

## **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.

### **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; or
- to change domicile of the child(ren) to another state or more than 100 miles away. If you want to change custody and domicile, you must use this form and form FOC 115, Motion to Change Domicile.

## 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 110, Uniform Child Custody Jurisdiction Enforcement Act Affidavit?~~ ~~\_\_\_\_\_~~
3. Make all necessary copies? YES
4. Pay the fees to the clerk? YES
5. Mail (serve) a copy of the motion \_\_\_\_\_ 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 \_\_\_\_\_ to the other party and completed the certificate of mailing? YES
7. Keep one copy of the motion and notice of hearing \_\_\_\_\_ 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.



**3. File the Motion form [REDACTED] with the county clerk.**

Take the original and five copies of the form [REDACTED] to the county clerk in the county where your case is located.

You must pay a \$100.00 fee at the time of filing. 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, [REDACTED] 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 [REDACTED] (with any attachments) - for you
- One copy of FOC 87 [REDACTED] (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, [REDACTED] 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 [REDACTED] (with any attachments) - for the other party

Two copies of FOC 87 - for proof of service

Any additional copies of FOC 87 [REDACTED] (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 [REDACTED] to the other party. If there is a custodian or guardian, mail one copy with attachments [REDACTED] to them. 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 [REDACTED] 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 for.

**NOTE:** If your hearing is held before a referee and you do not agree with the referee's decision, you have 21 days from the date of mailing of 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 instructions 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.

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

<p style="text-align: center;"><b>STATE OF MICHIGAN</b> 48th <b>JUDICIAL CIRCUIT</b> Allegan <b>COUNTY</b></p>	<p><b>MOTION REGARDING CUSTODY</b></p>	<p style="text-align: right;">Ⓐ <b>CASE NO.</b></p>
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**Court address** 113 Chestnut Street, Allegan, MI 49010 **Court telephone no.** (269) 673-0300

<p>Ⓑ Plaintiff's name, address, and telephone no. <input type="checkbox"/> moving party</p> <div style="border: 1px solid black; height: 80px; width: 90%; margin-top: 5px;"></div>	v	<p>Defendant's name, address, and telephone no. <input type="checkbox"/> moving party</p> <div style="border: 1px solid black; height: 80px; width: 90%; margin-top: 5px;"></div>
<p>Ⓒ Third party name, address, and telephone no. <input type="checkbox"/> moving party</p> <div style="border: 1px solid black; height: 80px; width: 90%; margin-top: 5px;"></div>	<p>1. <input type="checkbox"/> a. On _____ a judgment Date or order was entered regarding custody.</p> <p><input type="checkbox"/> b. There is currently no order regarding custody.</p>	

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

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

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

Ⓕ 5. Proper cause exists or circumstances have changed as follows, requiring a change in custody:  
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

Ⓖ 6. It is in the best interests of the child(ren) to change custody for the following reasons:  
Use a separate sheet to explain in detail which best interest factors under the Child Custody Act support this motion and attach. Include all necessary facts.

Ⓗ  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.

Ⓘ 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.

Ⓙ \_\_\_\_\_  
Date Moving party's signature

**NOTICE OF HEARING**

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

Ⓛ \_\_\_\_\_  
Date Moving party's signature

**Form FOC 10/52  
and Form FOC 89**

**UNIFORM CHILD SUPPORT ORDER  
AND ORDER REGARDING  
CUSTODY AND PARENTING TIME**

**Use this form if:**

- you had a hearing on your Motion Regarding Custody (form FOC 87) and both you and the other party (and a third party) agree to sign the order without another hearing; or
- you had a hearing on your Motion Regarding Custody (form FOC 87) and the other party (and a third party) will not sign the order; or
- you and the other party (and a third party) have agreed on the custody, parenting time, and support and want the court to sign your proposed order without having to file a motion and attend a hearing on the motion.



## ORDER 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. Get the judge's signature? (NOTE: See pages 3-5 for details) YES
4. Return to the clerk's office with all copies of the signed order? YES
5. Make sure the clerk stamps all copies of the signed order? YES
6. Keep one copy of the signed order for yourself? YES
7. Mail (serve) a copy of the order on the other party and on any other custodian/guardian after it was stamped by the clerk? 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, you do not have a valid order.

