

Michigan IV-D Child Support Manual
Michigan Department of Health and Human Services

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1. Introduction

This manual section summarizes the legal authority for the review and modification process for child support orders. It also discusses the review and modification process for IV-D staff, describes the functionality in the Michigan Child Support Enforcement System (MiCSES), and discusses the related review and modification forms.¹

The IV-D program reviews all public assistance cases once every three years, and also notifies custodial parties (CPs) and non-custodial parents (NCPs) of their right to request a review once every three years. A review conducted three years or longer after the most recent order or review does not require any change in circumstances or any reasonable grounds to believe that the support amount will change, and is sometimes referred to as a “three-year review.”

MiCSES automatically starts the review process on a public assistance case once every three years.² These reviews are sometimes referred to as “automatic reviews” or “automatic three-year reviews,” since MiCSES initiates the review automatically with no action from a IV-D worker. For a non-public assistance case, MiCSES notifies CPs and NCPs of their right to request a review once every three years.

The IV-D worker will begin a three-year review on a non-public assistance case if a CP or NCP requests it. There are also circumstances when a IV-D worker will begin a review on a public assistance case or a non-public assistance case outside of the three-year review cycle.³

A party also has the option to file a court motion to request a review. The court may order (or refer) the Friend of the Court (FOC) to conduct the review. The court may also order the FOC to conduct a support investigation under Michigan Compiled Law (MCL) 552.505(1)(h).⁴ This court-referred support investigation is not the same as a review and modification; however, many steps in the court-referred support investigation process mirror those of review and modification.

¹ This manual section discusses the review and modification forms owned or co-owned by the Office of Child Support (OCS).

² In December 2005, MiCSES evaluated certain dockets and accelerated them into an 18-month review cycle. This acceleration happened only once. Since that time, the accelerated dockets have been subject to the three-year review cycle.

³ Ref: Subsections 4.2.2 and 4.3 of this manual section.

⁴ Ref: Subsection 6 of this manual section.

Either MiCSES or a IV-D worker may initiate the review process, but it is always the IV-D worker who conducts the review. IV-D staff review child support orders to determine whether the amount of support to be paid and/or the medical support obligation is appropriate.⁵

Generally, FOC staff are responsible for the review and modification of child support orders. This manual section uses the terms “FOC staff,” “FOC office,” or “FOC worker” when a state statute specifically assigns a responsibility to the FOC. The terms “IV-D worker” and “IV-D program” are used when a responsibility is part of a federal IV-D requirement.

2. Legal Authority

2.1 Federal Law

Federal law⁶ requires that states review a child support order once every three years:

- If support has been assigned to the state;⁷ or
- At the request of a parent.⁸

At least once every three years, the state must provide notice to parents on both assistance and non-assistance cases⁹ of their right to request a review.

In addition, the state must have procedures to review an order outside of the three-year cycle, and to adjust an order if the requester demonstrates a substantial change in circumstances.¹⁰

Federal regulations outline the required review and modification procedures, along with timeframes.¹¹ The IV-D program is required to complete the support review within 180 days of receiving the request or locating the non-requesting parent, whichever occurs later.

⁵ Ref: 45 Code of Federal Regulations (CFR) 303.31(b)(4).

⁶ Ref: 42 United States Code (USC) 666(a)(10).

⁷ Ref: [Section 5.15, “Assignment of Support \(Certification/Decertification\),” of the Michigan IV-D Child Support Manual.](#)

⁸ Per 45 CFR 303.8(a), “parent” includes “any custodial parent or noncustodial parent (or for purposes of requesting a review, any other person or entity who may have standing to request an adjustment to the child support order).”

⁹ MiCSES sends the eligibility letter *Review and Modification Eligibility Notification* (RNMELIGLTR) for non-assistance cases. For assistance cases, it sends the *Notice of Support Review* (RNMRVWNOT), which informs recipients of their right to request a review.

¹⁰ Ref: 45 CFR 303.8(b)(5).

¹¹ Ref: 45 CFR 303.8 and Subsection 7 of this manual section for more information about timeframes.

“Completing the support review” means that IV-D staff will conduct the review and either:

- Determine that a modification is inappropriate;¹²
- Enter a judge’s signed order;¹³
- Terminate the review;¹⁴ or
- Complete a court-referred support investigation.

Note: If a IV-D worker completes a court-referred support investigation and provides the recommendation to the court, the parties, and their attorneys, it is considered a completed support review. Refer to Subsection 6 of this manual section.

2.2 State Law

MCL 552.517 codifies statutory authority for Michigan’s review and modification process. In addition to the federal requirements for a three-year review, a support review must occur in the following circumstances:

- If directed by the court;
- More frequently than every three years if the party presents evidence of a substantial change in circumstances;¹⁵
- Upon request of the initiating state;¹⁶ or
- At the initiative of the FOC office, if there are reasonable grounds¹⁷ to review the order.

Michigan law¹⁸ provides further guidance on the review and modification process, including notification to the parties and procedures for filing objections.

3. Review Eligibility

A child support order is eligible for review once every three years.¹⁹ This type of review does not require a change in circumstances or any reasonable grounds to believe that the support amount will change. Under certain circumstances, a child support order may be eligible for a more frequent review.²⁰

¹² Ref: Subsections 3 and 5 of this manual section.

¹³ Ref: Subsection 8.3 of this manual section.

¹⁴ Ref: Subsection 7.4 of this manual section.

¹⁵ Ref: MCL 552.517b(9).

¹⁶ Ref: [IV-D Memorandum 2011-001, New Intergovernmental Federal Regulations](#), for information on initiating and responding states in intergovernmental cases.

¹⁷ Ref: MCL 552.517(1)(f).

¹⁸ Ref: MCL 552.517b.

¹⁹ Ref: Subsection 3.3 of this manual section for calculating eligibility for a three-year review. Ref: Subsection 5 for circumstances where an order may be eligible for a review, but the review is not appropriate.

²⁰ Ref: Subsections 4.2.2 and 4.3 of this manual section.

Within 14 days of receiving a request from an initiating state or a written request from a CP or NCP, IV-D staff must determine if the order is eligible for review. An order may be eligible for a three-year review, or may be eligible for a review due to a substantial change in circumstances.

To help determine eligibility for a review due to a substantial change in circumstances or reasonable grounds to believe the support amount will change, IV-D staff may refer to historical records stored on the *Order Preparation and Entry* (OPRE) screen. These records indicate which support calculation was used in preparing the original or most recent order. IV-D workers may also use information provided on the Business Objects *Member Income and Location Report* (MILR) (LC-001)²¹ and the *Income and Location Report* (ILR) (LC-002) to determine whether a docket is eligible for review.

The IV-D worker will record in MiCSES the date a review request is received, since state and federal review and modification deadlines are derived from that date.²² The worker will also record whether or not a review request is honored.²³ If the order is eligible for a review, IV-D staff will manually initiate one within MiCSES.

If the order is not eligible for review, MiCSES will automatically queue the *Review Results Letter* (RNMRVWRSLT) to notify the requester that the support order will not be reviewed, and to provide the eligibility date for the next review.

3.1 Notification of Eligibility for a Three-Year Review

Federal law requires that the IV-D program send CPs and NCPs a notice of the right to request a case review once every three years.²⁴ This includes intergovernmental cases as well as instances where all parties have left Michigan but Michigan still has an open IV-D case.

MiCSES automatically begins the review and modification process²⁵ for public assistance cases and generates the *Notice of Support Review* (RNMRVWNOT) to inform all CPs and NCPs on open IV-D cases associated to the eligible docket that a review has been initiated. Since the review has already been started, there is no need to send an eligibility notice.

²¹ Currently, the MILR displays the *Guidelines Recommendation* (GREC) screen child support calculation associated to the most recent OPRE record. If no OPRE record exists, MILR displays the most recent support calculation from the GREC screen. Help Desk ticket 474156 requests an update to the MILR to display a calculation from the MiChildSupport Calculator.

²² The IV-D worker must record the date the request is actually **received**, not the date it is opened, read, or acted upon.

²³ Ref: [MiCSES Quick Reference Guide: REVP – Process a Review](#).

²⁴ Ref: 45 CFR 303.8(b)(6).

²⁵ The review and modification process in MiCSES is handled through the REVMD chain. Ref: [MiCSES Customer Information Guide: REVMD – Review and Modification Activity Chain](#).

MiCSES does not automatically begin the review and modification process for non-public assistance cases. Instead, MiCSES notifies CPs and NCPs of their right to request a review by sending the *Review and Modification Eligibility Notification* (RNMEIIGLTR). MiCSES notifies all CPs and NCPs on open IV-D cases that are associated to the docket eligible for review.

3.2 Who May Request a Review

Federal regulations²⁶ require the IV-D program to have procedures under which a review is conducted at the request of “either parent.” “Parent” is defined as “any custodial parent or noncustodial parent (or for purposes of requesting a review, any other person or entity who may have standing to request an adjustment to the child support order).”²⁷

If support is redirected²⁸ through MCL 552.605d to an individual who is responsible for a child, and this individual is not a biological parent (also known as a non-parent custodian), the IV-D program considers this individual to be a CP and therefore eligible to request a review if the individual:

- Has requested IV-D services; or
- Is a CP on a IV-D case associated to the docket.

If the individual requesting a review does not have legal standing, but is a CP on a IV-D case associated to the docket, FOC staff will open a review based on temporary or permanent changes to the physical custody of the child that the court has not ordered, per MCL 552.517(1)(f)(i).²⁹

Example:

There is a docket/court case with Maggie Mother as the plaintiff and Daryl Dad as the defendant. Their child then goes to live with Grandpa Gilbert without a court having ordered the change in custody. Grandpa Gilbert has no legal standing on the court case. Grandpa Gilbert requests IV-D services, including support. The FOC worker redirects support to Grandpa Gilbert, and he is now the non-parent custodian on the IV-D case. The FOC worker will open a review if Grandpa requests it.

If the individual responsible for the child requests a review but does not have legal standing on the docket and is **not** a CP or NCP on a IV-D case associated to the docket, the IV-D worker will provide the individual with a IV-D application and explain that the application must be completed in order for IV-D staff to

²⁶ Ref: 45 CFR 303.8(b)(1).

²⁷ Ref: 45 CFR 303.8(a).

²⁸ Ref: [Section 5.20, “Obligation – Entry, Modification and Adjustments,” of the Michigan IV-D Child Support Manual.](#)

²⁹ Ref: Subsection 4.3 of this manual section.

conduct a review.³⁰ When the completed application is returned, FOC staff will open a review as discussed above.

3.3 Calculating the Three-Year Review Eligibility Date

An order is eligible for a three-year review when Michigan has continuing, exclusive jurisdiction over the order, and three years have elapsed since the date the judge signed the order, or since the conclusion of the last review of the order.³¹

If a IV-D worker enters an order that includes medical support associated to a IV-D case receiving **medical-only IV-D services**, the IV-D program has fulfilled its order establishment responsibilities in such a case. Consequently, the next three-year review eligibility date will be three years from the date the order was signed.

If a court issues a medical-only order without a child support calculation, or if the medical provisions were not included in a *Uniform Child Support Order*³² on a case receiving **full IV-D services**, the IV-D program has **not** fulfilled its order establishment responsibilities in such a case. Consequently, entry of only the medical provisions of the order will **not** update the eligibility date for the next three-year review.

MiCSES initiates the review process or sends an eligibility notice on all eligible dockets at least once every three years³³ based on the date in the *Nxt Rvw Dt* field on the *Review and Modification Processor* (REVP) screen.³⁴

MiCSES updates the *Nxt Rvw Dt* field to add three years to the date when an eligibility notice (RNMEIIGLTR) is automatically sent, as well as when the *Notice of Support Review* (RNMRVWNOT) is sent. The MiCSES OPRE screen updates the *Nxt Rvw Dt* field to add three years to the date the judge signed the order when the IV-D worker finalizes the OPRE record. The *Court-Referred Support Investigation* (CTRSI) chain³⁵ updates the next review notice date to

³⁰ Ref: [Section 2.05, "Referrals and Applications," of the Michigan IV-D Child Support Manual.](#)

³¹ This includes three years from the conclusion of a court-referred support investigation that resulted in a recommendation provided to the court. Ref: Subsection 6 of this manual section for more information on court-referred support investigations.

³² The *Uniform Child Support Order* is a State Court Administrative Office (SCAO) form. In MiCSES, it is called the FOC10 or 5085 and is referred to as the USO. Ref: [Section 4.20, "Support Recommendations and Order Entry," of the Michigan IV-D Child Support Manual](#) for more information.

