

# Order

**Michigan Supreme Court  
Lansing, Michigan**

September 28, 2011

Robert P. Young, Jr.,  
Chief Justice

ADM File No. 2004-55

Michael F. Cavanagh  
Marilyn Kelly

Proposed Amendment of  
Rule 3.211 of the  
Michigan Court Rules

Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

---

On order of the Court, this is to advise that the Court is considering an amendment of Rule 3.211 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter will be considered at a public hearing by the Court before a final decision is made. The notices and agendas for public hearings are posted at [www.courts.michigan.gov/supremecourt/resources/administrative/ph.htm](http://www.courts.michigan.gov/supremecourt/resources/administrative/ph.htm).

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[The present language is amended with new language indicated in underlining and deleted language is overstricken.]

Rule 3.211 Judgments and Orders

(A)-(C)[Unchanged.]

(D) Uniform Support Orders

- (1) Any provisions regarding child support or spousal support must be prepared on the latest version of the Uniform Support Order drafted by the state court administrative office ~~and approved by the Supreme Court~~. This order must accompany any judgment or order affecting child support or spousal support, and both documents must be signed by the judge. If only child support or spousal support is ordered, then only the Uniform Support Order must be submitted to the court for entry. The Uniform Support Order shall

govern if the terms of the judgment or order conflict with the Uniform Support Order.

- (2) No judgment or order concerning a minor or a spouse shall be entered unless either:
  - (a) the final judgment or order incorporates by reference a Uniform Support Order, or
  - (b) the final judgment or order states that no Uniform Support Order is required because support is reserved or spousal support is not ordered.
- (3) The clerk shall charge a single judgment entry fee when a Uniform Support Order is submitted for entry along with a judgment or order that incorporates it by reference.

(E)-(H)[Unchanged.]

Staff Comment: This proposed amendment would eliminate the requirement that the Supreme Court approve changes to the Uniform Support Order forms. Without explicit approval required by the Supreme Court, the forms would be updated like other forms that are revised on a regular basis within the State Court Administrative Office.

The staff comment is not an authoritative construction by the Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on this proposal may be sent to the Supreme Court Clerk in writing or electronically by January 1, 2012, at P.O. Box 30052, Lansing, MI 48909, or [MSC\\_clerk@courts.mi.gov](mailto:MSC_clerk@courts.mi.gov). When filing a comment, please refer to ADM File No. 2004-55. Your comments and the comments of others will be posted at [www.courts.mi.gov/supremecourt/resources/administrative/index.htm](http://www.courts.mi.gov/supremecourt/resources/administrative/index.htm).



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 28, 2011

*Corbin R. Davis*

Clerk