

FREQUENTLY ASKED QUESTIONS

CUSTODY

- How old does a child have to be in order to decide where he/she wants to live?

18 or emancipated and no longer under the court order.

- How do I change my custody order?

Reference the general instructions in your packet (**Form 4**).

PARENTING TIME

- What can I do if the other parent denied my parenting time?

Reference the general instructions for enforcement of denied parenting time (**form 7**).

- How do I change my parenting time order?

Reference the general instructions in your packet (**Form 5**).

- What if I believe my child is being abused or neglected during time with the other parent?

Please call your local police station, 911, or the Department of Human Services/Child Protective Services at **(855) 444-3911** (toll free).

- What if I believe illegal activity is taking place when my child is with the other parent?

Please contact 911 or your local police department.

- If the other parent is not paying their child support do I have to allow parenting time?

Yes! If there is court ordered parenting time. The courts look at child support and parenting time as two separate issues.

- What if I am concerned about the safety of my child during parenting time, do I have to send them?

The Friend of Court can't direct you to go against your court order, however we will always encourage you to do what you feel is in the best interest of your child. The other party can choose to file for denied parenting time.

- What if Child Protective Services tells me not to send my child to the other parent?

A Child Protective Services recommendation does not change a court order, therefore the other party can still file denied parenting time and it will be up to the courts to determine if the denial was appropriate.

CHILD SUPPORT

- How can I find out my current balance, last payment made, ect?

You can call the Interactive Voice Response system **877-543-2660**, or log in to MiCase www.micase.state.mi.us.

- Can we agree to stop the child support charges?

Yes as long as you are not receiving ANY type of State Assistance (ie. Food stamps, Medicaid, grant monies).

- What if I want my child support reviewed?

If there has been a substantial change of circumstances, either party may request that the Friend of the Court initiate a support review by submitting a request in writing to the Friend of the Court Office. The Friend of the Court will consider the request and determine if the minimum threshold has been met and will either initiate the review process, or provide you with the proper forms to submit a petition to modify your order. Parties will need to provide verification of their change of circumstances. Reference the general instructions in your packet (**Form 6**).

- How long do I have to go without making a payment before the FOC will take action?

Once a payer of child support goes 2 full months without making a payment we can put them on show cause, however there are automatic actions that will start by the computer system after only 4 weeks of nonpayment such as credit bureau reporting, ect.

- Am I required to continue to pay child support if the other party is denying my parenting time?

Yes! The courts look at child support and parenting time as separate issues.

- What can the FOC do to show me how my child support is being used once it is sent to the other party?

We can't. Any and all expenses that it takes to raise a child (ie food, clothes, mortgage/rent, gas, electric, trash, ect) fall under child support.

- When will a bench warrant be issued?

If you have a scheduled show cause hearing for nonpayment of child support and you fail to appear.

- How many times can I be held in contempt in a year?

Every time you appear in front of the Judge you can be held in contempt and sentenced to jail time.

OTHER

- What if we can agree to the changes that we want made in our court order?

You can put your changes in writing with both of your signatures and send them to our office. Your caseworker will do a consent order that has a 7 day objection period. If no one objects to the changes the order goes to the Judge for signature and becomes your new order.

Please be as detailed as possible with these agreements. If you are changing custody that will affect parenting time and child support. If you are changing parenting time make sure the times and days are specific and so forth.

- What parts of the court order can the FOC enforce?

The FOC can **only** enforce the custody, parenting time, and child support provisions of your court order. To enforce all other provisions outlined in your order you will need to use your own legal resources.

- How do I get the FOC to help me collect on medical bills I have paid and the other party owes on?

Reference the general instructions in your packet (**Form 8a for the payer and Form 8b for the recipient**).

- Am I required to carry health insurance on my children?

Yes, if your court order outlines that you are responsible. However, only if it is at a reasonable cost through your employer. Your court order should outline what a reasonable cost is as well.

- How can I get a copy of my court order?

You can get a copy of your court orders from the County Clerk's office (there is a fee).

- How can I get a copy of something from my file?

You can fill out a Request for Records form that you can get from our office. Your request needs to be specific in terms of what it is you are looking to get from your file. It then goes to one of our administrators to approve your request. If your request is granted copies will be made for you (there is a fee for copies).