

**MICHIGAN CHILD SUPPORT FORMULA:
FINDINGS FROM A SURVEY OF FORMULA USERS**

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SECTION I

PURPOSE & BACKGROUND

INTRODUCTION

As part of its periodic review of the Michigan Child Support Formula, the State Court Administrative Office (SCAO) administered a survey to a broad spectrum of parents, practitioners and other interested groups and individuals (e.g., advocate organizations, spouses and parents of custodial and noncustodial parents, non-parent caretakers). The survey's purpose was to gather respondents' views and opinions about:

- the child support formula's fairness and adequacy in dealing with selected issues (e.g., adjustments for work-related child care costs or shared economic responsibility),
- problems they have experienced using the formula to establish or modify support obligations,
- the formula's strengths and weaknesses, and
- improvements they believe should be made to deal with certain issues (e.g., low incomes of either parent, the amount of time the child spends with each parent).

The information from the surveys supplements work being done for the Michigan Child Support Commission reviewing the most recent economic evidence on the costs of raising children and developing a revised child support formula based upon child-rearing costs.

METHODOLOGY

The SCAO, with assistance from Policy Studies Inc. (PSI), designed a questionnaire to administer to custodial and noncustodial parents, people who use the formula to establish and modify child support orders (e.g., judicial officers, family law attorneys, child support investigators), and other interested groups and individuals who affect and/or are affected by changes in and the application of the child support formula. The survey was administered between late April and mid-May 2002. (A copy of the survey instrument is attached in Appendix A.)

The survey was administered over the Internet through a proprietary web site (www.childsupportsurvey.com). The SCAO distributed announcements about the survey through a press release and through a broadcast e-mail message to state child support staff and judges and domestic relations attorneys. In addition, the SCAO posted notices at courts and Friend of the Court offices. Respondents had two



options of completing the survey; either responding on line or mailing the survey to PSI. The SCAO posted a downloadable copy of the survey on its web site for those respondents who preferred to complete and submit the survey by mail.

GENERAL ANALYTIC CONSIDERATIONS

The principal advantage of an electronic/mail survey over other survey options (e.g, telephone) is cost. Electronic surveys are by far the most cost efficient of any alternative and they are more convenient to respondents than traditional survey methods. This convenience also brings limitations. The biggest limitation is that the group administering the survey has no control over the response rate, either the survey return rate or the response rate to individual items on the survey instrument. This lack of control, which is also a limitation of mail surveys, frequently results in high non-response rates, and that was true with the user survey we administered for this study.

The inability to control the response rate is also a disadvantage if the study's purpose is to generalize the survey findings to the larger population because the respondents are not necessarily a random sample of all the representative groups in Michigan. On the other hand, making that generalization was not the primary purpose of the survey. Rather, the SCAO was looking for opinions about the child support formula and for ideas to improve the existing formula. The findings presented in this report provide numerous opinions and ideas that could be used to effect improvements.

Before discussing the responses to individual questions, it is useful to identify an approach to examining the survey data since what we learn from the data depends on the kinds of questions we ask. Survey design is important. For example, we learn different things from responses to forced-choice questions than we learn from responses to open-ended questions. Yet, there is a small set of basic evaluation questions that can be asked of every survey item. These questions are listed in the box below. It is not possible and often not useful to evaluate each survey item against the complete list of questions in the box. However, readers will find answers to the questions either in the graphics or in the narrative discussion.

ASKING BASIC QUESTIONS ABOUT THE DATA

- How many respondents gave positive answers to the questions (i.e., besides “don’t know” or “no response”)?
- Of those who gave positive answers, how many answers (on average) did they give? That is, if the question was open-ended, did respondents provide more than a single answer?
- What was the range of responses? For example, when respondents were asked what they saw as the strengths of the child support formula, did they list one, a few, or many features?
- How frequently was any single response given and are there response patterns that can be highlighted?
- Can we isolate issues/features/problems that are more important than others to respondents?
- How do opinions and attitudes differ based on selected respondent characteristics (e.g., position, years working with formula, regional location)?

RESPONDENT CHARACTERISTICS

Survey findings ultimately reflect the characteristics of the respondents. These characteristics often help researchers explain and interpret attitudes and opinions evidenced in the respondents’ answers to survey questions. For example, private family law attorneys may have different attitudes about the fairness of the child support formula than child support staff because of the different case types they handle. Similarly, noncustodial parents may have opinions that differ from those held by child support workers because the formula affects noncustodial parents personally and in a different way than it does child support workers. For this reason, it is useful to examine the background characteristics of respondents. This is done below in Exhibit 1.

The survey captured only a limited amount of background information about respondents: position, years working with the child support formula, and counties in which they lived/worked. We regrouped the responses about position into six categories: custodial parents, noncustodial parents, judicial officers, family law

Exhibit 1
 Characteristics of Respondents
 (Percent of respondents)

Characteristics	Position						No Position Given ²	TOTAL
	Custodial Parent	Noncustodial Parent	Judge/Referee	Family law Attorney	Child support Staff	Other ¹		
<u>Years worked with cases needing support orders³</u>			(n=50)	(n=25)	(n=115)	(n=47)		(n=237)
• 2 years or less			—	8.0%	7.0%	12.8%		6.8%
• >2 but no more than 5 years			4.0%	12.0%	19.1%	36.2%		18.6%
• > 5, but no more than 10 years	N/A	N/A	16.0%	16.0%	26.1%	14.9%	N/A	20.7%
• > 10 years			80.0%	64.0%	47.8%	29.8%		52.7%
• Don't know/no response			—	—	—	6.4%		1.3%
(Mean years) ⁴			(10.2 yrs)	(8.9 yrs)	(8.2 yrs)	(6.5 yrs)		(8.4 yrs)
<u>County of work/residence⁵</u>	(n=90)	(n=143)	(n=50)	(n=25)	(n=117)	(n=92)	(n=77)	(n=594)
• Small	6.7%	10.5%	14.0%	4.0%	29.9%	20.7%	2.6%	14.3%
• Medium	23.3%	20.3%	20.0%	20.0%	25.6%	26.1%	3.9%	20.5%
• Large	67.8%	67.8%	34.0%	52.0%	18.8%	30.4%	10.4%	41.4%
• Don't know/no response	2.2%	1.4%	32.0%	24.0%	25.6%	22.8%	83.1%	23.7%
<u>Region of work/residence⁵</u>	(n=90)	(n=143)	(n=50)	(n=25)	(n=117)	(n=92)	(n=77)	(n=594)
• Region 1	70.0%	72.7%	20.0%	56.0%	17.9%	31.5%	10.4%	41.9%
• Region 2	22.2%	16.1%	34.0%	16.0%	23.1%	26.1%	3.9%	19.9%
• Region 3	1.1%	7.0%	10.0%	—	17.9%	4.3%	—	6.9%
• Region 4	4.4%	2.8%	4.0%	4.0%	15.4%	15.2%	2.6%	7.6%
• Don't know/no response	2.2%	1.4%	32.0%	24.0%	25.6%	22.8%	83.1%	23.7%
TOTAL (n=594)	(n=90) 15.2%	(n=143) 24.1%	(n=50) 8.4%	(n=25) 4.2%	(n=115) 19.7%	(n=92) 15.5%	(n=77) 13.0%	100%

¹ Other includes: (a) spouse or parent of a custodial or noncustodial parent, (b) advocate for custodial/noncustodial parents or children, (c) non-parent caretakers, and (d) other. Among those who classified themselves as “other” are parents—former custodial and noncustodial parents, relatives of parents (e.g., sister, aunt), friends of parents, parents who have split custody—and child support personnel who are not investigators (e.g., administrator, accounting staff, administrative assistant).

² Some respondents elected not to identify themselves by their position, but did list their county of residence/work location.

³ Not asked of custodial or noncustodial parents, a spouse or parent of a custodial or noncustodial parent, or non-parent caretakers.

⁴ Means are calculated based on the midpoint of each response range.

⁵ For parents, a spouse or partner of a parent and non-parent caretakers, the survey asked the county of residence; for individuals in all other groups the survey asked for the county where they primarily work. We recoded the counties into more manageable groups, specifically by region and by county size. A list of counties and their associated region and size grouping is provided in an appendix to this report.



attorneys (i.e., private and public attorneys who handle family cases), child support personnel (e.g., child support investigators, administrators), and other. The other group included parents, friends and relatives of custodial and noncustodial parents, non-parent caretaker relatives, other parents (e.g., parents with grown children, parents with split custody), and advocate group representatives.

As evidenced from the data in Exhibit 1, the largest proportion of respondents was noncustodial parents. They accounted for almost a quarter (24 percent) of all respondents. There was also good representation from child support staff (19.7 percent of all respondents), and custodial parents (15.2 percent). There was less response from judicial officers and family law attorneys, but we retained them as separate groups in Exhibit 1 — and in other exhibits throughout this report — to learn if they had the same or different opinions about some of the survey issues. The column in the exhibit titled “no position given” includes respondents who chose not to identify themselves with any group even though they may have answered other questions in the survey. Normally, we would not display the responses for this group individually; they would simply have been included as part of the “total” column. However, they represented such a large proportion of all respondents (13.0 percent) that we decided to display their responses in a separate column.

Parents and non-parent caretakers were asked to skip the question that asked respondents to identify how many years they had been working with cases needing support orders established or modified. Thus, there are no entries in Exhibit 1 for custodial and noncustodial parents. About half the respondents in the “other” group were parents (e.g., grandparents), friends of parents, and other non-practitioners and therefore they also are excluded from the proportions shown in the exhibit. Since the position of people who did not give any information in response to this question is unknown, we do not report their distribution on the question about years working with the formula, even though some of them answered the question.

Among respondents who appropriately answered the question, many had worked a long time with cases needing support orders. For example, 80 percent of judicial officer respondents reported more than 10 years of experience working with these cases. On average, family law attorney respondents had spent 8.9 years and child support staff respondents had spent 8.2 years working with these cases. For all respondents, the average number of years was 8.4, with more than half (52.7 percent) reporting more than 10 years of experience working with these cases. This suggests that practitioner respondents may have considerable knowledge about how the formula works, the strengths and weaknesses of the formula as it applies to different case types, and where changes could be made to improve the formula.

We asked respondents to identify the counties where they live and work to ensure that we captured perceptions about the formula from a diverse group of counties



throughout the state. For display and analytic purposes, we regrouped the counties into child support regions (four regions in the state) and by county size (i.e., small medium and large). (Appendix B lists all the Michigan counties and the region and size category into which they were grouped for this paper.) As evidenced in Exhibit 1, most of the custodial and noncustodial parent respondents came from counties in Region 1 and large counties. Respondents in other position groupings were more equally distributed by region and county size so that overall, about two-fifths (41.9 percent) came from Region 1 counties and two-fifths (41.4 percent) came from large counties.

ORGANIZATION OF THIS PAPER

The remainder of this paper is divided into three sections:

- Section II presents information about respondents' perceptions about the fairness of child support orders established using the formula, the strengths and weaknesses of the formula and the adequacy of selected adjustments provided in the formula. The section also examines respondents' agreement with some philosophical principles that underlie the formula and other models used to establish child support order amounts.
- Section III examines respondents' perceptions about the reasons courts deviate from the formula in establishing or modifying support orders, what problems they have experienced using the formula, and what changes they would recommend to the formula to improve them and their utility to users and parents.
- Section IV summarizes the key findings in the paper.

SECTION II

FAIRNESS & ADEQUACY OF THE FORMULA

INTRODUCTION

In order to understand how adequate the formula is in setting support obligations, the survey asked several questions about the fairness of the formula to parents and children, the strengths and weaknesses of the formula, and how adequately the formula addresses specific circumstances that arise frequently in establishing and modifying support orders. The survey also asked respondents how much they agreed or disagreed with several statements that are basic principles underlying the development of the formula and the development of some alternative approaches to establishing child support orders. This section reports the findings from these questions.

SUPPORT ORDER LEVELS

The survey asked respondents for their opinions about (1) the fairness of the Michigan child support formula to the parents, to the children for whom support is sought, and to the parents' children from other relationships; and (2) whether the formula results in support orders that are too high, about right or too low. This information is displayed below in Exhibits 2 and 3, respectively.

The data shown in Exhibit 2 are average (mean) ratings computed using a four-point scale where 1=very unfair, 2=unfair, 3=fair, and 4=very fair. Thus, the *higher* the average rating, the *more fair* respondents viewed the impact of the formula on parents and children. Conversely, the *lower* the average rating, the *less fair* respondents viewed the impact. A rating of 2.5 would suggest that respondents did not see the impact as either fair or unfair.

Overall, with an average fairness rating of 2.96, the only group that all respondents believed was treated fairly by the child support formula was custodial parents. On average, respondents did not believe noncustodial parents, the children receiving support, and the parents' children from other relationships are treated fairly by the formula (i.e., average fairness ratings all below 2.50).

