

# 2022 Annual Report Information – Kent County Friend of the Court

**MISSION: To serve the Court and the families of Kent County to ensure children are supported, both financially and emotionally.**

## **COLLECTION ON CURRENTLY CHARGING SUPPORT (Child, Spousal, Medical and Birthing Expenses):**

The Friend of the Court (FOC) employs a wide range of enforcement remedies and innovative strategies to improve the reliability of child support payments. Emphasis is placed on having realistic child support orders, reducing unpayable child support debt when possible and intervening early when parents begin to struggle to make payments.

### PERFORMANCE OBJECTIVE:

- Collect 80% of total court ordered support that is charged.

### PERFORMANCE OUTCOME 2022:

- 71% of court ordered support charged was collected.

### 2022 SUMMARY:

- \$72,822,516 (Total current support distributed)
- \$100,212,419 (Total support charged)
- \$96,943,566 (Total collections including current and arrears)

## **INCOME WITHHOLDING**

With income withholding, payments are deducted from the payer's check and sent to the Michigan State Disbursement Unit (MiSDU) in Lansing. When a payer changes jobs and/or fails to advise the FOC of new employment, the computer system checks the state Data Warehouse and automatically sends an Income Withholding Notice (IWN) to the source of income.

### PERFORMANCE OBJECTIVE:

- Collect 75% of child support collections by IWN.

### PERFORMANCE OUTCOME 2022:

- 73% was collected by IWN.

### 2022 SUMMARY:

- \$70,353,122 was collected by IWN.

## **SHOW-CAUSE HEARINGS AND BENCH WARRANTS**

When payments are not made regularly and a payer does not work with us to make payments or remedy his or her inability to pay, we may schedule a show cause contempt hearing. At the hearing, case managers attempt to resolve the non-payment or present the case before the Court for a determination of contempt. If a person does not appear for the hearing, a bench warrant may issue.

### **PERFORMANCE OBJECTIVE:**

- 80% of those ordered to jail as a result of a contempt hearing will pay out within two weeks.
- 85% of the bench warrants handled by FOC deputies will be resolved without arrest.

### **PERFORMANCE OUTCOME 2022:**

- 63% of those who were ordered to jail as a result of a contempt hearing paid and were released within two weeks.
- 99% of the bench warrants handled by FOC deputies were resolved without arrest.

### **2022 SUMMARY:**

- 16 payers were found in contempt and ordered to jail.
- 1,385 warrants were resolved by FOC deputies without arrest.

## **TAX OFFSET**

A commonly used enforcement remedy is the interception of a payer's state and federal tax refunds.

### **PERFORMANCE OBJECTIVE:**

- 90% of cases qualifying for a tax offset are submitted.

### **PERFORMANCE OUTCOME 2022:**

- 100% of cases qualified for a tax intercept were submitted.

### **2022 SUMMARY:**

- \$5,118,100 was collected from the Federal tax offset program.
- \$515,616 was collected from the State tax offset program.

## **LIENS AND GARNISHMENTS**

The law allows the FOC to place a lien against property owned by the payer of support when an arrearage has accrued. Garnishments may also be served against a delinquent payer's inheritance.

### **PERFORMANCE OBJECTIVE:**

- 80% of cases submitted for a lien or garnishment that qualify are ordered or perfected.

**PERFORMANCE OUTCOME 2022:**

- 100% of cases submitted for a lien or garnishment that qualified received one.

**2022 SUMMARY:**

- 8 real estate liens were placed for potential future collections and \$9,456 was collected.
- 39 liens/garnishments were placed against inheritances and \$231,800 was collected.
- 0 liens were placed against settlements and \$0 was collected.
- 3 claims were filed against decedent obligor's estate and \$20,502 was collected.

**HEALTH CARE**

The Health Care Unit has two main objectives. One is to enforce court orders to maintain health care insurance. The other is to enforce court orders related to uninsured health care expenses.

**PERFORMANCE OBJECTIVE:**

- 65% of cases have orders with health care provisions
- 90% of cases with health care reimbursement accounts receive payment.

**PERFORMANCE OUTCOME 2022:**

- 94% of cases with orders have health care provisions
- 97% of cases with health care reimbursement accounts received payment

**2022 SUMMARY:**

- 22,195 orders have a health care provision included.
- 664 cases with health care reimbursement accounts received payment.

**PARENTING TIME**

The primary function and statutory duty of the Parenting Time Unit is to secure compliance with parenting time and physical custody orders. This is accomplished through education, assisting parents with modification of their orders, helping in other ways to prevent future violations, and initiating contempt proceedings when warranted. Another function of the Parenting Time Unit is to help resolve parenting matters through co-parent sessions and facilitated parenting time sessions to establish parenting time orders. The FOC also continues to manage the Access and Visitation Grant that allows payment for supervised parenting time and for therapeutic reintroduction on specific cases through contract agencies.

**PERFORMANCE OBJECTIVE:**

- 90% of parenting time complaints to be resolved prior to a contempt hearing.

PERFORMANCE OUTCOME 2022:

- 79% of parenting time complaints were resolved prior to a contempt hearing.

2022 SUMMARY:

- 2,029 parenting time complaints were received.
- 86 hearings were scheduled on parenting time violations.
- 27 families were afforded parenting time through the Access and Visitation Grant.

**SUPPORT REVIEW**

Support reviews are commenced when a client submits a written request and is eligible for a review (every three years or if there has been a significant change in circumstances), by court order or upon FOC's own initiative. The FOC is statutorily required to complete support reviews within 120 days after notice of the review is sent but it is our goal to complete all support reviews within 90 days.

PERFORMANCE OBJECTIVE:

- 90% of all support reviews will be completed within 90 days.

