

**37<sup>th</sup> JUDICIAL CIRCUIT  
COURT**

**FAMILY DIVISION  
Friend of the Court**

**PRO PER  
FORMS AND  
INSTRUCTIONS  
FOR**

**MODIFICATION OF  
CHILD SUPPORT ORDERS**

September 2008 Edition

# **Pro Per Forms and Instructions for Modification of Child Support Orders**

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# **37<sup>th</sup> JUDICIAL CIRCUIT COURT FAMILY DIVISION Motion Regarding Support**

If you are considering filing your own motion to request a change in your court order regarding support, you must understand the following:

- You will be representing yourself.
- Employees of the Circuit Court and the Office of the Friend of the Court are not able to assist you.
- You will be required to follow all Michigan Court Rules, Michigan Rules of Evidence, statutes and case law.
- You must properly fill out and complete the motion form.
- You must obtain a correct hearing date time and location.
- You must properly file the motion
- You must properly serve the motion on the other party.
- You must properly file your proof of service.
- You must properly present your case before the referee.
- If your motion is set over for an evidentiary support modification hearing, you must call witnesses and present all evidence correctly.
- Following the support modification hearing, you will need to prepare and process the order correctly if directed to do so by the referee.

Information regarding procedures for filing, serving and obtaining an order are contained within these instructions. Further information may be available at the Calhoun County Family Division/Friend of the Court Web Site:

[www.calhouncountymi.gov/foc](http://www.calhouncountymi.gov/foc)

**Note for Motions Regarding Support: The court is required to use the Michigan Child Support Formula in setting support obligations. Parties requesting a modification of support must calculate the appropriate amount using the Formula. Access to the Child Support Formula may be available at your local library, or by using the State Court Administrative Office web site:**

[www.courts.michigan.gov/scao/services/focb/mcsf.htm](http://www.courts.michigan.gov/scao/services/focb/mcsf.htm)

Use this form if:

- you have a pending case for divorce or separate maintenance (with a case suffix of DM), custody (DC), paternity (DP), family support (DS) or other family matters (DZ); **or**
- you have a judgment of divorce or separate maintenance (DM), custody (DC), or an order of filiation (DP) but support was not included; **or**
- you already have support ordered in a judgment of divorce or separate maintenance (DM), an order of custody (DC), an order of filiation (DP), an order of family support (DS) or other family matter case (DZ) **and** you want the court to change support. Note: Some interstate cases are eligible for modification using the pro per process. It is recommended that you contact the Friend of the Court, Interstate Enforcement Unit to determine if your interstate case is eligible.
- **YOU MAY NOT USE THESE FORMS** for case types other than those listed above. Generally, these forms can only be used in case actions whose classification code ends with DM, DP, DC, DS, and sometimes DZ, DR and some interstate cases (for example, UM cases).

By filling in these forms and using the instructions, you are representing yourself in a court action regarding support. The court and the parties are required to follow the Michigan Court Rules, the Michigan Rules of Evidence and applicable statutes and case law in presenting and considering motions to change any current court orders.

To allow the Court to consider your request, you must follow the instructions. **Please read all of the instructions before beginning the motion process.** If you fail to do even one of the required steps, the court may not be able to consider your request, and your motion could be dismissed. You may also be ordered to pay court costs and attorney fees to the other party or the court.

After you fill out the motion form, you must file it with the court and serve it on the other party. You will then need to attend the motion hearing. Again read these instructions carefully and use the checklist to make sure you've done what you need to do. Additional information is available at the County/Court website and/or SCAO website indicated above.

You will need to use your court papers from your divorce or separate maintenance (DM), custody case (DC), paternity (DP), family support action (DS or DZ) or eligible interstate case to fill out the Motion form. If you do not have a copy, one may be obtained from the Circuit Court Clerk.

## INSTRUCTIONS FOR FILING A MOTION AND SERVING A MOTION

**Motions Regarding Support:** Remember, the Court is required to follow the Michigan Child Support Formula in setting support obligations. Parties who choose to represent themselves may be required to prepare the Uniform Support Order. If the referee directs you to prepare the order, you will need to calculate the appropriate amount using the Michigan Child Support Formula. You may access the Michigan Child Support Formula at the local library, through the County/Court web site, or at the State Court Administrative Office web site:

[www.calhouncountymi.gov/foc](http://www.calhouncountymi.gov/foc)

[www.courts.michigan.gov/scao/services/focb/mcsf.htm](http://www.courts.michigan.gov/scao/services/focb/mcsf.htm)

### FILING A MOTION

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

Use the instructions provided. Be careful not to make mistakes.

As noted in the "Instructions for Completing Motion Regarding Support", before filling out the "Notice of Hearing" part of the form, you must contact the assigned Referee Assistant (969-6500) to obtain information about which day of the week the Family Division Referee to whom your case is assigned hears motions. You must then pick a date far enough in advance to give proper notice to the other party. If you are going to have the motion personally served on the other party, it must be served at least 7 days prior to the scheduled hearing. If you are going to serve the other party by regular (first class) mail, it must be mailed at least 9 days prior to the scheduled hearing. Remember to completely fill out the "Notice of Hearing" section with the date, location of hearing, and name of the Referee who will be hearing the your motion.

**PLEASE NOTE:** The Referee Assistants are best able to ensure that your matter will be properly noticed before the assigned referee on his or her first available date. As Assistants spend a considerable amount of time in the courtroom, you may have to leave a message. Please be sure to leave your name, phone number and case name and number so the Referee Assistant can answer your questions. Your call will be returned no later than the close of business the next day.

**Make at least 4 copies of all pages of your motion after you have filled it out.**

#### 2. **File the Motion form with the Circuit Court Clerk (Main floor, Justice Center).**

Take the original and 4 copies of the Motion to the Circuit Court Clerk. You must pay a \$20.00 filing fee AND a judgment fee, which is currently \$40.00 for support motions (total \$60.00).

Remember to make sure the name of the assigned Judge and assigned Referee are indicated on your motion. The Clerk will keep the original and 1 copy of the motion and any attachments. The original is for the court file and the Clerk will forward a copy to the Friend of the Court. The Clerk will return the remaining copies and any remaining attachments to you. Do not lose them.

After you have filed your Motion with the Clerk, you will need 2 copies of the Motion and Notice of Hearing, as well as an original and four copies of the Certificate of Mailing. You will need:

- One copy for your records
- One copy of the Motion and Notice of Hearing to serve (mail) on the other party
- The original and four copies of the Certificate of Mailing to file as proof of service (one for the court file and one for the Friend of the Court), one Certificate of Mailing for your records, and one copy for the other party.

