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### New Friend of the Court Bureau Customer Service Clerks

**Casey Anbender** joined the Bureau in July 2008. A second-year law student at Michigan State University College of Law, Casey intends to concentrate on family law. She graduated from the University of Michigan in 2007 with a Bachelor of Arts in Sociology. In her spare time, she enjoys musical theater, the Food Network, and kickboxing. Casey is thrilled to join the FOCB and looks forward to meeting everyone.

**Novella Fenderson** recently joined the Bureau. Novella relocated to Lansing in order to enroll at Thomas M. Cooley Law School. She chose Cooley because of its commitment to diversity in its student body. Novella's interest in family law predates her law school experience. She has always been interested in family law and its focus on the well-being of children. Before working at the FOCB, she worked as a substitute teacher in the Lansing School District and volunteered as a Teen Advocate for Lansing Teen Court. She will graduate from Cooley in January 2009 and will take the February 2009 New York bar exam.

**Julie Loveless** joined the Bureau in June. She is a second-year law student pursuing the extended program at Thomas M. Cooley Law School. She received a Bachelor of Arts degree from Michigan State University in Criminal Justice, with a minor in Psychology. Julie, who has four children, has been a Lansing resident all her life. She enjoys reading, biking, and the beach. After she receives her J.D. degree, Julie plans to pursue a career in either family law or criminal law.

**Sam Olson** joined the Bureau in July. Sam is a second-year law student at Michigan State University College of Law. He received a Bachelor of Arts degree from the University of Michigan in English. Sam grew up in Grand Blanc, Michigan. He is a member of the Trial Advocacy Society at MSU and plans to pursue a career in criminal law or family law. He hopes to practice in either Grand Rapids or Lansing.

**Ken White** recently joined the Bureau. Ken is a third-year law student at Thomas M. Cooley Law School. Originally from Jackson, Ken attended Eastern Michigan University where he earned a Bachelor of Science Degree in Criminology. When not working, Ken enjoys traveling. He recently spent a semester abroad studying in Melbourne, Australia, and Christchurch, New Zealand. Ken also keeps up with the latest in computers, gadgets, and electronics (especially as applied to editing photos). Upon graduation, Ken plans to enter private practice.

## New Friend of the Court Bureau Management Analyst

Elizabeth Stomski has joined the Friend of the Court Bureau (FOCB) as a Management Analyst. Elizabeth came to FOCB after working as a law clerk for Judge Krause at the 54-A District Court (Lansing). Born in Detroit, Michigan, and raised in Shelby Township, Michigan, Elizabeth earned a bachelor's degree from Michigan State University in Political Theory and Constitutional Democracy, and a law degree from Thomas M. Cooley Law School.

We recently interviewed Elizabeth about her career so far and about Michigan child support:

**Why did you choose a career in family law/child support?** I have always had an interest in family law; to me, it's the most "real world" legal field a person can be in. Family law affects everyone either directly or indirectly.

**What has been the most satisfying aspect of what you have done so far in the family law/child support area?** It is rewarding to know that I have helped make someone's life a little easier, whether it is by providing an answer to a question or just listening to the person vent about a particular situation.

**What do you believe is the best thing about the Michigan Child Support program?** Its dedication to helping children improve and grow within the family environment. The program encourages all involved parties to take responsibility and it facilitates the idea that two parents should work together to raise a child.

**What is the most critical challenge facing Michigan child support today?** I would say enforcement procedures. Although a lot of progress has been made in enforcement, it is extremely difficult to hold payors responsible especially during such difficult economic times.

**If you could make one improvement to the child support system, what would it be?** I would increase interaction between and support of agencies. All the agencies that work in the area of child support and parenting time issues would benefit from more collaboration.

**What would you like to see done at the state or federal level to strengthen Michigan child support?** I would like to see more funding for county friends of the court. Most, if not all, programs are understaffed and overworked. They do a great job in spite of the lack of resources, but the FOCs could do even better if the state and federal governments provided more.

**What are your future goals/plans?** I plan on staying with the Friend of the Court Bureau for awhile. I really enjoy the people here, and this position allows me to work in the field I love from an analyst's point of view. I am considering returning to school next year to obtain an MSW degree.