By using this form packet you are representing yourself in a court action regarding custody, parenting time, and support. 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. **NOTE:** Regardless of the custody you ask for, the court is required to use the Child Custody Act in deciding what custody should be. If you filed the motion form FOC 87, you are responsible for preparing the order even if it is not what you asked for.

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

## **What instructions are in this packet:**

Pages 3 and 4 - Instructions for getting a stipulated (mutually agreed upon) order signed.

Pages 5 - Instructions for getting an order signed after a hearing.

### **INSTRUCTIONS FOR GETTING A STIPULATED (MUTUALLY AGREED UPON) ORDER SIGNED** (when both parties have signed the order without a hearing)

#### **»» SIGNING AND FILING OF ORDER**

**NOTE:** A hearing on a stipulated order is not necessary unless the judge requests it.

#### **1. Fill out the order form.**

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. Approval by friend of the court.**

In some courts the order has to be approved by the friend of the court before the judge will sign it. Contact the friend of the court office and ask if the order must be approved by the friend of the court. Then complete either step a or b below.

a. If the order must be approved by the friend of the court, go to the friend of the court office with the original and five copies of the order. Leave the order with the office. Someone from the office should tell you when to come back for the order or should call you when the order has been approved. If you do not hear from the office within 5 days, contact the office to find out when to pick up the order. Go back and pick up the order. Then complete step 3 below.

b. If the order does not need to be approved by the friend of the court, complete step 3 below.

#### **3. Get the order to the judge and get signed copies.**

Since the other party or third party has signed the order, contact the clerk of the court for instructions to get the order signed by the judge. Listen carefully to all the instructions for getting the order signed. Every circuit has a different way of handling the signing of orders. Ask how to get at least four copies of the order after it is signed by the judge.

## »» SERVING THE ORDER ON THE OTHER PARTY OR PARTIES

### 1. Serve the signed order on the other party.

The other party must be served with (notified of) one copy of the signed order.

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

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

One copy of FOC 10/52 and 89 - for the other party

Two copies of FOC 10/52 and 89 - for proof of service

Any additional copies of FOC 10/52 and 89 - for other custodian or guardian if there is someone other than the other parent who has care or custody of the child(ren)

Mail one copy to the other party. If there is a custodian or guardian, mail one copy to that person. Then fill out the Certificate of Mailing on the front of the remaining three copies. Keep one copy for your own records.

### 2. Return to the county clerk.

Once you have mailed the order 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 clerk will deliver one copy to the friend of the court.

## INSTRUCTIONS FOR GETTING THE ORDER SIGNED AFTER A HEARING

### »» SIGNING AND FILING OF AN ORDER

#### 1. Fill out the order form.

Normally you will fill out the order at the hearing on the motion. Use the instructions on page 6. Be careful not to make mistakes.

**Make copies of the form based on the instructions on either page 3 of this booklet or in booklets for forms FOC 53 or FOC 54 depending on your situation.**

#### 2. Approval by friend of the court.

In some courts the order has to be approved by the friend of the court before the judge will sign it. Contact the friend of the court office and ask if the order must be approved by the friend of the court. Then complete either step a or b below.

a. If the order must be approved by the friend of the court, go to the friend of the court office with the original and five copies of the order. Leave the order with the office. Someone from the office should tell you when to come back for the order or should call you when the order has been approved. If you do not hear from the office within 5 days, contact the office to find out when to pick up the order. Go back and pick up the order. Then complete step 3 below.

b. If the order does not need to be approved by the friend of the court, complete step 3 below.

#### 3. Get the order signed by the judge.

After you have filled out the order, you must have it signed by the judge. **If both you and the other party sign the order to show you both approve the order, then go to pages 3 and 4 of this booklet for further instructions on getting the order signed by the judge.** Otherwise you must do either of the following:

a. Schedule and attend a hearing to get the order signed.

**(Use the packet for form FOC 53, Notice of Hearing to Enter Order.)**

b. Notify the other party in writing that the order will be given to the judge to sign and that he or she has 7 days to file any written objections. If no objections are filed by the other party, the order can be signed.

