

SENATE BILL No. 1423

June 26, 2008, Introduced by Senator JANSEN and referred to the Committee on Families and Human Services.

A bill to amend 1982 PA 294, entitled
"Friend of the court act,"
by amending sections 2, 2a, 3, 4, 4c, 5, 9a, 11a, 13, 15, 17, 17b,
19, 27, and 28 (MCL 552.502, 552.502a, 552.503, 552.504, 552.504c,
552.505, 552.509a, 552.511a, 552.513, 552.515, 552.517, 552.517b,
552.519, 552.527, and 552.528), sections 2, 2a, 3, and 4 as amended
by 2004 PA 210, section 4c as added by 1998 PA 551, sections 5, 13,
and 15 as amended by 2002 PA 571, section 9a as added by 1999 PA
150, section 11a as added by 2002 PA 569, sections 17, 17b, and 19
as amended by 2004 PA 207, and section 28 as added by 1996 PA 365,
and by adding section 17f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. As used in this act:

(A) "ALTERNATIVE DISPUTE RESOLUTION" MEANS A PROCESS

1 ESTABLISHED UNDER SECTION 13 BY WHICH THE PARTIES ARE ASSISTED IN
2 VOLUNTARILY FORMULATING AN AGREEMENT TO RESOLVE A DISPUTE
3 CONCERNING CHILD CUSTODY OR PARENTING TIME THAT ARISES FROM A
4 DOMESTIC RELATIONS MATTER.

5 (B) ~~(a)~~—"Bureau" means the state friend of the court bureau
6 created in section 19.

7 (C) ~~(b)~~—"Centralizing enforcement" means the process
8 authorized under section 10 of the office of child support act,
9 1971 PA 174, MCL 400.240.

10 (D) ~~(c)~~—"Chief judge" means the following:

11 (i) The circuit judge in a judicial circuit having only 1
12 circuit judge.

13 (ii) ~~Except in the county of Wayne, the~~ **THE** chief judge of the
14 circuit court in a judicial circuit having 2 or more circuit
15 judges.

16 ~~—(iii) In the county of Wayne, the executive chief judge of the~~
17 ~~circuit court in the third judicial circuit.~~

18 (E) ~~(d)~~—"Citizen advisory committee" means a citizen friend of
19 the court advisory committee established as provided in section 4.

20 (F) ~~(e)~~—"Consumer reporting agency" means a person that, for
21 monetary fees or dues, or on a cooperative nonprofit basis,
22 regularly engages in whole or in part in the practice of assembling
23 or evaluating consumer credit information or other information on
24 consumers for the purpose of furnishing consumer reports to third
25 parties, and that uses any means or facility of interstate commerce
26 for the purpose of preparing or furnishing consumer reports. As
27 used in this subdivision, "consumer report" means that term as

1 defined in section 603 of the fair credit reporting act, ~~title VI~~
 2 ~~of the consumer credit protection act, Public Law 90-321,~~ 15 USC
 3 1681a.

4 (G) ~~(f)~~ "County board" means the county board of commissioners
 5 in the county served by the office. If a judicial circuit includes
 6 more than 1 county, action required to be taken by the county board
 7 means action by the county boards of commissioners for all counties
 8 composing that circuit.

9 (H) ~~(g)~~ "Court" means the circuit court.

10 (I) ~~(h)~~ "Current employment" means employment within 1 year
 11 before a friend of the court request for information.

12 (J) ~~(i)~~ "Custody or parenting time order violation" means an
 13 individual's act or failure to act that interferes with a parent's
 14 right to interact with his or her child in the time, place, and
 15 manner established in the order that governs custody or parenting
 16 time between the parent and the child and to which the individual
 17 accused of interfering is subject.

18 (K) ~~(j)~~ "De novo hearing" means a new judicial consideration
 19 of a matter previously heard by a referee.

20 (L) ~~(k)~~ "Department" means the ~~family independence agency~~
 21 **DEPARTMENT OF HUMAN SERVICES.**

22 (M) ~~(l)~~ "Domestic relations matter" means a circuit court
 23 proceeding as to child custody or parenting time, ~~or~~ child **SUPPORT,**
 24 or spousal support **IN CONJUNCTION WITH CHILD SUPPORT,** that arises
 25 out of litigation under a statute of this state, including, but not
 26 limited to, the following:

27 (i) 1846 RS 84, MCL 552.1 to 552.45.

1 (ii) The family support act, 1966 PA 138, MCL 552.451 to
2 552.459.

3 (iii) ~~Child~~**THE CHILD** custody act of 1970, 1970 PA 91, MCL
4 722.21 to 722.31.

5 (iv) 1968 PA 293, MCL 722.1 to 722.6.

6 (v) The paternity act, 1956 PA 205, MCL 722.711 to 722.730.

7 (vi) ~~Revised~~**THE REVISED** uniform reciprocal enforcement of
8 support act, 1952 PA 8, MCL 780.151 to 780.183.

9 (vii) ~~Uniform~~**THE UNIFORM** interstate family support act, 1996
10 PA 310, MCL 552.1101 to 552.1901.

11 ~~—— (m) "Domestic relations mediation" means a process by which~~
12 ~~the parties are assisted by a domestic relations mediator in~~
13 ~~voluntarily formulating an agreement to resolve a dispute~~
14 ~~concerning child custody or parenting time that arises from a~~
15 ~~domestic relations matter.~~

16 (n) "Friend of the court" means the person serving under
17 section 21(1) or appointed under section 23 as the head of the
18 office of the friend of the court.

19 (o) "Friend of the court case" means a domestic relations
20 matter that an office establishes as a friend of the court case as
21 required under section 5a. The term "friend of the court case",
22 when used in a provision of this act, is not effective until on and
23 after December 1, 2002.

24 (p) "Income" means that term as defined in section 2 of the
25 support and parenting time enforcement act, 1982 PA 295, MCL
26 552.602.

27 Sec. 2a. As used in this act:

1 (a) "Medical assistance" means medical assistance as
2 established under title XIX of the social security act, 42 USC 1396
3 to 1396r-6 and 1396r-8 to 1396v.

4 (b) "Office" and "office of the friend of the court" mean an
5 agency created in section 3.

6 (c) "Payer" means a person ordered by the circuit court to pay
7 support.

8 (d) "Public assistance" means cash assistance provided under
9 the social welfare act, 1939 PA 280, 400.1 to 400.119b.

10 (e) "Recipient of support" means the following:

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

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

15 (iii) The ~~family independence agency~~ **DEPARTMENT OF HUMAN**
16 **SERVICES**, if support has been assigned to that department.