## Financial Stability Framework

*by Nancy Lindman, Director, Public Policy & Partnerships, Michigan Association of United Ways  
Beth Troost, Financial, Education Coordinator, Michigan Credit Union League*

In these confusing and challenging economic times, families need better financial management skills. Today's abundant and complex financial choices have outpaced the knowledge of most Americans. Factors such as low savings rates and the mortgage crisis, coupled with payday lending, outright economic fraud, and identity theft, have made it difficult for most people to successfully handle their finances if they lack at least a basic understanding of personal financial management concepts. The need to provide financial education to Michigan's citizens is as great now as it has ever been.

In Michigan, a handful of community service organizations often partner with industry experts to provide residents with financial advice and education. The goal is to teach "financial literacy" so that residents can make wiser choices regarding their use of money. This ultimately will have a positive impact on their lives. Financial literacy requires understanding financial options, making conscious and informed decisions, and applying money management skills. United Way, Michigan State University Extension, and the Michigan Credit Union League regularly team up to provide financial education. The objective of these groups is to enrich the lives of Michigan residents. In turn, educational partnerships can be formed on small and large scales.

Money management is a learned skill. Most people learn about money from their parents, but parents may not be the best role models. In a Jump\$tart Coalition survey, half of parents responded that they do not feel qualified to teach personal finance basics. Additionally, half also admit that they do not set a good example for their children when it comes to handling finances. Money troubles may stem from family problems, and single-parent households often struggle more than others. Gambling, compulsive spending, and other addictions may also contribute to a family's money problems.

There is a clearly established need to provide financial education to Michigan's citizens. Thankfully, many organizations offer classes, seminars, and information. The primary challenge is reaching the people who would most benefit from these educational programs and encouraging them to enroll. Attendance is typically lower than desired. Experience has indicated that requiring financial education (when that is possible) or offering attendance incentives help to increase interest.

A study conducted by economists from the Federal Reserve Board entitled "Analyzing Service Delivery: Homebuyer Education" (December 2004), concluded that most people "learn by doing." Others learn from peers, family, and friends. This study also found that people were more motivated to seek education when they needed help with a specific problem, for example, to apply for a loan or subsidy. Others sought education when they were referred to get help.

United Way's Financial Stability Framework initiative focuses on financial literacy and education. It promotes increased income, savings, and assets to improve the lives of Michigan's residents. Good sources of financial education include Michigan State

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## Required Criminal History Background Checks and How to Obtain Free Online Access to ICHAT

*by State Court Administrative Office, Friend of the Court Bureau Staff*

As part of SCAO's 2008-2009 Cooperative Reimbursement Program contracts (CRPs) with the Department of Human Services Office of Child Support, local courts will be required to run criminal history background checks on prospective employees before they are hired. Complete details will be published by SCAO in an upcoming administrative memorandum.

Before the memo's publication, SCAO recommends that local courts contact the Michigan State Police (MSP) to obtain advanced permission to run criminal history background checks without charge through the MSP's Internet Criminal History Access Tool (ICHAT).

Local court personnel may submit a request for an agency code, which will allow local courts to obtain ICHAT access without charge, to MSP at [cjicaccthelp@michigan.gov](mailto:cjicaccthelp@michigan.gov). Agency codes allow governmental agencies like local courts to obtain ICHAT access without charges. MSP personnel require that requests for an agency code should be in writing on local court letterhead and should include the court's:

- a. Name,
- b. Address,
- c. Phone Number,
- d. Federal Tax ID number (available from the funding unit),
- e. A primary contact person,
- f. The primary contact person's e-mail address,
- g. The maximum number of searches expected within a calendar year, and
- h. The maximum number of people who would be authorized to log into ICHAT to conduct searches on behalf of the agency.

Further information will be available in the administrative memorandum that is expected to be published in September, 2008. For further information, a court or a friend of the court office may contact Daniel Bauer at [bauerd@courts.mi.gov](mailto:bauerd@courts.mi.gov) or at (517) 373-5975.

### Did You Know?

MESC offices will no longer honor IWN's for spousal support.

## Mediation Training Available for FOC Employees

The State Court Administrative Office (SCAO) will offer domestic relations mediation training for Friend of the Court (FOC) employees beginning in September. This will provide an excellent training opportunity for staff interested in court mediation. This latest program is designed for both FOC personnel and community dispute resolution program (CDRP) volunteers. Previously, each group trained separately. The training program will be approved by the Friend of the Court Bureau (FOCB) under MCL 552.519. Successful completion of the training will qualify participants to mediate court-referred cases under the domestic relations court rule, MCR 3.216.

