

Form FOC 116

**RESPONSE TO
MOTION REGARDING CHANGE OF
DOMICILE/LEGAL RESIDENCE**

Use this form if:

- you get a copy of FOC 115, Motion Regarding Change of Domicile/Legal Residence. By filling out this form, you are answering the statements made in the motion.

INSTRUCTIONS FOR COMPLETING "RESPONSE TO MOTION REGARDING CHANGE OF DOMICILE/ LEGAL RESIDENCE"

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

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

- A** Before you fill in the Case No., get your copy of the Motion Regarding Change of Domicile/Legal Residence (Form FOC 115) and copy the Case No. from that paper onto this form.
- B** Also use the motion form to fill in the "Plaintiff" and "Defendant" boxes and if applicable, the "Third Party" box. Copy the names from the motion 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 response form.

The other party is the "moving party." Once you have written both names where they belong, you must check the box "moving party" in the same box as the other party's name.
- C** Enter the date of the most recent order regarding custody.
- D** Check whether you "agree" or "do not agree" to allow the change of domicile or legal residence. If you checked the box "do not agree," you must explain **in** as much **detail** as possible why you disagree. If you have joint legal custody, you must explain why the moving party cannot meet the factors in MCL 722.31. If you need more space, use a separate sheet of paper. You will need four copies of this sheet to attach to copies of this form.
- E** If you agree with the request in the Motion form (FOC 115), check the box "allow." If you do not agree with the request, check the box "not allow." If you checked the box "not allow," you must **explain in** as much **detail** as possible why you do not agree with the request in the Motion form and what you want the court to order. If you need more space, use a separate sheet of paper. Print your explanation as neatly as you can. You will need four copies of this sheet to attach to copies of this form.
- F** Check the appropriate box.
- G** Write in today's date and sign your name.

 - Now go to the county clerk's office with the original and five copies of this form and the four copies of each separate sheet. The clerk will attach one copy of each separate sheet to four of the copies.
- H** On the date you mail one copy (and the separate sheets) to the other party, write in the date and sign your name on the remaining three copies. Return to the county clerk with two copies.

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	RESPONSE TO MOTION 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. moving party

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

v

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

(C) 1. On _____ a judgment
Date or order was entered regarding custody.

(D) 2. I agree do not agree to allow a change of domicile or legal residence as requested in the motion.
Explain in detail what you do not agree with in item 2. of the motion and why. Include all necessary facts. Use a separate sheet of paper if needed.

(E) 3. I ask the court to enter an order to allow not allow the change in domicile or legal residence as requested in the motion.
If you do not agree with the request in the motion, explain in detail what you want the court to order. Use a separate sheet of paper if needed.

(F) 4. I ask the court to enter an order continuing the current parenting-time order. modifying the parenting-time order as stated in the motion. modifying the parenting-time order as follows:
If you do not agree with the request in the motion, explain in detail what you want the court to order. Use a separate sheet of paper if needed.

(G) _____
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.

(H) _____
Date Responding party's signature