17 (iv) **THE COUNTY, IF THE MINOR IS IN COUNTY-SUPPORTED FOSTER**
18 **CARE.**

19 (f) "State advisory committee" means the committee established
20 by the bureau under section 19.

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

24 (h) "Support" means all of the following:

25 (i) The payment of money for a child or a spouse ordered by the
26 circuit court, whether the order is embodied in an interim,
27 temporary, permanent, or modified order or judgment. Support may

1 include payment of the expenses of medical, dental, and other
2 health care, child care expenses, and educational expenses.

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

9 (iii) A surcharge under section 3a of the support and parenting
10 time enforcement act, MCL 552.603a.

11 (i) "Support and parenting time enforcement act" means 1982 PA
12 295, MCL 552.601 to 552.650.

13 (j) "Support order" means an order entered by the circuit
14 court for the payment of support in a sum certain, whether in the
15 form of a lump sum or a periodic payment.

16 (k) "Title IV-D" means part D of title IV of the social
17 security act, 42 USC 651 to ~~655, 656 to 657, 658a to 660, and 663~~
18 ~~to 669b.~~

19 (l) "Title IV-D agency" means that term as defined in section 2
20 of the support and parenting time enforcement act, MCL 552.602.

21 Sec. 3. (1) There is created in each judicial circuit of this
22 state an office of the friend of the court, except as provided in
23 subsection (2).

24 (2) If each county in a multicounty judicial circuit has a
25 separate office of the friend of the court on ~~the day before the~~
26 ~~effective date of this act~~ **JUNE 30, 1983**, each county in that
27 circuit shall have a separate office of the friend of the court on

1 ~~the effective date of this act~~ **JULY 1, 1983**. If a vacancy occurs in
2 the position of the friend of the court in such a county, the chief
3 judge may merge the office of the friend of the court in that
4 county with the office of the friend of the court in another county
5 of the judicial circuit.

6 (3) The head of each office is the friend of the court serving
7 under section 21(1) or appointed ~~according to~~ **UNDER** section 23.

8 (4) The friend of the court is an employee of the circuit
9 court in the judicial circuit served by the friend of the court.

10 (5) The duties of the office shall be performed under the
11 direction and supervision of the chief judge.

12 (6) Except as otherwise required by federal law on cases that
13 are eligible for funding under title IV-D, the friend of the court
14 is only required to perform activities under this act or the
15 support and parenting time enforcement act ~~when~~ **IF** a party in that
16 case has requested title IV-D services. **THE FRIEND OF THE COURT IS**
17 **NOT REQUIRED TO ENFORCE A SPOUSAL SUPPORT ORDER UNLESS REQUESTED BY**
18 **A PARTY WHO ALSO RECEIVES TITLE IV-D SERVICES FOR THE ENFORCEMENT**
19 **OF A CHILD SUPPORT ORDER.**

20 (7) Each friend of the court shall take all necessary steps to
21 adopt office procedures to implement this act, the Michigan court
22 rules, and the recommendations of the bureau. Office of the friend
23 of the court duties shall be performed in accordance with the
24 Elliott-Larsen civil rights act, 1976 PA 453, MCL 37.2101 to
25 37.2804.

26 (8) An office of the friend of the court shall be open to the
27 public making available all of the office's services not less than

1 20 hours each month during nontraditional office hours. This
2 subsection does not require an office of the friend of the court to
3 be open for a greater number of hours than it was required to be
4 open before January 1, 1997.

5 Sec. 4. ~~(1) Each county may establish a citizen friend of the~~
6 ~~court advisory committee composed of the following members, each of~~
7 ~~whom is a resident of the county:~~

8 ~~—— (a) A noncustodial parent.~~

9 ~~—— (b) A custodial parent.~~

10 ~~—— (c) An attorney who engages primarily in family law practice.~~

11 ~~—— (d) The county sheriff or the sheriff's designee.~~

12 ~~—— (e) The prosecuting attorney or the prosecuting attorney's~~
13 ~~designee.~~

14 ~~—— (f) The director of the family independence agency or the~~
15 ~~director's designee.~~

16 ~~—— (g) A mental health professional who provides family~~
17 ~~counseling.~~

18 ~~—— (h) Two members of the general public who are not serving on~~
19 ~~the committee in a category listed in subdivisions (a) to (g).~~

20 ~~—— (2) Except for a member serving under subsection (1) (d), (e),~~
21 ~~or (f), and except as otherwise provided in this subsection, the~~
22 ~~county board shall appoint the citizen advisory committee members.~~
23 ~~In a county organized under 1966 PA 293, MCL 45.501 to 45.521, the~~
24 ~~county executive shall appoint the citizen advisory committee~~
25 ~~members with the advice and consent of the county board, and shall~~
26 ~~exercise the other powers and duties prescribed for the county~~
27 ~~board by this section in regard to the citizen advisory committee.~~

~~—— (3) A vacancy on the citizen advisory committee shall be filled for the remainder of the term in the same manner as the position was originally filled. The county board shall attempt to compose the citizen advisory committee so that its membership reflects the ethnic, racial, and gender distribution of the community that it serves.~~

~~—— (4) Committee members shall serve renewable terms of 3 years for each time appointed. Members appointed under subsection (1) (a), (b), (c), (g), and (h) shall serve initial terms of 3 years for 2 members, 2 years for 2 members, and 1 year for 2 members to allow 1/3 of those members to be appointed to the committee each year.~~

~~—— (5) A citizen advisory committee shall elect 1 of its members as chairperson and 1 as vice chairperson.~~

~~—— (6) A citizen advisory committee shall honor any guidelines established by the state court administrative office for a friend of the court office pertaining to citizen advisory committees.~~

~~—— (7) Except for a member serving under subsection (1) (d), (e), or (f), a citizen advisory committee member shall not serve more than 2 consecutive terms. After completion of 2 consecutive terms, a former member shall not be reappointed to serve during the 2 years immediately following the end of his or her previous term.~~

(1) A CIRCUIT COURT MAY ESTABLISH A CITIZEN FRIEND OF THE COURT ADVISORY COMMITTEE TO DO ANY OF THE FOLLOWING:

(A) REVIEW AND INVESTIGATE GRIEVANCES CONCERNING THE FRIEND OF THE COURT AS PROVIDED IN SECTION 26.

(B) ADVISE THE COURT ON THE PERFORMANCE OF THE OFFICE OF THE FRIEND OF THE COURT'S STATUTORY DUTIES.

1 (2) A CITIZEN ADVISORY COMMITTEE SHALL OPERATE UNDER
2 GUIDELINES ESTABLISHED BY THE STATE COURT ADMINISTRATIVE OFFICE OR
3 THE SUPREME COURT. IF THE STATE COURT ADMINISTRATIVE OFFICE OR THE
4 SUPREME COURT DOES NOT ESTABLISH GUIDELINES, SUBSECTION (3)
5 APPLIES.

6 (3) EXCEPT AS OTHERWISE PROVIDED BY GUIDELINES ESTABLISHED
7 UNDER SUBSECTION (2), A CITIZEN ADVISORY COMMITTEE MEETING IS OPEN
8 TO THE PUBLIC. A MEMBER OF THE PUBLIC ATTENDING A CITIZEN ADVISORY
9 COMMITTEE MEETING SHALL BE GIVEN A REASONABLE OPPORTUNITY TO
10 ADDRESS THE COMMITTEE ON AN ISSUE UNDER CONSIDERATION BY THE
11 COMMITTEE. IF A VOTE IS TO BE TAKEN BY THE CITIZEN ADVISORY
12 COMMITTEE, THE OPPORTUNITY TO ADDRESS THE COMMITTEE SHALL BE GIVEN
13 BEFORE THE VOTE IS TAKEN.

14 (4) A CITIZEN ADVISORY COMMITTEE MEETING, INCLUDING A MEETING
15 OF A SUBCOMMITTEE, IS NOT OPEN TO THE PUBLIC WHILE THE COMMITTEE OR
16 SUBCOMMITTEE IS REVIEWING, INVESTIGATING, OR HOLDING A HEARING ON A
17 GRIEVANCE.

18 Sec. 4c. (1) A citizen advisory committee, its members, and
19 its staff shall consider as confidential a record or other
20 information to which they have access in order to perform their
21 functions under this act and shall properly safeguard its use and
22 disclosure.

23 (2) A person listed in subsection (1) who discloses a record
24 or other information described in subsection (1) is guilty of a
25 misdemeanor.

26 ~~—— (3) A citizen advisory committee member's unauthorized~~
27 ~~disclosure of a record or information described in subsection (1)~~

1 ~~is grounds for removal from the committee.~~

2 ~~—— (4) A committee staff member's unauthorized disclosure of a~~
3 ~~record or information described in subsection (1) is grounds for~~
4 ~~dismissal.~~

5 Sec. 5. (1) Each office of the friend of the court has the
6 following duties:

7 (a) To inform each party to ~~the~~ **A** domestic relations matter
8 that, unless 1 of the parties is required to participate in the
9 title IV-D child support program, they may choose not to have the
10 office of the friend of the court administer and enforce
11 obligations that may be imposed in the domestic relations matter.

12 (b) To inform each party to ~~the~~ **A** domestic relations matter
13 that, unless 1 of the parties is required to participate in the
14 title IV-D child support program, they may direct the office of the
15 friend of the court to close the friend of the court case that was
16 opened in their domestic relations matter.

17 (c) To provide an informational pamphlet, in accordance with
18 the model pamphlet developed by the bureau, to each party to a
19 domestic relations matter. The informational pamphlet shall explain
20 the procedures of the court and the office; the duties of the
21 office; the rights and responsibilities of the parties, including
22 notification that each party to the dispute has the right to meet
23 with the individual investigating the dispute before that
24 individual makes a recommendation regarding the dispute; the
25 availability of and procedures used in ~~domestic relations mediation~~
26 **ALTERNATIVE DISPUTE RESOLUTION**; the availability of human services
27 in the community; the availability of joint custody as described in

1 section 6a of the child custody act of 1970, 1970 PA 91, MCL
2 722.26a; and how to file a grievance regarding the office. The
3 informational pamphlet shall be provided as soon as possible after
4 the filing of a complaint or other initiating pleading. Upon
5 request, a party shall receive an oral explanation of the
6 informational pamphlet from the office.

7 (d) To make available to an individual form motions,
8 responses, and orders for requesting the court to modify the
9 individual's child support, custody, or parenting time order, or
10 for responding to a motion for such a modification, without
11 assistance of legal counsel. The office shall make available
12 instructions on preparing and filing each of those forms and
13 instructions on service of process and on scheduling a modification
14 hearing.

15 (e) To inform the parties of the availability of ~~domestic~~
16 ~~relations mediation~~ **ALTERNATIVE DISPUTE RESOLUTION** if there is a
17 dispute as to child custody or parenting time.

18 (f) To inform the parents of the availability of joint custody
19 as described in section 6a of the child custody act of 1970, 1970
20 PA 91, MCL 722.26a, if there is a dispute between the parents as to
21 child custody.

22 (g) To investigate all relevant facts, and to make a written
23 report and recommendation to the parties and to the court,
24 regarding child custody or parenting time, or both, ~~if there is a~~
25 ~~dispute as to child custody or parenting time, or both, and~~
26 ~~domestic relations mediation is refused by either party or is~~
27 ~~unsuccessful, or if ordered to do so by the court. IF CUSTODY HAS~~

1 BEEN ESTABLISHED BY COURT ORDER, THE COURT SHALL ORDER AN
2 INVESTIGATION ONLY IF THE COURT FIRST FINDS THAT THERE HAS BEEN A
3 SUBSTANTIAL CHANGE IN CIRCUMSTANCES. The investigation may include
4 reports and evaluations by outside persons or agencies if requested
5 by the parties or the court, and shall include documentation of
6 alleged facts, if practicable. If requested by a party, an
7 investigation shall include a meeting with the party. A written
8 report and recommendation regarding child custody or parenting
9 time, or both, shall be based upon the factors enumerated in the
10 child custody act of 1970, 1970 PA 91, MCL 722.21 to 722.31.
11 PURSUANT TO STANDARDS PRESCRIBED BY THE STATE COURT ADMINISTRATIVE
12 OFFICE OR THE SUPREME COURT, THE OFFICE MAY CHARGE THE PARTIES AN
13 AMOUNT THAT DOES NOT EXCEED THE EXPENSES OF THE OFFICE FOR
14 CONDUCTING THE INVESTIGATION AND MAKING THE REPORT AND
15 RECOMMENDATION. IF THE COURT ORDERS A WHOLE OR PARTIAL WAIVER OR
16 SUSPENSION OF FEES IN THE CASE BECAUSE OF INDIGENCY OR INABILITY TO
17 PAY, THE OFFICE SHALL NOT CHARGE THE AMOUNT OR, IF APPLICABLE,
18 SHALL REDUCE THE AMOUNT. MONEY COLLECTED UNDER THIS SUBDIVISION
19 SHALL BE DEPOSITED IN THE COUNTY FRIEND OF THE COURT FUND CREATED
20 UNDER SECTION 2530 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA
21 236, MCL 600.2530.

22 (h) To investigate all relevant facts and to make a written
23 report and recommendation to the parties and their attorneys and to
24 the court regarding child support, if ordered to do so by the
25 court. The written report and recommendation shall be placed in the
26 court file. The investigation may include reports and evaluations
27 by outside persons or agencies if requested by the parties or the

1 court, and shall include documentation of alleged facts, if
2 practicable. ~~If requested by a party, an investigation shall~~
3 ~~include a meeting with the party.~~ The child support formula
4 developed by the bureau under section 19 shall be used as a
5 guideline in recommending child support. The written report shall
6 include the support amount determined by application of the child
7 support formula and all factual assumptions upon which that support
8 amount is based. If the office of the friend of the court
9 determines from the facts of the case that application of the child
10 support formula would be unjust or inappropriate, the written
11 report shall also include all of the following:

12 (i) An alternative support recommendation.

13 (ii) All factual assumptions upon which the alternative support
14 recommendation is based, if applicable.

15 (iii) How the alternative support recommendation deviates from
16 the child support formula.

17 (iv) The reasons for the alternative support recommendation.

18 (2) If a party who requests a meeting during an investigation
19 fails to attend the scheduled meeting without good cause, the
20 investigation may be completed without a meeting with that party.

21 **(3) THE OFFICE OF THE FRIEND OF THE COURT DOES NOT HAVE ANY**
22 **DUTIES RELATED TO SPOUSAL SUPPORT UNLESS THE CASE IS A TITLE IV-D**
23 **CASE.**

24 Sec. 9a. ~~The department, the SDU, and each office of the~~
25 ~~friend of the court shall cooperate in the transition to the~~
26 ~~centralized receipt~~ **IS RESPONSIBLE FOR THE COLLECTION** and
27 disbursement of support and fees. An office of the friend of the

1 court ~~shall~~ **MAY** continue to receive and disburse support and fees.
2 ~~through the transition, based on the schedule developed as required~~
3 ~~by section 6 of the office of child support act, 1971 PA 174, MCL~~
4 ~~400.236, and modifications to that schedule as the department~~
5 ~~considers necessary.~~

6 Sec. 11a. (1) A complaint seeking enforcement for payment of a
7 health care expense must include information showing that all of
8 the following conditions have been met:

9 (a) The parent against whom the complaint is directed is
10 obligated to pay the child's uninsured health care expenses, a
11 demand for payment of the uninsured portion was made to that parent
12 within 28 days after the insurers' final payment or denial of
13 coverage, and that parent did not pay the uninsured portion within
14 28 days after the demand.

15 **(B) IF THE STATE COURT ADMINISTRATIVE OFFICE OR THE SUPREME**
16 **COURT ESTABLISHES A MINIMUM THRESHOLD FOR THE ENFORCEMENT OF HEALTH**
17 **CARE EXPENSES, THE HEALTH CARE EXPENSE IS EQUAL TO OR GREATER THAN**
18 **THE ESTABLISHED THRESHOLD.**

19 **(C)** ~~(b)~~ The complaint is submitted to the office on or before
20 any of the following:

21 (i) One year after the expense was incurred.

22 (ii) Six months after the insurers' final payment or denial of
23 coverage for the expense, if all measures necessary to submit a
24 claim for the health care expense to all insurers that might be
25 obligated to pay the expense were completed within 2 months after
26 the expense was incurred.

27 (iii) Six months after a parent defaults in paying for the

1 health care expense as required under a written agreement, signed
 2 by both parents, that lists the specific bills covered by the
 3 agreement, states the amount to be paid in total, and sets forth
 4 the schedule for the payment of that amount, whether by
 5 installments or otherwise.

6 (2) If an office receives a complaint that meets the
 7 requirements of subsection (1), the office shall send a copy of the
 8 complaint to the parent who is named in the complaint as obligated
 9 to pay the child's uninsured health care expenses. The office shall
 10 include with the copy of the complaint sent to that parent a notice
 11 advising the parent of the provisions of subsection (3).

12 (3) If, within 21 days after the complaint and notice are sent
 13 to a parent under subsection (2), the parent does not file with the
 14 office a written objection to the complaint, the amount of the
 15 health care expense stated in the complaint becomes a support
 16 arrearage and is subject to any enforcement process available to
 17 collect a support arrearage. If the parent files a written
 18 objection within the 21-day time limit, the office shall set a
 19 court hearing, before a judge or referee, to resolve the complaint.

20 Sec. 13. (1) ~~The~~ **IN A FRIEND OF THE COURT CASE, THE** office
 21 shall provide, either directly or by contract, ~~domestic relations~~
 22 ~~mediation~~ **ALTERNATIVE DISPUTE RESOLUTION** to assist the parties in
 23 settling ~~voluntarily~~ a dispute concerning child custody or
 24 parenting time ~~that arises in a friend of the court case~~ **PURSUANT**
 25 **TO A PLAN APPROVED BY THE CHIEF JUDGE AND FILED WITH THE STATE**
 26 **COURT ADMINISTRATIVE OFFICE.** ~~Parties shall not be required to meet~~
 27 ~~with a domestic relations mediator. The service may be provided~~

~~directly by the office only if such a service is in place on July 1, 1983, if the service is not available from a private source, or if the court can demonstrate that providing the service within the friend of the court office is cost beneficial. Any expansion of existing services provided by the court on July 1, 1983 shall be provided by an individual meeting the domestic relations mediator minimum qualifications listed under subsection (4).~~

(2) If an agreement is reached by the parties through ~~domestic relations mediation~~ **FRIEND OF THE COURT ALTERNATIVE DISPUTE**

RESOLUTION, a consent order incorporating the agreement shall be prepared by an employee of the office who is a member of the state bar of Michigan; under section 22, by a member of the state bar of Michigan; or by the attorney for 1 of the parties. The consent order shall be provided to, and shall be entered by, the court.

(3) Except as provided in subsection (2), a communication between a ~~domestic relations mediator~~ **FRIEND OF THE COURT ALTERNATIVE DISPUTE RESOLUTION FACILITATOR** and a party ~~to a domestic relations mediation~~ **PERTAINING TO THE MATTER SUBJECT TO RESOLUTION** is confidential. The secrecy of the communication shall be preserved inviolate as a privileged communication. The communication shall not be admitted in evidence in any proceedings. The same protection shall be given to communications between the parties in the presence of the ~~mediator~~ **FACILITATOR**.

(4) ~~A domestic relations mediator~~ **AN EMPLOYEE OF THE OFFICE OR A PERSON CONTRACTED** who performs ~~mediation~~ **RESOLUTION** under this act shall have ~~all of the following minimum qualifications~~ **AS PRESCRIBED BY THE STATE COURT ADMINISTRATIVE OFFICE.**

~~—— (a) One or more of the following:~~

~~—— (i) A license or a limited license to engage in the practice of psychology under parts 161 and 182 of the public health code, 1978 PA 368, MCL 333.16101 to 333.16349 and 333.18201 to 333.18237, or a master's degree in counseling, social work, or marriage and family counseling; and successful completion of the training program provided by the bureau under section 19(3)(b).~~

~~—— (ii) Not less than 5 years of experience in family counseling, preferably in a setting related to the areas of responsibility of the friend of the court and preferably to reflect the ethnic population to be served, and successful completion of the training program provided by the bureau under section 19(3)(b).~~

~~—— (iii) A graduate degree in a behavioral science and successful completion of a domestic relations mediation training program certified by the bureau with not less than 40 hours of classroom instruction and 250 hours of practical experience working under the direction of a person who has successfully completed a program certified by the bureau.~~

~~—— (iv) Membership in the state bar of Michigan and successful completion of the training program provided by the bureau under section 19(3)(b).~~

~~—— (b) Knowledge of the court system of this state and the procedures used in domestic relations matters.~~

~~—— (c) Knowledge of other resources in the community to which the parties to a domestic relations matter can be referred for assistance.~~

~~—— (d) Knowledge of child development, clinical issues relating~~

1 ~~to children, the effects of divorce on children, and child custody~~
 2 ~~research.~~

3 Sec. 15. An employee of the office who performs ~~domestic~~
 4 ~~relations mediation~~ **ALTERNATIVE DISPUTE RESOLUTION** in a friend of
 5 the court case involving a particular party shall not perform
 6 referee functions, investigation and recommendation functions, or
 7 enforcement functions as to any domestic relations matter involving
 8 that party.

9 Sec. 17. (1) After a final judgment containing a child support
 10 order has been entered in a friend of the court case, the office
 11 shall **USE A PROCEDURE PROVIDED IN SECTION 17B TO** periodically
 12 review the order, as follows:

13 (a) If a child is being supported in whole or in part by
 14 public assistance, not less than once each 36 months unless both of
 15 the following apply:

16 (i) The office receives notice from the department that good
 17 cause exists not to proceed with support action.

18 (ii) Neither party has requested a review.

19 ~~—— (b) At the initiative of the office, if there are reasonable~~
 20 ~~grounds to believe that the amount of child support awarded in the~~
 21 ~~judgment should be modified or that dependent health care coverage~~
 22 ~~is available and the support order should be modified to include an~~
 23 ~~order for health care coverage. Reasonable grounds to review an~~
 24 ~~order under this subdivision include temporary or permanent changes~~
 25 ~~in the physical custody of a child that the court has not ordered,~~
 26 ~~increased or decreased need of the child, probable access by an~~
 27 ~~employed parent to dependent health care coverage, or changed~~

~~financial conditions of a recipient of support or a payer including, but not limited to, application for or receipt of public assistance, unemployment compensation, or worker's compensation; or incarceration or release from incarceration after a criminal conviction and sentencing to a term of more than 1 year. Within 14 days after receiving information that a recipient of support or payer is incarcerated or released from incarceration as described in this subsection, the office shall initiate a review of the order. A review initiated by the office under this subdivision does not preclude the recipient of support or payer from requesting a review under subdivision (d).~~

~~—— (c) At the direction of the court.~~

(B) ~~(d)~~ Upon receipt of a written request from either party. Within 14 days after receipt of the review request, the office shall determine whether the order is due for review. The office is not required to ~~investigate~~ **ACT ON** more than 1 request received from a party each 36 months.

(C) ~~(e)~~ If a child is receiving medical assistance, not less than once each 36 months unless either of the following applies:

(i) The order requires provision of health care coverage for the child and neither party has requested a review.

(ii) The office receives notice from the ~~family independence agency~~ **DEPARTMENT OF HUMAN SERVICES** that good cause exists not to proceed with support action and neither party has requested a review.

(D) ~~(f)~~ If requested by the initiating state for a recipient of services in that state under title IV-D, not less than once each

1 36 months. Within 14 days after receipt of a review request, the
2 office shall determine whether an order is due for review.

3 (E) AT THE DIRECTION OF THE COURT.

4 (F) AT THE INITIATIVE OF THE OFFICE, IF THERE ARE REASONABLE
5 GROUNDS TO BELIEVE THAT THE AMOUNT OF CHILD SUPPORT AWARDED IN THE
6 JUDGMENT SHOULD BE MODIFIED OR THAT DEPENDENT HEALTH CARE COVERAGE
7 IS AVAILABLE AND THE SUPPORT ORDER SHOULD BE MODIFIED TO INCLUDE AN
8 ORDER FOR HEALTH CARE COVERAGE. REASONABLE GROUNDS TO REVIEW AN
9 ORDER UNDER THIS SUBDIVISION INCLUDE ANY OF THE FOLLOWING:

10 (i) TEMPORARY OR PERMANENT CHANGES IN THE PHYSICAL CUSTODY OF A
11 CHILD THAT THE COURT HAS NOT ORDERED.

12 (ii) INCREASED OR DECREASED NEED OF THE CHILD.

13 (iii) PROBABLE ACCESS BY AN EMPLOYED PARENT TO DEPENDENT HEALTH
14 CARE COVERAGE.

15 (iv) CHANGED FINANCIAL CONDITIONS OF A RECIPIENT OF SUPPORT OR
16 A PAYER, INCLUDING ANY OF THE FOLLOWING:

17 (A) APPLICATION FOR OR RECEIPT OF PUBLIC ASSISTANCE,
18 UNEMPLOYMENT COMPENSATION, OR WORKER'S COMPENSATION.

19 (B) INCARCERATION OR RELEASE FROM INCARCERATION AFTER A
20 CRIMINAL CONVICTION AND SENTENCING TO A TERM OF MORE THAN 1 YEAR.
21 WITHIN 14 DAYS AFTER RECEIVING INFORMATION THAT A RECIPIENT OF
22 SUPPORT OR PAYER IS INCARCERATED OR RELEASED FROM INCARCERATION AS
23 DESCRIBED IN THIS SUB-SUBPARAGRAPH, THE OFFICE SHALL INITIATE A
24 REVIEW OF THE ORDER.

25 (2) A REVIEW INITIATED BY THE OFFICE UNDER SUBSECTION (1) (F)
26 DOES NOT PRECLUDE THE RECIPIENT OF SUPPORT OR PAYER FROM REQUESTING
27 A REVIEW UNDER SUBSECTION (1) (B).

1 (3) ~~(2)~~ Within 180 days after determining that a review is
2 required under subsection (1), the office shall ~~send notices as~~
3 ~~provided in section 17b, conduct a review, and obtain a~~
4 modification of the order if appropriate.

5 (4) ~~(3)~~ The office shall use the child support formula
6 developed by the bureau under section 19 in calculating the child
7 support award **UNDER SECTION 17B**.

8 (5) ~~(4)~~ The office shall petition the court if modification is
9 determined to be necessary **UNDER SECTION 17B** unless either of the
10 following applies:

11 (a) The difference between the existing and projected child
12 support award is ~~within~~ **LESS THAN** the minimum threshold for
13 modification of a child support amount as established by the
14 formula.

15 (b) The court previously determined that application of the
16 formula was unjust or inappropriate and the office determines that
17 the facts of the case and the reasons **FOR** and amount of the prior
18 deviation remain unchanged.

19 (6) ~~(5)~~ The notice under section 17b(3) constitutes a petition
20 for modification of the support order and shall be filed with the
21 court.

22 (7) ~~(6)~~ If the office determines there should be no change in
23 the order and a party objects to the determination in writing to
24 the office within 21 days after the date of the notice provided for
25 in section 17b(3), the office shall schedule a hearing before the
26 court.

27 (8) ~~(7)~~ If a support order lacks provisions for health care

1 coverage, the office shall petition the court for a modification to
2 require that 1 or both parents obtain or maintain health care
3 coverage for the benefit of each child who is subject to the
4 support order if either of the following is true:

5 (a) Either parent has health care coverage available, as a
6 benefit of employment, for the benefit of the child at a reasonable
7 cost.

8 (b) Either parent is self-employed, maintains health care
9 coverage for himself or herself, and can obtain health care
10 coverage for the benefit of the child at a reasonable cost.

11 (9) ~~(8)~~—The office shall determine the costs to each parent
12 for dependent health care coverage and child care costs and shall
13 disclose those costs in the recommendation under section 17b(3).

14 Sec. 17b. (1) Child support orders entered after ~~the effective~~
15 ~~date of the 2004 amendatory act that added subsection (8)~~ **JUNE 30,**
16 **2005** shall be modified according to this section. For each support
17 order entered before ~~the effective date of the 2004 amendatory act~~
18 ~~that added subsection (8)~~ **JUNE 30, 2005**, the friend of the court
19 office shall provide notice to the parties of their right to a
20 review under this section as required by federal law. Notices under
21 this subsection may be placed in court orders as allowed by federal
22 law.

23 (2) The friend of the court office shall initiate proceedings
24 to review support by sending a notice to the parties. The notice
25 shall ~~request~~ **DO ALL OF THE FOLLOWING:**

26 (A) **CONTAIN THE AMOUNT CALCULATED UNDER AND THE ADVICE**
27 **REQUIRED BY SECTION 17F.**

1 **(B) ADVISE THE PARTY THAT IF AN ACCEPTANCE OF THE CALCULATED**
2 **AMOUNT IS NOT SENT UNDER SECTION 17F, THE PARTY MUST PROVIDE**
3 information sufficient to allow the friend of the court to review
4 support. ~~7-state~~

5 **(C) STATE** the date the information, **IF NECESSARY**, is due. ~~7~~
6 ~~and advise~~

7 **(D) ADVISE** the parties concerning how ~~the-A~~ review, **IF**
8 **NECESSARY**, will be conducted.

9 (3) After the information in subsection (2) is due, but not
10 sooner than 21 days or later than 120 days after the date the
11 notice is sent, the friend of the court office shall calculate the
12 support amount in accordance with the child support formula and
13 send a notice to each party and his or her attorney, which shall
14 include all of the following:

15 (a) The amount calculated for support.

16 (b) The proposed effective date of the support amount.

17 (c) Substantially the following statement: "Either party may
18 object to the recommended support amount. If no objection is filed
19 within 21 days of the date this notice was mailed, an order will be
20 submitted to the court incorporating the new support amount." The
21 notice also shall inform the parties of how and where to file an
22 objection.

23 (4) Twenty-one or more days from the date the notice required
24 by subsection (3) is sent, the friend of the court office shall
25 determine if an objection has been filed. If an objection has been
26 filed, the friend of the court shall set the matter for a hearing
27 before a judge or referee or, if the office receives additional

1 information with the objection, it may recalculate the support
2 amount and send out a revised notice in accordance with subsection
3 (3). If no objection is filed, the friend of the court office shall
4 prepare an order. ~~which the~~ **THE** court shall enter **THE ORDER** if it
5 approves of the order.

6 (5) The friend of the court may schedule a joint meeting
7 between the parties to attempt to expedite resolution of support
8 issues in accordance with the guidelines set forth in section
9 19(3)(m). The joint meeting and proceedings following the joint
10 meeting are subject to the requirements of section 42a of the
11 support and parenting time enforcement act, MCL 552.642a.

12 (6) The following provisions apply to support review
13 proceedings under this section:

14 (a) A recommendation under subsection (3) shall state the
15 calculations upon which the support amount is based. If the friend
16 of the court office recommends a support amount based on imputed
17 income, the recommendation shall also state the amount that would
18 have been recommended based on the actual income of the parties if
19 the actual income of the parties is known. If income is imputed,
20 the recommendation shall recite all factual assumptions upon which
21 the imputed income is based.

22 (b) The friend of the court office may impute income to a
23 party who fails or refuses to provide information requested under
24 subsection (2).

25 (c) At a hearing based on an objection to a friend of the
26 court office recommendation, the trier of fact may consider the
27 friend of the court office's recommendation as evidence to prove a

1 fact relevant to the support calculation ~~when~~ **IF** no other evidence
2 is presented concerning that fact, if the parties agree or no
3 objection is made to its use for that purpose.

4 (7) The court shall not require proof of a substantial change
5 in circumstances to modify a child support order when support is
6 adjusted under section 17(1) **OR 17F**.

7 (8) A party may also file a motion to modify support. Upon
8 motion of a party, the court may only modify a child support order
9 upon finding a substantial change in circumstances, including, but
10 not limited to, health care coverage becoming newly available to a
11 party and a change in the support level under section ~~17(4)(a)~~
12 **17(5)(A)**.

13 (9) Notwithstanding any other provisions of this section, the
14 friend of the court office shall conduct a more frequent review of
15 the support order upon presentation by a party of evidence of a
16 substantial change in circumstances as set forth in the child
17 support formula guidelines.

18 **SEC. 17F. (1) BEFORE SENDING A NOTICE UNDER SECTION 17B(2),**
19 **THE FRIEND OF THE COURT OFFICE SHALL MULTIPLY THE CURRENT CHILD**
20 **SUPPORT AMOUNT BY THE FACTOR DETERMINED BY THE FRIEND OF THE COURT**
21 **BUREAU UNDER SECTION 19(3)(O).**

22 **(2) A NOTICE UNDER SECTION 17B(2) SHALL ADVISE THE PARTIES OF**
23 **THE AMOUNT CALCULATED UNDER SUBSECTION (1) AND STATE THAT IF THE**
24 **PARTIES BOTH SEND WRITTEN NOTICE OF ACCEPTANCE TO THE OFFICE WITHIN**
25 **21 DAYS AFTER THE DATE THE NOTICE IS SENT, THE OFFICE WILL NOT**
26 **CONDUCT ANY FURTHER CALCULATION OR MAKE ANY RECOMMENDATION AS TO**
27 **CHILD SUPPORT, BUT THAT INSTEAD THE CALCULATED AMOUNT WILL BECOME**

1 THE NEW CHILD SUPPORT AMOUNT.

2 (3) IF THE PARTIES BOTH SEND A WRITTEN NOTICE ACCEPTING THE
3 AMOUNT CALCULATED UNDER SUBSECTION (1) AS PROVIDED UNDER SUBSECTION
4 (2), THE OFFICE SHALL NOT CONDUCT A CALCULATION OR MAKE A
5 RECOMMENDATION UNDER SECTION 17B. THE OFFICE SHALL PREPARE AN
6 APPROPRIATE ORDER, AND THE COURT SHALL ENTER THE ORDER IF IT
7 APPROVES OF THE ORDER.

8 Sec. 19. (1) The state friend of the court bureau is created
9 within the state court administrative office, under the supervision
10 and direction of the supreme court.

11 (2) The bureau shall have its main office in Lansing.

12 (3) The bureau shall do all of the following:

13 (a) Develop and recommend guidelines for conduct, operations,
14 and procedures of the office and its employees, including, but not
15 limited to, the following:

16 (i) Case load and staffing standards for employees who perform
17 ~~domestic relations mediation~~ **ALTERNATIVE DISPUTE RESOLUTION**
18 functions, investigation and recommendation functions, referee
19 functions, enforcement functions, and clerical functions.

20 (ii) Orientation programs for clients of the office.

21 (iii) Public educational programs regarding domestic relations
22 law and community resources, including financial and other
23 counseling, and employment opportunities.

24 (iv) Procedural changes in response to the type of grievances
25 received by an office.

26 (v) Model pamphlets and procedural forms, ~~that~~ **WHICH** shall be
27 distributed to each office.

1 (vi) A formula to be used in establishing and modifying a child
2 support amount and health care obligation. The formula shall be
3 based upon the needs of the child and the actual resources of each
4 parent. The formula shall establish a minimum threshold for
5 modification of a child support amount. The formula shall consider
6 the child care and dependent health care coverage costs of each
7 parent. The formula shall include guidelines for setting and
8 administratively adjusting the amount of periodic payments for
9 overdue support, including guidelines for adjustment of arrearage
10 payment schedules when the current support obligation for a child
11 terminates and the payer owes overdue support.

12 (b) Provide training programs for the friend of the court,
13 ~~domestic relations mediators~~ **PROVIDERS OF ALTERNATIVE DISPUTE**
14 **RESOLUTION**, and employees of the office to better enable them to
15 carry out the duties described in this act and supreme court rules.
16 After September 30, 2002, the training programs shall include
17 training in the dynamics of domestic violence and in handling
18 domestic relations matters that have a history of domestic
19 violence.

20 (c) Gather and monitor relevant statistics.

21 (d) Annually issue a report containing a detailed summary of
22 the types of grievances received by each office, and whether the
23 grievances are resolved or outstanding. The report shall be
24 transmitted to the legislature and to each office and shall be made
25 available to the public. The annual report required by this
26 subdivision shall include, but is not limited to, all of the
27 following:

1 (i) An evaluative summary, supplemented by applicable
 2 quantitative data, of the activities and functioning of each
 3 citizen advisory committee during the preceding year.

4 (ii) An evaluative summary, supplemented by applicable
 5 quantitative data, of the activities and functioning of the
 6 aggregate of all citizen advisory committees in ~~the~~**THIS** state
 7 during the preceding year.

8 (iii) An identification of problems that impede the efficiency
 9 of the activities and functioning of the citizen advisory
 10 committees and the satisfaction of the users of the committees'
 11 services.

12 (e) Develop and recommend guidelines to be used by an office
 13 in determining whether or not parenting time has been wrongfully
 14 denied by the custodial parent.

15 (f) Develop standards and procedures for the transfer of part
 16 or all of the responsibilities for a case from one office to
 17 another in situations considered appropriate by the bureau.

18 (g) Certify ~~domestic relations mediation~~**ALTERNATIVE DISPUTE**
 19 **RESOLUTION** training programs. ~~as provided in section 13.~~

20 (h) Establish a 9-person state advisory committee, serving
 21 without compensation except as provided in subsection (4), composed
 22 of the following members, giving preference to a member of a
 23 citizen advisory committee:

24 (i) Three public members who have had contact with an office of
 25 the friend of the court.

26 (ii) Three attorneys who are members of the state bar of
 27 Michigan and whose practices are primarily domestic relations law.

1 Not more than 1 attorney may be a circuit court judge.

2 (iii) Three human service professionals who provide family
3 counseling.

4 (i) Cooperate with the office of child support in developing
5 and implementing a statewide information system as provided in the
6 office of child support act, 1971 PA 174, MCL 400.231 to 400.240.

7 (j) Develop and make available guidelines to assist the office
8 of the friend of the court in determining the appropriateness in
9 individual cases of the following:

10 (i) Imposing a lien or requiring the posting of a bond,
11 security, or other guarantee to secure the payment of support.

