

FRIEND OF THE COURT ACT (EXCERPT)
Act 294 of 1982

***** 552.512.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 17, 2015 *****

552.512.amended Reporting information to consumer reporting agency.

Sec. 12. (1) Except as otherwise provided in this section, the title IV-D agency shall report to a consumer reporting agency the arrearage amount for each payer with an arrearage of support of 2 or more months. The title IV-D agency may make support information available to the consumer reporting agency concerning any other payer who requests that report. The title IV-D agency shall not make information available under this subsection unless the title IV-D agency determines that the agency receiving the report furnishes evidence satisfactory to the title IV-D agency that it is a consumer reporting agency and that it has sufficient capability to systematically and timely make accurate use of the information.

(2) Before making the initial support information available under subsection (1), the title IV-D agency shall provide the payer with notice of all of the following:

(a) The proposed action.

(b) The amount of the arrearage, if any.

(c) The payer's right to a review, the date by which a request for a review must be made, and the grounds on which the payer may object to the proposed action.

(d) That the payer may avoid the reporting of the arrearage stated in the notice by paying the entire arrearage within 21 days after the date notice was sent.

(3) The office of the friend of the court shall provide to a payer a review to enable a payer to object to the reporting of the support information, including an arrearage, on the grounds of a mistake of fact concerning the amount of the arrearage or the identity of the payer. If a payer requests a review within the time specified in the notice given under subsection (2), the title IV-D agency shall not report the support information as required or permitted by this section until after 1 of the following occurs:

(a) The payer fails to produce evidence that the support information is incorrect and the time scheduled for the review has passed.

(b) After conducting the review, the office determines the correct support information.

(4) The title IV-D agency shall not report an arrearage amount as required under subsection (1) if the payer pays the entire arrearage within 21 days after the date the notice was sent under subsection (2).

(5) Within 14 days after the title IV-D agency knows that incorrect information has been made available to a consumer reporting agency, the title IV-D agency shall contact the consumer reporting agency and correct the information.

(6) The office of child support is responsible for determining what support information should be provided to a consumer reporting agency and establishing the policies and procedures for making support information available to a consumer reporting agency under this section.

(7) Upon request of a consumer reporting agency or the payer, the title IV-D agency shall make available to the consumer reporting agency current support information of an individual payer.

History: Add. 1985, Act 208, Eff. Mar. 1, 1986;—Am. 1990, Act 297, Imd. Eff. Dec. 14, 1990;—Am. 1992, Act 250, Imd. Eff. Nov. 19, 1992;—Am. 1996, Act 276, Eff. Jan. 1, 1997;—Am. 2014, Act 382, Eff. Mar. 17, 2015.

Popular name: Friend of the Court