³³ Help Desk ticket 468200 has been entered to analyze circumstances where it appears MiCSES may have set the next review date for more than three years in the future. Ticket 462475 has been entered to analyze circumstances where an older, open ("stale") review and modification chain prevents the eligibility notice being sent or a new review being opened.

³⁴ Ref: [MiCSES Customer Information Guide: Review and Modification.](#)

³⁵ Ref: Subsection 6 of this manual section and [MiCSES Customer Information Guide: CTRSI – Court Referred Support Investigation Activity Chain.](#)

add three years to the date the IV-D worker indicates that a recommendation is provided to the court, parties, and attorneys.

3.4 Eligibility for Three-Year Reviews

MiCSES uses the following additional criteria to determine that a docket is eligible for MiCSES to begin a review activity chain or send an eligibility notice.³⁶

- The next review notice date is reached on the REVP screen;
- The docket has an order type of judgment or modification;³⁷
- The docket is open;³⁸
- The support order is open;³⁹
- The IV-D case type is **not** Non-IV-D “L” as denoted in the *IV-D Case Type* field on the *Case Member Details (CASE)* screen;⁴⁰
- At least one active child on the case associated to the docket is under 16.5 years of age;⁴¹
- The *ENF EXEMPT IND* field on the SORD screen does not indicate the parties have opted out of FOC services; and
- The docket has a combination of active CP and active NCP, and the parties are not deceased.

MiCSES prevents a review if good cause is pending or if there is good cause to end child support action, since all IV-D activity on good cause cases must stop. If this occurs, the docket will be eligible for review in another three years.⁴²

If the good cause determination is made to continue action on the IV-D case, MiCSES will **not** stop the review and modification process.⁴³ For this good cause determination, the CP’s participation cannot be required.⁴⁴

3.5 More Frequent Eligibility

³⁶ Ref: *MiCSES Customer Information Guide: REVMD – Review and Modification Activity Chain*.

³⁷ MiCSES does not select temporary or ex parte order types for automatic review; therefore, IV-D workers must manually monitor these order types to ensure compliance with federal review requirements. Ref: Subsection 2.1 of this manual section for federal review requirements.

³⁸ The docket is open when an open *Docket Status* appears on the *Support Order Entry (SORD)* screen for any IV-D case associated with the docket.

³⁹ The support order is open if an open *Docket Status* appears on the SORD screen for the IV-D case associated with the order.

⁴⁰ Ref: [MiCSES Customer Information Guide: IV-D Case Type](#).

⁴¹ This criterion applies only to automatic reviews. A IV-D worker may manually begin a review when the child(ren) on the docket is older than 16.5.

⁴² Ref: [Section 2.15, “Cooperation/Noncooperation/Good Cause,” of the Michigan IV-D Child Support Manual](#).

⁴³ The *Good Cause Status, Reason, and Date* fields on the CASE screen are used to record good cause information in MiCSES.

⁴⁴ Ref: *MiCSES Customer Information Guide: Review and Modification*.

A child support order may be eligible for review more frequently than once every three years when certain other criteria are met.⁴⁵

4. Requirement to Open a Review

IV-D staff are prompted to review a support order at various times in the life of a IV-D case. OCS encourages a proactive approach to initiating reviews in a regular attempt to right-size orders. Federal and state requirements for reviews are outlined in Subsection 2 of this manual section.

4.1 Public Assistance

The IV-D program must review a child support order at least once every three years for a public assistance case. MiCSES begins these reviews automatically.⁴⁶

4.1.1 Limiting Cases for Automatic Review

An office has the ability to limit the number of public assistance cases chosen for automatic support reviews each month. This allows the office to complete the largest number of reviews possible while still meeting other business needs.

Note: Offices choosing to limit the number of reviews that MiCSES automatically initiates could be adversely affected by federal audits. Both state and federal laws mandate that the IV-D program must automatically review public assistance cases at least once every three years.⁴⁷

If counties decide to limit the number of automatic reviews, MiCSES will not automatically start the review and modification process for all dockets that would normally be eligible for automatic review.

CPs and NCPs on open IV-D cases associated to dockets that are not selected for automatic review will receive the *Review and Modification Eligibility Notification* instead of the *Notice of Support Review*.

The MiCSES *Ramp-Up Multiplier* (RAMP) screen⁴⁸ provides functionality that allows the Local Options Administrator (LOA)⁴⁹ to limit the number of automatic reviews MiCSES initiates each month.

⁴⁵ Ref: Subsections 4.2.2 and 4.3 of this manual section.

⁴⁶ Ref: Subsection 3.4 of this manual section for the criteria that MiCSES uses to select a public assistance case for automatic review.

⁴⁷ Ref: Subsection 2 of this manual section for federal and state requirements for support reviews.

⁴⁸ Ref: [MiCSES Screen Description: RAMP – Ramp-Up Multiplier](#).

⁴⁹ Ref: [LOA Tasks in MiCSES](#) web-based training for information on the LOA role.

4.1.2 Prioritization of IV-D Cases on the RAMP Screen

Because the RAMP screen limits the number of automatic support reviews, the RAMP screen also prioritizes the available cases to ensure families with the highest needs are processed first. The prioritization of cases on the RAMP screen occurs as follows:

- A. The IV-D case is identified as public assistance, the *Zero Support Order* field on the SORD screen is not checked, and the case does not have an accruing obligation of CC, CM, CF, CS, ED, MD, MR, MS, PB, PC or WF in the *Debt Type* field on the *Obligation Maintenance (OBLG)* screen;⁵⁰
- B. At least one IV-D case associated with the docket has active Medicaid, and the *Insurance Ordered* reason code on the SORD screen is **not** set to A, B or C. This indicates that *neither* the CP nor the NCP are ordered to carry medical insurance for the children on the order, or *both* the CP and NCP are ordered to carry medical insurance for the children on the order;
- C. At least one IV-D case associated to the docket is identified as public assistance, the docket has a support order, and the payer is not incarcerated;
- D. The IV-D case is identified as public assistance, and the obligor does not have a payment plan;
- E. The IV-D case is identified as public assistance, and the obligor is incarcerated; and
- F. The IV-D case is identified as public assistance, and the obligor was recently released from incarceration.

