

**Instructions:**

To establish the correct balance on a case, two figures need to be determined: the total support obligation and the total payments and/or credits.

**Section A:** Support obligations are set forth in your court orders. The relevant orders are signed by a Judge or have become an order through the recommendation of the MCFOC Referee. Contained in your orders, whether a Support Action, Order of Filiation in Paternity cases or a Judgment of Divorce, is the support clause which sets forth the support obligation. This clause can be identified by the heading "SUPPORT" or variations thereof. This clause sets the amount of the support, includes the names of the children or the number of children for whom the support is to be paid, the frequency of the support (weekly, bi-weekly, etc.), the length of time the support is to be effective, usually until the 18<sup>th</sup> birthday or when the child graduates from High School, whichever is later, and the effective date of the support (when the support is to begin). The effective date can be retroactive to the date of the order. Furthermore, this amount does not include any other obligations the court sets to be paid or statutory fees. Be aware, the terms of the support obligation are not set forth in the Income Withholding Order (IWO) sent to an employer. The IWO could contain an amount to be withheld that is higher or lower than the support obligation set forth in the primary order. Also, the effective date when the support is to commence is not when the IWO becomes effective and monies are withheld from a paycheck. The court ordered obligation is calculated from the effective date contained in the order itself.

**Section B:** Determine the number of charges from the effective date of the support to the present day. This can be done simply by counting the number of weeks (or other frequencies of charges) on a calendar. The MCFOC charges on Mondays. If there are subsequent orders which raise, lower or terminate the support or set arrears as of a certain date, you need to calculate the obligation for each amount. Do not calculate any other obligations or the statutory fees, calculate the support only. Multiply the number of charges by the amount of support and total this figure. This figure is the total support to be paid from the beginning of your case to the present date. Remember, this total obligation is determined from the terms set forth in your court orders.

**Section C:** Once the total support is determined, the total amount of monies paid through the MCFOC needs to be calculated. Since you calculated the total support obligation in sections A and B, you need to calculate the total amount of payments over the life of the case. Since there may be other obligations involved and the MCFOC would disburse the funds accordingly, you only need to total the amount of payments in this section. This can be done using MCFOC receipts, cancelled checks, income withholdings, garnishments, bond payments, tax offset monies or other sources. This total will then be compared to MCFOC records to insure all monies have been posted to the case. Be mindful of recent payments which may not be reflected on MCFOC records. In addition to payments, there can be court ordered adjustments such as waiving of arrears, direct payments to the payee which have been recognized by the MCFOC, parenting time credits which have been requested and granted, unemployment credits when referenced by a court order, incarceration credits or other credits so granted. These credits can be applied similar to payments to reduce the support obligation.

**Section D:** Now that the two essential figures are determined: the total obligation and the total payments and credits. Subtract the payments and credits from the support obligation. This figure would then be your balance of support as of the present date. Furthermore, if at any time the support obligation was in arrears, there is the possibility surcharges have been added to your obligation. In 1995, the Michigan State Legislature passed a law requiring the calculation of a semi-annual surcharge of 3.92304% on arrears. The first semi-annual surcharge was applied 1-1-96 and every six months since. Therefore, the balance you calculated in Section D will not contain any surcharges. You can contact the MCFOC to inquire if surcharges have been added to the support obligation.

*Once you have completed the calculations, return the form to the MCFOC and you will be contacted by an auditor within two weeks from the date of receipt.*