

INSTRUCTIONS FOR FILING A MOTION REGARDING CUSTODY

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, your motion may be delayed or dismissed.

1. Fill out the Motion form. (FOC 87)

Make copies of Motion and any attachments you may have. Make one for you, the other party, any attorneys, and the FOC.

2. Fill out the Referral Order

Make a copy for yourself.

3. File the Motion form with the Circuit Court Clerk's Office.

Take the original Motion, the copies of the Motion and any attachments to the Circuit Court Clerk's Office along with the original Referral Order.

Make sure you sign the certificate of mailing on the Motion.

Pay the \$100.00 filing fee to the Circuit Court Clerk's Office.

They will keep the original Motion. Both a copy of the Motion and the original Referral Order need to be turned in to the Friend of the Court office.

4. Serve the Motion on the other party.

The other parent, or other party (if there is a custodian or guardian other than a parent), and any attorneys must be served with a copy of the motion and any attachments by first-class mail.

| | | |
|--|---------------------------------|---------------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY | MOTION REGARDING CUSTODY | (A) CASE NO. |
|--|---------------------------------|---------------------|

Court address

Court telephone no.

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

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

v

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

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

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

(E) 3. The following child(ren) have been living with _____ at _____ since _____
Name (s) Date
Complete Address

(F) 4. Circumstances have changed as follows that require custody or a change in custody:
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

(G) 5. Proper cause exists as follows that require custody or a change in custody: Use a separate sheet to explain in detail which factors of the Child Custody Act for determining best interests of the child(ren) are affected by the circumstances in 4. above. Include all necessary facts.

(H) 6. _____ and I agree to custody, support, and parenting time as follows:
Name
Use a separate sheet to explain in detail what you have agreed on and attach. Include all necessary facts.

(I) 7. 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.

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

(J) _____
Date

Moving party's signature

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this motion on the parties or their attorneys by first-class mail addressed to their last-known addresses.

Date

Name

Eaton County Friend of the Court Referral Order

 **This section to be completed by the Plaintiff, the Defendant, or an Attorney**

Case No.: _____

Hon. _____
(name of Judge)

| |
|----------------------|
| Name of Plaintiff |
| Address of Plaintiff |
| |
| Phone Number |

| |
|----------------------|
| Name of Defendant |
| Address of Defendant |
| |
| Phone Number |

I _____ have attached a copy of the motion that I have
(Name of Party making the request)

filed with the Court and request referral to the Friend of the Court for the following:

- _____ Custody Evaluation
- _____ Parenting Time Evaluation
- _____ Child Support Evaluation
- _____ Change of Domicile Evaluation

Dated: _____
Signature of Party making request

 **This section to be completed ONLY by the Friend of the Court and the Court.**

The Friend of the Court having reviewed the above request and attached motion(s) recommends that the Court enter the following Referral Order:

Order
At a session of said Court
held in the city of Charlotte, on the
_____ day of _____

IT IS ORDERED this matter is referred to the Friend of the Court for the following:

- _____ Custody Evaluation
- _____ Parenting Time Evaluation
- _____ Child Support Evaluation
- _____ Parenting Time Conference
- _____ Custody Conference
- _____ Change of Domicile Evaluation
- _____ Referee Hearing
- _____ Other: _____

Circuit/ Probate Court Judge

Approved by the Friend of the Court