

**Letter No. 7-96**  
**Friend of the Court Fund (FOC)**

December 10, 1996

TO: County Treasurers

FROM: Richard L. Baldermann, CPA  
Administrator  
Local Audit and Finance Division

RE: Public Act 302 of 1996

PA 302 of 1996 was a part of court reform and is effective January 1, 1997. The statute implements changes in the distribution of fees collected by the County Treasurer in accordance with PA 236 of 1961, MCLA 600.2530.

The amended statute requires that all fees collected under section 2529 (1)(d) (judgements for divorce or separate maintenance) and  $\frac{1}{2}$  of the costs collected under sections 31, (failure to pay support) 32, (bond resulting from bench warrant and subsequent arrest) and 44 (visitation violations) of the Support and Parenting Time Enforcement Act, Public Act 295 of 1982, being sections 552.631, 552.632, and 552.644 of the Michigan Compiled Laws be deposited into the friend of the court fund. The statute further requires the fund be established as an interest bearing account and all interest credited and used as provided in this section.

The board of commissioners must appropriate all sums in this fund and additionally shall annually appropriate from the general fund an amount not less than the total amount appropriated for the office of the FOC in the county's last fiscal year ending before July 1, 1983. Money transmitted to the Treasurer under section 31 of PA 295 of 1982 shall **supplement** and not supplant other money appropriated by the county for FOC functions as measured by amounts appropriated by the county for those functions in prior fiscal years.

For those judicial circuits in which circuit court employees are employees of the state judicial council, the county treasurer shall remit all sums collected under section 2529 (1)(d) and  $\frac{1}{2}$  of the costs collected under sections 31, 32, and 44 of PA 295 of 1982 to the state as provided in section 595(4).

The county treasurer shall remit  $\frac{1}{2}$  of the costs actually paid by a payer as ordered by the court under section 31, 32, or 44 of PA 295 of 1982 to the law enforcement agency that executed the bench warrant issued for the arrest of that payer.

A copy of the statute is enclosed for your reference.

If you need further assistance, please contact (517) 373-3227 or write our office: Michigan Department of Treasury, Local Audit and Finance Division, P.O. Box 30728, Lansing, Michigan 48909-8228.