



THIRD JUDICIAL CIRCUIT COURT
FRIEND OF THE COURT

MOTION FOR PAYMENT PLAN

USE THIS SET OF FORMS IF:

- You owe back child support.
- You have limited income and cannot pay back your child support.

NOTE: These instructions have been updated to reflect the current filing options. As filing options can change, please visit the Court's website at www.3rdcc.org/divisions/family-domestic/emergency-and-non-emergency-filings for the most up to date filing information.

This Motion must be filed and scheduled in the Coleman A. Young Municipal Center (CAYMC) building at Two Woodward Avenue, Detroit, MI 48226. It will cost you \$20.00 to file this motion. The County Clerk's Office accepts cash; debit cards; MasterCard, American Express, and Discover credit cards; and, money orders made payable to the **Wayne County Clerk**.

If you cannot afford the filing fee, you can ask the Chief Judge for an Order waiving the filing fee. Fee Waiver forms can be obtained from Room 201 (CAYMC 2nd floor) or online [here](#). You must provide a copy of your State-issued photo ID card and proof of income and/or public assistance. Requests for Fee Waivers can be submitted in person at CAYMC or online using the Domestic Case Filings system. You cannot obtain a Fee Waiver by mail. If the Chief Judge waives your filing fee, the waiver is only good the same day as it is signed. You must file your motion the same day. Instructions on the different options to obtain a Fee Waiver may be found online at www.3rdcc.org/divisions/family-domestic/emergency-and-non-emergency-filings.

You need to mail copies of your motion **at least 56 days before your hearing date**, fill out the Certificate of Mailing form completely, and file it with the Court. You **MUST** mail a copy of your motion to the opposite party and to the State of Michigan Office of Child Support Operations at:

OFFICE OF CHILD SUPPORT OPERATIONS: LANSING
Arrears Payment Plan Review Unit
P.O. Box 30744
Lansing, MI 48909-8250

If you do not do this, your motion will not be heard.

INSTRUCTIONS:

1. Fill out Praecipe, Motion, and Certificate of Mailing. **USE BLACK OR BLUE INK ONLY.**
2. Write your Case Number in the upper right corner of every page.
3. **Attach copies of any documents that help prove that you cannot pay your back child support** now or in the foreseeable future. Some examples of what to attach: pay stubs, public assistance grant letter, veteran's benefit award letter, Social Security Administration description of benefits, bridge card, money judgments or debt collection attempts filed against you.
4. Make 3 sets of copies.
5. Always keep a copy of every paper you file with the Court and bring your copies with you to the hearing.
6. To get a Court date, you need to file the motion properly with the Court.

IF YOU ARE FILING ONLINE (RECOMMENDED):

1. The electronic filing system can be found at www.3rdcc.org/agency-resources. Click on Outside Agency Web Access under Applications Access to set up an account and to access the Domestic Case Filings System. Review User Guide for Domestic Case Electronic Filers under How to Tutorials for detailed instructions on how to access the system.
2. You will receive an email once your Motion has been accepted for filing.
3. Once you receive the email that your Motion has been accepted, you must submit a Friend of the Court ePraecipe at <https://www.3rdcc.org/efiling/epraecipe> to schedule your motion for hearing before the referee assigned to your case.
4. Once you have submitted the ePraecipe, you will receive a completed copy back with your hearing date on it. Please note that the final hearing date may be different from what was requested on the ePraecipe, due to Court availability.

IF YOU ARE FILING IN PERSON:

1. Take your original set of motion forms, your copies, and your money to pay the filing fee with you to CAYMC.
2. Take your original set of motion forms, your copies, and your filing fees (or signed Order waiving filing fees) to the Wayne County Clerk in **Room 201 (CAYMC 2nd floor)**.

3. Put case labels (stickers) in the upper right hand corner of all original documents and copies. Case labels are free and available in **Room 201**.
4. If you have a Chief Judge Order waiving your filing fees, give it the Clerk.
5. The Clerk will keep the original forms and have you pay at the Cashier counter.
6. The Clerk will give back to you the “Motion Praeceptum” form with a red stamp on it. This proves that you filed the Motion with the Clerk’s office.
7. Take that stamped “Motion Praeceptum” form and your copies to: the FOC Scheduling Office in **Room 900A (CAYMC 9th floor)**.
8. At the window of **Room 900A**, an FOC representative will take all of your paperwork and give you your hearing date.
9. **Go to your hearing with all documents that prove the request in your motion.** If you do not show up, or if you show up late, your motion will be dismissed.

