

Instructions for Motion Regarding Support

These are step-by-step instructions to help you with your Motion Regarding Support.

Step 1: Prepare your forms and find out how you will file

Complete the [Do-It-Yourself Motion to Change or Get Child Support](#) to prepare the forms you need. The instructions below explain which forms you need for each step and how many copies to make.

Some of the other steps may have slightly different information depending on how you will file with the court. Each court decides how it will accept documents for filing. Contact your court to find out which methods are available. Depending on your court, you may be able to file by:

- In-person filing
- E-mail
- E-filing using MiFILE
- Mailing or dropping off documents

You can find contact information for your court on the [Courts & Agencies](#) page of Michigan Legal Help.

[MiFILE](#) is only available for some courts. Even in courts where it is available, you can only use it for some case types. The State Court Administrative Office keeps a [chart of courts that use e-filing](#). To learn more, read [What Is E-Filing?](#).

Step 2: Get a hearing date

Contact the court clerk's office in your county to get a hearing date. In some counties you must contact the [Friend of the Court](#) or the judge's clerk for a hearing date.

On your Motion Regarding Support, there is a Notice of Hearing section. Fill in the Notice of Hearing with the information you get about the hearing date and time, location of the hearing, and name of the judge or referee who will hear the motion.

Step 3: Get your court fees waived (if you qualify)

It will cost you at least \$60 to file a motion regarding support. If you are unable to pay the filing fee, you can ask the court to waive it by filing a Fee Waiver Request.

If your fees have already been waived in your family case and there is no final judgment or order in your case yet, you don't have to file another Fee Waiver Request. If there is already a final order (not a temporary order) in your case, you will need a new Fee Waiver Request. You can use the [Do-It-Yourself Fee Waiver](#) tool to prepare a Fee Waiver Request.

The clerk of the court must automatically approve your fee waiver if any of these are true:

- You receive public assistance based on having low income (examples: FAP, SNAP, Healthy Michigan, CHIP, ESO, FIP, TANF, WIC, SSI);
- You are represented by a legal services program that receives funding from the Legal Services Corporation or the Michigan State Bar Foundation; or
- You are represented by a law school clinic based on having low income.

If you do not fit into one of these three categories, a judge will review your Fee Waiver Request. The judge must waive your fees if you show that your gross household income is under 125% of the federal poverty level. If your gross household income is over 125% of the federal poverty level, but you show that paying fees would be a financial hardship for you, the judge must also waive your fees.

To learn more, read [Fee Waivers in Court Cases](#).

Step 4: Sign your forms

You must sign and date the Motion Regarding Support form. If you are filing a Fee Waiver Request, also sign and date it.

Step 5: Make copies

After you sign your documents, make copies as follows:

- Fee Waiver Request (if needed) – **3 copies**
- Motion Regarding Support and any attachments – **5 copies**

In some counties the court clerk's office will make the copies for you. You can call the clerk's office ahead of time to ask whether you need to make your own copies.

If you are filing either by e-mail or using MiFILE, you will not need to make copies.

Step 6: File your motion with filing fee

Please note that completing the documents on Michigan Legal Help or LawHelp Interactive does not file anything with the court. Contact your court to find out which filing methods are available.

Depending on your court, you may be able to file electronically. To learn more about filing methods that may be available, read Step 1.

File your Motion Regarding Support with the court. If you are filing in person or need contact information for the court, click on [Courts & Agencies](#) for the address and phone number of the court.

Pay the filing fee or file a Fee Waiver Request along with the Motion Regarding Support. If you are filing in person at the court clerk's office, give the clerk all of the copies of your papers. The clerk will return any copies that the court doesn't need.

Step 7: Serve the papers on the other party

You must serve (send) the other party a copy of each paper you file. If the other party has a lawyer, send the papers to the lawyer instead. This includes one copy of each of the following forms, along with any attachments that you filed:

- Motion Regarding Support
- Fee Waiver Request and the decision on your request (if you filed a Fee Waiver Request)

You must serve documents electronically if you can and if the other party has access to e-mail. If you or the other party can't do this electronically, or if you are not sure, you can serve by regular mail. If you serve by mail, send the papers to the other party's last known address.

If you are using MiFILE to file documents electronically, your documents will be served electronically as long as the other party is also using MiFILE. If the other party is not using MiFILE, you will need to serve the documents by e-mail, if possible, or by regular mail if electronic options are not available.

[MiFILE](#) is only available for some courts. Even in courts where it is available, you can only use it for some case types. The State Court Administrative Office keeps a [chart of courts that use e-filing](#). To learn more, read [What Is E-Filing?](#).

Service must be completed at least **9 days** before the hearing date if you mail it or at least **7 days** before the hearing date if it is personally delivered or served through MiFILE. If you are serving through e-mail, the court rule is not clear about the timeline. To be on the safe side, complete service at least 9 days before the hearing date.

If you are serving documents by e-mail, keep the following rules in mind:

- All documents must be in PDF format;
- The e-mail subject line must include the name of the court, case name, case number, and the title of each document being sent;
- If you e-mail a document at or before 11:59 p.m., it is considered served on that day. If you send the e-mail on a Saturday, Sunday, or legal holiday, it is considered served on the next business day;
- Do not delete any e-mails you send to the other party, especially e-mails that served court documents. You must keep a record of sent items until a judgment or final order is entered and all appeals have been completed.