Supported by a grant from the Michigan State Bar Foundation, the 44-hour program will allow FOC personnel and CDRP volunteers who complete the training to provide mediation services under both the statute and the court rule. *Note:* Those attendees who want to be qualified under MCR 3.216 must also observe two domestic relations mediations and conduct one complete domestic relations mediation, both under the supervision and observation of an approved mediator.

The curriculum for the training programs will be designed by Oakland Mediation Center in collaboration with SCAO's Office of Dispute Resolution and the Michigan Judicial Institute. Topics will include family law and family economics, building mediation-skills, developing communication and problem-solving skills, and examining the experience of divorce for adults and children. Domestic violence screening and training, and the use of SCAO's domestic violence model screening protocols will also be emphasized during the training sessions.

The trainings will take place at sites within the four court regions: Marquette, Traverse City, Grand Rapids, and Bloomfield Hills. The programs at these locations will primarily target CDRP volunteer mediators, but approximately eight slots at each location will be available to FOC mediators. In addition to the four regional sites, an Ingham County/Lansing program will be configured primarily for FOC mediators, which will be conducted entirely during business hours, and is designed to accommodate FOC employees who cannot attend any of the regional sessions.

The first regional training will begin on Tuesday, September 30 in Marquette. The registration deadline for this session is Friday, September 5. The other training dates and registration deadlines can be accessed via the hyperlink noted in this article's final paragraph.

Any FOC staff member interested in registering for a training program must be either: (1) a full-time family division employee whose job assignment includes providing FOC domestic relations mediation services, or (2) a new FOC mediator in the process of meeting the minimum qualifications to become a domestic relations mediator. The qualifications for domestic relations mediation appear in the Friend of the Court Act (see MCL 552.513) and MCR 3.216.

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## New Federal Law Requires Some Child Support Recipients to pay \$25 Yearly Fee

Beginning in September 2008, federal law will require some child support recipients to pay a \$25 annual fee to help cover costs of child support collection programs. The Federal Deficit Reduction Act of 2005 requires this fee to be paid in child support cases when the parent has never been on welfare, has never collected food assistance, and receives at least \$500 in support during a one-year period. Families covered by Medicaid *are* required to pay the fee unless they qualify for one of the exemptions listed above.

More than half the proceeds from collection of the fee will be sent to the federal government to help fund child support programs throughout the nation. The State of Michigan will retain approximately one-third of the fee to offset the state's costs of operating its statewide child support program.

The fee will be collected as a lump sum once per year. The one-year period runs from October 1 through September 30. After a family has received \$500 in support payments during that year, the fee will be withheld by the Office of Child Support and placed in an escrow-like account from the family's next child support payment. The fee must be collected directly from child support payments, and may not be paid by personal check, for example. A custodial party's financial detailed report will show the fee deduction. Those reports are available at the local friend of the court office. In order to avoid federal sanctions and to meet the requirement of the current 2008 fiscal year, Michigan will collect the fee, which will be submitted to the federal government, for the first time this September, and then again in October for the new 2009 fiscal year. Subsequent periods will always begin on October 1.

Families required to pay the fee receive an average of \$5,600 in child support each year. Thus, the fee represents less than one-half percent of their total child support received. If Michigan mistakenly collects the fee from a family that currently receives food or cash assistance, that family can obtain a refund by writing a letter to the local friend of the court office. The letter must include the docket ID, the type of assistance the family is receiving, and a list of the children in the family's assistance case. Additionally, if Michigan mistakenly collects the fee from a family that received cash assistance in the past, whether in Michigan or another state, the family can obtain a refund by sending a letter to the local friend of the court with proof that confirms the family's history of cash assistance. This proof may be in the form of a signed statement from an assistance worker, a statement on agency letterhead, or copies of agency records.

