

Form FOC 29

ORDER REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE

NOTE: The Friend of the Court Staff cannot assist you in any way in the preparation of the Order, but we can furnish you with your file number.

USE THIS FORM:

- **ONLY IF YOU AND THE OTHER PARTY AGREE to change the domicile of the child(ren) outside the State of Michigan.**
- You have a pending case for divorce, custody, separate maintenance, paternity or family support action.

DO NOT USE THIS FORM IF:

- **YOU AND THE OTHER PARTY DO NOT AGREE to change the domicile of the child(ren) outside of the State of Michigan.** If this is the case, you may file a Motion Regarding Custody (Form FOC 87) which is available at the receptionist's desk of the Friend of the Court Office, or on the Friend of the Court website at <http://vbco.org/vbcfoc.asp>.
- You are moving the child(ren) **within the State of Michigan, and the move is less than 100 miles.**
- You have an attorney. Contact your attorney for legal assistance.
- You are a third party, i.e., not a parent of the child(ren).
- Your case numbers contain any of the following case code types: DI, DF, DW, TI, UW, DR, UC, UN, UD, UI, UO, UF, DO, TO, DU, TU, UE, UM. If you want to establish or modify the child's domicile in any of these types of cases, you may want to seek legal counsel.

INSTRUCTIONS FOR COMPLETING

CONSENT ORDER REGARDING CHANGE OF DOMICILE

Please print neatly with an ink pen, or use a typewriter.

1. **DO NOT CHANGE / MOVE THE CHILD(REN)'S DOMICILE** (i.e., home or regular residence) FROM THE STATE OF MICHIGAN, UNTIL YOU HAVE A WRITTEN, SIGNED ORDER FROM THE COURT THAT ALLOWS FOR THE CHANGE OF THE CHILD(REN)'S DOMICILE.
2. In **Item A**, before you fill in the case number please get your most current court papers for divorce, separate maintenance, or paternity and copy the case number from the court papers onto this form. (If you do not have the forms readily available, you may contact the County Clerk's Office.)
3. In **Item B**, also use your court papers to fill in the "Plaintiff" and "Defendant" boxes. If the other party has an attorney, also include the attorney's name and address. Please note, the designated Plaintiff and Defendant remain as the Plaintiff/Defendant throughout the pendency of the action according to the initial filing of the action. Copy the correct Plaintiff and Defendant names from your court papers onto this form. If a party remarried, please use their current name. Be sure to provide the most recent address and telephone number of each party.
4. In **Item C**, please leave this item blank.
5. In **Item D**, by using this form, you and the other party are filling out this order based on an agreement between both of you and you are not filing a motion with the court, check the box "on consent of the parties."
6. In **Item E**, please leave this item, numbers 2 through 6 blank.
7. In **Item F**, you must write in as much detail as possible. Make sure you include everything you and the other party agreed on. Anything that you do not write down on this form will not be ordered even if you and the other party had agreed on it. Do not complete number 10 in this item.
 - If you and the other party have also agreed to modify child support, you must attach a Uniform Child Support Order (Form FOC10) to your Order Regarding Change of Domicile/Legal Residence.

8. In **Item G**, both parties must sign on the appropriate line.
9. In **Item H**, before this order is effective, you must bring in this form to the Friend of the Court for approval. Be sure to submit the original form with 3 (three) copies. Allow 7-10 days for the approval process. Go to the receptionist's desk, and ask to have this order approved. After you give this form and the copies to the receptionist, your part is done.

Please note: If approved, the Friend of the Court will approve and date the order and forward it to the Circuit Court Judge for review, approval, and signature. After the Judge signs the order, the order is effective. The Friend of the Court office will file the order with the County Clerk's office and mail a copy of the order to all parties.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	ORDER REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE	(A) CASE NO.
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Court address Court telephone no.

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

Third party's name, address, and telephone no.

v

Defendant's name, address, and telephone no.

(C) Date: _____
 Judge: _____
Bar no.

(D) 1. This order is entered after hearing. on consent of the parties. on stipulation of the parties.

(E) THE COURT FINDS:
 2. A motion requesting change of domicile/legal residence was filed.
 3. A response to the motion was filed.
 4. The parties have joint legal custody. The plaintiff defendant has sole legal custody.
 5. The requested change of domicile will will not change the child(ren)'s established custodial environment.
 6. It is is not in the best interests of the child(ren) to change domicile. legal residence.
 7. The moving party did not appear.

(F) IT IS ORDERED:
 8. _____ may change the domicile/legal residence of
 Name of party _____
 Name(s) of minor child(ren) _____

a. to a residence more than 100 miles from the child(ren)'s legal residence when this case was commenced.
 b. from the State of Michigan to _____ .

9. The parenting-time order dated _____ is modified as follows:

10. The cost of transportation for parenting time shall be paid
 by the plaintiff. by the defendant. equally by the plaintiff and the defendant. as follows:

11. The motion is denied. dismissed.

12. Except as changed in this order, the prior order (if there is one) remains in effect.

(G) _____
 Plaintiff's signature (consent/stipulation) Defendant's signature (consent/stipulation)

 Third party's signature (consent/stipulation)

(H) _____
 Date Judge

CERTIFICATE OF MAILING

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

(I) _____
 Date Signature