

State of Michigan

Circuit Judges
Paul J. Ciulo
Thomas L. Ludington
District Judges
John H. Hart
Philip Van Dam
Probate Judge
Dorene S. Allen



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Midland County Courthouse
301 W. Main Street
Midland, Michigan 48640-5183

Administrative Order – 42nd Circuit Court 2004 - 2

ORDER AMENDING SUPPORT ORDERS TO ESTABLISH NEW SURCHARGE RATE

IT IS ORDERED:

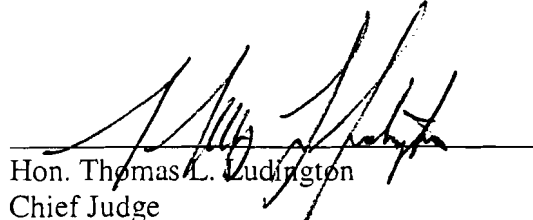
This administrative order is issued to implement PA 276 of 2003. That act changed the way surcharges are imposed on past due child support. Some orders issued from this court contain language that is now in conflict with the public act.

Beginning with surcharges assessed July 1, 2004, pursuant to Public Act 276 of 2003:

1. For a friend of the court case, as of January 1 and July 1 of each year, a surcharge shall be added to support payments that are past due as of those dates. The surcharge shall be calculated at six-month intervals at an annual rate of interest equal to 1% plus the average interest rate paid at auctions of five-year United States treasury notes during the six months immediately preceding July 1 and January 1, as certified by the state treasurer. The amount of the surcharge shall not compound. The amount shown as due and owing on the records of the friend of the court as of January 1 and July 1 of each year shall be reduced by an amount equal to one month's support for purposes of assessing the surcharge. A surcharge under this subsection shall not be added to support ordered under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the time period to the date of the support order.
2. Upon receiving money for payment of support, the friend of the court shall apply the amount received first to current support and then to the support arrearage including surcharges imposed under this section.
3. All contrary surcharge provisions in support orders previously issued by this court are amended to conform to this administrative order.

Effective Date: July 1, 2004

Date: July 15, 2004


Hon. Thomas L. Ludington
Chief Judge