What is clear from a further examination of the data in Exhibit 2 is that the overall averages mask distinctions among respondent groups and that because the number of respondents in each group is different, ratings given by groups with larger numbers of respondent (e.g., noncustodial parents, child support staff) have a

Exhibit 2
Perceived Fairness of the Michigan Child Support Formula
(Average rating)¹

How fair or unfair do you believe the Michigan Child Support Formula is to	Position							TOTAL (n=594)
	Custodial Parent (n=90)	Noncustodial Parent (n=143)	Judge/Referee (n=50)	Family law Attorney (n=25)	Child support Staff (n=117)	Other ² (n=92)	No Position Given (n=77)	
a. Noncustodial parent/payor?	2.93	1.38	2.30	2.71	2.76	1.80	2.07	2.16
b. Custodial parent/payee?	2.20	3.26	3.26	2.87	3.23	2.95	2.78	2.96
c. Children for whom support is awarded?	2.01	2.20	2.78	2.42	3.16	2.11	2.43	2.43
d. The parents' children from other relationships?	2.18	1.54	2.47	2.25	2.54	1.68	2.02	2.09

¹ Average (mean) ratings are computed using a four point scale where 4=very fair, 3=fair, 2=unfair, and 1=very unfair. Thus, the *higher* the average rating, the *fairer* respondents believed the Formula to be. Averages exclude respondents who did not answer or who did not know how to rate the question.

² Other includes: (1) spouse or parent of a custodial or noncustodial parent, (b) advocate for custodial/noncustodial parents or children, (c) non-parent caretakers, and (d) other. Among those who classified themselves as “other” are parents—former custodial and noncustodial parents, relatives of parents (e.g., sister, aunt), friends of parents, parents who have split custody—and child support personnel who are not investigators (e.g., administrator, accounting staff, administrative assistant).

significant impact on the overall average ratings. For example, noncustodial parents rated the formula as much more unfair to them (average rating = 1.38) than did other groups. Similarly, custodial parents rated the formula as much more unfair to them (average rating = 2.20) than did other respondent groups. Certainly neither of these findings is surprising since past research involving parents has shown that they give opinions and report findings in self-serving ways. What is perhaps more interesting in the Exhibit 2 statistics is that all groups rated the formula as more fair to custodial than to noncustodial parents.

While one might expect parents to give different ratings about the formula's fairness because of its impact on their personal situation, one might expect a more balanced fairness rating from practitioners who use the formula frequently to establish and modify support orders for a wide range of family types. There are three groups in Exhibit 2 we considered as practitioners: judicial officers, family law attorneys, and child support staff. [Parent and child advocates would normally be included in this group, but the number of advocate respondents (n=14) was too small to be shown individually in Exhibit 1 and is included in the "other" category.] Our observations about the ratings of these three practitioner groups are:

- Fairness ratings among all three practitioner groups were highest for custodial parents.
- Judicial officers rated the formula as generally unfair for noncustodial parents.
- Fairness ratings are clustered more tightly for these three groups than for other groups; that is, the fairness ratings fall within a narrower range than the ratings given by other groups.
- For the most part, practitioner groups rated the formula as fair to children for whom support was being awarded (i.e., average ratings above 2.5), but somewhat unfair on average to the parents' children from other relationships (i.e., average ratings below 2.5).

Some of the differences in average ratings are statistically significant.¹ Most of these differences are between ratings given by custodial and/or noncustodial parents and the ratings given by practitioner groups. While we cannot be certain about the reasons for the significant differences in average ratings, the differences seem to conform with the direction we might have predicted in the absence of a survey. For example:

¹ Statistical differences are reported when the difference is significant at the 95 percent level of confidence or better; that is, where the likelihood that the difference occurred by chance alone is 5 percent or less.



- Fairness of the formula to noncustodial parents. Noncustodial parents' average rating for the fairness of the child support formula to them was significantly lower than the average fairness ratings given by any other group.
- Fairness of the formula to custodial parents. Custodial parents' average rating for the fairness of the child support formula to them was significantly lower than the average fairness ratings given by any other group except family law attorneys.
- Fairness of the formula to children for whom support is awarded. Custodial parents rated the formula significantly *less* fair to the children for whom support is awarded than did judicial officers or child support staff.
- Fairness of the formula to children from other relationships. Noncustodial parents rated the formula significantly *less* fair to the children from other relationships than did custodial parents and practitioners, except family law attorneys.
- There are no statistically significant differences in the average fairness ratings among the three practitioner groups; that is, judicial officers, family law attorneys and child support staff.

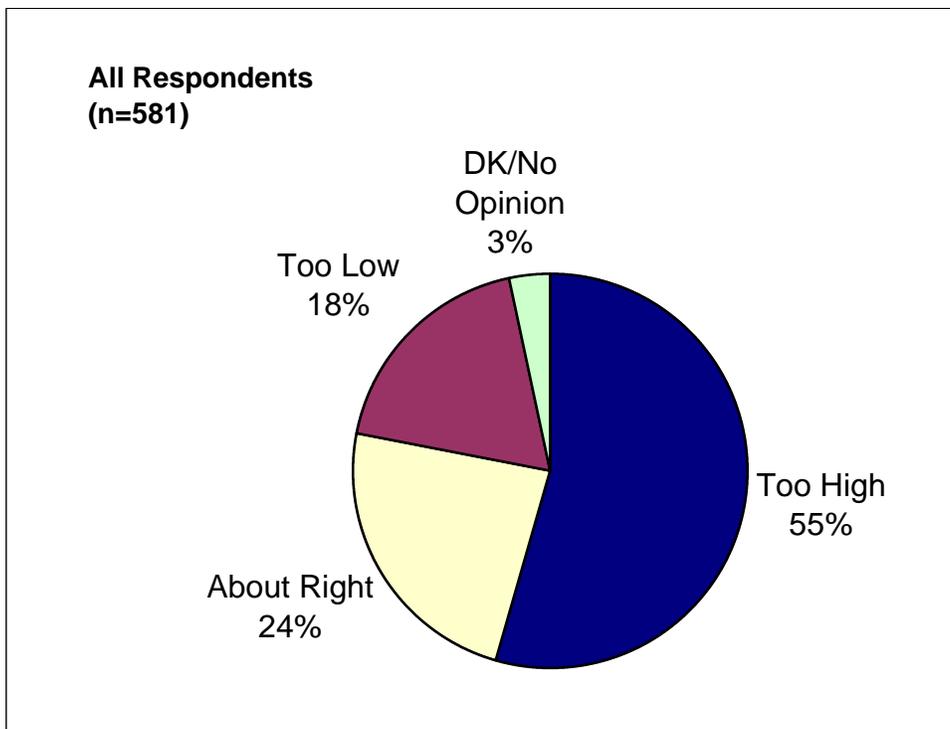
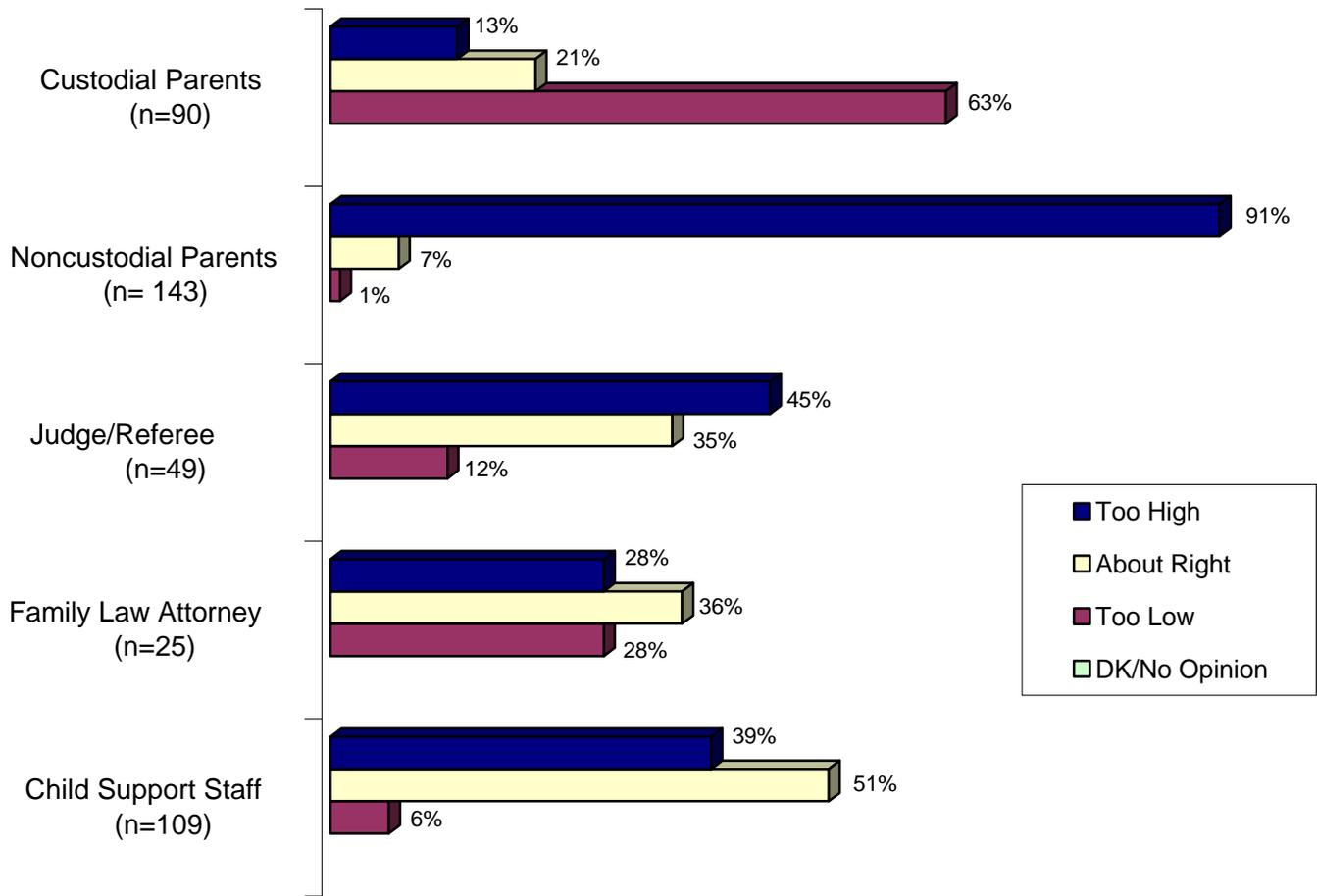
There were a few statistically significant differences among respondent groups when we examined the fairness ratings by the region in which they live or work. However, there was no discernible pattern in the differences and further analysis did not seem warranted.

Exhibit 3 looks at a somewhat different issue; namely, whether the formula results in orders that are too low, too high, or about right. We purposely did not further qualify this question — for example, are support orders too low, about right or too high (a) to meet the needs of the children or (b) relative to the incomes of the parents — so we could capture respondents' general impressions about the order amount.

A majority (54.4 percent) answered that they believe order amounts are too high. The remaining respondents were nearly equally divided about whether support orders using the formula are about right (23.7 percent) or too low (18.4 percent). Some 3.4 percent of respondents said they did not know.

A further breakdown of the data by respondent group — also displayed in Exhibit 3 — indicates that it was primarily noncustodial parents who believed support orders using the formula are too high. Some 91 percent of that group said orders are too high, which was more than twice the percentage of any other group in that category. By contrast, it was primarily custodial parents who argued that orders are too low

Exhibit 3
Opinions About the Level of Child Support Orders
 (Percent of respondents)





using the formula. Some 63 percent of that group said orders are too low, again more than twice the proportion that any other group gave that response category. The proportions for the three practitioner groups were less one sided than for parents. For example, a majority of child support staff (51 percent) thought the formula yielded support orders that were about right, a finding agreed with by 35 percent of judicial officers and 36 percent of family law attorneys. The remaining proportions of these groups, however, seemed to agree that support orders were too high. This was the opinion of 45 percent of judicial officers, 28 percent of family law attorneys, and 39 percent of child support staff. It was generally the smallest proportions of these groups that believed support orders are too low using the formula.

The statistical differences in Exhibit 3 follow the proportional differences already noted. For this analysis, the responses were averaged using a 3 point scale where 1=too low, 2=about right, and 3=too high. (“Don’t know responses were excluded from the averages.) Differences in these averages show the following:

- The average rating given by noncustodial parents was significantly higher than for any other respondent group. Noncustodial parents were significantly more likely than other respondent groups to rate orders as too high.
- The average for custodial parents was significantly lower than for any other respondent group except family law attorneys. That is, custodial parents were significantly more likely than other respondent groups (except family law attorneys) to rate orders as too low.
- There are no statistically significant differences in the averages among the three practitioner groups.

PRINCIPLES INVOLVED IN SETTING SUPPORT ORDER LEVELS

There are two basic principles that are the foundation of the income shares approach to establishing child support orders. The Michigan child support formula is based on the principles in that approach. The first principle is that both parents have a responsibility to support their children financially; thus, the income of both parents should be considered in establishing an order amount. A second principle is that children should not suffer financially because the parents separate/divorce. If at all possible, the support order should maintain the standard of living the children had experienced when the family was intact.

