

Act No. 288  
Public Acts of 1992  
Approved by the Governor  
December 18, 1992  
Filed with the Secretary of State  
December 18, 1992

**STATE OF MICHIGAN  
86TH LEGISLATURE  
REGULAR SESSION OF 1992**

Introduced by Reps. Nye, Dalman and Strand

# **ENROLLED HOUSE BILL No. 5608**

AN ACT to amend section 11 of Act No. 294 of the Public Acts of 1982, entitled as amended "An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court; to prescribe certain duties of certain employers and former employers; and to repeal certain acts and parts of acts," as amended by Act No. 297 of the Public Acts of 1990, being section 552.511 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 11 of Act No. 294 of the Public Acts of 1982, as amended by Act No. 297 of the Public Acts of 1990, being section 552.511 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 11. (1) Each office shall initiate enforcement pursuant to the support and visitation enforcement act, Act No. 295 of the Public Acts of 1982, being sections 552.601 to 552.650 of the Michigan Compiled Laws, when a fixed amount of arrearage is reached, except as otherwise provided in section 4(3) of Act No. 295 of the Public Acts of 1982, being section 552.604 of the Michigan Compiled Laws. The amount of arrearage so fixed shall be an amount equal to the amount of support payable for 1 month under the payer's support order. The office shall not initiate enforcement under this subsection if the support order was entered ex parte and the office has not received a copy of proof of service of the order.

(2) For a custody or visitation order, the office may initiate enforcement proceedings under subsection (3) upon its own initiative and shall initiate enforcement proceedings upon receipt of a written complaint stating the specific facts alleged to constitute a violation, if the office determines that there is reason to believe a violation of a custody or visitation order has occurred. Upon request, the office of the friend of the court shall assist a person in preparing a complaint under this subsection.

(3) The office shall send, by ordinary mail, a notice to an alleged violator of a custody or visitation order, informing the alleged violator of the nature of the alleged violation, the proposed action under this or other applicable act, and the availability of domestic relations mediation. The notice shall contain the following statement in boldface type of not less than 12 points:

**"FAILURE TO RESPOND TO THE FRIEND OF THE COURT OFFICE WITHIN 14 DAYS AFTER THE DATE OF THIS NOTICE TO WORK OUT A SATISFACTORY ARRANGEMENT MAY RESULT IN CONTEMPT OF COURT PROCEEDINGS BEING BROUGHT AGAINST YOU."**

(4) A copy of the notice described in subsection (3) shall be sent by ordinary mail to the party alleging a violation.

(5) Fourteen days after the date of the notice to the alleged violator under subsection (3), the office may do 1 or more of the following:

(a) Schedule a joint meeting with the parties to discuss the allegations of failure to comply with a custody or visitation order, and attempt to resolve the differences between the parties.

(b) Refer the parties to meet with a domestic relations mediator as provided in section 13, if the parties agree to mediation.

(c) If appropriate, proceed under section 41 of Act No. 295 of the Public Acts of 1982, being section 552.641 of the Michigan Compiled Laws, or other applicable act.

Section 2. This amendatory act shall take effect January 1, 1993.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.