

THIRTY-SEVENTH JUDICIAL CIRCUIT OF MICHIGAN

Calhoun County

Office of the Friend of The Court

Jeffrey S. Albaugh
Friend of the Court

Calhoun County Justice Center
161 E. Michigan Ave.
Battle Creek, MI 49014-4066
269-969-6500

Kristen Getting
Deputy Friend of the Court/Attorney

INSTRUCTIONS MOTION TO SET ASIDE REFEREE'S RECOMMENDATION AND NOTICE OF HEARING

You must file your original motion with the Circuit Court Clerk within 21 days from the date that the recommendation was mailed to you (see the proof of service on your recommended order).

CAPTION: You must indicate the case number on the upper right hand corner. Clearly enter the name, address and telephone number of each of the parties. Check the box indicating "Moving Party" under your name and address.

MOTION: You must state the date of the recommended order and your reasons for objecting to its entry. You must sign and date your motion and print or type your name so that it is clear who is filing the motion.

NOTICE OF HEARING: It is your responsibility to contact the Friend of the Court and ask **which judge** will be hearing your motion. (*Note: It is not always the assigned judge that will hear your case. If your matter dealt with support enforcement, it will be heard by a judge assigned to hear that type of matter. All others will be heard by the assigned judge.*) Once you have determined the name of the Judge, check that name on the notice and contact the **Circuit Court Clerk** for the date, time and place of the motion hearing.

SERVICE AND FILING: You are required to serve a copy of the Motion and Notice of Hearing on the opposite party by sending a copy to their mailing address by ordinary (first class) mail. You must then complete the Certificate of Mailing and file your original motion with the Circuit Court Clerk. *You must provide a copy designated "Friend of the Court" when you file your motion.*

YOU MUST ATTEND THE MOTION HEARING, OR YOUR MOTION WILL BE DISMISSED AND THE REFEREE'S PROPOSED ORDER WILL BE ENTERED BY THE COURT.

State of Michigan
37th Judicial Circuit
Calhoun County

MOTION TO SET ASIDE
REFEREE'S RECOMMENDATION
AND NOTICE OF HEARING

Case No.

Calhoun County Justice Center, 161 E. Michigan Ave., Battle Creek, MI 49014

(269) 969-6500

Plaintiff's name, address and telephone number Moving Party

V.

Defendant's name, address, and telephone number Moving Party

Third Party's name, address and telephone number Moving Party

MOTION

I object to the entry of the referee's recommended order dated _____ and request a de novo hearing by the Court. My objection is based on the following reason(s):

I declare that the statements above are true to the best of my information, knowledge, and belief.

Date

Signature of Moving Party

Name (type or print)

NOTICE OF HEARING

A hearing will be held on this motion before

- | | |
|---|--|
| <input type="checkbox"/> Honorable Phillip E. Harter | <input type="checkbox"/> Honorable Gary K. Reed |
| <input type="checkbox"/> Honorable Allen L. Garbrecht | <input type="checkbox"/> Honorable Stephen B. Miller |
| <input type="checkbox"/> Honorable Conrad J. Sindt | <input type="checkbox"/> Honorable James C. Kingsley |

on _____ at _____ at _____.

Date

Time

Location

If you require special accommodations to use the Court because of a disability, please contact the Court immediately to make arrangements.

CERTIFICATE OF MAILING

I certify that on this date I mailed a copy of this objection and notice of hearing on the other party(ies) by ordinary mail at the above address(es).

Date

Signature of Moving Party