Beyond these basic principles, states have made adjustments to their approach deal with special family situations, such as the parents’ income levels (i.e., how to deal with low and high income families) and the presence of other children who need

support (i.e., how to deal with prior born and later born children). Thus, many states have special adjustments for parents with extremely low incomes so that they can maintain a minimal standard of living, generally an amount equivalent to the federal poverty level as determined annually by the U.S. Department of Health and Human Services. Some states also allow adjustments to support orders for second families, which recognizes that divorced parents often remarry and establish new families.

Over the years as states have reviewed and refined their child support schedules, a few new approaches to setting child support orders have been promoted. One of the most recent approaches includes an adjustment to the support order for federal tax credits. The argument is that whatever income the custodial parent receives from federal tax credits (e.g., earned income tax credit, child tax credit) should be deducted dollar-for-dollar from the noncustodial parent's support obligation. This differs from the income shares approach, which would consider the tax credit as income to the custodial parent, only some portion of which would be allocated to the support of the children.

We asked several questions in the survey to determine whether respondents agreed or disagreed with some of the basic principles used to set support orders and with some adjustments states may incorporate in their child support schedules. The responses to these questions are displayed below in Exhibit 4. The exhibit displays average agreement scores based on a four-point scale where 1=strongly disagree, 2=disagree, 3=agree, and 4=strongly agree. Thus, the *higher* the average score, the more respondents *agreed* with the statement, and the *lower* the average score the more respondents *disagreed* with the statement. As in Exhibit 2, the midpoint of the scale is 2.5 so scores above the midpoint show general agreement and scores below the midpoint show general disagreement.

- *Both parents have a responsibility to split the costs of raising their children based on their respective incomes.* There was strong agreement (average score = 3.27) with this statement, particularly among the practitioner groups. Custodial and noncustodial parents also agreed with the statement, but less strongly than the other groups. In fact, noncustodial parents agreed significantly less strongly with the statement than did family law attorneys or child support staff.
- *After separation or divorce, children should not expect to live as well as they did when the family lived together.* The average score of 2.39 shows some overall disagreement with this statement, although the low average appears to be due to the high level of disagreement of custodial parents to the statement (average score = 1.56). All other respondent groups except child support staff had average scores above the 2.50 midpoint.

Exhibit 4
Respondent Agreement With Selected Statements About Child Support Issues
(Average rating)¹

Statement	Position							TOTAL (n=594)
	Custodial Parent (n=90)	Noncustodial Parent (n=143)	Judge/ Referee (n=50)	Family law Attorney (n=25)	Child support Staff (n=117)	Other ² (n=92)	No Position Given (n=77)	
a. Both parents have a responsibility to split the costs of raising their children based on their respective incomes.	3.30	2.99	3.34	3.68	3.50	3.22	3.27	3.27
b. In calculating a support amount, the basic needs of the parents should take priority over the basic needs of the children.	1.49	2.03	2.06	1.63	1.71	1.98	1.96	1.85
c. After separation/divorce, children should not expect to live as well as they did when the family lived together.	1.56	2.67	2.76	2.63	2.32	2.51	2.54	2.39
d. If either parent decides to have additional children, that parent's share of child support for prior-born children should be reduced.	1.65	2.78	1.88	2.46	2.04	2.64	2.29	2.28
e. The income the parents get from federal tax credits (e.g., earned income tax credit, child tax credit) should be used to reduce the amount of the child support order.	1.64	3.30	2.59	2.46	2.42	2.99	2.81	2.67

¹ Average (mean) ratings are computed using a four point scale where 4=strongly agree, 3=agree, 2=disagree, and 1=strongly disagree. Thus, the *higher* the average rating, the *more strongly* respondents agreed with the statement. Averages exclude respondents who did not answer or who did not know how much they agreed or disagreed with the statement. The midpoint of the scale is 2.5, thus averages above 2.5 indicate general agreement and averages below 2.5 indicate general disagreement with the statement.

² Other includes: (1) spouse or parent of a custodial or noncustodial parent, (b) advocate for custodial/noncustodial parents or children, (c) non-parent caretakers, and (d) other.

- *In calculating a support amount, the basic needs of the parents should take priority over the basic needs of the children.* All respondent groups disagreed with this statement (average score = 1.88), but custodial parents disagreed significantly more strongly than did other groups. Furthermore, with one exception, this statement received the lowest average scores (i.e., the highest level of disagreement) of all the five statements.

This finding may appear surprising given that respondents generally believed that support obligations are too high and that they are unfair to noncustodial parents. This belief was particularly strong among noncustodial parent respondents. Answers given to later questions, however, suggest that the findings may not be incompatible. Many comments indicate that respondents may not believe that the support order amount is related to child-rearing costs. For example, some respondents believed that the support order includes hidden alimony, that custodial parents do not spend all the child support on the children, or that the formula results in orders that exceed the amount needed to meet the *basic needs* of the children. Hence, the requests that custodial parents be required to document how they spend child support and for 100 percent abatement of child support when the children are with the noncustodial parent.

- *If either parent decides to have additional children, that parent's share of child support for prior born children should be reduced.* The issue here is who has first right to the resources of the noncustodial parent? If the noncustodial parent decides to have more children, should the child support for the first born children be reduced? While states do not want to discourage remarriage and the formation of new family units, they want to adopt an approach that is fair to the prior-born children and with more parents having children from multiple relationships, finding the right approach to this issue is difficult. Although respondents overall disagreed with this statement (average score = 2.28), noncustodial parents generally agreed (average score = 2.78). As with the other statements, custodial parents were the group in most disagreement, although judicial officers also disagreed strongly with this adjustment.
- *The income the parents get from federal tax credits (e.g., earned income tax credit, child tax credit) should be used to reduce the amount of the child support order.* As expected, the group of custodial parents disagreed more strongly and noncustodial parents agreed more strongly with this statement than did other groups. These two groups were the extremes and had average agreement scores that were significantly lower and higher respectively than the agreement scores for other groups. The three practitioner groups were more neutral in their agreement. Thus, family law attorneys and child support staff disagreed slightly (i.e., scores below 2.50), while judicial officers agreed slightly with the statement.



STRENGTHS AND WEAKNESSES

Exhibits 5 and 6 respectively look at what respondents saw as the strengths and weaknesses of the child support formula. These were presented as open-ended questions; thus, respondents were allowed to mention as many issues as they wanted. Half of the respondents (50 percent) listed at least one strength and 60 percent listed at least one weakness. The remaining respondents did not report anything or said they did not know.

Identifying strengths of the formula appeared to be more difficult for respondents than listing weaknesses. For example, in addition to the respondents who did not answer the question and those who said they did not know any strengths, 37 percent of those who mentioned something said there were no strengths. This high proportion of respondents who said that there were “no strengths” was almost entirely the result of comments from custodial and noncustodial parents. Very few of the practitioner respondents gave this response. Overall, the average number of strengths listed by respondents who mentioned a strength was one.

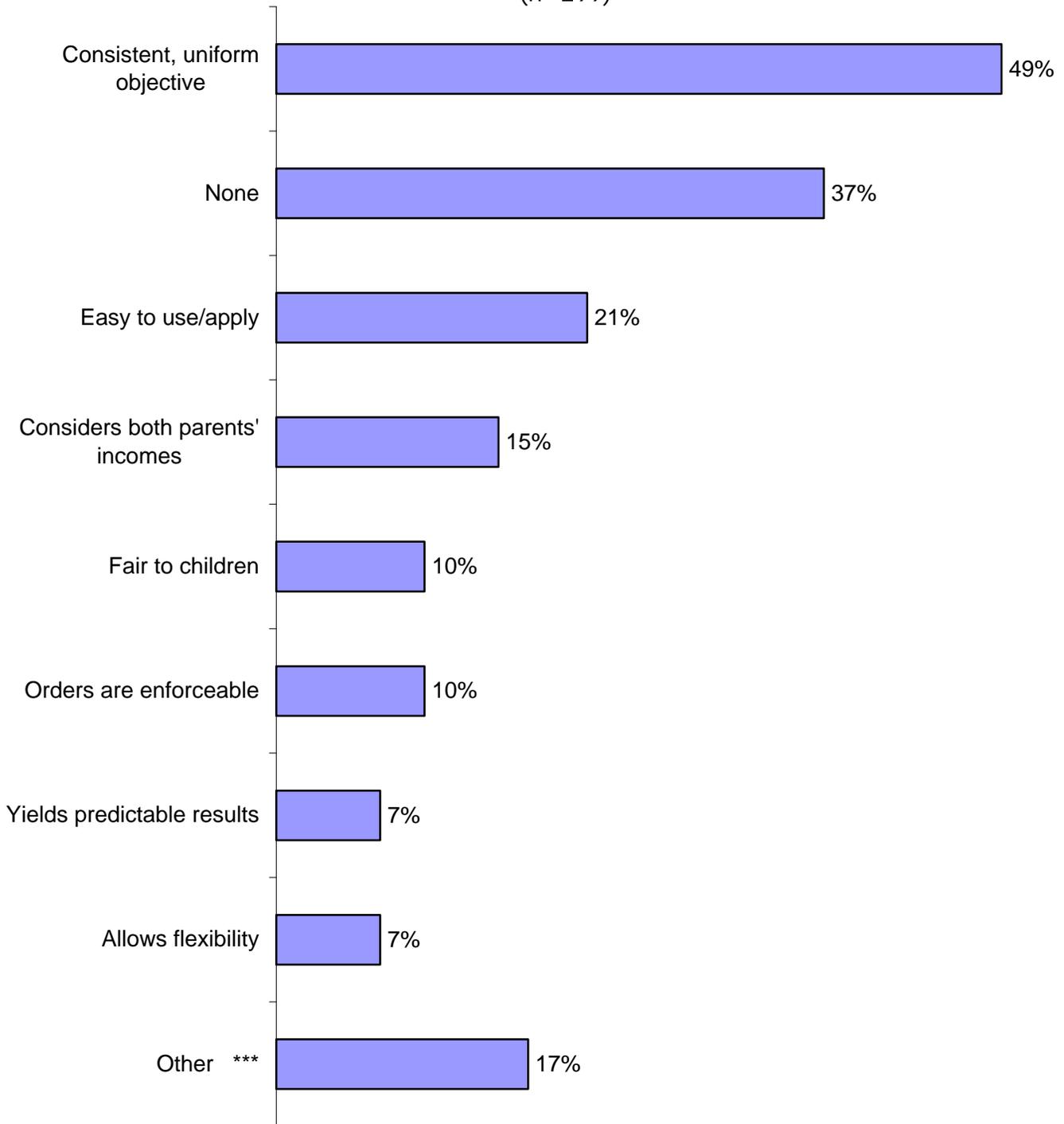
Fewer respondents had trouble listing weaknesses. Sixty percent of respondents listed what they saw as a weakness of the formula. The average number of weaknesses they listed was about two and a half. As discussed later, however, not all of these weaknesses can be attributed to the formula. Many reflect respondents’ problems with the other parent (e.g., visitation denial) or complaints about enforcement of support orders in their particular case.

Strengths

The strengths respondents listed are shown in Exhibit 5.

- Formula is consistent, uniform and objective. Almost half of the respondents who listed a strength (49 percent) thought consistency, uniformity and/or objectivity were the biggest strengths of the formula. Generally, this strength was mentioned by practitioner respondents and not by parent respondents who do not have the experience of applying to formula to multiple family situations. Among the comments about this issue were: (1) “The formula treats all people equally statewide,” (2) “The formula results in consistent orders where the parents’ income and number of children are the same,” (3) “Using a standard approach prevents the appearance of prejudice,” and (4) “We don’t have to evaluate the way in which people spend their money because each person who makes a certain sum pays the same.”
- Formula is easy to use and apply. A fifth of all respondents (21%) said they liked the formula because it is easy to use and apply. As one respondent wrote, “The

Exhibit 5
Perceived Strengths of the Michigan Formula
(Percent of respondents)*
(n=299)**



* Multiple response question, thus proportions may exceed 100%. Only strengths mentioned by at least 5% of respondents who mentioned a strength are shown individually in the exhibit.

** Proportions are computed based only on the number of respondents who mentioned at least one strength of the formula.

*** Other includes comments like (a) includes an adjustment for the number of children, (b) considers gross income, (c) gives adjustments for time spent with child, and (d) considers medical support.



formula is easy to use, easy to understand and explain, and clear and complete as to the income counted and deductions allowed.” Other respondents wrote comments about liking the computerized aspect of the formula, how easy the tables are to use, how fast the calculation is, how user friendly the formula is, and how readily understandable the instructions are. This strength, as well as other strengths less frequently mentioned, was cited by all types of respondents, not just parents or practitioners.

- Formula considers the income of both parents. The third most frequently mentioned strength (15 percent of respondents who listed a strength) was the fact that the formula considers the income of both parents. As one respondent wrote, “Both parents’ incomes are considered. This assures that children are obligated to receive support from both parents.”

