

|  |  |                                     |
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| <b>STATE OF MICHIGAN</b><br><b>30TH JUDICIAL CIRCUIT</b><br><b>INGHAM COUNTY</b> | <b>FRIEND OF THE COURT</b><br><b>MOTION TO ESTABLISH OR CHANGE</b><br><b>SUPPORT</b> | <b>CASE NO.</b><br><br><b>JUDGE</b> |
|--|--|-------------------------------------|

COURT ADDRESS 313 W. Kalamazoo St., Lansing, MI 48933

COURT TELEPHONE NO. (517) 483-6500

|   |    |   |
|---|----|---|
| Plaintiff's name, address and telephone no. | vs | Defendant's name, address and telephone no. |
|---|----|---|

|   |      |      |      |      |     |
|---|------|------|------|------|-----|
| Names and birth dates of all minor children:<br>NAMES AND BIRTH DATES <u>MUST BE INCLUDED</u> |      |      |      |      |     |
|   | NAME | DOB  | NAME | DOB  |     |
| NAME  | DOB  | NAME | DOB  | NAME | DOB |

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

**OR**

b. There is currently no order regarding child support.

2.  The  plaintiff  defendant  third party is ordered to pay support of \$\_\_\_\_\_ each \_\_\_\_\_.

3.  The  plaintiff  defendant  third party is ordered to pay child care \$\_\_\_\_\_ each \_\_\_\_\_.

4.  The  plaintiff  defendant  third party is ordered to health care of \$\_\_\_\_\_ each \_\_\_\_\_.

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

6.  \_\_\_\_\_ and I have agreed to support as follows:  
Name

Use a separate sheet to explain in detail what you have agreed on and attach. Include all necessary facts.

\_\_\_\_\_  
Date                      Plaintiff's Signature

\_\_\_\_\_  
Date                      Defendant's Signature

7. **I ask the court to order that support** be paid as follows:

In accordance with the Michigan Child Support Formula.

As set forth in item #6 above

Other (Use a separate sheet to explain in detail what you want the court to order.)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Moving party's signature

NOTE: If you are the person receiving this motion, you may file a response. Contact the Friend of the Court office and request form FOC 51.

**\*\*\*\* YOU MUST FILE A PROOF OF SERVICE \*\*\*\***

(A proof of service form is included in your packet. See the back of **that form** for instructions on how to complete form and make service.)

**INSTRUCTIONS TO COMPLETE THE  
MOTION TO ESTABLISH OR CHANGE SUPPORT**

***PLEASE READ ALL INSTRUCTIONS CAREFULLY BEFORE  
COMPLETING THE MOTION.***

Complete the case information area (information within the boxes). Remember that if you were the plaintiff when the case began, you are still the plaintiff.

**Item #1**, check either box a or b. If you checked box a, you must indicate the date of the last order regarding support.

**Items #2,3 &4** require you to provide details of what the current order requires for the payment of child support (2), child care (3) and health care (4). Please indicate who is to pay, the amount to be paid and the frequency of payments to be made.

**Item #5** requires you to provide details of a **significant change of circumstances** since the last order for support. This information is to be explained in detail on a separate sheet and attached to the Motion. Please include whatever reasons apply in your case and include all the facts necessary to explain why you feel support should be changed.

**Item #6**, if the parties have agreed upon a change in support, attach the details of the agreement. If the amount of support the parties have agreed upon is **not** in conformity to the Michigan Child Support Formula, the parties must set forth the amount of the deviation and the reasons for such deviation. Both parties must sign the form where indicated.

