



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ELIZABETH HERTEL
DIRECTOR

IV-D MEMORANDUM 2023-005

TO: All Friend of the Court (FOC) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: March 6, 2023

UPDATE(S):

Manual

Form(s)

SUBJECT: Modifying Support After Incarceration Abatement

ACTION DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum updates policy related to modifying support after abatement due to a payer’s release from incarceration. This memorandum also introduces an update to the *Review and Modification* (REVMD) activity chain in the Michigan Child Support Enforcement System (MiCSES).¹

With the Child Support 23.1 Release on March 10, 2023, IV-D workers will have a new reason code to select when modifying support after a payer is released from incarceration. This code, “3M – NCP Release Support Redetermined,”² will allow IV-D staff to accurately document the reason for modifying (or redetermining) a payer’s support. This will improve the child support program’s ability to track data about support orders that are modified after a payer’s incarceration.

DISCUSSION:

Michigan law³ requires the FOC to abate support when a payer is incarcerated for 180 consecutive days or more and does not have the ability to pay support. The law also requires the FOC to initiate a support review within 30 days of learning a payer is

¹ Ref: [MiCSES Customer Information Guide: REVMD – Review and Modification Activity Chain](#) for more information on the REVMD activity chain.

² NCP stands for “non-custodial parent.”

³ Michigan Compiled Law (MCL) 552.517f

released from incarceration.⁴ Support remains abated after the payer is released until the payer's support order is modified.⁵

Entering a Modified Support Order After a Payer's Release From Incarceration

The Michigan Child Support Formula (MCSF) states the minimum threshold for modification of a current monthly support payment is an increase of 10 percent or \$50.⁶ Prior to the Child Support 23.1 Release on March 10, 2023, IV-D staff had to select the reason "Threshold Met" to move forward with entering a modified support order for a payer whose support was abated during incarceration. This required IV-D staff to select "Threshold Met" even when the payer's income and/or obligation did not significantly change from the pre-incarceration amount and the recommended support amount did not meet the threshold for modification.

With the 23.1 release, IV-D staff will select the new reason code "3M – NCP Release Support Redetermined." It will not depend on the current support amount meeting the minimum modification threshold. This will give the child support program more accurate data as to why the IV-D worker modified support.

IV-D staff will use the "3M" reason code for both manual and automatic abatements.

Selecting the "3M" Reason Code

Once the FOC learns of a payer's release from incarceration and conducts a support review, IV-D staff will select the reason code "3M" at the *Guideline* (GUIDL) step on the *Review and Modification Processor* (REVP) screen.⁷ MiCSES will add to the *Notes Processor* (NOTE) screen⁸ a system note stating: "Mandatory review following abatement due to incarceration."

If IV-D staff select another reason code besides "3M" when modifying support after abatement due to incarceration, a warning message will appear. It will not prevent IV-D staff from moving forward, but it will give them the option to cancel and select the "3M" code since the REVP chain was opened due to the NCP's release from incarceration.

If IV-D staff do not select "3M," they must enter a detailed note on the NOTE screen explaining why they did not use it.

⁴ MCL 552.517f(10)

⁵ Ref: MCL 552.517f(9) and [Section 3.44, "Abatement," of the Michigan IV-D Child Support Manual](#) for more information on abatement.

⁶ 2021 MCSF 4.05

⁷ Ref: [MiCSES Screen Description: REVP – Review and Modification Processor](#) for more information on the REVP screen.

⁸ Ref: [MiCSES Screen Description: NOTE – Notes Processor](#) for more information on the NOTE screen.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Enforcement Work Improvement Team
Program Leadership Group

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CC:

None

SUPPORTING REFERENCES:

Federal
None

State
MCL 552.517f
MCL 552.517f(9)-(10)

ATTACHMENT(S):

None

EPF/ALC