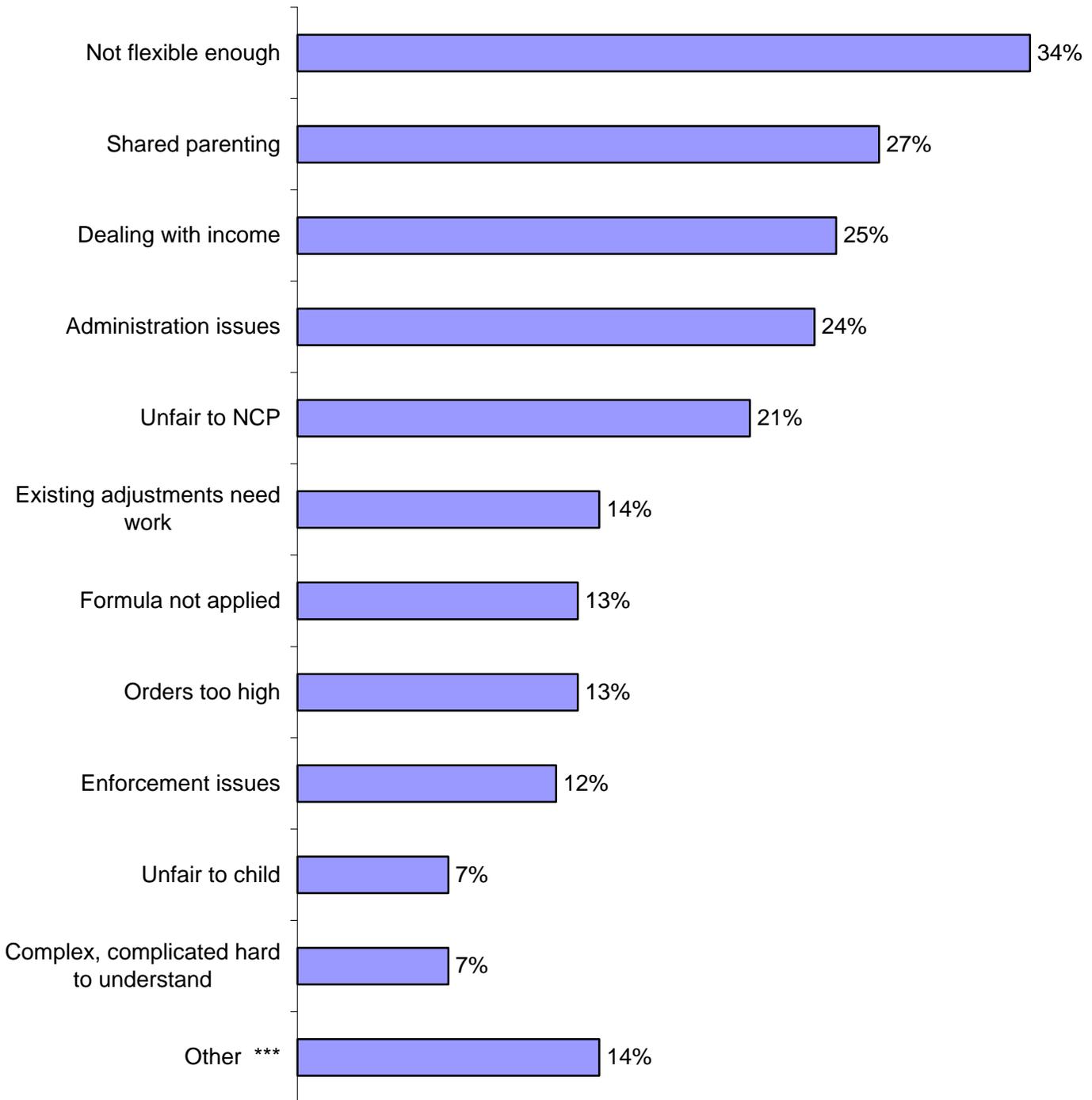
The only other strengths that were mentioned by at least 10 percent of all respondents were that (1) the formula is fair to children and (2) orders are enforceable. Ten percent of respondents liked the fact that the support amount is tied to the actual cost of raising a child and that the formula tries to provide a reasonable level of support for children. In terms of enforceability, respondents said that the formula sets a standard that can be enforced by the judge, and guarantees payment through wage withholding.

Exhibit 5 only displays those strengths that were mentioned by at least 5 percent of all respondents who mentioned something. The remaining strengths are grouped into the “other” category in the exhibit. These other strengths primarily reflect the formula’s attempt to accommodate families’ special circumstances. For example, respondents’ comments about the formula’s adjustments for the number of children needing support, for the time each parent spends with the child, for parents who are unemployed, and for highly variable costs such as child care and medical support are included in this group of strengths.

Weaknesses

The weaknesses respondents mentioned, shown in Exhibit 6, were more numerous and more difficult to classify, resulting in many more categories of weaknesses. Also, some of the weaknesses cited were not weaknesses of the formula, but rather complaints, exclusively from parents, about implementation of the resulting support order. For example, 24 percent of respondents complained about what Exhibit 6 shows as administrative issues. This category included parents’ comments about the lack of responsiveness of the child support agency to telephone calls, the lack of help available to address complaints, the difficulty of getting back into court to modify a support order for custody or income changes, and how long it takes to get a support order. Another 12 percent of respondents mentioned weaknesses we grouped into enforcement issues. These parents complained about how visitation orders were not

Exhibit 6
 Perceived Weaknesses of the Michigan Formula
 (Percent of Respondents)*
 (n=355)**



* Multiple response question, thus proportions may exceed 100%. Only strengths mentioned by at least 5% of respondents who mentioned a weakness are shown individually in the exhibit.

** Proportions are computed based only on the number of respondents who mentioned at least one weakness of the formula.

*** Other includes comments like (a) does not account for income from new spouse, (b) does not force custodial parent to get a job, and (c) does not require records of how child support is spent.



enforced, the lack of effort the child support agency put into locating absent parents, the agency's inability to enforce child support orders, and a range of issues related to the collection and disbursement of child support.

- Formula is not flexible enough. The most frequently mentioned weakness about the formula was that it is not flexible enough and does not include enough adjustments to accommodate differences among families. This weakness, supported by all respondents regardless of their position, was mentioned by 34 percent of all respondents. In their comments about this issue, respondents mentioned specific items they thought the formula should consider, such as (1) extraordinary education expenses and college expenses, (2) multiple support cases involving the noncustodial parent, (3) inflation and how that affects fixed support order amounts, (4) the increased expenses associated with adolescents, and (5) the changing income of either parent.
- Shared parenting adjustment issues. Issues related to shared parenting and visitation were the next most frequently mentioned weakness (27 percent of all respondents who mentioned a weakness). This included comments about (1) the cliff effect the results from application of the shared parenting adjustment, (2) the arbitrary number of overnights required to qualify for an extended visitation adjustment, (3) how the parenting time credit abatement is too low, (4) the poor adjustments for split custody, and (5) how the formula encourages a sole custody rather than a joint custody solution.
- Issues related to the formula's treatment of income. Regarding this issue, mentioned by 25 percent of respondents, there were many comments about (1) what is included in and excluded from income (e.g., complaints that it includes overtime and bonus income and does not adjust for parents' debts), (2) how net income is calculated (e.g., the tax assumptions are unfair), (3) the inadequacy of the formula in dealing with self-employed income, and (4) how the formula allocates a proportion of income and does not consider the actual costs parents incur for their children and for themselves (e.g., does not take mortgage and utility payments into account).
- Formula is unfair to noncustodial parents. On this issue, mentioned by 21 percent of respondents, almost all of whom were noncustodial parents, there were complaints that (1) the formula is biased in favor of mothers (e.g., sole custody to mother is preferred over joint custody, support orders include concealed alimony to custodial parents), (2) the formula discourages involvement by the noncustodial parent (e.g., high support orders make it difficult for noncustodial parents to pay for visitation or do extra things for children), and (3) general comments about how the formula is too hard on fathers.

Other weaknesses, all mentioned by less than 15 percent of all respondents, covered a wide range of issues, including the following:

- Existing adjustments are not adequate (14 percent): this included complaints about add-on expenses for child care and medical expenses, perceived unfairness of the formula to second families (e.g., discourages parents from re-marrying and having more children), and inadequate adjustments for prior support orders.
- Formula is not applied (13 percent): this included comments about how (1) there is too much discretion in how the formula is applied (e.g., decisions about how to count certain types of income), (2) judicial officers can override any formula decision, and (3) parents are allowed to stipulate to support amounts that are not set by the formula.
- Orders are too high (13 percent): this weaknesses had broad support from all respondent types, which does not seem surprising given the information in Exhibit 3 showing that a majority of respondents (54 percent) believed the formula results in support orders that are too high. Respondents gave equal attention to every income group, stating that orders were too high for low income, middle income and high income parents.
- Weaknesses mentioned by less than 10 percent of all respondents: these included comments that the formula was unfair to the child (e.g., discouraged involvement from noncustodial parent); that the formula is too complex, complicated and hard to understand (e.g., most parents do not understand the formula, there are too many exceptions and conditions); and that the formula does not require records of where the custodial parent spends the child support, does not account for the income of new spouses/partners, and does not force the custodial parent to have a job.

ADEQUACY OF THE FORMULA IN DEALING WITH SPECIFIC ISSUES

While open-ended questions are useful in capturing a wide *range* of issues that the child support formula handles well or not so well and the importance of those issues to respondents (based on the frequency each issue is mentioned), they do not allow us to compare the *relative* importance of those issues or tell us in a quantitative sense how adequately or inadequately respondents believe the formula is in dealing with specific issues.

In order to understand better how well the formula is addressing specific issues and whether it is addressing some issues better than others, the survey included a set of questions that asked respondents to rate how adequately or inadequately the formula addresses 13 issues. Ratings used a four-point scale where 1-very



inadequate, 2=inadequate, 3=adequate and 4=very adequate. The average (mean) scores from these ratings — excluding respondents who did not answer or who did not know how to rate a specific issue — are presented in Exhibit 7 below.

With only one exception, the “don’t know” response rate was relatively high (i.e., higher than 10 percent). It was only less than 10 percent for the question about how adequately the formula deals with provisions for calculating the net income of both parents. For all the other issues, the “don’t know” response rate ranged from 14 percent (how well the formula deals with extraordinary health care expenses for the supported child) to 50 percent (how well the formula deals with support when the child is with a third party custodian). Most of this high “don’t know” response is the result of parents not knowing enough about the issue to answer. There were several issues where half or more of custodial and noncustodial parents did not know how to answer.

Among the three practitioner groups, the “don’t know” response rate was fairly low. There were only a few issues where more than 10 percent of respondents in these groups did not know how to answer. These issues and the proportion of “don’t know” responses were:

- Judicial officers: Only one respondent in this group gave a “don’t know” response to any of the issues. Thus, the “don’t know” response rate was below the 10 percent threshold in every category.
- Family law attorneys: (1) formula provisions when the child is in the custody of a third party (38 percent); (2) low income adjustments for the noncustodial parent (16 percent).
- Child support staff: (1) dealing with high income cases (25 percent); (2) dealing with ordinary health care expenses for the supported child (21 percent).

An average score of 2.5 in Exhibit 7 would suggest that respondents believed the formula was neither adequate nor inadequate in dealing with the issue. Averages less than 2.5 suggest that respondents believe the formula is *inadequate* in dealing with the issue, while ratings above 2.5 suggest respondents saw the formula as *adequate*. The overall ratings indicate that respondents did not believe that the formula deals adequately with any of the 13 issues listed. That average scores for all the issues are less than 2.5.

