

HOUSE BILL No. 6007

May 7, 2002, Introduced by Reps. Raczkowski, Tabor, Hummel, DeRossett, Howell, Newell, Voorhees, Vander Veen, Patterson, Palmer, Caul, Julian, Vear, George, Bisbee and Jansen and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1982 PA 295, entitled
"Support and parenting time enforcement act,"
by amending sections 2, 41, 42, and 44 (MCL 552.602, 552.641,
552.642, and 552.644), section 2 as amended by 1999 PA 160,
sections 41 and 42 as amended by 1996 PA 25, and section 44 as
amended by 1998 PA 334, and by adding section 42a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. As used in this act:
- 2 (a) "Account" means any of the following:
- 3 (i) A demand deposit account.
- 4 (ii) A draft account.
- 5 (iii) A checking account.
- 6 (iv) A negotiable order of withdrawal account.
- 7 (v) A share account.

(vi) A savings account.

(vii) A time savings account.

(viii) A mutual fund account.

(ix) A securities brokerage account.

(x) A money market account.

(xi) A retail investment account.

(b) "Account" does not mean any of the following:

(i) A trust.

(ii) An annuity.

(iii) A qualified individual retirement account.

(iv) An account covered by the employee retirement income security act of 1974, Public Law 93-406, 88 Stat. 829.

(v) A pension or retirement plan.

(vi) An insurance policy.

(c) "Address" means the primary address shown on the records of a financial institution used by the financial institution to contact the account holder.

(D) "CASH" MEANS MONEY OR THE EQUIVALENT OF MONEY, SUCH AS A MONEY ORDER, CASHIER'S CHECK, OR NEGOTIABLE CHECK OR A PAYMENT BY DEBIT OR CREDIT CARD, WHICH EQUIVALENT IS ACCEPTED AS CASH BY THE AGENCY ACCEPTING THE PAYMENT.

(E) "COURT FAMILY SERVICES OFFICE" MEANS AN AGENCY CREATED IN SECTION 3 OF THE COURT FAMILY SERVICES OFFICE ACT, MCL 552.503.

(F) "COURT FAMILY SERVICES OFFICE ACT" MEANS 1982 PA 294, MCL 552.501 TO 552.535.

1 (G) "CUSTODY OR PARENTING TIME ORDER VIOLATION" MEANS AN
2 INDIVIDUAL'S ACT OR FAILURE TO ACT THAT INTERFERES WITH A
3 PARENT'S RIGHT TO INTERACT WITH HIS OR HER CHILD IN THE TIME,
4 PLACE, AND MANNER ESTABLISHED IN THE ORDER THAT GOVERNS CUSTODY
5 OR PARENTING TIME BETWEEN THE PARENT AND THE CHILD AND TO WHICH
6 THE INDIVIDUAL ACCUSED OF INTERFERING IS SUBJECT.

7 (H) ~~(d)~~ "Department" means the family independence
8 agency.

9 (I) ~~(e)~~ "Driver's license" means license as that term is
10 defined in section 25 of the Michigan vehicle code, 1949 PA 300,
11 MCL 257.25.

12 (J) ~~(f)~~ "Employer" means an individual, sole proprietor-
13 ship, partnership, association, or private or public corporation,
14 the United States or a federal agency, this state or a political
15 subdivision of this state, another state or a political subdivi-
16 sion of another state, or another legal entity that hires and
17 pays an individual for his or her services.

18 (K) ~~(g)~~ "Financial asset" means a deposit, account, money
19 market fund, stock, bond, or similar instrument.

20 (L) ~~(h)~~ "Financial institution" means any of the
21 following:

22 (i) A state or national bank.

23 (ii) A state or federally chartered savings and loan
24 association.

25 (iii) A state or federally chartered savings bank.

26 (iv) A state or federally chartered credit union.

1 (v) An insurance company.

2 (vi) An entity that offers any of the following to a
3 resident of this state:

4 (A) A mutual fund account.

5 (B) A securities brokerage account.

6 (C) A money market account.

7 (D) A retail investment account.

8 (vii) An entity regulated by the securities and exchange
9 commission that collects funds from the public.

10 (viii) An entity that is a member of the national associa-
11 tion of securities dealers and that collects funds from the
12 public.

13 (ix) Another entity that collects funds from the public.

