



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

ELIZABETH HERTEL  
DIRECTOR

**IV-D MEMORANDUM 2023-006**

**TO:** All IV-D Staff\*

**FROM:** Erin P. Frisch, Director  
Office of Child Support (OCS)

**DATE:** April 7, 2023

**SUBJECT:** Pilot Project: Summary Support and Paternity Act (SSPA)

**ACTION DUE:** None

**POLICY EFFECTIVE DATE:** Upon receipt

**PURPOSE:**

The Office of Child Support (OCS) has approved the expansion of a pilot project intended to test the viability of procedures established in the Summary Support and Paternity Act (SSPA) for Title IV-D cases. These procedures may result in establishing an order more quickly because court proceedings are less likely or even eliminated in both paternity and support-order establishment efforts. Some interpret the process as less adversarial because of steps that can prevent a hearing.

In 2021, the Van Buren County Friend of the Court (FOC) and the Friend of the Court Bureau (FOCB) in the State Court Administrative Office worked collaboratively to create forms and processes for testing SSPA procedures. Van Buren County has been piloting these forms and processes in select cases to determine the ease, success and efficiency of the Act. In the coming months, OCS, in partnership with the Program Leadership Group (PLG), will authorize additional county IV-D offices to pilot the process in designated cases.

OCS is not yet approving expansion statewide or in all cases until the FOCB conducts an evaluation to identify the benefits and potential drawbacks of the process.

**UPDATE(S):**

Manual

Form(s)

## DISCUSSION:

### A. SSPA Overview

The SSPA (Public Act 366 of 2014, Michigan Compiled Law [MCL] 722.1491 – 722.1503) establishes new optional procedures for establishing paternity and/or child support in Title IV-D cases. Only Title IV-D agencies can use the provisions of the Act. The SSPA offers new opportunities and flexibility to establish paternity and support orders that may be more efficient and effective for certain offices that opt to explore and adopt those procedures.

- The Act expands the entities who can file the establishment action;
- The Act specifically allows the child support program to file consent orders at the time the case is filed instead of filing a case first and *then* entering a consent order;<sup>1</sup> and
- Once SSPA activities have been initiated, the Act permits notification to the parties by regular mail. If the party(ies) fails to respond, IV-D staff must then serve papers in the same manner as provided by Michigan Court Rule (MCR) 2.105.

The Act was passed in the 2013-2014 legislative session. Since that time, the FOCB has analyzed the process and conferred with practitioners and stakeholders; it has also created proposed forms and developed pilot plans. The Supreme Court adopted MCR 3.230, “Actions Under the Summary Support and Paternity Act” to provide procedural rules for use of the Act. Prior to 2021, OCS had not granted the use of the Act in IV-D cases.<sup>2</sup>

### B. Authorization for Local IV-D Pilot Offices to Use the SSPA Procedures

A provision of the SSPA found in MCL 722.1495 and 722.1499 indicates that initiation of the provisions of the Act begins when the Michigan Department of Health and Human Services (MDHHS) “... request(s) a title IV-D agency to file a statement with the court in the county in which the mother, the child, or the alleged father lives. The statement shall be in a form approved by the state court administrative office under the supervision and direction of the supreme court.” This IV-D Memorandum serves as MDHHS’s request that in specific pilot counties, the IV-D office may initiate paternity or support-order establishment and perform the actions necessary to obtain an order using the provisions of this Act.

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<sup>1</sup> Whether the Acts currently used to establish orders allow this flexibility is up for interpretation; the SSPA more clearly authorizes it.

<sup>2</sup> As discussed in [IV-D Memorandum 2016-012, \*The Genetic Parentage Act – Interim Procedures for Processing Requests for Voluntary Genetic Testing\*](#), IV-D staff are not yet able to take actions under the Genetic Parentage Act (GPA), which was passed in the same legislative session as the SSPA. The IV-D program has not yet prioritized development of the procedures authorized under the GPA.

An action under the SSPA does not necessarily have to be initiated by the Prosecuting Attorney (PA) (or, in the case of combined IV-D offices, the FOC acting on behalf of the PA). The Act intends to authorize any IV-D agency, including FOC or OCS staff, to take the steps identified in the Act. However, at this time, only PAs or combined offices in pilot counties are authorized to take these actions.

