8. After the judge or referee makes a decision, the other party is to prepare the order (using the instructions on the packet for FOC 89, "Order Regarding Custody") even if it is not what is asked for in the motion or your response to the motion.

**NOTE:** If your hearing was held before a referee and you do not agree with the referee's decision, you have 21 days from the date you receive the referee's recommendation to file an objection and request a de novo hearing before the judge. Use the packet for FOC 68, "Objection to Referee's Recommended Order."

## INSTRUCTIONS FOR COMPLETING "RESPONSE TO MOTION REGARDING CUSTODY"

Please print neatly. After filling in the form, you will need to make at least five copies.

Items A through J must be completed before your response can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A** Before you fill in the Case No., get your copy of the Motion Regarding Custody (form FOC 87) and copy the Case No. from that paper onto this form.
- B** Also use the motion to fill in the "Plaintiff" and "Defendant" boxes, and if applicable, the "Third Party" box. Copy the names from the motion onto this form. For example, if your name is in the box that says "plaintiff," then you should write your name in the "plaintiff" box on this response form.
- The other party is the "moving party." Once you have written the names where they belong, you must check the box "moving party" in the same box as the other party's name.
- C** **Check only one box.** If you have a judgment or order for custody, divorce, separate maintenance, or paternity, read it carefully to find out if there is any information in it about custody. If there is information about custody, check box a. If there is no information about custody, check box b.
- D** Check this box only if you checked box a. in **C** above. Read your court papers for custody, divorce, separate maintenance, or paternity to find out who was ordered to have custody. Write this information here along with the name(s) of the child(ren).
- E** State who the child(ren) are living with now, the address or location where the child(ren) are living, and the date the child(ren) started living there even if it is different than what was ordered.
- F** Check whether you agree or do not agree with what was said in the Motion form (FOC 87). If you check the box "do not agree", **explain in** as much **detail** as possible what you do not agree with and why. Print this information as neatly as you can. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to four copies of this form.
- G** Check whether you agree or do not agree with what was said in the Motion form (FOC 87). If you check the box "do not agree," **explain in** as much **detail** as possible what you do not agree with and why. The judge or referee will review these causes using factors from the Child Custody Act to determine the best interests of the child. Print this information as neatly as you can. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to four copies of this form.
- H** Check this box only if **H** is checked on the Motion form (FOC 87). Then check whether you agree or do not agree with what was said in the Motion form (FOC 87). If you check the box "do not agree," **explain in** as much **detail** as possible what you did agree on. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to four copies of this form.
- I** If you agree with the request in the Motion form (FOC 87), check box a. If you do not agree with the request, check box b. If you checked box b., **explain in** as much **detail** as possible why you do not agree with the request in the Motion form and what you want the court to order. If you need more space, use a separate sheet of paper. Print your explanation as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- J** Write in today's date and sign your name.
- Now go to the county clerk's office with the original and five copies of this form and the four copies of each separate sheet. The clerk will attach one copy of each separate sheet to four of the copies. The clerk will return four copies to you. Read page 3 of this booklet for details on mailing this form to the other party.
- K** On the date you mail one copy (and the separate sheets) to the other party, write in the date and sign your name on the remaining three copies. Return to the county clerk with two copies. Read page 4 of this booklet for details.

**You must read this booklet for directions on the legal process.**

**STATE OF MICHIGAN  
JUDICIAL CIRCUIT  
COUNTY**

**RESPONSE TO  
MOTION REGARDING CUSTODY**

**(A) CASE NO.**

Court address

Telephone no.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

v

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**(C)** 1.  a. On \_\_\_\_\_ a judgment  
Date

or order was entered regarding custody.

b. There is currently no order regarding custody.

**(D)**  2. The  plaintiff  defendant  third party was ordered to have custody of the following child(ren):

**(E)** 3. The child(ren) have been living with \_\_\_\_\_ at \_\_\_\_\_  
Name(s)

\_\_\_\_\_ since \_\_\_\_\_  
Complete address Date

**(F)** 4. I  agree  do not agree that circumstances have changed as stated in the motion.  
Explain in detail what you do not agree with and why. Include all necessary facts. Use a separate sheet of paper if needed.

**(G)** 5. I  agree  do not agree that proper cause exists as stated in the motion.  
Explain in detail what you do not agree with and why. Include all necessary facts. Use a separate sheet of paper if needed.

**(H)**  6. I agreed with the other party to custody, parenting time, and support:  
 a. exactly as stated in the motion.  
 b. but not as stated in the motion.  
If b. is checked, explain in detail what you did agree on. Include all necessary facts. Use a separate sheet of paper if needed.

**(I)** 7.  a. I agree with what is being asked for in the motion.  
 b. I do not agree with what is being asked for in the motion and ask the court to order custody, parenting time, and support as follows: If b. is checked, explain in detail why and what you want the court to order. Use a separate sheet of paper if needed.

**(J)** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding party's signature

**CERTIFICATE OF MAILING**

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

**(K)** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding party's signature

STATE OF MICHIGAN COUNTY OF MACOMB 16 <sup>th</sup> CIRCUIT COURT FAMILY DIVISION	<b>REQUEST FOR HEARING ON A          MOTION</b> NOTICE OF HEARING PROOF OF SERVICE	Circuit Court No:
Plaintiff Name:	V	Defendant Name:

1. Motion(s): \_\_\_\_\_

2. Relief sought: \_\_\_\_\_

3. Moving Party \_\_\_\_\_

Attny for moving party: \_\_\_\_\_ (P \_\_\_\_\_) Phone no. of Attny/Moving Party \_\_\_\_\_

4. Responding parties/attorneys (include Bar No.(s))

\_\_\_\_\_ (P \_\_\_\_\_) \_\_\_\_\_ (P \_\_\_\_\_)  
 \_\_\_\_\_ (P \_\_\_\_\_) \_\_\_\_\_ (P \_\_\_\_\_)  
 \_\_\_\_\_ (P \_\_\_\_\_) \_\_\_\_\_ (P \_\_\_\_\_)

5.  I certify that I made personal contact with the individual(s) listed below requesting concurrence in the relief sought but it was denied:

I certify that I made reasonable and diligent efforts to contact the individual(s) listed below but was unable to do so:

_____ Individual(s) contacted	_____ Date(s)
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6. NOTICE OF HEARING: The above motion(s) will be heard as follows:

Judge	Date	Time
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Please note: Per LCR 2.119 and MCR 2.116(G)(1)(c) and MCR 2.119(A)(2), a copy of a motion or response must be provided to the office of Judge hearing the motion! Judge's copy must be clearly marked "JUDGE'S COPY".

\_\_\_\_\_  
 Signature of moving attorney or party

\_\_\_\_\_  
 Date

<input type="checkbox"/> Motion Fee Paid	<b>FOR COURT USE ONLY</b>
Adj to: _____	<input type="checkbox"/> THIS MOTION IS REFERRED TO A FRIEND OF THE COURT REFEREE

7. PROOF OF SERVICE:

I certify that I mailed a copy of this document and the motion(s) referred to in paragraph 1 to the attorneys or parties of record by ordinary mail addressed to their last known address. I declare that the statements above are true to the best of my information, knowledge and belief.

\_\_\_\_\_  
 Signature of person serving document

\_\_\_\_\_  
 Date