14 ~~-(i) "Friend of the court act" means 1982 PA 294,~~
15 ~~MCL 552.501 to 552.535.~~

16 (M) ~~-(j)~~ "Income" means any of the following:

17 (i) Commissions, earnings, salaries, wages, and other income
18 due or to be due in the future to an individual from his or her
19 employer and successor employers.

20 (ii) A payment due or to be due in the future to an individ-
21 ual from a profit-sharing plan, a pension plan, an insurance con-
22 tract, an annuity, social security, unemployment compensation,
23 supplemental unemployment benefits, or worker's compensation.

24 (iii) An amount of money that is due to an individual as a
25 debt of another individual, partnership, association, or private
26 or public corporation, the United States or a federal agency,
27 this state or a political subdivision of this state, another

1 state or a political subdivision of another state, or another
2 legal entity that is indebted to the individual.

3 (N) ~~(k)~~ "Insurer" means an insurer, health maintenance
4 organization, health care corporation, or other group, plan, or
5 entity that provides health care coverage in accordance with any
6 of the following acts:

7 (i) The public health code, 1978 PA 368, MCL 333.1101 to
8 333.25211.

9 (ii) The insurance code of 1956, 1956 PA 218, MCL 500.100 to
10 500.8302.

11 (iii) The nonprofit health care corporation reform act, 1980
12 PA 350, MCL 550.1101 to 550.1704.

13 (O) "IV-D AGENCY" MEANS THE AGENCY IN THIS STATE PERFORMING
14 THE FUNCTIONS UNDER PART D OF TITLE IV OF THE SOCIAL SECURITY
15 ACT, CHAPTER 531, 49 STAT. 620, 42 U.S.C. 651 TO 655, 656 TO 660,
16 AND 663 TO 669b, AND INCLUDES A PERSON PERFORMING THOSE FUNCTIONS
17 UNDER CONTRACT INCLUDING A COURT FAMILY SERVICES OFFICE OR A
18 PROSECUTING ATTORNEY.

19 (P) ~~(f)~~ "Medical assistance" means medical assistance as
20 established under title XIX of the social security act, chapter
21 531, 49 Stat. 620, 42 U.S.C. 1396 to ~~1396f, 1396g-1 to~~ 1396r-6
22 ~~—~~ and 1396r-8 to 1396v.

23 (Q) ~~(m)~~ "Occupational license" means a certificate, regis-
24 tration, or license issued by a state department, bureau, or
25 agency that has regulatory authority over an individual that
26 allows an individual to legally engage in a regulated occupation

1 or that allows the individual to use a specific title in the
2 practice of an occupation, profession, or vocation.

3 (R) ~~-(n)-~~ "Office of child support" means the office of
4 child support established in section 2 of the office of child
5 support act, 1971 PA 174, MCL 400.232.

6 ~~-(o)- "Office of the friend of the court" means an agency
7 created in section 3 of the friend of the court act,
8 MCL 552.503.~~

9 (S) ~~-(p)-~~ "Order of income withholding" means an order
10 entered by the circuit court providing for the withholding of a
11 payer's income to enforce a support order under this act.

12 (T) ~~-(q)-~~ "Payer" means an individual who is ordered by the
13 circuit court to pay support.

14 (U) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,
15 ASSOCIATION, GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY.

16 (V) ~~-(r)-~~ "Plan administrator" means that term as used in
17 relation to a group health plan under section 609 of part 6 of
18 subtitle B of title I of the employee retirement income security
19 act of 1974, Public Law 93-406, 29 U.S.C. 1169, if the health
20 care coverage plan of the individual who is responsible for pro-
21 viding a child with health care coverage is subject to that act.

22 (W) ~~-(s)-~~ "Political subdivision" means a county, city, vil-
23 lage, township, educational institution, school district, or spe-
24 cial district or authority of the state or of a local unit of
25 government.

26 (X) ~~-(t)-~~ "Recipient of support" means the following:

1 (i) The spouse, if the support order orders spousal
2 support.

3 (ii) The custodial parent or guardian, if the support order
4 orders support for a minor child or a child who is 18 years of
5 age or older.

6 (iii) The department, if support has been assigned to that
7 department.

8 (Y) ~~-(u)-~~ "Recreational or sporting license" means a hunt-
9 ing, fishing, or fur harvester's license issued under the natural
10 resources and environmental protection act, 1994 PA 451,
11 MCL 324.101 to 324.90106, but does not include a commercial fish-
12 ing license or permit issued under part 473 of the natural
13 resources and environmental protection act, 1994 PA 451,
14 MCL 324.47301 to 324.47362.

