

**DIRECTIONS FOR COMPLETING A
MOTION REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE**

Use this form if:

To request permission to move your child (ren) from the State of Michigan or greater than 100 miles from the child (ren) legal residence when the case commenced.

1. Complete required motion form all the way to the “**NOTICE OF HEARING**” section..
2. The motion must be e-filed at MiFile <https://mifile.courts.michigan.gov> or e-file at:

Circuit Court Records
414 Washington, Room 320
Grand Haven, MI 49417

DO NOT SEND THE FORM TO THE FRIEND OF THE COURT

Circuit Court Records and the Circuit Court Trial Division Assignment Clerk will electronically process the motion. The Assignment Clerk will schedule the hearing and send the notice to you and the other party to your MiFile account, by email, or by mail. Your hearing will be scheduled within 4-6 weeks as the Court’s calendar allows.

Use the following checklist to make sure you have completed all necessary steps.

DID YOU . . .

- Fill out all requested information on the form? (Please note for the Court in the address section if you do not know the other party’s address or the other party’s address is confidential.)

By using this form packet, you are representing yourself in a court action regarding support. In order to be heard by the Court, you must follow these instructions. If the instructions are not followed, your motion may be delayed or dismissed.

After the court hearing you will be required to prepare the “Order “allowing or denying the change of domicile. The attached Order must be given to the Judge for signature. **BRING THE ORDER TO THE HEARING!** The signed order must be e-filed with Circuit Court Records.

INSTRUCTIONS FOR COMPLETING "MOTION REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE"

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

Items A through G 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 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 both names where they belong, you must check the box "moving party" in the same box as your name.

- (C)** Enter the date of the most recent order regarding custody.
- (D)** You need to explain why you think it is in the best interests of the child(ren) for the court to order this request. Use a separate sheet of paper and print your explanation as neatly as you can. You will need four copies of this sheet to attach to copies of this form. If you checked the box in item 1 that you have sole legal custody, you must explain why it is in the best interests to move. If you have joint legal custody, you must explain how each of the factors applies to your family situation. See MCL 722.31 for the factors allowing you to move.
- (E)** For items 4 and 5, you need to explain in as much detail as possible what you want the court to order. Use a separate sheet of paper and print as neatly as you can. You will need four copies of this sheet to attach to copies of this form.
- (F)** Write in today's date and sign your name. Now contact 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.
- (G)** 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.

- (H)** 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. Read page 4 of this booklet for details.

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

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE	(A) CASE NO.
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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. On _____ a judgment
Date
or order was entered regarding custody.
2. Legal custody is joint.
 sole with the plaintiff. defendant.

(D) 3. It is in the best interests of the child(ren) to permit a change in the legal residence or the domicile of the following child(ren) because: Use a separate sheet to explain in detail why it is in the best interests of the child(ren) and attach. Include all necessary facts. Name each child for whom you want this change.

(E) 4. I ask the court to enter an order allowing a change of domicile or legal residence. Use a separate sheet to explain in detail what you want the court to order and attach.

(F) 5. I ask the court to enter an order continuing the current parenting-time order. modifying the parenting-time order 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.

(G) 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. When contacting the court, provide your case number(s).

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 116.

CERTIFICATE OF MAILING

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

(H) _____ Date

_____ Moving party's signature