A careful look at the average scores by respondent group, however, indicates that the reason that scores for many of the issues do not reach the 2.5 threshold is because of the low average ratings parents gave the formula. If we consider only the opinions

Exhibit 7
 Respondents' Ratings About How Adequately the Formula Deals with Selected Issues
 (Average rating)¹

How adequately do you believe the Michigan Child Support Formula deals with	Position							TOTAL (n=594)
	Custodial Parent (n=90)	Noncustodial Parent (n=143)	Judge/Referee (n=50)	Family law Attorney (n=25)	Child support Staff (n=117)	Other ² (n=92)	No Position Given (n=77)	
a. Cases in which the mother or father has a support order for children from a prior or subsequent relationship?	2.03	1.98	2.64	2.43	2.54	1.85	2.09	2.24
b. Adjustments for additional natural or adopted children living in the mother or father's home (i.e., not children for whom support is being calculated)?	2.03	1.63	2.86	2.23	2.68	1.89	1.95	2.22
c. Provisions for calculating the net income of both parents (i.e., after deductions allowed by the Formula)?	1.93	1.50	2.59	2.64	3.02	1.53	2.00	2.07
d. Adjustments for shared economic responsibility (i.e., cases where each parent has the child for 128 or more overnights per year)?	1.92	1.65	1.70	1.76	2.95	1.92	2.15	2.09
e. High income cases (i.e., income that exceeds the top level in the support schedule)?	1.75	1.58	2.08	1.91	2.56	1.76	2.05	2.03
f. Provisions for computing support from both parents when the supported child is in the custody of a third party?	2.00	1.59	2.34	2.53	2.75	2.16	2.21	2.36
g. Adjustments for low income of the noncustodial parent?	2.28	1.39	1.78	2.43	2.43	1.65	1.93	1.94
h. Adjustments for low income of the custodial parent?	1.94	2.20	2.52	2.05	2.70	2.16	2.41	2.32
i. Work or education-related child care costs?	1.79	1.93	2.38	2.48	2.74	2.20	2.34	2.26

Exhibit 7
 Respondents' Ratings About How Adequately the Formula Deals with Selected Issues
 (Average rating)¹

How adequately do you believe the Michigan Child Support Formula deals with	Position							TOTAL (n=594)
	Custodial Parent (n=90)	Noncustodial Parent (n=143)	Judge/Referee (n=50)	Family law Attorney (n=25)	Child support Staff (n=117)	Other ² (n=92)	No Position Given (n=77)	
j. Extraordinary health care expenses for the supported child (i.e., uninsured expenses split by the parents based on a percentage formula)?	1.90	1.90	2.61	2.59	2.90	1.86	2.22	2.25
k. Ordinary health care expenditures for the supported child (i.e., health care add-on of \$3, \$6, etc.)?	1.94	2.26	2.63	2.76	2.67	2.24	2.43	2.38
l. Provisions for imputing income to one or both parents?	1.86	1.50	2.34	2.00	2.69	1.68	2.09	2.01
m. Adjustments for noncustodial parent-child contact in excess of six consecutive overnights?	2.38	1.55	2.53	2.48	2.88	2.09	2.31	2.25

¹ Average (mean) ratings are computed using a four point scale where 4=very adequate, 3=adequate, 2=inadequate, and 1=very inadequate. Thus, the *higher* the average rating, the *more adequately* respondents believed the Formula dealt with the issue. Averages exclude respondents who did not answer or who did not know how to rate the question. The midpoint of the scale is 2.5, thus averages above 2.5 suggest the formula provision is generally adequate and averages below 2.5 suggest the formula provisions are generally inadequate.

² Other includes: (1) spouse or parent of a custodial or noncustodial parent, (b) advocate for custodial/noncustodial parents or children, (c) non-parent caretakers, and (d) other. Among those who classified themselves as "other" are parents—former custodial and noncustodial parents, relatives of parents (e.g., sister, aunt), friends of parents, parents who have split custody—and child support personnel who are not investigators (e.g., administrator, accounting staff, administrative assistant).

of the three practitioner groups, all but four of the issues have average scores that exceed the 2.5 threshold. The four that fall short of that threshold include the following:

- Provisions for imputing income to one or both parents: a 2.50 score that indicates that the formula was rated as neither adequate nor inadequate in dealing with this issue.
- Adjustments for shared economic responsibility (average score = 2.45)
- Dealing with high income cases (average score = 2.32)
- Adjustments for low income of the noncustodial parent (average score = 2.25)

The three issues that had the highest average scores from these user groups were:

- Provisions for calculating the net income of both parents (average score = 2.85)
- Dealing with extraordinary health care expenses of the supported child (average score = 2.78)
- Adjustments for noncustodial parent-child contact (average score = 2.73)

Even these highest average scores are not much higher than the midpoint, however, and suggest room for improvement.

The average ratings given by custodial and noncustodial parents to the 13 issues were uniformly low. Only a few averages even met the threshold for inadequate (2.00). Noncustodial parents gave their lowest average ratings of the formula to (1) adjustments for low income of the noncustodial parent, (2) provisions for calculating the net income of both parents, and (3) provisions for imputing income to one or both parents. Custodial parents gave their lowest average ratings for the formula to (1) the way the formula deals with high income; (2) provisions for imputing income to one or both parents, and (3) adjustments for shared economic responsibility.

SECTION III

REASONS FOR DEVIATIONS AND IDEAS FOR IMPROVEMENT

INTRODUCTION

In the previous section, we examined key features of the existing formula and how well respondents believe they meet the needs of users. This section examines what problems respondents said they encounter in using the formula to establish or modify child support orders, what deviations they see being made to accommodate these problems, and what changes they believe are needed to improve the formula and make it more useful to parents and to the children for whom support is established.

DEVIATIONS

The survey included a question asking respondents to list the reasons they believe courts deviate from the formula. This was another open-ended question that allowed respondents to list as many reasons they believe courts deviate as they wanted. Most of the responses to this question came from people who use the formula and not from parents. While only about a third of custodial and noncustodial parents gave an answer to this question, almost all the judicial officers, family law attorneys and child support staff responded. Further, the responses from the two groups were very different, as discussed in more detail below.

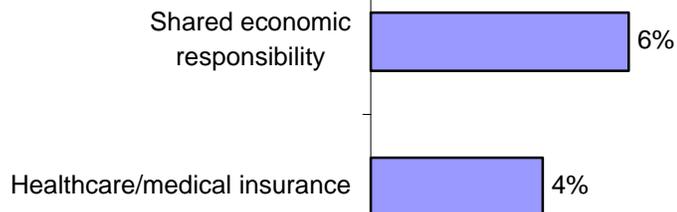
For the purposes of reporting and displaying the responses, we grouped the list of deviations mentioned into three categories: special circumstances, adjustments, and income issues. The deviations we classified within each of these categories are shown in Exhibit 8. Our first observation is that the answers do not appear too surprising given what respondents cited as the formula's strengths and weaknesses and how well the formula deals with selected family circumstances. Thus, for example, we see the issues of low income, shared economic responsibility, and other dependents listed as reasons for deviation. Our second observation about the exhibit, however, is that these reasons are not mentioned very frequently as a proportion of all respondents who listed at least one reason for deviation. Part of the explanation for this is that the proportions are based on all people who gave a reason, and that includes parents. The *primary* reasons for deviation they listed are not shown in the survey, either because they were not mentioned frequently or because they did not seem to be a deviation reason. For example, many noncustodial

Exhibit 8
Reasons Respondents Believe Courts Deviate from Formula
(Percent of Respondents)*
(n=294)

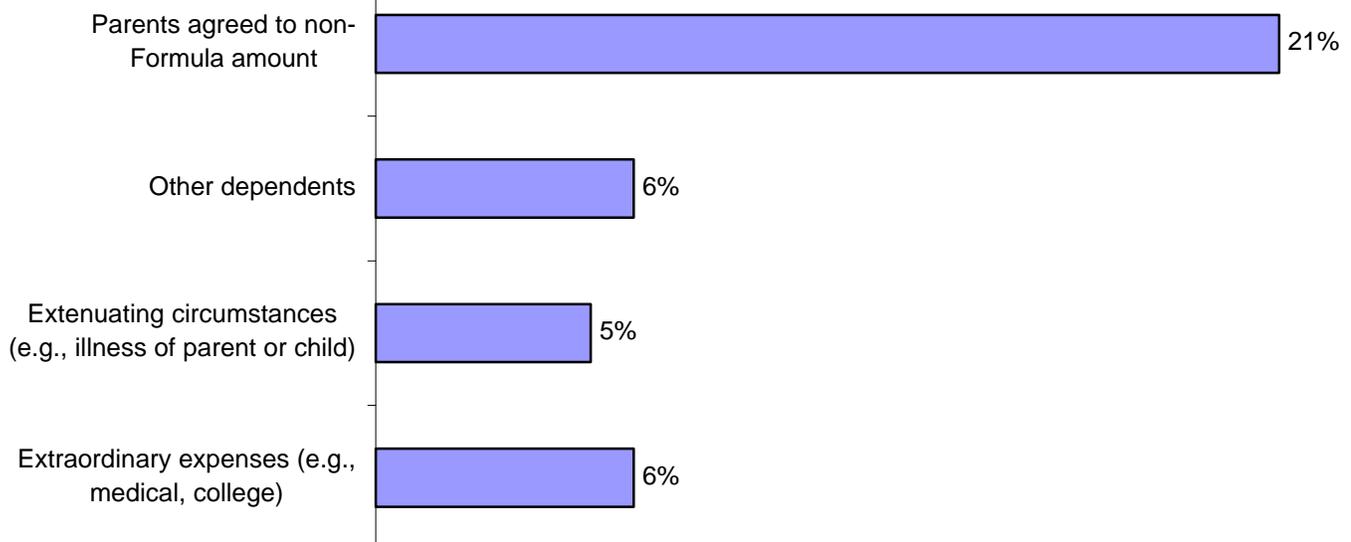
Income Issues



Adjustments



Special Circumstances



* Multiple response question. Only the most frequently mentioned reasons are shown in the exhibit.

parents who responded said the reason for deviations is because (1) the court is biased in favor of custodial mothers, (2) the court and judicial officers decide to ignore the formula, (3) the parents are lying about their situation and no one investigates to learn the real situation. No practitioner groups mentioned these kinds of reasons for deviations.

As evident from Exhibit 8, respondents reported many reasons they believe courts deviate from the formula. The most frequently mentioned *group* of reasons for deviation were for special circumstances. Within that group, 21 percent of all respondents who gave a reason for deviation said that deviations occur because the parents agree to an amount that is not based on the formula. Typical comments from respondents about this issue include:

Some parents don't wish to be so miserly with their children. They pay more than the formula recommends.

The parties agree to some other figure based upon their payments for other things, such as sports fees, dance lessons, etc. which are not taken into consideration [by the formula].

[Deviation occurs] when the parties are both involved with the child and agree to less court-ordered support. Usually it is when the parties have reasonable communication and both desire to provide for the child. Many parties end up living together and wish to temporarily reserve support.

Other reasons within this group of "special circumstances" were (1) adjustments for other dependents (both from other child support cases as well as children from the formation of new families) mentioned by 6 percent of respondents, (2) extraordinary expenses of the parents for such things as medical care or college education (6 percent), and (3) other special factors, such as an illness of the parent or child (5 percent). The following are some illustrative comments from respondents about these factors:

Special circumstances such as educational and developmental disabilities or physical, emotional and/or mental disabilities that create special financial needs that the court considers both parents should share, and which are not addressed by the child support formula.

I follow the guidelines 99 percent of the time. The only time I deviate is when there is an extreme unforeseen circumstance such as a terminal illness of the parent.



When support is unusually high because of all the factors — child care, medical insurance, transportation, amount on arrears, other children — considered. Sometimes this leads to an unaffordable child support amount. This is not really a guideline problem, though, but a factual problem.

Income issues were also frequently mentioned as reasons for deviations, particularly when one or both parents had low income (mentioned by 6 percent of all respondents). One respondent stated that she/he recommends deviations when the support amount would take more than 50 percent of the payor’s net income. Other respondents did not mention a specific threshold for an adjustment to the formula amount except to mention poverty level or “when the payor is left with what is viewed as insufficient income upon which to subsist.”

Under or unemployment of a parent (3 percent) and other income problems (5 percent), such as self employment income, were also mentioned in this group of income issues. One respondent mentioned deviations in “cases where the payor is self employed and the Friend of the Court does not permit certain expenditures as deductions.” Several respondents mentioned unemployment generally as a possible reason for deviation, but one respondent was more specific and wrote:

The courts deviate from the formula only if the parties may or may not have a legitimate reason for not having the ability to earn the amount recommended (e.g., SSI, layoffs, terminations).

A final group of reasons respondents said courts deviate is for adjustments that are accommodated in the formula. Some 6 percent of all respondents mentioned deviations for shared economic responsibility or visitation. This appeared to be grounds for an increase or a decrease in the formula-determined support order amount. For example:

When the payor is not visiting at all, I deviate higher to take into consideration that the payee will have 100 percent of the responsibility for the child.

Deviations occur to take into account the amount of time a noncustodial parent has parenting time less than 128 overnights, but still a significant amount of time with the children.

Finally, about 4 percent mentioned deviations for extraordinary health care (e.g., medical expenses not covered by insurance) and the high cost of medical insurance premiums. Although not mentioned frequently enough to be shown individually in the exhibit, child care expenses were also singled out by a few respondents as reasons for deviation.

Given the wide range of reasons respondents claim courts deviate from the formula in establishing a support obligation, the following comment perhaps best summarizes the reasons: “Every case is unique to the individuals involved. The court deviates for many reasons unique to the individual cases with no one particular reason.”

PROBLEMS USING THE FORMULA

Similar to the question about the reasons courts deviate from the formula, the survey gave respondents an opportunity to identify any problems they had experienced using the formula. This question received more responses than the question about deviations because more custodial and noncustodial parents provided answers. However, as with the question about deviations, parents’ comments related more to complaints about the *implementation* of the formula amounts and *effects* of the formula on their lifestyles, rather than about problems using the formula. For example, many noncustodial parents complained that there is no accountability for how (and whether) the custodial parent spends the money on the children, or that child support payments leave them with insufficient income to maintain a home for themselves and visit the children. They argued for a more father-friendly system that “recognizes the importance of maintaining a close relationship between noncustodial parents and their children.” An illustrative comment from one noncustodial parent was:

The custodial parents receive too much of a presumption on (and consideration for) the support they provide. Miscellaneous support provided by the noncustodial parent is never taken into account. Whether the custodial parent actually uses the funds for the children’s benefit cannot be determined.

