

FORTY-NINTH JUDICIAL CIRCUIT OF MICHIGAN

COUNTIES OF MECOSTA AND OSCEOLA



Honorable Scott Hill-Kennedy
Chief Circuit Judge

Honorable Ronald C. Nichols
Chief Circuit Judge Pro tem

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Administrative Order 2011 - 01

ORDER IMPLEMENTING SURCHARGE PROVISIONS OF PUBLIC ACT 193 OF 2009

Rescinds Administrative Order 2004-03

IT IS ORDERED:

This administrative order is issued to implement Public Act 193 of 2009. That act changed the way surcharge is imposed on past due support orders. Some orders issued from this court contain language that is now in conflict with the public act.

1. A surcharge ordered in an order of this court entered before December 28, 2009, is terminated as of December 28, 2009.
2. Through a separate, case-specific order of this court, if the court determines that:
 - a. The payer has failed to pay support under a support order, and
 - b. The failure was willful, [MCL. 552.603a]

the court may order that on January 1 and July 1 of each year, a surcharge be added to support payments that are past due as of those dates, but the first assessment of such surcharge will not occur before January 1, 2011.

3. Any surcharge so assessed shall be calculated pursuant to state law.
4. All contrary surcharge provisions in support orders previously issued by this court are amended to conform to this administrative order.

Effective Date: 1/03/11

Date: 1/03/11

Chief Judge Signature: Scott Hill-Kennedy