4.2 Upon Request of a CP or NCP

There are circumstances in which the IV-D worker will open a review based on the request of the CP⁵¹ or NCP. These circumstances apply to both public assistance and non-public assistance cases. The IV-D worker will record the receipt of the review request in MiCSES and determine within 14 days whether the request should result in a review.

4.2.1 Three-Year Review

The IV-D worker will review the order upon receipt of a written request from the CP or NCP. The IV-D program is not required to act on more than one request every three years. This type of review does not require a change in circumstances or any reasonable grounds to believe the amount of support should be modified; it only requires that three years

⁵⁰ Ref: [Section 5.10, "Debt Types," of the Michigan IV-D Child Support Manual](#) for more information on debt types.

⁵¹ The CP may be a non-parent custodian. Ref: Subsection 3.2 of this manual section.

have elapsed since the judge signed the most recent order, or since the most recent review was concluded.

The CP or NCP may be responding to the *Review and Modification Eligibility Notification* automatically sent by MiCSES, or may be requesting a review independent of that notice.

4.2.2 Substantial Change in Circumstances

The IV-D worker will review the order upon receipt of a request from either party **more often** than once every three years if that party presents evidence of a substantial change in circumstances.⁵² Section 3.01 of the [2013 Michigan Child Support Formula \(MCSF\) Supplement](#) defines situations where a substantial change of circumstances exists.⁵³ The IV-D worker must **not** require the party to file a motion in this situation.

4.3 At the Initiative of the FOC Office

According to state law, the FOC office must take the initiative to review an order under certain circumstances. This is true for both public assistance cases and non-public assistance cases. According to MCL 552.517(1)(f), the FOC office must review the order at its own initiative if there are reasonable grounds to believe that:

- The child support amount should be modified; or
- Health care coverage is available and the order should be modified to include an order for health care coverage.

Reasonable grounds to review an order include:

- Temporary or permanent changes in the physical custody of a child that the court has not ordered;⁵⁴
- Increased or decreased needs of the child;⁵⁵
- An employed parent's probable access to dependent health care coverage;
- Changed financial conditions for a recipient or payer of support;
- Incarceration or release from incarceration after a criminal conviction and sentencing to a term of more than one year;⁵⁶ or

⁵² Ref: MCL 552.517b(9).

⁵³ Ref: Subsection 4.7 of this manual section for instances when the substantial change involves the end date of the order.

⁵⁴ This may include instances where a CP on a IV-D case who is not a party to a docket requests a review. Ref: Subsection 3.2 of this manual section.

⁵⁵ Ref: Subsection 4.7 for instances when the increased or decreased needs of the child may result in a change to the order's end date.

⁵⁶ Ref: MCL 552.517(1)(f)(iv)(B); [SCAO Administrative Memorandum \(ADM\) 2006-03, Review and Modification of Child Support Orders](#).

- That the order was based upon incorrect facts.

When one of these circumstances occurs, the FOC office will open a review at its own initiative per MCL 552.517(1)(f), and must not require a party to file a motion.

4.4 Upon Request of the Initiating State⁵⁷

If an initiating state requests a review for a IV-D case, the IV-D worker will determine whether the order is due for review within 14 days of receiving the request.

4.5 Requesting a Review From the Responding State⁵⁸

A Michigan IV-D worker will send the responding state a request to open a review of an order within 20 calendar days of:

- Determining that a request should be sent;⁵⁹ and
- Receiving information necessary to conduct the review⁶⁰ from the requester.

4.6 At the Direction of the Court

FOC workers will review the child support order when the court directs them to do so. The court may order or refer (ask) the FOC worker to review an order. A party may choose to file a motion requesting a support review, or the court may order or refer (ask) the FOC office to conduct a review as a result of an enforcement action (e.g., bench warrant hearing, license suspension hearing, etc.) or other court activity.

The court may refer a review or a support investigation on a non-IV-D case. Refer to [IV-D Memorandum 2012-012, Time Documentation](#), for information on tracking IV-D and non-IV-D work in an office.⁶¹

4.7 Modification of the Order's Anticipated End Date

On January 1, 2015, SCAO updated the *Uniform Child Support Order* to include a specific end date for each child support obligation in the order. This change resulted in the creation of IV-D policy to address when to review and/or

⁵⁷ Ref: MCL 552.517(1)(d).

⁵⁸ Ref: 45 CFR 303.7(c)(9).

⁵⁹ The IV-D worker must send the request when the case meets the criteria for a review in Michigan, regardless of whether the case meets the criteria for a review established by the responding state.

⁶⁰ "Information necessary to conduct the review" refers to any information that the responding state needs to review the order and calculate support.

⁶¹ IV-D workers must refer to IV-D Memorandum 2012-012 if a private attorney requests that the office provide a support calculation and/or a recommendation for a non-IV-D case.

modify an order based on a change in a child's anticipated high school graduation date.

If the current child support order ends the obligation for a child(ren) on a date certain, and the conditions that led to that ordered end date have changed, the IV-D worker will consider initiating a review of the order. However, IV-D staff need not actively search for orders in which a change to the end date may be appropriate.

A party may choose to file a motion requesting support at any time before the child reaches age 19 ½. However, by initiating a IV-D review rather than waiting for or requesting that a party file a motion, IV-D workers will further the Michigan Child Support Program's Strategic Plan goal of Customer Service.

Refer to Section 4.20 of the *Michigan IV-D Child Support Manual* for more information on the impact of the order's end date on the resulting modification and recommendation.

4.7.1 Last Order or Review Date At Least Three Years Ago

A. Written Review Request

As specified in Subsection 4.2.1 of this manual section, if three years have elapsed since the date of the last order or review, and the IV-D worker receives a written review request, the worker will open a review based on the party's written request.

B. No Written Review Request

The IV-D worker will initiate a review based on the increased or decreased needs of the child⁶² if:

- Three years have elapsed since the date of the last order or review;
- The IV-D worker **does not** receive a written review request⁶³ but otherwise becomes aware that the circumstances surrounding the order for post-majority support⁶⁴ have changed,⁶⁵ and this change may result in a change to the end date in the order; and
- There is no evidence that the existing order precludes the modification of its end date.

⁶² Ref: MCL 552.517(1)(f)(ii) and Subsection 4.3 of this manual section.

⁶³ The FOC may suggest that a party provide a written review request, but that is unnecessary under MCL 552.517(1)(f).

