

# Motion for Installment Payments

(Form MC 15)

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT</b>	<b>MOTION FOR INSTALLMENT PAYMENTS</b>	<b>CASE NO.</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff's name and address (judgment creditor)

Principal defendant's name and address (judgment debtor)

v

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

**See instructions on reverse side**

Judgment entered: \_\_\_\_\_

Amount of judgment (including costs): \$ \_\_\_\_\_

1. I state that a judgment was entered in this case against me as stated above and that I have no funds to pay the judgment other than wages for personal work and labor. I submit the following information:

Place of employment	Complete address of employment
Average pay \$ _____ per	Payday
Outstanding judgments and obligations	

2. I ask this court for an order allowing installment payments of the judgment in the amount of \$ \_\_\_\_\_

each \_\_\_\_\_ starting \_\_\_\_\_, and also ask that no garnishment issue on this judgment pending a hearing on this motion and as long as payment is made. I understand if no written objections are filed with the court within 14 days from the date this motion is mailed, the motion will be granted without further hearing.

3. A writ of garnishment for periodic payments was issued on \_\_\_\_\_ Date \_\_\_\_\_ . I ask that it be suspended.

4. Approximate balance due on judgment: \$ \_\_\_\_\_

\_\_\_\_\_  
Defendant's signature

Subscribed and sworn to me on \_\_\_\_\_ Date \_\_\_\_\_, \_\_\_\_\_ County, Michigan.

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Signature: \_\_\_\_\_  
Notary public/Deputy court clerk

Notary public, State of Michigan, County of \_\_\_\_\_

**CERTIFICATE OF MAILING**

I certify that on this date a copy of this motion was served on the plaintiff/attorney indicated above by ordinary mail.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's signature/District court clerk

**NOTICE TO PLAINTIFF**

If you do not file objections to the motion with the court and serve them on the defendant within 14 days from the mailing of this motion, the motion will be granted without further hearing. If you file timely objections, the court will decide the motion based on the papers filed or will notify the parties that a hearing will be required.

**Instructions to Principal Defendant:****Motion**

The motion must be completed in full. Any necessary information relating to your finances that is not provided on the front can be added below. You must date and sign the motion.

Use this space, if needed, for additional financial information

**Certificate of Mailing**

The principal defendant is responsible for serving the motion when the motion is filed in the circuit court. The clerk of the court is responsible for serving the motion when the motion is filed in the district court. The motion is not served on the garnishee defendant.

**Objections**

Objections from the plaintiff must be filed with the court within 14 days from the mailing of this petition. If objections are filed, the court will decide the motion based on the papers filed or will notify the parties that a hearing will be required.

**Notice of Hearing**

Unless the court schedules the hearing, the defendant is responsible for noticing the motion for hearing.

**Order**

If the court grants installment payments (SCAO Approved Form MC 15a, Order Regarding Installment Payments), the principal defendant is responsible for sending a copy of the order to the plaintiff. If a writ of garnishment was already issued and the principal defendant's employer is currently withholding funds from earnings, the principal defendant will also need to send a copy of the order to his/her employer (also known as the garnishee defendant). Otherwise, his/her employer will continue to withhold funds.