Approved, SCAO

Original - Court
1st copy - Plaintiff/Attorney

2nd copy - Defendant/Attorney
3rd copy - Friend of the court
4th copy - Alleged father (as needed)

STATE OF MICHIGAN JUDICIAL CIRCUIT JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	MOTION TO SET ASIDE ORDER OF FILIATION (PAGE 1)	CASE NO.

Court address **Court telephone no.**

Plaintiff's name, address, and telephone no. ☐ moving party	v	Defendant's name, address, and telephone no. ☐ moving party
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.
Alleged father's name, address, and telephone no. ☐ moving party		Alleged father's attorney, bar no., address, and telephone no.

USE NOTE: If the court determines that this motion should be denied and the order of filiation not be set aside, the court shall order the person who filed the motion to pay the reasonable attorney fees and costs incurred by any other party because of this motion.

MOTION

1. On _____ (Date), a Michigan order of filiation was entered in this case determining _____ (Affiliated father's name) to be the father of the minor child _____ (Child's name) born _____ (Date of birth),

   (Check either a. or b.)
   ☐ a. A petition has not been filed to terminate the parental rights to this child.
   ☐ b. There is an existing termination proceeding in the _____ Court and that court has found that it is in the best interests of the child to allow the filing of this motion.

2. I am the ☐ mother. ☐ affiliated father. ☐ alleged father and the child was not conceived as a result of acts for which the alleged father was convicted of criminal sexual conduct under MCL 750.520b to MCL 750.520e.

3. This motion is timely because
   ☐ a. it is filed within one year after the date of the order of filiation.
   ☐ b. it is filed within three years after the child's birth.
   ☐ c. I was granted an extension of time for filing this motion under MCL 722.1443(12).

4. Paternity was determined based on the affiliated father's failure to participate in the court proceedings.

Approved, SCAO

Original - Court
1st copy - Plaintiff/Attorney

2nd copy - Defendant/Attorney
3rd copy - Friend of the Court
4th copy - Alleged father (as needed)

STATE OF MICHIGAN JUDICIAL CIRCUIT JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	MOTION TO SET ASIDE ORDER OF FILIATION (PAGE 2)	CASE NO.

Court address **Court telephone no.**

Plaintiff's name, address, and telephone no. ☐ moving party	v	Defendant's name, address, and telephone no. ☐ moving party
Alleged father's name, address, and telephone no. ☐ moving party		

I REQUEST that:

5. The court set aside the Michigan order of filiation and, if necessary, order genetic testing to assist in making its determination.

☐ 6. The child support obligation of _____ be terminated.
Name of obligor

_____ Date

_____ Moving party's signature

NOTICE OF HEARING

A hearing will be held on this motion before _____ Judge/Referee Bar no.

on _____ Date at _____ Time at _____ Location.

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this motion and notice of hearing on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 3.203.

_____ Date

_____ Signature