

## INSTRUCTIONS FOR FILING A “MOTION TO CHANGE ORDER” IN A TUSCOLA FOC CASE

Complete the attached Motion to Change Order form. Make sure you include the following:

1. The Circuit Court docket number in the upper right corner of the form.
2. Both Plaintiff and Defendant’s names along with their most recent addresses, emails, and phone numbers.
3. Complete all applicable sections of the form. Describe the specific items you want changed and the reasons you are requesting the change.
4. Sign and date your motion.
5. Review the fee schedule below. The Clerk’s Office accepts the following methods of payment:
  - a. Cash payments are accepted in person. Please do not send cash through the mail.
  - b. Debit/credit card payments are accepted in person and for email filings. A small processing fee will apply.
  - c. Check/money order payments are accepted and should be made payable to: **Tuscola County Clerk.**

Once you have completed all of the above steps, then do the following:

1. Make 2 extra copies of the motion along with any attachments for a total of 3 copies.
2. File the original motion and payment (or Fee Waiver Request form) with the Tuscola County Clerk’s Office located at 440 N. State Street, Caro, MI 48723.
  - a. **NOTE: As a result of COVID, contact the Clerk’s Office at 989-672-3780, by email at [54circuitcourt@tuscolacounty.org](mailto:54circuitcourt@tuscolacounty.org) or visit their website at [tuscolacounty.org/clerk/](http://tuscolacounty.org/clerk/) for the most up to date filing procedures.**
3. Keep one copy of the motion for yourself.
4. Serve the other copy of the motion on the opposing party.
5. After you serve the other party with a copy of the motion, you must fill out the attached Proof of Service form and file it with the Tuscola County Clerk’s Office according to the instructions above (see 2a.).

Once you have completed all of the steps above, a hearing will be scheduled. Both parties will receive a notice of hearing with specific instructions (*exception: “Opt Out” motions may not result in hearings*).

### Fee Schedule\*

<b>Custody, Parenting Time, or Change of Domicile</b>	<b>\$100</b>
<b>Child Support</b> ( <i>Support includes health and child care</i> )	<b>\$60</b>
<b>Combination of custody or parenting time &amp; support</b>	<b>\$100</b>
<b>Alimony/spousal support</b>	<b>\$20</b>
<b>Any other domestic relations motions</b>	<b>\$20</b>

*\*If you are unable to pay the fee to file your motion, you might be eligible to have the fee waived. To determine if you are eligible, you must fill out a Fee Waiver Request form (MC20).*

**For more help or addition forms, visit [MichiganLegalHelp.org](http://MichiganLegalHelp.org) or [courts.michigan.gov/scao/courtforms](http://courts.michigan.gov/scao/courtforms)**

<b>STATE OF MICHIGAN          54<sup>TH</sup> JUDICIAL CIRCUIT          FAMILY DIVISION          TUSCOLA COUNTY</b>	<b>MOTION TO          CHANGE ORDER</b>	<b>CASE NUMBER</b>
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440 N State St., Caro, MI 48723

PH: 989-672-3780

*All motions must be typed or handwritten in blue or black only. Fill in all the sections that apply. Use additional sheets if necessary.*

<b>Plaintiff's name, address, email, and phone no.</b> <input type="checkbox"/> Requesting party	<b>Defendant's name, address, email, and phone no.</b> <input type="checkbox"/> Requesting party
<b>Third party's name, address, email, and phone no.</b> (if applicable)	<p style="text-align: center;"><b><u>NOTICE:</u></b></p> <p>If you are the other party receiving this motion, you may file a response. Response to Motion forms are available on the Friend of the Court website at:  <a href="http://www.tuscolacounty.org/courts/forms.php">www.tuscolacounty.org/courts/forms.php</a> or for more information visit <a href="http://www.michiganlegalhelp.org">www.michiganlegalhelp.org</a></p> <p>If you require special accommodations to use the court because of a disability or you require a foreign language interpreter, please contact the court to make arrangements immediately.</p>

1. I, \_\_\_\_\_, ask the Court to change the court order as follows:  
 (Name of person filing the motion/requesting party)

- Change Custody** - Both a) and b) are true as explained in #2 below:
  - a) Proper cause and/or a change in circumstances exists, **and**
  - b) It is in the child(ren)'s best interest to modify the court order
- Change Parenting Time** - It is in the child(ren)'s best interest to change parenting time, as explained in #2 below
- No custody or parenting time order currently exists** - I ask the Court to establish an order as explained in #2 below
- Domicile/Legal Residence** - It is in the best interests of the child(ren) to permit a change as explained in #2 below
- Child Support** - As explained in #2 below, conditions have changed which are causing me to ask for an:
  - Increase in support
  - Decrease in support
  - Extension of support because the child is/will be 18 years old but still in high school
- Other Request:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. The specific circumstances that are causing me to file this motion are (attach additional sheets if necessary):

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3. Based on the above, I ask the Court to change/establish my order as follows:  
(check all boxes that apply and attach additional sheets if necessary)

**Custody**

**Legal custody** - The major decision making authority of the child(ren) be changed to:

Joint legal custody to both parents

Sole legal custody to the  Plaintiff  Defendant

Other: \_\_\_\_\_

**Physical custody** - Where the child(ren) primarily live be changed to:

Joint physical custody to both parents.

Sole physical custody to  Plaintiff  Defendant

Other: \_\_\_\_\_

**Parenting Time**

Follow the Tuscola Parenting Time Guidelines

Other: \_\_\_\_\_

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**Domicile/Legal Residence** - The child(ren) may move to/live in:

The State of: \_\_\_\_\_

Other: \_\_\_\_\_

**Child Support** - Modify the support order as follows:

Plaintiff to pay child support to the Defendant

Defendant to pay child support to the Plaintiff

Neither parent to pay child support

Both parents to pay child support to a 3<sup>rd</sup> party: \_\_\_\_\_

Other: \_\_\_\_\_

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**Other Request:** \_\_\_\_\_

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4. I believe the other party will agree with my request:  Yes  No  Unsure

**I hereby declare that the statements above are true to the best of my knowledge.**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Requesting party's signature)

<b>STATE OF MICHIGAN 54TH JUDICIAL CIRCUIT FAMILY DIVISION TUSCOLA COUNTY</b>	<b>PROOF OF SERVICE</b>	<b>CASE NUMBER</b>
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440 N State St., Caro, MI 48723

PH: 989-672-3780

Plaintiff's name, address, email, and phone no.	Defendant's name, address, email, and phone no.
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I, \_\_\_\_\_, certify that on the date of: \_\_\_\_\_  
(Your name) (Date of Service)

I served a copy of the Motion to Change Order on the other party (and/or their attorney) as follows:

- Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_
- Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

I used the following method of service as permitted by court rule:

- First Class Mail to the above listed address(es); or
- Personal Service, hand delivered.
- Other: \_\_\_\_\_.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Once completed, file this form with: Tuscola County Clerk's Office, 440 North State St, Caro MI 48723