



Frequently Asked Questions

(and answers from the
State Court Administrative Office
Friend of the Court Bureau)

FAQ 2011-01

June 13, 2011

Uniform Support Order Requirements

This FAQ answers common questions and clarifies policy related to [Administrative Memorandum 2010-04](#), Uniform Support Order (USO) Revisions, and includes a [model local administrative order \(LAO\)](#) that the court may implement to address out-of-date USOs. If court or friend of the court (FOC) staff has any questions or would like additional information or clarification, please contact Elizabeth Stomski at stomskie@courts.mi.gov or William Bartels at bartelsb@courts.mi.gov, or contact the Friend of the Court Bureau at 517-373-5975.

#1 Q: Does a court have to utilize a USO whenever it orders support?

A: Yes. Michigan Court Rule (MCR) 3.211(D) requires that any order regarding child support or spousal support, or both, must be prepared on the most current version of the USO developed by the State Court Administrative Office (SCAO) and approved by the Michigan Supreme Court. The court cannot enter a judgment regarding a minor or a spouse and a support obligation unless the final judgment incorporates a USO. A USO is *not* required if support is reserved or if no support is ordered.

#2 Q: If an attorney or party submits a support order that does not comply with MCR 3.211(D), can the court refuse to accept it?

A: Yes. If someone submits a support order without a USO or on an out-of-date form, the court should refuse it and require one that complies with MCR 3.211(D). The SCAO Case File Management Standards state that, if the submitted form is a mandatory SCAO form and the SCAO was required to develop the form by statute or court rule, the clerk of the court should refuse to accept any previously approved and outdated versions of the form.¹ If the FOC reviews orders pursuant to MCR 3.211(G), the office must require compliance with MCR 3.211(D).

¹ [Michigan Trial Court Case File Management Standards, Revised February 2011](http://courts.michigan.gov/scao/resources/standards/cf_stds.pdf), retrieved May 12, 2011, from http://courts.michigan.gov/scao/resources/standards/cf_stds.pdf, page 7.

#3 Q: If a court finds a support order was submitted in an improper form, can the court correct that order?

A: Yes. If the court enters a support order and later determines that the incorrect form was used, MCR 2.612 allows the court to correct clerical mistakes and errors in judgments or orders on its own initiative or on the motion of a party. The court could correct the clerical mistake by ordering the same terms on the most recent version of the USO form.