

**SAGINAW COUNTY FRIEND OF THE COURT**  
**INSTRUCTIONS FOR FILING**  
**RESPONSE TO MOTION REGARDING CUSTODY (FOC 88)**

Use this Response if: you received a Motion Regarding Custody from the other party. By filling out this response, you are answering the statements made in that Motion.

**FILING YOUR RESPONSE:**

- 1) Fill out the FOC 88 Response to Motion Regarding Custody (use a separate sheet and attach if you need more room to explain).
- 2) Bring, mail, or email your FOC 88 and four copies of your documents to the Circuit Court Clerk's Office at [111 S. Michigan Ave., Saginaw, MI 48602](https://www.saginawcountymichigan.com/circuitcourtreCORDSfiling), [circuitcourtreCORDSfiling@saginawcountymichigan.com](mailto:circuitcourtreCORDSfiling@saginawcountymichigan.com). Please see the County Clerk's website for further electronic filing instructions. If you mail your motion, include a self-addressed stamped envelope for the Clerk to return copies to you.
- 3) There is no fee to file a response to a motion.
- 4) The Court Clerk will keep the original and one copy and return the remaining copies to you.

**SERVING YOUR MOTION**

- 1) You MUST serve the Response to the other party (and attorney if represented) as soon as possible after filing your motion and at least **5 days before your hearing**. This is done by mailing the Response and all attachments by first class mail to other party/attorney. If you do not have the other party's address, you can obtain it from the Circuit Court Clerk's office.
- 2) After mailing the Response, complete the CERTIFICATE OF MAILING section on the bottom of the Response form.
- 3) YOU MUST FILE YOUR CERTIFICATE OF MAILING: Return to the Clerk's office to file two copies of the certificate of mailing. The court clerk will route a copy to the Friend of the Court.

**PREPARING FOR YOUR HEARING**

- 1) You must attend the hearing on this motion. If you do not appear, the Court may make a decision without your attendance. Hearings may be conducted by video conferencing (Zoom). Please review the notice of hearing for Zoom instructions.
- 2) Your hearing may result in a referral to the Friend of the Court for an evidentiary hearing before the Referee.

<b>STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY</b>	<b>RESPONSE TO MOTION REGARDING CUSTODY</b>	<b>(A) CASE NO.</b>
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Court address

Court telephone no.

**(B)** Plaintiff's name, address, and telephone no.  moving party

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Third party name, address, and telephone no.  moving party

v

Defendant's name, address, and telephone no.  moving party

**(C)** 1.  a. On \_\_\_\_\_ a judgment  
Date  
or order was entered regarding custody.  
 b. There is currently no order regarding custody.

**(D)**  2. The  plaintiff  defendant  third party was ordered to have custody of the following child(ren):

**(E)** 3. The child(ren) have been living with \_\_\_\_\_ at  
Name(s)  
\_\_\_\_\_ since \_\_\_\_\_  
Complete address Date

**(F)** 4. I  agree  do not agree that circumstances have changed as stated in the motion.  
Explain in detail what you do not agree with and why. Include all necessary facts. Use a separate sheet of paper if needed and attach.

**(G)** 5. I  agree  do not agree that proper cause exists as stated in the motion.  
Explain in detail what you do not agree with and why. Include all necessary facts. Use a separate sheet of paper if needed and attach.

**(H)**  6. I agreed with the other party to custody, parenting time, and support  
 a. exactly as stated in the motion.  
 b. but not as stated in the motion.  
If b is checked, explain in detail what you did agree on. Include all necessary facts. Use a separate sheet of paper if needed and attach.

**(I)** 7.  a. I agree with what is being asked for in the motion.  
 b. I do not agree with what is being asked for in the motion and ask the court to order custody, parenting time, and support as follows: If b is checked, explain in detail why and what you want the court to order. Use a separate sheet of paper if needed and attach.

**(J)** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding party's signature

**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this response on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 3.203.

**(K)** \_\_\_\_\_  
Date

\_\_\_\_\_  
Responding party's signature