

STATUS OF MINORS AND CHILD SUPPORT (EXCERPT)
Act 293 of 1968

***** 722.3.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 17, 2015 *****

722.3.amended Obligation of parents; exceptions; enforcement of duty to support; child support formula as guideline; agreement to transfer prosecutor's responsibilities; enforcement of judgment.

Sec. 3. (1) The parents are jointly and severally obligated to support a minor as prescribed in section 5 of the support and parenting time enforcement act, 1982 PA 295, MCL 552.605, unless a court of competent jurisdiction modifies or terminates the obligation or the minor is emancipated by operation of law, except as otherwise ordered by a court of competent jurisdiction. Subject to section 5b of the support and parenting time enforcement act, 1982 PA 295, MCL 552.605b, a court of competent jurisdiction may order support as provided in this section for a child after he or she reaches 18 years of age.

(2) The duty of support may be enforced by the minor or the child who has reached 18 years of age, his or her guardian, any relative within the third degree, an authorized government agency, or if the minor or the child who has reached 18 years of age is being supported in whole or in part by public assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, by the director of the department of human services or his or her designated representative, or by the director of the county department of human services or his or her designated representative of the county where an action under this act is brought. An action for enforcement shall be brought in the circuit court in the county where the minor or the child who has reached 18 years of age resides. If a designated official of either the state or a county department of human services brings an action under this act on behalf of the minor or the child who has reached 18 years of age, the prosecuting attorney shall represent the official in initiating and conducting the proceedings under this act. 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.

(3) 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.

(4) A judgment entered under this section providing for support is governed by and is enforceable as provided in the support and parenting time enforcement act, 1982 PA 295, MCL 552.601 to 552.650. If this act contains a specific provision regarding the contents or enforcement of a support order that conflicts with a provision in the support and parenting time enforcement act, 1982 PA 295, MCL 552.601 to 552.650, this act controls in regard to that provision.

History: 1968, Act 293, Eff. Nov. 15, 1968;—Am. 1971, Act 173, Imd. Eff. Dec. 2, 1971;—Am. 1985, Act 213, Eff. Mar. 1, 1986;—Am. 1989, Act 278, Imd. Eff. Dec. 26, 1989;—Am. 1990, Act 238, Imd. Eff. Oct. 10, 1990;—Am. 1990, Act 295, Imd. Eff. Dec. 14, 1990;—Am. 1996, Act 17, Eff. June 1, 1996;—Am. 2001, Act 110, Eff. Sept. 30, 2001;—Am. 2014, Act 372, Eff. Mar. 17, 2015.

Popular name: Emancipation of Minors Act