



Michigan Supreme Court

State Court Administrative Office

Field Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

Ryan P. Gamby
Field Services Director

MEMORANDUM

DATE: September 11, 2023
FROM: SCAO Forms Team
RE: New and modified CC, DC, and MC forms

Below is a list of SCAO-approved court forms that were recently created or revised. An explanation of the changes, along with instructions on use of previously approved versions and a copy of the form with the changes highlighted, is provided.

If a form is used by the court through a JIS case management system, you will receive a separate notice from JIS regarding the release of the form. Until then, please use the current version posted to the One Court of Justice website.

For suggestions about these court forms, please contact CourtFormsInfo@courts.mi.gov.

[CC 295, Appeal of Suspension, Revocation, or Denial of Driver's License](#)

Most recent update: (9/23) version

Use of existing paper stock: (5/21) version of the form can be used until stock is depleted.

➤ Click here to see the form.

Instructions related to the collection of the petitioner's driver's license number were modified.

[CIA 02, Judgment, Civil Infraction](#)

Most recent update: (9/23) version

Use of existing paper stock: (8/21) version of the form can be used until December 10, 2023.

➤ Click here to see the form.

Instructions regarding form usage to appeal a post-hearing judgment were corrected.

[DCi 84, Collecting Your Money from a Small Claims Judgment](#)

Most recent update: (9/23) version

Use of existing paper stock: (6/19) version of the form can be used until October 11, 2023

- [Click here to see the form.](#)

Instructions were reviewed and updated as needed.

[DC 90, Petition Regarding Impoundment of Motor Vehicle](#)

Most recent update: (9/23) version

Use of existing paper stock: (11/19) version of the form can be used until December 10, 2023.

- [Click here to see the form.](#)

Options were added to item 5 that allow the petitioner to identify whether they received notice of removal from the secretary of state. Additionally, citations were updated.

[DC 100c, Notice to Quit to Recover Possession of Property, Landlord-Tenant](#)

Most recent update: (9/23) version

Use of existing paper stock: (6/19) version of the form can be used until November 10, 2023.

- [Click here to see the form.](#)

The note on the form was amended to include the notice provisions under the Protecting Tenants at Foreclosure Act, PL 111-22 §702; 123 Stat 1660. Additionally, formatting changes were made to meet new form standards.

[instDC 100c, Instructions for DC 100c, Notice to Quit to Recover Possession of Property, Landlord-Tenant](#)

Most recent update: (9/23) version

Use of existing paper stock: (6/19) version of the form can be used until November 10, 2023.

- [Click here to see the form.](#)

Form instructions and reference materials were separated from the form.

[MC 11, Subpoena, Order to Appear and/or Produce](#)

Most recent update: (9/23) version

Use of existing paper stock: (3/23) version of the form can be used until March 9, 2024.

- [Click here to see the form.](#)

Parties were added to the distribution list.

[MC 14, Garnishee Disclosure](#)

Most recent update: (9/23) version

Use of existing paper stock: (1/21) version of the form can be used until stock is depleted.

- [Click here to see the form.](#)

Instructions advising the garnishee that the social security or financial account number provided in the writ of garnishment must be verified against the information on file for the individual were modified. Additionally, formatting changes were made to meet new form standards.

[MC 20, Fee Waiver Request](#)

Most recent update: (9/23) version

Use of existing paper stock: (10/19) version of the form can be used until November 10, 2023.

- [Click here to see the form.](#)

A use note was added regarding the requirement for prisoners to submit an accounting when requesting a fee waiver.

[MC 22, Jury Demand](#)

Most recent update: (9/23) version

Use of existing paper stock: (4/19) version of the form can be used until stock is depleted.

- [Click here to see the form.](#)

Formatting changes were made to meet new form standards.

[MC 55, Claim of Appeal](#)

Most recent update: (9/23) version

Use of existing paper stock: (9/17) version of the form can be used until November 10, 2023.

- [Click here to see the form.](#)

Checkboxes for two case types that warrant expedited review by the court of appeals were added. Additionally, citations were added, and formatting changes were made to meet new form standards.

[MC 203, Writ of Habeas Corpus](#)

Most recent update: (9/23) version

Use of existing paper stock: (5/16) version of the form can be used until stock is depleted.

- [Click here to see the form.](#)

Item 3 was modified to reflect multiple types of hearing officers. Additionally, formatting changes were made to meet new form standards.

[MC 234, Order for Counseling and Testing for Disease/Infection](#)

Most recent update: (9/23) version

Use of existing paper stock: (6/19) version of the form can be used until stock is depleted.

- [Click here to see the form.](#)

The term “venereal disease” was replaced with “sexually transmitted infection” throughout the form to match statutory language.

[MC 282, Domestic Violence Screening for Referral to Mediation](#)

Most recent update: (9/23) version

Use of existing paper stock: (3/08) version of the form can be used until December 10, 2023.

- [Click here to see the form.](#)

A note was added to the form to advise litigants that the form should not be used if the parties are participating in ADR under MCR 3.224. A reference to MCR 3.216 was added to the form. Additionally, formatting changes were made to meet new form standards.

[*NEW FORM* MC 291, Advice of Rights \(Felony Plea\)](#)

Most recent update: (9/23) version

Use of existing paper stock: NEW FORM

- [Click here to see the form.](#)

This is a new form. It replaces CC 291, Advice of Rights (Felony Plea). This change will accommodate use in both district and circuit courts.

[*NEW FORM* MC 516, Notice of Limited Scope Appearance](#)

Most recent update: (9/23) version

Use of existing paper stock: NEW FORM

- [Click here to see the form.](#)

This form was created for use under MCR 2.117.

[*NEW FORM* MC 517, Notice of Withdrawal from Limited Scope Appearance](#)

Most recent update: (9/23) version

Use of existing paper stock: NEW FORM

- [Click here to see the form.](#)

This form was created for use under MCR 2.117.

[*NEW FORM* MC 518, Objection to Withdrawal from Limited Scope Appearance](#)

Most recent update: (9/23) version

Use of existing paper stock: NEW FORM

- [Click here to see the form.](#)

This form was created for use under MCR 2.117.

Note: The following form was included on the tentative list of form changes but was ultimately not changed.

- CC 299, Order on Application for Leave to Appeal

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	APPEAL OF SUSPENSION, REVOCATION, OR DENIAL OF DRIVER'S LICENSE	CASE NO. and JUDGE
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Court address

Court telephone no.

Petitioner's name, address, and telephone no.	
Driver's license no. Put DLN in the box labeled Other in Ref. No. row 10 on MC 97a.	Date of birth Put DOB in Ref. No. row 10 on MC 97a.
Petitioner's attorney, bar no., address, and telephone no.	

v

Respondent SECRETARY OF STATE OF THE STATE OF MICHIGAN Driver Assessment and Appeal Division PO Box 30196 Lansing, Michigan 48909-7696
Respondent's attorney, bar no., address, and telephone no.

1. I request a review of the action of the Secretary of State dated _____ that resulted in suspension, restriction, or denial of my driving privileges. Date

2. I am appealing the record pursuant to MCL 257.323(4). findings of a license appeal hearing pursuant to MCL 257.323(2).

3. The action should be set aside because it was
 - in violation of the constitution of the United States, the state constitution of 1963, or a statute as described below.
 - in excess of the Secretary of State's statutory authority or jurisdiction as described below.
 - made upon unlawful procedure resulting in material prejudice to the petitioner as described below.
 - not supported by competent, material, and substantial evidence on the whole record as described below.
 - arbitrary, capricious, or clearly an abuse or unwarranted exercise of discretion as described below.
 - affected by other substantial and material error of law as described below.
 (Provide details for each of the boxes that are checked. If necessary attach separate sheets.)

4. **I request** that the driving record/transcript be prepared by the Secretary of State pursuant to MCL 257.323(1) and filed with the court, and that upon review of the record, the court set aside the Secretary of State's action for the grounds stated above.

