

SANILAC COUNTY FRIEND OF THE COURT
Courthouse – 60 West Sanilac Avenue
P. O. Box 187
Sandusky, MI 48471
(810) 648-4866; FAX (810) 648-3020

Definition of Terms

- **Allocation:** The process of prorating a support payment across each of a payer's cases. i.e. If a payer of support has two cases, one charging \$50 and the other charging \$100, and made one payment of \$75, \$25 would be applied to the first case and \$50 to the second.
- **Arrearage:** The total amount of the unpaid obligation owed by a payer of support.
- **Bench Warrant:** A contempt warrant issued for a persons arrest for failure to comply with a court order. A bench warrant can be issued for failure to appear for a hearing, such as a show cause hearing, to which a person's appearance has been required through a court order or by failing to comply with an enforcement order issued by the Court.
- **Child Support:** An amount of money that a person is legally obligated to pay toward the expense of raising a child or children pursuant to the order of the Court.
- **Consent Order:** An order in which the provisions are agreed upon by both parties involved. Some consent orders may require the signatures of both parties and possibly for those signatures to be notarized.
- **Coupon:** The preprinted notifications returned with each payment. The coupon is used to identify the payer making the payment and the account for which the payment is intended. NOTE: If a payer has more than one case, he/she cannot choose where a payment is intended with a coupon. The payment or payments will be individually allocated across each of the payer's cases.
- **Custodial Party:** The party with whom the child or children reside and who has either sole legal custody or joint custody with designation as the primary caretaker.
- **Custody:** Please see Joint Legal Custody, Joint Physical Custody, Sole Physical Custody, and/or Sole Custody.
- **Michigan Department of Health and Human Services (MDHHS):** The State of Michigan agency providing public assistance to families. This agency is responsible for the Office of Child Support (OCS) and the Michigan State Disbursement Unit (MiSDU). It is formerly known as the Family Independence Agency (FIA) or the Michigan Department of Social Services. Learn more about this agency at <http://www.michigan.gov/dhs>.
- **Domicile:** The state of residence for the minor child(ren). If the custodial parent wishes to relocate the minor child(ren) to another state, he/she must first obtain permission from the Court.
- **Federal Tax Refund Offset:** A program in which a payer's arrears are certified to the IRS so that the payer's tax refund can be intercepted and applied to his or her past due support obligation. A federal tax refund offset will first be applied to any outstanding arrears owed to the State of Michigan and only after the debt is settled will the refund be applied to arrears owed to the custodial party.
- **Income Withholding:** A Notice and Order served on a payer's source of income with the intent to garnish support payments. The source of income is required to comply with the withholding request and forward payments directly to the Michigan State Disbursement Unit (MiSDU).
- **IV-D:** (pronounced Four-D) Title IV-D of the Social Security Act, the federal legislation that created the child support program.

- **Interactive Voice Response System (IVR):** A phone system that provides callers with information and answers to frequently asked questions such as recent payment or enforcement information. The IVR also serves as a link between payers and the Friend of the Court or MiSDU.
- **Joint Legal Custody:** Means the parents will communicate and cooperate with one another and attempt to reach mutual decisions regarding major issues affecting their child(ren). This decision making process includes, but is not limited to: major medical decisions, educational decisions, and religious upbringing, if any.
- **Joint Physical Custody:** Means the child(ren) live with one parent part of the time and the other parent part of the time. This does not have to be equal. The parent who has care of the child(ren) at any given time is responsible for routine decisions regarding the child(ren).
- **Legal Residence:** The home address for either parent whose order grants joint legal custody. If either parent wishes to move more than 100 miles from the other parent, he/she must obtain permission from the Court.
- **Medical Support:** The Court ordered obligation to provide health insurance coverage and/or payment of medical expenses.
- **Michigan State Disbursement Unit (MiSDU):** The state run agency, federally mandated to receive and distribute support payments.
- **Non-Custodial Parent:** The natural or adoptive parent who is absent from the child(ren)'s home and who usually has a court ordered obligation to support the child(ren), also referred to as the payer or obligor.
- **Order:** Every direction of a judge or Court to a person, made or entered in writing and not included in a judgment.
- **Parenting Time:** A provision of a Court Order specifying the schedule in which the minor child(ren) will spend time with the non-custodial parent. The provision may indicate specific days of the week with start and stop times, it may reference the standard Friend of the Court parenting time schedule, or it may reflect "reasonable" as agreed upon by the parties.
- **Referral:** An order from the Court for the Friend of the Court to review a provision(s) of an existing order with regard to the current circumstances surrounding the issue and determine whether the order should be modified.
- **Show Cause:** A Court Order demanding the appearance of a party who has violated a provision of a previous Court Order. The party whose appearance is required is given the opportunity to tell the Court why he/she should not be held in contempt for failure to comply with the order. The Court will then determine an appropriate sentence.
- **Sole Custody:** Means that the child(ren) live with one parent and that parent is responsible for making major decisions regarding the child(ren).
- **Sole Physical Custody:** Means that the child(ren) live primarily with one parent.
- **Spousal Support:** A court ordered financial obligation from one spouse or former spouse to another spouse or former spouse.
- **State Tax Offset:** A program in which the Michigan State Treasury Department is requested to intercept a payer's tax refund so that it can be applied to his or her past due support obligation.