

**Form FOC 51**

**RESPONSE TO  
MOTION REGARDING SUPPORT**

**Use this form if:**

- The other party files a motion regarding support (usually on Form FOC 50).

**Please read the instructions carefully before completing your response.**

**INSTRUCTION PAGE**  
Do not submit this page with your motion

## INSTRUCTIONS FOR FILING THIS RESPONSE TO MOTION

**FEES:** There are no filing or judgment fees associated with filing a response to the other party's motion.

**1). COMPLETE THE RESPONSE TO MOTION FORM:** The form (FOC 51) should be completed in a legible manner by either neatly printing or typing the requested information. Keep in mind that the Court processes hundreds of motions and responses a year. Time spent trying to decipher what a party intended to write down is less time that the Court will have to devote to the legal issues that are presented by the motion. You should first obtain a copy of the most recent Court order in your case before you begin.

Carefully complete the case number section (box A in the upper right hand corner) and correctly identify the Plaintiff, Defendant and/or Third Party (section B) by referring to your copy of the most recent order. If support was previously ordered, indicate the party paying support and the respective amounts of support that were ordered (sections C, D, E and F). Sections G, H and I are your opportunity to state briefly and concisely why the Court should consider, or deny, instituting or modifying support. Attachments should be on 8 ½ by 11 inch paper and, if typed, double spaced. Be sure to date and sign your response (section J).

**2). COPY THE RESPONSE:** You must make at least three copies of your completed response to motion form and any attachments. Plus you will need two copies without attachments for proof of service. This is a total of five copies of your response. You will need a sixth copy if there is a third party (custodian or guardian who is not a parent) who also must receive a copy of the response.

**3). FILE THE RESPONSE WITH THE COUNTY CLERK:** Take the original and five copies to the Delta County Clerk's Office. The Clerk's Office will keep the original response and attachments for the Circuit Court file and one copy of the response and attachments to give to the Friend of the Court Office. Retain one copy and any attachments for your records. You should still have one copy with any attachments for the other party and two copies for proof of service.

**4). SERVE THE RESPONSE ON THE OTHER PARTY:** Michigan Court Rule 2.119 requires that the other party be served with a copy of the response at least 5 days before the hearing if notified by mail. Service in Delta County is usually accomplished by mailing via the United States Postal Service.

Mail one complete copy with any attachments to the other party. If there is a custodian or guardian, mail one copy with any attachments to that person as well. Fill out the Certificate of Mailing on the two remaining copies of the response and the copy of the response with any attachments that you have kept for yourself. Return to the Delta County Clerk's Office with the two remaining copies of the response with completed Certificate of Mailing. The Clerk's Office

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will keep one copy for the Circuit Court file and forward one copy to the Friend of the Court Office

**CONFIDENTIAL ADDRESSES:** If the other party has a confidential address, you will need to prepare a stamped, self-addressed envelope for the two copies of your response that are to be submitted with completed Certificate of Mailing. Do not complete the Certificate of Mailing section. Take the envelope, the two copies of your response for the Delta County Clerk's Office and the copy of your response with any attachments for the other party to the Friend of the Court Office. Within one business day, the Friend of the Court Office will mail the copy of your response with any attachments to the other party. The Friend of the Court will then mail to you, in the envelope you have provided, the two copies of your response with completed Certificate of Mailing. Return to the Delta County Clerk's Office with the two remaining copies of the response with completed Certificate of Mailing. The Clerk's Office will keep one copy for the Circuit Court file and forward one copy to the Friend of the Court Office

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## RESPONSE TO MOTION CHECKLIST

Read the preceding instructions carefully and follow all of the steps in the order in which they are set forth. Even though you are proceeding without an attorney, you are still required to follow all of the court rules and procedures. If you do not follow all of the instructions, your response to the motion regarding support may not be read by the Court.

- Step One:** Complete the response form ..... Yes
- Step Two:** Make the required number of copies ..... Yes
- Step Three:** File the response with the Clerk's Office ..... Yes
- Step Four:** Serve the response on the other party ..... Yes
- Step Five:** File the Certificate of Mailing with the Clerk's Office .... Yes
- Step Six:** Keep a complete copy of the response for yourself..... Yes

You should also complete and return the Friend of the Court Case Questionnaire (form FOC 39) to the Friend of the Court Office as soon as practicable.

## ATTEND THE HEARING

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Approved, SCAO

STATE OF MICHIGAN  
JUDICIAL CIRCUIT  
COUNTY

RESPONSE TO  
MOTION REGARDING SUPPORT

A

CASE NO.

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 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