_____ Date

_____ Signature of petitioner

ORDER FOR HEARING

IT IS ORDERED:

A hearing on the petition shall be held on _____
Date and time

at the court address above. _____
Location

Judge signature and date

CERTIFICATE OF MAILING

I served a copy of this appeal and order for hearing on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Signature of petitioner

STATE OF MICHIGAN JUDICIAL DISTRICT COUNTY	JUDGMENT Civil Infraction	CASE NO. and JUDGE
---	--------------------------------------	---------------------------

Court address Court telephone no.

Plaintiff

The State Township City Village

of _____

v

Defendant's name, address, and telephone no.

Statute Ordinance Infraction: _____ Infraction date: _____

DEFAULT ENTRY

I certify that:

1. The defendant has not made a scheduled appearance nor answered the citation within the time allowed by statute.
2. The defendant is not in the military service or is in the military service but received notice and adequate time and opportunity to appear and defend.
3. The default of the defendant is entered.

Clerk/Deputy clerk/Magistrate signature and date

JUDGMENT

THE COURT FINDS:

1. The defendant is responsible and admitted responsibility
 by mail. in person/by representation.
2. The defendant is in default. The citation/complaint is sufficient to make a determination of responsibility.
3. After hearing, the defendant is is not responsible as amended: _____.
4. The plaintiff failed to appear.
5. The plaintiff moved to dismiss the case.

IT IS ORDERED:

Note: For a defendant on active military duty, default judgment shall not be entered, except as provided by the Servicemembers Civil Relief Act.

6. The defendant must pay the balance due by returning a copy of this judgment with payment.

Amount of judgment

Fine \$ _____

Costs \$ _____

State costs \$ _____

\$ _____

Total \$ _____

Bond forfeited \$ _____

Balance due \$ _____

Date owed: _____

7. Other:

8. The case is dismissed.

Judge/Magistrate/Deputy clerk signature and date

NOTICE TO THE DEFENDANT: Fine, costs, and fees not paid within 56 days of the date owed are subject to a 20% late penalty on the amount owed. **If you are not able to pay due to financial hardship, contact the court immediately to request a payment alternative.**

If this judgment is the result of an informal hearing, you may appeal the decision within 7 days of the judgment date (form CIA 05). If this judgment is the result of a formal hearing, you may appeal the decision within 21 days of the judgment date (form MC 55). If this judgment is based on an admission of responsibility, you may file a written request to withdraw your admission within 14 days of the admission (form CIA 05). If this judgment is the result of a default, you may be able to have the default judgment set aside by filing a motion (form CIA 04) within 14 days of the date the judgment was served. A bond equal to the amount of the judgment is required in all instances.

Use note: certificate does not need to be completed if the document is served through MiFILE.

CERTIFICATE OF SERVICE

I certify that on this date

I have personally served a copy of this judgment on the defendant.

I have served a copy of this judgment on the defendant by first-class mail addressed to his/her last-known address as defined by MCR 2.107(C)(3).

I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Clerk/Deputy clerk/Magistrate signature and date

COLLECTING YOUR MONEY FROM A SMALL CLAIMS JUDGMENT

If you receive a money judgment through a lawsuit, you have the right to collect the money by the means allowed by law. An attorney may not represent you for the purpose of collecting a small claims judgment.

How Much can I Collect?

You can collect the amount stated in your small claims judgment (form DC 85) plus any interest that accumulates during the time the other party pays off the judgment.

How can I Collect my Money?

There are several ways to collect your money.

1. If the party who lost the lawsuit (called a judgment debtor) has the money and is present at the trial, s/he can pay you (called a judgment creditor) right then.

2. If the judgment debtor does not have the money at that time, the judge can set up a payment schedule.

If the judgment debtor is not present at the trial, the court will send a copy of the small claims judgment to the judgment debtor. The judgment will order the judgment debtor to pay you in full within 30 days or to tell you and the court where the judgment debtor works and the location of his/her bank accounts.

3. If the judgment debtor doesn't pay the judgment as ordered, you can collect your money through proceedings to seize property or to garnish income of the judgment debtor.

What is Seizure of Property?

Seizure of property is a court procedure that allows a court officer to seize property belonging to the judgment debtor that can be sold to pay the money owed to you. To file a request to seize property, use form MC 19, *Request and Order to Seize Property*.

What is Garnishment?

Garnishment is a court procedure that allows you to collect the money owed to you by taking in from the judgment debtor's wages, bank account, or another source (such as income tax refunds). To file a garnishment, contact the court clerk for the proper forms. Instructions are provided with the form.

How do I get an Order to Seize Property or a Garnishment?

To get an order to seize property or for garnishment, you must know where the

judgment debtor lives and works, what assets s/he has and where these assets are located, and any other information that identifies the judgment debtor and his/her property.

- If you already have the information described above, you can start the process for an order to seize property or for garnishment.

- If you don't have the information described above, you can order the judgment debtor to appear in court for questioning through a process called discovery. You can start this process by filing a discovery subpoena.

How to File a Discovery Subpoena

You must wait 21 days after your small claims judgment was signed before you can file a discovery subpoena. Use form MC 11, *Subpoena (Order to Appear and/or Produce)*.

Be sure to contact the court to set an appearance date and then put that date and location on the form. Complete the front of the *Subpoena* form and the "Affidavit for Judgment Debtor Examination" on the back of the form. The judge must sign the *Subpoena* before it becomes effective. After the *Subpoena* is signed, you must serve it on the judgment debtor.

The fee for filing the *Subpoena* with the court varies. The cost of serving it also varies.

How to File a Request to Seize Property

You must wait 21 days after your small claims judgment was signed before you can

get an order to seize property. Use form MC 19, *Request and Order to Seize Property*, to start the process. Complete the “Request” portion of form MC 19 and file it with the court.

The filing fee varies. The court will issue the order by signing the form, and it will be executed (property seized) by a sheriff or court officer.

When do I get my Money from Seized Property? Once property is seized and sold, the money will be given to you. The sheriff or court officer is entitled to fees, which will be deducted from the sale of the property.

How to File a Request for Garnishment

You must wait 21 days after your small claims judgment was signed before you can get a garnishment. There are **three types of garnishment**: 1) periodic, 2) nonperiodic, and 3) income tax intercept. Use the appropriate form MC 12, MC 13 or MC 52, *Request and Writ for Garnishment*, to start the garnishment process.

A **periodic** writ of garnishment (form MC 12) is used to garnish the judgment debtor’s wages, rent payments, land contract payments, or other debt that is paid to the judgment debtor on a periodic basis. A periodic garnishment is valid until the judgment, interest, and costs are paid off, or further court order, whichever occurs first.

A **nonperiodic** writ of garnishment (form MC 13) is used to garnish the judgment debtor’s bank account or other property. Once

money has been garnished under the nonperiodic writ, the writ is no longer valid. If there is a remaining balance due on the judgment, you must get another writ to collect more money.

An **income tax** writ of garnishment (form MC 52) is used to intercept the judgment debtor’s income tax refund. Once the tax refund has been intercepted by the Department of Treasury, the writ is no longer valid. If there is a remaining balance due on the judgment, you must get another writ to collect more money.

Write or type in the names and addresses of the defendant (judgment debtor) and the garnishee on the “Request” part of the form. The **garnishee** is the person or business who has control or possession of the judgment debtor’s money. After you complete the “Request,” you must file it with the district court that entered your small claims judgment. The filing fee is \$15.

The court will issue the “Writ” (order) by signing the form. The *Request and Writ for Garnishment* must be served on the garnishee along with the *Garnishee Disclosure*, form MC 14. There is a **\$1 disclosure fee for non-periodic garnishment, \$6 disclosure fee for a garnishment of an income tax refund, and a \$35 disclosure fee for a periodic garnishment.** The cost of serving the writ varies.