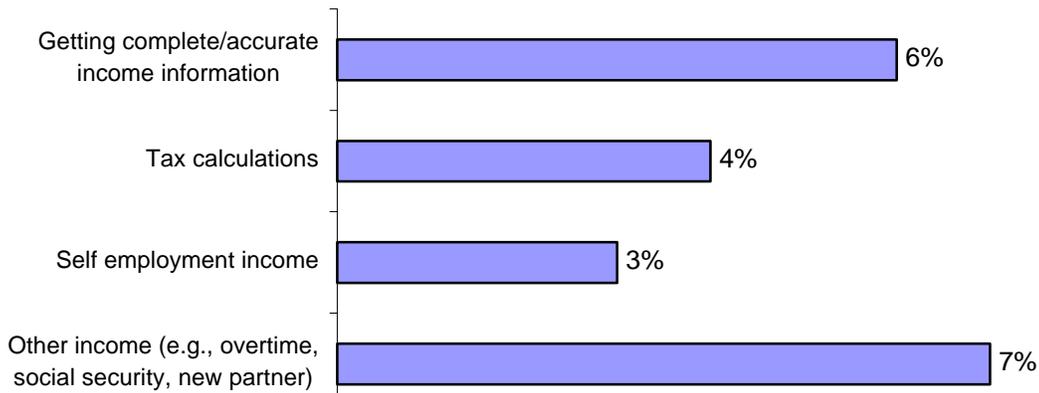
By contrast, custodial parents complained that obligors do not pay, do not see their children, and live far better than they and their children do. They also complained about the child support system in terms of enforcing orders and getting needed services. The following comment seems to sum up the frustrations many custodial parents expressed.

Noncustodial parents pay their support and then wash their hands of any other financial burdens presented in raising children. Too often the custodial parent, being at a lower income bracket, struggles to make ends meet while the noncustodial parent lives more comfortably and feels he has done enough.

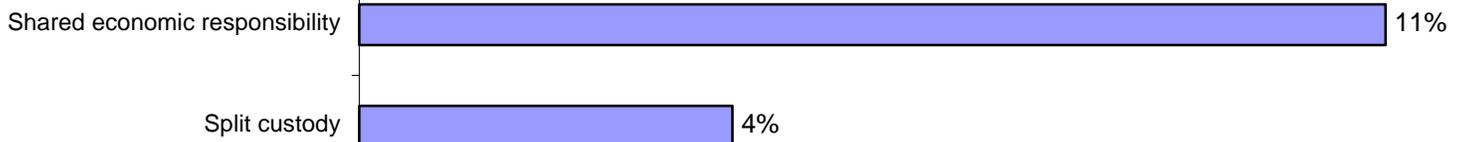
The problems parent respondents mentioned that are not related to using the formula are not displayed in Exhibit 9 as problems. The problems that generally are

Exhibit 9
 Problems Respondents had Experienced using the Formula
 (Percent of Respondents)*
 (n=395)

Income Issues



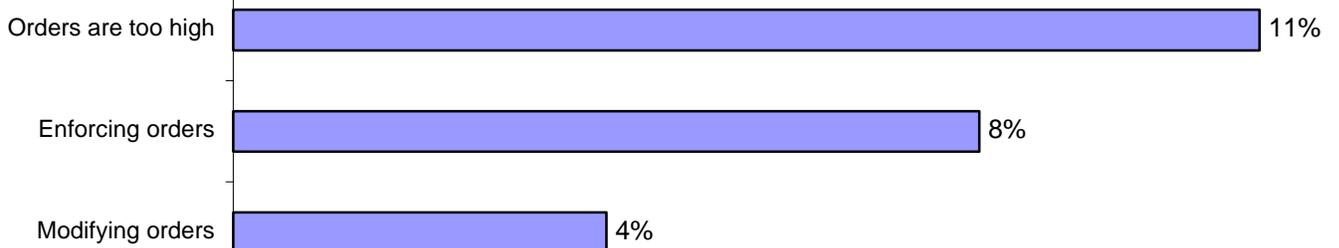
Custody/Visitation



Adjustments



Other



* Multiple response question. Only the most frequently mentioned problems are shown in the exhibit.

listed in the exhibit are grouped in the same manner we grouped the reasons respondents said courts deviate. Thus, we organized the problems into income issues, custody/visitation issues, adjustments, and other. Most of the problems respondents experienced using the formula are not different from the reasons they said courts deviate or the strengths and weaknesses they listed for the formula. For example, there is a set of problems related to income, such as the method used to calculate net income (“I have noticed that the support amount can change drastically just because both of the parents’ incomes have changed by a few dollars and put them into a different tax bracket”), and the problems getting complete and accurate income information, particularly from self-employed and temporarily employed individuals who work on a cash basis. Of particular interest in this category is the issue of how overtime and bonus pay is counted. Many respondents specifically cited this as a problem because of the fact that overtime and bonus pay is not regular and thus cannot be counted on as steady income. As a result, the support order using the formula may be too high in a year where overtime pay was low and too low in years when there was more opportunity to work overtime. As one respondent wrote:

They take overtime, bonuses and shift premiums into account when they are not guaranteed. Auto workers may get an \$8,000 bonus one year and nothing the next, but child support is based on the \$8,000. As a result, child support orders based on overtime earnings may in some years leave the noncustodial parent very strapped for cash.

Custody issues were prominently mentioned in response to almost every question in the survey and it is therefore not surprising that this problem was mentioned most frequently (11 percent of all respondents). The major problem appears to result from what respondents noted as a “cliff effect” that occurs when each parent has the child a minimum of 128 days. As one parent explained:

The Shared Economic Responsibility formula is unfair. There is the problem of what I call “the cliff.” Where a noncustodial parent has a child for 127 days, the support may be in the neighborhood of \$100. However, if the magic number of 128 days is reached, then the support can dramatically decrease, sometimes to \$10 or so. There is nothing fair about this formula.

All respondents, regardless of their position, made comments on this cliff effect. Some went further to state that the cliff effect “results in litigation regarding parent time, for no other reason than to reach 128 overnights.”

In the third category of problems, we included issues dealing with (1) multiple cases (i.e., prior support orders), (2) low income of one or both parents, (3) additional dependents (i.e., children the payor is obligated to support but for whom there is no



support order, stepchildren, new children living with the payor), and (4) child care. Many respondents did not believe that the formula adequately considers the needs of additional dependents, whether that is the credit given for children with support orders from a prior relationship or new children that may need support. Without explaining the reason for the comment, one respondent wrote, “In your attempt to clarify how to handle other children, you have just made the formula more complicated and less fair.” Yet, this seemed to be the sentiment shared by others. The issue of low income, mentioned by 6 percent of all respondents, is discussed in greater detail below.

The “other” category includes some impacts of the formula’s application that were among the most frequently mentioned problems. They are included in the exhibit because they were broadly mentioned by both parents and practitioners as problems. Chief among these is the comment from a broad base of respondents that support orders are too high (11 percent of all respondents). This is not surprising given the findings we reported in Exhibit 3 that a majority of respondents believed the formula results in orders that are too high. Not only was this opinion widely shared across respondent groups, but respondents generally believed that the formula is unfair to all income levels; low, middle and high. The problem of enforceability of the support order (mentioned by 8 percent of all respondents) was mostly related to the amount of the order. One respondent summed up the problem in the following statement:

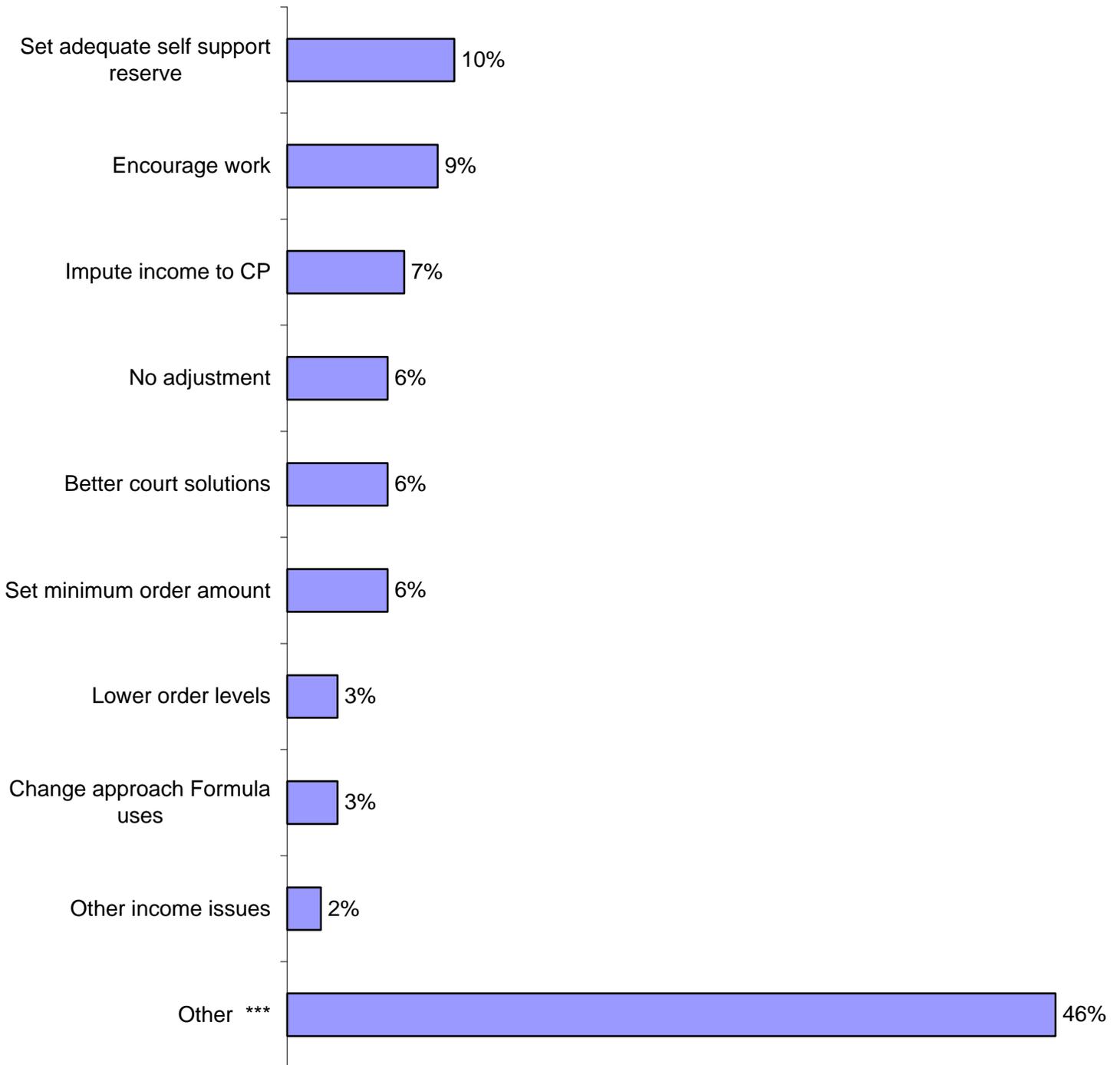
Orders are too high and end up being uncollectable on the lower end of the economic spectrum. In our Quixotic quest to reduce welfare, we have created a problem of unenforceable orders. Moreover, even if they were enforceable, we do not spend the statewide resources to ensure enforcement.

Finally, getting modifications of support orders (4 percent mention) were viewed as difficult, not only because the process took far too long in the opinion of respondents, but also because the adjustments were too modest. One respondent suggested that support orders should be set as a percent of income (e.g., Wisconsin’s guidelines) so that they could self-adjust for changes in income. That way, if the payor’s income decreased, the support order would automatically decrease.

DEALING WITH LOW INCOME OBLIGORS

Every state struggles with the issue of what level of support to establish in cases involving low income obligors. The Michigan formula allows an adjustment to the support amount if the obligor is financially unable to pay it and maintain at least a minimum standard of living. The adjustment has three components that could result in a support order as low as \$5 per week plus the health care supplement. The SCAO was interested in learning what changes respondents believed are needed to this provision in the formula. Exhibit 10 displays the answers given to this question.

Exhibit 10
 Proposed Changes to the Formula's Low Income Adjustment
 (Percent of Respondents)*
 (n=269)**



* Multiple response question, thus proportions may exceed 100%.

** Proportions are computed based only on the number of respondents who mentioned at least one change they would recommend to the formula.

*** Other includes comments like (a) do not consider CP income in setting order amount, (b) need adjustment for additional dependents, (c) consider creating tax credits for child support paid, and (d) the problem is the add on for child care.



