

# Criminal Advocacy Program

## October 11, 2013 Training

Friend of the Court  
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### **I. Child Support Overview**

- a. Role of Office of Child Support
- b. Role of Prosecuting Attorney
- c. Role of Friend of the Court
  - i. Custody
  - ii. Parenting Time
  - iii. Child Support
  - iv. Medical
- d. Role of MISDU

### **II. Contempt Hearing Process on Show Cause Hearings and Bench Warrants**

- a. Logistical Information
  - i. Show Cause Hearings
    - 1. Child support cases are regularly screened or may be referred for a Show Cause Hearing.
    - 2. Show Cause Hearings are held Mondays, Wednesdays and Thursdays in courtroom 1907.
    - 3. Attorneys screen cases first and then determine which cases must proceed to a contempt hearing in front of the assigned Judge.
    - 4. Contempt hearings are held the same day in front of the Judge assigned to the case.
  - ii. Bench Warrants
    - 1. Three manners of resolving a bench warrant
      - a. Jail-every day of the week

- b. Coleman Young-Monday, Wednesday, Thursday and Friday
    - c. Penobscot-every day of the week
  - 2. Attorneys screen cases first and then determine which cases must proceed to a contempt hearing in front of the designated bench warrant Judge.
  - 3. Contempt hearings are held Monday through Friday at 2:00 p.m. in front of the designated bench warrant judge.

### **III. Role of Defense Counsel in Contempt Hearing Process**

- a. Pre-Hearing Expectations
- b. Advocating and requesting relief: Commitment is not the only outcome
  - i. See Contempt Hearing Checklist
- c. Advising Client Post-Hearing
  - i. Payments
  - ii. In Pro Per Motions
    - 1. Child Support Modification
    - 2. Payment Plan
    - 3. State Discharge Program
    - 4. Surcharges
    - 5. Incarceration Credit
  - iii. Bonds
  - iv. Consent Docket

### **IV. Resources**

- a. FOC Website and Contact Information
  - i. FOC Website: <https://www.3rdcc.org/FOC.aspx>
    - 1. In Pro Per Motion Packets
    - 2. Other helpful information
  - ii. FOC General Information: (313) 224-5300
  - iii. FOC General Email: [FOC-help@3rdcc.org](mailto:FOC-help@3rdcc.org)
  - iv. FOC Attorney Line: (313) 224-5295
  - v. FOC Attorney Email: [focattorneyline@3rdcc.org](mailto:focattorneyline@3rdcc.org)

- b. FOC Locations and Times-see handout
- c. MISDU Website: [www.misdu.com](http://www.misdu.com)
  - i. Payment coupons
  - ii. Address Change forms
- d. MiCase Website: [www.michigan.gov/MiCase](http://www.michigan.gov/MiCase)
  - i. Manage account online
- e. Contempt Hearing Checklist-see handout