When do I get my Money from the Garnishment? The garnishee has 14 days after the writ is served to let you, the court,

and the judgment debtor know if any money is available for garnishment. This information will be provided on the *Garnishee Disclosure*, form MC 14. If you are trying to garnish the judgment debtor’s wages, you will only receive part of the wages, calculated by using a federal formula.

If money is available, it will be withheld from the judgment debtor right away. However, this money will be held for 28 days to allow the judgment debtor time to object. If the judgment debtor files no objections with the court, the withheld money will be automatically sent to you after 28 days. If the garnishment is for periodic payments, money will continue to be sent to you as payments become due to the judgment debtor until the writ expires.

What do I do when I have received all my Money owed from the Garnishment?

You should file a garnishment release (form MC 50) for each garnishee and a certificate of satisfied judgment (form MC 17) with the court.

What Else can I do?

If your case against the judgment debtor involved a traffic accident, you can ask the court for an abstract of judgment, which would suspend the judgment debtor’s Michigan driver’s license until s/he pays the judgment. You must wait 30 days after the date of judgment until you can get an abstract of judgment. You need to provide the judgment debtor’s full name, date of birth, and Michigan driver’s license number. There is no filing fee. The court clerk should have the necessary forms.

MichiganLegalHelp.org has tools that can help you with small claims cases.

STATE OF MICHIGAN JUDICIAL DISTRICT	PETITION REGARDING IMPOUNDMENT OF MOTOR VEHICLE	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Petitioner's name, address, and telephone no.

v

Respondent's name, address, and telephone no.

Note: The petitioner must be an owner or secured party of the vehicle.

Note: The respondent may be a police agency, towing agency, vehicle custodian, or private property owner.

PETITION

1. The petitioner requests a court hearing to determine
 - a. whether a vehicle owned by the petitioner was properly deemed abandoned or removed according to law.
 - b. the reasonableness of towing/storage fees.
2. The accrued towing and storage fees are \$ _____.
 - a. The accrued towing and storage fees were paid directly to the vehicle custodian, and a \$40.00 fee was paid to the court.
 - b. Bond in the amount of the accrued towing and storage fees and a \$40.00 fee were paid to the court.

3. The vehicle is described as follows:

Year	Make	Model	VIN	License plate no.

4. The vehicle described above was removed on _____ by _____.

Date Police agency/Private property owner

5. a. The petitioner has not received notice from the secretary of state that the vehicle is considered abandoned.
 - b. The petitioner received notice from the secretary of state on _____ that the vehicle is considered abandoned.
- Date

6. For purposes of providing notice of hearing, the applicable names and addresses are provided below:

<input type="checkbox"/>	Owner	Name	Address
<input type="checkbox"/>	Secured Party	Name	Address
<input type="checkbox"/>	Police Agency	Name	Address
<input type="checkbox"/>	Vehicle Custodian	Name	Address
<input type="checkbox"/>	Towing Agency	Name	Address
<input type="checkbox"/>	Private Property Owner	Name	Address

Date

Petitioner

For court use only

NOTICE OF HEARING

A hearing on the above petition will be held on _____
Date and time

at _____
Location

Persons with knowledge of the facts should appear at this hearing.

┌

Judge/Deputy clerk signature and date

If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this petition and notice on the parties and any other person required to receive notice by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3). _____

┌

Deputy clerk signature and date

STATE OF MICHIGAN
JUDICIAL DISTRICT

NOTICE TO QUIT TO RECOVER
POSSESSION OF PROPERTY
Landlord-Tenant

CASE NO. and JUDGE

Court address

Court telephone no.

To: ^(A)
r _____ T

L _____ J

^(B) 1. Your landlord/landlady, _____, is seeking to recover possession of property pursuant to
Name (type or print)

^(C) MCL 554.134(1) or (3) (see instructions) other: _____ and wants to evict you from:

^(D) Address or description of premises rented (if different from mailing address):

^(E) 2. You must move by _____ or your landlord/landlady may take you to court to evict you.
Date (*see note)

3. If your landlord/landlady takes you to court to evict you, you will have the opportunity to present reasons why you believe you should not be evicted.

4. If you believe you have a good reason why you should not be evicted, you may have a lawyer advise you. Call him or her soon.

^(F) _____
Date

Signature of owner of premises or agent

Address.

City, state, zip Telephone no.

* **Note:** After foreclosure of the premises, the landlord/landlady must give notice as stated in the lease agreement or equal in time to at least one rental period, unless otherwise allowed by law. This does not apply to a 90-day notice given under the authority of Protecting Tenants at Foreclosure Act (PTFA), PL 111-21 §702; 123 Stat 1660, restored and revived by PL 115-174, title III, §304(c).

CERTIFICATE OF SERVICE

^(G) I certify that on _____ I served this notice on _____
Date Name

- by delivering it personally to the person in possession.
 delivering it on the premises to a member of his/her family or household or an employee of suitable age and discretion with a request that it be delivered to the person in possession.
 first-class mail addressed to the person in possession.
 electronic service to the person in possession (who has consented in writing to such service) at the following electronic service address: _____ .

Signature

STATE OF MICHIGAN JUDICIAL DISTRICT NOTICE TO QUIT TO RECOVER POSSESSION OF PROPERTY Landlord-Tenant CASE NO. and JUDGE Court address Court telephone no.

To: _____

1. Your landlord/landlady, _____, is seeking to recover possession of property pursuant to

MCL 554.134(1) or (3) (see instructions) other: _____ and wants to evict you from:

Address or description of premises rented (if different from mailing address):

- 2. You must move by _____ or your landlord/landlady may take you to court to evict you.
3. If your landlord/landlady takes you to court to evict you, you will have the opportunity to present reasons why you believe you should not be evicted.
4. If you believe you have a good reason why you should not be evicted, you may have a lawyer advise you. Call him or her soon.

Date
Signature of owner of premises or agent
Address.

* Note: After foreclosure of the premises, the landlord/landlady must give notice as stated in the lease agreement or equal in time to at least one rental period, unless otherwise allowed by law. This does not apply to a 90-day notice given under the authority of Protecting Tenants at Foreclosure Act (PTFA), PL 111-21 §702; 123 Stat 1660, restored and revived by PL 115-174, title III, §304(c).

City, state, zip Telephone no.

HOW TO GET LEGAL HELP

- 1. Call your own lawyer.
2. If you do not have an attorney but have money to retain one, you may locate an attorney through the State Bar of Michigan Lawyer Referral Service at 1-800-968-0738 or through a local lawyer referral service. Lawyer referral services should be listed in the yellow pages of your telephone directory or you can find a local lawyer referral service at www.michbar.org.
3. If you do not have an attorney and cannot pay for legal help, you may qualify for assistance through a local legal aid office. Legal aid offices should be listed in the yellow pages of your telephone directory or you can find a local legal aid office at www.michiganlegalhelp.org. If you do not have Internet access at home, you can access the Internet at your local library.

Form DC 100c

NOTICE TO QUIT TO RECOVER POSSESSION OF PROPERTY

Use this form to give notice to a tenant when you want to start eviction proceedings against a tenant to recover possession of real property. If terminating tenancy of a mobile home owner in a mobile home park, use form DC 100d. If terminating tenancy for unlawful drug activity on the rental property, use form DC 100e.

NOTICE CHECKLIST

Use the following checklist to make sure you have done all the steps that are needed.

DID YOU...

1. Complete the notice form? YES
2. Sign the notice form? YES
3. Deliver the “Tenant’s copy” of the notice to the tenant? YES
4. Keep the “Court copy” of the notice for yourself? YES

If you cannot answer “yes” to all the above steps, you may have problems if you need to file a complaint with the court to evict the tenant.

If you have questions, review the information at www.michiganlegalhelp.org.

