



## Michigan Supreme Court

State Court Administrative Office

**Court Services Division**

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

### MEMORANDUM

DATE: April 29, 2021

TO: Judges and Court Administrators

FROM: Lucy Viramontes, Forms and Resources Analyst

RE: New MC 316v, Order for Change of Venue  
New MC 316j, Order for Transfer of Jurisdiction  
New PC 608p, Petition for Change of Venue  
New PC 608o, Order for Change of Venue

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Forms PC 608 and MC 316 have been revised. During the process, form PC 608 was split into PC 608p and PC 608o. Additionally, MC 316 was renamed MC 316v to address transfer orders for change of venue, and MC 316j was created to address orders for transfer of jurisdiction. A brief explanation of the changes and a copy of the forms with the changes highlighted are provided below.

**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 questions, comments, or suggestions about court forms, contact 517-373-5626 or [CourtFormsInfo@courts.mi.gov](mailto:CourtFormsInfo@courts.mi.gov).

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#### **[MC 316v, Order for Change of Venue](#)**

**Most recent update:** 4/21

**Use of existing stock:** THIS IS A NEW FORM. Prior form, MC 316, cannot be used after April 30, 2021.

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

This form was renamed to differentiate it from the new transfer of jurisdiction form. The form was also revised to meet the requirements of MCR 2.226. Additionally, the chart containing information regarding transfer of cases for change of venue and transfer of jurisdiction was removed from the form and replaced with a link to an updated chart.

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### **[MC 316j, Order for Transfer of Jurisdiction](#)**

**Most recent update:** 4/21

**Use of existing stock:** THIS IS A NEW FORM.

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

This form was created to meet the requirements of MCR 2.226.

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### **[PC 608p, Petition for Change of Venue](#)**

**Most recent update:** (4/21)

**Use of existing stock:** THIS IS A NEW FORM. Prior form, PC 608, cannot be used after April 30, 2021.

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

This form was revised to meet the requirements of MCR 2.226.

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### **[PC 608o, Order for Change of Venue](#)**

**Most recent update:** (4/21)

**Use of existing stock:** THIS IS A NEW FORM. Prior form, PC 608, cannot be used after April 30, 2021.

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

This form was revised to meet the requirements of MCR 2.226.

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<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT PROBATE COURT</b>	<b>ORDER FOR CHANGE OF VENUE</b>	<b>CASE NO. and JUDGE</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

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

v

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

1. The case was filed on \_\_\_\_\_ Date \_\_\_\_\_  
 Service was made on \_\_\_\_\_ Date(s) (If more than one defendant has been served, list names and dates served for each defendant.)  
 Judgment was entered on \_\_\_\_\_ Date \_\_\_\_\_

2. On  the court's own initiative  motion by \_\_\_\_\_  
 for a change of venue in this case, the court finds that venue is  proper.  improper.  
 (Use note: If venue is proper, the court may not change the venue on its own initiative but may do so only on motion of a party. MCR 2.222[B]  
 If venue is improper, the court may change venue on its own initiative with notice to the parties and an opportunity to be heard. MCR 2.223[A])

**IT IS ORDERED:**

3. Venue is changed and this case shall be transferred to \_\_\_\_\_  
 by \_\_\_\_\_ Date \_\_\_\_\_

Reason for change (check as many as apply):

- a.  Venue is improper. (MCR 2.223)
- b.  Venue is proper only because of the joinder of a codefendant who was not joined in good faith but only to control venue. (MCR 2.225)
- c.  Multiple claims are joined in the action, and the venue of one or more would have been improper if the claims had been brought in separate actions. (MCR 2.222[C])
- d.  Convenience of the parties, witnesses, or attorneys. (MCR 2.222[A])
- e.  An impartial trial cannot be held where the action is pending. (MCR 2.222[A])
- f.  Other (must specify applicable court rule): \_\_\_\_\_

4. Causes of action are severed. The cause of action entitled \_\_\_\_\_

shall be transferred. The balance of the case shall be retained by this court.

