

<b>STATE OF MICHIGAN</b> JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	<b>MOTION AND/OR ORDER TO SHOW CAUSE</b>	<b>CASE NO.</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff(s)/Petitioner(s)	<b>v</b>	Defendant(s)/Respondent(s)/Probationer
<input type="checkbox"/> Probate <input type="checkbox"/> Juvenile    In the matter of _____		

**MOTION AND AFFIDAVIT**

1. I am interested in this matter as \_\_\_\_\_ .
2. \_\_\_\_\_  has failed to comply with an order dated \_\_\_\_\_ .  
 \_\_\_\_\_  is in contempt for \_\_\_\_\_ .  
 Name (type or print)  
 State with particularity admissible facts establishing this motion.
3. I request an order directing \_\_\_\_\_ to show cause why  
 Name (type or print)
  - a. he/she should not be found in  civil  criminal contempt of court.
  - b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
  - c. judgment should not be entered against him/her for failure to file a garnishee disclosure.
4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

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

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date \_\_\_\_\_

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

**ORDER**

TO: [ ] [ ] If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

[ ] [ ]

**IT IS ORDERED:**

5. You must appear before this court on \_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_  the court address above  courtroom no. \_\_\_\_\_  
 Date \_\_\_\_\_ Time \_\_\_\_\_  
 \_\_\_\_\_  
 to show cause why
  - you should not be held in  civil  criminal contempt
    - for failure to comply with the order of this court as follows:
    - for the reasons stated in the motion.
  - a judgment should not be entered against you.
  - your case should not be dismissed.
  - other: \_\_\_\_\_
6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.
7. A copy of this must be served  personally  by mail on the person ordered to appear at least \_\_\_\_\_ days before the hearing.

**MOTION AND/OR ORDER TO  
SHOW CAUSE**  
Case No. \_\_\_\_\_

**PROOF OF SERVICE**

**TO PROCESS SERVER:** You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

<input type="checkbox"/> <b>OFFICER CERTIFICATE</b> I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)	<b>OR</b>	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b> Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)
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I served a copy of the motion and/or order to show cause by:  
 personal service       first-class mail      on:

Name(s)	Complete address(es) of service	Day, date, time

I have personally attempted to serve the motion and/or order to show cause on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

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

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	<b>TOTAL FEE</b>
\$		\$	\$

\_\_\_\_\_  
Signature  
 \_\_\_\_\_  
Name (type or print)  
 \_\_\_\_\_  
Title

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

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

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

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of this motion and/or order to show cause on \_\_\_\_\_.  
Day, date, time

\_\_\_\_\_  
Signature on behalf of \_\_\_\_\_

**CERTIFICATE OF MAILING**

For use by the court clerk only when the show cause proceeding is initiated by the court.

I certify that on this date a copy of this motion and/or order to show cause was served on the person ordered to appear by first-class mail addressed to his or her last-known address as defined by MCR 2.107(C)(3).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature