

SAGINAW COUNTY FRIEND OF THE COURT
INSTRUCTIONS FOR FILING
RESPONSE TO MOTION REGARDING CUSTODY (FOC 88)

Use this Response if: you received a Motion Regarding Custody from the other party. By filling out this response, you are answering the statements made in that Motion.

FILING YOUR RESPONSE:

- 1) Fill out the FOC 88 Response to Motion Regarding Custody (use a separate sheet and attach if you need more room to explain).
- 2) Bring, mail, or email your FOC 88 and four copies of your documents to the Circuit Court Clerk's Office located in the basement of the Courthouse at [111 S. Michigan Ave., Saginaw, MI 48602](#), circuitcourtreCORDSfiling@saginawcounty.com. Please see the County Clerk's website for further electronic filing instructions. If you mail your motion, include a self-addressed stamped envelope for the Clerk to return copies to you.
- 3) There is no fee to file a response to a motion.
- 4) The Court Clerk will keep the original and one copy and return the remaining copies to you.

SERVING YOUR MOTION

- 1) You MUST serve the Response to the other party (and attorney if represented) as soon as possible after filing your motion and at least **5 days before your hearing**. This is done by mailing the Response and all attachments by first class mail to other party/attorney. If you do not have the other party's address, you can obtain it from the Circuit Court Clerk's office.
- 2) After mailing the Response, complete the CERTIFICATE OF MAILING section on the bottom of the Response form.
- 3) YOU MUST FILE YOUR CERTIFICATE OF MAILING: Return to the Clerk's office to file two copies of the certificate of mailing. The court clerk will route a copy to the Friend of the Court.

PREPARING FOR YOUR HEARING

- 1) You must attend the hearing on this motion. If you do not appear, the Court may make a decision without your attendance. Hearings may be conducted by video conferencing (Zoom). Please review the notice of hearing for Zoom instructions.
- 2) Your hearing may result in a referral to the Friend of the Court for an evidentiary hearing before the Referee.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	RESPONSE TO MOTION REGARDING CUSTODY	(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. 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 child(ren) have been living with _____ at
Name(s) _____ since _____ .
Complete address Date

- (F)** 4. I agree do not agree that circumstances 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 and attach.

- (G)** 5. I agree do not agree that proper cause exists 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 and attach.

- (H)** 6. I agreed with the other party to custody, parenting time, and 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 and attach.

- (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 custody, parenting time, and support as follows: If b is checked, explain in detail why and what you want the court to order. Use a separate sheet of paper if needed and attach.

(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