5. Filing fees have been waived.

6. \_\_\_\_\_ shall pay the filing fees in the receiving court within 28 days of this order.  Plaintiff shall pay reasonable compensation and attorney fees to the defendant.

a. Venue was proper but is changed. No further proceedings shall be had after transfer until these costs and expenses are paid. If costs and expenses are not paid within 28 days of the date of this order, this case will be transferred back to this court. MCR 2.222(A), MCR 2.222(C)

b. Venue was improper and is changed. No further proceedings shall be had after transfer until costs and expenses have been paid. If costs and expenses are not paid within 28 days of the date of this order, this case will be dismissed. MCR 2.223(C)(2), MCR 2.225(C)(1)

Additional information regarding the change of venue process can be found [here](#).

7. Costs and/or expenses of the trial shall be paid by \_\_\_\_\_ upon presentment of an order of a judge presiding in the jurisdiction to which the case is transferred. (MCL 600.1655)

8. The clerk of the court must prepare the case records for transfer in accordance with this order and the Michigan Trial Court Records Management Standards and send them to the receiving court by a secure method. If a jury fee has already been paid to this court, it shall be forwarded to the court to which this action is transferred.

9. The motion is  denied  dismissed because: \_\_\_\_\_

\_\_\_\_\_  
Judge signature and date

**NOTICE OF REFUSAL OF TRANSFER**

I have reviewed this order and it lacks the information necessary for this court to determine under which rule the transfer was ordered. This court refuses to accept the transfer and the case is returned to the transferring court for a proper order.

\_\_\_\_\_  
Clerk/Deputy clerk signature and date

Information sheet has been removed.

# NEW FORM

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT PROBATE COURT</b>	<b>ORDER FOR TRANSFER OF JURISDICTION</b>	<b>CASE NO. and JUDGE</b>
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Court address

Court telephone no.

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

v

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

1. The case was filed on \_\_\_\_\_ .  
Date

Service was made on \_\_\_\_\_ .  
Date(s) (If more than one defendant has been served, list names and dates served for each defendant.)

2. On  the court's own initiative  motion by \_\_\_\_\_  
for a transfer of jurisdiction in this case, the court finds that jurisdiction is  proper.  improper.  
(Use note: If the court raises the issue of jurisdiction on its own initiative, the action may not be transferred until the parties are given notice and opportunity to be heard on the jurisdictional issue. MCR 2.227[A])

### IT IS ORDERED:

3. Jurisdiction of this case shall be transferred to \_\_\_\_\_  
by \_\_\_\_\_ .  
Date

Reason for change (check as many as apply):

- a.  Jurisdiction is improper. (MCR 2.227)
- b.  Counterclaim or cross-claim seeks an amount or nature beyond the jurisdiction of the district court. (MCR 4.002)
- c.  Other (must specify applicable court rule): \_\_\_\_\_

4. Filing fees have been waived.

5. \_\_\_\_\_ shall pay the filing fees in the receiving court within 28 days of this order.  Plaintiff shall pay reasonable compensation and attorney fees to the defendant.

a. Jurisdiction was improper and is changed. No further proceedings shall be had after transfer until costs and expenses have been paid. If costs and expenses are not paid within 28 days of the date of this order, this case will be dismissed. MCR 2.227(C)(1)

b. Jurisdiction is transferred from district court to circuit court. No further proceedings shall be had after transfer until costs and expenses are paid. If costs and expenses are not paid within 28 days of the date of this order, this case may be dismissed or transferred back to this court. MCR 4.002(D)

Additional information regarding transfer of jurisdiction process can be found [here](#).

6. The clerk of the court must prepare the case records for transfer in accordance with this order and the Michigan Trial Court Records Management Standards and send them to the receiving court by a secure method.  
If a jury fee has already been paid to this court, it shall be forwarded to the court to which this action is transferred.

