

Divorce **without** Children (DO)

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Instructions

Divorce without Children (DO)

Packet 1

Step 1: Complete Paperwork

Check the boxes below as you complete each form.

Required in Ottawa County:

- ☐ Record of Divorce (DCH 0838)
- ☐ Complaint for Divorce
- ☐ Summons (MC 01)
- ☐ Confidential Case Inventory (MC 21) (if applicable)

Optional:

- ☐ Fee Waiver Request (MC 20)
- ☐ Request for Interpreter (MC 81)

Step 2: Register for MiFILE & File Paperwork

MiFILE is a secure website used to file court documents. Instructions on how to register for MiFILE are attached.

E-Filing Waiver

If you have good reason(s) why you cannot e-file, you can ask the court to allow you to file paper documents. You must fill out the Ex-Parte Motion and Order for Paper Filing on an E-Filing Case (E-Filing Waiver) and explain to the court why you cannot e-file. The judge will consider access to internet, among other factors, when deciding if good cause exists. If the judge denies your request, you must file your documents using MiFIle in order for your case to continue. The E-Filing Waiver is **not** included in this packet.

Filing the Paperwork

The cost to file for divorce with children is **$175**. You must pay the filing fee by credit card. File the above documents using MiFILE. If you have questions about filing paperwork, call the Legal Self-Help Center. The phone number is **(616) 846-8141.**

Fee Waiver

If you can't pay the filing fee, you may ask the court to waive the fee. You will need to complete a Fee Waiver Request (MC 20). The Fee Waiver Request is included in this packet. If the judge denies your request, you must pay the filing fee before your case will be started. For more information about fee waivers, read "Fee Waivers in Court Cases" at

https://michiganlegalhelp.org/self-help-tools/going-court/fee-waivers-court-cases

REVISED - This version is only for use by self-represented litigants in Ottawa County

State File Number

RECORD OF DIVORCE OR ANNULMENT

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES

By authority of MCL 333.2813.

Court Case Number

Ottawa

County

1. Plaintiff's Full Name _____ 2. Plaintiff's Birthdate _____
☐ Male ☐ Female (First, Middle, Last) (Month, Day, Year)

3. Last Name Before First Married (if different) _____

4. Plaintiff's Residence _____
(City, Village, or Township) (County) (State)

5. Plaintiff's Birthplace _____ 6. Number of this Marriage _____
(State or Foreign Country) (First, Second, etc. - Specify)

7. Defendant's Full Name _____ 8. Defendant's Birthdate _____
☐ Male ☐ Female (First, Middle, Last) (Month, Day, Year)

9. Last Name Before First Married (if different) _____

10. Defendant's Residence _____
(City, Village, or Township) (County) (State)

11. Defendant's Birthplace _____ 12. Number of this Marriage _____
(State or Foreign Country) (First, Second, etc. - Specify)

13. Place of this Marriage _____
(City, Village, or Township) (County) (State or Foreign Country)

14. Date of this Marriage _____
(Month, Day, Year)

15. Date Couple Last Resided in Same Household

☐ Check if Not Separated

_____
(Month, Day, Year)

16. Number of Minor Children in Household at Separation Date (Filing Date if Not Separated)

☐ Check If None

_____
(Number)

17. Plaintiff's Name _____
(Name - Type or Print)

18. Plaintiff's Address _____
(Number and Street) (City) (State) (Zip Code)

Plaintiff (Party A) - person who starts the case.
Defendant (Party B) - other party.

Failure to provide the required information is a misdemeanor punishable by imprisonment of not more than 1 year or a fine of not more than $1,000.00 or both.

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN 20th JUDICIAL DISTRICT JUDICIAL CIRCUIT Ottawa COUNTY	SUMMONS	CASE NO.

Court address

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

Court telephone no.

616-846-8315

Plaintiff's name, address, and telephone no.	v	Defendant's name, address, and telephone no.
Plaintiff's attorney, bar no., address, and telephone no.		

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.

☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).

☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in ☐ this court, ☐ _____ Court, where it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require 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.

Issue date	Expiration date*	Court clerk

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

State of Michigan 20th Circuit Court Ottawa County	**Complaint for Divorce** no children	**Case Number**

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 **Court Phone:** 616-846-8315

Plaintiff (person who starts the case)		**Defendant** (other party)	
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Phone #:	_____	Phone #:	_____

Read through each number. If a number has check boxes, check the box or boxes that apply to your case. If a number does not have check boxes, you do not need to write anything. Questions 1-6 are facts about you, your spouse, and your marriage. Questions 7-16 are your request for relief (what you are asking for).

1. About the Plaintiff (check all that apply)

My name before this marriage was: _____

☐ I do not live in Michigan.
☐ I have lived in Michigan for at least the last 180 days (6 months).
☐ I have lived in Ottawa County for at least the last 10 days.

2. About the Defendant (check all that apply)

The defendant's name before this marriage was: _____

☐ The defendant does not live in Michigan.
☐ The defendant has lived in Michigan for at least the last 180 days (6 months).
☐ The defendant has lived in Ottawa County for at least the last 10 days.

3. Marriage and Separation

We were married on (date) _____ in (city) _____, (state) _____.

☐ We currently live in the same household; **or**
☐ We separated or began living in separate households on (date) _____.

4. Children and Pregnancy

There are no minor children of the parties or the marriage. Neither party is pregnant.[1]

[1] You will need to file a Complaint for Divorce **with** children if either of these apply:

- Either spouse is pregnant
- A minor child was born or conceived during the marriage but may have a biological father who is someone other than me or the defendant.

5. Property

We have property and/or debts to divide.

6. Reason for Divorce

There has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

7. Request for Divorce

I ask the court to enter a judgment of divorce.

8. Spousal Support (alimony)

☐ None; **or**
☐ The defendant should pay spousal support.

9. Real Property (home or land)

☐ None[2]; **or**
☐ We lived in a house that one of us purchased before the marriage.
☐ The real property should be divided as follows:

Address	**Tax Parcel Number**	**Awarded to:**	**Any debt will be paid by:**
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant

10. Personal Property (possessions, assets or business interests of any kind)

☐ We have already divided our personal property; **or**
☐ The personal property should be divided as follows:

Item	**Awarded to:**
	☐ plaintiff ☐ defendant
	☐ plaintiff ☐ defendant
	☐ plaintiff ☐ defendant

11. Vehicles

☐ None; **or**
☐ The vehicles should be divided as follows:

[2] A mobile home is considered personal property.

Make and Model	VIN Number	Awarded to:	Any loan will be paid by:
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant

12. Debts

☐ None; **or**
☐ The debts should be divided as follows:

Amount	Creditor (person or company owed the debt)	Account Number (last 4 digits only)	Debt will be paid by:
			☐ plaintiff ☐ defendant
			☐ plaintiff ☐ defendant
			☐ plaintiff ☐ defendant

13. Retirement Accounts (pensions, annuities, IRA, other types of retirement plans)

☐ None; **or**
☐ We should keep our own retirement accounts.
☐ I should receive part of the defendant's retirement accounts.

14. Money Judgment

☐ None; **or**
☐ The defendant should pay me $ _____.

15. Name Change

☐ None; **or**
☐ I want to change my name to: _____

16. Other

☐ See attached.

The statements above are true to the best of my knowledge.

_____ _____
Plaintiff Signature Date

_____
Printed Name



Optional Forms

- Confidential Case Inventory (to be used when there are other cases between you and the other party)
- Fee Waiver Request
- Request for Interpreter

STATE OF MICHIGAN CIRCUIT COURT - FAMILY DIVISION Ottawa COUNTY	CONFIDENTIAL CASE INVENTORY (DOMESTIC RELATIONS AND JUVENILE CODE)	CASE NO. PETITION NO. JUDGE

Plaintiff's name	v	Defendant's name

In the matter of _____

Instructions: List any known pending or resolved family division or tribal court cases involving the person(s) named in the complaint or petition or family members of the person(s) named in the complaint or petition. File the completed form with the complaint or petition, but do not attach or staple together. Complete and file additional sheets if necessary.

Examples of family division cases include personal protection orders, divorce, custody, paternity, child support, juvenile delinquency, and child protective proceedings. See MCL 600.1021 for a complete list.

Note: This form is confidential and not to be served on other parties in this case.

Court information (name, number, and county/state) ☐ This court ☐ Other court or tribunal:		
Case name		Case/File no.
Assigned judge	Case status ☐ Pending ☐ Resolved	Are support or custody/parenting time orders in effect? ☐ Support ☐ Custody/Parenting Time

Court information (name, number, and county/state) ☐ This court ☐ Other court or tribunal:		
Case name		Case/File no.
Assigned judge	Case status ☐ Pending ☐ Resolved	Are support or custody/parenting time orders in effect? ☐ Support ☐ Custody/Parenting Time

Court information (name, number, and county/state) ☐ This court ☐ Other court or tribunal:		
Case name		Case/File no.
Assigned judge	Case status ☐ Pending ☐ Resolved	Are support or custody/parenting time orders in effect? ☐ Support ☐ Custody/Parenting Time

Court information (name, number, and county/state) ☐ This court ☐ Other court or tribunal:		
Case name		Case/File no.
Assigned judge	Case status ☐ Pending ☐ Resolved	Are support or custody/parenting time orders in effect? ☐ Support ☐ Custody/Parenting Time

_____ _____

Date Signature

JIS Code: OSF

STATE OF MICHIGAN JUDICIAL DISTRICT 20th JUDICIAL CIRCUIT Ottawa COUNTY	FEE WAIVER REQUEST	CASE NO. and JUDGE

Court address
12240 Fillmore St, West Olive MI 49460

Court telephone no.
616-846-8315

Plaintiff/Petitioner's name, address, and telephone no.		Defendant/Respondent's name, address, and telephone no.
	V	
Plaintiff/Petitioner's attorney, bar no., address, and telephone no.		**Defendant/Respondent's attorney, bar no., address, and telephone no.**

In the matter of _____

Instructions: Complete this form and file it with the court. If this request is filed by a prisoner, a certified statement of the prisoner's trust account showing a current balance and a 12-month history of deposits and withdrawals must accompany this form. After you receive a decision on your request, you must serve your request and the decision on the other party(ies).

I, _____, request a waiver of my filing fees for the following reason: (Check 1, 2, or 3)
Print or type your name

☐ 1. I receive the following type(s) of public assistance because of indigence:
- ☐ Food Assistance Program through the State of Michigan (also known as FAP or SNAP)
- ☐ Medicaid (including Healthy Michigan, CHIP, and ESO)
- ☐ Family Independence Program through the State of Michigan (also known as FIP or TANF)
- ☐ Women, Infants, and Children benefits (WIC)
- ☐ Supplemental Security Income through the federal government (SSI)
- ☐ Other means-tested public assistance: _____

My public assistance case number(s) (if any) is _____.
Write "none" if no case number. Do not write your Social Security Number

☐ 2. I am represented by a legal services program or I receive assistance from a law school clinic because of indigence. The name of the legal services program or law school clinic is

_____.

☐ 3. I am unable to pay the fees and I did not check item 1 or 2 above.

