

YOU MAY NOT LEGALLY CHANGE THE DOMICILE OF ANY MINOR CHILD WITHOUT A COURT ORDER

IF BOTH PARTIES AGREE TO THE MOVE, then the form can be completed with notarized signatures of both parties and submitted to the Friend of the Court for approval and signature by the Judge.

IF BOTH PARTIES DO NOT AGREE, then you must complete the form and petition the court. To get a hearing date, call the Friend of the Court scheduling clerk (734) 240-7180 and ask for the scheduling clerk.

Make at least three (3) copies of the Motion to Change Domicile.

- Original to be filed with the County Clerk along with a \$20.00 money order (no personal checks).
- A copy to be mailed/dropped off at the Friend of the Courts office.
- A copy to be mailed to the other party (preferably by certified, return receipt mail).
- A copy is retained for your records.

DON'T CALL the County Clerk's office or other governmental agencies for advice or assistance. You have the right to legal counsel in any court proceeding. There are no court appointed attorneys available for this process. The Monroe County Friend of the Court is not allowed to provide legal advice or represent either party. If you are in need of legal advice, you may wish to consult with a private attorney.

GETTING READY FOR COURT

- Be prepared for the hearing on your motion. Be there at least 10 minutes before the scheduled time of the hearing. You have the obligation to properly serve the other party or parties and their attorneys, if any, or your motion to change Domicile may be denied. A certified mail receipt signed by the other party is the preferred method of service.
- You are representing yourself in a Court of Law, you are to conduct yourself and follow the same general rules and laws as an attorney would. Make a written list of information which you feel is important for the Judge or Referee to know. This list may remind you to bring up the points you feel are important in your case.
- State your reasons and legal basis for the change of Domicile clearly and in a calm manner. Clearly state why the change is in the minor child(ren)'s best interests. Gather any papers/witnesses that you think will support your position at the hearing.
- If you feel you need to order someone to attend this hearing, follow the procedure in Michigan Court Rule (MCR) 2.506 or consult with a private attorney. The Judge, Referee and the Monroe County Clerk's office and the Friend of the Court office cannot provide you with legal advice. You must consult with a private attorney to obtain legal advice.
- The other party, if present, will have a chance to speak. Do not interrupt the other party. Take notes and you will be given another chance to talk.
- The Judge/Referee may refer the matter to the Friend of the Court for an investigation, report and recommendation.