

Filing and Serving Responsive Pleadings

See the Michigan Judicial Institute's *Civil Proceedings Benchbook*, Chapter 3.

A motion raising a defense or an objection to a pleading must be filed and served within 21 days of service or the time for filing a responsive pleading. See [MCR 2.108\(B\)](#).

Type of Pleading and Manner of Service	Time for Filing and Serving Response
Personally served with a complaint in Michigan	Must serve and file an answer or take other action, as permitted, within 21 days of being served with notice. See MCR 2.108(A)(1) .
Served with a complaint outside of Michigan or by registered mail	Must serve and file an answer or take other action, as permitted, within 28 days of being served with notice. See MCR 2.108(A)(2) .
Served with a complaint via substituted service (posting or publication)	The court must allow the defendant a reasonable time to answer or take other action as permitted. The time prescribed must not be less than 28 days after posting or publication is complete. See MCR 2.108(A)(3) .
Served with a pleading that states a cross-claim or counterclaim against the party	Must serve and file a reply within 21 days after service of the pleading to which the reply is directed. See MCR 2.108(A)(4) .
Served with a pleading to which a reply is required or permitted	Must serve and file a reply within 21 days of being served with the pleading to which the reply is directed. See MCR 2.108(A)(5) .
Served with an action alleging medical malpractice (that was filed on or after October 1, 1986)	Must serve and file an answer within 21 days after being served with the notice of filing the security for costs or the affidavit in lieu of such security as required by MCL 600.2912d , unless the defendant responded pursuant to MCR 2.108(A)(1) or MCR 2.108(2) . See MCR 2.108(A)(6) .

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