⁶⁴ Post-majority support is support ordered beyond a child's 18th birthday.

⁶⁵ For example, a child has been in a car accident that significantly slows his/her educational progress, delaying graduation by a year.

4.7.2 Last Order or Review Date Within Previous Three Years

A. Party Presents Evidence of a Substantial Change

If the last order or review date falls within the previous three years, a party must present evidence of a substantial change in circumstances to prompt the IV-D worker to open a review.⁶⁶ According to section 3.01(B) of the 2013 MCSF Supplement, “changes in the ... educational needs of a child” is a substantial change in circumstances. Consequently, if circumstances surrounding an order for post-majority support have changed (e.g., a change in the child’s expected high school completion date), the IV-D worker will proceed with a review of the order if there is no evidence that the existing order precludes the modification of its end date.

B. Party Does Not Present Evidence of a Substantial Change

The IV-D worker will initiate a review based on the increased or decreased needs of the child⁶⁷ if:

- The last order or review date falls within the previous three years;
- A party does not formally present evidence of a substantial change in circumstances, but the IV-D worker otherwise becomes aware that the circumstances surrounding the order for post-majority support have changed, and this change may result in a change to the end date in the order; and
- There is no evidence that the existing order precludes the modification of its end date.

5. Circumstances in Which a Review May Not Be Appropriate

There are certain circumstances in which an order may be eligible for review, but the review may not be appropriate. The following circumstances may be valid reasons not to begin the review (i.e., deny the review request), or to stop (terminate)⁶⁸ the review if it has already been started.⁶⁹ The IV-D worker will accomplish either of these actions, if appropriate, within 180 days of receiving the review request.

5.1 Review Will Not Be Completed Before Order Ends

⁶⁶ Ref: Subsection 4.2.2 of this manual section.

⁶⁷ Ref: MCL 552.517(1)(f)(ii).

⁶⁸ Ref: Subsection 7.4 of this manual section for information on actions the IV-D worker must take when terminating a review.

⁶⁹ At this point, the IV-D worker has already recorded the review request in MiCSES.

There may be situations in which the IV-D worker does not anticipate completing a review and resulting modification by the time the existing order ends.⁷⁰ If so, IV-D staff will notify the party that the review will not be initiated or conducted and will inform him/her about the option to file a motion himself/herself.

5.2 Support End Date Has Changed

The IV-D worker may track the information for the *next* review and notify the CP, NCP, and attorneys that a review is not being conducted at this time if:

- Three years have not elapsed since the date of the last order or review;
- The IV-D worker has a reasonable expectation that another review of the order will be initiated prior to the order end date taking effect (e.g., the child's new anticipated graduation date is still four years in the future); and
- There are no other current circumstances that have changed.

5.3 Additional Circumstances

The following may be additional reasons not to begin a review, or to terminate a review once it has started:

- The CP and NCP are married or cohabiting with each other, and all of the children are in their custody;
- There is good cause⁷¹ not to proceed with child support action;
- All of the children on the case are deceased; or
- The case qualifies for closure under federal case closure criteria defined in federal regulations.⁷²

5.4 Preventing Review Initiation in MiCSES

IV-D workers may prevent the review initiation process for an order in MiCSES by using the *REV Exempt IND* field on the SORD screen. However, since the automatic review process is mandated by federal regulations, IV-D workers must exercise caution when exempting a support order from the review process.

It is inappropriate, for example, to prevent an automatic review simply because the NCP is incarcerated, or because the IV-D worker determines that the

⁷⁰ The IV-D worker must conduct and resolve the support review within 180 calendar days of receiving a request for a review or locating the non-requesting parent, whichever occurs later. Consequently, if at the time initiating a review is considered, there are (for instance) only two months remaining before the end date noted in the order, the IV-D worker may decide not to initiate a review. Ref: 45 CFR 303.8(e).

⁷¹ Ref: Section 2.15 of the *Michigan IV-D Child Support Manual*.

⁷² Ref: [Section 3.50, "Case Closure," of the Michigan IV-D Child Support Manual](#).

parties' circumstances have not changed since the last order was entered. Refer to Subsection 7 of this manual section.

When a IV-D worker exempts an order from review, (s)he will provide notes in MiCSES to explain the reason. Then on the next review date, MiCSES will not initiate a review; instead, it will generate an eligibility letter to notify the CP and NCP of the right to request a review.

6. Court-Referred Support Investigations

A court may order the FOC to conduct a support investigation per MCL 552.505(1)(h). This is different from a review of a child support order, but is included in this manual section because some of the steps in the process are the same. This manual section refers to investigations conducted under MCL 552.505(1)(h) as "court-referred support investigations."⁷³

A IV-D worker conducting a court-referred support investigation on a non-IV-D case must refer to IV-D Memorandum 2012-012, *Time Documentation*, for information on tracking IV-D and non-IV-D work in an office.

A court-referred support investigation may require the IV-D worker to gather income and other information for the recommendation,⁷⁴ or the court may provide the information. The FOC worker then uses the information to calculate a recommendation using the MCSF.⁷⁵

In a court-referred support investigation, the FOC worker provides the recommendation to the court, the parties, and their attorneys; however, the FOC worker is not legally required to proceed with modification of the order.

The worker may generate the *Notice of Court Referred Support Investigation Results* (CTRSIRSLT) to provide the court, the parties, and their attorneys with the results of a court-referred support investigation.⁷⁶ The CTRSI chain will update the next review notice date to add three years to the date the FOC worker indicated that a recommendation was provided to the court, parties, and attorneys.

If the court refers a support investigation to the FOC and there is already a review in progress, the FOC worker may terminate the review.⁷⁷ If the court-referred support investigation is terminated prior to the results being sent to the court, the parties, and their attorneys, the FOC worker will reopen the review that was terminated, unless

⁷³ SCAO plans to publish policy regarding court-referred support investigations in the future.

⁷⁴ Ref: Subsection 7.3 of this manual section.

⁷⁵ Ref: Subsection 7.1 of this manual section.

⁷⁶ Ref: MCL 552.505(1)(h).

⁷⁷ Ref: Subsection 7.4 of this manual section. Terminating the review prior to opening the court-referred support investigation will allow MiCSES to accurately maintain and display the history of notices sent to CPs, NCPs, and employers on the REVP screen.

the termination reason for the court-referred support investigation would also apply to the review.

