

The Michigan Child Support Formula was developed to assist judges, friends of the court, and attorneys in recommending and establishing child support obligations. In accordance with the Michigan Friend of the Court Act of 1982 and the Federal Child Support Enforcement Amendments of 1984, the child support formula was adopted in December of 1986.

The child support formula was developed by a committee of individuals with diverse viewpoints and backgrounds – judges, lawyers, friends of the court, concerned parents, behavioral scientists, and other interested citizens.

The Michigan Child Support Formula Manual may be available at your local library or on the One Court of Justice web page at <http://www.courts.michigan.gov/scao>. If you desire to purchase a copy, the last page of this brochure has instructions.

This brochure will address commonly asked questions regarding the Michigan Child Support Formula. If you need additional information, contact your local friend of the court office or an attorney.

### **What is the purpose of the child support formula?**

The child support formula identifies common factors which should be considered when recommending child support awards. The formula:

- insures greater uniformity between cases throughout the state and
- increases the predictability of child support awards in similar circumstances.

### **What is the goal of the child support formula?**

The primary goal of the formula is to provide adequate child support based upon the needs of the child and the resources of both parents.

### **How were the needs of children established in the formula?**

The needs of children were considered when developing the formula schedules. The figures were based upon U.S. Department of Agriculture (USDA) statistics and research conducted by nationally recognized experts in the field of family economics.

### **What factors influence the amount of child support awarded in the formula?**

Child support awards are based on factors which include parental income, family size, and custodial arrangements.

### **How is child support calculated according to the formula?**

Child support is calculated according to the net earnings of each natural or adoptive parent. Adjustments to net income will be made when there are pre-existing support orders, additional natural or adopted children, or mandatory employment expenses. The formula also adjusts for split custody arrangements or orders which provide for the children spending a substantial number of overnights in each parent's home.

### **Will my current child support payment be changed if the formula suggests a different amount of support?**

The friend of the court must use the formula when making any support recommendation. When conducting a review, the law requires the friend of the court to petition for a modification if a minimum threshold of change is reached. The minimum threshold for modification is \$5.00 or

10% of the current support amount, whichever is less.

### **Will the child support amount recommended by the friend of the court automatically be ordered by the judge?**

No. However, circuit court judges also are required to follow the formula when setting child support orders. If the judge sets an order that differs from the formula, the judge must state reasons for not following the formula.

### **How does the friend of the court determine net income?**

The following lists examples of income used to determine net income. This list includes the most common forms of income, yet is not a complete list. Net income used by the formula **might not** equal the net income on your tax return or pay stub.

Salaries & Wages  
Annuities  
Cost of Living Allowance  
Pensions/Longevity  
Shift Premium/G.I. Benefits  
Overtime/Trust Fund Payments  
Second Job/Unemployment Benefits  
Commissions/Strike Pay  
Bonuses/Sub Pay  
Profit Sharing/Sick Benefits  
Interest/Worker's Compensation  
Dividends/Disability Insurance  
Social Security Retirement/Disability Benefits  
Veteran Administration Benefits  
Deferred Compensation/IRA

Drill Pay for National Guard and Reserves  
Armed Service Members Pay (base pay + allowance for quarters, rations, and specialty pay)  
Dividends Earned from Life Insurance Policies  
Allowance for Rent (when provided by the employer as a fringe benefit)  
Rental Income  
Spousal Support (also called “alimony”)  
Net Gambling Winnings  
Tax Exempt Income  
Insurance/Other Payments for Lost Earnings  
Adoption Subsidy

**How are children’s health care expenses shared according to the formula?**

If health care coverage is available to one or both of the parents, all health care expenses for the minor children should be submitted to the insurance company. The formula provides that any uncovered portion of the health care costs will be shared proportionately according to net incomes.

If health care coverage is not available to either parent, the formula provides that health care costs will be shared proportionately according to the parents' net incomes. However, a parent with a small income will pay at least 10% of the health care costs related to the minor children.

**Does the formula consider the costs related to child care expenses?**

When custodial parents have work or education related child care expenses, a child care adjustment will be recommended as part of the child support. A child care adjustment will also be recommend when non-custodial parents have work or education related expenses incurred during extended periods of parenting time.

**What if I don't have any income?**

Even if you have no income, you may be ordered to contribute a minimum amount to the

support of your child. In addition, the child support formula allows the friend of the court to impute income. Imputation means that the court finds you have the ability to earn a certain amount or have earned a certain amount in the past and, therefore, it bases your order on those amounts of income.

**Are step-children considered when making child support recommendations?**

Generally, no. Both parents of the step children (natural or adoptive) must have no income and have no ability to earn income before step-children can be considered.

**How often is the Michigan Child Support Formula updated?**

The child support formula is updated yearly to reflect a cost of living adjustment.

To purchase a copy of the Michigan Child Support Formula Manual, send a \$5.00 check or money order made payable to the State of Michigan to the following address:

**Department of Management and Budget  
Office Services Division  
Publications Section  
P.O. Box 30026  
Lansing, Michigan 48913  
<http://www.courts.michigan.gov/scao>**

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# Facts about the Michigan Child Support Formula