

THE FAMILY SUPPORT ACT (EXCERPT)
Act 138 of 1966

552.451 Proceedings for support of custodial parent and children; complaint; service; prohibition.

Sec. 1.

A married parent who has a minor child or children living with him or her and who is living separate and away from his or her spouse who is the noncustodial parent of the child or children, and who is refused financial assistance by the noncustodial parent to provide necessary shelter, food, care, and clothing for the child or children, if the spouse is of sufficient financial ability to provide that assistance, may complain to the circuit court for the county where either parent resides for an order for support for himself or herself and the minor child or children. Subject to section 5b of the support and parenting time enforcement act, 1982 PA 295, MCL 552.605b, the parent may also complain to the circuit court for support for a child or children after they reach 18 years of age. The proceedings shall be commenced by the filing of a complaint verified by the petitioner and by issuance of a summons that shall be served upon the noncustodial parent of the children and spouse of the petitioner in the manner provided by court rules for the service of process in civil actions. A complaint shall not be filed and a summons shall not be issued if divorce or separate maintenance proceedings are then pending between the petitioner and his or her spouse.

History: 1966, Act 138, Eff. Mar. 10, 1967 ;-- Am. 1983, Act 196, Imd. Eff. Nov. 7, 1983 ;-- Am. 1990, Act 237, Imd. Eff. Oct. 10, 1990 ;-- Am. 2002, Act 8, Imd. Eff. Feb. 14, 2002 ;-- Am. 2009, Act 236, Imd. Eff. Jan. 8, 2010