General Civil

($25,001 and up)

(MC 01)

Filing Fees:	$150
Where to File:	https://mifile.courts.michigan.gov
Additional Information:	• It is always best to have the assistance of an attorney to give you specific legal advice about your situation. The following provides general information about civil cases. Online help is available for self-represented persons at Michigan Legal Help where you can find Do-It-Yourself tools, articles, checklists, FAQs, and other resources. • Generally, a civil case is filed because of a disagreement between two people, businesses, or organizations. The disagreement usually involves one person believing they have been hurt or had rights violated or property damaged by another person. A civil case is not a criminal case. • If you are the one starting the case, you are called the plaintiff, and the person or business you are suing is called the defendant. In most civil cases, the plaintiff is asking for an amount of money to be paid by the defendant. However, in some civil cases, the plaintiff may be asking the court to tell the defendant to stop some behavior or to do a specific thing. The plaintiff is responsible for paying the filing fees as well as the cost of serving the defendant. • The **Circuit Court** filing takes place in the circuit court for the county where the incident occurred or in the circuit court for the county where the defendant lives. • To start a civil action, a summons and complaint must be filed, filing fees must be paid, and all the parties must be served notice of the complaint. Civil lawsuits can be disposed of by a bench trial (a trial in front of a judge), a jury trial, settlement between the parties, or dismissal. If a plaintiff is successful in a civil lawsuit, they will obtain a judgment which is a court order specifying what exactly the court is awarding to the plaintiff. The most awarded relief in a civil lawsuit is money. • Model Civil Jury instructions can be found at Michigan Courts One Court of Justice website. • The affidavit and claim form must be signed in front of a notary or the clerk of the court.

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NO.

Court address

Court telephone no.

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

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 20th JUDICIAL CIRCUIT COUNTY PROBATE	COMPLAINT Page of pages	CASE NO.

Court address

Court telephone no.

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

Date

Signature

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