INSTRUCTIONS FOR USING FORM DC 100c COMPLETING AND DELIVERING A NOTICE TO QUIT

»»DEFINITION

Notice to Quit to Recover Possession of Property

A “notice to quit” is a notice given to a tenant to do some required act or to surrender and vacate the rental property by a certain date. This particular notice to quit is used when the landlord wants to recover possession of real property.

»»PREPARING THE NOTICE

Complete the form using the instructions on page 4.

»»GETTING THE NOTICE TO THE TENANT

1. Serving (Delivering) the Notice

You must “serve” the “Tenant’s copy” of the notice to quit on the tenant. This can be done in one of four ways.

- delivering it personally to the tenant,
- delivering it on the premises to a member of the tenant’s family or household, or an employee of the tenant, who is capable of understanding your instruction to deliver it to the tenant, with a request that it be delivered to the tenant,
- sending it first-class mail addressed to the tenant at his or her last known address, or
- e-mailing it, if the tenant has consented in writing to electronic service.

Some examples of improper service are slipping the notice under the tenant’s door, leaving the notice outside the tenant’s door, attaching the notice to the property, or mailing the notice by methods that require a signature.

2. Complete the Certificate of Service

Complete the Certificate of Service on the “Court copy” of the notice to quit using the instructions on page 4. This copy is for your records. Keep it in a safe place because you may need it later if you have to file a complaint to recover possession with the court.

INSTRUCTIONS FOR COMPLETING “NOTICE TO QUIT TO RECOVER POSSESSION OF PROPERTY”

Please print neatly. After filling in the form, you will need to print both copies of the form.

Items A through F must be completed before delivering your notice to the tenant. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A** Write in the name of the tenant and the address where you will be delivering the notice. This address may be where the tenant lives or does business and it may be different than the address of the rental property.
- B** Write your name in the line that says “Name (type or print).”
- C** Check the appropriate box in item 1. **For your reference, MCL 554.134(1) and (3) are included below.** If the “other” box is checked, explain the reason for wanting to recover possession of the property.

554.134 Termination of estate at will or by sufferance or tenancy from year to year.

(1) Except as provided otherwise in this section, an estate at will or by sufferance may be terminated by either party by giving 1 month’s notice to the other party. If the rent reserved in a lease is payable at periods less than 3 months, the time of notice is sufficient if it is equal to the interval between the times of payment. Notice is not void because it states a day for the termination of the tenancy that does not correspond to the conclusion or commencement of a rental period. The notice terminates the tenancy at the end of a period equal in length to the interval between times of payment.

(3) A tenancy from year to year may be terminated by either party by a notice to quit, given at any time to the other party. The notice shall terminate the lease at the expiration of 1 year from the time of the service of the notice.

- D** Write in the box the complete address or a complete description of the rental property if different than the mailing address in **A** above. If this address is the same as the mailing address, write in the box “Same as mailing address.”
- E** Write in the date the tenant must move by.
- F** Write in the date, sign your name, and write in your address and telephone number.

Deliver the Tenant’s copy to the tenant.

Read page 3 of this packet for details on delivering this notice to the tenant.

- G** On the date you deliver the notice, write in the date. Write in the name of the person to whom you delivered the notice. Check the box in front of the statement that best describes how you delivered the notice. Sign your name.

If you have questions, review the information at www.michiganlegalhelp.org.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUBPOENA Order to Appear and/or Produce	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Police Report No. (if applicable): _____

Plaintiff(s)/Petitioner(s) <input type="checkbox"/> People of the State of Michigan <input type="checkbox"/> _____ <hr/> <input type="checkbox"/> Civil <input type="checkbox"/> Criminal	v	Defendant(s)/Respondent(s) <hr/> Charge
In the matter of _____		

In the Name of the People of the State of Michigan. TO:

If you require accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

<input type="checkbox"/> 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.		
<input type="checkbox"/> The court address above <input type="checkbox"/> Other: _____		
Day	Date	Time

2. Testify at trial / examination / hearing.

3. Produce copies* of the following items: (Use additional pages if necessary.) _____

*Note: Requesting party must pay reasonable copying costs, which cannot be waived under MCR 2.002.

Permit inspection or copying of the following items: (Use additional pages if necessary.) _____

4. Testify as to your assets, and bring with you the items listed in line 3 above.

5. Testify at deposition.

6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

7. Other: _____

8.	Person requesting subpoena	Telephone no.
	Address	
	City	State



NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination below must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

Court use only	
<input type="checkbox"/> Served	<input type="checkbox"/> Not served

Judge/Clerk/Attorney signature and date

AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION

I request that the court issue a subpoena that orders the party named on this form to be examined under oath before a judge concerning the money or property of _____

for the following reasons: _____

Signature

Subscribed and sworn to before me on _____ .
Date

Deputy clerk/Notary public signature

My commission expires on _____ .
Name (type or print)

Notary public, State of Michigan, County of _____ . Acting in the County of _____ .
 This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the subpoena and file proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

I served personally by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the subpoena, together with any required fees and the attachments listed below, on:

I have attempted to serve a copy of the subpoena, together with any required fees and the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	
			\$

Signature

Name (type or print)

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the subpoena, together with any required fees and

Attachments (if any) _____ on _____
Date and time

Signature _____ on behalf of _____

Name (type or print)

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	GARNISHEE DISCLOSURE	CASE NO. and JUDGE
--	-----------------------------	---------------------------

Court address Court telephone no.

Plaintiff's name, address, and telephone no. (judgment creditor)	v	Defendant's name, address, and telephone no. (judgment debtor)
Plaintiff's attorney, bar no., address, and telephone no.		Garnishee name and address

SEE INSTRUCTIONS

1. This disclosure is for a writ of garnishment issued on _____ and received by garnishee on _____ .
- a. The garnishee mailed or delivered a copy of the writ of garnishment to the defendant on _____ .
 - b. The garnishee was unable to mail or deliver a copy of the writ of garnishment to the defendant.
 - c. The garnishee will not withhold payments under the writ of garnishment. The writ of garnishment was served after the deadline date for service and the writ is invalid.

2. At the time of service of the writ:

Nonperiodic Garnishments

a. The garnishee is not indebted to the defendant for any amount and does not possess or control the defendant's property, money, etc. Reason: _____

b. The garnishee is indebted to the defendant for nonperiodic payments as follows:

Description of property, money, negotiable instruments, etc. under garnishee's control	Type of account, if applicable

The amount to be withheld is \$ _____ and does not exceed the amount stated in item 2 of the writ.

c. Withholding is exempt because _____
State the exemption and legal authority

Periodic Garnishments

d. The garnishee is not obligated to pay the defendant during the period of the writ.

Reason: not employed. other _____

2. (continued)

e. The garnishee is obligated to pay the defendant during the period of the writ.

Payments are for earnings. nonearnings _____
Specify nature of payment (see instructions on next page)

Payments are made weekly. biweekly. semimonthly. monthly. other: _____
frequency of payment

A higher priority writ/order is is not currently in effect. If a higher priority writ/order is in effect, complete the following.

Name of court that issued higher priority writ/order Case number Date issued Date served

Withholding under this writ

will begin immediately if sufficient funds are available.

will not begin immediately because defendant is laid off. sick. on leave. other: _____
specify

I declare under the penalties of perjury that this disclosure has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Garnishee/Agent/Attorney signature

CERTIFICATE OF MAILING

I certify that:

on _____ I mailed or personally delivered the original of this disclosure to the court.

on _____ I mailed or personally delivered a copy of this disclosure to the plaintiff/attorney.

on _____ I mailed or personally delivered a copy of this disclosure to the defendant.

I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Garnishee/Agent/Attorney signature

DO NOT Include Your Payment With This Disclosure. See item 3 of How to Fill Out Garnishee Disclosure Form.