## **SERVING THE MOTION ON THE OTHER PARTY**

### **1. Serve the Motion, Notice of Hearing and Certificate of Mailing on the other party.**

The other party must be served with the motion and hearing date at least 9 days before the hearing date, if service is by mail, and at least 7 days before the hearing if service is made personally. You may serve the papers by mailing them to the other party by regular, first class mail. **Pursuant to the Michigan Court Rules [MCR 3.203], you must mail the Motion to the “legal address” on file with the Friend of the Court.** If you do not know the legal address, you may request that information from the Friend of the Court. You may also send the Motion to a different address if you believe that the FOC address is not good.

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

- 1 copy of the Motion with any attachments, Notice of Hearing, and Proof of Service/Certificate of Mailing – for the other party
- The original and one copy of the Certificate of Mailing to file with the Circuit Court Clerk

### **2. Return to the Circuit Court Clerk.**

Once you have served the motion and notice of hearing, return to the Circuit Court Clerk’s Office with the completed Proof of Service/Certificate of Mailing and one copy. Remember to keep one copy for your records. The Clerk will deliver one copy to the Friend of the Court.

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

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

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

You must attend the hearing on your motion. You must appear on time for your motion. Failure to arrive on time or to be prepared will likely result in the dismissal of your motion. Court costs and attorney fees may also be ordered. You will be required under oath to assure the Court that you have properly served the other party with a copy of the Motion and Notice of Hearing.

## **THE MOTION HEARING (Motion Practice)**

In Calhoun County, a motion to modify child support is heard by the assigned Family Division Referee. The purpose of the motion hearing is to allow the Court the opportunity to determine if the facts you have stated are *significant* enough to warrant a change in the current support order. ***Remember, the Court must find that a significant change in circumstances has occurred since the last order was entered before the order can be changed.*** If, after considering your position and that of the other party, the referee determines that you have established a *significant change*, your motion will then be scheduled for an evidentiary hearing.

If the referee decides to set an evidentiary hearing, you will need to advise the referee of the number of witnesses and/or other evidence you intend to use at the time of the hearing, so that the referee can schedule an adequate amount of time for the hearing. In complex cases, you may also be required to file a witness list with the Court and the other party, exchange records, or comply with any other request that the Court deems appropriate. If the Court determines the need for these things, the Court will issue a "Scheduling Order" that outlines what each party has to do and the time frames for doing it. If the referee determines that there has not been a significant change of circumstances since entry of the current order, your motion will be dismissed at the motion hearing.

### **ATTENDING YOUR MOTION HEARING:**

1. Since you are representing yourself, you are expected to conduct yourself just as an attorney would. You will be required to follow the same general rules an attorney must follow. You can expect that the referee has read your motion, any response from the other party, and has reviewed your court file.
2. Make a list of information you feel is important for the referee to know. The information should relate to the reasons stated in your motion. Your list will be helpful as a reminder to bring up all the points you feel are important.
3. Go to the hearing room on the scheduled day and time. Dress neatly. Get there 10 or 15 minutes early.
4. Go to the hearing room and let the Referee Assistant know that you are there for a hearing, and that you are representing yourself. **DO NOT** interrupt any hearing in progress. Take a seat in the waiting area and wait for your case to be called.
5. When your case is called, go to the hearing area and clearly state the following:
  - Your name
  - That you are representing yourself
  - That you are requesting a support order or a change in a support order
  - The facts or reasons for your request (**bring papers showing your income such as pay stubs, W-2 forms, income tax forms, etc., as well as your current parenting time order if you have one**).
  - The number of overnights that the child(ren) are spending each year with each of the parties.
  - Why you believe this order would be in the best interests of the child(ren).
6. 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 may have more time to talk. Taking notes will help you with this.

**THE EVIDENTIARY HEARING: If at your motion hearing the referee determines that you have established a significant change in circumstances, the referee may grant your motion, or the referee may set an evidentiary hearing for a future date. At an evidentiary hearing, you will be required to present evidence and testimony in support of your request to modify support. You may also be directed to prepare the Uniform Child Support Order (form FOC 10/52). Bring a blank Uniform Support Order with you to the hearing (available in this booklet).**

1. Just as at your motion hearing, you will be representing yourself. You are expected to conduct yourself just as an attorney would. You will be required to follow the same general rules an attorney must follow. You can expect that the referee has reviewed your motion, any response from the other party, and has reviewed the decision from your motion hearing.
2. Make a list of information you feel is important for the referee to know, and of any witnesses you will be calling to support your position. The information should relate to the reasons stated in your motion. Your list will be helpful as a reminder to bring up all the points you feel are important.
3. Go to the hearing room on the scheduled day and time. Dress neatly. Get there 10 or 15 minutes early.
4. Go to the hearing room and let the Referee Assistant know that you are there for a hearing, and that you are representing yourself. **DO NOT** interrupt any hearing in progress. Take a seat in the waiting area and wait for your case to be called.
5. When your case is called, go to the hearing area and clearly state the following:
  - Your name
  - That you are representing yourself
  - That you are requesting a support order or a change in a support order
  - The facts or reasons for your request (**bring papers showing your income such as pay stubs, W-2 forms, income tax forms, etc., as well as your current parenting time order if you have one**).
  - The number of overnights that the child(ren) are spending each year with each of the parties.
  - Why you believe this order would be in the best interests of the child(ren).
6. When the referee makes a decision, **LISTEN CAREFULLY** to what is said. If you are directed to prepare an order, you must follow the instructions on the packet for preparing the “Uniform Support Order” (FOC 10/52) and you must accurately prepare the order exactly as the Referee has stated. You may be responsible for preparing the order even if what was ordered is not what you are asking for.

**NOTE:** Under the Michigan Court Rules, a referee’s order has immediate interim effect for a 21-day period, after which it becomes a final order of the court unless a party has filed a motion to have the order set aside. This is a separate procedure for which instructions and forms may be obtained from the Friend of the Court.

## INSTRUCTIONS FOR COMPLETING "MOTION REGARDING SUPPORT"

Please print neatly. After filling in the form, you will need to make at least 5 copies of the form.

