

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	RESPONSE TO MOTION REGARDING SUPPORT	(A) CASE NO.
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Court address Court telephone no.
401 N. Lake St Cadillac Mi 49601 **(231)779-9494**

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

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

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

(C) 1. a. On _____ a judgment
Date
 or order was entered regarding support.
 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 regarding support have changed as stated in the motion.
 Explain in detail what you do not agree with and why. Include all necessary facts. Use a separate sheet of paper if needed.

(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 agree on. Include all necessary facts. Use a separate sheet of paper if needed.

(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 that support be paid as follows:
 If you do not agree with the request in the motion, explain in detail why and what you want the court to order. Use a separate sheet of paper if needed.

(J) _____
 Date

 Responding party's signature

CERTIFICATE OF MAILING

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

(K) _____
 Date

 Responding party's signature

Form FOC 51
RESPONSE TO MOTION REGARDING SUPPORT CHECKLIST

Use this form if: You get a Motion Regarding Support (FOC 50). By filling out this form, you are answering the statements made in the motion.

1. Completely fill out the requested information on the form. (See Instructions)
2. File the completed **original** Response to Motion Regarding Support at the County Clerk's office.

You **MUST** complete the top section **AND** the Certificate of Mailing 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 Response 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.

3. Serve the Response by mailing it to the other party/attorney at least 5 days before the Status Conference/Hearing date.
4. Fill out the Certificate of Mailing on the remaining copies. Deliver the original to the County Clerk's office and keep one for your records.
5. You must attend the Status Conference and/or Hearing.

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.

INSTRUCTIONS FOR COMPLETING "RESPONSE TO MOTION REGARDING SUPPORT"

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

Items A through J must be completed before your response 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 copy of the Motion Regarding Support (form FOC 50) and copy the Case No. from that paper onto this form.
- (B)** Also use the motion form to fill in the "Plaintiff" and "Defendant" boxes and if applicable, the "Third Party" box. 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 response 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, 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, how much, and how often. Write this information here.
- (G)** Check this box only if **(G)** is checked on the Motion form (FOC 50). Then check whether you agree or do not agree with what was said in the Motion form (FOC 50). If you check the box "do not agree," **explain in as much detail as possible** what you do not agree with and why. Print this information as neatly as you can. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to four copies of this form.
- (H)** Check this box only if **(H)** is checked on the Motion form (FOC 50). Then check whether you agree or do not agree with what was said in the Motion form (FOC 50). If you check the box "do not agree," **explain in as much detail as possible** what you did agree on. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to four copies of this form.
- (I)** If you agree with the request in the Motion (FOC 50), check box a. 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 form and what you want the court to order. If you need more space, use a separate sheet of paper. Print your explanation as neatly as you can. You will need four copies of this sheet to attach to four copies of this form.
- (J)** Write in today's date and sign your name.
- 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.
- (K)** 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.

TIPS FOR REPRESENTING YOURSELF IN COURT

There is the old adage that describes a person who represents him or herself in court as "having a fool for a client."

People who represent themselves in a court proceeding are Pro Se or In Pro Per parties. "Pro se" or "In Pro Per" is a Latin term meaning "for oneself."

Even for the best prepared pro se litigant, court proceedings can be intimidating. Whether it is due to lack of funds or choice, a self-represented person can do several things to minimize feeling foolish in court.

- Find out what type of court hearing will be held. Is it an informal pretrial discussion or a formal court hearing or trial?
- Observe a similar court proceeding before your court.
- Don't miss your court date. Double-check the date and time.
- Allow plenty of time to get to court. You will need to park, go through security and find your courtroom.
- Arrive at the courtroom 15 minutes early.
- Come prepared and organized.
- Bring an outline of what you plan to say.
- Prepare a short statement of what you want and why.
- Bring your witnesses with you to court. Letters hardly ever suffice.
- Witnesses cannot appear by telephone without advance approval of the court.
- Write out questions for your witnesses.
- Ask your witnesses the questions before your court date.
- Bring three copies of all documents or exhibits.

- Address the judge or referee as "Your Honor."
- Bring paper and pen so you can take notes of what other witnesses say.
- Take notes.
- Dress nicely.
- Do not bring children to court unless specifically required by the court.
- Leave the drama at home. Do not be hostile or rude, and do not interrupt.
- Before you leave court make sure you know what will happen next.
- Ask questions if you are unclear of who will prepare the court order.

Be aware that court procedures and the Rules of Evidence will be followed. Specific statutes will govern the outcome. Court staff cannot give you any legal advice. You will be best served if you meet with a lawyer to discuss your case in advance, even if the lawyer does not represent you in court.

There is also a Michigan Courts Self-Help Center website at:
<http://courts.michigan.gov/scao/selfhelp/selfhelphome.htm>

Don't be afraid to ask attorneys if they offer sliding scale fees or have payment plans. Most attorneys volunteer a number of hours each year in Pro Bono services, another Latin phrase meaning "for the public good."

— Prepared by Marian Kromkowski, Suttons Bay attorney with Kromkowski & Posner and part-time domestic relations referee in Wexford/Missaukee counties.

Record-Eagle <http://record-eagle.com/northernliving/x1270809519/Tips-for-representing-yourself-in-court/print>