

Start Making It Livable for Everyone (SMILE)

An educational program for separating / divorced parents with minor children.

*presented by:
52nd Circuit Court
Huron County Friend of the Court*



First, let's get familiar with
Friend of the Court and its
services.

What is Friend of the Court?

- ▶ Friend of the Court is a branch of the Circuit Court
- ▶ Friend of the Court was created by the Michigan Legislature in 1919.
- ▶ Friend of the Court staff include a director, enforcement officer, and caseworkers.
- ▶ Friend of the Court operations are subject to DHHS policy, IRS regulations, and state and federal law.

What does Friend of the Court do?

- ▶ FOC is required by statute (law) to enforce child support and parenting time orders
- ▶ FOC offers mediation services to help parties resolve issues involving minor children
- ▶ FOC also investigates and makes recommendations on the issues of custody, parenting time, and child support

What does Friend of the Court NOT do?

- ▶ FOC has no authority to investigate allegations of abuse or neglect.
 - ▶ These investigations must be handled by Child Protective Services.
- ▶ FOC does not provide emergency services or act as a law enforcement agency.
- ▶ Staff are not permitted to give legal advice.
- ▶ FOC does not advocate for either party.
- ▶ FOC does not become involved in day-to-day parental decisions (extracurricular activities, bedtimes, discipline disputes, etc.)

One of the primary duties of Friend of the Court is the enforcement of child support orders.

But . . . what is child support?

Child support is the on-going periodic payments of money from one parent to the other parent (or the child's legal custodian) ordered by the Circuit Court.

Child support protects children from the economic impact of divorce or separation.

It is a parental contribution for the child's basic living expenses, including food, clothing, shelter, health care, and education expenses. It ensures children have a minimum standard of living and reduces the need for public assistance resources.

- ▶ Support calculations are based upon the Michigan Child Support Formula.

The formula must be followed unless specific facts and circumstances of the case warrant a judicial finding that the formula is “unjust” or “inappropriate”.

- ▶ Factors considered in determining child support calculations include the following:
 - ▶ Income of both parties (including any unexercised ability to earn)
 - ▶ Total number of children each party supports
 - ▶ Number of overnights with each parent
 - ▶ Tax filing status
 - ▶ Mandatory withholdings such as union dues
 - ▶ Child Care Expenses
 - ▶ Health Insurance Premiums



Child Support

- ▶ Factors NOT considered in determining child support calculations include the following:
 - ▶ Mortgage / Rent
 - ▶ Credit card debt
 - ▶ Car expenses
 - ▶ Tuition (parents or children)
 - ▶ Student loans

- ▶ All other expenses come after care for your child under the formula!



Child Support

Child Support Enforcement

- ▶ Income Withholding Order (garnishment to employer)
- ▶ Income Tax Intercepts
- ▶ Financial Institution Data Match
- ▶ License Suspension
 - ▶ Driver's license
 - ▶ Occupational or professional licenses
 - ▶ Sporting licenses (hunting, fishing, or recreational)
- ▶ Other enforcement methods:
 - ▶ Passport denial
 - ▶ Credit bureau reporting
 - ▶ Civil contempt proceedings
 - ▶ Felony criminal charges

How to Pay Child Support

- ▶ Income Withholding Order
- ▶ Cash or money order at the local Friend of the Court office
- ▶ Michigan State Disbursement Unit (MiSDU)
<https://www.misdu.com/secure/default.aspx>
- ▶ Other Payment Options
 - ▶ PayNearMe
 - ▶ MoneyGram
 - ▶ Payment coupons
 - ▶ credit / debit cards

Friend of the Court is also responsible for the enforcement of parenting time orders.

But . . . what is parenting time (or custodial time)?

Parenting time is the schedule that families follow to indicate when a child spends time with each parent formerly referred to as *visitation*; and may be referred to as *custodial time*.

Parenting Time

Michigan statutes recognize that when parents separate or divorce, the child's best interests are served by continuation of the parent/child relationship. So strong is this recognition that the law establishes a presumption that it is in the best interests of a child to have strong relationships with both parents.

Studies demonstrate the adverse consequences that can follow when the child does not have a relationship with both parents. Other studies demonstrate that there is a relationship between the participation of a parent in the lives of his or her child and the willingness of that parent to provide support to the child.

Parenting time should be of a frequency, duration and type reasonably calculated to promote a strong relationship between the child and the parent. The child has a right to parenting time unless the court determines that parenting time would endanger the child's physical, mental or emotional health.

Parenting Time

FOC must enforce the parenting time order when a written complaint is received from either party that the order is not being followed.

Just like an arrearage can develop on a child support order, a parenting time arrearage can also develop when parenting time is wrongfully denied.