15 (Z) ~~-(v)-~~ "Referee" means ~~a person~~ AN INDIVIDUAL who is
16 designated as a referee under the friend of the court act.

17 (AA) ~~-(w)-~~ "Source of income" means an employer or successor
18 employer or another individual or entity that owes or will owe
19 income to the payer.

20 (BB) ~~-(x)-~~ "State disbursement unit" or "SDU" means the
21 entity established in section 6 of the office of child support
22 act, 1971 PA 174, MCL 400.236.

23 (CC) "STATE COURT FAMILY SERVICES OFFICE BUREAU" IS THE
24 STATE COURT FAMILY SERVICES OFFICE BUREAU CREATED IN THE STATE
25 COURT ADMINISTRATIVE OFFICE IN SECTION 19 OF THE COURT FAMILY
26 SERVICES OFFICE ACT, MCL 552.519.

1 (DD) ~~(y)~~ "Support" means all of the following:

2 (i) The payment of money for a child or a spouse ordered by
3 the circuit court, whether the order is embodied in an interim,
4 temporary, permanent, or modified order or judgment. Support may
5 include payment of the expenses of medical, dental, and other
6 health care, child care expenses, and educational expenses.

7 (ii) The payment of money ordered by the circuit court under
8 the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the
9 necessary expenses incurred by or for the mother in connection
10 with her confinement, for other expenses in connection with the
11 pregnancy of the mother, or for the repayment of genetic testing
12 expenses.

13 (iii) A surcharge accumulated under section 3a.

14 (EE) ~~(z)~~ "Support order" means an order entered by the
15 circuit court for the payment of support, whether or not a sum
16 certain.

17 (FF) ~~(aa)~~ "Work activity" means any of the following:

18 (i) Unsubsidized employment.

19 (ii) Subsidized private sector employment.

20 (iii) Subsidized public sector employment.

21 (iv) Work experience, including work associated with the
22 refurbishing of publicly assisted housing, if sufficient private
23 sector employment is not available.

24 (v) On-the-job training.

25 (vi) Job search and job readiness assistance.

26 (vii) Community service programs.

(viii) Vocational educational training, not to exceed 12 months with respect to an individual.

(ix) Job skills training directly related to employment.

(x) Education directly related to employment, in the case of an individual who has not received a high school diploma or a certificate of high school equivalency.

(xi) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of an individual who has not completed secondary school or received such a certificate.

(xii) The provisions of child care services to an individual who is participating in a community service program.

Sec. 41. (1) ~~Except as provided in subsection (2), the friend of the~~ THE court FAMILY SERVICES OFFICE shall do 1 or more of the following in ~~a dispute concerning~~ RESPONSE TO A CUSTODY OR parenting time ~~of a minor child~~ ORDER VIOLATION STATED IN A COMPLAINT SUBMITTED UNDER SECTION 11A OF THE COURT FAMILY SERVICES OFFICE ACT, MCL 552.511A:

(a) Apply a makeup parenting time policy established under section 42.

(b) Commence civil contempt proceedings under section 44.

(c) ~~Petition~~ FILE A MOTION WITH the court UNDER SECTION 17D OF THE COURT FAMILY SERVICES OFFICE ACT, MCL 552.517D, for a modification of existing parenting time provisions to ensure parenting time, unless contrary to the CHILD'S best interests. ~~of the child. A written report and recommendation shall accompany the petition.~~

(D) SCHEDULE MEDIATION UNDER SECTION 13 OF THE COURT FAMILY SERVICES OFFICE ACT, MCL 552.513.

(E) SCHEDULE A JOINT MEETING SUBJECT TO SECTION 42A.

~~(2) The friend of the court shall not invoke 1 or more of the options under subsection (1) if the parties resolve their dispute through an informal joint meeting or through domestic relations mediation as provided under section 11 or 13 of the friend of the court act, Act No. 294 of the Public Acts of 1982, being sections 552.511 and 552.513 of the Michigan Compiled Laws.~~ NOTWITHSTANDING THE REQUIREMENT OF SUBSECTION (1), THE COURT FAMILY SERVICES OFFICE MAY DECLINE TO RESPOND TO AN ALLEGED CUSTODY OR PARENTING TIME ORDER VIOLATION UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:

(A) THE PARTY SUBMITTING THE COMPLAINT HAS PREVIOUSLY SUBMITTED 2 OR MORE COMPLAINTS ALLEGING CUSTODY OR PARENTING TIME ORDER VIOLATIONS THAT WERE FOUND TO BE UNWARRANTED, COSTS WERE ASSESSED AGAINST THE PARTY BECAUSE A COMPLAINT WAS FOUND TO BE UNWARRANTED, AND THE PARTY HAS NOT PAID THOSE COSTS.