Half of all respondents (50 percent) did not offer any suggestions for change, an additional 5 percent said they did not know what changes were needed, and, as shown in the exhibit, 6 percent reported that the current adjustment is fine and no changes are needed. Among the remaining respondents, many suggestions for change indicated a lack of awareness that the Michigan formula includes an adjustment and lacked an appreciation for the fact that in some cases there is simply not enough combined income between the parents to lift both households above the poverty level. For example, the most frequently mentioned suggestion (10 percent of all respondents) was to set an adequate self support reserve that would allow the noncustodial parent enough to live. The Michigan formula does not technically define a self support reserve and protect that amount as income to the noncustodial parent, although it does use the federal poverty level (2000 poverty guidelines) as a guide to setting the support amount in low income cases. While a few respondents mentioned the poverty level as an acceptable threshold for a self support reserve, most did not define what they would consider an adequate level. Some stated that it should be “enough to live on” or “enough to meet living expenses.” Some argued for a higher amount; for example, enough to meet the expenses of the noncustodial parent’s entire household. To summarize respondents’ thoughts about this issue, one respondent wrote:

The payor should be left with disposable income at the poverty level (\$161 per week) and any income over that amount should be allocated as child support. The minimum wage payors often have insufficient income to maintain their basic needs. Paying child support at the recommended amount also affects parenting time. All too often I hear payors saying that they have no money left to have the children with them on weekends.

Comments related to this belief are seen in other suggestions in Exhibit 10 to lower order levels for low income obligors (3 percent) and change the approach the formula uses to establish that order (3 percent).

Some respondents were not as generous toward low income obligors or to obligees, contending that both parents have a responsibility to support their children financially and the court should encourage both parents to work. About 9 percent of respondents suggested that the formula include incentives to work and another 7 percent believed income should be imputed to custodial parents to encourage them to work. Some sample remarks include:

Too many people fail to realize they have a basic responsibility to financially support the welfare and care of their child. For parents who are lazy and simply won’t work or work the minimum, an unnecessary burden is placed on the one responsible parent who works sometimes two and three jobs to

make ends meet. There need to be more incentives in the formula to make these lazy parents work.

I believe the low income adjustment also needs to have an ability to earn attachment. Children should not be subject to poverty if a parent is able to earn a basic wage. I believe low income should only be used if a parent has circumstances that prevent him or her from working (e.g., teenage parents still in high school, mental illness).

About 6 percent of respondents suggested that regardless of the level of the self support reserve, a nominal support order amount should be established. Further, most of the comments suggested that the nominal amount be a fixed amount and not left to the discretion of the court. Where respondents suggested an amount, the amount range from \$20 to \$50 per week per child.

Among the “other” responses were suggestions that went beyond a discussion of changes to the low income adjustment. Among others, these suggestions included (1) have the state pay half the cost of child support for low income obligors, (2) change the approach the formula uses to establish support by considering the child’s basic living costs rather than the parents’ incomes, (3) implement a public service program to educate young people about responsible behavior, (4) investigate parental reports about their income (respondents said parents often lie or have hidden income), and (4) provide free services to parents to help them work through the calculations in the formula.

DEALING WITH SHARED ECONOMIC RESPONSIBILITY

Many of the ratings and comments to the survey questions suggest that the issue of shared economic responsibility is a problem for the Michigan formula. As one respondent wrote:

The shared economic responsibility formula is a Pandora’s box. It should be done away with. Parents attempt to use it as a means to pay much less support and custodial parents become contentious over parenting time due to their fear that the formula will be imposed.

This quote captures the thoughts of many other respondents who complained about the unfairness of the adjustment for how parenting time is considered and the cliff effect that results when the “magic” threshold of 128 days is reached. The adjustment for time spent with the noncustodial parent in excess of six consecutive overnights was not raised frequently as an issue, but did receive comments. Knowing that this would be an issue, the survey included a question asking respondents what suggestions they had for changing the adjustment for the amount



of time the child spends with each parent. The responses to this question are displayed in Exhibit 11. As evidenced in the exhibit, not all respondents believed the existing adjustment should be changed; 17 percent of respondents said that no changes are needed.

Among the remaining respondents, the recommended changes primarily dealt with the *amount of time* the parents spend with the children.

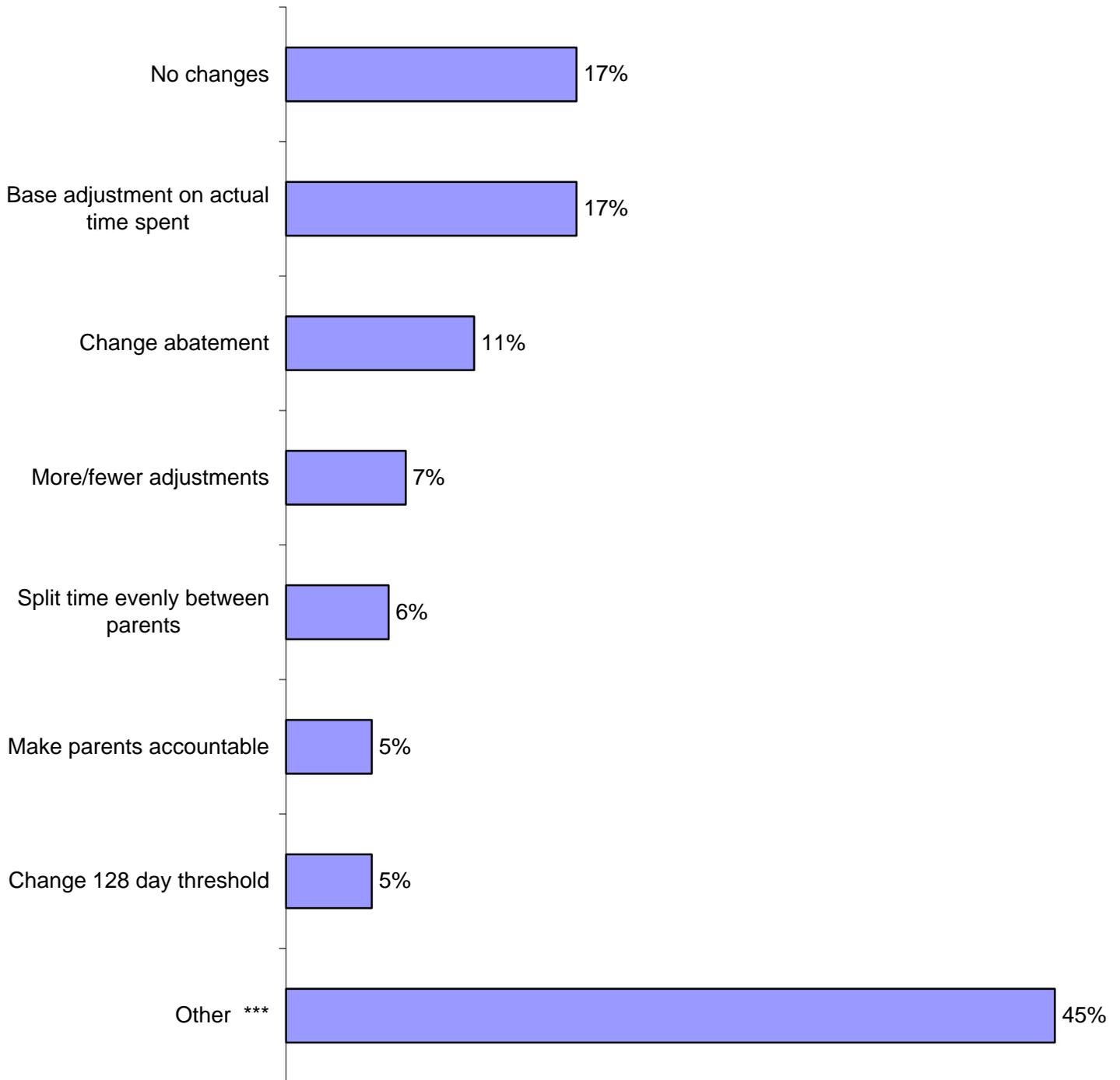
- 17 percent of respondents believed there should be an adjustment for the actual amount of time spent with each parent, whatever amount of time that was. One respondent suggested daily abatements of child support for whatever number of days the noncustodial parent had the child.
- 6 percent of respondents argued that parents should have the children for equal amounts of time (i.e., 50/50 split) and the formula should include a presumption that this is how the custody situation will be handled. Most of these respondents also believed that each parent should be responsible for the costs of raising the child when he/she was with that parent.
- 5 percent of respondents recommended changing the 128-day threshold. Most of the respondents who made this suggestion did not recommend a more appropriate threshold, but among those who did, the recommended time was 100 days to 120 days.

Eleven percent of all respondents made suggestions about the *abatement or credit* the noncustodial parent receives based on the amount of parenting time he or she exercises. Currently the abatement is 50 percent of support if the 128-day or 6 consecutive night threshold is met. Most respondents believed there should be 100 percent abatement. As one respondent wrote, “It should be simple. Just charge for the days that the child is in the other parent’s care.” They further argued that the abatement should be immediately available to the parent who has the child. They complained that it often takes months to get the support back after the children have spent the necessary time with the other parent. Or, as one parent wrote:

I am entitled to a nine-week adjustment each summer. After five years I still have not received these adjustments each year. The FOC tells me that it is too confusing to them to make these adjustments and that I should get my money from my ex-husband.

In addition to these comments are the suggestions from some respondents that child support be increased if one parent does not exercise any visitation. In their opinion, the formula includes a presumption that the noncustodial parent will have some

Exhibit 11
 Suggestions to Improve Adjustments for Time Spent with Each Parent
 (Percent of Respondents)*
 (n=315)**



* Multiple response question, thus proportions may exceed 100%. Only suggestions mentioned by at least 5% of respondents who made a suggestion are shown individually in the exhibit.

** Proportions are computed based only on the number of respondents who mentioned at least one change they would recommend to the formula.

*** Other includes comments like (a) share additional expenses evenly (e.g., child care), (b) ask child what he/she wants, (c) reduce/eliminate consecutive day requirement, and (d) deal better with out of state issues.



visitation and if that visitation is not exercised, then the child support order should be increased.

I think any parent that does not take their children for some time should pay more for the raising of the children. There are too many parents who think that all they have to do is pay child support and they have done their part, so they do not bother seeing the children.

Several respondents echoed this philosophy. They also suggested that the courts should consider requiring visitation by the noncustodial parent to help maintain the parent-child bond and that the children should have a voice in the decisions about time with each parent, if they are old enough. (One respondent set this minimum age threshold for child involvement at 12-13 years.)

Another category of responses suggested more (and fewer) adjustments. In addition to abatements for time spent, respondents suggested abatements based on how much each parent pays for the child's extras while in their care such as sporting events, music lessons, tutoring, child care, camps, etc. And accompanying this was another suggestion that all these costs should be documented and an accounting done at year's end to reconcile the costs of each parent.

In sum, most respondents did not like or favor the current approach to adjustments for parenting time mainly because they saw the adjustments to financial support as unfair and unreasonable, but also because they believed the current approach increases litigation between the parents over time sharing which was not in the best interests of the child. The major recommendations for dealing with what they perceived to be the formula's inadequacies were to replace the time sharing adjustment with something different. One respondent's recommendation is included below as an example.

The 128-day breakpoint has been a problem, as it offers each party a financial incentive to restrict the other party's parenting time. A better answer (though not perfect) is a sliding scale, where the court could choose a parenting time template (e.g. A, B, C, etc.) that specified the number of days with each party, and support could be established for each category. This would thicken the formula manual quite a bit, but the current 128-day system encourages litigation and acrimony, which is certainly not in the best interests of the children.

OTHER COMMENTS

Many respondents wrote additional comments on the survey that were not related to any of the questions and generally not related to the formula. Others used the space

to tell personal stories about how the child support formula has affected their lives. Finally, others raised some concerns unrelated to the existing formula and about support levels generally that were not addressed elsewhere in the survey. Some of these issues included:

- College education: some respondents argued that child support should continue beyond 18 years of age and cover college expenses.
- Modifications of support: some respondents complained that it takes too long to get an adjustment to the support amount when circumstances change.
- Alimony: some respondents viewed child support as disguised alimony and wondered how alimony was considered, whether as income to the custodial parent or as a supplement to the child support.
- Legal assistance: some respondents suggested that the courts set up a self-help clinic and provide free legal counsel.
- Second families: several respondents requested that the formula include some reduction in child support when the payor elects to have a second family. The formula was not seen as fair to parents who elect to remarry and have additional children.
- Tax credits: many respondents believed they should receive a tax credit for the child support they pay.
- Cases in different counties: a few respondents believed their support order did not adequately account for their payments in other cases which, according to another respondent, could result from the cases being in different counties. That respondent suggested that better communication is needed to learn about existing support orders and pending support actions in other counties.

These are but a few of the extraneous issues mentioned by respondents. They are not addressed by the formula now and some cannot ever be addressed by the formula. We list them here simply to illustrate the wide variety of comments the survey elicited and the issues that seem to be in the forefront of respondents' minds.

SECTION IV SUMMARY

INTRODUCTION

This paper has presented findings from a survey of people in Michigan — including parents, judicial officers, family law attorneys, child support professionals, parent and child advocates, and others — who use and have used the child support formula to establish and modify support orders. The survey’s purpose was to (1) assess whether respondents believe the Michigan formula results in orders that are fair and equitable, (2) learn what respondents believe are the strengths and weaknesses of the formula, (3) understand what problems respondents have had with the formula in establishing support obligations, (4) identify what reasons respondents believe courts deviate from the formula, and (5) elicit suggestions for improvements to the formula.