My gross household income is $ _____ every _____.
Week/Two weeks/Month/Year

The number of people in my household is _____.

My source of income is _____.

List assets and their worth, such as bank accounts. If you need more space, attach a separate sheet.

List obligations and how much you pay, such as rent or other debts. If you need more space, attach a separate sheet.

I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____ _____
Date Signature

Distribute form to:
Court
Applicant
Other parties
Friend of the court (when applicable)

SRA

Case No. _____

CLERK WAIVER

1. Payment of filing fees is waived.

_____
Signature of court clerk and date

ORDER

IT IS ORDERED:

☐ 1. Payment of filing fees is waived because:
- ☐ a. Your gross household income is under 125% of the federal poverty guidelines.
- ☐ b. Your gross household income is above 125% of the federal poverty guidelines, but payment of the fees would constitute a financial hardship for you.
- ☐ c. Other:

☐ If you become able to pay the fees before this case is resolved, you must notify the court.

☐ 2. The fee waiver request is denied because:
- ☐ a. Your gross household income is above 125% of the federal poverty guidelines and payment of the fees would not constitute a financial hardship for you
- ☐ b. Other:

_____
Judge/Magistrate (when authorized) signature and date

NOTICE

IF YOUR REQUEST WAS DENIED: To continue your case and preserve your filing date, you have 14 days from the issue date below to pay the filing fees or request a review. To request a review, fill out a Request for Review of Denied Fee Waiver (form MC 114) and file it with the court.

_____
Issue date (completed by clerk)

Original - Case file
Copy - Requester

REQUEST FOR INTERPRETER	CASE NO.

Print the name of the court. 20th Circuit Court
Court

If you have a court case and need an interpreter, complete this Request using the English alphabet. Then, date and sign it, and mail or give it to the court where your case is to be heard. If the court appoints an interpreter for you, the court may order you to pay for interpretation costs if you can afford to pay.

Request for Interpreter

I need an interpreter who speaks: _____
Language

Print your full name. _____
Full name

Print your mailing address. _____
Mailing address

Print your telephone number. _____
Telephone no.

Are you a party in this case, a witness, or another interested person? Check one.

☐ I am a party.
☐ I am a witness.
☐ I am an interested person (Describe your interest in the space below.)

I ask the court to appoint an interpreter so that I can fully participate in this case.

_____ _____
Date Signature

MiFILE Instructions

What is MiFILE?

MiFILE is a secure website you can use to file court documents. You will use MiFILE instead of going to the clerk's office or mailing your papers. For more information on MiFILE, you may visit https://www.courts.michigan.gov/49d681/siteassets/mifile/mifile-quick-reference-guide2.pdf

Why do I need to know about MiFILE?

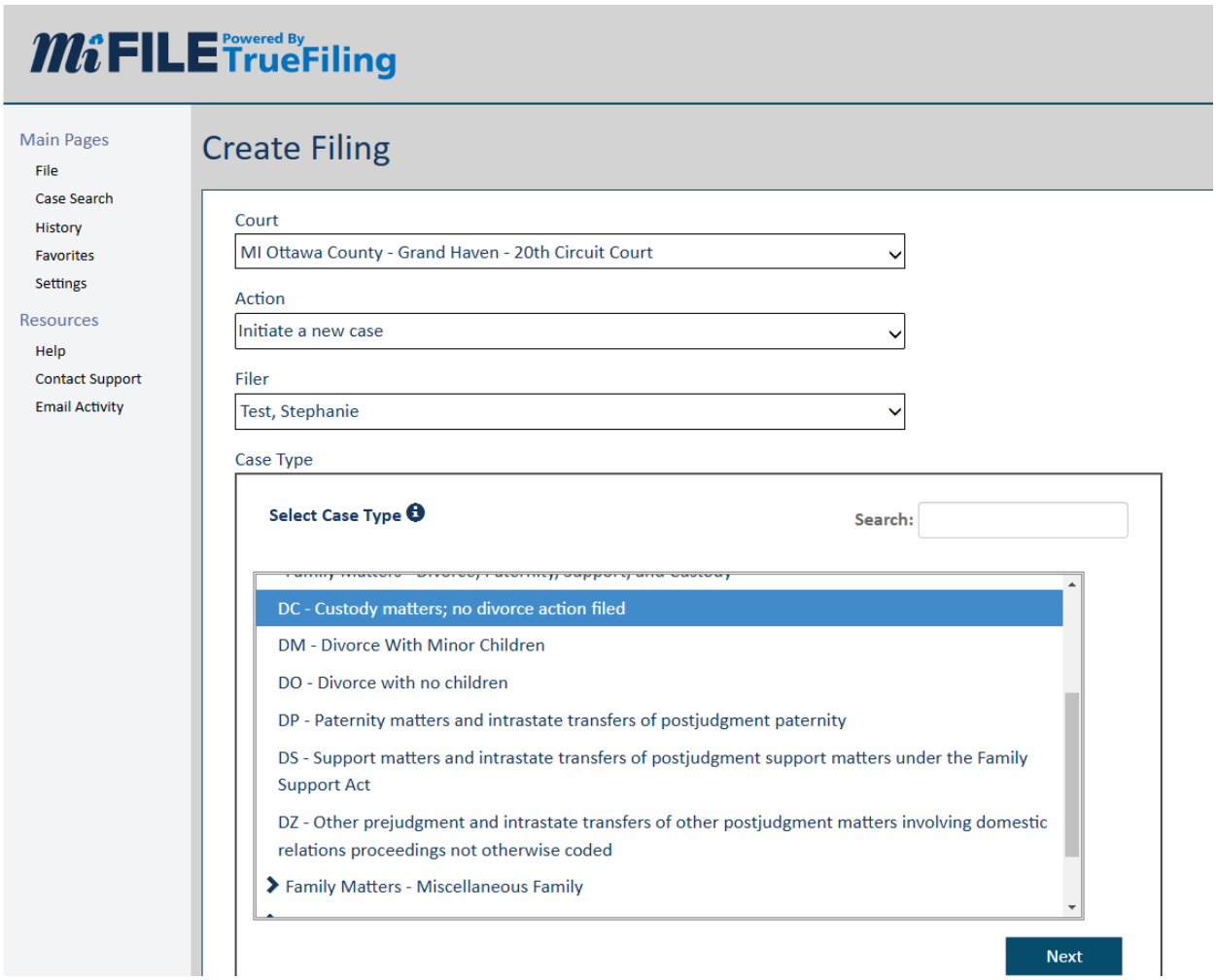
As of December 1, 2018, you are required to use MiFILE to file court documents in the 20th Circuit Court (Ottawa County) for certain case types. Beginning December 16, 2024, you are required to use MiFILE to initiate a case. If you received this document, your case type is included in this mandate.

