

FRIEND OF THE COURT ACT (EXCERPT)
Act 294 of 1982

552.519 State friend of the court bureau; creation; supervision and direction; main office; duties; state advisory committee; report or recommendation; reimbursement for expenses; meetings; assistance.

Sec. 19.

(1) The state friend of the court bureau is created within the state court administrative office, under the supervision and direction of the supreme court.

(2) The bureau shall have its main office in Lansing.

(3) The bureau shall do all of the following:

(a) Develop and recommend guidelines for conduct, operations, and procedures of the office and its employees, including, but not limited to, the following:

(i) Case load and staffing standards for employees who perform alternative dispute resolution functions, investigation and recommendation functions, referee functions, enforcement functions, and clerical functions.

(ii) Orientation programs for clients of the office.

(iii) Public educational programs regarding domestic relations law and community resources, including financial and other counseling, and employment opportunities.

(iv) Procedural changes in response to the type of grievances received by an office.

(v) Model pamphlets and procedural forms, which shall be distributed to each office.

(vi) A formula to be used in establishing and modifying a child support amount and health care obligation. The formula shall be based upon the needs of the child and the actual resources of each parent. The formula shall establish a minimum threshold for modification of a child support amount. The formula shall consider the child care and dependent health care coverage costs of each parent. The formula shall include guidelines for determining which parent is required to maintain health care coverage for the child and include a presumption for determining the reasonable cost and accessibility of health care coverage. The formula shall include guidelines for setting and administratively adjusting the amount of periodic payments for overdue support, including guidelines for adjustment of arrearage payment schedules when the current support obligation for a child terminates and the payer owes overdue support.

(b) Provide training programs for the friend of the court, providers of alternative dispute resolution, and employees of the office to better enable them to carry out the duties described in this act and supreme court rules. The training programs shall include training in the dynamics of domestic violence and in handling domestic relations matters that have a history of domestic violence.

(c) Gather and monitor relevant statistics.

(d) Annually issue a report containing a detailed summary of the types of grievances received by each office, and whether the grievances are resolved or outstanding. The report shall be transmitted to the legislature and to each office and shall be made available to the public. The annual report required by this subdivision shall include, but is not limited to, all of the following:

(i) An evaluative summary, supplemented by applicable quantitative data, of the activities and functioning of each citizen advisory committee during the preceding year.

(ii) An evaluative summary, supplemented by applicable quantitative data, of the activities and functioning of the aggregate of all citizen advisory committees in this state during the preceding year.

(iii) An identification of problems that impede the efficiency of the activities and functioning of the citizen advisory committees and the satisfaction of the users of the committees' services.

(e) Develop and recommend guidelines to be used by an office in determining whether or not parenting time has been wrongfully denied by the custodial parent.

(f) Develop standards and procedures for the transfer of part or all of the responsibilities for a case from 1 office to another in situations considered appropriate by the bureau.

(g) Certify alternative dispute resolution training programs.

(h) Establish a 9-person state advisory committee, serving without compensation except as provided in subsection (4), composed of the following members, giving preference to a member of a citizen advisory committee:

(i) Three public members who have had contact with an office of the friend of the court.

(ii) Three attorneys who are members of the state bar of Michigan and whose practices are primarily domestic relations law. Not more than 1 attorney may be a circuit court judge.

(iii) Three human service professionals who provide family counseling.

(i) Cooperate with the office of child support in developing and implementing a statewide information system as provided in the office of child support act, 1971 PA 174, MCL 400.231 to 400.240.

(j) Develop and make available guidelines to assist the office of the friend of the court in determining the

appropriateness in individual cases of the following:

- (i) Imposing a lien or requiring the posting of a bond, security, or other guarantee to secure the payment of support.
- (ii) Implementing the offset of a delinquent payer's state income tax refund.
- (k) Develop and provide the office of the friend of the court with all of the following:
 - (i) Form motions, responses, and orders to be used by a party, without the assistance of legal counsel, in making or responding to a motion for a payment plan under section 5e of the support and parenting time enforcement act, MCL 552.605e, or for the modification of a child support, custody, or parenting time order, including a domicile or residence provision.
 - (ii) Instructions on preparing and filing the forms, instructions on service of process, and instructions on scheduling a support, custody, or parenting time modification hearing.
 - (iii) Guidelines for imputing income for the calculation of child support.
 - (l) Develop guidelines for, and encourage the use of, plain language within the office including, but not limited to, the use of plain language in forms and instructions within the office and in statements of account provided as required in section 9.
 - (m) In consultation with the domestic and sexual violence prevention and treatment board created in section 2 of 1978 PA 389, MCL 400.1502, develop guidelines for the implementation of section 41 of the support and parenting time enforcement act, MCL 552.641, that take into consideration at least all of the following regarding the parties and each child involved in a dispute governed by section 41 of the support and parenting time enforcement act, MCL 552.641:
 - (i) Domestic violence.
 - (ii) Safety of the parties and child.
 - (iii) Uneven bargaining positions of the parties.
 - (n) Coordinate the provision of title IV-D services by the friend of the court and cooperate with the office of child support in providing those services.
- (4) The state advisory committee established under subsection (3)(h) shall advise the bureau in the performance of its duties under this section. The bureau shall make a state advisory committee report or recommendation available to the public. State advisory committee members shall be reimbursed for their expenses for mileage, meals, and, if necessary, lodging, under the schedule for reimbursement established annually by the legislature. A state advisory committee meeting is open to the public. A member of the public attending a state advisory committee meeting shall be given a reasonable opportunity to address the committee on any issue under consideration by the committee. If a vote is to be taken by the state advisory committee, the opportunity to address the committee shall be given before the vote is taken.
- (5) The bureau may call upon each office of the friend of the court for assistance in performing the duties imposed in this section.

History: 1982, Act 294, Eff. July 1, 1983 ;-- Am. 1985, Act 208, Imd. Eff. Jan. 8, 1986 ;-- Am. 1987, Act 197, Imd. Eff. Dec. 14, 1987 ;-- Am. 1994, Act 37, Imd. Eff. Mar. 7, 1994 ;-- Am. 1996, Act 144, Imd. Eff. Mar. 25, 1996 ;-- Am. 1996, Act 366, Eff. Jan. 1, 1997 ;-- Am. 1998, Act 63, Eff. Aug. 10, 1998 ;-- Am. 2001, Act 193, Eff. Oct. 1, 2002 ;-- Am. 2002, Act 569, Eff. Dec. 1, 2002 ;-- Am. 2004, Act 207, Eff. June 30, 2005 ;-- Am. 2009, Act 233, Imd. Eff. Jan. 8, 2010 ;-- Am. 2019, Act 27, Imd. Eff. June 20, 2019

Popular Name: Friend of the Court