

Issuing Child Support Order Checklist

“If a court orders the payment of child support under [the Support and Parenting Time Enforcement Act (SPTEA), [MCL 552.601 et seq.](#)] or another act of the state, [[MCL 552.605](#)] applies to that order.” [MCL 552.605\(1\)](#).

[MCL 552.605\(2\)](#) requires the court to issue a child support order:

- in the amount determined by the [child support formula](#); OR
- in an amount deviated from the child support formula if it is determined from the facts of the case that application of the child support formula would be unjust or inappropriate.
 - Set out in writing or on the record all of the following:
 - The child support amount determined by application of the child support formula.
 - How the child support order deviates from the child support formula.
 - The value of property or other support awarded instead of the payment of child support, if applicable.
 - The reasons why the application of the child support formula would be unjust or inappropriate in the case. [MCL 552.605\(2\)](#).
- Note:** [MCL 552.605\(2\)](#) does not prohibit entry of a child support order that is agreed to by the parties and that deviates from the child support formula; however, the requirements of [MCL 552.605\(2\)](#) must be met. [MCL 552.605\(3\)](#).
- If child is between the ages of 18 and 19 years and 6 months, child support *may* be entered if the child:

- regularly attends high school on a full-time basis with a reasonable expectation of completing sufficient credits to graduate from high school AND
- resides on a full-time basis with the recipient of support or at an institution. See [MCL 552.605b\(2\)](#).
- Enter appropriate Uniform Child Support Order, which includes:
 - base support/ordinary medical and total filled in with correct math
 - appropriate commencement date
 - requirement that each party keep the Friend of the Court (FOC) informed of:
 - the name, address, and telephone number of his/her current source of income.
 - any health care coverage that is available to him/her or that is maintained by him/her (including the name of the insurer, the policy, certificate, or contract number), and the names and birth dates of the persons for whose benefit he/she maintains health care coverage under the policy, certificate, or contract. [MCL 552.605a\(1\)](#).
 - requirement that one or both parents obtain/maintain health care coverage that is accessible to the child and is available to the parent at a reasonable cost, for the benefit of the minor children of the parties and, subject to [MCL 552.605b](#), for the benefit of the parties' children who are not minor children. [MCL 552.605a\(2\)](#).
 - use [Child Support Formula Guidelines](#) to determine health care coverage that is accessible to the child and available at a reasonable cost. [MCL 552.605a\(2\)](#).
 - must NOT require both parents to provide health care coverage UNLESS both parents already provide it *or* both parents agree to provide it. [MCL 552.605a\(2\)](#).
 - may exercise discretion to order health care coverage based on the child's needs and the parents' resources.
 - may require a parent to "file a bond with 1 or more sufficient sureties, in a sum to be fixed by the court, guaranteeing payment of child support." [MCL 552.605a\(3\)](#).

- provision providing for post-majority support (if applicable):
 - was agreed to by the parties. [MCL 552.605b\(5\)](#).
 - “terminates on the last day of a specified month, regardless of the actual [high school] graduation date.” [MCL 552.605b\(3\)](#).
- amount of child support to be paid “in monthly amounts payable on the first of each month in advance.” [MCL 552.605c\(1\)](#).
- provision providing for an immediate income withholding (UNLESS a suspension of immediate income withholding order has been entered).¹ See [MCL 552.604\(1\)](#); [MCL 552.604\(3\)](#).
- if child is under state’s jurisdiction and is placed in foster care, support is assigned to the Department of Health and Human Services (DHHS). [MCL 552.605d\(1\)\(a\)](#).
- if child is under court’s jurisdiction and is placed in county-funded foster care, support is assigned to the DHHS. [MCL 552.605d\(1\)\(b\)](#).
- for an FOC case, substantially the following statements:
 - “The office of the friend of the court may consider the person who is providing the actual care, support, and maintenance of a child for whom support is ordered as the recipient of support for the child and may redirect support paid for that child to that recipient of support, subject to the procedures prescribed in . . . [MCL 552.605d](#).” [MCL 552.605d\(1\)\(c\)\(i\)](#).
 - “If the payer resides full-time with a child for whom support is payable under this order, support for that child abates in accordance with policies established by the state friend of the court bureau and subject to the procedures prescribed in . . . [MCL 552.605d](#).” [MCL 552.605d\(1\)\(c\)\(ii\)](#).
- on and after March 24, 2022, the following statement: “If the payer will be incarcerated for 180 consecutive days or more and will not have the ability to pay support, the monthly amount of support payable under the order must

¹ For a checklist on the suspension of immediate income withholding, see the Michigan Judicial Institute’s [Suspension of Immediate Income Withholding Checklist](#).

be abated by operation of law, subject to . . . [MCL 552.517f](#).”
[MCL 552.605d\(2\)](#).²

Late Payment. “A [child] support obligation not paid by the last day of the month in which it accrues is past due.” [MCL 552.605c\(1\)](#).

For court forms related to domestic relations actions, see the One Court of Justice [website](#).

For additional domestic relations resources, see the Friend of the Court Bureau [website](#).

² A support order entered before March 24, 2022, “is considered to include, by operation of law, the provisions stated in [[MCL 552.605d\(2\)](#)].” [MCL 552.605d\(4\)](#). Courts may receive motions from parties to domestic relations matters where there is not an open friend of the court case requesting application of certain subsections within [MCL 552.517f](#) when a payer either will be incarcerated for 180 consecutive days or more or will be released from incarceration. See [MCL 552.605d\(5\)](#).