

INTERSTATE INCOME WITHHOLDING ACT (EXCERPT)
Act 216 of 1985

552.676 Office of child support to forward documentation to office of friend of court; filing documents with clerk of court; acceptance of documents as entry of support order; documentation required for entry of support order of another jurisdiction; remedying defect in documentation; notice of necessary additions or corrections; effect of meeting substantive requirement; enforcement of support order; jurisdiction limited to income withholding.

Sec. 6. (1) Upon receiving a support order of another jurisdiction with the documentation specified in subsection (2) from an agency, an obligee, an obligor, or an attorney for either, the office of child support shall forward the documentation to the office of the friend of the court in the county in which withholding is being sought and the office of the friend of the court shall file the documents with the clerk of the court in that county. The clerk of the court shall accept the documents filed and the acceptance constitutes entry of the support order only for the purposes of this act.

(2) The following documentation is required for the entry of a support order of another jurisdiction:

(a) A certified copy of the support order with all modifications.

(b) A certified copy of an order of income withholding still in effect, if any.

(c) A copy of the portion of the income withholding statute of the jurisdiction that issued the support order that states the amount of arrearages necessary to mandate income withholding under the law of that jurisdiction.

(d) A sworn statement of the obligee or certified statement of the agency of the amount of arrearages, including the approximate dates the arrearages accrued, and the assignment of support rights, if any.

(e) A statement of all of the following:

(i) The name, address, and social security number of the obligor, if known.

(ii) The name and address of the obligor's employer or of any other source of income of the obligor derived in this state against which income withholding is sought.

(iii) The name and address of the agency or person to whom support payments collected by income withholding shall be transmitted.

(iv) The amount of income withholding requested.

(f) A statement of eligibility for services under part D of title IV of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 651 to 669, signed by the obligee.

(g) A copy of proof of service or other evidence that the court or agency that issued the support order had personal jurisdiction over the obligor.

(h) Notification of any known support orders involving the same parties and the same children.

(3) If the documentation received by the office of child support under subsection (1) does not conform to the requirements of subsection (2), the office of child support shall remedy any defect that it can without the assistance of the requesting agency or party. If the office of child support is unable to make such corrections, the office of child support shall immediately notify the requesting agency or party of the necessary additions or corrections. In neither case shall the documentation be returned. If the substantive requirements of subsection (2) are met, the office of child support and the clerk of the court shall accept the documentation required by subsection (2), even if the documentation is not in the usual form required by this state.

(4) Except as otherwise provided in sections 7 to 13, a support order entered under subsection (1) is enforceable by income withholding against income derived in this state in the same manner and with the same effect as provided in sections 7 to 23 of the support and parenting time enforcement act, being sections 552.607 to 552.623 of the Michigan Compiled Laws, for support orders entered in this state. Entry of the order does not confer jurisdiction on the courts of this state for any purpose other than income withholding.

History: 1985, Act 216, Eff. Mar. 1, 1986;—Am. 1996, Act 11, Eff. June 1, 1996.