**(Use the packet for form FOC 54, Notice to Enter Order without Hearing.)**

**INSTRUCTIONS FOR COMPLETING "ORDER REGARDING CUSTODY AND PARENTING TIME"  
AND "UNIFORM CHILD SUPPORT ORDER"**

**Please print neatly. After filling in the form, you will need to make copies.** Items A through E and form FOC 10/52 must be completed before the order can be given to the judge for signature. Please read the instructions 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 (form FOC 87) or your court papers for custody, divorce, annulment, separate maintenance, family support, or paternity. Copy the Case No. from that paper 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 all pages of 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 order form.
- (C)** Fill in this information only if there was a hearing on a Motion Regarding Custody.
- (D)** If you filed a Motion Regarding Custody (form FOC 87) and the other party will not sign the order, a hearing to enter the order is required. Check the box "after hearing."

If you filed a Motion Regarding Custody (form FOC 87) and the other party will sign the order without a hearing to enter the order, check the box "on consent of the parties."

If you and the other party are filling out this order based on an agreement between both of you and you are not filing a motion with the court, check the box "on consent/stipulation of the parties." Even if you have checked this box, the court may still require a hearing. If a hearing is required, follow the directions on scheduling a hearing in the booklet for form FOC 53, Notice of Hearing to Enter Order.

- (E)** Check the box for item 2 only if you filed a Motion Regarding Custody (form FOC 87). Check the box for item 3 only if the other party filed a Response to Motion Regarding Custody (form FOC 88). Use the following instructions for items 4 through 16.

Check only those boxes that say what the judge or referee ordered at the hearing on the motion. Then write in the blank spaces provided what the judge or referee ordered at the hearing. This information must state as closely as possible the exact words of the judge or referee. Use the notes you took at the hearing when filling out this part of the order form.

If you did not check item 2, you and the other party are stipulating to the order. This means that you both have agreed on what you want the court to order and have not filed a motion. Since there may not be a hearing, you must write in as much detail as possible exactly what you agree on. Make sure you include everything you agreed on. Anything that you do not write down on this form will not be ordered even if you and the other party had agreed on it. If the parties agreed to parenting time in a foreign country/nation that is not a party to the Hague Convention, check item 16, then write the names of the parent and the foreign country/nation.

**Complete FOC 10/52 using the instructions for that form. Note that the most recent support order supersedes all prior orders regarding support and that all continuing support provisions must be restated in the most recent order.**

If you filed a motion (form FOC 87) and the other party has agreed to sign the order without a hearing to enter the order, both you and the other party must sign the order. If the other party will not sign the order without a hearing to enter the order, follow the directions on scheduling a hearing in the booklet for form FOC 53, Notice of Hearing to Enter Order. If you and the other party are stipulating to the order, you both must sign the order.

Some courts require the friend of the court to approve the order before the judge will sign it. To find out if this is required, contact the friend of the court office. If it is required, see either page 3 or 5 of this booklet for directions on getting the friend of the court's approval. To find out how to get the order signed, contact the friend of the court office for instructions. See either page 3 or 5 of this booklet for details. On the date you serve a copy on the other party, write in the date and sign your name on the remaining three copies.

Return to the county clerk with two copies.

**You must read this booklet and other booklets dealing with orders for directions on the legal process.**

Approved, SCAO

<b>STATE OF MICHIGAN</b> 48th <b>JUDICIAL CIRCUIT</b> Allegan <b>COUNTY</b>	<b>ORDER REGARDING CUSTODY AND PARENTING TIME</b>	<b>(A) CASE NO.</b>
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**Court address** 113 Chestnut Street, Allegan, MI 49010 **Court telephone no.** (269) 673-0300

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

Third party's name, address, and telephone no.

Defendant's name, address, and telephone no.

v

**(C)** Date: \_\_\_\_\_

Judge: \_\_\_\_\_ Bar no.

**(D)** 1. This order is entered  after hearing.  on consent/stipulation of the parties.

**(E) THE COURT FINDS:**

- 2. A motion requesting custody, parenting time, and support or a change to custody, parenting time, and support was filed.
- 3. A response to the motion was filed.
- 4. A change of circumstances  does  does not exist that warrants a custody order or a change in custody.
- 5. Proper cause  does  does not exist that warrants a custody order or a change in custody.
- 6. It  is  is not in the best interests of the child(ren) to  establish  change parenting time.
- 7. A material change of circumstances exists that warrants a change in the support order.
- 8. It is in the best interests of the child(ren) to dismiss the motion.