7. Conducting a Support Review

The IV-D worker will complete the support review within 180 calendar days of receiving a request for a review or locating the non-requesting parent, whichever occurs later.⁷⁸ To “complete the support review” means that IV-D staff will conduct the review and:

- Determine that a modification is inappropriate;
- Enter a judge’s signed order;
- Terminate the review; or
- Complete a court-referred support investigation.

Note: If a IV-D worker completes a court-referred support investigation and provides the recommendation to the court, the parties, and their attorneys, it is considered a completed support review. Refer to Subsection 6 of this manual section.

IV-D workers may use the MiCSES *Alert Detail* (ALRT) screen to monitor progress within the 180-day limit.⁷⁹

7.1 Using the Michigan Child Support Formula (MCSF)

When a review is conducted, the order **must** be reviewed using the MCSF.⁸⁰ 45 CFR 303.8(b)(3)(i) states that “review means an objective evaluation... of information necessary for application of the State's guidelines for support....”⁸¹

Refer to Section 4.20 of the *Michigan IV-D Child Support Manual* for information on deviating from the MCSF when the MCSF produces an unjust or inappropriate result.

It is **not** appropriate for the IV-D worker to determine that the facts of the case have not changed and to prematurely end the review.

To count as a full review for federal purposes, the review must result in a calculation of the support obligation using the MCSF. The MCSF changes every four years, and there are underlying factors that affect the formula, such as federal and state tax rates, that change annually. **Even when the inputs to the**

⁷⁸ Ref: 45 CFR 303.8(e). MiCSES currently tracks 180 days from the date the review is started. Help Desk ticket 467604 has been entered to track 180 days from the date the review is **requested** to bring Michigan into compliance with federal requirements.

⁷⁹ Ref: [MiCSES Quick Reference Guide: ALRT – View Alerts and/or Generate an Alert Report](#).

⁸⁰ Ref: 45 CFR 302.56.

⁸¹ Using the MCSF is also a federal reporting requirement for a zero support order. Ref: Section 5.20 of the *Michigan IV-D Child Support Manual*.

formula may appear unchanged, the result calculated using the MCSF may be different.

Parties or their attorneys may provide a stipulated agreement for child support. A IV-D worker preparing an order may accept a stipulated agreement between the parties. If the stipulated agreement does not include a calculation prepared according to the MCSF, the IV-D worker will complete that calculation to properly determine whether the stipulation is, and the resulting order will be, a deviation.⁸² If the IV-D worker is entering an order based on a stipulated agreement that has already been signed by a judge, (s)he is not responsible for calculating support per the MCSF.⁸³

7.2 Initiating a Review

Michigan's IV-D program tracks the reason each review is conducted, as part of self-assessment audits and other audits. Therefore, when initiating the review, the IV-D worker will record the reason for the review. To do so, the IV-D worker must select the most appropriate reason code on the MiCSES REVP screen.

If the review was opened based on information discovered while evaluating an NCP for participation in an arrears management strategy,⁸⁴ the IV-D worker will indicate this, in addition to the reason for the review, on the REVP screen.

7.3 Gathering Information

The MCSF defines income used to calculate support and specifies other information (e.g., medical expenses, health care coverage, child care expenses, etc.) used in the calculation. IV-D workers may gather this information using MiCSES forms and other sources.

IV-D workers will use MiCSES to record whether information has been received from employers and/or NCPs and CPs on open IV-D cases associated to the docket, and whether the information received is sufficient⁸⁵ to continue with the review.⁸⁶ Failure to properly document information, case conditions, or other specific situations in MiCSES may result in an audit finding.

IV-D workers may also include information sources as a source note in the MiChildSupport Calculator⁸⁷ to allow for more transparency in the calculation

⁸² Ref: Section 4.20 of the *Michigan IV-D Child Support Manual*.

⁸³ SCAO plans to provide more detailed information regarding stipulated agreements in future policy.

⁸⁴ Ref: [Section 6.51, "Arrears Management," of the Michigan IV-D Child Support Manual](#).

⁸⁵ Ref: Subsection 7.3.4 of this manual section.

⁸⁶ Ref: *MiCSES Customer Information Guides: Review and Modification* and *REVMD – Review and Modification Activity Chain*.

⁸⁷ Ref: the [MiCSES 8.13 Release Notes](#) and [MiCSES Screen Description: MiChildSupport Calculator](#).

results when they are provided to CPs, NCPs, non-parent custodians, and the court.

Note: Tax information provided by the Internal Revenue Service (IRS) is confidential and must be secured. When tax information, including tax returns, **is provided by CPs or NCPs**, it is not considered federal tax information for purposes of confidentiality and security. This remains true when that information is included on the *Calculation Results* (CALCRSLT) template or other documentation. Refer to [Section 1.10, “Confidentiality/Security,” of the Michigan IV-D Child Support Manual](#) for more details on federal tax information.

MiCSES forms and other considerations for gathering information are discussed below.

7.3.1 *Notice of Support Review* (RNMRVWNOT)

The *Notice of Support Review* informs parties that their order will be reviewed. The form contains:

- A request to the party for information that will assist the IV-D worker in conducting the review;⁸⁸
- The date the requested information must be returned to the FOC; and
- Information on the steps used to conduct the review.

MiCSES automatically generates the *Notice of Support Review* for public assistance reviews. IV-D workers may also manually generate the notice.

7.3.2 *Employment Status Disclosure* (RNMFOC22)

The *Employment Status Disclosure* form requests information from employers or other sources of income (SOIs). The *Employment Status Disclosure* generates at the same time as the *Notice of Support Review*.

A. MiCSES generates the *Employment Status Disclosure* for the following types of income sources:

- Employers;
- Pension plans;
- Veterans benefits;
- Workers’ compensation; and
- Non-attachable benefits.

⁸⁸ MiCSES includes the *Friend of the Court - Case Questionnaire* (RNMFOC39) with the *Notice of Support Review*.

- B. MiCSES will automatically generate the status disclosure form and send it to one SOI for each NCP and biological CP, even if a party has multiple SOIs. This reduces mailing costs and minimizes inconvenience to SOIs that would provide information that the IV-D program already has.

MiCSES will select the party's SOI that is indicated as primary on the *Member Employment History* (EHIS) screen, and is not marked bad. That SOI will be most likely to provide relevant employment information, in addition to income information required by the MCSF.

