

## **FREQUENTLY ASKED QUESTIONS ABOUT SUPPORT ORDERS & PAYMENTS**

### ***How do I get an order for child support?***

If no one has started a lawsuit that raises the child support issue, a party must first file a Complaint for Support that requests that the court enter a child support order. If both parties agree to a support amount determined by the child support formula, they can sign an agreement. Once that agreement is put in the form of a Uniform Support Order, signed by the judge, and filed with the court clerk, it becomes the court's support order. If the parties do not agree to follow the formula, the judge will determine the appropriate support amount. You may want to visit [DHS's website](#) for more information on how to get a child support order.

### ***Do I need an attorney to get a support order?***

No, but you are expected to understand court rules and state laws if you act on your own.

### ***May I receive child support after my child reaches age 18?***

If a Motion Regarding Support is filed, child support may continue up to age 19 1/2 if the child attends high school on a full-time basis with a reasonable expectation of graduation, and the child continues to reside on a full-time basis with the person who receives the support payments. Contact **Kelsey O'Dell** at **(231) 779-9494, ext. 2008** for more information.

### ***If I have been paying child support as required by the court's order but the other party will not allow me the order's parenting time, do I have to keep paying support?***

Yes. Parenting time orders and child support orders are enforced separately.

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

Contact the FOC for enforcement help if the other parent is more than one month behind on the support payments. You may also hire an attorney to start enforcement proceedings.

### ***My court order says to pay support through the Michigan State Disbursement Unit (MiSDU). May I pay the other parent directly?***

Unless a party has opted-out of FOC services, a support payer may not pay the other party directly. The payer will not receive credit for any payments made directly to the other party.

***If I am receiving Temporary Assistance for Needy Families (TANF) or Family Independence Program (FIP) public assistance, may I also receive child support?***

If you are receiving TANF or FIP public assistance, some or all of your child support may be sent (i.e. assigned) to the State in order to pay back some of the money the State provides to you and the child(ren). Your support specialist can provide you with the information about your specific situation.

***Will the FOC make sure that child support money is spent on the children?***

No. The law does not authorize the FOC to investigate how support payees spend child support payments. After filing a motion, a hearing may be held where the court may change the custody arrangements if you can show that the other party has neglected the children's needs.

***Will the court modify the child support order if the payer is in jail or prison?***

The child support amount is determined by the child support formula, which considers the parties' incomes. The FOC is required to start reviewing the order within 14 days of receiving notice that a parent has been incarcerated or released from incarceration.

***My license was suspended by the FOC. How can I have it reinstated?***

Upon showing you are in compliance with the court's orders (which may include paying off arrearages or setting up a payment plan), you must get a Compliance Certificate for License Reinstatement from the FOC, and pay a \$45.00 fee to the Clerk of Court.

***What happens to my child support order if my child is adopted, marries, or enters the military service?***

When any of these occur, the court will grant a motion ending the obligation to pay further child support. Copies of adoption orders, marriage records, or military service records should be provided to the court. Any overdue support must still be paid.