

ATTACHMENT TO UNIFORM CHILD SUPPORT ORDER

IT IS FURTHER ORDERED that paragraph numbers 9 and 10 (Redirection and Abatement) from the Uniform Child Support Order, are clarified to include the following provision; Friend of Court shall abate support charges for a child who resides on a full-time basis with the payer of support, or with a person who does not have legal standing or is not providing foster care; Modification or reinstatement under this provision shall not be until 21 days after the office of the friend of the court notifies each party of the proposed action and each party's right to object. Support may abate when a payer is incarcerated for 7 or more days, excluding non-payment of child support matters, who is without income, assets or availability for work release. When support has abated due to incarceration of the payer, the Friend of Court will conduct an administrative review of support to determine whether a support hearing or notice of reinstatement of the prior order will occur.

IT IS FURTHER ORDERED that when friend of the court becomes aware that payer's condition that meets the definition of incapacitation for 180 days or more as defined in the current or subsequent Michigan Child Support Formula, monthly support charges shall abate and are temporarily reduced to zero effective the date the friend of the court office provides notice of the abatement to the parties and to the court. The court may set an incapacitated payer's child support obligation at zero for periods that a parent has an inability to pay due to a loss of income and insufficient assets from which to pay support. If the period of incapacitation is not expected to reach 180 days, a motion may be filed to have a support determination by the court. In addition, the court may apportion a parent's obligation percentage of medical support and childcare to zero if the payer is incapacitated. Support charges shall be reinstated effective 60 days after the incapacitation ends. The office shall provide notice of reinstatement to the parties and to the court that specifies the date charges will be effective. Either party may object to the abatement or reinstatement by filing a written objection with the court within 21 days following when the notice was filed, or by filing a motion. If a timely objection is received, the friend of the court shall either set the objection for hearing or complete a support review with an effective date no earlier than the date of filing of that notice. Based on a motion by either party or a recommendation following a review by the friend of the court, the amount abated may be later corrected retroactively to the effective date of the abatement based on the parties' incomes or ability to pay during the abatement period.

IT IS FURTHER ORDERED that if the support ordered is a deviation from the formula, in the event TANF assistance is received for the minor child(ren) or either party requests, then the base support amount pursuant to the MCSF in the Deviation Addendum shall then be charged, and/or if Medicaid is received for the minor child(ren), then the Ordinary Health Care Expense pursuant to the MCSF in the Deviation Addendum shall then be charged.

IT IS FURTHER ORDERED in the event a temporary uniform support order (UCSO) enters in a pending divorce action, and there is a pre-existing UCSO in a prior action involving the same parents (same county), support in the prior action shall stop charging on the effective date of the temporary UCSO with all arrearages preserved. Upon entry of Judgment of Divorce and final UCSO, all child support arrearages that accrued under the prior action shall be preserved and incorporated in the divorce matter, unless specifically waived. In the event the pending divorce action is dismissed, then support and arrearages shall not reinstate under the prior action, unless requested by either party or if cash assistance is being received. Upon reinstatement, the Friend of Court will conduct an administrative review.

IT IS FURTHER ORDERED that the payer of support shall, in addition to all current charges and fees, make monthly payments on the arrearage in accordance with the Michigan Child Support Formula in an amount equal to two percent of the arrearage, but not greater than half the current monthly charging amount and not less than \$50 per month.

IT IS FURTHER ORDERED that direct payment credit will not be given on the account if such payment is made when a cash TANF grant and/or Medicaid is being received on behalf of the minor child(ren). If a full TANF grant is received, and the parties do not reside together, or if the either party submits a written request, support will again charge through St. Clair County Friend of the Court. All balances owed to the State of Michigan, unless otherwise ordered, are preserved.

IT IS FURTHER ORDERED that orders between the same parties to this action may be incorporated in regards to any and all Friend of Court actions.

The Friend of the Court account information is available at all times either by calling the Interactive Voice Response System (IVR) at (877) 543-2660 or <https://micase.state.mi.us/>.