If there is no primary employer indicated, MiCSES will select the most recently updated employer on the EHIS screen. IV-D workers may manually generate additional disclosure forms.

The military may not accept the *Employment Status Disclosure* without a judicial subpoena.⁸⁹ In addition, unemployment agencies⁹⁰ and the Social Security Administration (SSA)⁹¹ do not respond to the *Employment Status Disclosure*. Therefore, MiCSES does not send the disclosure to these SOIs.⁹²

If a party is in the military, the IV-D worker may manually generate the *Employment Status Disclosure* and the subpoena from the *Document Generation* (DOGN) screen.⁹³ Information on military employees may also be available through the State Services Portal⁹⁴ and on the MILR and ILR in Business Objects.⁹⁵

The federal OCSE provided notice to states that, as of January 1, 2015, the United States Postal Service (USPS) does not provide information based on the receipt of an *Employment Status*

⁸⁹ Ref: [federal Office of Child Support Enforcement \(OCSE\) Information Memorandum \(IM\)-02-05, *Employment Verification for Federal Agencies and the Military*](#).

⁹⁰ Unemployment agency staff do not respond to the disclosure because unemployment agencies are not employers that provide income for services rendered. Unemployment benefits are not a guarantee but are supplemental income while an individual is unemployed. Disclosure of Michigan's Unemployment Insurance Agency (UIA) benefits occurs automatically within MiCSES. Other states' unemployment agency information may be available via the Federal Parent Locator Service.

⁹¹ SSA staff do not respond to the disclosure because income information is provided through the SSA's State Verification and Exchange System. Income information is provided to SSA and Supplemental Security Income (SSI) recipients online through the *my Social Security* website: www.ssa.gov/myaccount/.

⁹² In these circumstances, the *Employment Status Disclosure* will be sent to the most recently verified SOI that is **not** military, an unemployment agency, or the SSA.

⁹³ Ref: [MiCSES Quick Reference Guide: DOGN – Select and Print a Document](#).

⁹⁴ Ref: [Section 3.06, "State Services Portal \(SSP\)," of the Michigan IV-D Child Support Manual](#) for information on the SSP.

⁹⁵ Ref: *Business Objects Report Descriptions: [Member Income and Location Report \(MILR\) \(LC-001\)](#) and [Income and Location Report \(ILR\) \(LC-002\)](#)*.

Disclosure. At this time, MiCSES still generates it and sends it to the USPS.⁹⁶ The USPS may respond by referring the requester to The Work Number, a third-party employment verification service.

7.3.3 Second Notice Requesting Information

The IV-D worker may send the CP, NCP, and/or SOIs a second notice if they fail to return information requested in the *Notice of Support Review* or the *Employment Status Disclosure*.

MiCSES will send the *Notice of Support Review – Second Request* (RNM2NDRVWNOT) to the CP and/or NCP automatically when certain conditions are met.⁹⁷ The IV-D worker may also manually send a second or subsequent notice to a CP or an NCP, or to an employer.⁹⁸

The IV-D worker may override MiCSES so the automatic second notice will not be sent to a CP or NCP; however, the IV-D worker may only do so when the requirements for gathering information outlined in Section 4.20 of the *Michigan IV-D Child Support Manual* have been met.

7.3.4 Sufficient Information

The IV-D worker will determine whether (s)he has received or discovered information to calculate support, and whether this information is sufficient or insufficient. The IV-D worker will use the MiCSES REVP indicators to record this information.⁹⁹

The following are examples of situations where the IV-D worker may determine that the information received from the NCP, CP, or employer is insufficient:

- One or two paystubs are provided, rather than the four that the *Notice of Support Review* requests;
- Incomplete tax returns are provided;
- An employer is identified, but the income amount is incomplete or missing; or
- Any other information integral to the support calculation is incomplete.

⁹⁶ OCS Policy is conducting further analysis of this process.

⁹⁷ Ref: the [MiCSES 8.12 Release Notes](#), [MiCSES Screen Description: REVP – Review and Modification Processor](#), and [MiCSES Customer information Guide: Review and Modification](#).

⁹⁸ MiCSES will not automatically send a second request to an employer.

⁹⁹ Ref: the [MiCSES 8.12 Release Notes](#), [MiCSES Screen Description: REVP – Review and Modification Processor](#), and [MiCSES Customer information Guide: Review and Modification](#).

7.3.5 Other Sources

Refer to the “Gathering Information” subsection in Section 4.20 of the *Michigan IV-D Child Support Manual* for more information on gathering or verifying information that IV-D workers use to calculate and determine support recommendations.

7.4 Termination of the Review

The IV-D worker may terminate a review under limited circumstances. Some examples of when termination of a review may be appropriate are as follows:

- Michigan no longer has jurisdiction;¹⁰⁰
- A critical member (i.e., CP or NCP) on the docket becomes deceased;
- The review was opened in error; or
- The review was opened on the wrong docket.

Refer to Subsection 5 of this manual section for reasons not to open a review, and/or to terminate a review. A termination does not reset the order’s next review date; however, the order’s next review date was updated when the terminated review was opened.¹⁰¹

A IV-D worker **may not** terminate a **public assistance review** based solely on lack of sufficient information.¹⁰² (Refer to Subsection 7.3 of this manual section for guidance on obtaining information.) Refer to Section 4.20 of the *Michigan IV-D Child Support Manual* for information on gathering information and imputing income.

The IV-D worker **may** terminate a **party-requested review** for lack of information if the **requesting party** fails to provide information after a second request for information has been sent. MiCSES will automatically terminate a party-requested review if that party fails to return information after a second request. The IV-D worker may override that termination.¹⁰³

Michigan’s IV-D program tracks the termination of reviews for self-assessment audits and other audits. The IV-D worker will select the most appropriate reason

¹⁰⁰ If Michigan no longer has jurisdiction, the Michigan IV-D program may assist with registering the order in another state for modification only, since the modification must occur in the non-requesting party’s state. The other state would send the modified order back to Michigan for enforcement if Michigan is still enforcing the order. Ref: IV-D Memorandum 2011-001.

¹⁰¹ Ref: Subsection 3.3 of this manual section for more information about calculating the next review date. Help Desk ticket 476544 requests further analysis of review termination reasons since some termination reasons (e.g., review opened in error, review opened on wrong docket) should result in MiCSES’ next review date being reverted back to the next review date that existed prior to the opening of the review.

