

UNIFORM INTERSTATE FAMILY SUPPORT ACT (EXCERPT)
Act 310 of 1996

***** 552.1312.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 17, 2015 *****

552.1312.amended Services provided by support enforcement agency, prosecuting attorney, or office of friend of the court; fiduciary relationship; agreement to transfer prosecutor's responsibilities; conduct of proceeding on behalf of state.

Sec. 312. (1) Upon request, a support enforcement agency of this state, or upon the support enforcement agency's request, the prosecuting attorney or office of the friend of the court, shall provide services to a petitioner in a proceeding under this act. A support enforcement agency, prosecuting attorney, or office of the friend of the court that is providing services to the petitioner as appropriate shall do all of the following:

(a) Take all steps necessary to enable an appropriate tribunal in this state or another state to obtain jurisdiction over the respondent.

(b) Request an appropriate tribunal to set a hearing date, time, and place.

(c) Make a reasonable effort to obtain all relevant information, including information as to the parties' income and property.

(d) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written notice from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner.

(e) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written communication from the respondent or the respondent's attorney, send a copy of the communication to the petitioner.

(f) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(2) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the support enforcement agency and the individual being assisted by the support enforcement agency.

(3) The prosecuting attorney and the department of human services may enter into an agreement to transfer the prosecutor's responsibilities under this act to 1 of the following:

(a) The friend of the court, with the approval of the chief judge of the circuit court.

(b) An attorney employed or contracted by the county under section 1 of 1941 PA 15, MCL 49.71.

(c) An attorney employed by, or under contract with, the department of human services.

(4) A proceeding under this section is conducted on behalf of the state and not as the attorney for any other party.

History: 1996, Act 310, Eff. June 1, 1997;—Am. 1998, Act 65, Imd. Eff. Apr. 27, 1998;—Am. 2014, Act 370, Eff. Mar. 17, 2015.