

THE FAMILY SUPPORT ACT (EXCERPT)
Act 138 of 1966

552.454 Prosecuting attorney as attorney for petitioner; agreement to transfer prosecutor's responsibilities; conduct of proceeding on behalf of state; utilization of child support formula as guideline; transmittal of payments to department of human services.

Sec. 4.

(1) If the county department of human services where the custodial parent or guardian of the minor child or children or the child or children who have reached 18 years of age resides determines the custodial parent, the minor child or children, the child or children who have reached 18 years of age, or any of them to be eligible for public or medical assistance, or if a complaint is being filed under section 1b, the prosecuting attorney shall act as the attorney for the petitioner.

(2) The prosecuting attorney and the department of human services may enter into an agreement to transfer the prosecutor's responsibilities under this act to 1 of the following:

(a) The friend of the court, with the approval of the chief judge of the circuit court.

(b) An attorney employed or contracted by the county under section 1 of 1941 PA 14, MCL 49.71.

(c) An attorney employed by, or under contract with, the department of human services.

(3) A proceeding under this section is conducted on behalf of the state and not as the attorney for any other party.

(4) The child support formula developed under section 19 of the friend of the court act, 1982 PA 294, MCL 552.519, shall be used as a guideline in petitioning for child support. Upon certification by the department of human services that the custodial parent and minor child or children or child or children who have reached 18 years of age are receiving public assistance, a payment received by the friend of the court or the state disbursement unit for the support of the custodial parent and minor child or children or child or children who have reached 18 years of age shall be transmitted to the department of human services.

History: 1966, Act 138, Eff. Mar. 10, 1967 ;-- Am. 1970, Act 153, Imd. Eff. Aug. 1, 1970 ;-- Am. 1971, Act 195, Imd. Eff. Dec. 20, 1971 ;-- Am. 1983, Act 196, Imd. Eff. Nov. 7, 1983 ;-- Am. 1985, Act 212, Eff. Mar. 1, 1986 ;-- Am. 1990, Act 237, Imd. Eff. Oct. 10, 1990 ;-- Am. 1990, Act 292, Imd. Eff. Dec. 14, 1990 ;-- Am. 1999, Act 158, Imd. Eff. Nov. 3, 1999 ;-- Am. 2014, Act 369, Eff. Mar. 17, 2015