

## Filing and Serving Responsive Pleadings

See the Michigan Judicial Institute's *Civil Proceedings Benchbook*, Chapter 3.

A motion raising a defense or an objection to a pleading must be filed and served within 21 days of service or the time for filing a responsive pleading. See [MCR 2.108\(B\)](#).

| Type of Pleading and Manner of Service  | Time for Filing and Serving Response  |
|---|---|
| Personally served with a complaint in Michigan  | Must serve and file an answer or take other action, as permitted, within <b>21 days</b> of being served with notice. See <a href="#">MCR 2.108(A)(1)</a> .  |
| Served with a complaint outside of Michigan or by registered mail                               | Must serve and file an answer or take other action, as permitted, within <b>28 days</b> of being served with notice. See <a href="#">MCR 2.108(A)(2)</a> .  |
| Served with a complaint via substituted service (posting or publication)                        | The court must allow the defendant a <b>reasonable time</b> to answer or take other action as permitted. The time prescribed must <b>not be less than 28 days</b> after posting or publication is complete. See <a href="#">MCR 2.108(A)(3)</a> .   |
| Served with a pleading that states a cross-claim or counterclaim against the party              | Must serve and file a reply within <b>21 days</b> after service of the pleading to which the reply is directed. See <a href="#">MCR 2.108(A)(4)</a> .   |
| Served with a pleading to which a reply is required or permitted                                | Must serve and file a reply within <b>21 days</b> of being served with the pleading to which the reply is directed. See <a href="#">MCR 2.108(A)(5)</a> .   |
| Served with an action alleging medical malpractice (that was filed on or after October 1, 1986) | Must serve and file an answer within <b>21 days</b> after being served with the notice of filing the security for costs or the affidavit in lieu of such security as required by <a href="#">MCL 600.2912d</a> , unless the defendant responded pursuant to <a href="#">MCR 2.108(A)(1)</a> or <a href="#">MCR 2.108(2)</a> . See <a href="#">MCR 2.108(A)(6)</a> . |





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