

## MICHIGAN PARENTS IN PRISON: CHILD SUPPORT OBLIGATIONS

### Continued Obligation While Incarcerated:

- It is important to understand that your obligation to pay child support does not automatically disappear once you become incarcerated. If there is currently an order requiring you to pay support for your children, you must do something about it...even while you are in prison. Failure to do so could result in back-support and expensive fines for the entire length of time that you fail to pay child support. By following either of the two steps below, you may be able to get the court to enter a modification of your child support for the time that you are in prison and do not have income. This will reduce the amount you owe after release.

### Two Steps to Take Immediately:

1. **Notify the Friend of the Court (FOC) that you are incarcerated.**
  - Fill out the attached letter and send it to the FOC located in the county in which your child support order was issued. A list of FOC addresses is attached. Keep copies of everything you send.
  - Once you mail this letter with notification that you are incarcerated, the FOC will start a review of your case. You will likely receive a questionnaire for additional information from the FOC that you should complete as accurately as possible. You must follow any instructions you receive from the FOC, or your support will not be changed. The review and modification process can take approximately 180 days or more to complete.
2. **File a motion to modify your child support.**
  - Fill out the "Prisoner Motion to Modify Support" form that is attached. File this form along with the attached "Prisoner Affidavit" so that your filing fees may be waived. File this paperwork in the court in which your child support order has been issued. Additional information and directions for completing both of these forms is attached.
  - You **must** mail a copy of the motion to the party to whom you owe support. The date that you serve the other party is the date from which your support would get changed if the court agrees to modify it.

Step #1 is a way for you to properly notify the FOC that you are incarcerated and ask the FOC to set a new, lower payment amount based on your current situation. The new payment amount may be zero. Step #2 is a motion in which you formally request the court to modify your payments. You should complete at least one of these procedures immediately.

### Consequences of Failing to Act While in Prison:

- **Back-support:** If you have an existing court order requiring you to pay child support, the amount you owe will continue to add up while you are in prison. When released, Michigan prisoners on average owe \$28,000 in back-support.
- **Fines:** In addition to back-support, you may also be fined, or have your wages garnished after finding a job upon release.
- **Jail:** Failure to pay fines and back-support can result in a show cause hearing, and if you do not attend court, then a bench warrant could be issued and you can even be jailed for contempt.
- **Additional Losses:** Failure to pay support may also result in the following: problems if you are on probation or parole; the loss of your driver's license or occupational license; the seizure of your property; and increased likelihood of termination of your parental rights.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Prisoner Number

\_\_\_\_\_  
Address

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Friend of the Court Address

Re: \_\_\_\_\_  
Name of case (Plaintiff vs. Defendant)

\_\_\_\_\_  
Case Number

Dear \_\_\_\_\_ County Friend of the Court:  
Name of County

My name is \_\_\_\_\_ and my case number is \_\_\_\_\_

The name of the other party in my case is \_\_\_\_\_

\_\_\_\_\_  
(If you have multiple cases in the same county, list each case number and the other party in each case.)

I am writing to notify you that I am currently incarcerated at \_\_\_\_\_

\_\_\_\_\_  
Name of facility

As you know, MCL 552.517(b) requires the Friend of the Court to initiate a support review when it receives information that an individual is incarcerated.

In addition to a support review, I would ask that you stop the surcharge on any arrearages that I currently owe or that accumulate while I am locked up.

When corresponding with me, please use my prison number to ensure that any letters you send reach me. My prison number is \_\_\_\_\_  
Prison Number

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Prisoner Number

\_\_\_\_\_  
Address

Date: \_\_\_\_\_

\_\_\_\_\_  
Friend of the Court Address

Re: \_\_\_\_\_  
Name of case (Plaintiff vs. Defendant)

\_\_\_\_\_  
Case Number

Dear \_\_\_\_\_ County Friend of the Court:  
Name of County

My name is \_\_\_\_\_ and my case number is \_\_\_\_\_

The name of the other party in my case is \_\_\_\_\_

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(If you have multiple cases in the same county, list each case number and the other party in each case.)

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Prison Number

Thank you for your assistance.