What do I need to do?

1. **Create an account.** Go to https://mifile.courts.michigan.gov and create and account. There is no fee to create an account. You will need the following information:
    a. Email address
    b. First name
    c. Last name
    d. Address
    e. City
    f. State
    g. Zip code
    h. Password (must be at least 8 characters (max 20) and include at least 1 capital letter, 1 lower case letter, 1 number and a symbol.)

2. **Confirm your email.** After you create an account, you will receive an email asking you to confirm your account. Follow the directions in the email.

3. **Log In.** Once you log into MiFILE, there is a menu on the left. Click on "File". You will see a drop-down title "Court". Choose "Ottawa County Trial Courts" and "Ottawa County – 20th Circuit Court". Under "Action", choose "Initiate a New Case". You will then see your name in the "Filer" drop-down. Under "Case Type", choose the type of case you are starting (Family Matters - Divorce, Paternity, Support, Custody)



4. **Party Details.** This will populate a screen to fill in your information and the information on the other party:
    a. Last name, first name
    b. Address
    c. City
    d. State
    e. Zip
    f. Phone
    g. Email

5. **Related Domestic Actions.** This is asking if there are any other cases between yourself and the other party. If there are other cases between you and the other party, you will need to complete and file the “confidential case inventory” (MC 21).

6. **Filing to the Case.** Under “Filer”, click on the drop-down and choose yourself. You will now upload the documents to your case. Please note, you **must** file each of the documents separately. Under “Select or Type Filing Type”, if the name of the document is not listed, choose “Other”:

   Required Forms:

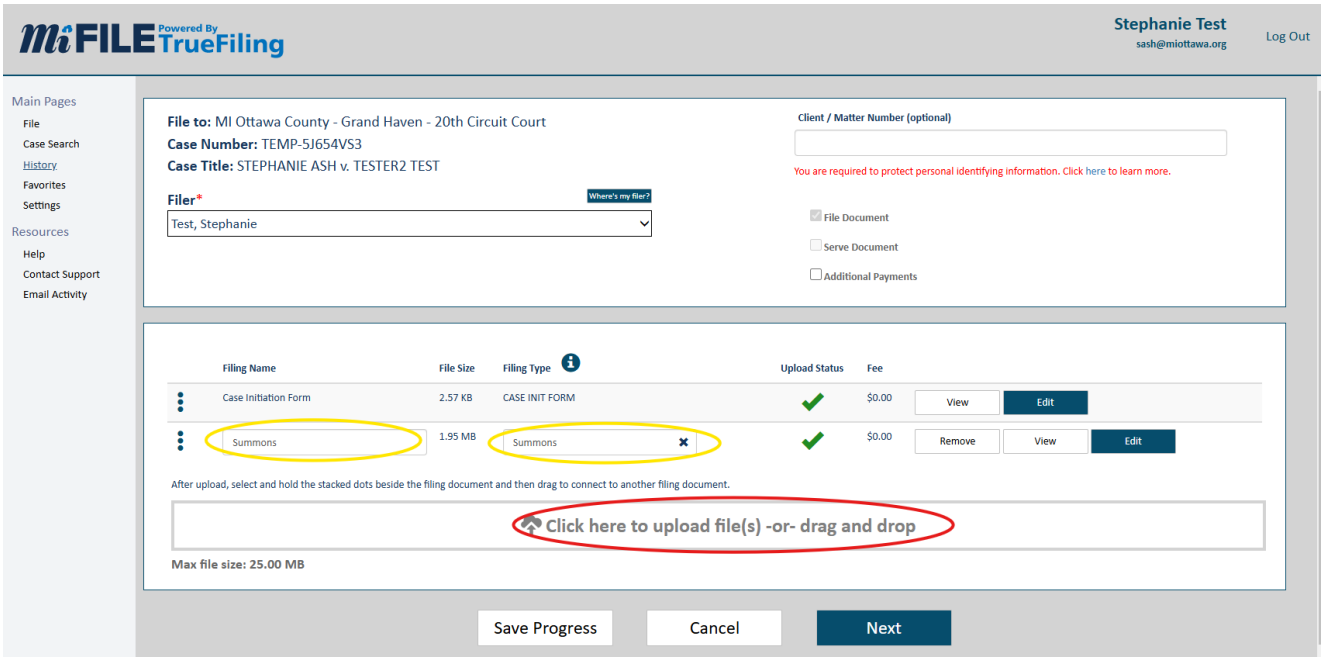
   a. Summons
   b. Complaint for Divorce/Custody
   c. Record of Divorce/Annulment
   d. Verified Statement (Other)
   e. Application for IV-D Child Support Services (Other)
   f. Uniform Child Custody Jurisdiction Enforcement Act Affidavit (Other)