(B) THE ALLEGED CUSTODY OR PARENTING TIME ORDER VIOLATION OCCURRED MORE THAN 56 DAYS BEFORE THE COMPLAINT IS SUBMITTED.

(C) THE CUSTODY OR PARENTING TIME ORDER DOES NOT INCLUDE AN ENFORCEABLE PROVISION THAT IS RELEVANT TO THE CUSTODY OR PARENTING TIME ORDER VIOLATION ALLEGED IN THE COMPLAINT.

Sec. 42. (1) ~~Not later than 180 days after the enactment date of this amendatory act, each circuit shall formulate~~ EACH CIRCUIT SHALL ESTABLISH a makeup parenting time policy under which a noncustodial parent who has been wrongfully denied

1 parenting time is able to make up the parenting time at a later
2 date. ~~The policy does not apply until it is approved by the~~
3 ~~chief circuit judge or only circuit judge of the circuit. (2)~~
4 ~~Before a makeup parenting time policy is applied in a particular~~
5 ~~case, the office of the friend of the court shall send to both~~
6 ~~parties a notice, by ordinary mail to the person's last known~~
7 ~~address, that the policy will be applied in their case. (3) A~~
8 ~~makeup parenting time policy formulated and approved~~
9 ~~ESTABLISHED under this section shall include~~ PROVIDE all of the
10 following:

11 (a) ~~Makeup~~ THAT MAKEUP parenting time shall be the same
12 type and duration of parenting time as the parenting time that
13 was denied, including but not limited to weekend parenting time
14 for weekend parenting time, holiday parenting time for holiday
15 parenting time, weekday parenting time for weekday parenting
16 time, and summer parenting time for summer parenting time.

17 (b) ~~Makeup~~ THAT MAKEUP parenting time shall be taken
18 within 1 year after the wrongfully denied parenting time was to
19 have occurred.

20 (c) ~~The~~ THAT THE NONCUSTODIAL PARENT SHALL CHOOSE THE time
21 of the makeup parenting time. ~~shall be chosen by the noncusto-~~
22 ~~dial parent.~~

23 (D) THAT THE NONCUSTODIAL PARENT SHALL NOTIFY BOTH THE COURT
24 FAMILY SERVICES OFFICE AND THE CUSTODIAL PARENT IN WRITING NOT
25 LESS THAN 1 WEEK BEFORE MAKING USE OF MAKEUP WEEKEND OR WEEKDAY
26 PARENTING TIME OR NOT LESS THAN 28 DAYS BEFORE MAKING USE OF
27 MAKEUP HOLIDAY OR SUMMER PARENTING TIME.

~~(4) Beginning upon approval of a makeup parenting time policy formulated pursuant to subsection (1), the office of the friend of the court shall keep an accurate record of alleged parenting time arrears and the noncustodial parent shall give to the office written notice of an alleged, wrongfully denied parenting time within 7 days of alleged denial.~~

~~(5) Beginning upon approval of a makeup parenting time policy formulated under subsection (1), if a~~

(2) IF wrongfully denied parenting time is alleged and the friend of the court FAMILY SERVICES OFFICE determines that action should be taken, under section 41(1)(a), the following shall apply: (a) The office of the friend of the court shall give to the custodial parent within 5 days after receipt of the notice of denied parenting time under subsection (4) a notice, which shall contain THE COURT FAMILY SERVICES OFFICE SHALL SEND EACH PARTY A NOTICE CONTAINING the following statement in ~~boldface~~ BOLDFACED type of not less than 12 points:

"FAILURE TO RESPOND IN ~~7 DAYS~~ WRITING TO THE OFFICE OF THE FRIEND OF THE COURT WITHIN 14 DAYS AFTER THIS NOTICE WAS SENT SHALL BE CONSIDERED AS AN AGREEMENT THAT PARENTING TIME WAS WRONGFULLY DENIED AND THAT ~~OFFICE WILL ADJUST THE ACCOUNT OF PARENTING TIME ARREARS ACCORDINGLY~~ THE MAKEUP PARENTING TIME POLICY ESTABLISHED BY THE COURT WILL BE APPLIED." .

~~(b) If the custodial parent makes a timely reply contesting the alleged wrongful denial of parenting time, a hearing shall be~~

1 ~~held by a referee or a circuit judge after notice is given to~~
2 ~~both parties.~~

3 ~~(c) The referee or judge shall determine whether parenting~~
4 ~~time was wrongfully denied.~~

5 ~~(d) If the hearing provided under subdivision (b) is held~~
6 ~~before a referee, either party is entitled to a de novo hearing~~
7 ~~before a circuit court judge as provided in section 7(5) of Act~~
8 ~~No. 294 of the Public Acts of 1982, being section 552.507 of the~~
9 ~~Michigan Compiled Laws.~~

10 ~~(e) After a final determination that parenting time was~~
11 ~~wrongfully denied, the office of the friend of the court shall~~
12 ~~adjust the parenting time arrears account accordingly.~~

13 ~~(f) The noncustodial parent shall give to the office of the~~
14 ~~friend of the court and custodial parent a written notice of~~
15 ~~makeup parenting time at least 1 week before a makeup weekday or~~
16 ~~weekend parenting time or at least 30 days before a makeup holi-~~
17 ~~day or makeup summer parenting time.~~

18 (3) IF A PARTY TO THE PARENTING TIME ORDER DOES NOT RESPOND
19 IN WRITING TO THE COURT FAMILY SERVICES OFFICE, WITHIN 14 DAYS
20 AFTER THE OFFICE SENDS THE NOTICE REQUIRED UNDER SUBSECTION (2),
21 TO CONTEST THE APPLICATION OF THE MAKEUP PARENTING TIME POLICY,
22 THE COURT FAMILY SERVICES OFFICE SHALL NOTIFY EACH PARTY THAT THE
23 MAKEUP PARENTING TIME POLICY APPLIES. IF A PARTY MAKES A TIMELY
24 RESPONSE TO CONTEST THE APPLICATION OF THE MAKEUP PARENTING TIME
25 POLICY, THE COURT FAMILY SERVICES OFFICE SHALL UTILIZE A PROCE-
26 DURE AUTHORIZED UNDER SECTION 41 OTHER THAN THE APPLICATION OF
27 THE MAKEUP PARENTING TIME POLICY.

SEC. 42A. (1) A JOINT MEETING SCHEDULED BY THE COURT FAMILY SERVICES OFFICE UNDER SECTION 41 AND PROCEDURES FOLLOWING A JOINT MEETING ARE GOVERNED BY THIS SECTION.

(2) A JOINT MEETING MAY TAKE PLACE IN PERSON OR BY MEANS OF TELECOMMUNICATIONS EQUIPMENT.

(3) AT THE BEGINNING OF A JOINT MEETING, THE INDIVIDUAL CONDUCTING THE JOINT MEETING SHALL DO THE FOLLOWING:

(A) ADVISE THE PARTIES THAT THE PURPOSE OF THE MEETING IS FOR THE PARTIES TO REACH AN ACCOMMODATION.

(B) ADVISE THE PARTIES THAT THE INDIVIDUAL MAY RECOMMEND AN ORDER THAT THE COURT MAY ISSUE TO RESOLVE THE DISPUTE.

(4) AT THE CONCLUSION OF A JOINT MEETING, THE INDIVIDUAL CONDUCTING THE JOINT MEETING SHALL DO 1 OF THE FOLLOWING:

(A) IF THE PARTIES REACH AN ACCOMMODATION, RECORD THE ACCOMMODATION IN WRITING AND PROVIDE A COPY TO EACH PARTY.

(B) SUBMIT AN ORDER TO THE COURT STATING THE INDIVIDUAL'S RECOMMENDATION FOR RESOLVING THE DISPUTE.

(5) IF THE INDIVIDUAL CONDUCTING A JOINT MEETING SUBMITS A RECOMMENDED ORDER TO THE COURT UNDER SUBSECTION (4), THE INDIVIDUAL SHALL SEND A NOTICE TO EACH PARTY WHO PARTICIPATED IN THE JOINT MEETING THAT INCLUDES ALL OF THE FOLLOWING:

(A) A COPY OF THE RECOMMENDED ORDER.

