

## Form LFOC 02

# MOTION FOR CHANGE OF RESIDENCE

Use this form if:

- you want to change the residence of the child(ren) to a location that is more than 100 miles from the child(ren)'s legal residence at the time of commencement of the action in which the order issued

**Do not use this form if any of the following apply:**

- you have sole legal custody of the child(ren)
- the other parent will consent to the move
- at the time of commencement of the action in which the custody order was issued, the child(ren)'s two legal residences were already more than 100 miles apart
- the proposed legal residence change will result in the child(ren)'s two legal residences being closer to each other

Following instructions A through D and printing neatly in black ink, please complete the Motion. Once you have completed the form, return it and three (3) copies of the completed form, including any attachments, to the Bay County Friend of the Court Office, P.O. Box 831, Bay City, MI 48707, along with a check or money order for \$100.00 payable to the Clerk of Court to cover the \$20.00 filing fee and the \$80.00 Judgment Fee which is required in the State of Michigan.

Upon receipt, the Friend of the Court Office will file the Motion with the Clerk's Office and schedule a hearing date and time. The Friend of the Court will also send copies of the Motion and Notice of Hearing to all parties.

**PLEASE NOTE:** A copy of your completed motion with attachment(s) will be served on the other party; the original document and attachment(s) will be filed with the Clerk's Office.

## **INSTRUCTIONS FOR COMPLETING "MOTION FOR CHANGE OF RESIDENCE"**

Items A through D must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

**Please print neatly. After filling in the form, you will need to make at least 3 copies.**

- A) Copy the Case No. from your court papers for divorce, separate maintenance, custody, or paternity onto this form.
- B) Use your court papers to fill in the "Plaintiff" and "Defendant" boxes and if applicable, the "Third Party" box. Copy the names from these court papers onto this form. For example, if your name is in the box that says "Plaintiff", then you should write your name in the "Plaintiff" box on this motion form.

You are the "moving party". Once you have written both names where they belong, you must check the box "moving party" in the same box as your name.

- C) Mark the judge assigned to your case.
- D) Complete items 1 through 9, write in today's date and sign your name.

**You must read this booklet for directions on the legal process.**

<b>STATE OF MICHIGAN</b> 18th Circuit Court Family Division Bay County	<b>MOTION FOR CHANGE          OF RESIDENCE</b>	File No: _____
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Friend of the Court, P.O. Box 831, Bay City, MI. 48707

Phone - 989-895-4295

Fax - 989-895-4220

Plaintiff's Name and Address <input type="checkbox"/> Moving Party	Defendant's Name and Address <input type="checkbox"/> Moving Party

Case assigned to: HONORABLE

1. Custody of the minor child(ren) is governed by court order dated \_\_\_\_\_.
2. At the time of commencement of the action in which the custody order was issued, the child(ren)'s two residences were not more than 100 miles apart.
3. The parties have Joint Legal Custody of the minor child(ren).
4. I want to change the legal residence of the minor child(ren) to a location that is more than 100 miles from the child(ren)'s legal residence at the time the custody order was granted.
5. The proposed change will not make the minor child(ren)'s legal residences closer to each other than before the change.
6. The other party will not consent to the change.
7. My reasons for wanting to move are:

\_\_\_\_\_

\_\_\_\_\_

8. The parenting time order dated \_\_\_\_\_  should not be changed  
 should be changed as follows:

\_\_\_\_\_

\_\_\_\_\_

9. Transportation of the child/ren for parenting time should be:

- |   |  |
|---|--|
| <input type="checkbox"/> as agreed by the parties | <input type="checkbox"/> each party transports one way |
| <input type="checkbox"/> at mid point exchange    | <input type="checkbox"/> shared equally                |
| <input type="checkbox"/> should not be changed    | <input type="checkbox"/> other: _____                  |

Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature