

UNIFORM INTERSTATE FAMILY SUPPORT ACT (EXCERPT)
Act 310 of 1996

552.1308 Receipt of petition or pleading by responding tribunal; duties; agreement to transfer prosecutor's responsibilities; authority; orders.

Sec. 308. (1) When a responding tribunal of this state receives a petition or comparable pleading from an initiating tribunal or directly under section 301, the tribunal shall do all of the following:

- (a) Cause the petition or pleading to be filed.
- (b) Notify the petitioner by first-class mail where and when it was filed.
- (c) Notify the prosecuting attorney or the office of the friend of the court. If notified under this subdivision, the prosecuting attorney or friend of the court shall conduct proceedings as appropriate under this act.
- (2) The prosecuting attorney and the department of human services may enter into an agreement to transfer the prosecutor's responsibilities under this act to 1 of the following:
 - (a) The friend of the court, with the approval of the chief judge of the circuit court.
 - (b) An attorney employed or contracted by the county under section 1 of 1941 PA 15, MCL 49.71.
 - (c) An attorney employed by, or under contract with, the department of human services.
- (3) A proceeding under this section is conducted on behalf of the state and not as the attorney for any other party.

(4) A responding tribunal of this state, to the extent otherwise authorized by law, may do 1 or more of the following:

- (a) Issue or enforce a support order, modify a child support order, or render a judgment to determine parentage.
- (b) Order an obligor to comply with a support order, specifying the amount and the manner of compliance.
- (c) Order income withholding.
- (d) Determine the amount of an arrearage and specify a method of payment.
- (e) Enforce an order by civil or criminal contempt, or both.
- (f) Set aside property for satisfaction of a support order.
- (g) Place liens and order execution on an obligor's property.
- (h) Order an obligor to keep the tribunal informed of the obligor's current residential address and telephone number, employer, and employment address and telephone number.
- (i) Issue a bench warrant for an obligor who fails after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in the L.E.I.N.
- (j) Order an obligor to seek appropriate employment by specified methods.
- (k) Award reasonable attorney fees and other fees and costs.
- (l) Grant another available remedy.

(5) A responding tribunal of this state shall include in a support order issued under this act or in the documents accompanying the order the calculations on which the support order is based.

(6) A responding tribunal of this state shall not condition the payment of a support order issued under this act upon compliance by a party with provisions for parenting time.

(7) If a responding tribunal of this state issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

History: 1996, Act 310, Eff. June 1, 1997;—Am. 1998, Act 65, Imd. Eff. Apr. 27, 1998;—Am. 2014, Act 370, Eff. Mar. 17, 2015.