

FAQs about Child Support During the COVID-19 Outbreak

The novel coronavirus (COVID-19) is a contagious respiratory disease that is easily spread person to person and can result in serious illness.

Governor Whitmer declared a state of emergency and has issued Executive Orders that require Michigan residents to shelter in place and restrict travel from March 24 through at least April 30, 2020. Some public health restrictions may last longer.

The resulting changes to daily activities raise new questions about child support during this pandemic. The following are general answers to common questions parents may have about their child support orders.

Q1. Do I need to go to the courthouse to attend a hearing or an appointment with the friend of the court (FOC) office during the COVID-19 outbreak?

- A. Many courts are closed to the public and limiting hearings. However, some courts are using technology (phone/Zoom) to hold hearings remotely. Courts are notifying parties about adjourned or cancelled hearings and remote options. If you have not heard about your hearing, you should check your circuit court's or FOC office's website or call for more details.

Q2. What if I am arrested on a child support bench warrant during the COVID-19 state of emergency?

- A. If arrested on child support bench warrant, you will be given the chance to be released after paying a bond (appearance bond). If you cannot post a bond, you will be held until your nonpayment of support hearing or until the court sets a bond to make sure you appear at a future hearing.

Q3. If my support payments are not coming out of my checks (new employer or unemployment benefits), must I still make the payment?

- A. Yes, your support obligation continues to charge until another order changes it. You should continue to support your children as long as you have the ability to pay. 4 explains reporting changes in your situation to the FOC office. Because of the state of emergency, many FOC offices are closed to public access and only provide limited services. Remember that your order requires you to make support payments to the Michigan State Disbursement Unit (MiSDU). There are several payment services that forward payments to MiSDU.

Questions about COVID-19?



Call the COVID-19 Hotline at 888-535-6136, 7 days a week from 8 a.m. to 5 p.m.



Email COVID19@michigan.gov 24/7. Emails will be answered 7 days a week, 8 a.m. to 5 p.m.



Subscribe to e-newsletter updates at Michigan.gov/Coronavirus.



Centers for Disease Control and Prevention (CDC):

[What you need to know about COVID-19](#)
[What to do if you are sick with COVID-19](#)



Talking to children about COVID-19:
[A Parent Resource](#)

- **MiSDU.** Support orders require payments through MiSDU. The website is www.misdu.com, and the State accepts all major credit cards. MiSDU also accepts checks or money orders mailed to P.O. Box 30351, Lansing, MI, 48909-7850. Make sure that your name and court case number are clearly written on the payment. The MiSDU telephone number is 877-543-2660.
- **PayNearMe.** Pay cash using PayNearMe at various participating retailers like CVS, 7-Eleven, and Family Dollar stores. Registration is necessary, and you will need to know your court case number. You can find locations and a mobile app by visiting <https://home.paynearme.com>.
- **MoneyGram.** Pay cash or by other means using MoneyGram at various locations like Walmart, CVS, Advance America, and others. Registration is necessary, and you will need to know your court case number. You can find locations and other details by visiting <https://www.moneygram.com>.

Q4. I lost my job or had a major income change because of the state of emergency. How can I change my support order?

A. **First**, report important changes to the FOC office. Support orders require parents to report changes in employment or income source, address, phone number, and health care coverage to the FOC office. Check your local FOC office website for information on sending documents using email, fax, or the [MiChildSupport portal](#); otherwise, you can mail the information to the office. [\[Click here for a Change in Personal Information form\]](#)

Second, if you cannot afford to pay the full amount of your order from your current income and assets, you must pay something. If money is not taken out of your wages or unemployment benefits, you need to make your payment as described in [Question 3, above](#).

