

ATTENTION

COUNTY OF MONTCALM FRIEND OF THE COURT HEARINGS

UNLESS OTHERWISE DETERMINED TO BE INDIGENT, ALL MOTIONS FILED THROUGH THE MONTCALM COUNTY FRIEND OF THE COURT OFFICE REQUIRE A \$20.00 FILING FEE. ANY MOTIONS FILED PRIOR TO THE JUDGMENT OF DIVORCE ENTERING WITH THE COURT DO NOT REQUIRE THE JUDGMENT FEE. HOWEVER, ANY MOTIONS FILED AFTER THE FINAL JUDGMENT OF DIVORCE HAS ENTERED WITH THE COURT DO REQUIRE EITHER A \$40.00 OR \$80.00 JUDGMENT FEE.

ALSO EFFECTIVE JANUARY 1, 2017, COURT COSTS IN THE AMOUNT OF \$250.00 ARE REQUIRED WITH THE FILING OF ANY MOTION REGARDING DISPUTED CUSTODY.

1. Unless otherwise indigent, before any motion can be scheduled – both motion fee and order entry fee (judgment fee) must be paid in full in ALL POST-JUDGMENT cases. Only the motion fee must be paid in ALL PRE-JUDGMENT cases.
 - a. Motion fee – All stipulated motions or otherwise motions regarding child support, parenting time, domicile, and/or custody require the \$20.00 filing fee. This must come in the form of a **money order** or **cashiers check** made payable to the **Montcalm County Clerk**.
 - b. Order entry fee (Judgment fee) – All Post-Judgment cases require a \$40.00 judgment fee for child support or an \$80.00 judgment fee for custody, parenting time, or domicile. This must also come in the form of a **separate money order** or **cashiers check** made payable to the **Montcalm County Clerk**.

ALL FEES MUST COME IN THE FORM OF MONEY ORDERS OR CASHIERS CHECKS MADE PAYABLE TO THE MONTCALM COUNTY CLERK. NO CASH OR PERSONAL CHECKS ARE ALLOWED. PLEASE DO NOT COMBINE THE AMOUNTS AND PROVIDE ONE CASHIERS CHECK OR MONEY ORDER WITH YOUR MOTION. TWO SEPARATE CHECKS ARE REQUIRED FOR THE FILING FEE AND THE JUDGMENT FEE.

2. Upon meeting the payment criteria, the Friend of the Court office will schedule and send out a notice of an appointment with one of the FOC staff for the Stipulated Motion or a Notice of Hearing with the Referee for a regular Motion to Change.
3. All non-enforcement motions will be considered either support or custody/parenting time motions.
4. Where issues of both support AND custody/parenting time are to be heard, **ONLY** the larger \$80.00 judgment fee in POST-JUDGMENT cases will be assessed – not both \$40.00 and \$80.00.
5. File the original motion and fees with the Friend of the Court office. The FOC office will file the original motion and motion fee with the County Clerk immediately. The parties and/or attorneys will need to serve a copy of the motion to the other party. The order entry fee (judgment fee) will be held until after the appointment with the FOC staff or after the Referee Hearing at which time it will be taken to the Clerk's Office by the FOC office and filed along with the Order or Referee Recommendation/Order. **NOTE: Unless both motion fee and order entry fee are included with the original motion, it will not be filed.**