

PETITION TO RESCIND LICENSE SUSPENSION

SAGINAW COUNTY FRIEND OF THE COURT FORM 30

Use this Petition if:

- You have received a copy of an Order Suspending Licenses for Failure to Pay Support from Friend of the Court and you wish to have your license(s) reinstated.

This packet is prepared in accordance to the guidelines of the State Court Administrator's Office Forms.

**SAGINAW COUNTY FRIEND OF THE COURT
PETITION TO RESCIND LICENSE SUSPENSION CHECKLIST**

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

DID YOU...READ THE INSTRUCTIONS FIRST?

1. Fill out all requested information on the Petition? YES
2. Verify each party's address with what the Friend of the Court records indicate? YES
3. Make all the necessary copies? YES
4. Pay the Petition fee to the Circuit Court Clerk?
(located in the basement of the Courthouse) YES
5. Mail (serve) a copy of the Petition on the other party? YES
6. Return to the Circuit Court Clerk's Office (**after** you mailed the petition to the other party) to file the Certificate of Mailing? YES
7. Keep one copy of the Petition for yourself? YES
8. Give the original Petition and 1 copy with the completed Certificate of Mailing to the Circuit Court Clerk? YES
9. Deliver 1 copy of the Petition to the Friend of the Court (with a completed Certificate of Mailing)? YES

If you fail to provide the Friend of the Court with a copy of the Petition, a hearing will NOT be scheduled.

Upon receipt of a properly filed Petition, the Friend of the Court will send hearing notices to the parties. You must appear at the settlement conference scheduled at the Friend of the Court Office prior to the hearing. If the matter is not resolved at the settlement conference, then you must appear at the hearing and present your case to the Judge.

If you have an outstanding bench warrant issued by the Friend of the Court for non-payment of support, you will be subject to arrest at the time of the hearing or settlement conference.

NOTE: The attached petition form is limited to the Rescission of License Suspension. Different petition forms must be used to modify child support, custody, or parenting time orders and are available in the lobby of the Friend of the Court Office.

The Friend of the Court does not represent either party and is not authorized to give legal advice. Parties may hire private attorneys during any point in this process.

**SAGINAW COUNTY FRIEND OF THE COURT
INSTRUCTIONS FOR FILING AND SERVING A PETITION TO
RESCIND LICENSE SUSPENSION**

⇔FILING A PETITION

1. Fill out the Petition.

Use the document on page 6. Use the instruction on page 5. Since there is only an original of the Petition in this packet, type or print neatly, using a black pen. Be careful to not make mistakes. **THIS IS A COURT DOCUMENT.**

Make at least 4 copies of the Petition after you have filled it out.

2. File the Petition form with the Saginaw County Circuit Court Clerk (located in the basement of the Courthouse).

Take the original and 4 copies of the Petition to the Saginaw County Circuit Court Clerk.

You must pay a \$20.00 filing fee either in the form of a money order, cash or personal check (not a starter check) made payable to the “Clerk of the Court”. If you are filing Petitions on more than one case, the fee is \$20.00 per case. If you cannot afford to pay the filing fee, obtain a blank Affidavit and Order for Suspension of Filing Fees (Form 70) from the lobby of the Friend of the Court Office.

The County Clerk will keep the original of the Petition and any attachments for the Court file and stamp “True Copy” on all other copies. You are then responsible for completing the Certificate of Mailing on the four copies before distributing them.

What you should have when you leave the Clerk’s office:

- 1 Copy of the Petition (with any attachments)- for you
- 1 Copy of the Petition (with any attachments)- for the other party
- 1 Copy of the Petition (with any attachments)- for the Friend of the Court
- 1 Copy of the Petition – to be returned to the Circuit Court Clerk’s Office after completing the Certificate of Mailing

3. You must ensure that the addresses for both parties are the addresses on file with the Friend of the Court. If you fail to provide the correct address for either party your Petition may be dismissed for lack of service.