7. The motion is  denied  dismissed because: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
Judge signature and date

**NOTICE OF REFUSAL OF TRANSFER**

I have reviewed this order and it lacks the information necessary for this court to determine under which rule the transfer was ordered. This court refuses to accept the transfer and the case is returned to the transferring court for a proper order.

\_\_\_\_\_  
Clerk/Deputy clerk signature and date

# Form has been split.

JIS Code: MCV

STATE OF MICHIGAN  
PROBATE COURT  
COUNTY

PETITION FOR  
CHANGE OF VENUE

CASE NO. and JUDGE

Court address

Court telephone no.

In the matter of

First, middle, and last name

Petitioner's name, address and telephone no.

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

1. This case was filed on \_\_\_\_\_ .  
Date

2. A judgment  was entered on \_\_\_\_\_  has not been entered \_\_\_\_\_ in this matter.  
Date

3. I am interested in this matter as \_\_\_\_\_ .

4. A change of venue is necessary for:
- the convenience of the parties and witnesses
  - the convenience of counsel
  - an impartial trial

because: \_\_\_\_\_ .

5. The interested persons, addresses, and their representatives are identical to those appearing on the initial application/ petition except as follows: (for each person whose address changed, list the name and new address; attach separate sheet if necessary)

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6. I request that the venue of this matter be changed to \_\_\_\_\_ Court.

Date

Petitioner/Attorney signature

# NEW FORM Split from PC 608

JIS Code: MCV

<b>STATE OF MICHIGAN PROBATE COURT COUNTY</b>	<b>ORDER TO CHANGE VENUE</b>	<b>CASE NO. and JUDGE</b>
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Court address

Court telephone no.

In the matter of \_\_\_\_\_  
First, middle, and last name

Petitioner's name, address and telephone no.

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

1. This case was filed on \_\_\_\_\_ .  
Date
- Service was made on \_\_\_\_\_ .  
Date(s) (If more than one defendant has been served, list names and dates served for each defendant.)
2. A judgment  was entered on \_\_\_\_\_  has not been entered in this matter.  
Date

### IT IS ORDERED:

3. The venue of the above matter is changed to \_\_\_\_\_ Court.  
Reason for change:
- a.  Venue is improper. (MCR 2.223)
  - b.  Convenience of the parties, witnesses, or attorneys. (MCR 2.222[A])
  - c.  An impartial trial cannot be held where the action is pending. (MCR 2.222[A])
  - d.  Other (must specify applicable court rule): \_\_\_\_\_

4. The filing fees have been waived.

5. \_\_\_\_\_ shall pay the filing fees in the receiving court within 28 days of this order.  Plaintiff shall pay reasonable compensation and attorney fees to the defendant.
- a. Venue was proper but is changed. No further proceedings shall be had after transfer until these costs and expenses are paid. If costs and expenses are not paid within 28 days of the date of this order, this case will be transferred back to this court. MCR 2.222(A), MCR 2.222(C)
  - b. Venue was improper and is changed. No further proceedings shall be had after transfer until costs and expenses have been paid. If costs and expenses are not paid within 28 days of the date of this order, this case will be dismissed. MCR 2.223(C)(2)

Additional information regarding the change of venue process can be found [here](#).

6. The clerk of the court must prepare the case records for transfer in accordance with this order and the Michigan Trial Court Records Management Standards and send them to the receiving court by a secure method. The court must also transfer the original of an unadmitted will or a certified copy of an admitted will.  
If a jury fee has already been paid to this court, it shall be forwarded to the court to which this action is transferred.



7. The petition for change of venue is denied because: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_  
Judge signature and date

**NOTICE OF REFUSAL OF TRANSFER**

I have reviewed this order and it lacks the information necessary for this court to determine under which rule the transfer was ordered. This court refuses to accept the transfer and the case is returned to the transferring court for a proper order.

\_\_\_\_\_  
Clerk/Deputy clerk signature and date