

## FAQs about Child Support During the COVID-19 Outbreak

The novel coronavirus (COVID-19) is a contagious respiratory disease that is easily spread person to person and can result in serious illness.

The resulting changes to daily activities raise new questions about child support during this pandemic. The following are general answers to common questions parents may have about their child support orders.

**Q1. Do I need to go to the courthouse to attend a hearing or an appointment with the friend of the court (FOC) office during the COVID-19 outbreak?**

- A. Many courts are closed to the public and limiting hearings and meetings. However, some courts are using technology (phone/Zoom) to hold hearings and meetings remotely. Courts are notifying parties about adjourned or cancelled hearings and remote options. If you have not heard about your hearing or meeting, you should check the website for your circuit court or FOC office, or call for more details.

**Q2. If my support payments are not coming out of my checks (new employer or unemployment benefits), must I still make the payment?**

- A. Yes, your support continues to charge until another order changes it. You should continue to support your children financially as long as you have the ability to pay. [Question 4](#) explains reporting changes in your situation to the FOC office. Because of the state of emergency, many FOC offices are closed to public access and only provide limited services. Remember that your order requires you to make support payments to the Michigan State Disbursement Unit (MiSDU). There are several payment services that forward payments to MiSDU. [[Click here for more detail about options.](#)]
- **MiSDU.** Support orders require payments through MiSDU. The website is [www.misdu.com](http://www.misdu.com), and the state accepts all major credit cards. MiSDU also accepts checks or money orders mailed to P.O. Box 30351, Lansing, MI, 48909-7850. Make sure that your name and court case number are clearly written on the payment. The MiSDU telephone number is 877-543-2660.
  - **PayNearMe.** Pay cash using PayNearMe at various participating retailers like CVS, 7-Eleven, and Family Dollar. Registration is necessary, and you will need

### Questions about COVID-19?



Call the COVID-19 Hotline at  
888-535-6136,

7 days a week from 8 a.m. to 5 p.m.



E-mail [COVID19@michigan.gov](mailto:COVID19@michigan.gov) 24/7.

E-mails will be answered 7 days a week,  
8 a.m. to 5 p.m.



Subscribe to e-newsletter updates at  
[Michigan.gov/Coronavirus](http://Michigan.gov/Coronavirus).



Centers for Disease Control and  
Prevention (CDC):

- [What you need to know about COVID-19.](#)
- [What to do if you are sick with COVID-19.](#)



Talking to children about COVID-19:  
[A Parent Resource.](#)

to know your court case number. You can find locations and a mobile app by visiting <https://home.paynearme.com>.

- **MoneyGram.** Pay cash or by other means using MoneyGram at various locations like Walmart, CVS, and Advance America. Registration is necessary, and you will need to know your court case number. You can find locations and other details by visiting <https://www.moneygram.com>.

**Q3. I started receiving unemployment benefits. How much of my unemployment check can be taken to pay my child support? What if I receive back pay from unemployment because my benefits were delayed?**

Support should be automatically taken out of unemployment payments and forwarded to the MiSDU to pay your child support. This is called income withholding. In Michigan, income withholding cannot be more than 50 percent of a payer's take-home pay. If money is not taken out of your unemployment benefits, you need to make your payment as described in [Question 2, above](#).

**Q4. I lost my job or had a major income change because of the state of emergency. How can I change my support order?**

- A. **First**, report important changes to the FOC office. Support orders require parents to report changes in employment or income source, address, phone number, and health care coverage to the FOC office. Check your local FOC office's website for information on sending documents by e-mail, fax, or the [MiChildSupport portal](#); otherwise, you can mail the information to the office. [\[Click here for a Change in Personal Information form.\]](#)

**Second**, if you cannot afford to pay the full amount of your order from your current income and assets, you still must pay something. If money is not taken out of your wages or unemployment benefits, you need to make your payment as described in [Question 2, above](#).

**Third**, if it is a significant change in circumstances (after counting unemployment benefits and any stimulus payments you will receive as income), you may need to have your support order temporarily adjusted or modified. If you want to know the amount of support you would owe with your new income, you can use the [free MiChildSupport Calculator](#). The following are options to change your support order:

- **FOC Review and Adjustment.** You may contact the FOC office and request review of each of your support orders. Requests should be in writing. The level of service that each office is able to provide during the state of emergency varies and will probably change throughout the emergency. A few offices are able to quickly get orders temporarily modified. Under the FOC review process, the new support amount might not start until the FOC completes the review process and mails the recommendation. For the earliest possible effective date, you may want to consider the next two options.
- **Agreements and Consent Orders.** Parties or their lawyer may prepare a consent order effective on a specific day and present it to the court for entry. If parties reach an agreement about support and send the written, signed agreement, some FOC offices will help them prepare a consent Uniform Support Order. If you

agree to an amount different from the Michigan Child Support Formula calculation, you must file a [Deviation Addendum](#) along with your consent Uniform Support Order.

