

# Facts About the Michigan Child Support Formula



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**Friend of the Court Bureau**  
Michigan Supreme Court  
<http://www.courts.michigan.gov/scao>

PSA 24 (02/09)  
This publication was produced with federal Title IV-D funds

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The Michigan Child Support Formula Manual provides guidelines to establish appropriate child support obligations. To assure that courts order similar amounts in similar cases, federal law requires states to have these statewide child support guidelines. You can find the Michigan Child Support Formula Manual at your local library or on the Michigan Supreme Court's "One Court of Justice" web page at <http://courts.michigan.gov/scao/services/focb/focb.htm>.

This brochure addresses commonly asked questions regarding the formula manual. If you need additional information, please refer to the manual itself or contact an attorney.

**(1) What is the purpose of the child support formula?**

The primary goal of the formula is to provide adequate financial support for children based upon each child's needs and both parents' resources. To achieve that adequate financial needs of children are met, the formula identifies factors that friend of the court (FOC) offices must consider when recommending child support awards. The formula insures uniformity throughout the state and increases the predictability of child support awards.

**(2) How does the formula determine children's needs?**

Federal and Michigan laws require the established guidelines to determine that children's financial needs are met. The formula builds in statistics and other research data from nationally recognized experts in the field of family economics to establish the costs of raising children.

**(3) What other factors influence the formula's child support calculations?**

The formula starts with both parents' net income. It then makes adjustments for factors like other support orders, other natural or adopted children, and mandatory employment expenses. The formula also makes adjustments for special circumstances such as split custody arrangements and the number of nights that children actually spend in each parent's home.

**(4) Will my current child support order change if the current formula suggests a different amount of support?**

The FOC must use the formula when making any support recommendation. After the FOC completes a support review, the law requires the FOC to petition the court to modify the support amount if a minimum "threshold of change" is reached. That threshold is \$25/month or 10 percent of the current monthly support amount, whichever

is less. If the formula calculates a change smaller than that threshold, the FOC usually will not ask the court to take any action

**(5) Will the judge automatically order the exact child support amount recommended by the friend of the court based on the FOC's formula calculations?**

No. But judges must follow the formula when setting child support. If the judge's order differs from the formula, the judge must state reasons for not following the formula.

**(6) How does the formula determine how much *net* income a parent has available to pay support?**

In addition to earnings received from an employer, the formula considers money that parents *actually have* or *should have* available to support their children. The precise details of how the formula determines parental income are best understood by actually reviewing the formula manual. Net income as determined by the formula *might* not equal the net income shown on your tax return or pay stub.

**(7) How does the formula determine the amount that each parent must pay for their children's health care expenses?**

Depending on things like the availability and cost of employer-sponsored insurance, the court usually will order one or both parents to maintain health care coverage for the children. The cost of insurance premiums is apportioned between the parents.

In most cases, the formula divides other out-of-pocket health care expenses into two categories: ordinary and extraordinary. Both parents must contribute an amount toward the child's ordinary expenses. The support payer's portion usually will be included as part of the monthly support payment. The support payee is usually presumed to have contributed his or her share. Any of the payee's out-of-pocket amounts that exceed the court's estimate of annual ordinary expenses will be apportioned between the parents at a later date. If the payer's share of ordinary expenses is included in the support amount, any of the payer's out-of-pocket expenses will be apportioned between the parties at a later date. Please refer to the formula manual for more specific details regarding health care expenses of children.

**(8) Does the formula consider child care expenses?**

When either parent has work or education-related child care expenses during periods when that parent is responsible for a child's care, the formula splits those expenses between the parents.

**(9) What if I don't have any income?**

Even if you have no income, the court may order that you contribute a minimum amount to support your child.

In addition, the child support formula allows the FOC to “impute” income to you. That means that if you have the ability to earn a certain amount, but you have chosen to either reduce your income or not to work at all, the FOC and the court will apply the formula as if you had earned the income that you chose not to earn. When imputing income, the FOC will provide the court with two support recommendations, one based on your actual income, and the second based on your actual income *plus the imputed income*. The FOC must present evidence to support its decision to impute income.

**(10) What if I have a child from another relationship?**

If a parent has a child from a relationship with someone who is not the other parent in the case under consideration, the formula sets aside a portion of the parent’s net income to pay support for the additional child(ren).

**(11) Are stepchildren considered when making child support recommendations?**

Generally, no. The only exception to that general rule occurs when *neither* of a stepchild’s natural or adoptive “actual” parents has income or the ability to earn income.

**(12) How often is the Michigan Child Support Formula updated?**

The child support formula is updated every few years to reflect changes in the cost of living.

For more detailed answers to any questions or concerns, parents and other interested persons should refer to the formula manual. The manual can be viewed or printed at: <http://courts.michigan.gov/scao/services/focb/mcsf.htm> In addition, many public libraries have printed copies of the manual. Several publishing companies sell printed copies.