Step 8: File the Certificate of Mailing

Complete the Certificate of Mailing on one copy of the Motion Regarding Support if you will be filing it electronically. If you will be filing in person or by mail, complete the Certificate of Mailing on all three remaining copies of your motion. File two copies, and keep one copy for your records.

If you served the other party electronically, cross out the part of the Certificate of Mailing that says “by first-class mail addressed to the last-known addresses as defined in MCR 3.203” and write in how you served your documents. If it is by e-mail, be sure to include the e-mail address that you used. For example, you could write “I served this document by e-mail to emailaddress@email.com.”

If you served the other party using MiFILE, you will not need to file a Certificate of Mailing. MiFILE will create and file a Proof of Service for you.

Step 9: Prepare for the hearing

The other party has the right to file a response to your Motion Regarding Support. If a response is filed, make sure you read it before you attend the hearing so you know what arguments the other party is likely to make in court.

When you used the [Do-It-Yourself Motion to Change or Get Child Support](#) tool, you got a Uniform Child Support Order and a Deviation Addendum form that were mostly blank. Before the hearing, complete these forms. You only need the Deviation Addendum if you are asking the judge to order a support amount that is different from the Michigan Child Support Formula amount.

In general, Michigan law requires judges to order child support calculated using the Michigan Child Support Formula. You can calculate the Formula amount using the [MiChildSupport Calculator](#). On the results page, you will see the child support values. Write down these numbers in the corresponding spaces on the Uniform Child Support Order. Also print the Results page from the Calculator in case the judge or the other party has questions about the numbers you used to calculate support.

If you are asking the judge to order a support amount that is different from the Formula amount, fill in the numbers that you are requesting on the Uniform Child Support Order. You must convince the judge that applying the Formula would be unfair or inappropriate. You must also complete and submit the Uniform Child Support Order Deviation Addendum. Be sure to fill in the entire form. If you need help asking for a deviation, you can use the [Guide to Legal Help](#) to find a lawyer.

Step 10: Attend the hearing

Below are brief instructions about attending your court [hearing](#). For more detailed instructions about going to court, read [What to Expect When You Go to Court](#).

Go to the hearing location on the scheduled day and time. Dress neatly. Arrive 10 or 15 minutes before your scheduled hearing time. Go to the clerk and tell them your name, that you are there for a hearing, and that you are representing yourself. Follow the clerk's directions and do not interrupt any hearing in progress.

Bring to your court hearing an original plus two copies of any document you wish the court to consider when making a decision in your case.

Bring the Uniform Child Support Order and two copies. Also bring the Deviation Addendum and two copies if you are asking for a support amount that deviates from the Michigan Child Support Formula.

When you are called, go to the place you are directed. Be prepared to state:

- Your name
- That you are representing yourself
- That you need a child support order or a change in a child support order
- The facts or reasons for your request (bring papers showing your income, such as pay stubs, W-2 forms, income tax forms, child care expenses, health care expenses, etc.)
- Whether you have witnesses in court who are willing to testify

Clearly and directly answer any questions the judge or referee has. If the judge or referee wants to hear from your witnesses, ask them to say what they know about the situation.

If the other party is in court, they will also have a chance to speak. When the other party talks, take notes. Do not interrupt. After the other party speaks, you will have another chance to talk. Taking notes will help you with this.

Your case may have one of the following outcomes:

- The judge may award child support or change the support amount to the amount you requested;
- The judge may award child support or change the support amount, but order a different amount than you requested;

- The judge could deny your motion, and the existing support order could stay in place.

If the judge decides to award or change child support, the judge may sign your proposed order or direct you to submit an order with different numbers. If the judge signs your proposed order and the other party is at the hearing, you can ask the judge to [serve](#) them with a copy of the order in the courtroom, or you can give them the order.

The judge may not make a decision at the hearing. Instead, the judge might refer the motion to the [Friend of the Court \(FOC\)](#) or schedule a trial. In some counties, you may meet with a FOC referee instead of a judge. If the FOC makes a recommendation in your case, or if a referee makes a recommended order, the judge will consider it. Either type of recommendation can become a final order in your case, but you will have a chance to object to it before that can happen.

Step 11: File the signed Uniform Child Support Order

Make five copies of the signed order. File the original and one copy with the clerk. The clerk will return the other copies to you.

If there is a Deviation Addendum in your case, make three copies of it. File the original and one copy with the clerk. The second copy is to serve on the other party, and the third copy is for your own records.

If you are filing either by e-mail or using MiFILE, you will not need to make copies.

Step 12: Serve the signed Uniform Child Support Order on the other party

Unless the other party was served with the order at the hearing, you must serve (send) the order to the other party within 7 days after the judge signs it. If there is a Deviation Addendum in your case, also serve a copy of it. Look back to Step 7 for information on how to serve papers. If you file these documents in MiFILE, you can serve the other party through MiFILE at that time.

Step 13: Complete and file a Certificate of Mailing

If you are going to file the Certificate of Mailing in person at the courthouse or by mail, complete the Certificate of Mailing on the three remaining copies of the Uniform Child Support Order. File two copies and keep one copy for your records. If you are going to file electronically, you only need to complete the Certificate of Mailing on one copy.

If you served the Uniform Child Support Order electronically, cross out “by first-class mail addressed to their last-known addresses as defined in MCR 3.203” and write in how you served your documents. If it is by e-mail, be sure to include the e-mail address you used. For example, you could write “I served this document by e-mail to emailaddress@email.com.”

If you served the other party using MiFILE, you will not need to file a Certificate of Mailing. MiFILE will create and file a Proof of Service for you.