12 (ii) Implementing the offset of a delinquent payer's state
13 income tax refund.

14 (k) Develop and provide the office of the friend of the court
15 with all of the following:

16 (i) Form motions, responses, and orders for use by an
17 individual in requesting the court to modify his or her child
18 support, custody, or parenting time order, or in responding to a
19 motion for modification without the assistance of legal counsel.

20 (ii) Instructions on preparing and filing the forms,
21 instructions on service of process, and instructions on scheduling
22 a support, custody, or parenting time modification hearing.

23 (iii) Guidelines for imputing income for the calculation of
24 child support.

25 (l) Develop guidelines for, and encourage the use of, plain
26 language within the office of the friend of the court including,
27 but not limited to, the use of plain language in forms and

1 instructions within the office and in statements of account
2 provided as required in section 9.

3 (m) In consultation with the domestic violence prevention and
4 treatment board created in section 2 of 1978 PA 389, MCL 400.1502,
5 develop guidelines for the implementation of section 41 of the
6 support and parenting time enforcement act, MCL 552.641, that take
7 into consideration at least all of the following regarding the
8 parties and each child involved in a dispute governed by section 41
9 of the support and parenting time enforcement act, MCL 552.641:

10 (i) Domestic violence.

11 (ii) Safety of the parties and child.

12 (iii) Uneven bargaining positions of the parties.

13 (N) COORDINATE THE PROVISION OF TITLE IV-D SERVICES BY THE
14 FRIEND OF THE COURT AND CONTRACT FOR THE PROVISION OF THOSE
15 SERVICES THROUGH AN INTERAGENCY AGREEMENT WITH THE OFFICE OF CHILD
16 SUPPORT.

17 (O) ESTABLISH A PROCEDURE TO PERIODICALLY DETERMINE A FACTOR
18 BY WHICH A CHILD SUPPORT PAYMENT MAY BE INCREASED UNDER SECTION
19 17F. THE FACTOR SHALL BE DETERMINED BASED ON THE CUMULATIVE ANNUAL
20 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX. AS USED IN THIS
21 SUBDIVISION, "CONSUMER PRICE INDEX" MEANS THE MOST COMPREHENSIVE
22 INDEX OF CONSUMER PRICES AVAILABLE FOR THIS STATE FROM THE BUREAU
23 OF LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR.

24 (4) The state advisory committee established under subsection
25 (3)(h) shall advise the bureau in the performance of its duties
26 under this section. The bureau shall make a state advisory
27 committee report or recommendation available to the public. State

1 advisory committee members shall be reimbursed for their expenses
2 for mileage, meals, and, if necessary, lodging, under the schedule
3 for reimbursement established annually by the legislature. A state
4 advisory committee meeting is open to the public. A member of the
5 public attending a state advisory committee meeting shall be given
6 a reasonable opportunity to address the committee on any issue
7 under consideration by the committee. If a vote is to be taken by
8 the state advisory committee, the opportunity to address the
9 committee shall be given before the vote is taken.

10 (5) The bureau may call upon each office of the friend of the
11 court for assistance in performing the duties imposed in this
12 section.

13 Sec. 27. ~~(1) Except as provided in subsections (2) and (3),~~
14 ~~the~~ **THE** compensation and expenses of the friend of the court for
15 each judicial circuit and of the employees of the office and all
16 operating expenses incurred by the office shall be fixed by the
17 chief judge as provided in section 591 of the revised judicature
18 act of 1961, ~~Act No. 236 of the Public Acts of 1961, being section~~
19 ~~600.591 of the Michigan Compiled Laws 1961 PA 236, MCL 600.591.~~ The
20 compensation and expenses shall be paid by the county treasurer
21 from the general fund ~~, and the friend of the court fund created~~
22 under section 2530 of the revised judicature act of 1961, ~~Act No.~~
23 ~~236 of the Public Acts of 1961, being section 600.2530 of the~~
24 ~~Michigan Compiled Laws 1961 PA 236, MCL 600.2530,~~ of the county or
25 counties served.

26 ~~—— (2) In the third judicial circuit the compensation of the~~
27 ~~friend of the court and the employees of the state judicial council~~

~~serving in the third judicial circuit and supervised by the friend of the court shall be paid by the state and shall be fixed as provided in sections 592 and 9104 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being sections 600.592 and 600.9104 of the Michigan Compiled Laws. Pursuant to section 595(1) of Act No. 236 of the Public Acts of 1961, being section 600.595 of the Michigan Compiled Laws, the state shall maintain and operate the office of the friend of the court as the successor to the friend of the court appointed under former Act No. 412 of the Public Acts of 1919.~~

~~—— (3) In any other judicial circuit in which employees serving in the circuit court are employees of the state judicial council, the compensation of the friend of the court and the employees of the state judicial council serving in that judicial circuit and supervised by the friend of the court shall be paid by the state and shall be fixed as provided in section 9104 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961.~~

Sec. 28. Each office of the friend of the court shall compile data **AS REQUIRED BY THE FRIEND OF THE COURT BUREAU.** ~~on the number and type of complaints regarding support and parenting time. The data shall include, but need not be limited to, the number of cases in which a party fails to appear at a show cause hearing and the number of cases in which a bench warrant is issued for failure to appear. The data compiled under this section shall be transmitted at least annually in a report to the office of the state court administrator. The following specific information shall also be compiled:~~

1 ~~—— (a) The number of state or federal income tax intercepts~~
2 ~~subsequently found to be based on inaccurate information or~~
3 ~~employee error.~~

4 ~~—— (b) The number of support orders modified due to inaccurate~~
5 ~~information or employee error.~~

6 ~~—— (c) The number of grievances filed in a calendar year, the~~
7 ~~nature of each grievance, the judicial response to each grievance,~~
8 ~~and any sanction imposed as a result of each grievance.~~

9 ~~—— (d) The number of custody recommendations recommending~~
10 ~~physical custody to the mother, the father, or a third party.~~

11 ~~—— (e) The number of makeup parenting time petitions filed, the~~
12 ~~number of hearings held on makeup parenting time petitions, the~~
13 ~~number of instances makeup parenting time is ordered, and the~~
14 ~~amount of makeup parenting time that is ordered.~~

15 ~~—— (f) The number of reviews completed in a calendar year.~~

16 Enacting section 1. This amendatory act does not take effect
17 unless all of the following bills of the 94th Legislature are
18 enacted into law:

19 (a) Senate Bill No. 1425.

20
21 (b) Senate Bill No. 1428.