Items A through K 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 from your divorce or separate maintenance (DM), custody (DC), paternity (DP), family support action (DS or DZ) or eligible interstate case, and copy the Case No. and letter suffix from those court papers onto this form. **Note: If you have more than one case under which you are requesting a support modification, you must file a separate motion for each case number.**
- B** Also use your court papers to fill in the "Plaintiff" and "Defendant" boxes and if applicable, the "Intervening 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 either box a or b.** If you have a judgment or order for divorce, separate maintenance, paternity, family support or an eligible interstate case, read the latest (most recent) order carefully to find out if there is any information about support. If there is information about support, check box a. If not, check box b.
- D – F** Check these boxes only if you checked box a. in C above. Read your most recent court papers for divorce, separate maintenance, paternity, family support or interstate support to find out who was ordered to pay current support, child care, and health care; how much; and how often. Write this information here.
- G** Check this box and state the significant conditions that have changed requiring a change in support. **Explain in as much detail as possible** what has happened. **Note: By law, you must detail a significant change in circumstances and the court must determine that such a change has occurred before support may be modified.** If you need more space, use a separate sheet of paper, and check the box "see attached sheet". Print this information as neatly as you can. You will need copies of both sheets.
- H** You need to **explain in as much detail as possible** what you want the court to order. Write in the details. If you need more space, use a separate sheet of paper and check the box "see attached sheet". Print this information as neatly as you can. You will need copies of both sheets. Remember that the Court must set child support consistent with the Michigan Child Support Formula unless the facts of your case convince the Court that doing so would be unjust or unreasonable.
- I** Please double-check what you have written in your motion. **By signing your motion, you are verifying that the information you have provided is true.** Write in today's date and sign your name. Now contact the assigned Family Division Referee Assistant (969-6500) to obtain a motion hearing date. See page 3 "Filing A Notice of Hearing" for details. You may also be able to access the Referee Motion Calendar at the Friend of the Court Web Site ([www.calhouncountymi.gov/foc](http://www.calhouncountymi.gov/foc)) for hearing date information.
- J** Note: you must select a hearing date far enough in advance to give proper notice (at least 9 days for mailing the motion) to the other party. Once you get a hearing scheduled, fill in the full name of the assigned Family Division Judge and of the 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 location (hearing room) of the hearing. Note that the name of the Judge and the assigned referee must also be written where indicated at the top of the motion form.

- Make copies of your motion form and attachments for you, for the other party(ies), and for the Friend of the Court. Go to the Circuit Court Clerk's office in the Justice Center in Battle Creek with the original and a copy of all pages of this form. These must be filed with the Clerk (the original for the court file and one for the Friend of the Court).
  - **STOP** Read "Instructions for Filing a Motion and Serving a Motion" in this booklet for additional details on filing your motion with the Court and serving your motion on the other party.
  - **Note:** Timeliness is very important. Failure to file and serve your motion will result in the delay or dismissal of your motion, and costs may be ordered.
- K** On the date you mail 1 copy of all pages of your motion to the other party, write in the date and sign your name on the Certificate of Mailing. The date that you sign the Certificate of Mailing must be the date that you mailed your motion and attachments (if any) to the other party.
- Return to the Circuit Court Clerk with 2 copies of the Certificate of Mailing.

**You must be sure to read this entire booklet.**

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

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

Intervening Party's name, address and telephone no.     moving party

**Assigned Judge: Hon.** \_\_\_\_\_

**Assigned Referee:** \_\_\_\_\_

**MOTION**

**C** 1.  a. On \_\_\_\_\_ a judgment or order was entered regarding support.  
Date

b. There is currently no order regarding support.

**D**  2. The  plaintiff  defendant is ordered to pay support of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**E**  3. The  plaintiff  defendant is ordered to pay child care of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**F**  4. The  plaintiff  defendant is ordered to pay health care of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**G**  5. Conditions regarding support have changed as follows:  **See attached sheet.**  
Use a separate sheet if necessary to explain in detail what has happened and attach to this motion.

**H** 6. I ask the court to order support consistent with the Michigan Child Support Formula.

**other (See attached sheet)**

Use a separate sheet if necessary to explain in detail what you want the court to order if different than the Formula amount.

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

**I** \_\_\_\_\_  
Date

\_\_\_\_\_  
Moving Party's Signature

**NOTICE OF HEARING**

A hearing will be held on this motion before \_\_\_\_\_, Family Division Referee,  
Name of Referee

**J** on \_\_\_\_\_ at \_\_\_\_\_ in hearing room # \_\_\_\_\_, Justice Center,  
Date Time

161 E. Michigan Ave., Battle Creek, Michigan.

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

**B** Plaintiff's name, address and telephone no. [ ] moving party v Defendant's name, address, and telephone no. [ ] moving party

Intervening Party's name, address and telephone no. [ ] moving party

5. Continued from Page 1

6. Continued from Page 1

7. Continued from Page 1

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

**I** \_\_\_\_\_  
Moving Party's Signature

\_\_\_\_\_  
Date

NOTE: If you are the person receiving this motion, you should file a response. Use instructions for Answer to Motion Regarding Support. Contact the Friend of the Court and ask for pro per forms and instructions for support.

**B** Plaintiff's name, address and telephone no.  Moving party

v

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

Intervening Party's name, address and telephone no.  Moving party

**PROOF OF SERVICE**

I CERTIFY THAT ON THIS DATE I PERSONALLY SERVED A  
COPY OF THIS MOTION AND NOTICE OF HEARING ON  
THE OTHER PARTY

I CERTIFY THAT ON THIS DATE I MAILED A COPY OF  
THIS MOTION AND NOTICE OF HEARING TO THE OTHER  
PARTY BY ORDINARY MAIL AT THE ABOVE ADDRESS.

**K** \_\_\_\_\_  
Date

\_\_\_\_\_  
Moving Party's Signature

## MOTION CHECKLIST YOUR FINAL REVIEW

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 4 copies of all pages of your motion? YES [ ]
3. Pay the motion and judgment fees to the Clerk? YES [ ]
4. Mail (serve) a copy of the Motion, Notice of Hearing, and Certificate of Mailing on the other party and any other Intervening Party after the judge, referee and hearing date have been assigned to your case? YES [ ]
5. 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 [ ]
6. Keep one copy of the Motion and Notice of Hearing for yourself? YES [ ]
7. Give 2 copies of the completed Certificate of mailing to the Circuit Court Clerk? YES [ ]

If you cannot answer "yes" to all of the above steps, a hearing on your motion may be delayed or your motion may be dismissed, and costs and attorney fees may be assessed.