## Changes to Imputation

The Michigan Child Support Formula Manual (MCSF) revisions take effect October 1, 2008. The guidelines include *additional* guidelines for imputing potential income to parents. These new MCSF provisions will help courts assure that children receive financial support on the basis of their needs and their parents' *actual* resources. To produce that result, the income-imputation calculations factor in "potential income" that a parent has the actual ability or is reasonably likely to earn. MCSF defines potential income as "income the parent could earn, when the parent is voluntarily unemployed or underemployed, or has an unexercised ability to earn." MCSF §2.01(G).

The 2008 amendments of the MCSF require the judge or referee to consider specific factors relevant to the parent's background when determining whether to impute income. By incorporating these additional factors, such as employment background, personal history, and availability to work, the court can devise a child support order that accurately reflects the specific financial resources of each parent. For example, under the updated formula, the court accounts for the prior employment history of the parent, including the reasons for any termination or change in employment, which may clarify whether the parent is voluntarily or involuntarily unemployed. The updated formula also considers the parent's diligence in seeking appropriate employment and the parent's actual ability to work. By excluding periods when the parent is incapable of working or seeking work, such as periods of incarceration or hospitalization, the child support order will not be based on phantom "potential income" that the parent could not have actually earned.

A parent who, due to incarceration, is unavailable to seek employment for more than one year is entitled to a child support review. Once the friend of the court receives notice of the parent's incarceration, a child support review must be initiated within 14 days. MCL 552.517 1(b).

In addition to employment history, the 2008 revisions of the MCSF also require review of a parent's "personal" history, including a parent's present marital status and present means of support. This allows the court to take into account whether a parent's spouse provides financial support to the parent, or whether the parent is being supported in another way. For example, a court now may use financial support received from a third party as a reason for imputing income to a parent who is voluntarily unemployed or underemployed.

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### Did You Know?

The new [Child Support Formula](#) will go into effect on October 1, 2008?

*Financial Stability Framework, continued from page 3*

University Extension and Michigan credit unions. The financial literacy program at MSUE is dedicated to helping people improve their lives through educational programs. MSUE offices are in all 83 counties. Many not-for-profit credit unions provide financial education to their community as part of their mission of “people helping people.” Ninety percent of Michigan credit unions offer financial education to their members and to community members in one-on-one financial counseling, seminars and youth classroom education. Credit unions often partner with community service agencies such as, MSUE and GreenPath, a nonprofit credit counseling agency that hosts money management seminars and other programs about saving, budgeting, credit, and homeownership.

We currently live in a “culture of consumption” that encourages spending and debt. Therefore, citizens need a sound financial education in order to maintain financial responsibility. One of the best ways to do this is to incorporate financial education into other forms of community assistance and outreach. To find a community partner for financial education in your area, call United Way’s **2-1-1** help line where available, Beth Troost, Financial Education Coordinator for the Michigan Credit Union League at (800)262-6285, or Constance Costner, MSU Extension Program Leader at (517) 432-5620.



*Mediation Training, continued from page 4*

For all programs, registration preference will be given to FOC staff who has not previously attended domestic relations training. There is no registration fee for FOC staff to attend the training.

FOC offices interested in sending employees to one of the mediation training sessions can access a registration form at: <http://courts.michigan.gov/scao/features/Mailings/2008/07-03-08/ODR-MediatorTraining.pdf>. This link also provides specific dates, times, and locations of the trainings. Any questions concerning the training program should be directed to Doug Van Epps, the director of SCAO’s Office of Dispute Resolution, at (517) 373-4840 or [vanepspd@courts.mi.gov](mailto:vanepspd@courts.mi.gov), or to Peter Stathakis, the Michigan Judicial Institute’s program manager, at (517) 373-7607 or [stathakisp@courts.mi.gov](mailto:stathakisp@courts.mi.gov).

*New Federal Law, continued from page 6*

Federal law requires that the noncustodial parent receive full credit for the support payment even though \$25 goes to pay the new fee. For example, if \$500 has already been paid to a custodial parent, and the next payment is \$100, the noncustodial parent will receive credit for paying \$100, but the custodial parent will receive only \$75.

Some families can avoid paying the fee if the custodial parent contacts the friend of the court and requests *in writing* that the FOC case be closed. Note, however, that: (1) if the case is closed, that family will no longer receive services from Michigan's child support program; and (2) a family must qualify to "opt out" of the program.

For more information, please go to [www.michigan.gov/childsupport](http://www.michigan.gov/childsupport).

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