GARNISHEE INSTRUCTIONS

Definitions

- A garnishment is a court order allowing the plaintiff (creditor) to take part or all of money owed to the defendant to pay for a judgment. You have been identified as a “garnishee,” a person who has control over some or all of the money that is paid to the defendant.
- Periodic payments are payments you make to the defendant on a regular basis. These payments could be paychecks, rent payments, land contract payments, or other contract payments.
- Nonperiodic payments include bank accounts, other property, money, goods, chattels, credits, negotiable instruments or effects, or earnings in the form of bonuses that are not paid to the principal defendant on a periodic basis. The rest of these instructions do not apply to garnishment of property, which needs to be sold before it can be applied to the judgment.

Responsibility to Disclose: Within 14 days after being served with the writ of garnishment, you must deliver or mail copies of this completed disclosure to the court, plaintiff’s attorney (or plaintiff, if no attorney), and the defendant. This applies even if you are not indebted or not obligated to make periodic payments to the defendant. No further disclosures are required.

Withholding Instructions: As the garnishee, you are being court ordered to withhold all or part of the money you owe the defendant to pay the plaintiff’s judgment. You are required to withhold money until the plaintiff’s judgment is satisfied or the court orders otherwise. If you do not do this, a judgment may be entered against you.

1. Determine when funds should be withheld.

- a. If item 2b is checked, funds or other property available at the time of service of the writ must be withheld from the defendant from the time of this disclosure.
- b. If item 2e is checked, funds must be withheld for each period you are indebted to the defendant. For example, if the defendant is your employee and he or she is paid weekly, you would withhold weekly.

Determine the date withholding will begin as follows.

- 1) For garnishees with weekly, biweekly, or semimonthly pay periods, withholding begins with the first full pay period after the writ was served.
- 2) For garnishees on a monthly pay period.
 - if the writ is served on the garnishee within the first 14 days of the pay period, withholding begins on the date the writ was served.
 - if the writ is served on or after the 15th day of the pay period, withholding begins on the next full pay period after the writ was served.

2. Priority Writs or Orders and Multiple Writs (for periodic garnishments only):

Garnishments with a higher priority than this garnishment of periodic payments are

- orders of bankruptcy court.
 - orders for past due federal or state taxes.
 - income withholding for support of any person.
 - other general garnishments served before this writ.
- a. If a higher priority writ/order is currently in effect and withholding under this writ is not appropriate at this time, you must keep this writ until (1) the higher priority writ/order has been satisfied or is otherwise not applicable, (2) the defendant’s wages are sufficient for multiple writs, or (3) other circumstances change, which make funds available. Then, you must determine whether withholding can begin under this writ.
 - b. If a higher priority writ/order is served on you while this writ is in effect and there is not enough money available for multiple writs, you must suspend withholding under this writ and inform the plaintiff of that fact.
 - c. The plaintiff may not file another writ of garnishment of periodic payments for the same defendant, garnishee, and judgment while the existing writ is pending.

3. Determine the amount to be withheld. The amount withheld cannot exceed the amount of the balance of the judgment specified in item 2 of the request. For periodic garnishment of earnings only, a calculation sheet (the last sheet of this multipart form) is provided to determine the amount to be withheld. You do not need to use this calculation sheet, but if you do, you are not required to file it with the court or provide it to the defendant and plaintiff. However, a record of payment calculations must be maintained and made available for review by the plaintiff, defendant, or court upon request.

Payment Instructions: Determine when disclosed amounts may be released. Funds available under this writ of garnishment may not be released to the plaintiff or court until 28 days after you were served with the writ. After 28 days, funds must be paid as ordered in this writ unless otherwise notified by the court.

For periodic garnishments only. After 28 days from the date of the service of the writ on the garnishee, the garnishee shall transmit all withheld funds to the plaintiff or the court as directed by the court unless notified that objections have been filed. Every time a periodic payment is withheld, the garnishee must provide the plaintiff, defendant (and the court if funds are deposited with the court) with the case name, case number, date of withholding, amount withheld, and the balance due on the writ. At least once every six months, the creditor must provide a statement of the balance remaining on the judgment, including interest and costs. The garnishee should rely on this statement to determine when the judgment is satisfied.

Final Statement Instructions: A final statement of withholding is required for periodic garnishments. Within 14 days after the garnishee is no longer obligated to make periodic payments or the judgment is satisfied, the garnishee must file with the court and mail or deliver to the plaintiff and defendant a final statement of the total amount paid on the writ. The statement must include the names of the parties, the court in which the case is pending, the case number, the date of the statement, and the total amount withheld. The “Final Statement on Garnishment of Periodic Payments” form (Form MC 48) can be used for this.

HOW TO FILL OUT THE GARNISHEE DISCLOSURE FORM

1. Determine whether you are obligated to make periodic payments to the defendant.
2. Write in the date the garnishment was issued (found in the lower left-hand corner of the Request and Writ of Garnishment) and the date you received the Request and Writ for Garnishment and Garnishee Disclosure forms on line 1 of the Garnishee Disclosure.
 - Determine if the writ is valid. The plaintiff is required to serve the Request and Writ for Garnishment within 182 days from the date it was issued. If the Request and Writ for Garnishment was not served within this time, it is invalid. If it is invalid, check box 1c. Date and sign the form and follow the instructions in item 3 below. If the writ is valid, continue on.
 - Verify the defendant's identifying information. Verify that the social security number or financial account number provided in the Writ of Garnishment for the defendant is identical to the information on file for that individual.
 - If you don't know the defendant or are not obligated to make payments to him or her, check boxes 1b and 2d. Then check the box that describes the reason you are not obligated. If you check "other," write out the reason. Date and sign the form and follow the instructions in item 3 below.
 - If you know the defendant and are obligated to make payments to him or her, you must mail or deliver a copy of the Request and Writ for Garnishment to the defendant. After mailing or delivering it to the defendant, check box 1a and write in the date you mailed or delivered it. Follow the instructions in item 2 below. The term "obligated to pay" includes employees who may not necessarily be receiving a paycheck at the time. For example, employees may be sick, laid off, or on leave when this writ was issued, but they are still your employees and will eventually be back to work.
3. Check box 2e and complete the information in item 2e as explained below.
 - Check either the box "earnings" or "nonearnings" so the plaintiff knows what kind of payments you make to the defendant. If you check "nonearnings," write in the kind of payments (for example, if you make rent payments, write that on the line after the "nonearnings" box).
 - Check the box that describes how often you make the payments to the defendant. If you check the "other" box, write on the line after that box how often you make the payments.
 - Check whether or not you are already garnishing money from the defendant (a higher priority writ/order). If you check the box that a higher priority writ/order is in effect, copy from those papers the name of the court that issued that writ, the case number of that writ, the date that writ was issued, and the date it was served on you.
 - If the defendant is currently due to receive payments from you from the date the writ was issued, check the box that says withholding "will begin immediately if sufficient funds are available." If the defendant is not due to receive a payment, check the box that says "will not begin immediately." Then check the box that explains why payment is not due; for example, defendant is laid off, sick, or on leave of absence.

Date and sign the form and follow the instructions in item 4.
4. Fill in the dates that you will be mailing or delivering the copies of this form. Date and sign this part of the form. Separate the four copies of the form. Mail the original to the court and one copy to the plaintiff. You can either mail a copy to the defendant or hand deliver it to him or her. Keep one copy for your records.

See next page for calculation sheet.

You do not need to use this calculation sheet. If you do, it does not need to be filed with the court or provided to the defendant and plaintiff. However, you must maintain some type of record of your payment calculations and make it available for review by the plaintiff, defendant, or court upon request.