By using this form packet you are representing yourself in a court action regarding support. To allow the court the ability to consider your request, you must follow the instructions in this packet. If you fail to do even one of the required steps, the court may not be able to consider your request, and your motion may be dismissed and you may be ordered to pay court costs and attorney fees.

**Note:** Regardless of the amount of support you ask for, or of the amount to which you and the other party may agree, the Court is required to use the Michigan Child Support Formula in determining the amount of support that is to be ordered, unless the court finds that using the Formula would be unjust or inappropriate. The court will need to know the amount and sources of income for each of the parties, as well as the current parenting time that is being exercised.

# 37<sup>th</sup> JUDICIAL CIRCUIT COURT FAMILY DIVISION

## Answer to Motion Regarding Support

Use this form if you are served with a copy of a Motion Regarding Support. By filling out this form, you are submitting answers to the court and the other party regarding the statements made in the motion.

**Note: If you want to assure that the court will consider your position, you should file an Answer. You may not simply appear at the hearing and expect the court to consider your position.**

By filling in this form and using the instructions, you are representing yourself in a court action regarding support. The Court must be sure that you and the other party follow the Michigan Court Rules, Michigan Rules of Evidence, and applicable statutes and case law in presenting and considering motions and Answers to motions to change any current court orders. In order for the court to consider granting the relief you seek, you must follow the instructions. If you fail to do even one of the required steps, the court may not be able to consider your Answer.

To allow the Court to consider your Answer, you must follow the instructions carefully. **Please read all of the instructions before beginning your Answer.** If you fail to do even one of the required steps, the court may not be able to consider your Answer, and your Answer could be ignored and costs and attorney fees ordered for you to pay to the other party or the court.

After you fill out the Answer form, you must file it with the court, the Friend of the Court, and serve it on the other party. You will then need to attend the motion hearing. Read the instructions for these things and use the checklist to make sure you've done what you need to do.

You will need to use your copy of the Motion Regarding Support and court papers to fill out this Answer form.

# INSTRUCTIONS FOR USING THE ANSWER TO MOTION FORM

## FILING AN ANSWER

### 1. Fill out the Answer to Motion form.

If you receive a motion and notice of hearing from the other party, you need to respond in writing to the party and the court. Use the instructions for the Answer to Motion form. Be careful not to make any mistakes.

**After you have filled out your Answer to Motion form, make enough copies of the form and any attachments to serve the other party, any Intervening Party, and to file with the Clerk and the Friend of the Court.**

### 2. File the Answer form with the Circuit Court Clerk.

Take the original and 3 copies of the form to the Circuit Court Clerk at the Justice Center in Battle Creek. The Clerk will keep the original for the court file and will send one copy to the Friend of the Court. Then the Clerk will return 2 copies and any remaining attachments to you. Do not lose them.

When you leave the Clerk's Office, you should have 2 copies of the Answer form with attachments. You should also prepare the original and make copies of the Certificate of Mailing:

- One copy of your Answer and Certificate of Mailing for your records
- One copy of your Answer and Certificate of Mailing to serve on the other party and on any Intervening Party
- The original and two copies of the Certificate of Mailing to file as proof of service (one for the court file and one for the Friend of the Court), one Certificate of Mailing for your records, and one copy for the other party.

## SERVING YOUR ANSWER ON THE OTHER PARTY

### 1. Serve Your Answer 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 your Answer. You may choose to have the party served personally, or you may serve the party by regular, first class mail. If you choose personal service, the party must be served a copy of your Answer at least 3 days before the hearing date. If you serve by ordinary mail, you must mail your Answer at least 5 days before the hearing date. **Pursuant to the Michigan Court Rules [MCR 3.203], you must mail the Answer to the "legal address" on file with the Friend of the Court.** If you do not know the legal address, you may request that information from the Friend of the Court. You may also send the Answer to a different address if you believe that the FOC address is not good.

#### What you need for service:

1 copy of your Answer form with any attachments – for the other party

The original and one copy of the Certificate of mailing – for proof of service

Serve 1 copy of your Answer with attachments and a completed Certificate of Mailing on the other party and on any Intervening Party. Keep 1 copy for your records.

## 2. Return to the Circuit Court Clerk.

Once you have served a copy of your Answer and the Certificate of Mailing or a proof of service on the other party, return to the Circuit Court Clerk's Office with the original Certificate of Mailing and 1 copy. Remember to keep one copy for your records. The Clerk will deliver one copy to the Friend of the Court.

## 3. Attend the hearing.

**You should attend the hearing on the motion if you want the court to consider your Answer.**

### ATTENDING THE MOTION HEARING:

1. Since you are representing yourself, you are expected to conduct yourself just as an attorney would. You will be required to follow the same general rules an attorney must follow. You can expect that the referee has read the motion from the other party, your Answer, and has reviewed your court file.
2. Make a list of information you feel is important for the referee to know. The information should relate to the reasons stated in your Answer. Your list will be helpful as a reminder to bring up all the points you feel are important.
3. Go to the hearing room on the scheduled day and time. Dress neatly. Get there 10 or 15 minutes early.
4. Go to the hearing room and let the Referee Assistant know that you are there for a hearing, and that you are representing yourself. DO NOT interrupt any hearing in progress. Take a seat in the waiting area and wait for your case to be called.
5. When your case is called, go to the hearing area and clearly state the following:
  - Your name
  - That you are representing yourself
  - That you are responding to a motion for a support order or a change in a support order
  - The facts or reasons for your Answer (**bring papers showing your income such as pay stubs, W-2 forms, income tax forms, etc., as well as the current parenting time order if there is one**).
  - The number of overnights that the child(ren) are spending each year with each of the parties.
6. The moving party will be asked to speak in support of the motion. When the other party talks, take notes. DO NOT interrupt the other party. After the other party speaks, you will be given the opportunity to speak. Taking notes will help you with this.
7. At the motion hearing, the referee must determine if there is a **significant** change in circumstances to warrant a change in an existing support order. If at the motion hearing the referee determines that the moving party has established a significant change in circumstances, an evidentiary hearing will be set for a future date. If there is no significant change in circumstances, the referee may require you to prepare the dismissal order.