**Item #7**, requires you to specify what level of support you seek. Please check the box applicable to your request.

**INSTRUCTIONS FOR FILING A MOTION  
TO ESTABLISH OR CHANGE CHILD SUPPORT**

- A. After completing your Motion and the Friend of the Court Referral Order you are ready to file your Motion.
1. Take your Motion and FOC Referral Order (with four copies) to the Court Clerk's office located at Veteran's Memorial Courthouse, 313 W. Kalamazoo, P.O. Box 40771, Lansing, MI 48901-7971.
  2. The court clerk will keep the original and one copy of your Motion for the Friend of the Court. They will attach the FOC Referral Order to a copy of your Motion and route this to the Friend of the Court office.
  3. You will also need to pay the filing fee and order fee to the clerk when you file your Motion. At the present time, the filing fee is \$20.00 and the order fee is an additional \$40.00, for a total of \$60.00.
  4. On receipt of the FOC Referral Order and your Motion, the Friend of the Court will make a recommendation regarding the routing of your case for either an investigation, referee hearing or conciliation. The Friend of the Court will then sign the order and forward it to the assigned Judge for approval. The signed Referral Order will then be returned to the Court Clerk's office.
  5. You will need to make arrangements to obtain your copies of the signed FOC Referral Order. You can return to the Court Clerk's office to pick up the signed order or you can leave a self-addressed, stamped envelope with the clerk when you file your Motion so that the Court Clerk's office can put your copies in the mail. You may want to make a photocopy of the FOC Referral Order you submitted to hold on to until you receive the signed Referral Order.
- B. After getting the FOC Referral Order back, you **must** serve the Motion and FOC Referral Order on the opposite party. This is done by mailing the Motion and FOC Referral Order by first class mail to the opposite party.
1. After mailing the Motion and Referral Order to the other party, complete the Proof of Service form, checking off the appropriate box(es) of what you mailed.
  2. After completing the Proof of Service, you will need to file it with the Court Clerk's office and send a copy to the other party.
- C. You should hear from the Friend of the Court within three (3) weeks of the date that the FOC Referral Order is signed by the Judge. If you do not, call the FOC Investigations Unit to check on the status of your case.

|   |   |                                      |
|---|---|--------------------------------------|
| <b>Friend of the Court<br/>Referral Order</b> | <b>State of Michigan<br/>30th Judicial Circuit<br/>Ingham County, Family Division</b> | <b>Case No:</b><br><br><b>Judge:</b> |
| Plaintiff (Name, address & phone)             | Defendant (Name, address & phone)   |                                      |
| Plaintiff's Atty. (Bar #, address & phone)    | Defendant's Atty. (Bar #, address & phone)  |                                      |

**A COPY OF YOUR MOTION MUST ACCOMPANY THIS FORM**

**1. I, \_\_\_\_\_ (name of party making the request) request a referral to the Ingham County Friend of the Court for:**

- |  |   |
|--|---|
| <input type="checkbox"/> Custody Evaluation        | <input type="checkbox"/> Spousal Support Evaluation       |
| <input type="checkbox"/> Parenting Time Evaluation | <input type="checkbox"/> Domicile Evaluation              |
| <input type="checkbox"/> Child Support Evaluation  | <input type="checkbox"/> Parenting Time Order Enforcement |

**2. The Friend of the Court having reviewed the above request and attached motion(s), recommends:**

- Referral for Conciliation of Custody, Support, Parenting Time, Spousal Support, Domicile, and/or other issues
- Referral for a Referee Hearing for: \_\_\_\_\_
- Referral to Parenting Time Advocate
- Referral for an Investigation of: \_\_\_ Custody \_\_\_ Parenting Time \_\_\_ Child Support \_\_\_ Spousal Support, \_\_\_ Domicile, including:
- Motion has failed to allege proper cause or significant change in circumstances and notice of the same has been given to the filing party.

Comments: \_\_\_\_\_

FOC Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**3. The Court having reviewed the above request and attached motion(s) orders as follows:**

- Referral for Conciliation of Custody, Support, Parenting Time, Spousal Support, Domicile and/or other issues
- Referral for a Referee Hearing
- Referral to Parenting Time Advocate
- Referral for an Investigation of: \_\_\_ Custody, \_\_\_ Parenting Time \_\_\_ Child Support \_\_\_ Spousal Support, \_\_\_ Domicile
- A hearing after investigation will be held before the Ingham County Friend of the Court Referee.
- Motion dismissed.

This request for services by the moving party requires the Friend of the Court office to reopen its case pursuant to MCL 552.505a

To assist in determining this matter, the Michigan Department of Human Services/Children's Protective Services shall release to the Ingham County Friend of the Court forthwith any and all requested information and reports in their possession regarding the parties or the children involved in this case.