GARNISHEE CALCULATION SHEET FOR EARNINGS

1. The employer's current payday is _____ . The principal defendant's gross earnings from the employer that were earned for this pay period are: \$ _____

2. Deductions required by law to be withheld from gross earnings shown on line 1:
 - a. Federal withholding tax (for income tax) \$ _____
 - b. State withholding tax (for income tax) \$ _____
 - c. Employee portion of social security tax \$ _____
 - d. Employee portion of medicare tax \$ _____
 - e. City withholding tax (for income tax) \$ _____
 - f. Public employee retirement when required by law \$ _____
 - g. Total (add lines 2a through 2f) \$ _____

3. **Disposable earnings** (subtract line 2g from line 1) \$ _____

4. Test I for amount available for garnishment (25% of line 3): (this percentage does not apply to garnishments for support of a person) \$ _____

5. Test II for amount available for garnishment (disposable earnings minus federal minimum wage multiplied by appropriate multiple for normal pay period):
 - a. Locate the appropriate figure from the chart below and insert here \$ _____
 - b. Subtract amount on line 5a from amount on line 3. Insert amount here. If the amount is less than zero, enter -0-. \$ _____

6. Maximum amount subject to garnishment (line 4 or 5b, whichever is less) \$ _____

7. Amounts withheld from disposable earnings (see line 3) pursuant to orders with priority:
 - a. Order of bankruptcy court \$ _____
 - b. Orders for past due federal or state taxes \$ _____
 - c. Income withholding for support of any person \$ _____
 - d. Other general garnishments served prior to this writ \$ _____
 - e. Total of all priority amounts withheld (add lines 7a through 7d) \$ _____

8. Amount subject to garnishment under this writ (subtract line 7e from line 6) \$ _____

9. **Amount to be withheld in response to this writ** (line 8 above or line 2 on the request and writ for garnishment, whichever is less) \$ _____

Chart*	
Test II for Amount Available for Garnishment	Beginning: <u>July 24, 2009</u>
Weekly (or more frequently) pay period	\$217.50
Biweekly pay period	\$435.00
Semimonthly pay period	\$471.25
Monthly pay period	\$942.50
*Training wage: for person aged 16 to 19 on their first job, use 85% of the above figures.	

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	FEE WAIVER REQUEST	CASE NO. and JUDGE
--	---------------------------	---------------------------

Court address _____ **Court telephone no.** _____

Plaintiff/Petitioner's name, address, and telephone no.	v	Defendant/Respondent's name, address, and telephone no.
Plaintiff/Petitioner's attorney, bar no., address, and telephone no.		Defendant/Respondent's attorney, bar no., address, and telephone no.

In the matter of _____

Instructions: Complete this form and file it with the court. **If this request is filed by a prisoner, a certified statement of the prisoner's trust account showing a current balance and a 12-month history of deposits and withdrawals must accompany this form.** After you receive a decision on your request, you must serve your request and the decision on the other party(ies).

- I request a waiver of my filing fees for the following reason: (Check 1, 2, or 3)
- 1. I receive the following type(s) of public assistance because of indigence:
 - Food Assistance Program through the State of Michigan (also known as FAP or SNAP)
 - Medicaid (including Healthy Michigan, CHIP, and ESO)
 - Family Independence Program through the State of Michigan (also known as FIP or TANF)
 - Women, Infants, and Children benefits (WIC)
 - Supplemental Security Income through the federal government (SSI)
 - Other means-tested public assistance: _____
 My public assistance case number(s) (if any) is _____
Write "none" if no case number. Do not write your SSN.

 - 2. I am represented by a legal services program or I receive assistance from a law school clinic because of indigence. The name of the legal services program or law school clinic is _____

 - 3. I am unable to pay the fees and I did not check item 1 or 2 above.

My gross household income is \$ _____ every _____
Week/Two weeks/Month/Year

The number of people in my household is _____

My source of income is _____

List assets and their worth, such as bank accounts. If you need more space, attach a separate sheet.

List obligations and how much you pay, such as rent or other debts. If you need more space, attach a separate sheet.

I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date _____	Signature _____
Approved, SCAO Form MC 20, Rev. 9/23 MCR 2.002 Page 1 of 2	Distribute form to: Court Applicant Other parties Friend of the court (when applicable)

CLERK WAIVER

1. Payment of filing fees is waived.

Signature of court clerk and date

ORDER

IT IS ORDERED:

- 1. Payment of filing fees is waived because:
 - a. Your gross household income is under 125% of the federal poverty guidelines.
 - b. Your gross household income is above 125% of the federal poverty guidelines, but payment of the fees would constitute a financial hardship for you.
 - c. Other:

If you become able to pay the fees before this case is resolved, you must notify the court.

- 2. The fee waiver request is denied because:
 - a. Your gross household income is above 125% of the federal poverty guidelines and payment of the fees would not constitute a financial hardship for you.
 - b. Other:

Judge/Magistrate (when authorized) signature and date

NOTICE

IF YOUR REQUEST WAS DENIED: To continue your case and preserve your filing date, you have 14 days from the issue date below to pay the filing fees or request a review. To request a review, fill out a Request for Review of Denied Fee Waiver (form MC 114) and file it with the court.

Issue date (completed by clerk)

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	JURY DEMAND	CASE NO. and JUDGE
--	--------------------	---------------------------

Court address _____

Court telephone no. _____

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
Plaintiff's/Petitioner's address and telephone no. or attorney name, bar no., address, and telephone no.		Defendant's/Respondent's address and telephone no. or attorney name, bar no., address, and telephone no.

In the matter of _____

1. I demand a jury trial.

Date

Signature

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY <input type="checkbox"/> IN THE COURT OF APPEALS	CLAIM OF APPEAL	CASE NO. CIRCUIT DISTRICT PROBATE
--	------------------------	--

Court address _____ Court telephone no. _____

Plaintiff's/Petitioner's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee	v	Defendant's/Respondent's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.
In the matter of _____		
Other interested party(ies) of probate matter		

1. _____ claims an appeal from a final judgment or final order entered on
 Name
 _____ in the _____ Court of the State of Michigan,
 Date Court name and number or county
 by district judge circuit judge probate judge district court magistrate
 Name of judge or district court magistrate Bar no.

2. Bond on appeal is filed. attached. waived. not required.
3. a. The transcript has been ordered.
 b. The transcript has been filed.
 c. No record was made.
4. THIS CASE INVOLVES
- a. A CONTEST AS TO THE CUSTODY OF A MINOR CHILD.
 - b. AN ADULT OR MINOR GUARDIANSHIP UNDER THE ESTATES AND PROTECTED INDIVIDUALS CODE OR UNDER THE MENTAL HEALTH CODE.
 - c. AN INVOLUNTARY MENTAL HEALTH TREATMENT CASE UNDER THE MENTAL HEALTH CODE.
 - d. A RULING THAT A PROVISION OF THE MICHIGAN CONSTITUTION, A MICHIGAN STATUTE, A RULE OR REGULATION INCLUDED IN THE MICHIGAN ADMINISTRATIVE CODE, OR ANY OTHER ACTION OF THE LEGISLATIVE OR EXECUTIVE BRANCH OF STATE GOVERNMENT IS INVALID.
 - e. AN ADOPTION ORDER UNDER CHAPTER X OF THE PROBATE CODE.
 - f. A FREEDOM OF INFORMATION ACT ISSUE.

Date _____ Appellant/Attorney signature _____

Page added

PROOF OF SERVICE

I certify that copies of this claim of appeal and bond (if required) were served on

Name on _____ by personal service. first-class mail.
Date

Name on _____ by personal service. first-class mail.
Date

Name on _____ by personal service. first-class mail.
Date

Date

Signature



STATE OF MICHIGAN
 JUDICIAL DISTRICT
 JUDICIAL CIRCUIT

WRIT OF HABEAS CORPUS

CASE NO. and JUDGE

Court address

Court telephone no.

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

TO: _____, the agency or person having custody of

Name _____ I.D. no. _____ Date of birth _____

To bring prisoner to court in the case of:
 People of
v

To inquire into detention/custody of:

IT IS ORDERED:

1. Answer this writ, stating the authority under which you restrain the prisoner. exercise custody over the minor child. File your answer with the court judge by _____ Date _____.

2. Deliver the person named in this writ into the custody of _____ Name/Title/Agency
 for: the prosecution of _____ Charge and MCL citation or PACC code, felony. misdemeanor.
 _____ Specify purpose (witness testimony, etc.).

