

Ottawa County FOC Order Approval Criteria

Annual Medical Amount (2021)

- ❖ Effective Jan 1, 2021 Annual Ordinary Medical amount

Ordinary Medical Expense Averages		
Children	Annual	Monthly
1	\$454.00	\$37.83
2	\$908.00	\$75.67
3	\$1,362.00	\$113.50
4	\$1,816.00	\$151.33
5 or more	\$2,269.00	\$189.08

Public Assistance

- ❖ If the payee receives public assistance (food benefits, cash assistance, and/or Medicaid), the parties are not allowed to deviate from (base support, ordinary medical) the Michigan Child Support Guidelines 2021.

Guidelines Must be Attached to All Child Support Orders

- ❖ Uniform Child Support Orders being submitted to the court must have the Child Support Guidelines attached for the Friend of the Court's approval.

Uniform Child Support Order (UCSO) (FOC 10/52), Rev 7/20:

- ❖ UCSO type - must check one box(es) (Exparte/Temporary/Modification/Final)
- ❖ Plaintiff and Defendant name, address, telephone number, and respective attorney must be included.
- ❖ Michigan Child Support Calculations must be attached to the UCSO pursuant to MCL 552.505(1)(h) and MCL 552.517b.

Number 1

- ❖ The payer, payee, children's name, and annual overnights must be stated
- ❖ Uniform Child Support Order must state a date child support will be effective. The date can be upon judgment, a future date, back dated, or a date not beyond the complaint

- ❖ If there is public assistance (cash assistance, food assistance, Medicaid), you are not allowed to deviate and must follow the child support guideline calculation
- ❖ If Medicaid is the only source of public assistance, you can deviate from the guidelines for base support, and must order ordinary medical
- ❖ The support grids total must be correct for each child
- ❖ If ordinary medical is being ordered, you must also include the parties uninsured health-care percentage
- ❖ Post-majority Support: Specify name of child and date obligation ends. The following children will be attending high school on a full-time basis after turning 18 years of age. Therefore, the support obligation for each specific child ends on the last day of the month as follows, except in no case may it extend beyond the time the child reaches 19 years and 6 months of age

Number 2:

- ❖ Must identify at least one or both party who will be responsible to maintain health-care coverage – not to exceed 6% of the “insurer” gross income

Number 11 - Michigan Child Support Formula Deviation

- ❖ Box must be check if there is a deviation from the support formula

Numbers 12 - Other

- ❖ Incapacitation provision must include the following provision:

When friend of the court becomes aware that payer’s condition that meets the definition of incapacitation 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. 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 based on the parties’ incomes or ability to pay during the abatement period. (2021 MCSF- S 3.04).

Support Effective Date

- ❖ Uniform Child Support Order must state a date child support will be effective. The date can be upon judgment, a future dated, back dated, or a date not beyond the complaint.

Michigan Child Support Formula Deviation

- ❖ If there is no public assistance, and the parties want to deviate from the child support formula. The Deviation Addendum (FOC10d 7/20) must be filed with the Uniform Child Support Order.

Matters Referred to the Friend of the Court

- ❖ Unresolved Child Support, Custody, and Parenting Time matters cannot be referred to the County Friend of the Court unless the judge ruled from the bench or without the proper documents filed. If you want Friend of the Court to conduct a Custody and Parenting Time investigation, the party must file the proper Petition.

Hague Convention

- ❖ All custody and parenting time order must include the Hague Convention Provision.

The Hague Convention Provision on the Civil Aspects of International Child Abduction is required in all orders or judgments addressing parenting time and custody
MCL 722.27a.

Except as provided below, neither parent shall exercise parenting time in a foreign country/nation that is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.

Based on written agreement of the parties _____ may exercise parenting time in _____ (name of foreign country/nation), which is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.

No Friend of the Court Services

If there is Public Assistance, parties are not allowed to opt out

- ❖ If parties want to opt out of FOC, they must have:
 - All fees owed to the Friend of the Court must be paid in full
 - A signed [Advice of Rights](#) (FOC 101 3/13)
 - An [Order Exempting Case from Friend of Court Services](#) (FOC 102 3/15)
 - A [Uniform Child Support Order, No Friend of the Court Services](#) (FOC 10a 7/20)
 - If applicable, a [Uniform Spousal Support Order, No Friend of the Court Services](#) (FOC 10c 3/12)