

FREQUENTLY ASKED CHILD SUPPORT QUESTIONS AND ANSWERS

How do I get an order for paternity and/or child support?

All family support, paternity, and interstate cases must be referred by the State of Michigan Department of Human Services (DHS). Contact the Office of Child Support Enforcement at 1-866-661-0005 or 1-8-866-540-0008. The referral is then sent by DHS to the FOC and the initiation process begins. This process takes 1-4 months for completion.

In Paternity cases, parties have the opportunity to request genetic testing; the testing on cases referred by the Michigan Department of Human Services is less than \$100.00. If paternity is established, the child support is established using the Michigan Child Support Formula. The Michigan Child Support Formula uses both parties' income in the child support calculation.

In divorce or custody cases, support may be established by way of an Ex Parte order or by filing a motion with the Wayne County Clerk's Office. The use of an attorney is highly recommended in these cases.

Parties may enter into a stipulation (agreement) regarding support if they agree to the amount indicated by the child support formula. Once the agreement is prepared in the form of a court order and signed by a judge, it will become an order of the court.

Do I need an attorney to get an order for support?

You are not required to have an attorney to file a motion for support. However, you may find an attorney's help useful when filing papers and following specific rules.

Do the FOC and the judge have to use the child support formula?

Yes, unless the FOC or the judge finds a clear reason why using the formula is "unjust or inappropriate." This reason must be stated on the record or in writing.

Where and how do I make payments?

The court order will require payments for support to be made through the Michigan State Disbursement Unit (MISDU), P.O. box 30351, Lansing, MI 48909-7851 so that a permanent record of all payments may be kept. The MISDU will periodically mail payment coupons to payers for weekly and/or monthly payments to be made.

You should not make court-ordered payments of support directly to the custodian of the children unless the court has so authorized.

How do I obtain payment information?

Use the convenient Interactive Voice Response (IVR) System, which is our automated service. The number is (313) 224-5300. If you need to speak with a service representative, follow the series of prompts to speak to a MISDU representative.

How are payments disbursed?

Payments are disbursed in accordance with Welfare Reform guidelines as outlined in the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996.

Upon receipt of a support payment, the MISDU will enter the payment in the Michigan Child Support Enforcement System (MICSES) and issue a check to the payee. Payments received for children receiving public assistance are sent to the DHS.

How do I change my address and employment information?

Address, employer, social security number, and name changes may be made by calling (313) 224-5300 or by faxing a signed request to (313) 237-9290. For name and Social Security number changes, a copy of your driver's license and Social Security card, plus any court order for the change must be included in the fax. Or you may send copies to:

**Wayne County Friend of the Court
Information Services Department
645 Griswold
Detroit, MI 48226**

Be sure to include the case number and the full names and addresses of both parties. Also, report any changes such as those in personal appearance, including tattoos and visible scars.

When does child support start?

Child support is effective on the commencement date stated in the court order.

Can I receive child support after my child reaches age 18?

Child support may continue past age 18 only if certain conditions are met. You must notify the FOC in writing and provide written documentation from the high school advising that your child will continue to be enrolled a full-time student past his/her 18th birthday. A full-time student generally attends classes for at least 35 hours per week. The school must also provide the anticipated month, day, and year of graduation.

The custodial parent must provide this information prior to the child's 18th birthday to ensure the continuation of child support and any child support withholding. Support may continue up to age 19 ½ if the child "is regularly attending high school on a full-time basis with a reasonable expectation of completing sufficient credits to graduate from high school while residing on a full-time basis with the payee of support or at an institution."

My child turned 18 and/or graduated from high school and I am still paying child support. Why?

If support arrearages are due, payments must be made until they are paid in full. If no support is owed, call (313) 224-5300 for assistance, or e-mail the court at FOC-HELP@3rdcc.org

If I have been paying my child support and the custodial parent is not allowing parenting time, do I have to keep paying support?

Yes. Parenting time and support are separate parts of a court order. Each has enforcement procedures to be used when that part of the order is disobeyed.

The other parent is not paying support as ordered. What can I do?

Contact the FOC by phone at 313-224-5300 or in person if the unpaid support equals or exceeds the amount due for one month. You may also contact an attorney to start enforcement action.

The payer's employer states that the support payment was mailed to the FOC, but I haven't received it yet.

Please allow 10 days from the date the employer mailed the payment. All payments are to be sent to the Michigan State Disbursement Unit (MISDU) in Lansing. If the payment was sent to FOC's offices, it will be re-directed to the MISDU, which may delay the payment. If you have not received it after 10 days, call (313) 224-5300 and push the prompts for the MISDU representative.

Can I pay the other parent directly?

No, not unless your court order is modified to allow direct payment. If you fail to pay through the MISDU, the designated agency, you will not receive credit for the payment.

If I am receiving public assistance (TANF or FIP), do I still get child support?

No. The FOC must send to the State any child support payments made while you are on public assistance.

If you have questions regarding this program, contact your DHS Support Specialist.

How may I apply for a change in child support?

Parties may request a child support every 36 months years or when there is a change in circumstances such as employment and income changes. You can also file a motion to change the support order.

How do I report a lost or stolen check?

You must wait **30 days** from the date the check was issued by the MISDU. After 30 day, call (313) 224-5300 and press the selection for lost and stolen checks. The MISDU handles lost and stolen checks.

What if the check was missing over a year ago?

State law requires that child support funds must be turned over (escheated) to the State Treasurer when there has been no owner-generated activity in the account for one year and all attempts to contact the owner have failed. The owner or owner's heirs may claim the funds from the Treasury and there is no time limit on when an owner may claim the funds. The Department of Treasury contact information is: Unclaimed Property Division, Michigan Department of Treasury, P.O. Box 30756, Lansing, MI 48909; telephone: (517) 636-5320; Fax: (517) 322-5986; website: www.michigan.gov/treasury

Will support be modified if the payer is in jail or prison?

Michigan law requires support to be set in accordance with parties' incomes and the child support formula. An incarcerated payer's support obligation does not stop, but it may be modified if a motion to modify support is filed. This motion may be filed by either party of the FOC. See In Pro Per Actions in the Table of Contents.

How do I start income withholding?

Call (313) 224-5300 to report the name and address of the non-custodial parent's employer. You may also fax this information to (313) 237-9290. The FOC will process the Income Withholding Notice. The employer, as well as both parties, will receive a copy of the notice. You should give the withholding process six to eight weeks to be completed.

What are service fees?

Michigan law requires the FOC to charge the payer of support a fee on all child support orders as a partial offset of administrative costs. The current fee is \$42.00 per year.