**IT IS ORDERED:**

- 9. The motion regarding custody, parenting time, and support is dismissed. The prior order remains in effect.
- 10. Custody is granted as follows:

Name(s) of child(ren): \_\_\_\_\_

Joint legal to  plaintiff.  defendant.  third party.

Unless otherwise agreed, a parent whose custody or parenting time of a child is governed by this order shall not change the legal residence of the child except in compliance with MCL 722.31.

Joint physical to  plaintiff.  defendant.  third party.

Sole legal to  plaintiff.  defendant.  third party.

Sole physical to  plaintiff.  defendant.  third party.

11. Parenting time is  established.  changed as follows:

Explain in detail what the court has ordered.

12. The parents shall cooperate with respect to a child so as, in a maximum degree, to advance a child's health, emotional, and physical well-being and to give and afford a child the affection of both parents and a sense of security. Neither parent will, directly or indirectly, influence a child so as to prejudice a child against the other parent. Each parent will endeavor to guide a child so as to promote the affectionate relationship between a child and the other parent. The parties will cooperate with each other in carrying out the provisions of this order for a child's best interests. Whenever it seems necessary to adjust, vary, or increase the time allotted to either party, or otherwise take action regarding a child, each of the parties shall act in the best interests of the child. Neither party shall do anything which may estrange the other from the child, injure the child's opinion of the other party, or which will hamper the free and natural development of the child for the other party.

13. The parent with primary physical custody shall notify the friend of the court in writing whenever the address of a minor child changes. The domicile of the minor child may not be moved from the State of Michigan without prior approval of the court.

14. The Uniform Child Support Order is incorporated by reference (form FOC 10/52).

(See page 2 for the remainder of the order.)

15. Except as provided in item 16, neither parent shall exercise parenting time in a foreign country/nation that is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.

16. Based on written agreement of the parties, \_\_\_\_\_ may exercise parenting time in \_\_\_\_\_, which is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.  
Name  
Name of foreign country/nation

\_\_\_\_\_  
Plaintiff (if consent/stipulation) Date

\_\_\_\_\_  
Defendant (if consent/stipulation) Date

\_\_\_\_\_  
Plaintiff's attorney Date

\_\_\_\_\_  
Defendant's attorney Date

Prepared by: \_\_\_\_\_  
Name (type or print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

**CERTIFICATE OF MAILING**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**COURT USE ONLY**

<b>STATE OF MICHIGAN</b> 48th <b>JUDICIAL CIRCUIT</b> Allegan <b>COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 1)</b> <input type="checkbox"/> <b>EX PARTE</b> <input type="checkbox"/> <b>TEMPORARY</b> <input type="checkbox"/> <b>MODIFICATION</b> <input type="checkbox"/> <b>FINAL</b>	<b>CASE NO.</b>
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**Court address** 113 Chestnut Street, Allegan, MI 49010 **Court telephone no.** (269) 673-0300

Plaintiff's name, address, and telephone no.	<b>v</b>	Defendant's name, address, and telephone no.
Plaintiff's attorney name, bar no., address, and telephone no.		Defendant's attorney name, bar no., address, and telephone no.
Plaintiff's source of income name, address, and telephone no.		Defendant's source of income name, address, and telephone no.

This order is entered  after hearing.  after statutory review.  on stipulation/consent of the parties.  
 The friend of the court recommends child support be ordered as follows.  
 If you disagree with this recommendation, you must file a written objection with \_\_\_\_\_ on or before **21 days** from the date this order is mailed. If you do not object, this proposed order will be presented to the court for entry.  
 Attached are the calculations pursuant to MCL 552.505(1)(h) and MCL 552.517b.

**IT IS ORDERED**, unless otherwise ordered in item 12 or 13:  Standard provisions have been modified (see item 12 or 13):

**1. The children who are supported under this order and the payer and payee are:**

Payer:	Payee:	
Children's names, birthdates, and annual overnights with payer:		
Children's names	Date of birth	Overnights

Effective \_\_\_\_\_, the payer shall pay a monthly child support obligation for the children named above.