- **Motions.** Without both parties agreeing or the FOC office being able to complete a review quickly, the only way to make sure the lower support order is effective during the state of emergency is to file a motion with the court and send a copy to the other party. You may file a motion on your own or with a lawyer's help.

[Michigan Legal Help's website](#) has many useful articles and tools to help people who are handling their legal problems without a lawyer.

**Q5. Does child support stop because my child is 18 years old and school is suspended or cancelled?**

- A. The FOC office stops charges based on the date or conditions written in your court order.

When a support end date is set, the court is required to order support until the child turns 18. [MCL 552.605b](#) allows the court to order support after age 18 (regardless of the actual graduation date) if it appears that after turning 18 the child would meet all of the following conditions:

1. regularly attends high school full-time;
2. has a reasonable expectation of graduation;
3. resides full-time with the support recipient; and
4. is younger than 19 ½ years old.

Some orders stop support the last day of the month that a child turns 18. Other support orders set a date near when a child is expected to finish high school. The FOC office will stop charges on the date ordered. Older orders stop support based on one of several conditions occurring between ages 18 and 19 ½, and include phrases like “attending high school full-time,” “graduates,” or “residing full-time.” When interpreting those orders, the FOC office will stop the order based on the information it has about the conditions being met.

The Governor's Executive Order on schools allows districts many choices for the rest of the school year. Local districts' plans might change seniors' attendance and graduation.

If the date set in your order is wrong because something changed (like a senior finishing early or continuing to attend school), parents can agree to change their order by signing a consent order that changes the end date or by filing a motion to change the date. See [Question 4](#) for information about **Agreements and Consent Orders** and **Motions**.

The court will need to interpret its order and decide when support ends, and may give some authority to the FOC to administratively handle these cases. FOCs are being [directed](#) to continue to use either the scheduled last day of school in the original 2019-20 calendar or the scheduled date of graduation in the original 2019-20 calendar in the child's school district, unless otherwise directed by the trial court. If you do not agree with the FOC's decision, you may file a motion with the court or, in some courts, follow the FOC's process for obtaining a hearing. The court will decide what should happen based on the needs of your child, the availability of instruction, and whether school will resume before your child reaches the age of 19 ½.

As with any situation, the court encourages parents to try to accommodate each other in providing support and care for their children.

**Q6. Does the childcare amount in my order change if childcare is closed or summer childcare starts early?**

- A. Parents are required to keep each other and the FOC informed when childcare expenses stop for a child. Because many childcare centers are closed or a parent is off work, childcare expenses may no longer exist or may have changed. However, if the center is still charging to hold your child's spot, charges may continue. It is important that you notify the other parent and the FOC in writing of any changes in charges during this state of emergency. Parties may agree to waive or stop childcare charges during months when expenses are not incurred.

**Q7. Will my federal stimulus payment be taken to pay my child support arrears?**

- A. It depends. There are two different stimulus payments, and they are treated differently. The first stimulus payment was under the CARES Act (\$1200 per adult and \$500 per eligible dependents), and the second stimulus payment was under the Consolidated Appropriations Act (\$600 per adult and each eligible dependent).

Under the CARES Act, the IRS is sending stimulus payments to individuals like tax refunds, and they can be taken for the purpose of paying child support arrears. If you filed a joint tax return, the FOC must hold the payment for six months (in some situations longer) to give your spouse time to file an injured spouse claim with the IRS. If you and your spouse want the payment released sooner to pay your arrears, contact your FOC office.

The second stimulus payment under the Consolidated Appropriations Act, signed into law in December 2020, cannot be taken by the IRS or for child support purposes.

**Q8. I owe child support arrears to the state. Can I ask during the State of Emergency to have my state-owed arrears discharged?**

Yes. You can complete a [Request to Discharge State-Owed Debt](#) and file it with the FOC office in the county your child support order comes from. This might be appropriate for you if you can show it would be very difficult for you to pay the debt. If you owe arrears on court orders in more than one county, you must file one completed form with each FOC office where you are asking for a discharge of state-owed debt. The FOC will consider your request and look at factors including (but not limited to) your present and future ability to pay the arrears and if your debt is a result of you deliberately avoiding your child support obligation.

You can find more information at Michigan Legal Help's ["I Need Help Managing My Child Support Debt" tool page](#).