(B) NOTICE THAT THE COURT MAY ISSUE THE RECOMMENDED ORDER RESOLVING THE DISPUTE UNLESS A PARTY OBJECTS TO THE ORDER WITHIN 14 DAYS AFTER THE NOTICE IS SENT.

(C) THE PLACE WHERE AND TIME WHEN A WRITTEN OBJECTION CAN BE SUBMITTED.

(D) NOTICE THAT A PARTY MAY WAIVE THE 14-DAY OBJECTION PERIOD BY RETURNING A SIGNED COPY OF THE RECOMMENDATION.

(6) IF A PARTY FILES A WRITTEN OBJECTION WITHIN THE 14-DAY LIMIT, THE OFFICE SHALL SET A COURT HEARING, BEFORE A JUDGE OR REFEREE, TO RESOLVE THE DISPUTE.

Sec. 44. (1) If the ~~office of the friend of the court determines that application of a makeup parenting time policy under section 41(1)(a)~~ COURT FAMILY SERVICES OFFICE DETERMINES THAT A PROCEDURE FOR RESOLVING A PARENTING TIME DISPUTE AUTHORIZED UNDER SECTION 41 OTHER THAN A CIVIL CONTEMPT PROCEEDING is unsuccessful in resolving a parenting time dispute, ~~or that action should otherwise be taken under section 41(1)(b), the office of the friend of the court~~ the court FAMILY SERVICES OFFICE shall commence a civil contempt proceeding to resolve a dispute concerning parenting time with a minor child by filing with the circuit court a petition for an order to show cause why either parent who has violated a parenting time order should not be held in contempt. The ~~office of the friend of the court~~ FAMILY SERVICES OFFICE shall notify the parent who is the subject of the petition. The notice shall include at least all of the following:

(a) A list of each possible sanction if the parent is found in contempt.

(b) The right of the parent to a hearing on a proposed modification of parenting time if requested within 14 days after the date of the notice, as provided in section 45.

1 (2) If the court finds that either parent has violated a
2 parenting time order, the court shall find that parent in
3 contempt and may do 1 or more of the following:

4 (a) Require additional terms and conditions consistent with
5 the court's parenting time order.

6 (b) After notice to both parties and a hearing, if requested
7 by a party, on a proposed modification of parenting time, modify
8 the parenting time order to meet the best interests of the
9 child.

10 (c) Order that makeup parenting time be provided for the
11 noncustodial parent to take the place of wrongfully denied par-
12 enting time.

13 (d) Order the parent to pay a fine of not more than
14 \$100.00.

15 (e) Commit the parent to the county jail.

16 (f) Commit the parent to the county jail with the privilege
17 of leaving the jail during the hours the court determines neces-
18 sary, and under the supervision the court considers necessary,
19 for the purpose of allowing the parent to go to and return from
20 his or her place of employment.

21 (g) If the parent holds an occupational license, driver's
22 license, or recreational or sporting license, condition the sus-
23 pension of the license, or any combination of the licenses, upon
24 noncompliance with an order for makeup and ongoing parenting
25 time.

26 (h) State on the record the reason the court is not ordering
27 a sanction listed in subdivisions (a) to (g).

1 (3) IF THE COURT FINDS THAT A PARTY TO A PARENTING TIME
2 DISPUTE HAS ACTED IN BAD FAITH, THE COURT SHALL ASSESS COSTS OF
3 NOT MORE THAN \$250.00 AGAINST THAT PARTY. COSTS OR FINES
4 ASSESSED UNDER THIS SECTION MAY BE ENFORCED THROUGH A PERIODIC
5 GARNISHMENT.

6 (4) ~~—(3)—~~ A commitment under subsection (2)(e) or (f) shall
7 not exceed 45 days for the first finding of contempt or 90 days
8 for each subsequent finding of contempt. A parent committed
9 under subsection (2)(e) or (f) shall be released if the court has
10 reasonable cause to believe that the parent will comply with the
11 parenting time order.

12 (5) ~~—(4)—~~ If a parent fails to appear in response to an
13 order to show cause, the court may issue a bench warrant requir-
14 ing that the parent be brought before the court without unneces-
15 sary delay to show cause why the parent should not be held in
16 contempt. Except for good cause shown on the record, the court
17 shall further order the parent to pay the costs of the hearing,
18 the issuance of the warrant, the arrest, and further hearings,
19 which costs shall be transmitted to the county treasurer for dis-
20 tribution as provided in section 31.