Immediately after the prisoner completes his/her appearance, the prisoner shall be returned to your custody.

3. Bring the person named in this writ before _____ Name of Judge/Referee/Magistrate
 at _____ Location of court, on _____ Date at _____ Time
 Bring this writ with you.

4. Produce the prisoner via compatible two-way interactive video technology for the purpose indicated above on
 _____ Date at _____ Time

5. Fees are allowed in the amount of \$ _____.



Judge signature and date



PROOF OF SERVICE

STATE OF MICHIGAN, COUNTY OF _____

I certify that on _____ at _____, I personally served the original writ of habeas
Date Time
corpus on _____.
Name

Date Signature

Required only under MCR 3.303

ANSWER

STATE OF MICHIGAN, COUNTY OF _____

I, _____, state:
Name

- 1. I do not have _____ under my custody, power, or restraint.
Person named in writ
- 2. On _____ by authority of _____,
Date
_____ was released.
 transferred to _____ (exhibits attached).
Location
- 3. I have _____ under my custody, power, or restraint under a
Person named in writ
 warrant charging the prisoner with the offense of _____
 commitment
 other: _____

issued by _____ . A copy of the document is attached and the original
Name
will be produced at the hearing.

I declare that the statements above are true to the best of my information, knowledge, and belief.

Date Signature

Title

When required by MCR 3.303(L)(2).

NOTICE TO PROSECUTING ATTORNEY

TO: The prosecuting attorney of _____ County

You are notified that the annexed writ of habeas corpus has been issued. _____
is believed to have custody of the prisoner. Name/Title/Agency

Date Prisoner Attorney/Bar no.

Address

City, state, zip Telephone no.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	ORDER FOR COUNSELING AND TESTING FOR DISEASE/INFECTION	CASE NO. and JUDGE
--	---	---------------------------

Court address _____ Court telephone no. _____

THE PEOPLE OF <input type="checkbox"/> The State of Michigan <input type="checkbox"/> _____	v	Defendant's/Juvenile's name, address, and telephone no.
--	----------	---

In the matter of _____

1. On _____ Date
- defendant/juvenile was arraigned on a warrant for:
 - defendant was assigned to youthful trainee status for:
 - defendant/juvenile was convicted of:
 - defendant/juvenile was bound over to the circuit court for:
 - juvenile was found to be within the provisions of MCL 712A.2 for violation of:

Specify (See last page for list of violations.) _____

2. The defendant/juvenile is
- on bond.
 - incarcerated in _____

IT IS ORDERED:

3. The defendant/juvenile shall receive counseling regarding **sexually transmitted infection**, hepatitis B and C infection, human immunodeficiency virus (HIV) infection; acquired immunodeficiency syndrome; and acquired immunodeficiency syndrome related complex including, at a minimum, information regarding treatment, transmission, and protective measures from
- a local health department, at the defendant's/juvenile's expense,
 - an assigned counseling and testing agency, at the defendant's/juvenile's expense,
 - a licensed physician, at the defendant's/juvenile's expense.

 Name of physician or contact person of agency or health department and address

4. The defendant/juvenile shall be confidentially tested for **sexually transmitted infection**, hepatitis B and C infection, and for the presence of HIV or an antibody to HIV from the agency or person providing the counseling. The person or agency administering the test shall transmit the test results and any other medical information obtained from the defendant/juvenile to this court. The test results will be made part of the court record but are confidential and shall be disclosed only to those specified in the statute.
5. If authorized by the victim or victim's representative, the victim advocate of the prosecuting office shall immediately forward the name, address, and telephone number of the victim or the victim's representative to the physician or agency administering the test on the defendant/juvenile.

Page added

6. All testing and counseling of the defendant/juvenile must be completed and test results transmitted to the court

- before the sentencing/dispositional hearing date on _____ . _____
- within 30 days of this order.

Test results must be transmitted to _____

- the _____ circuit court at _____ .
- this court at the address stated above. Failure to comply may result in penalty for contempt of court.

Judge/Magistrate signature and date

See the last page for instructions and a list of persons subject to testing and counseling under MCL 333.5129.

INSTRUCTIONS

1. Even if the defendant is convicted of a lesser offense, this form is to be used under MCL 333.5129 to order testing and counseling when a
 - defendant is arraigned on a warrant in the district court or bound over to circuit court for specific sex offenses as listed below **when** the district court determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant.
 - defendant is convicted of, or assigned to youthful trainee status for, specific sex offenses as listed below; or
 - juvenile is found to come under the provisions of MCL 712A.2 for violation of specific sex offenses as listed below.
2. Item 5 applies only if the victim **has** consented to the release of his/her name, address, and phone number on **Michigan Department of Health & Human Services (MDHHS)** form DCH-1253.

PERSONS SUBJECT TO TESTING AND COUNSELING UNDER MCL 333.5129

MCL 333.5129(1): An individual arrested and charged with violating one of the following sections of the penal code, or a local ordinance prohibiting prostitution or engaging or offering to engage the services of a prostitute may, upon order of the court, be examined or tested to determine whether the individual has **sexually transmitted infection**, hepatitis B infection, hepatitis C infection, HIV infection, or acquired immunodeficiency syndrome. Examination or test results that indicate the presence of **sexually transmitted infection**, hepatitis B infection, hepatitis C infection, HIV infection, or acquired immunodeficiency syndrome shall be reported to the defendant and, pursuant to sections 5114 and 5114a, to the department and the appropriate local health department of partner notification.

MCL 750.448	Soliciting and accosting
MCL 750.449	Admitting to place for purpose of prostitution
MCL 750.449a	Engaging services for purpose of prostitution, lewdness, or assignation, offer to engage; penalty
MCL 750.450	Aiders and abettors
MCL 750.452	House of ill fame, keeping, maintaining or operating
MCL 750.455	Pandering

MCL 333.5129(3): If a defendant is bound over to circuit court for a violation of one of the following sections of the penal code and the district court determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant, the district court shall order the defendant to be examined or tested for **sexually transmitted infection**, hepatitis B infection, and hepatitis C infection and for the presence of HIV or an antibody to HIV.

MCL 750.145a	Accosting, enticing, or soliciting child for immoral purposes
MCL 750.338	Gross indecency; between male persons
MCL 750.338a	Gross indecency; between female persons
MCL 750.338b	Gross indecency; between male and female persons
MCL 750.450	Aiders and abettors
MCL 750.452	House of ill fame, keeping, maintaining or operating
MCL 750.455	Pandering
MCL 750.520b	First-degree criminal sexual conduct
MCL 750.520c	Second-degree criminal sexual conduct
MCL 750.520d	Third-degree criminal sexual conduct
MCL 750.520e	Fourth-degree criminal sexual conduct
MCL 750.520g	Assault with intent to commit criminal sexual conduct

MCL 333.5219(4): Except as otherwise provided in this section, upon conviction of a defendant or the issuance of an order adjudicating a child to be within the provisions of MCL 712A.2, for violating one of the following sections of the penal code, or by intravenously using a controlled substance, or a local ordinance prohibiting prostitution, solicitation, gross indecency, or the intravenous use of a controlled substance, the court having jurisdiction of the criminal prosecution or juvenile hearing shall order the defendant or child to be examined or tested for **sexually transmitted infection**, hepatitis B infection, and hepatitis C infection and for the presence of HIV or an antibody to HIV.

