

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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Senate Bill 715

Sponsor: Senator Christopher D. Dingell

Committee: Judiciary

Date Completed: 3-14-90

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SUMMARY OF SENATE BILL 715 as introduced 12-6-89:

The bill would amend the Revised Uniform Reciprocal Enforcement of Support Act to designate the Department of Social Services' (DSS) Office of Child Support as Michigan's "interstate central registry" and to authorize the Friend of the Court (FOC) to coordinate support payments made pursuant to a foreign support order (i.e., one issued by a state other than Michigan). "Interstate central registry" would mean the entity designated pursuant to Federal regulations that was "responsible for receiving, reviewing, forwarding, and responding to inquiries about interstate child support actions".

Interstate Central Registry

Under the Act, if a court in one state determines that a court of another state may obtain jurisdiction of an obligor (i.e., a person or entity owing a duty of support) or the obligor's property, the initiating court must send a copy of the Act and three copies of the support petition to the court in the responding state. The bill, instead, would require that an initiating court send "a completed forms package" and a copy of the Act to the responding state's interstate central registry. The registry then would have to forward the documents to the proper court. In addition, the Act requires an obligee (i.e., a person or entity to whom a duty of support is owed) seeking to register a foreign support order in a Michigan court to transmit three copies of the order to the clerk of the Michigan court. The bill specifies that this transmittal would have to be done through the interstate central registry.

The bill also would delete from the list of duties and responsibilities of the Office of Child Support the requirement to compile an annual list of addresses of Michigan courts that have jurisdiction under the Act and to transmit that list to the state information agencies of other states that have adopted the Act or one substantially similar to it. The requirement that the Office maintain a register of similar lists received from other states and transmit those lists to Michigan courts would be replaced by a requirement to maintain a list of all the interstate central registries in the United States and provide that list to every Michigan prosecutor's office and FOC office.

Friend of the Court

If there were no Michigan support order, but a valid foreign support order

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existed, upon the request of either the obligee or the DSS if support had been assigned to it, the FOC in the Michigan county in which the obligee resided would have to "inform the source of the support payments to transmit the payments" to the FOC. The bill would require the FOC to receive, record, disburse, and monitor payments made pursuant to a foreign support order, and to file a copy of the foreign support order with the court clerk. The filing of the support order would not be considered a registration of the foreign support order by the obligee as is required under the Act.

MCL 780.153a et al.

Legislative Analyst: P. Affholter

**FISCAL IMPACT**

The bill would have a minimal fiscal impact on State and local units of government. According to the State Court Administrative Office, the implementation of this bill would result in a minimal increase in administrative costs to the Friend of the Court.

Fiscal Analyst: F. Sanchez

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

SENATE ANALYSIS SECTION

SENATE BILL 715

ANALYSIS FIRST (3, 20, 90)

SEE SB 698