

## **Form FOC 29**

# **ORDER REGARDING CHANGE OF DOMICILE/LEGAL RESIDENCE**

### **Use this form if:**

- you had a hearing on your Motion Regarding Change of Domicile/Legal Residence (form FOC 115) and both you and the other party or third party agree to sign the order without another hearing; or
- you had a hearing on your Motion Regarding Change of Domicile/Legal Residence (form FOC 115) and the other party or third party will not sign the order; or
- you and the other party or third party have agreed about change of domicile/legal residence and want the court to sign your proposed order without having to file a motion and attend a hearing on the motion

## INSTRUCTIONS FOR COMPLETING "ORDER 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 I must be completed before the order can be given to the judge for signature. 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 (form FOC 115) or your court papers for divorce, annulment, separate maintenance, or paternity. Copy the Case No. from that paper onto this form.
- B** Also use the motion or other court papers to fill in the "Plaintiff" and "Defendant" boxes and, if applicable, the "Third Party" box. Copy the names from the motion or other court papers 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 order form.
- C** Fill in this information only if there was a hearing on a Motion Regarding Change of Domicile/Legal Residence.
- D** If you filed a Motion Regarding Change of Domicile/Legal Residence (form FOC 115) and the other party will not sign the order, a hearing to enter the order is required. Check the box "after hearing."  
  
If you filed a Motion Regarding Change of Domicile/Legal Residence (form FOC 115) and the other party will sign the order without a hearing to enter the order, check the box "on consent of the parties."  
  
If 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 stipulation of the parties." Even if you have checked this box, the court may still require a hearing. If a hearing is required, follow the directions on scheduling a hearing in the booklet for form FOC 53, Notice of Hearing to Enter Order.
- E** For items 2 through 6, check only those boxes that say what the judge found at the hearing on the motion. Use the notes you took at the hearing when filling out this part of the order form. If you are stipulating to this order, items 2 through 6 do not apply.
- F** Do not check the boxes in items 7 through 11 until after the hearing.  
  
Check only those boxes that say what the judge ordered at the hearing on the motion. Then write in the blank space provided what the judge ordered at the hearing. This information must state as closely as possible the exact words of the judge. Use the notes you took at the hearing when filling out this part of the order form.  
  
If you and the other party are stipulating to the order, this means that you both have agreed on what you want the court to order and have not filed a motion. Since there may not be a hearing, you must write in as much detail as possible exactly what you agree on. Make sure you include everything you 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.
- G** If you filed a motion (form FOC 115) and the other party has agreed to sign the order without a hearing to enter the order, both you and the other party must sign here. If the other party will not sign the order without a hearing to enter the order, follow the directions on scheduling a hearing, Notice of Hearing to Enter Order. If you and the other party are stipulating to the order, you both must sign here.
- H** To find out how to get the order signed, contact the court office for instructions.
- I** On the date you serve a copy on 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  
COUNTYORDER REGARDING CHANGE OF  
DOMICILE/LEGAL RESIDENCE

A

CASE NO.

Court address

Court telephone no.

B

Plaintiff's name, address, and telephone no.

v

Defendant's name, address, and telephone no.

Third party'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. It ☐ is ☐ is not in the best interests of the child(ren) to change ☐ domicile. ☐ legal residence.☐ 6. The moving party did not appear.**IT IS ORDERED:**

F

☐ 7. \_\_\_\_\_ may change the domicile 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 \_\_\_\_\_ .☐ 8. The parenting-time order dated \_\_\_\_\_ is modified as follows:☐ 9. 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:☐ 10. The motion is ☐ denied. ☐ dismissed.

11. 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