Motion to Change Domicile

When to Use	• You are the custodial parent; **and** • You want to move to an address within Michigan that is more than 100 miles from your current residence; **or** • You want to move to another state.
Required Forms	**FOC 115** – Motion Regarding Change of Domicile/Legal Residence **FOC 29** – Order Regarding Change of Domicile/Legal Residence
Optional Forms	**MC 20** – Fee Waiver Request
Forms Website	www.courts.mi.gov
Filing Website	https://mifile.courts.michigan.gov
Filing Type	Motion
Filing Fees	$20
Method of Payment	Credit Card
Copies	Original, plus 1 copy if the other party does not have a MiFILE account.
Notes	Contact the Clerk's office for the date of your hearing before filing your motion. Write the date of your hearing on your motion. You can serve this motion electronically if the other party has a MiFILE account. You will need to send a copy of this motion to the other party if he or she does **not** have a MiFILE account. You can send this motion by regular, first class mail.
Court Information	20th Judicial Circuit - Ottawa County 414 Washington, Room 320, Grand Haven, MI, 49417 **OR** 12240 Fillmore St, Room 50, West Olive, MI 49460 616-846-8315
Case Information	Your case number is: _____ You are the ☐ plaintiff ☐ defendant. You are the moving party. The date of your last order is: _____ Legal custody is ☐ joint; ☐ sole with the ☐ plaintiff ☐ defendant

Approved, SCAO

Original - Court
1st copy - Other party
2nd copy - Moving party

3rd copy - Friend of the court
4th copy - Proof of service
5th copy - Proof of service

STATE OF MICHIGAN 20TH JUDICIAL CIRCUIT OTTAWA COUNTY	MOTION REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE	(A) CASE NO.

Court address
12240 Fillmore St, Rm 50, West Olive, MI 49460

Court telephone no.
(616) 846-8315

(B)

Plaintiff's name, address, and telephone no. ☐ moving party	v	Defendant's name, address, and telephone no. ☐ moving party
Third party name, address, and telephone no. ☐ moving party		

(C) 1. On _____ (Date) a judgment or order was entered regarding custody.

2. Legal custody is ☐ joint. ☐ sole with the ☐ plaintiff. ☐ defendant.

(D) 3. It is in the best interests of the child(ren) to permit a change in the legal residence or the domicile of the following child(ren) because: Use a separate sheet to explain in detail why it is in the best interests of the child(ren) and attach. Include all necessary facts. Name each child for whom you want this change.

(E) 4. **I ask** the court to enter an order allowing a change of domicile or legal residence. Use a separate sheet to explain in detail what you want the court to order and attach.

(F) 5. **I ask** the court to enter an order ☐ continuing the current parenting-time order. ☐ modifying the parenting-time order as follows: Use a separate sheet to explain in detail what you want the court to order and attach.

_____ (Date) _____ (Moving party's signature)

NOTICE OF HEARING

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

(G) on _____ (Date) at _____ (Time) at _____ (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 116.

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

(H) _____ (Date) _____ (Moving party's signature)

MCL 552.505, MCL 722.31, MCR 2.119, MCR 3.211(E)

Approved, SCAO

Original - Court
1st copy - Other party
2nd copy - Moving party

3rd copy - Friend of the court
4th copy - Proof of service
5th copy - Proof of service

STATE OF MICHIGAN 20TH JUDICIAL CIRCUIT OTTAWA COUNTY	ORDER REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE	(A) CASE NO.

Court address

12240 Fillmore St, Rm 50, West Olive, MI 49460

Court telephone no.

(616) 846-8315

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

v

Defendant's name, address, and telephone no.

Third party's name, address, and telephone no.

(C)

Date: _____

Judge: _____

Bar no.

(D) 1. This order is entered ☐ after hearing. ☐ on consent of the parties. ☐ on stipulation of the parties.

(E) **THE COURT FINDS:**

☐ 2. A motion requesting change of domicile/legal residence was filed.

☐ 3. A response to the motion was filed.

4. ☐ The parties have joint legal custody. The ☐ plaintiff ☐ defendant has sole legal custody.

☐ 5. The requested change of domicile ☐ will ☐ will not change the child(ren)'s established custodial environment.

☐ 6. It ☐ is ☐ is not in the best interests of the child(ren) to change ☐ domicile. ☐ legal residence.

☐ 7. The moving party did not appear.

IT IS ORDERED:

(F) ☐ 8. _____ may change the domicile/legal residence of
Name of party

_____
Name(s) of minor child(ren)

☐ a. to a residence more than 100 miles from the child(ren)'s legal residence when this case was commenced.

☐ b. from the State of Michigan to _____ .

☐ 9. The parenting-time order dated _____ is modified as follows:

☐ 10. The cost of transportation for parenting time shall be paid
☐ by the plaintiff. ☐ by the defendant. ☐ equally by the plaintiff and the defendant. ☐ as follows:

☐ 11. The motion is ☐ denied. ☐ dismissed.

12. Except as changed in this order, the prior order (if there is one) remains in effect.

(G) _____
Plaintiff's signature (consent/stipulation)

_____
Defendant's signature (consent/stipulation)

_____
Third party's signature (consent/stipulation)

(H) _____
Date

_____
Judge

CERTIFICATE OF MAILING

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

(I) _____
Date

_____
Signature