

Revised Statutes of 1846 (EXCERPT)
DIVORCE

552.23 Judgment of divorce or separate maintenance; further award of real and personal estate; transmittal of payments to department of human services; service fee; failure or refusal to pay service fee; contempt; state disbursement unit or "SDU" defined.

Sec. 23.

(1) Upon entry of a judgment of divorce or separate maintenance, if the estate and effects awarded to either party are insufficient for the suitable support and maintenance of either party and any children of the marriage who are committed to the care and custody of either party, the court may also award to either party the part of the real and personal estate of either party and spousal support out of the real and personal estate, to be paid to either party in gross or otherwise as the court considers just and reasonable, after considering the ability of either party to pay and the character and situation of the parties, and all the other circumstances of the case.

(2) Upon certification by a county department of human services that a complainant or petitioner in a proceeding under this chapter is receiving public assistance either personally or for children of the marriage, payments received by the friend of the court or the state disbursement unit for the support and education of the children or maintenance of the party shall be transmitted to the department of human services.

(3) If the court appoints the friend of the court custodian, receiver, trustee, or escrow agent of assets owned by a husband and wife, or either of them, the court may fix the amount of the fee for such service, to be turned over to the county treasurer and credited to the general fund of the county. The court may hold in contempt a person who fails or refuses to pay a fee ordered under this subsection.

(4) As used in this section and section 24, "state disbursement unit" or "SDU" means the entity established in section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

History: R.S. 1846, Ch. 84 ;-- CL 1857, 3244 ;-- CL 1871, 4755 ;-- Am. 1877, Act 91, Eff. Aug. 21, 1877 ;-- How. 6245 ;-- CL 1897, 8638 ;-- CL 1915, 11414 ;-- CL 1929, 12745 ;-- Am. 1947, Act 133, Eff. Oct. 11, 1947 ;-- CL 1948, 552.23 ;-- Am. 1951, Act 130, Eff. Sept. 28, 1951 ;-- Am. 1958, Act 81, Eff. Sept. 13, 1958 ;-- Am. 1964, Act 11, Eff. Aug. 28, 1964 ;-- Am. 1967, Act 73, Eff. Jan. 1, 1968 ;-- Am. 1970, Act 182, Imd. Eff. Aug. 3, 1970 ;-- Am. 1971, Act 175, Imd. Eff. Dec. 2, 1971 ;-- Am. 1983, Act 193, Imd. Eff. Nov. 1, 1983 ;-- Am. 1999, Act 159, Imd. Eff. Nov. 3, 1999 ;-- Am. 2009, Act 234, Imd. Eff. Jan. 8, 2010

Popular Name: No-Fault Divorce