$1.00

Motion, Affidavit, and Order to Show Cause

When to Use:	• You have a current order, **and** • The other party violated a specific provision of the order.
Required Forms:	Motion, Affidavit, and Order to Show Cause
Optional Forms:	**MC 20** – Fee Waiver Request
Filing Website:	https://mifile.courts.michigan.gov
Filing Type:	Miscellaneous
Filing Fees:	$20
Method of Payment:	Credit Card
Copies:	None
Instructions:	1. Complete the Motion, Affidavit, and Order to Show Cause (first three pages). Make sure to enter: • The date of the order that has been violated (#2); • **What** the court order states (#2a); and • **How** the court order was violated (#2b). There is an extra sheet included in this packet for the responses in #2. 2. Sign and date your motion in front of a notary. The clerks in Circuit Court Records are notaries. The court will complete the hearing section (#5) after you file your motion. 3. File your paperwork on MiFile. 4. The court will review the motion and order and sign the order. 5. Once the court has signed the order, you will receive a copy in MiFile. 6. You **must** then serve the other party with a copy of the paperwork as required by the Court order. You may do so using *MiFile if the other party has an account. If not, you must print a copy and send it by mail. The Court may also order another form of service. *To serve the other party, you login to your MiFile account and under the "status updated" you will find the "filed stamped copy" of the Motion, Affidavit, and Order to Show Cause. You will click the box that states "serve only" and choose "miscellaneous" as the filing type.
Case Information:	You are the Plaintiff/Defendant Case Number: _____ Date of Order: _____ Date Proof of Service Filed: _____

STATE OF MICHIGAN 20th Circuit Court Family Division Ottawa County	Motion, Affidavit, and Order to Show Cause	CASE NO.

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 Court No: 616-846-8315

Plaintiff:		Defendant:
	V	

1. I am the ☐Plaintiff ☐Defendant in this matter.

2. _____ has failed to comply with an order dated_____, with a filed proof of service on said order dated _____, and is in contempt for: SEE ATTACHED.

3. I request an order directing _____ to show cause why

☐he/she should not be found in contempt of court.

☐other: _____

_____

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

_____
Signature

Subscribed and sworn to before me on _____.
Date

_____
Deputy Clerk/Notary Public Service

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.

State of Michigan 20th Circuit Court Ottawa County	Motion, Affidavit, and Order to Show Cause Page 2	Case Number

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

Plaintiff Name:	**Defendant Name:**

2a. The court order states:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

2b. The order was violated because:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

STATE OF MICHIGAN 20th Circuit Court Family Division Ottawa County	Order to Show Cause	CASE NO.

Court Address: 12240 Fillmore St, Rm 50, West Olive, MI 49460 Court No: 616-846-8315

Plaintiff:		Defendant:
	V	

5. You must appear before this court on _____ at _____ at
Date Time

_____ to show cause why you should not
Location

be held in contempt of court for

☐failure to comply with the order of this court as follows:

☐for the reasons stated in the motion.

☐other:

6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

7. A copy of this order must be served ☐ personally ☐ by mail on the person ordered to appear at least _____ days before the hearing.

8. The order is denied because:

_____
Judge Signature and Date

PROOF OF SERVICE

TO PROCESS SERVER: You must serve copies of the motion, affidavit, and order to show cause and file proof of service with the court clerk. 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 first-class mail (only if ordered by the court) a copy of the motion, affidavit, and/or order to show cause, together with the attachments listed below, on:

☐ I have attempted to serve a copy of the motion, affidavit, and/or order to show cause, together with the attachments listed below, and have been unable to complete service on:

Defendant's/Respondent's name	Date and time of service
Place or address of service	
Attachments (if any)	

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 motion, affidavit, and/or order to show cause, together with

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

_____ on behalf of _____
Signature

_____
Name (type or print)

For use by the court clerk only when the court orders the clerk to serve by mail.

CERTIFICATE OF MAILING

I served a copy of the motion, affidavit, and/or order to show cause on the person ordered to appear by first-class mail addressed to their last-known address 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.

_____
Court clerk signature and date