	1 child	2 children	3 children	4 children	5 or more children
Base support: (includes support plus or minus premium adjustment for health-care insurance)					
Support:	\$	\$	\$	\$	\$
Premium adjust.	\$	\$	\$	\$	\$
Subtotal:	\$	\$	\$	\$	\$
Ordinary medical:	\$	\$	\$	\$	\$
Child care:	\$	\$	\$	\$	\$
Other:	\$	\$	\$	\$	\$
Benefit credit:	\$	\$	\$	\$	\$
<b>Total:</b>	\$	\$	\$	\$	\$
<input type="checkbox"/> Support was reduced because payer's income was reduced.					

(Continued on page 2.)



<b>STATE OF MICHIGAN</b> 48th <b>JUDICIAL CIRCUIT</b> Allegan <b>COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 2)</b> <input type="checkbox"/> <b>EX PARTE</b> <input type="checkbox"/> <b>TEMPORARY</b> <input type="checkbox"/> <b>MODIFICATION</b> <input type="checkbox"/> <b>FINAL</b>	<b>CASE NO.</b>
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Plaintiff's name	v	Defendant's name
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1. **Item 1** (continued).

**Uninsured Health-Care Expenses.** All uninsured health-care expenses exceeding the annual ordinary medical amount will be paid \_\_\_\_\_ % by the plaintiff and \_\_\_\_\_ % by the defendant. Uninsured expenses exceeding the annual ordinary medical amount for the year they are incurred that are not paid within 28 days of a written payment request may be enforced by the friend of the court. The annual ordinary medical amount is \_\_\_\_\_ .

**Obligation Ends.** Except for child care, or as otherwise ordered, support obligations for each child end on the last day of the month the child turns age 18. The child-care obligation for each child ends August 31 following the child's 12th birthday. The parties must notify each other of changes in child-care expenses and must additionally notify the friend of the court if the changes end those expenses.

**Post-majority Support:** The following children will be attending high school on a full-time basis after turning 18 years of age. Therefore, the support obligation for each specific child ends on the last day of the month as follows, except in no case may it extend beyond the time the child reaches 19 years and 6 months of age: (Specify name of child and date obligation ends.)

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2. **Insurance.** For the benefit of the children, the  plaintiff  defendant shall maintain health-care coverage through an insurer (as defined in MCL 552.602) that includes payment for hospital, dental, optical, and other health-care expenses when that coverage is available at a reasonable cost, including coverage available as a benefit of employment or under an individual policy  
 up to a maximum of \$ \_\_\_\_\_ for plaintiff.                       up to a maximum of \$ \_\_\_\_\_ for defendant.  
 not to exceed 6% of the plaintiff's/defendant's gross income.

3. **Income Withholding.** Income withholding takes immediate effect. Payments shall be made through the Michigan State Disbursement Unit unless otherwise ordered in item 13.

4. **Qualified Medical Support Order.** This order is a qualified medical support order with immediate effect pursuant to 29 USC 1169. To qualify this order, the friend of the court shall issue a notice to enroll pursuant to MCL 552.626b. A parent may contest the notice by requesting a review or hearing concerning availability of health care at a reasonable cost.

5. **Retroactive Modification, Surcharge for Past-Due Support, and Liens for Unpaid Support.** Except as provided by MCL 552.603, support is a judgment the date it is due and is not modifiable retroactively. A surcharge may be added to past-due support. Unpaid support is a lien by operation of law and the payer's property can be encumbered or seized if an arrearage accrues in an amount greater than the periodic support payments payable for two months under the payer's support order.

6. **Address, Employment Status, Health Insurance.** Both parties shall notify the friend of the court in writing of: a) their mailing and residential addresses and telephone numbers; b) the names, addresses, and telephone numbers of their sources of income; c) their health-maintenance or insurance companies, insurance coverage, persons insured, or contract numbers; d) their occupational or drivers' licenses; and e) their social security numbers unless exempt by law pursuant to MCL 552.603. Both parties shall notify the friend of the court in writing within 21 days of any change in this information. Failure to do so may result in a fee being imposed.

7. **Foster-Care Assignment.** When a child is placed in foster care, that child's support is assigned to the Department of Health and Human Services while under the state's jurisdiction and to the funding county while placed in a county-funded program.

(Continued on page 3.)