### C. Actions During the Pilot

#### 1. OCS Operations Staff Actions

OCS Operations staff are initiators of court action referrals (CARs). If pilot counties and/or the FOCB identify new steps or activities that may be needed from OCS Operations staff during CAR initiation or in other stages of the case during the pilot (including signatures on forms or documents), they will first consult with OCS leadership and the PLG. Otherwise, the pilot counties, with assistance from the FOCB, will identify the appropriate cases for use of SSPA procedures during the pilot.

OCS Operations staff will not:

- Screen a case for SSPA eligibility;
- Collect or disburse additional case information;
- Take different or new steps;
- Sign documents (including the statement mentioned in the Act); or
- On a case-by-case basis, authorize IV-D partners' use of the Act.

#### 2. Use of the Michigan Child Support Enforcement System (MiCSES)

Pilot offices, in consultation with the FOCB, will use the functionality discussed in [IV-D Memorandum 2021-026, Tracking Case Members' Participation in Grant-Funded, Pilot, Behavioral Intervention, or Other Special Programs Within the Child Support Program](#). That memorandum introduced the *Grant and Pilot Management* (GAPM) screen. IV-D staff may use the GAPM screen to record and monitor cases and participants involved in special initiatives or pilot projects.

The IV-D program will not pursue any MiCSES or other system enhancements for this effort until the pilot has ended. If the pilot results are positive, the IV-D program can pursue technology improvements in support of the new establishment procedures following the traditional system prioritization and approval process.

#### 3. Meeting IV-D Requirements

IV-D staff responsible for executing the pilot process must still meet federal IV-D order establishment timelines and requirements as well as the Contract

Performance Standards.<sup>3</sup> Additionally, staff taking SSPA actions must record the steps and decisions in the MiCSES case record for tracking purposes. If the pilot processes necessitate a revision of, or added flexibility to, the policies that are not currently authorized, the FOCB and the pilot counties will consult with OCS and the PLG for the needed or desired changes.

#### 4. Support for Pilot Counties

The FOCB will provide pilot counties the support, instruction and direction they need. This includes policy or procedural publications, form instructions, training materials, desk aids, or approved workarounds to system functionality. The FOCB may contact OCS or the MiCSES Project Team for assistance as needed.

### D. Evaluation of the Pilot

OCS has asked the FOCB and pilot counties to conduct an evaluation of the pilot to confirm its value, measure its success, and help determine whether statewide implementation is recommended. Specifically, the program seeks to determine if establishment activities happen more quickly, with higher case participant engagement, and result in more equitable outcomes when compared to the results in more traditional establishment approaches. The program also intends to determine if issuing defaults in paternity cases would be more or less common in SSPA cases.

### E. Additional Information

For more information regarding the SSPA process, a comparison of the process with the current traditional approach, and for an additional discussion of the benefits, see the following exhibits that have been previously produced and informally circulated by the FOCB:

- [Exhibit 2023-006E1: Summary Support and Paternity Act Summary and Benefits](#); and
- [Exhibit 2023-006E2: Summary Support and Paternity Act \(SSPA\) Pilot Outline](#).

### NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

If a county is interested in participating in the SSPA pilot, its management staff should contact the FOCB. The FOCB will seek authorization for these counties to act under the SSPA and will contact the counties when their authorization has been granted. No other counties are permitted to use the SSPA until the pilot has completed.

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<sup>3</sup> Ref: [Chapter 4, "Order Establishment," of the Michigan IV-D Child Support Manual](#) (Sections 4.01, et al.) for policies involving order establishment and [Section 1.25, "Contract Performance Standards \(CPS\)," of the manual](#) for information on the Contract Performance Standards.

**REVIEW PARTICIPANTS:**

FOCB  
Establishment Work Improvement Team (WIT)  
PLG

**CONTACT PERSON:**

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Case Management Policy Team Lead  
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**CC:**

None

**SUPPORTING REFERENCES:**

Federal  
42 United States Code (USC) 608, 652, 654, and 666  
45 Code of Federal Regulations (CFR) 302, 303, and 307

State  
Public Act 366 of 2014, MCL 722.1491 – 722.1503  
MCR 2.105

**ATTACHMENTS:**

Exhibit 2023-006E1: Summary Support and Paternity Act  
Summary and Benefits

Exhibit 2023-006E2: Summary Support and Paternity Act (SSPA)  
Pilot Outline

**EPF/MCA**

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\* Ref: the [Michigan IV-D Child Support Manual Introduction and Table of Contents](#) for a definition of IV-D staff.