MAJOR THEMES

The survey provided a wealth of information about the formula, but also about other issues, mostly unrelated to the formula, particularly in the respondents’ comments to open-ended questions. Those comments helped explain their ratings to some of the forced-choice questions about the formula’s fairness to parents and children, how adequately the formula addresses some special factors that frequently appear in child support cases, and whether the formula results in orders that are too high and too low. The narrative responses also raised a number of other issues relating to the effects support obligations have on the parents’ lifestyles, the choices they make after separation/divorce, and how the formula could be improved to deal with each family’s needs.

Among the major themes that surfaced in response to the survey questions are the following:

- Child support orders are too high. Respondent opinion that the formula results in support orders that are too high was broadly shared by all types of respondents, not just noncustodial parents. As a result of this opinion, many respondents believed that application of the formula is more fair to custodial than to noncustodial parents. Many parents wrote about how child support impoverishes noncustodial parents and prevents them from spending time with or making additional contributions to the support of their children (e.g., no money to pay for a home they can visit or to pay for extracurricular events).
- The formula has several strengths. Among the strengths respondents cited were



the formula's (1) consistency, uniformity and objectivity; (2) ease of use; and (3) inclusion of both parents' incomes to calculate a support order.

- How income is computed is viewed as a problem. Respondents found the calculation of net income, particularly what is included/excluded from income and how taxes are determined to be a problem. How income from overtime and bonuses is treated was a major problem for many respondents who noted that income from these sources is not guaranteed and therefore should not be counted as regular income. Many noncustodial parents related personal stories of having to get a second job because their support order was based on overtime earnings that had disappeared as economic conditions at their job worsened. Also raised were suggestions (1) for dealing with the absence of income information, (2) to impute income to non-working custodial parents based on their earning capacity, (3) to include income of new partners, (4) about who should get tax credits for certain expenses, (5) to consider the debts of each party, and (6) to exclude certain types of income, such as SSI.
- Refinements are needed to the formula's adjustments for time sharing between the parents. Respondents did not believe the present approach was fair to the parents or to the children. They particularly did not like the shared economic responsibility formula that they believe encourages litigation between the parents to reach (or not reach) the 128-day threshold required for an abatement of child support. They recommended incorporating a sliding scale that would credit the paying parent for whatever amount of time he or she spent with the child. Alternatively, they recommended gradually phasing in the abatement beginning at some lower amount of time-sharing (e.g., 100 days). A frequent comment was that the court should presume a 50/50 split in physical custody between the parents.
- The current adjustment for low income is not viewed as adequate. Several respondents noted that the formula does not include a self support reserve for the payor below which no support or only a minimal support order would be awarded. Respondents believed that payors should have enough income after support to live, generally without specifying what that amount should be.
- Noncustodial parents want custodial parents to be held accountable for how they spend the child support. In discussing the particulars of their cases, noncustodial parents frequently stated their belief that custodial parents are using child support for their own expenses (e.g., clothes, vacations, new cars) and not the needs of the children. They would like to see the formula include a requirement that custodial parents need to document their expenses.
- Enforcement of support is viewed as a problem. There were numerous

complaints that child support orders are not enforced so it makes little difference what support amount is calculated from the formula. Respondents faulted the system for not holding noncustodial parents accountable for their support responsibilities.

- Modifications are difficult to get. Several respondents discussed the difficulties they have had getting adjustments to their support order when circumstances change (e.g., loss of a job, reduction in overtime earnings, change of custody). They mentioned the high cost of pursuing a modification, the delays in getting into the court, and the absence of any assistance to help them pursue a modification without legal counsel.

CONCLUSIONS

The survey uncovered many contrasting points of view. One group would eliminate the current formula and replace it with a different approach to setting child support orders. A second group believes the existing formula is fine as is and that short of a complete overhaul, refinements to the formula should not be attempted. These respondents suggest that more effort needs to be put into enforcement of support orders that are established. In the middle is a third group that is interested in making the formula more flexible so that it can deal more adequately with what respondents believe are the unique needs of each family. They argued for more special adjustments and reasons for deviations to accommodate these individual circumstances.

What was very obvious from many of the comments is that there is a considerable lack of understanding about the formula and what it includes and excludes, particularly among parents. Without investigating these issues further, we cannot be certain whether this is an educational issue or simply respondent complaints about how the formula was used in their specific situation. Regardless of this issue, however, all respondents appear to want what is best for the children. Time and again, respondents commented on the need to have a formula that reduces litigation between the parents, provides adequate financial support for the children, and promotes both parents' involvement with their children.

APPENDIX A
FORMULA USERS SURVEY



MICHIGAN CHILD SUPPORT FORMULA USER SURVEY

The Michigan State Court Administrative Office, through an independent contractor, is conducting a survey to collect ideas and comments pertaining to the child support formula from members of the public, attorneys, judges and court staff. The survey results will help us make improvements to the Formula.

Please be assured that your responses are completely confidential and will not be identified with you individually. If you would like to print a copy of the survey and return it by mail, please go to www.courts.mi.gov/scao/features/initiatives/current.htm. Mailed responses should be sent to **David Price; Policy Studies Inc.; 999 18th Street, Suite 1000; Denver, CO 80202. Responses are due by May 15, 2002.**

1. Please tell us how fair or unfair you believe the Michigan Child Support Formula is:
(Please check one box for each statement.)

- | | Very
Fair | Somewhat
Fair | Somewhat
Unfair | Very
Unfair | Don't
Know |
|--|--------------|------------------|--------------------|----------------|---------------|
| a. To the noncustodial parent/payor | | | | | |
| b. To the custodial parent/payee | | | | | |
| c. To the children for whom support is awarded | | | | | |
| d. To the parents' children from other relationships | | | | | |

2. In your opinion, does the Michigan Child Support Formula result in child support orders that are:
- Too high?
 - About right?
 - Too low?
 - Don't know/no opinion

3. What problems have you experienced using the Michigan Child Support Formula?

- None

4. Based on your experience, what are the most frequent reasons courts deviate from the Formula?

- Don't know

5. Please tell us how adequately you believe the Child Support Formula deals with the following issues.
(Please check one box for each statement.)

- | | Very
Adequate | Adequate | Inadequate | Very
Inadequate | Don't
Know |
|--|------------------|----------|------------|--------------------|---------------|
| a. Cases in which the mother or father has a support order for children from a prior or subsequent relationship. | | | | | |
| b. Adjustments for additional natural or adopted children living in the mother or father's home (i.e., NOT children for whom support is being calculated). | | | | | |
| c. Provisions for calculating the net income of both parents (i.e., after deductions allowed by the Formula). | | | | | |
| d. Adjustments for shared economic responsibility (i.e., cases where each parent has the child for 128 or more overnights per year). | | | | | |
| e. High income cases (i.e., income that exceeds the top level in the support schedule). | | | | | |
| f. Provisions for computing support from both parents when the supported child is in the custody of a third party. | | | | | |
| g. Adjustments for low income of the noncustodial parent. | | | | | |
| h. Adjustments for low income of the custodial parent. | | | | | |
| i. Work or education-related child care costs. | | | | | |
| j. Extraordinary health care expenses for the supported child (i.e., uninsured expenses split by the parents based on a percentage formula). | | | | | |
| k. Ordinary health care expenditures for the supported child (i.e., health care add-on of \$3, \$6, etc.). | | | | | |
| l. Provisions for imputing income to one or both parents. | | | | | |
| m. Adjustments for noncustodial parent-child contact in excess of six consecutive overnights. | | | | | |

6. Please tell us how much you agree or disagree with each of the following statements. (Please check one box for each statement.)

Strongly Agree Agree Disagree Strongly Disagree Don't Know

- a. Both parents have a responsibility to split the costs of raising their children based on their respective incomes.
- b. In calculating a support amount, the basic needs of the parents should take priority over the basic needs of the children.
- c. After separation/divorce, children should not expect to live as well as they did when the family lived together.
- d. If either parent decides to have additional children, that parent's share of child support for prior-born children should be reduced.
- e. The income the parents get from federal tax credits (e.g., earned income tax credit, child tax credit) should be used to reduce the amount of the child support order.

7. The Michigan Child Support Formula has a special method to compute child support orders when either the custodial or noncustodial parent has low income. What, if any, changes would you like to see made to the way the Formula treats low income?

8. The Michigan Child Support Formula includes adjustments for the amount of time the child spends with each parent. What suggestions do you have for improving the adjustments?

9. In your opinion, what are the STRENGTHS of the Michigan Child Support Formula? (List up to 3)

10. In your opinion, what are the WEAKNESSES of the Michigan Child Support Formula? *(List up to 3)*

The following questions are asked for statistical purposes only.

11. Which of the following categories BEST describes your position? *(Please check one box only.)*

- Noncustodial parent (Skip to Q13)
- Custodial parent (Skip to Q13)
- Spouse or parent of a custodial or noncustodial parent (Skip to Q13)
- Non-parent caretaker
- Advocate for custodial/noncustodial parents or children
- Judge/referee
- Family law attorney (e.g., private attorney, legal aid attorney, child Support attorney)
- Child Support investigation staff (Prosecuting Attorney/Friend of Court staff)
- _____ Other _____ *(please describe)*

12. For how many years have you worked with cases that need child support orders established/modified?

- 2 years or less
- More than 2 but no more than 5 years
- More than 5 but no more than 10 years
- More than 10 years
- Don't know/can't remember

13. Parents: please identify the county in which you live.
Others: please identify the primary county in which you work or practice. *(Check one box from the menu below.)*

14. Additional comments

Thank you for completing this survey.

APPENDIX B
MICHIGAN COUNTIES BY
SIZE AND SCAO REGION



MICHIGAN COUNTIES BY SIZE AND SCAO REGION					
	County	Total FOC Caseload	% of Caseload	County Size	SCAO Region
1	Wayne	336,173	40.15	L	1
2	Oakland	50,970	6.10	L	1
3	Genessee	43,104	5.15	L	1
4	Macomb	35,674	4.26	L	1
5	Kent	34,262	4.10	L	2
6	Saginaw	24,366	2.91	M	3
7	Muskegon	19,255	2.30	M	2
8	Ingham	19,178	2.29	M	2
9	Kalamazoo	18,704	2.23	M	2
10	Washtenaw	17,937	2.14	M	1
11	Berrien	17,038	2.03	M	2
12	Calhoun	15,275	1.82	M	2
13	Jackson	13,282	1.59	M	2
14	St. Clair	12,127	1.45	M	1
15	Ottawa	11,445	1.37	M	2
16	Monroe	9,237	1.10	M	1
17	Bay	7,645	0.91	M	3
18	Lenawee	6,672	0.80	M	2
19	Eaton	6,556	0.78	M	2
20	Livingston	6,235	0.74	M	2
21	Van Buren	6,067	0.72	M	3
22	Lapeer	6,021	0.72	M	2
23	Newaygo	5,793	0.69	S	3
24	Oceana	5,793	0.69	S	3
25	Antrim/Traverse/Leelanau	5,693	0.68	S	4
26	Ionia	5,510	0.66	S	3
27	Shiawassee	5,471	0.65	S	3
28	Montcalm	4,975	0.59	S	3
29	Allegan	4,784	0.57	S	2
30	St. Joseph	4,055	0.48	S	2
31	Midland	4,007	0.48	S	3
32	Cass	4,006	0.48	S	2
33	Arenac/Ogemaw/Roscom	3,759	0.45	S	3
34	Alcona/Alp/Mont/PI	3,729	0.45	S	3
35	Barry	3,680	0.44	S	2
36	Crawford/Kalk/Otsego	3,660	0.44	S	4
37	Tuscola	3,611	0.43	S	3
38	Hillsdale	3,457	0.41	S	2
39	Marquette	3,362	0.40	S	4
40	Branch	3,106	0.37	S	2
41	Sanilac	2,885	0.34	S	3
42	Mecosta	2,878	0.34	S	3
43	Missaukee/Wexford	2,793	0.33	S	4
44	Iosco/Oscoda	2,703	0.32	S	3
45	Isabella	2,667	0.32	S	3
46	Gratiot	2,622	0.31	S	3
47	Delta	2,243	0.27	S	4
48	Clare	2,142	0.26	S	3
49	Baraga/Houghton/Keewenaw	1,998	0.24	S	4
50	Osceola	1,945	0.23	S	3
51	Mason	1,806	0.22	S	3
52	Huron	1,671	0.20	S	4
53	Cheboygan	1,661	0.20	S	3

54	Menominee	1,508	0.18	S	4
55	Emmet	1,473	0.18	S	4
56	Manistee	1,458	0.17	S	4
57	Gladwin	1,305	0.16	S	3
58	Charlevoix	1,153	0.14	S	4
59	Benzie	850	0.10	S	4
60	Gogebic	794	0.09	S	4
61	Mackinac	694	0.08	S	4
62	Schoolcraft	571	0.07	S	4
63	Iron	568	0.06	S	4
64	Ontonagon	515	0.06	S	4
65	Alger	415	0.05	S	4
66	Luce	372	0.04	S	4
67	Chippewa	0	0.00	S	4
68	Clinton	0	0.00	S	3
69	Dickinson	*	0.00	S	4
70	Lake	0	0.00	S	3