Sincerely,

\_\_\_\_\_  
Your signature

## MICHIGAN FRIEND OF THE COURT OFFICES

COUNTY FOC	ADDRESS	CITY	ZIP	MAIN PHONE NUMBER
Alcona	Alcona County Courthouse PO Box 366	Harrisville	48740	(989) 724-5131
Alger	Alger County Bldg. - PO Box 733	Munising	49862	(906) 387-4636
Allegan	113 Chestnut St.	Allegan	49010	(616) 673-0330
Alpena	719 W. Chisholm St.	Alpena	49707	(989) 356-0574
Antrim	328 Washington St.	Bellaire	49615	(231) 922-6200
Arenac	806 W. Houghton Ave. Ste 106	West Branch	48661	(989) 345-5520
Baraga	401 E. Houghton Ave.	Houghton	49931	(906) 482-2102
Barry	117 S. Broadway St.	Hastings	49058	(616) 948-4826
Bay	1230 Washington Ave. Ste. 725	Bay City	48708	(989) 895-4265
Benzie	448 Court Place - PO Box 70	Beulah	49617	(231) 882-0023
Berrien	811 Port St.	St. Joseph	49085	(616) 983-7111
Branch	31 Division St.	Coldwater	49036	(517) 279-4314
Calhoun	161 E. Michigan Ave.	Battle Creek	49014	(616) 969-6415
Cass	110 N. Broadway	Cassopolis	49031	(616) 445-4436
Charlevoix	301 State St.	Charlevoix	49720	(231) 547-7205
Cheboygan	870 S. Main St. - PO Box 70	Cheboygan	49721	(231) 627-8826
Chippewa	300 Court St.	Sault Ste. Marie	49783	(906) 635-6347
Clare	255 W. Main St. - PO Box 988	Harrison	48625	(989) 539-0800
Clinton	100 E. State - Ste. 4100	St. Johns	48879	(989) 224-5136
Crawford	400 W. Main St. - PO Box 1485.	Gaylord	49734	(989) 732-3437
Delta	310 Ludington St.	Escanaba	49829	(906) 789-5110
Dickinson	300 E. Dr. St. - PO Box 725	Iron Mountain	49801	(906) 774-2833
Eaton	1045 Independence Blvd.	Charlotte	48813	(517) 543-7500
Emmet	200 Division St.	Petoskey	49770	(231) 348-1717
Genesee	1101 Beach St.	Flint	48502	(810) 257-3300
Gladwin	401 W. Cedar Ave.	Gladwin	48624	(517) 426-4141
Gogebic	200 N. Moore St.	Bessemer	49911	(906) 667-0218
Grand Traverse	328 Washington St.	Traverse City	49684	(231) 922-4660
Gratiot	PO Box 157	Ithaca	48847	(989) 875-5226
Hillsdale	15 Care Dr. P.O. Box 201	Hillsdale	49242	(517) 437-4111
Houghton	401 E. Houghton Ave.	Houghton	49931	(906) 482-2102
Huron	250 E. Huron Ave. - PO Box 188	Bad Axe	48413	(989) 269-9545
Ingham	303 W. Kalamazoo - PO Box 40097	Lansing	48901	(517) 483-6103
Ionia	110 E. Washington - PO Box 47	Ionia	48846	(616) 527-5310
Iosco	422 Lake St. - PO Box 658	Tawas City	48764	(989) 362-2573
Iron	2 S. Sixth St. - Ste. 19	Crystal Falls	49920	(906) 875-3673
Isabella	200 N. Main St.	Mt. Pleasant	48858	(989) 772-0911
Jackson	312 S. Jackson St.	Jackson	49201	(517) 788-4470
Kalamazoo	201 W. Kalamazoo Ave. - 4th Floor	Kalamazoo	49007	(616) 384-8200
Kalkaska	400 W. Main St. - PO Box 1485	Gaylord	49735	(517) 732-3437
Kent	82 Ionia St.	Grand Rapids	49503	(616) 336-2600
Keweenaw	401 E. Houghton Ave.	Houghton	49931	(616) 482-2102
Lake	County Courthouse - PO Box 163	Baldwin	49304	(231) 745-2705
Lapeer	255 Clay St. - PO Box 570	Lapeer	48446-0570	(810) 667-0377
Leelanau	328 Washington St.	Traverse City	49684	(231) 922-4660
Lenawee	425 N. Main St.	Adrian	49221	(517) 264-4706
Livingston	210 S. Highlander Way - PO Box 707	Howell	48844	(517) 546-0230
Luce	407 W. Harrie St.	Newberry	49868	(906) 293-3204
Mackinac	100 N. Marley St.	St. Ignace	49781	(906) 643-7336
Macomb	40 N. Main St.	Mt. Clemens	48043	(586) 469-5160
Manistee	415 Third St.	Manistee	49660	(231) 723-7242
Marquette	234 Baraga Ave.	Marquette	49855	(906) 225-8262
Mason	304 E. Ludington Ave.	Ludington	49431	(231) 843-4791
Mecosta	400 Elm St. - PO Box 822	Big Rapids	49307	(231) 592-0115