   Required if Applicable:

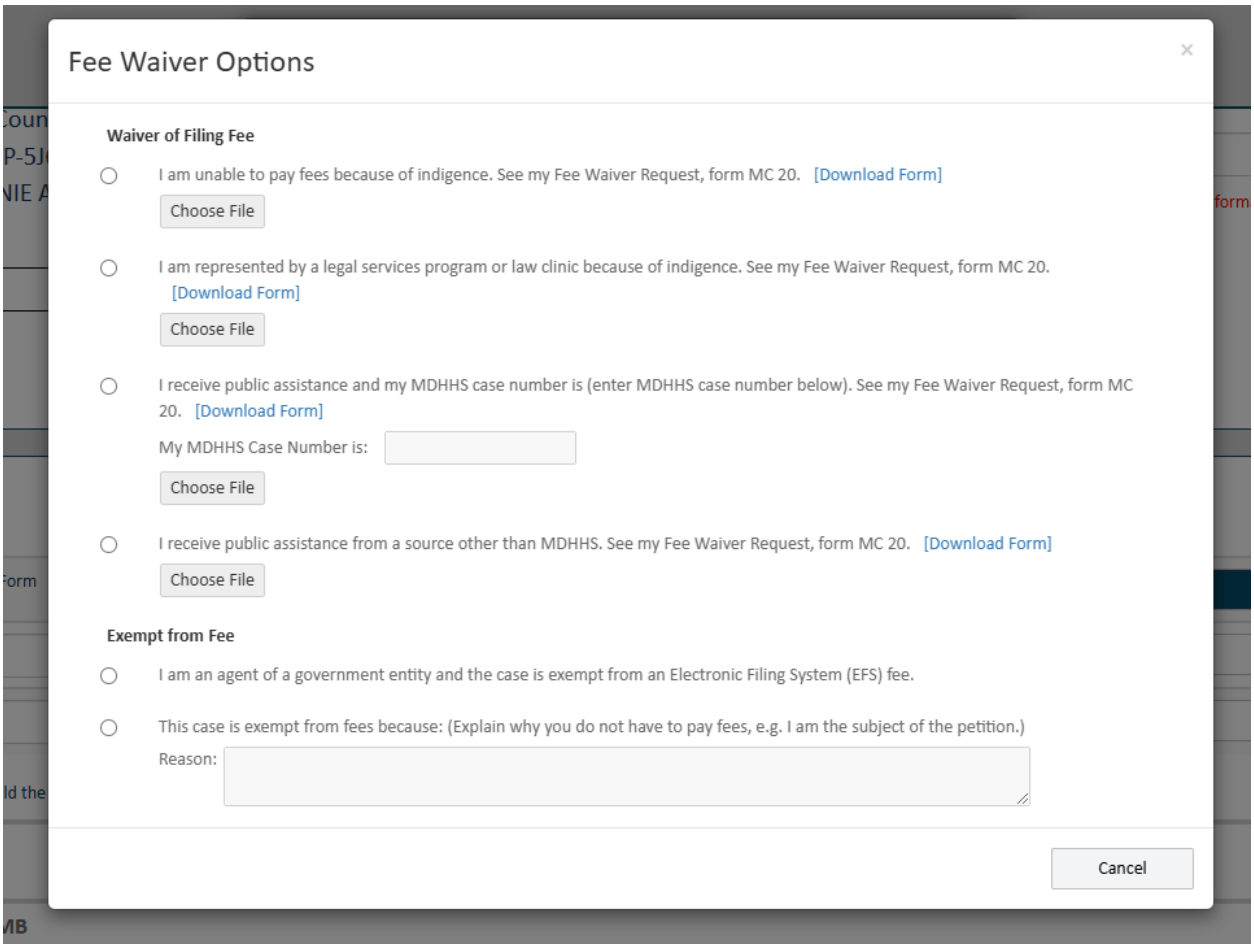
   g. Confidential Case Inventory

   Optional Form:

   h. Request for Interpreter



7. **Payment.** Once all filings have been added to your account, choose next. This will take you to the payments section. To pay be credit/debit card, choose “Add Payment Account”.
    a. **Fee Waiver.** If you are requesting the filing fee be waived, you may choose “Request Fee Waiver” on this screen. You will then be prompted to upload the fee waiver form.



Need Help?

If you need help with e-filing, written and video instruction is available at the Clerk/Register’s office on the garden level of the Family Justice Center during normal business hours. PLEASE NOTE: Clerks are not legal staff and therefore cannot file paperwork through e-filing on your behalf, if filing assistance is required, please seek legal advice from a licensed attorney. Normal business hours are Monday through Friday 8:00 am – 5:00 pm. Please note, the Clerk’s office opens at 9:30 am (instead of 8:00 am) on the second Thursday of the month.

If you have questions about using MiFile, please contact support@truefiling.com or call **(855) 959-8868**.

Instructions – DO

Packet 2

Step 3: Notify the Other Party



You will need a helper to complete this step. Anyone over the age of 18 can help. The other party must receive (be served) a copy of the Summons and Complaint for Divorce. You will print these documents from your MiFILE account **after** they have been accepted by the Clerk's office.