Parenting Time Enforcement

Alleged parenting time denials may be enforced by FOC using one of the following:

- ▶ Make-Up Parenting Time Policy
- ▶ civil contempt proceedings
- ▶ mediation / joint meeting
- ▶ motion the Court to modify the existing parenting time provision

Frequently Asked Questions

A [Friend of the Court handbook](#) is available to provide you with additional guidance on services, policies, and procedures.

Additional information on custody, parenting time, child support, and other resources is also available on our website.

<https://www.co.huron.mi.us/friend-of-the-court>

**Now, let's discuss co-parenting and how you
can Start Making It Livable for Everyone!**

SMILE - Start Making It Livable for Everyone



This program has the following goals:

- ▶ to provide information to help parents to better understand the effects of divorce and separation.
- ▶ to help parents understand the needs of their children; and
- ▶ to promote children's healthy adjustment to significant family changes.

Why is SMILE important?

- ▶ Divorce or parental separation and conflict are processes over which children have no control. Children should not become its victims.
- ▶ When parents are under stress, it is harder to be in touch with their children's pain and confusion.
- ▶ It takes time, effort, and planning on the part of parents to be able to provide for children's needs.
- ▶ In the crisis of significant family changes, parents may not recognize their children's needs while they attend to adult problems first.
- ▶ Sometimes separating or divorced parents find that their roles and expectations are undefined and confusing.



Because each family situation is unique, program participants are encouraged to consult other services available to divorced or separated parents and their children.

These include psychological services, legal services, support groups, emergency services, court mediation services, conflict resolution and mediation agencies, and books or articles relating to divorce.

How Children Respond to Divorce / Separation

Loss is painful for children.

The effects of a family separating or divorcing vary with children's ages.

The effects also depend on the circumstances surrounding the separation/divorce.

How your child was doing before the separation/divorce, the kind of help adults are giving, the relationship between you and the other parent, and other factors affect your child's reactions.

While every child is different and may react in different ways to separation/divorce, there are some common reactions by age group and responses from parents that may be helpful.

Helping Children Make a Positive Adjustment

Emotional and behavioral changes are to be expected when separation and/or divorce occurs. It takes time to adjust, and the time needed varies from child to child. Gradually, these changes tend to subside. If, however, the symptoms are intense, continue for several months, or interfere greatly in your child's life, your child may require counseling to prevent long lasting emotional difficulties and promote healthy adjustment.

The most critical factors in helping children make a positive adjustment to separation/divorce are:

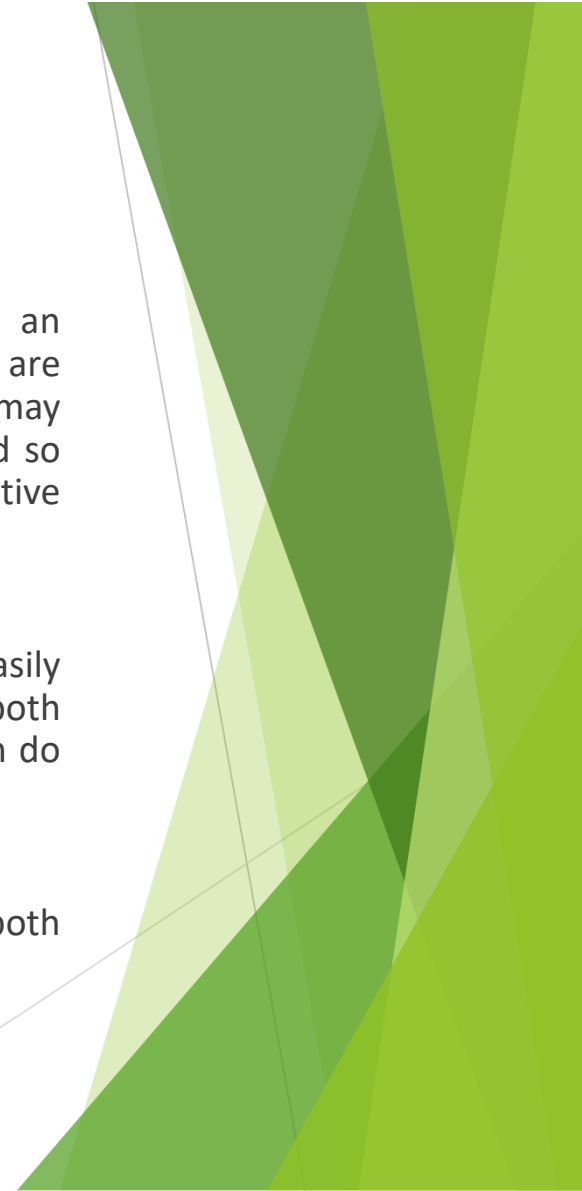
1. That children have an ongoing relationship with both parents;
2. That parents stop fighting and resolve or minimize their conflicts; and,
3. That children have a close and nurturing relationship with at least one parent.