**THE EVIDENTIARY HEARING: At the evidentiary hearing, the moving party will be required to present evidence and testimony in support of the request to modify support. As the responding party, you will be given the opportunity to present your own evidence and testimony.**

7. Just as at the motion hearing, you will be representing yourself. You are expected to conduct yourself just as an attorney would. You will be required to follow the same general rules an attorney must follow. You can expect that the referee has reviewed the other party's motion, your Answer, and has reviewed the decision from the motion hearing.
8. Make a list of information you feel is important for the referee to know, and of any witnesses you will be calling to support your position. The information should relate to the reasons stated in your motion. Your list will be helpful as a reminder to bring up all the points you feel are important.
9. Go to the hearing room on the scheduled day and time. Dress neatly. Get there 10 or 15 minutes early.
10. Go to the hearing room and let the Referee Assistant know that you are there for a hearing, and that you are representing yourself. **DO NOT** interrupt any hearing in progress. Take a seat in the waiting area and wait for your case to be called.
11. When your case is called, go to the hearing area and clearly state the following:
  - Your name
  - That you are representing yourself
  - That you are responding to a motion for a support order or a change in a support order
  - The facts or reasons supporting your Answer (**bring papers showing your income such as pay stubs, W-2 forms, income tax forms, etc., as well as the current parenting time order if there is one**).
  - The number of overnights that the child(ren) are spending each year with each of the parties.
12. When the referee makes a decision, **LISTEN CAREFULLY** to what is said. You should write down exactly what the referee states, so that you can be sure that the resulting order reflects exactly what is ordered in court.

**NOTE:** Under the Michigan Court Rules, a referee's order has immediate interim effect for a 21-day period, after which it becomes a final order of the court unless a party has filed a motion to have the order set aside. This is a separate procedure for which instructions and forms may be obtained from the Friend of the Court.

## GENERAL INSTRUCTIONS FOR COMPLETING "ANSWER TO MOTION REGARDING SUPPORT"

Please print neatly. After filling in the form, you will need to make at least 5 copies.

Items **A** through **J** must be completed before your Answer 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 Number, get your copy of the Motion Regarding Support. Be sure that the moving party (the person who filed the motion) has correctly identified the correct case, and copy the Case Number from that paper onto this form.

**B** Also use the motion to fill in the "Plaintiff", "Defendant", and "Intervening Party" boxes. 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 Answer 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 divorce, separate maintenance, paternity, or family support, other family or eligible interstate order, read it carefully to find out if there is any information in it about support. If there is information about support, check box a. If there is no information about support, check box b.

**D – F** Check these boxes only if you checked box **a.** in **C** above. Read your court papers for divorce or separate maintenance (DM), custody (DC) paternity (DP), family support (DS), other family matter (DZ) or eligible interstate case to find out who was ordered to pay support, how much, and how often. Write this information here.

**G** Check this box only if **G** is checked on the Motion Regarding Support. Then check whether you agree or do not agree with what was said in the Motion form. If you check the box "do not agree", **explain in as much detail** as possible what you disagree with and why. Print this information as neatly as you can. If you need more space, use a separate sheet of paper, and check the box "separate sheet attached". You will need 4 copies of this sheet to attach to 4 copies of this form.

**H** Check this box only if **H** is checked on the Motion Regarding Support. Then check whether you agree or do not agree with what was said in the Motion form. If you check the box "do not agree", **explain in as much detail** as possible what you did agree with. If you need more space, use a separate sheet of paper and check the box "separate sheet attached". You will need 4 copies of this sheet to attach to 4 copies of this form.

**I** If you agree with the request in the Motion Regarding Support, check box a. **Note: If you agree with what is being asked by the moving party, you may contact the Friend of the Court for assistance in completing an order without having a hearing.** 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 and what you want the court to order. If you need more space, use a separate sheet of paper and check the box "separate sheet attached". Print your explanation as neatly as you can. You will need 4 copies of this sheet to attach to 4 copies of this form.

**J** Write in today's date and sign your name.

- Make copies of your Answer and attachments for you, for the other party(ies), and for the Friend of the Court. Go to the Circuit Court Clerk's office in the Justice Center in Battle Creek with the original and a copy of all pages of this form. These must be filed with the Clerk (the original for the court file and one for the Friend of the Court).

- **STOP.** Please read “Instructions for Using the Answer to Motion Form” in this booklet for additional details on filing your Answer with the Court and serving your Answer on the other party.
- **Note:** Timeliness is very important. Failure to file and serve your Answer will result in delay, or the motion being granted without consideration of your position and attorney fees may be ordered

**K** On the date you mail 1 copy of all pages of your motion to the other party, write in the date and sign your name on the Certificate of Mailing. The date that you sign the Certificate of Mailing must be the date that you mailed your Answer and attachments (if any) to the other party.

- Return to the Circuit Court Clerk with 2 copies of the Certificate of Mailing.

**You must be sure to read this entire booklet.**

---

**B** Plaintiff's name, address and telephone no.  moving party v Defendant's name, address, and telephone no.  moving party

Intervening Party's name, address and telephone no.  moving party

**ANSWER TO MOTION**

**C** 1.  a. On \_\_\_\_\_ a judgment or order was entered regarding support.  
Date

b. There is currently no order regarding support.

**D**  2. The  plaintiff  defendant is ordered to pay support of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**E**  3. The  plaintiff  defendant is ordered to pay child care of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**F**  4. The  plaintiff  defendant is ordered to pay health care of \$ \_\_\_\_\_ each \_\_\_\_\_.  
week, month, etc.

**G**  5. I  agree  do not agree that conditions have changed as stated in the motion.

Explain in detail what you disagree with and why. Include all necessary facts. Use a separate sheet of paper if needed.  **separate sheet attached.**

**H**  6. I agreed with the other party to start/change 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 not agree with. Include all necessary facts. Use a separate sheet if needed.  **separate sheet attached.**

**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 support to be paid as follows: If b. is checked, explain in detail why and what you want the court to order. Use a separate sheet if needed.

**separate sheet attached**

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

**J** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding Party's Signature

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

**B** Plaintiff's name, address and telephone no

v

Defendant's name, address and telephone no.

Intervening Party's name, address and telephone no.

5. Continued from page 1.

6. Continued from page 1.

7. Continued from page 1.

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

**J** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding Party's Signature

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

**B** Plaintiff's name, address and telephone no

v

Defendant's name, address and telephone no.

Intervening Party's name, address and telephone no.

**PROOF OF SERVICE**

I CERTIFY THAT ON THIS DATE I PERSONALLY SERVED A COPY OF THIS MOTION AND NOTICE OF HEARING ON THE OTHER PARTY

I CERTIFY THAT ON THIS DATE I MAILED A COPY OF THIS MOTION AND NOTICE OF HEARING TO THE OTHER PARTY BY ORDINARY MAIL AT THE ABOVE ADDRESS.

