

**DRAFT MINUTES**  
**Friend of the Court Bureau**  
**Advisory Committee Meeting**  
**State Court Administrative Office, Lansing, MI**  
**February 17, 2012**

**MEMBERS PRESENT:** Doug Howard, Peter Dever, John Frasik

**EX OFFICIO MEMBERS PRESENT:** Lynn Bullard, Shauna Dunnings

**MEMBERS ABSENT:** Jeff Winters, Amy Yu, Anita Bilek, Dan Dundas, Kelly Walters

**STAFF PRESENT:** Daniel Bauer, Anders Gillis

**1. Call to order:**

a) The meeting came to order at 1:05 pm

**2. Administrative matters:**

a) August meeting minutes were approved

**3. Public comment on matters before the committee:**

a) No public comment

**4. Correspondence:**

a) E-mail Correspondent requested to speak, unable to attend – raised three issues:

1) Correspondent requests information on why Michigan Child Support Formula (MCSF) changed from 2004 (section 2.15(b)) to 2008 (2.08). Committee inferred a request to revert back to 2004 formula.

a) Committee does not have knowledge to address “why” the change was made. Committee agreed to pass the suggestion to FOCB staff who develop MCSF without any comment from the committee.

2) Correspondent requests that his ex’s state assistance be counted as earned income; he also requests her income be imputed at a higher level

a) Committee discussed possibility of court addressing this situation by looking at potential income for recipient of support. Committee also discussed without citation federal laws that preempt the state from counting public assistance as earned income.

- 3) Correspondent requests that the formula for parenting time be readjusted back to the 2004 guideline recommendations
  - a) Committee reviewed response from Mr. Bauer on this point, concurred with response. Committee agreed to pass the suggestion to FOCB staff who develop MCSF without any comment from the committee.
  - b) E-mail over concerns that child support payments in one case are being paid out of the father's Social Security Disability whereas his child support for another case is being directly paid by the father
    - 1) Committee notes that it can only speculate for why this has happened in Correspondent's case. Committee appreciates that correspondent seeks equity in how cases are handled, but notes that this is really an issue for the Social Security Administration to deal with; FOC and FOCB have no control over which recipients of support seek to enroll children in SSD benefits.
    - 2) Mr. Bauer agrees to double check child support policies in light of Social Security Disability when there are multiple cases for one payor
  - c) Several e-mail reviewed
    - 1) Committee does not note any concern with the remaining e-mails

**5. Other issues:**

**a) Training Video Created by Dan for the FOC**

- 1) Mr. Bauer counted over 100 hits in the first month, with 90 percent reduction in hits for the second month. Reminder that the video is available for the FOC offices.

**b) MCR 3.205**

- 1) The committee discussed this existing court rule, whether it should be modified, how it can be administered more effectively.
  - a) Committee suggested the court rule can be modified to address some issues, including:
    - a. Creation of Family Division;
    - b. Confidentiality of court information;
    - c. Incorporation of prior court clerk in providing copies of court orders to subsequent court
    - d. Including "court administrator" or "court administrator's designee" in list of appropriate officials.
- 2) Committee discussed publishing policy to help educate courts; several members agreed to continue reviewing and commenting on policy as development progressed.

**c) MCR 3.206**

- 1) Committee agrees that this existing requirement to disclose existing case for same family should be emphasized.
- 2) Committee agrees that in some situations (e.g., neglect and abuse) the forms need to be accepted so that the child's safety is protected.

**6. Meeting Adjourned 2:00 pm.**

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