¹⁰² The public assistance review is federally mandated, and there is no federal provision for the termination of a public assistance review.

¹⁰³ Ref: [MiCSES Quick Reference Guide: REVP – Manually Initiate a Review](#).

for termination on the MiCSES REVP screen, using the “Other” reason only if no other reason is applicable. Depending on the circumstances of the termination, MiCSES may send a termination notice¹⁰⁴ to the CP, NCP, and attorneys.¹⁰⁵ The termination reason will populate on the termination notice.

The termination notice informs parties that they have 21 days to object to the termination of the review.

The IV-D worker may terminate the review without sending a notice of termination to the parties when:

- The party requesting the review withdraws the request before the notification of the review is sent to the parties; or
- The review is being terminated because one of the parties has filed a motion, and the IV-D program is proceeding with the court-ordered or court-referred review.

If the review is terminated, IV-D staff will close the review process in MiCSES within 180 days from the date the review was requested.¹⁰⁶

If a IV-D worker terminates a review because the court refers a support investigation and the subsequent court-referred support investigation is terminated, the IV-D worker will reopen the original review if the reason for termination of the court-referred support investigation does not apply to the review and modification.

8. Recommendation and Order¹⁰⁷

8.1 Preparing the Recommendation and/or Order

After conducting the support review, IV-D staff will prepare a child support recommendation and/or court order, if appropriate.¹⁰⁸ IV-D workers may use the MiChildSupport Calculator to prepare a support calculation, and the MiCSES OPRE and DOGN screens to prepare and enter the recommendation and/or order. The IV-D worker may refer to the previous recommendation and/or order in preparing the new recommendation or order.¹⁰⁹

MCL 552.517b(6)(a) requires that a recommendation state the calculations upon which the support amount is based. Prior to November 13, 2015, IV-D

¹⁰⁴ *Termination of Support Review Notice (RNMRVWTERMLTR)*

¹⁰⁵ Ref: *MiCSES Quick Reference Guide: REVP – Manually Initiate a Review.*

¹⁰⁶ Failure to either complete the review or close the review process within 180 days of the review request may cause a negative result in a self-assessment audit.

¹⁰⁷ Ref: Section 4.20 of the *Michigan IV-D Child Support Manual.*

¹⁰⁸ Ref: Subsection 8.2.2 of this manual section for information on what the IV-D worker must do when a recommendation for no change is appropriate.

¹⁰⁹ Ref: Section 4.20 of the *Michigan IV-D Child Support Manual.*

workers could prepare support recommendations using the *Child Support Recommendation* (GUIDLINE) template, which included those calculations and could also include instructions and timeframes for filing an objection.

After November 13, 2015, IV-D workers preparing a recommendation may use the CALCRSLT template. The CALCRSLT template includes the calculations but does not include the instructions and timeframes that were in the GUIDLINE template. The IV-D worker will pair the CALCRSLT template with a USO (the MiCSES FOC10 or 5085) when presenting a recommendation to the CP, NCP, and/or court.

8.2 Informing Parties of the Recommendation

Upon completing a support order review, the IV-D worker will refer to Section 4.04 of the 2013 MCSF to determine whether a modification to the order is necessary.

8.2.1 Recommendation to Modify the Order

If the IV-D worker recommends a modification, (s)he will provide the recommendation and the support calculation to the CP, NCP, and attorneys.

Refer to Section 4.20 of the *Michigan IV-D Child Support Manual* for more information on the preparation of recommendations.

The parties will have 21 days to object to the recommendation in writing. If a party objects, then the IV-D worker may send a revised recommendation and support calculation (if appropriate, based on new information), schedule a settlement conference, or schedule a hearing. If the IV-D worker sends a revised recommendation for child support, the parties will have 21 days from the mailing date of the revised USO (MiCSES FOC10 or 5085) to object.

8.2.2 Recommendation for No Change

If the IV-D worker recommends no modification, (s)he will generate the *Notice of Support Review Results* (RNMRVWRLST) with the appropriate language and send it to the CP, NCP, and attorneys. The parties will have 21 days to object in writing. If a party objects, the IV-D worker will recalculate support based on new information, if provided, and schedule a settlement conference or a hearing. The settlement conference will lead to an order, or if no settlement is reached, to a hearing. The hearing may lead to an order or a dismissal.

8.3 Modifying the Order

If neither party objects within 21 days of receiving the recommended support amount,¹¹⁰ the IV-D worker will complete the order in MiCSES based on the terms of the recommendation. MiCSES will generate the USO (MiCSES FOC10 or 5085) for presentation to the court. The court will enter the order if it approves. After the judge signs the order, the IV-D worker will verify that the signed order matches the information on the OPRE screen, correct the OPRE screen if necessary, and indicate on the OPRE screen that the order is finalized.¹¹¹

As discussed in Subsection 7 of this manual section, the modified order must be signed by the judge within 180 days of receiving the review request or locating the NCP, whichever was later, if the review was not earlier terminated for an appropriate reason.

SUPPORTING REFERENCES:

Federal

42 USC 666(a)(10)
45 CFR 302.56
45 CFR 303.7(c)(9)
45 CFR 303.8
45 CFR 303.8(a)
45 CFR 303.8(b)(1)
45 CFR 303.8(b)(3)(i)
45 CFR 303.8(b)(4)
45 CFR 303.8(b)(5)
45 CFR 303.8(b)(6)
45 CFR 303.8(e)
45 CFR 303.31(b)(4)

OCSE IM-02-05

State

MCL 552.505(1)(h)
MCL 552.507a
MCL 552.517
MCL 552.517(1)(b)
MCL 552.517(1)(d)
MCL 552.517(1)(e)
MCL 552.517(1)(f)
MCL 552.517(1)(f)(i)
MCL 552.517(1)(f)(ii)
MCL 552.517(1)(f)(iv)(B)

¹¹⁰ In some situations, the parties may agree to the terms of the recommendation before the end of the 21 days.

¹¹¹ Ref: Section 4.20 of the *Michigan IV-D Child Support Manual*.

MCL 552.517b
MCL 552.517b(6)(a)
MCL 552.517b(9)
MCL 552.605d

SCAO ADM 2006-03

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REVISION HISTORY:

[IV-D Memorandum 2015-027](#)

IV-D Memorandum 2015-013

IV-D Memorandum 2015-004

IV-D Memorandum 2013-010