



## Form FOC 50 MOTION REGARDING SUPPORT CHECKLIST

**Use this form if:** You have a pending case for custody, divorce, separate maintenance, family support or paternity; or you are a party who has a support order through a judgment of custody, divorce, separate maintenance, or family support order, or an order of filiation and you want the court to change support.

1. Completely fill out the requested information on the form. (See Instructions)
2. File the completed **original** Motion at the Friend of the Court or the County Clerk's office.

### Filing at the Friend of the Court

You **MUST** complete the top section only. **DO NOT** complete the Notice of Hearing or Certificate of Mailing sections. Bring the original to the Friend of the Court office. The Friend of the Court office will provide copies to parties/attorneys; will schedule conferences/hearings; and provide notice to the parties. You may pay by check or money order made out to "Wexford County Clerk" or "Missaukee County Clerk". **We do not accept cash for filing fees.**

### Filing at the Clerk's Office

You **MUST** complete the top section **AND** the Certificate of Mailing section. **DO NOT** complete the Notice of Hearing section. Take the original and 5 copies to the Clerk's office in the county the case is filed in. Provide a copy of the Motion to the Friend of the Court office, the other party/attorney and yourself. The Friend of the Court office will schedule conferences/hearings and provide notice to the parties. You may pay by cash, check or money order made out to "Wexford County Clerk" or "Missaukee County Clerk".

3. A filing fee of \$60 (\$20 motion fee and \$40 order fee) must accompany the Motion if it is filed after a Judgment of Divorce or Order of Filiation has entered. In a pending case, a motion fee of \$20 must accompany the Motion.
4. If you cannot afford to pay the filing fee, you may request and complete an Affidavit and Order Suspension of Fees/Costs MC 20.

**BY USING THIS FORM PACKET, YOU ARE REPRESENTING YOURSELF IN A COURT ACTION. 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, THE ORDER YOU GET FROM THE COURT MAY NOT GIVE YOU THE RESULT YOU WANT.**

Updated October 2012

## INSTRUCTIONS FOR COMPLETING "MOTION REGARDING SUPPORT"

Please print neatly. After filling in the form, you will need to make at least five 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 for divorce, separate maintenance, paternity, or family support 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 the names where they belong, you must check the box "moving party" in the same box as your name.

**(C)** **Check only one box.** If you have a judgment or order for divorce, separate maintenance, paternity, or family support, 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, separate maintenance, paternity, or family support to find out who was ordered to pay support, child care, and health care; how much; and how often. Write this information here.

**(G)** Check this box only if you checked box a. in **(C)** above **and** conditions have changed that require a change in support. **Explain in** as much **detail** as possible what has happened. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.

**(H)** Check this box if you and the other party have agreed to start support or make changes in the support. **Explain in** as much **detail** as possible what you have agreed on. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to copies of this form.

**(I)** You need to **explain in** as much **detail** as possible what you want the court to order. If you checked **(H)** above, check the box "Same as 6. above." Otherwise, write in the details. If you need more space, use a separate sheet of paper. Print this information as neatly as you can. You will need four copies of this sheet to attach to copies of this form.

**(J)** 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.

**(K)** 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.

**(L)** 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. See page 4 of this booklet for details.

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