

SUPPORT AND PARENTING TIME ENFORCEMENT ACT (EXCERPT)
Act 295 of 1982

552.645 Finding of contempt for noncompliance with makeup and ongoing parenting time schedule; suspension of license; agreement; hearing on modification of parenting time.

Sec. 45. (1) If the court enters an order under section 44(2)(g) and the parent fails to comply with the makeup and ongoing parenting time schedule, the court shall find the parent in contempt and, after notice and an opportunity for a hearing, may suspend the parent's license or licenses with respect to which the order under section 44(2)(g) was entered and proceed under section 30.

(2) After entry of a suspension order under subsection (1), a parent may agree to a makeup parenting time schedule. The court may order a makeup parenting time schedule if the parent demonstrates a good faith effort to comply with the parenting time order. If the court orders a makeup parenting time schedule, the court or the friend of the court, as applicable, shall do the following:

(a) The court shall enter an order rescinding the suspension order that is effective as provided in section 4 of the regulated occupation support enforcement act, 1996 PA 236, MCL 338.3434, or section 43559 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43559. Within 7 business days after entry of the order rescinding the suspension order, the office of the friend of the court shall send a copy of the order rescinding the suspension order to the licensing agency.

(b) The friend of the court, on verification by the clerk of the court that the driver's license clearance fee required by section 321c of the Michigan vehicle code, 1949 PA 300, MCL 257.321c, has been paid, shall provide a certificate to the payer stating that the payer is in compliance with the support order.

(3) Within 21 days after the date of the notice under section 44, a parent who is notified of a contempt hearing under section 44 may request a hearing on a proposed modification of parenting time. The court shall hold the requested hearing unless the parenting time dispute is resolved by other means. The court shall combine the hearing prescribed by this subsection with the hearing on the order to show cause unless the court finds for good cause shown on the record that the hearings should be held separately. If the court finds that the hearings should be held separately, the hearing on a proposed modification of parenting time shall be held before the contempt hearing.

History: Add. 1996, Act 239, Eff. Jan. 1, 1997;—Am. 1998, Act 334, Imd. Eff. Aug. 10, 1998;—Am. 2002, Act 568, Eff. Dec. 1, 2002;—Am. 2009, Act 193, Imd. Eff. Dec. 28, 2009;—Am. 2014, Act 378, Eff. Mar. 17, 2015.