

SMILE

START MAKING IT LIVABLE FOR EVERYONE

Friend of the Court

WHO IS THE FOC?

- The Office of the Friend of the Court was created by the Michigan legislature in 1919. It is neutral and provides the Court with recommendations regarding children in domestic cases.

WHAT DOES FOC DO? (REQUIRED BY STATUTE)

- Investigates and makes recommendations to the Court regarding custody, parenting time and child support.
- Enforces court orders.
- Reviews court orders.
- Provides mediation/conciliation services.

WHAT FOC DOES NOT DO

- Give legal advice
- Advocate for father or mother
- Investigate child abuse or child neglect (CPS)
- Make recommendations to modify court orders for short term schedule changes or events
- Become involved in day-to-day parent decisions (extracurricular activities, bedtimes, discipline disputes, contact with boyfriends/girlfriends, etc.)
- Do your communication for you
- Provide emergency services or law enforcement services
- Change people

PARENTS ARE ENCOURAGED TO DISCUSS AND REACH AGREEMENT ON A PARENTING PLAN

Parents' agreements regarding custody and parenting plans will be respected.

Mediation is available through private mediators, Conflict Resolution Service, or Friend of the Court.

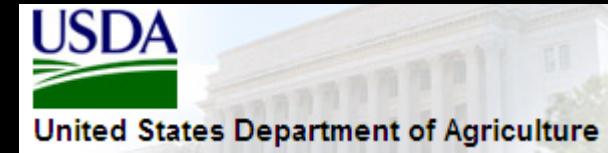
CHILD SUPPORT

Application of the Michigan Child Support Formula is mandatory. FOC and the Court must follow the child support formula, unless the parties demonstrate in the specific facts and circumstances of the case, that application of the formula is “unjust” or “inappropriate”.

FACTORS IN DETERMINING CHILD SUPPORT

- Income of the parties
- Unexercised ability to earn (imputation)
- Total number of children to support
- Number of overnights with each parent (also referred to as Parental Time Offset)
- Tax filing status and dependents
- Mandatory withholdings, such as union dues
- Adjustable factors (upon submission of update, not limited to statutory review requirements)
 - Child care expenses
 - Health insurance premiums

EXPENSES ARE NOT A PART OF THE FORMULA



- Mortgage/rent
- Credit card debt
- Car expenses
- Tuition (parents or children)
- Student loans
- ***All expenses come after care for your child in the formula***

Based on the most recent data from the [Consumer Expenditures Survey](#), in 2015, a family will spend approximately \$12,980 annually per child in a middle-income (\$59,200-\$107,400), two-child, married-couple family. Middle-income, married-couple parents of a child born in 2015 may expect to spend \$233,610 (\$284,570 if projected inflation costs are factored in*) for food, shelter, and other necessities to raise a child through age 17. This does not include the cost of a college education.

EXPENDITURES ON CHILDREN BY FAMILIES, 2015 (USDA)



PAYING CHILD SUPPORT

- Cash only at the local FOC
- MiSDU - <https://www.misdu.com/secure/default.aspx>
 - PayNearMe
 - MoneyGram
 - Coupon payments (personal checks, money orders, cashiers checks)
 - Credit/debit cards)

[Michigan.gov Home](#)[MiChildSupport Home](#)[Child Support Information](#)[Register](#)[Login](#)[Home Page](#)[Make an Employer Payment](#)[Make an Individual Payment](#)[Make a Cash Payment](#)[Receiving Payment](#)[Forms](#)[Customer Service](#)

Welcome to the MiSDU

Welcome to the new Michigan State Disbursement Unit (MiSDU) Website.

MiSDU is part of the Child Support System for the State of Michigan. Use this site for information about the MiSDU and how it will affect you by reading the ["Frequently Asked Questions" \(FAQs\)](#).

EMPLOYER PAYMENT



Click [here](#) for more information about Employer Payment Options

[Make an Employer Payment](#)

INDIVIDUAL PAYMENT



Click [here](#) for more information about Individual Payment Options

[Make an Individual Payment](#)

CASH PAYMENTS



Click [here](#) for more information about Cash Payment Options

[Make PayNearMe Payment](#)[Make MoneyGram Payment](#)

FOC CASE CLOSURE “OPTING OUT” CRITERIA CONTROLLED BY STATUTE, NOT THE LOCAL FOC

- No public assistance (includes food assistance, cash grant and Medicaid)
- There can not have been arrears in the preceding 12 months
- There cannot have been enforcement for custody/parenting time in the preceding 12 months
- Both parties must agree
- The agreement must be voluntary; there can be no domestic violence, coercion or undue influence
- **NOTE - YOU WILL HAVE A COURT ORDER REGARDING CUSTODY, SUPPORT AND PARENTING TIME & FOC MUST STILL APPROVE YOUR DIVORCE JUDGMENT**

ENFORCEMENT REMEDIES CHILD SUPPORT AND PARENTING TIME

- Delinquency notices
- 21 day notices
- Make-up parenting time
- Show Cause hearings
- Warrants
- License Suspension
- Tax offset
- Garnishment

CHANGES “WHEN CAN THE ORDER BE MODIFIED?”

- *Child support* may be modified when there is a “substantial change in circumstances”; child support reviews by FOC may be requested once every three years. NOTE – Do some research before requesting review/filing motion—access the public calculator (<https://micase.state.mi.us/portalapp/public/login.html?execution=e1s1>).
- *Parenting time* modifications also require a change in circumstances; FOC may recommend parenting time modifications. NOTE – If parties submit an agreement, FOC will prepare the court order.
- *Custody* changes require the demonstration of proper cause and change in circumstances, which are more than normal life changes – NOTE - FOC cannot change custody.

COMMUNICATING WITH FOC

- **Be sure to keep FOC informed with address changes** (must be in writing).
 - Two-way communication from MiSDU is available
- Inform FOC of job changes and changes in your case conditions
- Many questions can be answered by referencing the FOC Handbook or FOC website <http://13thcircuitcourt.org/2209/13th-Circuit-Court>
- Calls are typically returned within 3 business days.
- Register and Access your case information through MiSDU (Michigan State Disbursement Unit)

<https://www.misdu.com/secure/default.aspx>

FRIEND OF THE COURT PROGRAMS/COMMUNITY RESOURCES

- Counseling funds
- Family Support Court
- Safe Visits & Exchanges
- Conflict Resolution Service
- Legal Clinics

FREQUENTLY ASKED QUESTIONS

[HTTP://13THCIRCUITCOURT.ORG/221/FREQUENTLY-ASKED-QUESTIONS](http://13THCIRCUITCOURT.ORG/221/FREQUENTLY-ASKED-QUESTIONS)