Rebuilding Families

Parents face many changes and challenges when they separate or divorce. As an individual, you are confronted with many issues and problems at a time when you are going through deep and conflicting emotions. You face new situations for which you may not have solutions. There are, however, things you can do and pitfalls you can avoid so that you and your children can survive this difficult time and adjust in healthy and positive ways.

When parents separate or divorce, a child's world goes topsy-turvy. Children can be easily overwhelmed by the losses and changes in their lives. They need time and help from both parents to be able to thrive, accomplish, and recover. There are many things you can do to help your children cope and adjust to the separation/divorce.

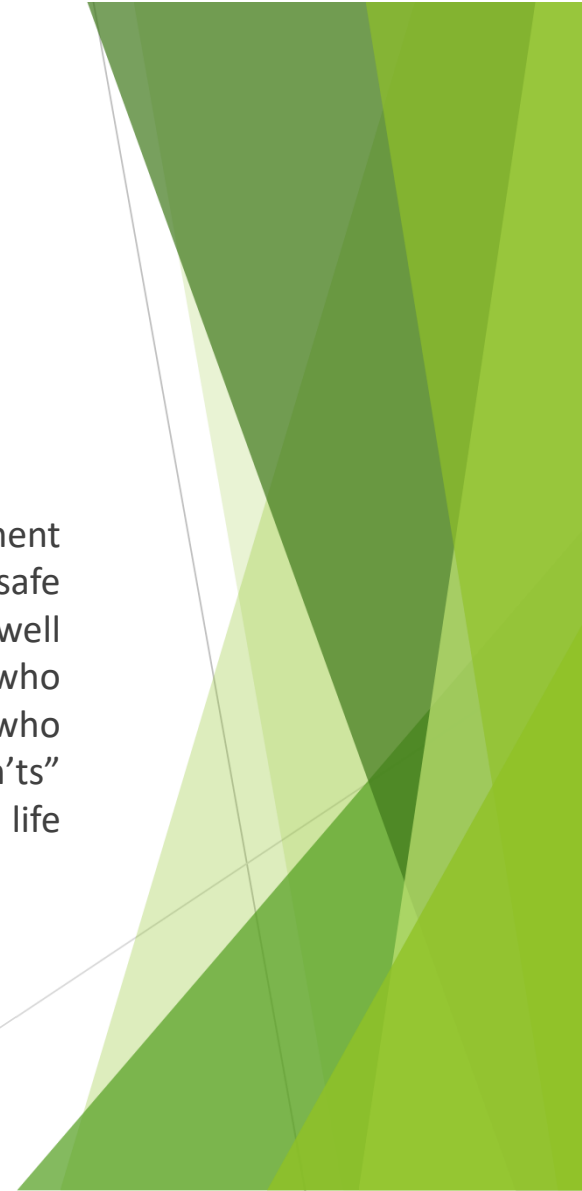
We have provided a list of suggested do's and don'ts in the SMILE handbook to help both you and your children through this process.



Rebuilding Families

REMEMBER:

As you and your children move through the process of separation/divorce and adjustment to the changes in your lives, your children are looking to you to guide them to “safe ground.” You are their role model. How you handle this separation/divorce may well determine how they will learn to handle other problems in life. Will they see parents who model cooperation and civility in solving problems or will they see two people who tumble, kicking and screaming, into every pitfall? Following these “do’s” and “don’ts” helps you give your children a better chance to come through this loss learning that life goes on and people can adjust to change.



Co-parenting. It's not a competition between two homes. It's a collaboration of parents doing what is best for the kids.

Co-Parenting Tips

► *BEING CONSISTENT*

It is crucial that parents are regular and consistent about time sharing. Children need to know that they will be made available for parenting time and picked up and returned at scheduled times. If an emergency arises that requires a change in time or if parenting time will not be exercised, each parent has the responsibility of notifying the other parent as far in advance as possible.

Co-Parenting Tips

► *GOING BETWEEN HOUSES*

The children should be supplied with adequate clothing for the parenting time, and the clothing is to be returned at the end of the parenting time. If the children are on medication, the medication, the dosage, and the times the medication is to be taken should be made available to the parent. Any information which pertains to the welfare of the children should be shared by parents.

Children may complain, become withdrawn, or act out when it is time to go between the parents' homes. A parent may believe that something negative is happening in the other parent's home because of the children's behavior. This behavior is usually normal and not necessarily an indication that anything is wrong. Children may be involved in an activity that they don't want to interrupt. Children miss the parent they are not with and go through an adjustment when getting ready to leave each parent's home, and again when they arrive at the other home.

Co-Parenting Tips

► *REBUILDING TRUST*

It is essential that separated/divorced parents make efforts to rebuild trust between them. Having a degree of trust helps reduce conflicts. One way to rebuild trust is to honor agreements made between parents. Broken agreements result in anger, disappointment, resentment, and retaliation. Parents should tell each other the truth. If plans need to be changed or something of concern happens during the time the children are with a parent, the situation should be discussed calmly with the other parent. A parent should check out children's stories with the other parent and recognize that children are not always accurate in their portrayal of events.

Co-Parenting Tips

► *SHARING AND PARTICIPATING IN ACTIVITIES*

Because of the newness of the separation/divorce and changes in roles, it is helpful to outline a list of specific activities for the parenting time. Choose activities that are appropriate to children's ages and interests. Reading books together, picnics, walks, biking, cooking, games, trips to parks, the zoo, museums, and the library are some activities. Parents may have skills to pass along to their children. Working on the car, computer, or sewing machine assists children to grow in skills and independence and share in an activity that the parents enjoy. A parent's role does not necessarily begin and end with scheduled parenting time. The parent also may participate in parent/teacher conferences, attend school functions, help children with homework, or assist in taking the children to medical appointments and their social or sports activities. Participating and sharing in activities allows parents to remain involved with their children. However, both parents need to establish "normal" routines with chores, bedtimes, rules and standards for behavior, and regular meals to help children feel secure and stable.

Co-Parenting Tips

► *SOLVING PROBLEMS*

Parents need to communicate about parenting. When problems arise, the first impulse may be to blame the other parent. Anger and blaming are barriers that interfere with communication. Communication requires special skills and compromise. When there is a problem, parents need a plan and to be flexible.

Co-Parenting Tips

I-MESSAGES

A helpful tool in communicating is the use of “I-messages”. All this means is taking care to frame your statements in terms of your own experiences instead of making demands of the other person or telling them how they feel. It is especially helpful in co-parenting if you also keep focused on the impact of your concern or request ON YOUR CHILDREN. There is a format for this strategy in which the speaker identifies a specific behavior of the other person then states how that makes them feel. Statements go something like this: “I feel frustrated when you show up late for parenting time, and the kids get anxious and stressed out.” You can then make a request or suggestion, “Please make every effort to be there on time. Or do we need to make changes to the time so it works better for all of us?” A good rule of thumb is to catch yourself when you start sentences with “You” (“You never show up on time!”) and replace it with an “I” statement instead.

Children's Bill of Rights

- The right to be treated as important human beings, with unique feelings, ideas and desires, and not as a source of argument between parents.
- The right to a continuing relationship with both parents and the freedom to receive love from and express love for both.
- The right to express love and affection for each parent without having to stifle that love because of fear of disapproval by the other parent.
- The right to know that their parents' decision to divorce is not their responsibility and that they will continue to be loved by both parents.
- The right to continuing care and guidance from both parents.
- The right to honest answers to questions about the changing family relationships.
- The right to know and appreciate what is good in each parent without one parent degrading the other.
- The right to have a relaxed, secure relationship with both parents without being placed in a position to manipulate one parent against the other.
- The right to have both parents not undermine the other parent's time with the children by suggesting tempting alternatives or by threatening to withhold parental contact as a punishment for the children's wrongdoing.
- The right to experience regular and consistent contact with both parents and to be protected from parental disputes or disagreements.

SMILE - Start Making It Livable for Everyone

- ▶ Co-parenting begins with communication!
- ▶ Divorce or separation has been identified as a form of trauma in children.

It is in your power to help your children through this process successfully!

SMILE - Start Making It Livable for Everyone

- ▶ Please be sure to review the SMILE handbook for additional information, tips, and guidance

The handbook was developed by mental health professionals to help you develop an effective co-parenting relationship and to help promote the best interests of your child.

- ▶ Once you have watched the SMILE video (using the link on this web page), be sure to [submit the e-mail notification](#).

Additional Questions or Concerns?

- ▶ Friend of the Court staff are available to help you with child support, parenting time, or custody concerns.
- ▶ Please contact our office to schedule an appointment to address your concerns, schedule alternative dispute resolution (mediation / joint meeting), or ask specific questions regarding your case.
 - ▶ Telephone: (989)269-9545
 - ▶ E-Mail: huronfoc@co.huron.mi.us
- ▶ You may obtain motion forms from our office or our website if your issues need to be brought before the Judge.