Personal Service

Your helper may hand the papers to the other party and ask the other party to sign the proof of service under "Acknowledgment of Service". By signing, the other party is only acknowledging that they received the papers. If the other party will not sign the proof of service, that is ok. Your helper can complete the middle section of the proof of service.

Service by Mail

Your helper can mail the paperwork to the other party. The paperwork must be sent by certified, restricted mail. Your helper will need to complete a card at the post office to request these services (green card). It will cost more to send the papers this way but it is very important that you pay the extra fee. If you do not use **certified and restricted** mail, someone else may sign for the papers. If someone other than the other party signs, you will need to send the papers again.

Proof of Service

You should receive the completed proof of service back from your helper. If the forms were sent by mail, you will get the green card back. Look at the front of your summons. Find the box that says "This summons expires" and look at the date. You must file the completed proof of service before this date.

? For more information about serving divorce papers, read "How to Serve Divorce Papers" at www.michiganlegalhelp.org.

Summons (3/23) **Case No.** _____

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

☐ I served ☐ personally ☐ by registered or certified mail, return receipt requested, and delivery restricted to the the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
$		$	
Incorrect address fee	Miles traveled	Fee	**TOTAL FEE**
$		$	**$**

_____
Signature

_____
Name (type or print)

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

_____ on _____.
Attachments (if any) Date and time

_____ on behalf of _____
Signature

_____
Name (type or print)

MCL 600.1910, MCR 2.104, MCR 2.105

Instructions – DO

Packet 3

Step 4: Keep the Case Going

If your helper **handed** papers to the other party, you must wait **21 days** from the date of service before taking your next step. If your helper **mailed** the papers, you must wait **28 days.** Identify how the other party responded to your complaint and complete the forms listed. These forms will need to be filed using MiFile.

Judgment of Divorce

Your divorce judgment is a very important document. It is the court order that grants your divorce and explains how your property and debts will be divided. Every divorce is different and it is your responsibility to make sure your judgment addresses all the issues in your case. The judgment you received in this packet includes topics that everyone must address. However, you may need to address topics that are not included. Remember, this is your judgment. If you want to add something that is not included, you may do so.

! **You must talk with an attorney if you have questions about what you can or should include in your judgment. You must also talk with an attorney if you need advice on what to do next.**

Answer

An answer is a written response to your complaint. The answer will let you know what the other party agrees or disagrees with. When an answer is filed, your case will be referred to **mediation**. If the other party files an answer, they must give you a copy. You will receive a copy through MiFILE. If you receive a copy of an answer, you should watch your MiFILE for a notice from the court. This notice is called a **scheduling order,** and it will explain your next steps.

Agreement

You can complete a consent judgment if you can work with the other party to resolve all issues regarding property division. Both of you must agree to all terms of the judgment.

- ☐ **Motion to Enter Judgment of Divorce**
- ☐ **Judgment of Divorce**

No Answer, No Agreement

If the other party does not respond to the summons and complaint, you may file a default and request that the court enter a default judgment.

- ☐ **Default** (MC 07)
- ☐ **Motion to Enter Judgment of Divorce**
- ☐ **Judgment of Divorce**

Instructions – DO

You must use your MiFILE account to file the Motion to Enter Judgment of Divorce and Notice of Hearing together, along with the Judgment of Divorce as one document.

****IMPORTANT**** You **must** upload the Motion to Enter Judgment of Divorce **AND** the Judgment of Divorce together, as one document. You will then upload the Judgment of Divorce a second time, as a separate document. After uploading both documents, submit them at the same time.
If you attend your court hearing and the Judge makes any changes to the Judgment of Divorce, the copy the Judge signs will be filed with the clerk's office and your copy will be rejected as a duplicate.

Step 5: Get a Hearing Date



After filing the Motion to Enter Judgment with the Judgment of Divorce, the Clerk will schedule a hearing. It may take a few days before you receive an email with the date of the hearing. When you receive this notification, you will serve the other party with the Motion to Enter Judgment with the Judgment of Divorce. If they have a MiFile account, you may electronically serve them. If not, you will print the documents and mail them to the other party.

Serve the Other Party

Complete the Proof of Service for Motion to Enter Judgment of Divorce and Notice of Final Hearing and file it electronically.

! If the other party has not added themselves as a case contact in MiFILE, you will need to serve them by mail.

Changing a Default Judgment

If you make any changes to your default judgment, you must notify the other party of the changes at least 14 days before your final hearing. You can notify the other party of the changes by sending an updated copy of your proposed judgment.

Changing a Consent Judgment

You cannot make changes to a consent judgment without the approval of the other party. If you want to make changes and the other party does not agree, you will need to wait until your hearing and ask the judge or referee to make the changes. The judge will decide if your request should be granted.

Before Your Hearing

If you have questions about completing your paperwork, come to the Legal Self-Help Center.

STATE OF MICHIGAN JUDICIAL DISTRICT 20th JUDICIAL CIRCUIT	DEFAULT REQUEST AND ENTRY	CASE NO. and JUDGE

Court address

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

Court telephone no.

616-846-8315

Plaintiff's name, address, and telephone no.	v	Defendant's name, address, and telephone no.
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.

Party in default: _____

REQUEST

1. I request the clerk to enter the default of the party named above for failure to plead or otherwise defend as provided by law.