**K** \_\_\_\_\_  
Date

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

## ANSWER TO MOTION CHECKLIST YOUR FINAL REVIEW

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 your Answer to motion form with the Circuit Court Clerk?   | YES [ ] |
| 4. Mail (serve) a copy of the Answer to the other party and any other custodian/guardian?  | YES [ ] |
| 5. Return to the Clerk's Office <b>after</b> you mailed your Answer to the other party and completed the certificate of mailing? | YES [ ] |
| 6. Keep one copy of the Answer to motion form for yourself?  | YES [ ] |
| 7. Give 2 copies of the completed form to the Circuit Court Clerk?   | YES [ ] |

If you cannot answer “yes” to all of the above steps, your Answer to the other party’s Motion Regarding Support may not be able to be considered by the court.

**You should attend the hearing on the motion if you want the court to consider your Answer. You must appear on time for the motion hearing. Failure to arrive on time or to be prepared may result in the motion being granted without consideration of your Answer. You will be required under oath to assure the Court that you have properly served the other party with a copy of your Answer to Motion Regarding Support.**

By using this form packet you are representing yourself in a court action regarding support. You must follow the instructions in this packet. If you fail to do even one of the required steps, the court may not be able to consider your Answer to the other party’s motion.

**Note:** Regardless of the amount of support you or the other party ask for, or the amount that you and the other party may agree to, the court is required to use the Michigan Child Support Formula in determining the amount of support, unless the court finds that using the Formula would be unjust or inappropriate. The court will need to know the amount and sources of income for each of the parties, as well as the current parenting time that is being exercised.

# **37<sup>th</sup> JUDICIAL CIRCUIT COURT FAMILY DIVISION**

## **Form FOC 10 / 52**

### **ORDER REGARDING SUPPORT (UNIFORM SUPPORT ORDER)**

**If you have had a hearing on your motion regarding support, the referee will direct that an order be entered through one of the following methods:**

- 1. The referee may draft a recommended order.**
- 2. The referee may approve an order prepared by a party and submitted to the referee at the conclusion of the referee hearing.**
- 3. The referee may direct that a party may draft a proposed order and obtain the approval of all parties and the referee within 7 days of the referee's findings (consent order).**
- 4. The referee may direct that within 7 days of the conclusion of the hearing, a party may serve a copy of a proposed recommended order on all other parties with notice that the order will be submitted to the referee for approval if no objection is filed within 7 days.**

**Follow the instructions for the method of order entry directed by the referee for order entry after your hearing has been held.**

## ORDER ENTRY PROCESSES:

- I. **Referee-Drafted Order:** If the referee tells you that he or she will draft the order, neither party has the responsibility for entry of the order. The referee will complete the order and send it to all parties.
  
- II. **Party-Prepared Orders:** If the Court/Referee made a finding and directed that you prepare and notice the order for entry, you must comply with that request. A Court speaks through its written orders. Since you have decided to represent yourself, you may be responsible for preparing the order and presenting it for entry as directed by the Referee. Unless your order is properly entered by the Court, it is not an order even though the Referee's findings are on the record. The order may be entered by the Court through one of the following procedures.

### A. At Hearing

If a moving party is prepared to submit an order at the conclusion of the hearing, the referee may approve the order at that time if it is consistent with the referee's findings. If the referee approves the order, the referee will submit it as written to all parties as outlined in Section I. above. If you are a moving party, you may prepare the Uniform Support Order (FOC10/52) by following the instructions provided. If you want the referee to approve the order at the conclusion of the hearing, it must be prepared and ready to present.

### B. Consent Order

The referee may direct that within 7 days of the date of the referee's findings, a party may draft a proposed recommended order and have it approved by the other party. Once approved by the other party, the Uniform Support Order (FOC 10/52) is a consent order, and may be submitted to the referee for approval. Once approved by the referee, the referee will submit the order as written to all parties as outlined in Section I above. If you are a moving party, you must prepare the Uniform Support Order accurately and completely by following the instructions provided.

### C. 7-Day Rule [MCR 3.215]

The referee may direct that the moving party prepare and notice the order for entry under the "Seven-Day Rule".

Moving Party – Within 7 days after the conclusion of the referee hearing, the moving party must accurately and completely prepare and serve a copy of a proposed Uniform Support Order (FOC 10/52) on the other party, along with a notice that the order will be submitted to the referee for approval if there are no objections filed within 7 days of the service of the notice. See the Notice of Entry of Order (FOC54) in this packet. The moving party must prepare the Uniform Support Order (FOC 10/52) using the instructions provided. The moving party must then file the original proposed order and a copy for the Friend of the Court with the Circuit Court Clerk, serve a copy on the other party and any attorneys of record, along with the Notice of Entry and proof of service (Certificate of Mailing). Upon receipt, the Clerk will hold the order for the 7-day objection period, and then, if no objections are filed, submit it to the assigned referee for approval and entry by the Court.

Objecting Party – **Note: An objection to a Notice of Entry of Order may only address accuracy or completeness of the proposed order, i.e. that it does not reflect the referee’s findings from the hearing.** In order to object to the noticed order, the objecting party must file an objection in writing with the Circuit Court Clerk, stating specifically what in the proposed order is contrary to or should be included or deleted from the order. An Objection to Entry of Order in this packet may be used for this purpose. The objecting party must also file an alternative proposed order containing what is believed to accurately reflect the referee’s findings, and a notice of hearing on the objection. The objecting party must contact the assigned Referee Assistant to obtain a hearing date for the objection. The hearing will take place on the Referee’s motion hearing date and time. Follow the instructions for obtaining a hearing date/time in the instructions for filing a motion contained in this packet.

Objection Hearing – If an objection and notice of hearing was filed, the referee will review the proposed order and the alternative proposed order, approving the order that accurately reflects the findings from the Motion hearing or Evidentiary Hearing.

## INSTRUCTIONS FOR COMPLETING THE “UNIFORM SUPPORT ORDER” (FOC 10/52)

The Uniform Support Order in this packet is for use with friend of the court cases. If you have obtained an Order Exempting Case from Friend of the Court Services (you have opted out of friend of the court services), you must use the “Uniform Support Order No Friend of the Court Services” FOC 10a/52a, which is available through the SCAO web site.

[www.courts.michigan.gov/scao/courtforms/](http://www.courts.michigan.gov/scao/courtforms/)

Note: The Michigan Court Rules require that the court enter support on the latest version of the Uniform Support Order. This packet contains the latest version, dated 7/08. If you are accessing a Uniform Support Order from some other source, be sure that it is the latest SCAO approved version.

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

All items must be completed before the order can be given to the referee for approval. Please read the instructions for all items, then fill in the correct information for that item on the Uniform Support Order.

Case Caption: Before you fill in the Case Number, get your copy of the Motion Regarding Support or your court papers for divorce, separate maintenance, paternity, family support other family matter or qualified interstate order. Copy the Case Number from that paper onto all pages of the Order.

Also use the motion or other court papers to fill in the “Plaintiff” and “Defendant” boxes. Copy the names from the motion or other court papers onto **both 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.

At the top of the order (each page), you must indicate that the Uniform Support Order is a modification by checking the “Modification” box.

Fill in the names of the assigned Family Division Judge and Family Division Referee, and the date that your hearing was held. If the referee ordered special language in your order (such as deviation from the Child Support Formula), check the box “standard provisions have been modified”.

Section 3 “Child Support”: Complete exactly as the Referee indicated at your hearing. Be sure to enter the payer and payee information correctly, as well as the effective date of the support change and the name(s) and date(s) of birth of the minor child(ren). Accurately and completely enter the amount of the support obligation, being sure to include support, health care premium adjustment or social security credit, the ordinary medical obligation, and the child care obligation, if any. **If there is more than one child, there must be “tiered” support (you must enter the support obligation for when there are multiple children and as each child emancipates).**

Support under the Child Support Formula is based upon the number of overnights annually that each party has the child in his or her physical custody (parenting time that is actually being exercised). You must enter the number of overnights for each of the parties upon which the support calculation is based, which must total 365.

Unless the referee ordered support that deviates from the Formula, check the “do” follow the child-support formula box. (Note: If the referee ordered support that deviates from the Formula, you must check the “do not” follow the formula box as well as the box that states “Standard provisions have been modified” just above Section 1. You must then include the reason(s) for deviation in Section 13, as well as the amount that would have been ordered had the Formula been followed.)

Section 4 “Insurance”: If the referee ordered that one or both of the parties are to maintain health care insurance for the minor child(ren), indicate by checking one or both of the boxes in Section 4, as well as any maximum amount of premium that may have been ordered. (Note: If health care coverage has previously been ordered in your case, the referee may not have ordered any change and the previous order remains in effect.)

Section 5 “Uninsured Health-Care Expenses”: The referee likely ordered a percentage amount for each party for uninsured health care expenses. The percentages must total 100%, and must be in whole percentage points (not tenths or hundredths of a percent). Enter the percentage amount for the plaintiff and defendant. [Note: In cases where the plaintiff or defendant is a third party custodian instead of a parent (such as in a DZ case), the court may order 100% of uninsured medical expenses to be paid by the party who is the parent.] The annual ordinary medical amount is \$345 per year per child (enter \$345 times the number of children).

At the bottom of the second page of the Order, you should indicate your name next to “Prepared by”.

The order must be **complete and accurate**, based upon what the referee stated at the court hearing. Please remember that if it is not in the written order, it is not ordered.

Follow the instructions on the Order Entry Processes (previous pages).

**You must be sure to read this entire booklet.**

<b>STATE OF MICHIGAN</b> <b>37<sup>th</sup> JUDICIAL CIRCUIT</b> <b>CALHOUN COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 1)</b> <input type="checkbox"/> EX PARTE <input type="checkbox"/> TEMPORARY <input type="checkbox"/> MODIFICATION <input type="checkbox"/> FINAL	<b>CASE NO.</b>
--	---	-----------------

Court address: 161 E. Michigan Ave., Battle Creek, MI 49014

FAX no. (269) 969-6564 Court telephone no. (269) 969-6500

Plaintiff's name, address, and telephone no.
Plaintiff's attorney name, bar no. address, telephone no.
Plaintiff's source of income name, address, and telephone no.

v

Defendant's name, address, and telephone no.
Defendant's attorney name, bar no., address, and telephone no.
Defendant's source of income name, address, and telephone no.

**Circuit Court Judge:** HONORABLE \_\_\_\_\_  
**Probate Court Judge:** HONORABLE GARY K. REED (P27878)  
**Family Division Referee:** \_\_\_\_\_  
**Referee's Approval (init./date):** \_\_\_\_\_  
**Date of Referee Hearing:** \_\_\_\_\_  
**UNLESS OTHERWISE ORDERED in item 13:**     standard provisions have been modified (see item 13)

1. The support obligation for a child continues until that child reaches age 18. The support obligation for a child continues thereafter until that child reaches age 19 years and 6 months, as long as the child is regularly attending high school full – time with a reasonable expectation of graduating, and the child is residing full – time with the support recipient or at an institution. Child care for a child continues through August 31 following that 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 change ends those expenses.

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

3. **Child Support.** The payer has a monthly child support obligation as follows:

Payer:	Payee:	Support effective date:
Children's names and birth dates:		
Children supported: 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:	\$	\$
SS benefit credit:	\$	\$
<b>Total:</b>	<b>\$</b>	<b>\$</b>
<input type="checkbox"/> Support includes a parental – time offset using ____ overnights for _____ and ____ overnights for _____ Plaintiff _____ Defendant		
The above ordered support provisions <input type="checkbox"/> do <input type="checkbox"/> do not    follow the child support formula.		

(see Page 2 for remainder of order)

<b>STATE OF MICHIGAN</b> <b>37<sup>th</sup> JUDICIAL CIRCUIT</b> <b>CALHOUN COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 2)</b> <input type="checkbox"/> EX PARTE <input type="checkbox"/> TEMPORARY <input type="checkbox"/> MODIFICATION <input type="checkbox"/> FINAL	<b>CASE NO.</b>
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Court address: 161 E. Michigan Ave., Battle Creek, MI 49014

FAX no. (269) 969-6564 Court telephone no. (269) 969-6500

Plaintiff Name

Defendant Name

v

4. **Insurance.** For the benefit of the children,  plaintiff  defendant shall maintain health care coverage through an insurer [as defined in MCL 552.602(o)] 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 5% of the plaintiff's/defendant's gross income.
5. **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 yearly ordinary medical amount is \_\_\_\_\_.
6. **Qualified Medical Support Order.** This order is a qualified medical support order pursuant to 29 USC 1169. To qualify this order, the friend of the court shall issue a notice to enroll under MCL 552.626b. A parent may contest the notice by requesting a review or hearing concerning availability of health care at a reasonable cost.
7. **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 will 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.
8. **Change of Address, Employment Status, Health Insurance.** Both parties shall notify the friend of the court in writing, within 21 days of any change in: a) their mailing or residence address 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 under MCL 552.603.
9. **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 legally responsible for that child; 2) shall abate support charges for a child who resides on a full-time basis with the payer of support; or 3) shall redirect support to the Department of Human Services for a child placed in foster care.
10. **Fees.** The payer of support shall pay statutory and service fees as required by law.
11. **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 investigate more than 1 request received from a party each 36 months. A party may also file a motion to modify this support order.
12. **Prior Orders.** Except as changed in this order, prior provisions remain in effect. Support payable under any prior order is preserved. Any past-due support shall be paid in the amount calculated using the Michigan Child Support Formula.