<b>STATE OF MICHIGAN</b> 48th <b>JUDICIAL CIRCUIT</b> Allegan <b>COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 3)</b> <input type="checkbox"/> <b>EX PARTE</b> <input type="checkbox"/> <b>TEMPORARY</b> <input type="checkbox"/> <b>MODIFICATION</b> <input type="checkbox"/> <b>FINAL</b>	<b>CASE NO.</b>
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Plaintiff's name	v	Defendant's name
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- 8. **Redirection and Abatement.** Subject to statutory procedures, the friend of the court : 1) may redirect support paid for a child to the person who is providing the actual care, support, and maintenance of that child, or 2) shall abate support charges for a child who resides on a full-time basis with the payer of support.
- 9. **Fees.** The payer of support shall pay statutory and service fees as required by law.
- 10. **Review.** Each party to a support order may submit a written request to have the friend of the court review the order. The friend of the court is not required to act on more than one request received from a party each 36 months. A party may also file a motion to modify this support order.
- 11. **Prior Orders.** **This order supersedes all prior child support orders and all continuing provisions are restated in this order.** Past-due amounts owed under any prior support order in this case are preserved and paid at the rate calculated using the arrearage guideline in the Michigan Child Support Formula.
- 12. **Michigan Child Support Formula Deviation.** The support provisions ordered do not follow the Michigan Child Support Formula. The attached deviation addendum (FOC 10d) provides the basis for deviation and the required findings by the court.
- 13. **Other:** (Attach separate sheets as needed.)

Plaintiff (if consent/stipulation)	Date	Defendant (if consent/stipulation)	Date
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Plaintiff's attorney	Date	Defendant's attorney	Date
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Prepared by: \_\_\_\_\_  
Name (type or print)

Date	Judge	Bar no.
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**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this order on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 3.203.  I certify that I also served the Deviation Addendum (FOC 10d) with this order.

Date	Signature
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**COURT USE ONLY**

<b>STATE OF MICHIGAN</b> 48th JUDICIAL CIRCUIT Allegan COUNTY	<b>DOMESTIC RELATIONS</b> <b>JUDGMENT INFORMATION, PAGE 1</b> <input type="checkbox"/> TEMPORARY <input type="checkbox"/> FINAL	<b>CASE NO.</b>
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**USE NOTE:** Complete this form and file it with the friend of the court (**do not file this form with the office of the clerk of the court**) when the first temporary custody, parenting-time, or support order is entered and when submitting any final proposed judgment awarding custody, parenting time, or support. Mail a copy to each party and file proof of mailing with the court (may use form MC 302, Proof of Mailing).

The information previously provided       is changed       is unchanged. (Complete only the fields that have changed.)

Date \_\_\_\_\_ Signature \_\_\_\_\_

**Plaintiff Information**

**Defendant Information**

Name (269) 673-0300		Name	
Address		Address	
Social security number	Telephone number	Social security number	Telephone number
E-mail address		E-mail address	
Employer name, address, telephone number, and FEIN (if known)		Employer name, address, telephone number, and FEIN (if known)	
Driver's license number and state		Driver's license number and state	
Occupational license number(s), type(s), issuing state(s), and date(s)		Occupational license number(s), type(s), issuing state(s), and date(s)	

**CUSTODY PROVISIONS**      sole, plaintiff = P    sole, defendant = D    joint = J    other = O \_\_\_\_\_  
 (must identify)

Child's name	Social security number	Date of birth	Physical custody P, D, J, O	Child's primary residence address	Legal custody P, D, J, O

**SUPPORT PROVISIONS**

Support provisions are stated in the Uniform Support Order.  
 Medical Support provisions are stated on page 2 of this form.

STATE OF MICHIGAN 48th JUDICIAL CIRCUIT Allegan COUNTY	DOMESTIC RELATIONS JUDGMENT INFORMATION, PAGE 2 <input type="checkbox"/> TEMPORARY <input type="checkbox"/> FINAL	CASE NO.
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**MEDICAL SUPPORT PROVISIONS:** List the name of each insurance provider for the plaintiff and the defendant. Then enter the name of each child in this case who is covered by that provider and the type of coverage provided.

**Plaintiff's Insurance Coverage**

Provider name and address	Policy/Group no.	Cert. no.	Child(ren)'s name(s)	Medical	Dental	Optical	Other

**Defendant's Insurance Coverage**

Provider name and address	Policy/Group no.	Cert. no.	Child(ren)'s name(s)	Medical	Dental	Optical	Other