SAGINAW COUNTY FRIEND OF THE COURT

⇔ **SERVING THE PETITION TO RESCIND LICENSE SUSPENSION ON THE OTHER PARTY AND FRIEND OF THE COURT**

1. Serve the Petition on the other party.

The other parent MUST BE SERVED WITH (RECEIVE A COPY OF) THE PETITION prior to the Friend of Court reviewing the Petition.

NOTE: You **MUST** serve the papers by mailing them to the other party by regular, first class mail. **You CANNOT hand deliver the papers to the other party.**

What you need for service:

4 True copies of the Petition (with any attachments)

Complete the Certificate of Mailing on all four copies of the Petition.

Mail 1 copy of the Petition (with any attachments) to the other party. Keep 1 copy for your own records.

2. Return to the Circuit Court Clerk

Once you have filled out the Certificate of Mailing on the 4 copies and mailed one to the other party, give 1 copy to the Circuit Court Clerk. You **MUST** then deliver one copy of the Petition (with any attachments and a completed Certificate of Mailing) directly to the Friend of the Court Office. If the Friend of the Court receives a copy of your Petition without a completed Certificate of Mailing, a hearing will not be set.

3. Attend the settlement conference and hearing.

If the above steps have been completed, you will receive written notice of a settlement conference and Court hearing from the Friend of the Court. You must appear and bring **proof of income** (four recent paystubs and your latest tax returns including W-2 statements) on the date/time designated in the written notice.

SAGINAW COUNTY FRIEND OF THE COURT

⇔ INSTRUCTION FOR COMPLETING PETITION TO RESCIND LICENSE SUSPENSION

PLEASE PRINT (WITH BLACK INK) NEATLY OR TYPE.

AFTER COMPLETING THE PETITION, YOU MUST MAKE 5 COPIES.

- A. Review your court orders for support, paternity, or divorce. You are listed as either “Plaintiff” or “Defendant” on those papers. Copy the names from those orders into the correct boxes on the Petition form. For example, if you are listed as “Defendant” on your support orders, you should write your name in the box above “Defendant” on the form. Also fill in your present address in your box and the other party’s address in her/his box. If you do not know the other party’s address, you must obtain it from Friend of the Court. **YOU MUST MAKE SURE THAT THE ADDRESSES FOR BOTH PARTIES MATCH THE ADDRESSES ON FILE WITH THE FRIEND OF THE COURT.**
- B. Find your Circuit Court Case Number on your support order and fill it in on line B.
- C. Fill in the reason you are requesting a rescission of the Order Suspending Licenses on line C.
- D. If you are not paying the arrearage in full, you should check the box on line D and be prepared to offer a schedule of payments.
- E. Fill in today’s date and sign your name. You should also provide a day-time phone number in case the Friend of the Court needs to reach you regarding the hearing notice.
- F. **DO NOT** sign and date the Certificate of Mailing on the original Petition. See page 3 for instructions on when and how to complete the Certificate of Mailing.

NOW FOLLOW THE INSTRUCTIONS ON PAGES 3 AND 4 FOR FILING AND SERVING THE PETITION.

STATE OF MICHIGAN
IN THE 10TH JUDICIAL CIRCUIT-FAMILY DIVISION

A.

Plaintiff's name and address

vs

Defendant's name and address

PETITION TO RESCIND LICENSE SUSPENSION

(PLEASE TYPE OR PRINT IN BLACK INK)

B. CIRCUIT CT CASE # _____

C. 1. An Order was entered suspending the licenses of the above-named licensee .

2. **I request** the Court rescind the Order Suspending Licenses because: _____

D. 3. I further request the Court enter an Order for payment of the arrearage by installments.

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

Date

Signature of Petitioner

Telephone Number

F. **CERTIFICATE OF MAILING**

I hereby certify on this date I mailed a copy of this petition on the other party by ordinary mail at the address shown above.

Date

Signature of Petitioner