2. The defaulted party is not an infant or incompetent person.

3. ☐ It is unknown whether the defaulted party is in the military service. ☐ The defaulted party is not in the military service. ☐ The defaulted party is in the military but there has been notice of pendency of the action and adequate time and opportunity to appear and defend has been provided. Attached, as appropriate, is a waiver of rights and protections provided under the Servicemembers Civil Relief Act. Facts upon which this conclusion is based are: (specify)

4. This request is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this request.

I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____
Applicant/Attorney signature

Subscribed and sworn to before me on _____ .
Date

_____
Deputy clerk/Notary public signature

My commission expires on ✔ .

_____
Name (type or print)

Notary public, State of Michigan, County of _____ . ☐ Acting in the County of _____ .

☐ This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

Distribute form to:
Court
Applicant
All other parties

Case No. _____

NOTE: Default can be entered by a district court clerk without the request of a party.

DEFAULT ENTRY

The default of the party named above for failure to plead or otherwise defend is entered.

_____
Court clerk signature and date

Use note: The party who sought the entry of the default is responsible for serving all parties in accordance with MCR 2.603(A)(2).

CERTIFICATE OF MAILING

I served a copy of this default request and entry on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____ _____
Date Signature

State of Michigan 20th Circuit Court Ottawa County	Motion to Enter Judgment of Divorce Notice of Hearing	Case Number

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 **Court Phone:** 616-846-8315

Plaintiff		**Defendant**	
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Phone #:	_____	Phone #:	_____

☐ A default was entered on _____; **or**
☐ The defendant and I have worked together to complete our judgment of divorce.

I ask the court to enter the proposed judgment of divorce I have attached to this motion.

The statements I made above are true to the best of my knowledge.

Date: _____ Signed: /s/ _____

Notice of Hearing
(when to come to court)

This motion has been scheduled for hearing on:

_____, _____ at _____
Day Date Time

In courtroom _____ at the court address listed above.

Note: If the judge agrees to enter the proposed judgment, this will be your final divorce hearing.

State of Michigan **20th Circuit Court** **Ottawa County**	**Judgment of Divorce** no children	**Case Number**

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 **Court Phone:** 616-846-8315

Plaintiff		**Defendant**	
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Phone #:	_____	Phone #:	_____

This is your final divorce judgment. This judgment must include all agreements you and your spouse have made. The court can only enforce agreements that are included in this judgment.

1. Type of Judgment

This judgment is entered ☐ after the defendant's default; ☐ on agreement of the parties (consent); ☐ after a hearing or trial.

2. Breakdown of Marriage

The court finds that there has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

3. Divorce

The marriage between the plaintiff and defendant is dissolved. The parties are divorced.

4. Spousal Support (alimony)

☐ Neither party is awarded spousal support. Spousal support is forever barred.
☐ Spousal support is reserved. The ☐ plaintiff ☐ defendant may request spousal support in the future.
☐ Spousal support is awarded to the ☐ plaintiff ☐ defendant. A Uniform Spousal Support Order (FOC 10b or 10c) is attached.

5. Real Property (land or home)

☐ The parties do not own any real property together.
☐ The parties lived in a house that the ☐ plaintiff ☐ defendant purchased before the marriage.
☐ The real property is awarded as follows:

Address	**Tax Parcel Number**	**Awarded to:**	**Any debt will be paid by:**
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant

☐ The party awarded the property will prepare a quit claim deed. The other party will sign the quit claim deed upon request.
☐ The party awarded the property will use their best efforts to refinance the home and remove the other party's name within _____ days. If unsuccessful, then

_____

☐ Other: _____

6. Personal Property (possessions, assets or business interests of any kind)

☐ Each party is awarded the personal property now in their possession or control as their separate property. No transfer of property between the parties is required.
☐ The parties' personal property is awarded as follows:

Item	**Awarded to:**
	☐ plaintiff ☐ defendant
	☐ plaintiff ☐ defendant
	☐ plaintiff ☐ defendant

☐ Other: _____

7. Vehicles

☐ The parties do not own any vehicles together.
☐ The parties' vehicles are awarded as follows:

Make and Model	**VIN Number**	**Awarded to:**	**Any loan will be paid by:**
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant
		☐ plaintiff ☐ defendant	☐ plaintiff ☐ defendant

☐ The party awarded the vehicle will use his or her best efforts to refinance the vehicle into their own name within _____ days of this judgment. If unsuccessful, then:

_____

☐ Other: _____

8. Debts

☐ The parties have no debts together.
☐ Each party is responsible for paying the debts in their own name.
☐ Debts are divided as explained below:

Amount	**Creditor** (person or company owed the debt)	**Account Number** (last 4 digits only)	**Debt will be paid by:**
			☐ plaintiff ☐ defendant
			☐ plaintiff ☐ defendant
			☐ plaintiff ☐ defendant

☐ Other: _____

9. Debt Collection (hold harmless)

☐ Does not apply.
☐ If one party fails to pay a debt as ordered above and the creditor tries to collect the debt from the other party, the party who was ordered to pay the debt must hold the other party harmless from any collection action about the debt. This includes reimbursing the other party for any of the debt they paid and for attorney fees or costs related to defending against the collection action.
☐ Other: _____

10. Retirement Accounts

☐ The parties do not have retirement accounts.
☐ Each party is awarded their own retirement accounts as their separate property.
☐ The ☐ plaintiff ☐ defendant is awarded _____ % of the other party's retirement accounts.
☐ The ☐ plaintiff ☐ defendant will have a QDRO[1] prepared and submitted to the court by _____, 20 ___.
☐ Other: _____

11. Money Judgment

☐ Neither party requested a money judgment.
☐ The ☐ plaintiff ☐ defendant must pay the other party $ _____.
The court grants a judgment for this amount. Interest shall be paid at the statutory interest rate.
☐ Other: _____

[1] A QDRO is a technical document that should be prepared by an attorney or someone familiar with the terms of the individual retirement plan and ERISA or other applicable law.

