

Cass County Friend of the Court

Law & Courts Building, 60296 M62 Suite 3
Cassopolis, Michigan 49031
Phone: (269) 445-4436
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FORMS AND INSTRUCTIONS FOR STIPULATION TO CANCEL ARREARAGE

GENERAL INFORMATION

These forms are for parents who agree to ask the court to cancel all or part of their child support or spousal support order. In using these forms you are asking the court on your own without an attorney. You may represent yourself or have an attorney represent you. The other parent has the same rights. The Friend of the Court (FOC) does not represent either party.

Using this packet of forms will lead to changes in the amount of support owed in your case. If you disagree with those changes after the new order goes into effect, you will have to obey the terms of the new court order unless and until they are changed again by future court orders. You will have full responsibility for changes that may occur in your case as a result of your actions. If changes do not occur as you wanted, you will still be bound by the resulting orders of the Court, and may have to petition the Court again to correct problems.

IF YOU DO NOT UNDERSTAND THE TERMS OF A STIPULATION, OR DISAGREE WITH ANY PART OF IT, YOU SHOULD NOT SIGN IT, AS YOU WILL BE BOUND BY ITS PROVISIONS. IF YOU HAVE ANY QUESTIONS ABOUT THE STIPULATION, YOU SHOULD CONSULT AN ATTORNEY BEFORE AGREEING TO IT.

Carefully read and follow all of the instructions before filling out the forms. Complete the forms and follow the procedures listed below precisely. The FOC cannot give you legal advice on how to represent yourself in this matter. If you are not able to represent yourself adequately in this matter, you should hire an attorney to represent you.

IMPORTANT: If both parties no longer reside in Michigan, the State of Michigan MAY no longer have jurisdiction to cancel arrearage.

COMPLETING THE STIPULATION TO CANCEL ARREARAGE

- (A) Print or type your case number in the upper right hand corner.
- (B) Using your other court papers, identify which parent is the Plaintiff and which is the Defendant. Fill in the names, current address and telephone numbers for yourself and the other parent in the appropriate boxes. If you are not aware of the other parent's address, contact the FOC for assistance.

(C) IF YOU HAVE AGREED TO CANCEL ALL OR PART OF AN ARREARAGE THAT IS OWED, MARK THE BOX STATING WHICH PARTY IS OWED THE ARREARAGE. IF ONLY A PART OF THE ARREARAGE IS BEING FORGIVEN, MARK THAT BOX AND FILL IN THE AMOUNT TO BE FORGIVEN.

IF ALL THE ARREARAGE OWED TO A PARTY IS TO BE FORGIVEN, MARK THAT BOX THAT THE ARREARAGE IS FORGIVEN IN FULL.

****A CHILD SUPPORT PAYMENT OF AT LEAST \$5 MUST BE MADE AT THE TIME THIS STIPULATION TO CANCEL SUPPORT ARREARAGE IS TURNED IN TO THE FOC. BE SURE TO FILL IN HOW MUCH IS BEING PAID (IT MUST BE AT LEAST \$5) AND BRING THAT MONEY TO THE FOC AT THE TIME YOU ARE TURNING IN THIS STIPULATION.**

NOTE: ARREARAGE OWED TO THE STATE OF MICHIGAN CAN NOT BE FORGIVEN, EXCEPT AS PART OF AN ARREARAGE PAYMENT PLAN APPROVED BY THE COURT. ASK TO SPEAK TO THE ENFORCEMENT SUPERVISOR IF YOU HAVE QUESTIONS ABOUT THIS.

(D) Plaintiff should fill in the date he or she signs the stipulation, and sign it in front of a notary public.

(E) Defendant should fill in the date he or she signs the stipulation, and sign it in front of a notary public.

FILING YOUR STIPULATION

- Take your Stipulation (and any attachments) to the Friend of the Court (FOC) at the Law and Court's Building located at 60296 M-62, Cassopolis, Michigan (1st door on the right after you go through security). The original of the Stipulation must be given to the Friend of the Court along with the child support payment of at least \$5.
- The FOC staff will review your Stipulation. If it is clear and complete, the FOC will prepare a proposed order adopting your Stipulation and submit it to the referee for approval. If the referee approves it, an order will be entered adopting your Stipulation. The original of the order will be filed with the Court Clerk, a copy will go to the FOC file, and a copy will be mailed to each parent.
- If your Stipulation is not clear and complete, it will be returned to you with comments for clarification and completion.
- **Although you will not be charged for the stipulation, if you have outstanding fees and/or costs you will be required to pay those fees or costs before the stipulation will be entered.**