Date: \_\_\_\_\_

\_\_\_\_\_  
Family Division Judge, Circuit Court

I certify that I mailed a copy of this referral order, any required notice of hearing and motion to the other party at the address stated above.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (Type or Print): \_\_\_\_\_

## FRIEND OF THE COURT REFERRAL ORDER

**A.** This form may be used to obtain a referral of an appropriate Domestic Relations matter to the Ingham County Friend of the Court (FOC) after a motion to modify a court order has been filed with the court.

To request a referral, fill in the names, addresses, phone numbers, docket number and complete SECTION 1 of the form only (the shaded portions of the form). **AFTER** completing this form, submit it along with a copy of your motion to the Friend of the Court, Investigations Unit, 303 W. Kalamazoo Street, PO Box 40097, Lansing, MI 48901. Your motion **must** be filed with the Clerk of the Court **prior** to requesting a referral to the Friend of the Court. The Clerk of the Court is located at 313 W. Kalamazoo, PO BOX 40771, Lansing, MI 48901. On the receipt of your request, the Friend of the Court will review the request, make recommendations and forward it to the Court for review and signature.

**1. Referral Request** - Indicate what type of referral you want.

- a. *All cases will be conciliated unless otherwise ordered by the court.*
- b. *The Friend of Court will not conduct an additional evaluation (on the same issues) on a case that has been investigated or conciliated within the previous 180 days unless the accompanying motion details the change of circumstances that have occurred since the last evaluation.*
- c. *Motions to modify support will be referred for a financial investigation and appropriate administrative action under the Michigan Child Support Guidelines.*
- d. *A spousal support referral is for the determination of what amount of support (alimony) one spouse should pay to another.*
- e. *A domicile evaluation referral is requested when the custodial parent desires to change the State or Country of residence of a child.*
- f. *A referral to the Parenting Time Advocate should be requested only where there is an allegation that one of the parties has violated an existing parenting time provision of a court order. This option is **not** to be used to seek a change of the existing order such as to request that parenting time be restricted, increased, decreased or terminated.*
- g. *Psychological and drug assessment referrals have a cost associated with them that the parties may be required to pay. If psychological evaluations are requested, they will generally be ordered for the entire family.*
- h. *All requested referrals **must** be supported by the information contained in your motion. The Friend of the Court will not evaluate an issue where there is no information to support the evaluation request.*

**2. Friend of the Court Review and Recommendation** - **Do not complete this section.** Upon receipt, the Friend of the Court will review the request along with your motion, make recommendations and forward it to the Court for review and signature.

**3. Court Order** - **Do not complete this section.** After reviewing the request & motion and FOC recommendation the Court will order your case to conciliation, investigation or to a Parenting Time Advocate for parenting time enforcement.

**B.** You may pick up your copies, "True Copies," of the order from the clerk's office, seven to ten days after leaving them at the Friend of the Court office. In the alternative, you can have the copies of the Order mailed to you if you provide a stamped self-addressed envelope to the clerk's office when filing your motion. If the matter is referred for an investigation, a hearing date will be set by the court.

**C.** Upon receipt of the copies of the Friend of the Court Referral Order, the requesting party **must** send a copy to the opposing party or his or her attorney, and certify that a copy of the order and any motion were properly served.

|   |                         |                       |
|---|-------------------------|-----------------------|
| STATE OF MICHIGAN<br>30TH JUDICIAL CIRCUIT<br>INGHAM COUNTY | <b>PROOF OF SERVICE</b> | CASE NO.<br><br>JUDGE |
|---|-------------------------|-----------------------|

COURT ADDRESS

COURT TELEPHONE NO. (517) 483-6500

|   |    |   |
|---|----|---|
| Plaintiff's name, address and telephone no. | vs | Defendant's name, address and telephone no. |
|---|----|---|

certify that on \_\_\_\_\_, a copy of the following documents were served on the other party by first class mail at the address listed above:  
Date

- Motion To Change Support Order.
- Friend Of The Court Motion To Establish Or Change Custody.
- Friend Of The Court Motion To Establish Or Change Parenting Time.
- Friend Of The Court Referral Order And Notice Of Hearing.
- Notice Of Hearing.
- Order;
  - a. Order Changing Support.
  - b. Order Regarding Custody.
  - c. Order Regarding Parenting Time.
- Other. (Describe other documents served on the other party).

Date

Signature

Name (Type or print)