

SAGINAW COUNTY FRIEND OF THE COURT
INSTRUCTIONS FOR FILING
MOTION REGARDING CHILD SUPPORT (FOC 50)

Use this Motion if: you have an order or pending case for divorce, separate maintenance, paternity or family support case and you want to establish or modify your support obligation (including medical obligation or childcare) or if you want to modify your income withholding order (IWN).

For issues with your IWN, please contact FOC before filing this motion as we may be able to resolve your IWN issues without filing a motion

Do NOT use this Motion form: to change a custody or parenting time order or to establish or modify spousal support.

By filing this motion, you are requesting a HEARING in front of a Friend of the Court Referee- if you have an agreement regarding the change in support, **DO NOT USE THIS FORM- use the Consent Order Request Form.**

FILING YOUR MOTION

- 1) Fill out the FOC 50 Motion Regarding Child Support (use a separate sheet and attach if you need more room to explain). You may leave the Notice of Hearing section blank.
- 2) Bring, mail, or email your FOC 50 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) You will need to pay a \$100 filing fee with this motion by check or money order. If you cannot afford this fee, please fill out a Fee Waiver Request (Form MC 20) and file along with your 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 Motion to the other party (and attorney if represented) as soon as possible after filing your motion and at least **9 days before your hearing**. This is done by mailing the Motion and all attachments by first class mail to other party/attorney at their last known address. 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 Motion, complete the CERTIFICATE OF MAILING section on the bottom of the Motion.
- 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 will receive a **NOTICE OF HEARING** from the Referee's office indicating the date, time and location of your hearing (hearings may be conducted on Zoom). You will receive all information on video conferencing from the Referee Office when you schedule your hearing.
- 2) You must attend the hearing on your Motion. If you do not appear, your Motion will be denied, and you will have to re-file your Motion.
- 3) If the other party responds to your Motion, just read the response and be prepared to address it at your hearing.
- 4) **PAY ATTENTION TO THE REFEREE NOTICE:** It will tell you all of the documentation that you need to bring to your hearing. You will need copies of your pay stubs, W2's, tax records, childcare expenses, disability payments or any other income documentation for this hearing. Please prepare prior to filing your motion.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION REGARDING SUPPORT	(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

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

v

(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 month.
- (E)** 3. The plaintiff defendant is ordered to pay child care of \$ _____ each month.
- (F)** 4. The plaintiff defendant is ordered to pay health care of \$ _____ each month.

(G) 5. Conditions regarding support have changed as follows:
Use a separate sheet to explain in detail what has happened and attach. Include all necessary facts.

(H) 6. _____ and I have agreed to support 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 support be paid as follows: See 6 above for details.
Use a separate sheet to explain in detail what you want the court to order and attach.

(J) _____
Date Moving party's signature

NOTICE OF HEARING

A hearing will be held on this motion before _____
Judge/Referee Bar no.

(K) 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 51.

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 attorneys by first-class mail addressed to the last-known addresses as defined in MCR 3.203.

(L) _____
Date Moving party's signature