PERFORMANCE OUTCOME 2022:

- 92% of all support reviews were completed in 90 days.

2022 SUMMARY:

- 2,093 support reviews were completed.

**RESOURCES FOR PARENTS PROGRAM**

The Resources for Parents Program (FKA Responsible Parent Program), established in 2016, was temporarily paused during the pandemic. We anticipate that it will be active again in 2022. Case Managers in this program actively partner with potential employers and placement agencies to assist payers who struggle to comply with their support order. They also conduct outreaches within the community to help payers who are often reluctant to engage with the FOC. Once a payer is referred to the program, the case manager schedules an appointment with the payer to identify any barriers that make it difficult to comply with the child support order. Once identified, the case manager can make appropriate referrals for job placements and searches, determine whether a case qualifies for a support review to ensure that charges are based on ability to pay, and/or provide information about parenting time issues and services.

PERFORMANCE OBJECTIVE:

- 90% of all cases referred to RPP be reviewed for eligibility within 48 hours of referral.

PERFORMANCE OUTCOME:

- 100% of all cases referred to RPP were reviewed for eligibility within 48 hours.

#### 2022 SUMMARY:

- 113 payers were determined eligible for the program within 48 hours of referral.

#### **EARLY ENGAGEMENT PROGRAM**

The Early Engagement Program was created in June of 2017. The goal of this program is to provide information about the FOC to clients who have not had contact with the office previously to:

- a. Break down barriers to communication.
- b. Provide accurate information and clarify expectations.
- c. Provide early access to the Resources for Parents Program.
- d. Provide information about the availability of facilitated parenting time when appropriate.
- e. Ensure that all provisions of the support order are understood.

We do this by reaching out to parents with a new case at the FOC by phone within two weeks of processing the initial order. We review the order prior to contacting them and answer any questions they may have about their order or the information that was included in the new case packet. If we are not able to reach the clients by phone, we contact them by email or letter providing information on ways to contact the FOC office and to let them know we are available to answer questions they may have.

#### PERFORMANCE OBJECTIVE:

- Make contact in 90% of new cases.

#### PERFORMANCE OUTCOME 2022:

- Contact was made with one or both parties in 92% of the new cases.

#### 2022 SUMMARY:

- Contact was made in 1,619 new cases.

#### **CLIENT COMMUNICATION**

It is important that clients are able to communicate effectively with us. During 2022, we received 60,071 phone calls with 75% of those calls being answered in 5 minutes or less. We also 116,182 letters, faxes, and emails. The State of Michigan maintains a website that is easily accessed 24 hours a day by cell phone, computer, or other device to find case information including payments and balances. In addition, clients may also schedule an appointment to receive a phone call back from their caseworker.

It is also imperative to provide clients with important case information and to anticipate questions. With this in mind, we email clients reminders about court dates, provide information about updated processes, and inform them of job opportunities and other events in the community.

## **EDUCATION**

We provide the parties in all new cases basic information about the FOC. This information includes contact information and general information about child support, parenting time and health care. We are continuing to update and enhance our website (at [www.accesskent.com/courts/foc](http://www.accesskent.com/courts/foc)) to help our clients understand the FOC processes better. We also maintain forms and other information on our website and in our lobby.

## **CUSTODY/PARENTING TIME EVALUATIONS**

Custody and parenting time evaluations are initiated after a written order is received from the Court. The purpose of an evaluation is to gather information regarding the best interests of the children as defined in the (12) best interest factors of the Michigan Child Custody Act and to complete a written report and recommendation for the Court.

### **PERFORMANCE OBJECTIVE:**

- 90% of all court requested custody and parenting time evaluations will be completed within 90 days from the date the court ordered the referral.

### **PERFORMANCE OUTCOME 2022:**

- 96% of all court requested custody and parenting time evaluations were completed within 90 days of the date the Court ordered the referral.

### **2022 SUMMARY:**

- 615 evaluations were completed in 2022.

## **MEDIATIONS**

Mediations are conducted on request of the parties, by court order, or by scheduled online appointments. The mediator helps the parents reach agreements on the issues of custody and parenting time. If the parties reach an agreement during mediation, they may sign an agreement prepared by the mediator, which is then entered as an order by the Court.

### **PERFORMANCE OBJECTIVE:**

- 90% of mediations will be scheduled within 60 days of being requested.

### **PERFORMANCE OUTCOME 2022:**

- 100% of mediations were scheduled within 60 days.

### **2022 SUMMARY:**

- 191 mediations were scheduled in 2022.

## **GRIEVANCES**

To assure that the FOC is responsive to the concerns of clients, the FOC Act provides a grievance procedure for complaints about FOC operations or employees. A grievance may not be used to change or object to a FOC recommendation, or to disagree with a referee's recommendation or a judge's decision. Once a grievance has been received, the FOC must investigate and respond within 30 days or issue a statement explaining why a response is not possible within that timeframe. The Kent County FOC has always been receptive of these types of formal complaints. Rather than being considered a negative reflection of office performance, it is a good way to measure customer satisfaction and help improve services where necessary.

### **2022 SUMMARY:**

- 14 grievances were received in 2022.
- 100% were responded to within 30 days of receipt.

## **CITIZENS ADVISORY COMMITTEE**

The Citizen Advisory Committee (CAC) was created by the legislature to assist citizens and the FOC office with issues concerning office operations and employees. Although having a CAC was initially mandatory, the legislature eliminated this requirement and currently only two counties statewide have one, Macomb and Kent. Minutes from CAC meetings are submitted to the County Board, while a sub-committee reviews actual grievance. There were no grievances filed directly with the CAC in 2022; however, all 14 received by the FOC were forwarded to the CAC for their review. Of note, the CAC agreed fully with the FOC's responses on 100% of the grievances received in 2022.