IF YOU ARE FILING BY MAIL:

1. Mail your original forms, 3 sets of copies and a money order or certified check for the filing fees to: **Wayne County Clerk, Room 201, Coleman A. Young Municipal Center, Detroit, MI 48226**.
2. Keep copies of everything you mail to the Court.
3. Include a Self-Addressed Stamped Envelope and a letter asking the County Clerk to mail you a receipt and a copy of your motion stamped “filed.”
4. You will receive your hearing date by mail.

QUESTIONS?

Call the Wayne County Friend of the Court at (844) 785-7593 or email CustomerService@3rdcc.org. Employees of the Friend of the Court and the Wayne County Circuit Court cannot give you legal advice or help prepare documents. General Court information can be found on the website: www.3rdcc.org.

Failure to complete all of the above steps may result in delay or dismissal of your motion. The Court is required by law to use the Michigan Child Support Formula to set the child support amount, unless the Court finds that application of the formula would be unjust or inappropriate.

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	MOTION FOR PAYMENT PLAN (FOR DISCHARGE OR ABATEMENT OF ARREARS)	CASE NO. HON.
--	--	--------------------------

Please print or type information

Plaintiff name, address, telephone no., and email address	Defendant name, address, telephone no., and email address
Attorney name, address, telephone No., and email address	Attorney name, address, telephone no., and email address

_____ is incarcerated and a telephonic hearing is required. They are incarcerated at
Name

_____ and their inmate number is _____
Name of Facility MDOC or Other Number

I _____ am the payer in this case and I request this court enter an order for payment plan pursuant to MCLA552.605e for the following reasons:

1. Friend of the Court (FOC) records show that I owe support arrears in this case.
2. FOC records show the following as of _____:
Date
 - a. My current support is \$ _____ per month. My youngest child will be/was 18 on _____.
 - b. My support arrears total \$ _____.
 - c. I owe \$ _____ in support arrears to _____, the other party.
 - d. I owe \$ _____ in support arrears to the State of Michigan.
3. It is in the best interests of the parties and the children that a payment plan be ordered in this case.
4. I understand that if I owe arrears to the other party that they must be present in court to consent to entry of an order for a payment plan for discharge or abatement of their arrears.
5. The arrears did not arise from conduct by me meant to avoid my support obligation.
6. I do not have the present ability and will not have the ability in the foreseeable future to pay the arrears unless the court orders a payment plan.
7. I have income, before any deductions, in the amount of \$ _____ per D week D month.
(You must attach income verification such as a pay stub, W-2, social security award letter etc.)

8. I have assets, solely or jointly owned, as of this date, as follows:
(Assets include vehicles, real estate, bank accounts, retirement accounts, trust funds, etc. A separate sheet may be attached if more space is needed).

DESCRIPTION	NET VALUE
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____

RELIEF REQUESTED

I request that the court award the following relief:

- A. Order a payment plan of \$ _____ per month for _____ months for discharge or abatement of support arrears in this case;
- B. If the court declines to order the payment plan proposed in paragraph A. above, then order a payment plan for discharge or abatement of support arrears as found by the court to be a reasonable monthly payment over a reasonable time, in accordance with my ability to pay;
- C. Grant me such other and further relief as is just and appropriate.

I declare that the statements above are true to the best of my information, knowledge and belief. I understand that if I knowingly provide false information, I may be charged with a criminal offense pursuant to MCLA 552.605e (10).

Date

Payer Signature

**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT
WAYNE COUNTY**

**CERTIFICATE OF MAILING
RE: MOTION
FOR PAYMENT PLAN**

**CASE NO.
HON.**

Please print or type information

Plaintiff name, address, telephone no., and email address	Defendant name, address, telephone no., and email address
---	---

On _____
Date Name

Mailed a copy of the Motion for Payment Plan to:

**Office of Child Support – Lansing
Arrears Payment Plan Review Unit
P.O. box 30744
Lansing, MI 48909-8250**

Date Payer Signature