MCL 333.7404	Use of controlled dangerous substance; penalties (specifically, intravenous use)
MCL 750.145a	Accosting, enticing, or soliciting child for immoral purposes
MCL 750.338	Gross indecency; between male persons
MCL 750.338a	Gross indecency; between female persons
MCL 750.338b	Gross indecency; between male and female persons
MCL 750.448	Soliciting and accosting
MCL 750.449	Admitting to place for purpose of prostitution
MCL 750.449a	Engaging services for purpose of prostitution, lewdness, or assignation, offer to engage; penalty
MCL 750.450	Aiders and abettors
MCL 750.452	House of ill fame, keeping, maintaining or operating
MCL 750.455	Pandering
MCL 750.520b	First-degree criminal sexual conduct
MCL 750.520c	Second-degree criminal sexual conduct
MCL 750.520d	Third-degree criminal sexual conduct
MCL 750.520e	Fourth-degree criminal sexual conduct
MCL 750.520g	Assault with intent to commit criminal sexual conduct

STATE OF MICHIGAN

JUDICIAL CIRCUIT
COUNTY

DOMESTIC VIOLENCE SCREENING
FOR REFERRAL TO MEDIATION

CASE NO. and JUDGE

Court address

Court telephone no.

Plaintiff's name

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name

Defendant's attorney, bar no., address, and telephone no.

Note: Do not use this form if you are participating in Friend of the Court alternative dispute resolution under MCR 3.224. If you have an attorney, this form should be completed with your attorney.

Please return this completed form to the ADR clerk at the above court address within 7 business days.

Instructions: If there are any actions involving you or the other party, specify the names of the persons involved, the case number, the name of the court where the action was filed, including the county and state. If there are no actions, write "NONE."

1. I am aware of the following personal protection actions involving myself and/or the other party:

2. I am aware of the following domestic violence criminal actions involving myself and/or the other party:

3. I am aware of the following pending child protective (abuse/neglect) actions involving myself and/or the other party:

Date

Signature

Changed to MC form

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT [Redacted]	ADVICE OF RIGHTS (FELONY PLEA)	CASE NO. and JUDGE
Court address	Court telephone no.	

You have offered to plead guilty or nolo contendere in this matter. Before accepting your plea, the court must be convinced that you understand the following.

1. If your plea is accepted, you will not have a trial of any kind and you will be giving up the rights you would have at a trial, including the right:
 - (a) to be tried by a jury;
 - (b) to be presumed innocent until proved guilty;
 - (c) to have the prosecutor prove beyond a reasonable doubt that you are guilty;
 - (d) to have the witnesses against you appear at the trial;
 - (e) to question the witnesses against you;
 - (f) to have the court order any witnesses you have for the defense to appear at the trial;
 - (g) to remain silent during the trial;
 - (h) to not have that silence used against you; and
 - (i) to testify at the trial if you want to testify.
2. If your plea is accepted, you may be giving up the right to appeal issues that would otherwise be appealable if you were convicted at a trial. Further, any appeal from your conviction and sentence pursuant to this plea will be by application for leave to appeal and not by right.
3. Fines, costs, and other financial obligations imposed by the court must be paid at the time of assessment, except when the court allows otherwise, for good cause shown. If you are not able to pay due to financial hardship, contact the court immediately to request a payment alternative. MCR 6.425(D)(3).

You will be required to state, orally on the record, that you have read and understand all the above, and that you agree to waive all the above rights.

Date

Defendant signature

Defendant name (print)

Address

City, state, zip

Telephone no.

USE NOTE: If defendant is given a foreign-language version of this form to read, the English version and the foreign-language version must be filed in the case.

NEW FORM

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	NOTICE OF LIMITED SCOPE APPEARANCE	CASE NO. and JUDGE
--	---	---------------------------

Court address _____

Court telephone no. _____

Plaintiff/Petitioner

v

Defendant/Respondent

1. Attorney _____, and the Party, _____, agree
Name Bar no. Name
that attorney will provide limited scope representation to the party in this matter according to paragraphs 3 and 4 below
for the following purpose(s)/activity(ies): _____
(Ex. mediation, arbitration, discovery, deposition of party(ies), trial, scheduling conference, motion for summary disposition, etc.)

Amendment: This notice amends the notice filed on _____
Date
 by adding an appearance for the matter(s) indicated in paragraph 3.
 other: _____

2. The party is: Plaintiff Petitioner Defendant Respondent Other _____

3. Attorney appears under MCR 2.117(B)(2)(c). Representation is limited as follows (must select one or more):
 Date/time period: _____
(Ex. date certain, until judgment and submission of order, etc.)
 Representation in the hearing scheduled for _____ and in any continuance of that proceeding.
(Ex. trial (date), motion for summary deposition (date), etc.)
 Subject matter(s): _____
(Ex. child support, QDRO, property settlement, contractual dispute, etc.)

4. Consent: Party consents to this limited scope representation.

5. Service: Under MCR 2.107(B)(1)(e), all documents, both court filings and otherwise, must be served on both the party and the limited scope attorney for the duration of this limited appearance, unless otherwise ordered by the court.

6. Communication: Limited scope attorney will inform all opposing parties and counsel whether oral and/or written communication should be directed to party, attorney, or both for the duration of this limited appearance, under MRPC 4.2 and 4.3.

7. Duration: Upon termination of representation indicated above, the attorney will file a notice of withdrawal from limited appearance pursuant to MCR 2.117(C)(4) in this court, and serve a copy upon the party and opposing counsel/party.

Signature of attorney _____ Date _____

Signature of party _____ Date _____

Attorney name (type or print) _____ Bar no. _____

Party name (type or print) _____

Address _____

Address _____

City, state, zip _____ Telephone no. _____

City, state, zip _____ Telephone no. _____

NEW FORM

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	NOTICE OF WITHDRAWAL FROM LIMITED SCOPE APPEARANCE	CASE NO. and JUDGE
--	---	---------------------------

Court address

Court telephone no.

Plaintiff/Petitioner

v

Defendant/Respondent

Pursuant to MCR 2.117(C)(4), notice is given that limited scope attorney _____
Attorney's name

concluded the limited scope representation of _____, who is the
Party's name

plaintiff/petitioner, defendant/respondent, and withdraws as an attorney of record in this case.

1. Under MCR 2.117(B)(2)(c), I entered a Notice(s) of Limited Scope Appearance on the following date(s):

Date(s)

2. I have completed all services within the scope of my representation related to the above appearance(s).

3. a. The party's last known service address is _____
Address

b. The party's last known telephone number is _____
Telephone number

c. The party's address telephone number is confidential by court order or rule. I have provided the party's last known contact information to the court separately from this notice.

4. Effective Date: Pursuant to MCR 2.117(C)(4), my withdrawal pursuant to this notice is effective:

immediately upon filing and service, because it is signed by the party, or

14 days from the time of filing and service unless the party files a timely objection on the grounds that the agreement has not been completed.

5. Service: Pursuant to MCR 2.107(B)(1)(e), service on me (attorney) is no longer required, and shall be made only on the party.

6. Communication: Pursuant to MRPC 4.2, the party is no longer represented by me, and all communication must be made directly to the party.

Date

Date

Signature of attorney

Signature of party

Attorney name (type or print) Bar no.

Party name (type or print)

Address

City, state, zip Telephone no.

NEW FORM

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	OBJECTION TO WITHDRAWAL FROM LIMITED SCOPE APPEARANCE	CASE NO. and JUDGE
--	--	---------------------------

Court address

Court telephone no.

Plaintiff/Petitioner

v

Defendant/Respondent

1. My limited scope attorney entered a Notice of Limited Scope Appearance under MCR 2.117(B)(2)(c) on the following date(s): _____ .
2. My limited scope attorney entered a Notice of Withdrawal from Limited Scope Appearance on _____ .
I did not sign that notice. Date
3. I am filing this objection within fourteen (14) days of the entry of that notice.
4. I object to the withdrawal of my limited scope attorney because they did not complete all services within the scope of their representation related to this case. The following was not completed:

5. I ask this court to deny my limited scope attorney's request to withdraw until all services within the scope of their representation are complete.

Date

Signature

Name (type or print)

NOTE: The party filing this objection must schedule a hearing on the objection. A copy of this objection and a notice of hearing must be served upon the limited scope attorney and all other parties or their attorneys.