COUNTY FOC	ADDRESS	CITY	ZIP	MAIN PHONE NUMBER
Menominee	Courthouse, 839 10th Ave.	Menominee	49858	(906) 863-8981
Midland	301 W. Main St.	Midland	48640	(989) 832-6801
Missaukee	401 N. Lake St. - PO Box 285	Cadillac	49601	(231) 779-9494 (ext. 3108)
Monroe	106 E. First St. - PO Box 120	Monroe	48161-2143	(734) 240-7180
Montcalm	629 N. State St.	Stanton	48888	(989) 831-5226
Montmorency	Courthouse - PO Box 479	Atlanta	49709	(989) 785-8035
Muskegon	900 Terrace St.	Muskegon	49442	(231) 724-6323
Newaygo	PO Box 805	White Cloud	48349	(231) 689-7260
Oakland	1200 N. Telegraph Rd.	Pontiac	48341	(248) 858-0424
Oceana	100 State St.	Hart	49420	(231) 873-4605
Ogemaw	806 W. Houghton Ave. - PO Box 427	West Branch	48661	(989) 345-5520
Ontonagon	725 Greenland Rd.	Ontonagon	49953	(906) 884-4670
Osceola	301 W. Upton St. - PO Box 135	Reed City	49677	(231) 832-6131
Oscoda	PO Box 837	Tawas City	48763	(989) 362-2573
Otsego	400 W. Main St. - PO Box 1485	Gaylord	49734	(989) 732-3437
Ottawa	414 Washington St.	Grand Haven	49417	(616) 846-8210
Presque Isle	151 E. Huron Ave.	Rogers City	49779	(989) 734-4312
Roscommon	806 W. Houghton Ave. Ste 106 - PO Box 427	West Branch	48661	(989) 345-5520
Saginaw	111 S. Michigan Ave.	Saginaw	48602	(989) 790-5313
Saint Clair	201 McMorran Blvd.	Port Huron	48060	(810) 985-2285
Saint Joseph	125 W. Main St. - PO Box 249	Centreville	49032	(616) 467-5570
Sanilac	60 W. Sanilac Ave.	Sandusky	48471	(810) 648-4866
Schoolcraft	300 Walnut St. - Rm. 210	Manistique	49854	(906) 341-3653
Shiawassee	208 N. Shiawassee St.	Corunna	48817	(989) 743-2397
Tuscola	449 Green St.	Caro	48723	(989) 673-4848
Van Buren	219 Paw Paw St.	Paw Paw	49079	(616) 657-6286
Washtenaw	101 E. Huron St.	Ann Arbor	48107	(734) 994-2466
Wayne	645 Griswold St.	Detroit	48226	(313) 224-5300
Wexford	401 N. Lake St. - PO Box 285	Cadillac	49601	(231) 779-9494 ext. 3108

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STATE OF MICHIGAN JUDICIAL CIRCUIT  COUNTY	PRISONER AFFIDAVIT AND ORDER FOR SUSPENSION OF FEES/COSTS IN PRO PER	CASE NO.
Court address	Court telephone	

Plaintiff's name, address, and telephone no.

v

Defendant's name, address, and telephone no.

I, [your name], \_\_\_\_\_

Prisoner name

Prison offender number \_\_\_\_\_

1. I am currently incarcerated and  have no income  have a reduced income and a limited ability to earn income.
2. I am unable to pay the fees and costs of this action because of indigence and ask the court to suspend them.
3. I understand that the court may order me to repay the fees and costs if the reason for the waiver or suspension no longer exists.

(You must sign the affidavit in the presence of a notary)

\_\_\_\_\_  
Prisoner signature

Subscribed and sworn to before me on \_\_\_\_\_, 200\_ in \_\_\_\_\_ County, Michigan  
My commission expires:

\_\_\_\_\_  
Signature

Notary public, State of Michigan, County of \_\_\_\_\_

ORDER:

IT IS ORDERED:

- The fees and costs required in this action are waived/suspended until further order of the court.
- This application is denied. (The Order is completed by the court)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

Original - Court  
1st copy - Plaintiff  
2nd copy - Defendant  
3rd copy - Friend of the Court

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STATE OF MICHIGAN JUDICIAL  
CIRCUIT COUNTY

CASE NO. \_\_\_\_\_

PRISONER MOTION TO MODIFY SUPPORT  
IN PRO PER

Court address  
Plaintiff's name, address, and telephone no.

Court telephone no. \_\_\_\_\_

Moving party

v

Defendant's name, address, and telephone no.

Moving party

Third party's name, address, and telephone no.

- 1 The most recent court order for child support is dated. \_\_\_\_\_ [month, day, and year]
- 2 I am ordered to pay \$ \_\_\_\_\_ every \_\_\_\_\_ [week, month, etc.]
- 3 Conditions as to the child support have changed, and due to my incarceration, I cannot pay the amount ordered.
- 4 Attached is a completed Prisoner Information Addendum and a prisoner account statement listing my income and assets.
5. I REQUEST that the court enter
  - a. an order that changes my child support to an appropriate amount based on my ability to pay while I am in prison as well as after my release. I also request that the court allow my participation in the hearing on this motion by telephone or other electronically reliable means as permitted by MCR 3.210(A)(4) or 3.215(D)(3).
  - b. the attached Uniform Child Support Order agreed to by me and \_\_\_\_\_  
name of other party

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

NOTE: If you are the non-moving party, you can respond to this motion without an attorney by completing form FOC 51 and filing it with the court. Contact the friend of the court office to request the form.