Third, if it is a [significant change](#) in circumstances (after counting unemployment benefits and any stimulus payments you will receive as income), you may need to have your support order temporarily adjusted or modified. If you want to know the amount of support you would owe with your new income, you can use the [free MiChildSupport Calculator](#). The following are options to change your support order:

- **FOC Review and Adjustment.** You may contact the FOC office and request review of each of your support orders. Requests should be in writing. The level of service that each office is able to provide during the state of emergency varies and probably will change throughout the emergency. A few offices are able to quickly get orders temporarily modified. In addition, FOC support changes cannot happen earlier than when it finishes the process to change support and so your order may not change back to the date when your circumstances changed. For the earliest possible effective date, you may want to consider the next two options.
- **Agreements and Consent Orders.** Parties or their lawyer may prepare a consent order effective on a specific day and present it to the court for entry. [Michigan Legal Help's website](#) has many useful articles and tools on the processes and required legal forms. If parties reach an agreement regarding support and send the written, signed agreement, some FOC offices will help them prepare a consent Uniform Support Order. If you agree to an amount different from the Michigan Child Support Formula calculation, you must file a [Deviation Addendum](#) along with your consent Uniform Support Order.
- **Motions.** Without both parties agreeing or the FOC office being able to complete a review quickly, the only way to make sure the lower support order is effective during the state of emergency is to file a motion with the court and send a copy to the other party. You may file a motion on your own or with a lawyer's help. [Michigan Legal Help's website](#) has many useful articles and tools to help people who are handling their legal problems without a lawyer.

Q5. Does child support stop because my child is 18 years old and school is suspended or cancelled?

- A. The FOC office stops charges based on the date or conditions written in your court order.

When the support end date is set, the court is required to order support until the child turns 18. [MCL 552.605b](#) allows the court to order support after age 18 (regardless of the actual graduation date) if it appeared after turning 18 the child would meet all of the following conditions:

1. regularly attend high school full-time,
2. have a reasonable expectation of graduation,
3. reside full-time with the support recipient, and
4. be younger than 19 ½ years old.

Some orders stop support the last day of the month that a child turns 18. Other support orders set a date near when a child was expected to finish high school. The FOC office will stop charges on the date ordered. Older orders stop support based on one of several conditions occurring between ages 18 and 19 ½, and include phrases like “attending high school full time,” “graduates,” or “residing full time.” When interpreting those orders, the FOC office will stop the order based on the information it has about the conditions being met.

The Governor’s executive order on schools allows districts many choices for the rest of the school year. Local districts’ plans might change seniors’ attendance and graduation.

If the date set in your order is wrong because something changed (like a senior finishing early or continuing to attend school), parents can agree to change their order by signing a consent order that changes the end date or by filing a motion to change the date. See Q4 above for information about **Agreements and Consent Orders**, and **Motions**.

The court will need to interpret its order and decide when support ends, and may give some authority to the FOC to administratively handle these cases. If you do not agree with the FOC’s decision, you may file a motion with the court or, in some courts, follow the process the FOC has for obtaining a hearing. The court will decide what should happen based on the needs of your child, the availability of instruction, and whether school will resume before your child reaches the age of 19 1/2.

As with any situation, the Court encourages parents to try to accommodate each other in providing support and care for their children.

Q6. Does the childcare amount in my order change if childcare is closed or summer childcare starts early?

- A. Parents are required to keep each other and the FOC informed when childcare expenses stop for a child. Because many childcare centers are closed or a parent is off work, childcare expenses may no longer exist or have changed. . It is important that you notify the other parent and the FOC in writing with any changes in charges during this state of emergency. Parties may agree to waive or stop childcare charges during months when expenses are not incurred.

Q7. Will my federal stimulus payment be taken to pay my child support arrears?

- A: The IRS will be sending stimulus payments to individuals like tax refunds. Normally, tax refunds are intercepted or offset by several kinds of debts, including taxes, student loans, and child support arrears. The [CARES Act](#) says

that this 2020 stimulus payment is exempt from most normal debt offsets. However, it allows the offset to pay child support arrears.

Payers of child support will have their stimulus check intercepted if they owe:

- \$150 or more if their child is receiving cash assistance or is in foster care, or
- \$500 or more if their child is receiving Medicaid only or is receiving no state assistance.

The stimulus payments are treated the same as tax refunds in terms of fees, distribution time frames, and hold periods.

Because these stimulus payments are treated as a tax refund offset, the CARES Act does not provide states the option to suspend federal tax refund offset in cases meeting criteria set forth in the Social Security Act and 45 CFR 303.72.

Payers of support can sign up on MiChildSupport to view information about their child support case at www.michigan.gov/michildsupport. Information about the stimulus payments can be found on the IRS website at www.irs.gov/coronavirus/economic-impact-payments. Parties can also call 1-844-785-7593 if they have specific questions about their case.