12. Name Change

☐ Neither party asked for a name change.
☐ The plaintiff's name is changed to: _____
☐ The defendant's name is changed to: _____

13. Life Insurance

☐ The parties do not own any life insurance policies.
☐ Any interests of either party in any insurance policy or insurance contract on the life of the other party are extinguished. Each party holds their policy or policies free and clear of the other party.

14. Documents

Each party will properly prepare and deliver to the other party all documents required to divide property and debt as ordered in the judgment within 30 days of the date of this judgment. If necessary, a certified copy of this judgment may be recorded with the register of deeds in any county of this state where property is located.

15. Hidden Assets

If either party has hidden any of their assets from the other party, the issue of property division in the divorce may be reopened on motion of either party. If this motion were to be granted, this court would resolve the distribution of any previously undisclosed (hidden) assets.

16. Health Insurance Availability Through COBRA

Either party may obtain coverage for themselves under the other party's present medical or health insurance policy carried through their employer pursuant to the provision of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Each party shall, immediately upon entry of this judgment of divorce, notify their respective plan administrator of this provision, to enable the plan administrator to give proper notice to the other party pursuant to COBRA.

17. Prior Orders

Except as otherwise provided in this judgment, any non-final orders or injunctions entered in this action are terminated.

18. Effective Date of Judgment

This judgment will become effect immediately after it is signed by the judge and filed with the clerk.

19. Suspended Fees and Costs

☐ The fees and costs in this case have been paid.
☐ The fees and costs in this case will be paid by the ☐ plaintiff ☐ defendant.
☐ The fees and costs in this case are waived.

20. Case Closure

This judgment resolves the last pending claim and closes this case, except to the extent jurisdiction is retained by law.

21. Other Provisions

☐ See attached.

This document is ☐ an agreement of the parties; ☐ presented by me.
In signing this judgment of divorce, I verify that I have read and understand its provisions and approve its substance and form.

/s/_____	/s/_____
Plaintiff Signature	Defendant Signature
_____	_____
Printed Name	Printed Name
_____	_____
Date	Date

Date: _____ Judge: _____

Note: If spousal support is being awarded, Form FOC 10b or 10c must be attached to this judgment. If real property is being divided, a legal description for the property must also be attached.

State of Michigan 20th Circuit Court Ottawa County	Proof of Service	Case Number

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 **Court Phone:** 616-846-8315

Plaintiff		**Defendant**	
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Phone #:	_____	Phone #:	_____

I served the defendant with copies of the paperwork listed below on (date) _____.

Paperwork that was served:
- ☐ Default[1]
- ☐ Motion to Enter Judgment of Divorce
- ☐ Proposed Judgment of Divorce
- ☐ Notice of Hearing
- ☐ Other: _____

How the paperwork was served[2]:
- ☐ Sent by ordinary first-class mail; **or**
- ☐ Handed to the defendant; **or**
- ☐ Sent electronically through MiFILE.

The statement I made above is true to the best of my knowledge.
Date: _____ Signed: /s/ _____

[1] According to MCR 3.210(B)
[2] According to MCR 2.107

Instructions – DO

Packet 4

Step 6: Attend Final Hearing



Organize your paperwork and have it ready for your Court hearing, which will likely be on Zoom. Keep your testimony sheet. This is your "cheat sheet". The judge may ask you to read from your testimony sheet. The judge may also ask you questions about what is on the sheet.

After Your Hearing

The Judgment of Divorce will be sent to you by email after it has been signed by the Judge and filed with the court. You are responsible for sending a copy to the other party if they do not have a MiFILE account. You may send it by mail. Complete the Proof of Service for Final Judgment and file the proof of service electronically through MiFILE.

Testimony

My full name is _____.

My address is _____, and I am the plaintiff in this case.

1. I married the Defendant on _____ (marriage date) at _____ (marriage location).

2. I filed a complaint for divorce on _____ (filing date).

3. I lived in Michigan for 180 days and in Ottawa County for 10 days immediately prior to filing this Complaint.

4. When I filed my complaint for divorce all the statements were true.

5. All the statements in my complaint for divorce are still true today.

6. There has been a breakdown of the marriage relationship such that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

7. I do not believe there is any possibility of reconciliation.

8.
☐ I am not currently pregnant; **OR**
☐ To the best of my knowledge, my wife is not currently pregnant.

9.
☐ ***With Children****:* The Defendant and I have _____ (number) minor children together. Their names and ages are:
_____
_____

☐ ***Without Children:*** There are no minor children of this marriage.

10. I have read all of the terms of the proposed Judgment of Divorce and am in agreement with them.

11. (For wife only) I would like the court to allow me to use my prior surname, _____.

I ask that this Court grant an absolute judgment of divorce.

Thank you, Your Honor.

State of Michigan **20th Circuit Court** **Ottawa County**	**Proof of Service** Judgment of Divorce	**Case Number**

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 **Court Phone:** 616-846-8315

Plaintiff		**Defendant**	
Name:	_____	Name:	_____
Address:	_____	Address:	_____
	_____		_____
Phone #:	_____	Phone #:	_____

On (date) _____, I served a copy of the Judgment of Divorce on the other party.

☐ I mailed a copy by ordinary first-class mail; **or**

☐ I personally handed him/her a copy; **or**

☐ I sent a copy electronically through MiFILE.

The statement I made above is true to the best of my knowledge.

Date: _____ Signed: /s/ _____