13.

[Empty rectangular box for additional text or signature]

<b>STATE OF MICHIGAN</b> <b>37<sup>th</sup>JUDICIAL CIRCUIT</b> <b>CALHOUN COUNTY</b>	<b>UNIFORM CHILD SUPPORT ORDER (PAGE 3)</b> <input type="checkbox"/> EX PARTE <input type="checkbox"/> TEMPORARY <input type="checkbox"/> MODIFICATION <input type="checkbox"/> FINAL	<b>CASE NO.</b>
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Court address: 161 E. Michigan Ave., Battle Creek, MI 49014

FAX no. (269) 969-6564 Court telephone no. (269) 969-6500

Plaintiff Name
----------------

v

Defendant Name
----------------

**INTERIM EFFECT OF REFEREE’S DECISION**

**IT IS FURTHER ORDERED** that this recommended order shall enter forthwith and the Referee’s findings shall be given immediate effect on an interim basis pending judicial hearing. If a motion to set aside Referee’s recommended order is filed, this order will remain in effect and must be obeyed unless changed by later order of this Court. This order will become a final order if no motion to set aside the Referee’s recommendation is filed with the Clerk of the Court within 21 days of the date of the service of this recommended order or after de novo hearing as the Court may determine.

**IT IS SO ORDERED:**

\_\_\_\_\_ Date

\_\_\_\_\_ Circuit Court Family Division Judge  
Probate Court Judge

\_\_\_\_\_ Bar No. P26033  
Bar No. P27878

**NOTICE OF RIGHT TO REQUEST JUDICIAL HEARING**

Either party has the right to request a judicial hearing, within 21 days after date of service, set forth below, by filing a Motion to Set Aside Referee's Recommendation, along with a Notice of Hearing, properly scheduling the matter before the assigned Honorable. The party requesting the judicial hearing must serve the motion and notice of hearing on all interested parties and attorneys of record. The original motion and notice of hearing, together with the proof of service, must be filed with the Circuit Court Clerk's Office, Family Division.

**CERTIFICATE OF MAILING**

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

\_\_\_\_\_ Date

\_\_\_\_\_ Authorized Representative

**STATE OF MICHIGAN  
37<sup>th</sup> JUDICIAL CIRCUIT  
CALHOUN COUNTY**

**NOTICE OF ENTRY OF ORDER  
MCR 3.215  
Referee 7-Day Rule**

**CASE NUMBER**

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

Plaintiff's name, address and telephone no.

Attorney:

v Defendant's name, address, and telephone no.

Attorney:

Hon. \_\_\_\_\_  
**Assigned Judge**

**ASSIGNED REFEREE:**

- Norman J. Fryer, Jr., Chief Family Division Referee
- Steven J. Keller, Family Division Referee
- Tina Yost, Family Division Referee
- Phillip Netz, Family Division Referee
- Kristen Getting, Family Division Referee

**NOTICE**

To:     Plaintiff    Plaintiff's Attorney  
       Defendant    Defendant's Attorney

The attached         UNIFORM SUPPORT ORDER  
                           ORDER REGARDING CUSTODY, PARENTING TIME AND CHILD SUPPORT  
                           ORDER REGARDING PARENTING TIME

will be submitted to the assigned Family Division Referee for approval and for entry by the Court if there are no objections filed within 7 days of the service of this Notice. (Note: an objection may only address accuracy or completeness of the proposed order.)

\_\_\_\_\_  
Signature of Moving Party

\_\_\_\_\_  
Date

**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this Notice of Entry of Order on the  Plaintiff  Plaintiff's Attorney  Defendant  Defendant's Attorney by mailing by first class mail addressed to their last known addresses as defined in MCR 3.203.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**STATE OF MICHIGAN  
37<sup>th</sup> JUDICIAL CIRCUIT  
CALHOUN COUNTY**

**OBJECTION TO ENTRY OF ORDER  
MCR 3.215  
Referee 7-Day Rule**

**CASE NUMBER**

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

Plaintiff's name, address and telephone no.

v Defendant's name, address, and telephone no.

Attorney:

Attorney:

**HON.** \_\_\_\_\_

**Assigned Judge**

ASSIGNED REFEREE:

- Norman J. Fryer, Jr., Chief Family Division Referee
- Steven J. Keller, Family Division Referee
- Tina Yost, Family Division Referee
- Phillip Netz, Family Division Referee
- Kristen Getting, Family Division Referee

**OBJECTION**

To:  Plaintiff  Plaintiff's Attorney  Defendant  Defendant's Attorney  
Objection is filed to the entry of a  UNIFORM SUPPORT ORDER;  ORDER REGARDING  
CUSTODY, PARENTING TIME AND CHILD SUPPORT;  ORDER REGARDING PARENTING TIME  
which was noticed for entry by the  Plaintiff  Plaintiff's Attorney  Defendant  Defendant's  
Attorney on \_\_\_\_\_.  
Date

The Order as noticed is inaccurate or incomplete as follows: (Attach a separate sheet if necessary)

Attached is an alternate order, which accurately reflects the findings of the Family Division Referee.

**NOTICE OF HEARING**

**A hearing shall be held before the assigned Family Division Referee on \_\_\_\_\_ (date)**

**at \_\_\_\_\_ am/pm in Hearing Room \_\_\_\_\_, Justice Center, Battle Creek, Michigan.**

\_\_\_\_\_  
Signature of Submitting Party

\_\_\_\_\_  
Date

**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this Objection to Entry of Order to the  Plaintiff  
 Plaintiff's Attorney  Defendant  Defendant's Attorney by mailing by first class mail addressed  
to their last known addresses as defined in MCR 3.203.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature