Michigan IV-D Child Support Manual
Department of Human Services

Publication/ Revision Date:	Chapter Number: 6.0	Chapter Title: Enforcement
February 18, 2015	Section Number: 6.45	Section Title: Bench Warrants/LEIN

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1. Warrants

Michigan courts are authorized to issue a warrant for the arrest of an individual in a domestic relations matter. The court may issue the warrant as a civil bench warrant (BW) or a criminal/felony warrant.

1.1 Civil Bench Warrants (BWs)

    1.1.1   The court may issue a civil BW if an individual fails to appear at an order to show cause hearing regarding civil contempt for failure to comply with court-ordered support.[1] Friend of the Court (FOC) staff will enter these civil BWs on the court's behalf into the Michigan Child Support Enforcement System (MiCSES) through the Show Cause/Bench Warrant (SCBW) activity chain on the *Enforcement Processor* (ENFP) screen.[2]

    1.1.2   The court may issue a civil BW if an individual fails to appear at an order to show cause hearing regarding civil contempt for failure to provide court-ordered health care coverage.[3] FOC staff will enter these civil BWs on the court's behalf into MiCSES through the Show Cause Medical Insurance (SCMI) activity chain on the ENFP screen.

Further policy and procedures regarding BW bonds and hearings are provided in [State Court Administrative Office (SCAO) Administrative Memorandum (ADM) 2004-01, *MCR 3.221 Implementation*](). Particularly, SCAO ADM 2004-01 covers:

- Release after arrest;
- Cash performance bonds;
- Appearance bonds;
- Bond-review hearings; and
- Contempt hearings.

  1.2 Criminal/Felony Warrants

The court may issue a criminal/felony warrant for the arrest of an individual who is in violation of the Michigan Penal Code for nonpayment of court-ordered support[4] or the abandonment of and failure to support a spouse or child(ren).[5]

The court may recall a civil BW if the individual has been arrested under a criminal/felony warrant. FOC staff must cancel a civil BW in MiCSES upon receiving notice from the court that the civil BW has been recalled.

The Prosecuting Attorney (PA) or Attorney General (AG) offices may prosecute criminal non-support cases upon the request of a parent or a referral from the FOC office. Further policy and procedures regarding criminal/felony non-

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[1] Ref: Michigan Compiled Law (MCL) 552.631.
[2] FOC staff may also enter warrants on the *Bench Warrant* (BWNT) screen. However, the Office of Child Support (OCS) recommends FOC staff enter warrants through activity chains because of limited system functionality for warrants entered on the BWNT screen.
[3] Ref: MCL 552.626.
[4] Ref: MCL 750.165.
[5] Ref: MCL 750.161.

support are provided in SCAO ADM 2008-03, *Felony Nonsupport Referral and Processing Policy*.

AG and PA offices do not currently use MiCSES to enter criminal/felony warrants and transmit them to the Law Enforcement Information Network (LEIN). FOC staff are responsible for processing civil BWs through MiCSES on behalf of the court. FOC staff are not responsible for processing criminal/felony warrants through MiCSES.[6]

2. Law Enforcement Information Network (LEIN)

2.1 LEIN Overview

LEIN is a statewide law enforcement communication system that links law enforcement agencies to the Michigan State Police (MSP) and federal criminal information databases. LEIN contains information such as criminal records, residential addresses, driving records, wanted persons (civil and felony warrants), missing persons, firearms registration and licenses, and personal protection orders from local, state and federal law enforcement agencies.

LEIN exchanges information with the Federal Bureau of Investigation's (FBI's) National Crime Information Center (NCIC). However, civil BWs entered in LEIN from MiCSES are not entered into NCIC, and MiCSES does not receive data from NCIC. NCIC is a computerized index of criminal justice information (criminal record history information, fugitives, stolen property and missing persons) that is available to state and local law enforcement agencies and other criminal justice agencies. Disclosure of information obtained from NCIC is restricted to authorized agencies for the purpose of facilitating the apprehension of fugitives.

The MSP administers and audits LEIN and access to LEIN, as well as LEIN policy, procedures, and administrative rules under the authority of Michigan's C.J.I.S. Policy Council Act[7] and Executive Order No. 2008-17.

The MSP's Criminal Justice Information Center and its LEIN Field Services (LFS) maintain the integrity of LEIN by:

- Conducting automatic computer edits that reject certain types of errors in data;
- Conducting automatic purging of records after a prescribed period of time;
- Performing quality control checks (i.e., audits); and

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[6] The criminal/felony warrant type was removed in the MiCSES 7.5 Release (December 2011), and only civil BWs are to be entered in MiCSES. A ticket has been entered to consider for a future MiCSES release a mechanism to track criminal/felony warrant activities.
[7] Ref: MCL 28.211–28.216.

- Furnishing to an originating agency on a monthly basis a list of the agency's active BWs on LEIN for the purpose of record validation.[8]

2.2 Responsibilities of FOC and IV-D Staff With Access to LEIN Information

MSP may grant FOC and IV-D staff limited access to LEIN information for limited purposes either through an interface with MiCSES or indirectly through a designated criminal justice agency.[9]

2.2.1 Access to LEIN Information Through MiCSES

Access to LEIN through MiCSES is granted by an interagency agreement between the MSP, the Criminal Justice Information Center, the (former) Criminal Justice Information Systems Policy Council, and the Department of Human Services (DHS).[10] The interagency agreement requires that MiCSES must comply with the MSP-LEIN rules, procedures, and policies. Further, MSP-LEIN reserves the right to immediately suspend providing any information to MiCSES when any rule, policy, or procedure is violated or appears to be violated.

A. MSP grants access to LEIN through MiCSES for the purposes of entering, validating, modifying and cancelling BWs.
B. FOC and IV-D staff with access to LEIN information through MiCSES must:

1. Safeguard LEIN information from unauthorized disclosure (Ref: Subsection 3, "Non-Disclosure of LEIN Information," in this manual section);
2. Monitor responses and messages from LEIN (Ref: Subsection 4, "MiCSES Interface With LEIN," and Subsection 6, "BW Cancellation and Correction," in this manual section);
3. Ensure complete, accurate and up-to-date BW information is provided to LEIN through MiCSES, and take action where required (Ref: Subsection 6, "BW Cancellation and Correction," in this manual section); and
4. Reconcile and validate BWs between MiCSES and LEIN (Ref: Subsection 7, "Required BW Reconciliation and Validation," in this manual section).

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[8] Ref: 2011 *LEIN Operations Manual,* Section 1.15, "Quality Control."
[9] Ref: 2011 *LEIN Operations Manual*, sections 1.5, "LEIN Access Guidelines"; 1.6, "Agencies Allowed LEIN Access"; 1.7, "Restricted LEIN Access"; and 1.8, "LEIN Access for Specified Purpose."
[10] The interagency agreement refers to the Criminal Justice Data Center, the Family Independence Agency, and the Satellite Computer System. These are currently known as the Criminal Justice Information Center, DHS, and MiCSES, respectively. Ref: Executive Order No. 2008-17, Executive Order No. 1998-1, MSP website, and the 2011 *LEIN Operations Manual*.

2.2.2   Indirect Access to LEIN Information Through a Designated Criminal Justice Agency

The MSP Criminal Justice Information Center grants indirect access to LEIN information by agreement with the FOC and a designated criminal justice agency.[11]

A. MSP may grant FOC offices indirect access to limited LEIN information through a designated criminal justice agency for limited purposes.
B. FOC staff granted indirect access to LEIN information through a criminal justice agency are responsible for following MSP's LEIN policy and procedures.

3. Non-Disclosure of LEIN Information

LEIN contains confidential and sensitive information that must be protected from disclosure, dissemination and misuse.[12] IV-D staff with access to LEIN information through MiCSES must ensure LEIN information is safeguarded from inappropriate disclosure. MiCSES screens include access and operational restrictions to safeguard LEIN information. User roles and county assignments define the restrictions.

3.1 Disclosure of Issued BW and BW Status

Generally, IV-D staff with MiCSES access have the ability to view whether a BW has been issued for an individual on a child support case as well as the status of the BW. IV-D staff may disclose the existence of a BW in MiCSES and the BW's status to the custodial party (CP) or non-custodial parent (NCP) upon verification of the individual's identity.[13]

3.2 Non-Disclosure of Information Originating From LEIN

Disclosure of LEIN information to other IV-D staff must be only for the purpose of entering, validating, modifying, or cancelling BWs. Some MiCSES screens and their corresponding reports contain information directly from LEIN exactly as it is recorded in LEIN.

3.2.1   Screens With LEIN Information

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[11] Ref: CJIS Administrative Rule R 28.5201.
[12] Ref: 2011 *LEIN Operations Manual,* Section 1.12, "LEIN Security Requirements" and CJIS Administrative Rule R 28.5208.
[13] Ref: *Action Transmittal 2004-022, Responding to Requests for Confidential Information* regarding verification of an individual's identity before disclosing confidential information.

IV-D staff with access to screens containing any information received from LEIN must **not**:

- Disclose LEIN information to other IV-D staff for any purpose other than entering, validating, modifying or cancelling BWs;
- Disclose LEIN information to any non-IV-D individuals, entities or agencies, except as defined in Subsection 3.2.3 of this manual section;
- Access, use or disclose LEIN information for personal gain;
- Enter a copy of the LEIN information into the *Notes Processor* (NOTE) screen; or
- Include copies of printouts containing LEIN information in the case file.

3.2.2   Printed LEIN Information

IV-D staff must secure printouts of LEIN information to prevent unauthorized access or use and must dispose of these printouts in such a manner as to ensure confidentiality.[14]

3.2.3   Release of LEIN-MiCSES Information to Another Agency

IV-D staff may release LEIN-MiCSES message/transaction information to another agency when:

- A local, county, state or federal PA submits a written request and specifies the information is for a valid criminal justice purpose;
- The information is requested through a judge-authorized search warrant or subpoena;
- The agency that initiated the LEIN message/transaction approves;
- The information is for noncriminal justice purposes, is essential to issues raised in an administrative hearing related to the misuse of LEIN, and the person requesting the information agrees to limit dissemination of the information for the purpose of the hearing; or
- The information is for noncriminal justice purposes, is sought pursuant to a valid court order, is essential in a civil action to demonstrate the accuracy of LEIN data, and the person requesting the information agrees to limit dissemination of the information for the purpose of the civil action.[15]

3.2.4   Subpoena or Freedom of Information Act (FOIA) Request[16]

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[14] Ref: 2011 *LEIN Operations Manual,* Section 1.5.
[15] Ref: CJIS Administrative Rule R 28.5209.
[16] Ref: 2011 *LEIN Operations Manual*, Section 1.5.

If FOC staff receive a subpoena or FOIA request that specifically requests or includes confidential LEIN information, FOC staff must forward the request to the MSP at:

Freedom of Information Unit
Criminal Justice Information Center
Michigan Department of State Police
PO Box 30634
Lansing, MI 48909

3.2.5 *LEIN System Message*s (LERR) Screen

The LERR screen and its corresponding *LEIN Errors and Messages Report* contain LEIN data. This information is subject to non-disclosure. Error, warning and administrative message data on the LERR screen includes data that originated in LEIN.

IV-D staff with the following MiCSES roles have the ability to view LEIN information on the LERR screen and must not disclose LEIN information:

- Bench Warrant Officer (the BW Officer also has the ability to delete messages on the LERR screen);
- Central Merge/Split Worker;
- Enforcement Case Worker;
- Enforcement Supervisor/Manager; and
- Sheriff/Deputy.

3.2.6 *LEIN Validation* (LVAL) Screen

The LVAL screen and its corresponding *LEIN Reconciliation Report* contain data directly from LEIN, and this information is subject to non-disclosure. Specifically, information in the following reports with data originating from LEIN must not be disclosed:

- *Warrants Active in LEIN, No History in MiCSES* (all data);
- *Warrants Active in LEIN, Cancelled in MiCSES* (all data except the *Date Off MiCSES* field); and
- *Warrants With Mismatched Information* (all data except the *Remarks* field).

Only IV-D staff with the BW Officer role in MiCSES are able to access the LVAL screen – specifically for the purpose of validating BWs. In addition, the BW Officer has access to the LVAL screen only for each county to which (s)he is assigned.

3.3 Penalty for Unauthorized Disclosure or Misuse

Unauthorized disclosure or misuse of LEIN information can result in the loss or restriction of access to LEIN data.[17] Unauthorized disclosure or misuse may also result in criminal prosecution, including:

- For a first offense, a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500, or both; and
- For a second or subsequent offense, a felony punishable by imprisonment for not more than four years or a fine of not more than $2,000, or both.[18]

4. MiCSES Interface With LEIN

MiCSES and LEIN exchange BW information through an electronic interface. This interface expedites communications between the FOC and law enforcement agencies and also supports BW activity and alert automation in MiCSES.

4.1 MiCSES Transactions and LEIN Responses

When FOC staff enter a BW in MiCSES, MiCSES will transmit the BW to LEIN for entry of the individual as a wanted person. Once LEIN receives and records the BW, the "enforcing law enforcement agency" in the local jurisdiction[19] will:

- Be designated as the contact agency for bond, pick-up, and court appearance information;
- Have access to the BW; and
- Have the primary responsibility for "packing" and serving the BW.[20]

Note: Law enforcement agencies across the state (including MSP) will have access to the BW information for the purpose of serving the BW.

LEIN will process the BW and transmit a response to MiCSES indicating whether the BW was accepted or rejected, or if there is a warning associated with the transaction. When the BW is accepted, MiCSES will record the BW's *LEIN System ID* and *On LEIN Date* on the BWNT screen. MiCSES will record LEIN rejection messages (recorded as error messages) and warning messages on the LERR screen. Similar electronic exchanges will occur between MiCSES and LEIN when FOC staff modify or cancel a BW in MiCSES. The transmission and response process occurs every 15 minutes. However, if MiCSES has sent

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[17] Ref: CJIS Administrative Rule R 28.5208.
[18] Ref: MCL 28.214.
[19] For example, the enforcing law enforcement agency in the local jurisdiction could be the county sheriff's office in the same jurisdiction as the issuing court.
[20] Ref: Subsection 5.3, "'Packing' the Warrant," in this manual section for more information about packing a BW and the information included in a BW.

a transaction to LEIN but has not received a response back from LEIN within 24 hours, MiCSES will attempt to resend the transaction.

4.2 Administrative Messages From LEIN[21]

LEIN also sends administrative messages to MiCSES. Operators enter the administrative messages at LEIN terminals. Some messages are not in response to a specific transaction submitted through/by MiCSES (i.e., they are "unsolicited") and may alert FOC staff to actions performed directly in LEIN, such as:

- A BW is entered in LEIN but not recorded in MiCSES;
- A law enforcement officer serves a BW and arrests the individual;
- A law enforcement officer cancels a BW in LEIN upon the request of FOC staff;
- A BW is cancelled in LEIN because a law enforcement officer enters a "locate"[22] when the individual is arrested and posts bond;
- A BW is cancelled in LEIN because a law enforcement officer enters a "locate" due to the originating agency or law enforcement officer associated with the originating agency failing to pick up the arrested individual from the location where that individual is lodged; or
- The MSP cancels a BW in LEIN because FOC staff failed to validate the BW or comply with another MSP-LEIN policy.

MiCSES will record administrative messages on the LERR screen. If the administrative message has a corresponding BW in MiCSES, it will be recorded as an "identified administrative" message. Otherwise, it will be recorded as an "unidentified administrative" message.

5. BW Entry

5.1 Originating Agency Identifier (ORI)

MSP-LEIN assigns each agency that enters warrants into LEIN (i.e., the issuing/originating agency) a unique ORI, and each warrant entered by that agency must include that agency's ORI. The ORI establishes a mechanism for auditing compliance with MSP-LEIN's warrant entry, modification, validation, cancellation, and security policies.

MSP-LEIN assigns an ORI to each court that issues warrants. When FOC staff enter a BW into MiCSES on behalf of an issuing court, the FOC office/court is the originating agency. Each BW transaction sent from MiCSES to LEIN

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[21] Functionality for recording LEIN administrative messages in MiCSES was implemented in the December 2009 MiCSES Release.
[22] A "locate" is a specific LEIN message type that cancels the BW in LEIN. It is related to the apprehension or bond posting of an individual and/or the failure to pick up an individual.

identifies the ORI of the FOC office/court (originating agency) to which the BW's corresponding docket is assigned.

5.2 Cross-County BW Entry Restriction

FOC staff with a user role that allows them to enter BWs in MiCSES must not enter a BW for any county other than the county enforcing the BW's corresponding docket (i.e., the county that issued the BW) or any county to which the FOC staff member is not assigned. MiCSES restricts cross-county BW entry based on role and county assignment.[23]

5.3 "Packing" the Warrant

"Packing" a warrant is MSP's term for entering complete and accurate identifying information for a warrant. The interagency agreement requires MiCSES to transmit accurate and complete information to LEIN. MSP-LEIN policy requires the originating agency to "pack" a warrant record with all required information regarding the identity of the individual, as well as any additional information available at the time the warrant is entered.[24]

Packing a warrant is necessary to:

- Ensure the completeness and integrity of warrant information in LEIN;
- Assist law enforcement officers in correctly identifying the individual named in the warrant;
- Limit liability and potential litigation as a result of arresting the incorrect individual; and
- Protect the safety of law enforcement officers and the public.

A law enforcement officer may not be able to execute a warrant (i.e., arrest an individual) due to a lack of complete, accurate and reliable identifying information and the liability/risk of arresting the incorrect person.

5.3.1 Required Demographic Information

LEIN requires the following demographic information for the entry of a warrant for an individual into LEIN:

- Name;
- Race;
- Sex; and
- Date of birth.

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[23] This restriction became effective in MiCSES as of the MiCSES 7.5 Release (December 2011).
[24] Ref: 2011 *LEIN Operations Manual*, Section 5.0, "Persons File, Introduction, Court-Entered Warrant Records" and Section 5.4, "Wanted Persons Entries" as well as the MSP-LEIN / SCAO Top Ten List (dated February 17, 2011) available on the SCAO website and the MSP-LEIN website.

5.3.2 Additional Demographic Information[25]

LEIN considers the following additional demographic information as optional for warrant entry into LEIN. FOC staff must ensure that any of this information available for an individual at the time the court issues the BW is entered in MiCSES *before* the BW is entered in MiCSES:[26]

- Height;
- Weight;[27]
- Hair color;
- Alias date of birth;
- Alias name;
- Eye color;
- FBI number;
- Last known address;
- License plate number and plate type;
- Miscellaneous number;
- Operator's license number;
- Place of birth;
- Prison number;
- Remarks;
- Scars, marks, tattoos and other physical characteristics;
- Skin tone;
- Social security number;
- State identification number; and
- Vehicle identification number (VIN), make and style.

5.3.3 IV-D Staff Responsibilities

All IV-D staff must ensure all information and facts relevant to a case, including information and facts associated with enforcing support through a BW, are recorded in MiCSES. Information and relevant facts include case member demographics and any other information associated with packing a BW.

Note: When demographic information is updated by any IV-D staff member, it can result in MiCSES sending the updated information automatically to LEIN.[28]

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[25] MiCSES does not track or have a specific field for some of these demographic identifiers.

[26] Ref: Subsection 5.3.3, "IV-D Staff Responsibilities," for more information.

[27] Height and weight are required for entry into the NCIC, but civil BWs are not transmitted to NCIC. LEIN accepts civil BWs without height or weight information.

[28] Ref: Subsection 6.1, "Manual Cancellation and Correction," in this manual section for more information about warrant modification.

The MSP's policy does not require courts that enter warrants to "investigate and 'pack' warrant entries with all available personal identification information." However, the MSP's policy requires courts to "enter all information in [their] possession at the time of entry."[29] Because FOC staff enter BWs and demographic information into MiCSES for support cases and transmit court-entered BWs to LEIN on behalf of the court as the originating agency, this MSP policy applies to FOC staff.

Therefore, FOC staff must ensure that all demographic information they have for an individual at the time the BW is issued by the court is entered in MiCSES *before* the BW is entered in MiCSES and transmitted to LEIN.[30] MiCSES packs the BW record with the information that is available at the time the BW is entered in MiCSES. This policy does not *require* FOC staff to conduct locate work for demographic information that is not in their possession at the time the court issues the BW. However, if demographic information is not possessed at that time, OCS *recommends* FOC staff perform locate actions. FOC staff may perform locate actions before the BW is entered in MiCSES as long as the locate action does not delay entry of the BW into LEIN beyond 72 hours after the court issues the BW.[31] However, it may be more practical for FOC staff to perform locate actions after the BW is entered in MiCSES.[32]

5.3.4   Enforcing Law Enforcement Agency Responsibilities

If identifying information is missing, the "enforcing law enforcement agency is responsible for investigating and 'packing' the court-entered warrant record with additional identifiers and other information necessary to affect an arrest."[33] For example, if a BW sent from MiCSES to LEIN has missing information, a law enforcement officer in the sheriff's office (the enforcing law enforcement agency) will attempt to obtain the missing information and enter it in LEIN. MiCSES identifies the enforcing law enforcement agency's ORI in BWs sent to LEIN. LEIN automatically notifies the enforcing law enforcement agency when a court/FOC-entered BW containing the enforcing law enforcement agency's ORI is entered into LEIN.

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[29] Ref: 2011 *LEIN Operations Manual*, Section 5.0, "Persons File, Introduction, Court-Entered Warrant Records."

[30] For a list of the applicable demographic information, refer to Subsection 5.3.1, "Required Demographic Information," and Subsection 5.3.2, "Additional Demographic Information," in this manual section.

[31] Ref: CJIS Administrative Rule R 28.5402; 2011 *LEIN Operations Manual* Section 5.0, "Persons File, Introduction, Timely Warrant Records"; and 2011 *LEIN Operations Manual* Section 5.0, "Court-Entered Warrant Records."

[32] For details regarding updating a warrant with information located after the warrant has been sent to or entered in LEIN, refer to Subsection 6.1, "Manual Cancellation and Correction," and Subsection 7.3, "Required FOC Reconciliation and Validation Actions," in this manual section.

[33] Ref: 2011 *LEIN Operations Manual*, Section 5.0, "Persons File, Introduction, Court-Entered Warrant Records."

5.4 Judge Signature and Date Required for Warrant Entry

FOC staff must not enter a BW into MiCSES unless it has been signed (not a stamped signature) and dated by a judge. MSP LEIN Auditors are instructed to immediately remove from LEIN any warrants that have not been signed and dated by a judge.[34] The court or FOC office must retain a hard copy (physical copy) of the signed and dated BW. It is unnecessary for FOC staff to provide a hard copy of the signed and dated BW to the sheriff's office, Central Dispatch, etc. because the interface between MiCSES and LEIN is paperless, and BWs entered into LEIN through the interface are considered confirmed and valid in LEIN.

5.5 Bond Type (Cash-Only or Cash/Surety) and Warrant Remarks

FOC staff must ensure a BW's bond is entered into MiCSES according to the court's direction and ensure the BW is entered in LEIN with the correct bond information. State law requires the entry of a cash performance bond for BWs issued as a result of a party's failure to appear at a show cause hearing for the non-payment of support.[35] However, state law does not specifically address the issuance of a BW as a result of a party's failure to appear at a health care coverage show cause hearing, nor does it address the required bond type (appearance, performance, cash, or surety bond).[36]

MiCSES automatically defaults the bond to cash-only for all new SCBW, SCMI, and Parenting Time (PART) BWs as well as BWs entered directly on the BWNT screen (not through an activity chain).[37] When a new BW is defaulted with a cash-only bond, MiCSES will send the BW to LEIN with "Cash-Only Bond" in the warrant remarks. MiCSES automatically sends an update to LEIN when IV-D staff modify a BW's bond type or amount.[38]

Note: MiCSES automatically applies the general warrant remarks that FOC staff have manually entered on the *County Options* (LCOM) screen to every BW issued by the county. The general remarks entered on the LCOM screen may contradict the actual provisions of a specific BW, bond amount, type of bond, or the unique user-entered remarks for a specific BW. MiCSES also enters information such as actual height, actual weight, etc. to the BW's remarks in addition to the LCOM remarks and user-entered remarks. Because of the additional information, the limitations on the length of remarks that can be sent to LEIN, and the potential for the LCOM remarks to contradict the BW's provisions or the

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[34] Ref: Michigan Court Rule (MCR) 2.602(A)(1) and the MSP-LEIN / SCAO Top Ten List (dated February 17, 2011) available on the SCAO website and the MSP-LEIN website.
[35] MCL 552.631
[36] MCL 552.626
[37] This functionality became effective as of the MiCSES 7.5 Release (December 2011).
[38] This functionality became effective as of the MiCSES 7.5.1 Release (January 2012).

user-entered remarks for a specific BW, each FOC office is encouraged to review and update the general remarks on the LCOM screen as appropriate.

6. BW Cancellation and Correction

6.1 Manual Cancellation and Correction

MSP-LEIN policy allows a warrant to be modified or cancelled only by the originating agency. However:

- The enforcing law enforcement agency associated with the originating agency's warrant may modify (pack) a court-entered warrant with information to accurately identify the individual;
- The enforcing law enforcement agency associated with the originating agency's warrant may cancel the warrant upon request or recall the warrant; and
- The MSP (the State Control Terminal Agency) may modify or cancel a warrant in LEIN for quality control purposes (e.g., failure to validate or audit finding).

Upon the individual's apprehension, the arresting agency may place a "locate" on the warrant in LEIN. This will send an administrative message to MiCSES and cancel the BW in MiCSES.[39]

FOC staff (on behalf of the court as the originating agency) must promptly cancel or correct a BW in MiCSES if the BW is discharged by the court, is no longer valid, or contains inaccurate data.[40] FOC staff with the BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager roles must monitor the status of BWs and unresolved error, warning, and administrative messages and take the necessary action(s) to transmit cancellations or corrections to LEIN in a timely manner or inactivate the BW in MiCSES. Further, FOC staff with these roles must review the unidentified administrative messages, determine whether an active BW exists in MiCSES and, if appropriate, ensure the BW is cancelled or corrected in MiCSES. If the BW cannot be cancelled or updated in MiCSES, FOC staff must manually cancel or correct the BW using other methods such as directly contacting a law enforcement agency.

If the BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager does not have access to a particular MiCSES screen to

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[39] Ref: 2011 *LEIN Operations Manual*, sections 3.23, "Modify Code"; 5.5, "Wanted Person Modification"; 5.6, "Wanted Person Cancellation"; and 5.7, "Wanted Person Locates." Also refer to Subsection 4.2, "Administrative Messages From LEIN," and Subsection 6.3, "Automatic Cancellation and Correction," in this manual section.
[40] Ref: CJIS Administrative Rule R 28.5404.

perform a demographic update or does not perform demographic updates in MiCSES per office workflow:

- The BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager may share LEIN information from the LERR screen with other FOC staff for the purpose of updating demographic information associated with BWs. However, the LEIN information must not be shared in a screen shot or a printout of the screen unless the BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager takes responsibility to ensure the information is not further disclosed and is destroyed properly in compliance with security and non-disclosure policy;
- The FOC office may consider granting screen rights or office workflow privileges to the BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager for the purpose of updating demographic information associated with BWs; or
- The FOC office may consider granting the BW Officer, Enforcement Case Worker, and/or Enforcement Supervisor/Manager role to a staff member who already has demographic update privileges – as long as that staff member agrees to follow all policy regarding the protection of LEIN data.[41]

6.1.1 Cross-County Warrant Modification

MSP-LEIN policy allows warrant modifications to be made only by the warrant's originating agency (or the enforcing law enforcement agency identified for the originating agency's warrant) and requires the warrant record to identify the operator performing the modification. However, demographic information in MiCSES is case-member-based, maintained at a statewide level, and updated by automated processes or by IV-D staff regardless of whether the IV-D staff member is assigned to the BW's corresponding docket county. All IV-D staff (support specialists, PA staff, OCS staff, etc.) are responsible for ensuring accurate and complete demographic information is entered in MiCSES for compliance with LEIN warrant entry policy. When any IV-D staff member updates demographic information, it can result in MiCSES sending the updated information automatically to LEIN.[42]

Current MiCSES BW modification processes identify the operator as the primary worker assigned to the case rather than the FOC staff member or automated process making the demographic update.[43]

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[41] Ref: Subsection 3.2, "Non-Disclosure of Information Originating From LEIN," in this manual section.
[42] Ref: Subsection 5.3.3, "IV-D Staff Responsibilities," in this manual section for more information about warrant entry.
[43] A ticket has been entered for a future MiCSES release to consider identifying the operator for modifications as the BW Officer or other caseworker assigned to the warrant's case.

6.1.2 Cross-County BW Cancellation

FOC staff with a role that allows cancellation of BWs in MiCSES must not cancel a BW for any county other than the county enforcing the BW's corresponding docket (i.e., the county that issued the BW) or any county to which the FOC staff member is not assigned. MiCSES prevents FOC staff from cancelling BWs for counties to which they are not assigned.[44]

6.1.3 Administrative BW Cancellation

FOC staff must promptly cancel a BW if the BW was entered erroneously into MiCSES and LEIN. Otherwise, FOC staff must cancel a BW in MiCSES and LEIN only at the direction of the court.

FOC staff must **not** administratively cancel a BW under the following conditions without the direction of the court:

A. The BW was issued for a failure to appear for a support show cause hearing, and the obligation arrears have been paid;
B. The BW was issued for failure to appear for a health insurance coverage show cause hearing, and the child(ren) subject to an order requiring a party to provide health care coverage no longer qualify(ies);
C. The BW was issued for a failure to appear for a health insurance coverage show cause hearing, but the court has subsequently issued an order that the party is no longer required to provide health care coverage;
D. The BW was issued for a failure to appear for a health insurance coverage show cause hearing, but the party ordered to provide health care coverage subsequently provides health care coverage for the child(ren) subject to the order;
E. A BW was issued for failure to appear at a parenting time show cause hearing when the child(ren) has emancipated; or
F. A certain amount of time has passed since the court's issuance of the BW.

FOC staff may ask the court to dismiss a BW when the conditions above or other appropriate conditions have been met.

6.1.4 Resend, Inactivate, and Cancel Functions

The BWNT and LERR screens include the ability to resend a BW from MiCSES to LEIN, inactivate a BW in MiCSES, or cancel a BW in LEIN. These functions allow FOC staff to ensure BW information is

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[44] This functionality became effective as of the MiCSES 7.5 Release (December 2011).

synchronized between MiCSES and LEIN, including the resolution of stuck/"orphaned" BWs.

FOC staff must thoroughly review the BW conditions and exercise caution when using these functions. Incorrect use could cause BWs that are already in synchronization between MiCSES and LEIN to become out of synchronization or duplicated in LEIN.

A BW will have an out-of-synchronization status when:

- The BW exists in MiCSES with a warrant date;
- MiCSES sent a communication/transaction to LEIN for the BW;
- No error was returned from LEIN;
- The BW does not have an *On LEIN Date* on the BWNT screen; and
- The BW has not been dispositioned (i.e., does not have a disposition date) in MiCSES.

In other words, an out-of-synchronization status occurs when a BW exists in MiCSES but there is no indication in MiCSES that LEIN accepted the BW transaction.

A. Resend and Inactivate Functions on the BWNT Screen

The resend function on the BWNT screen allows FOC staff with the appropriate roles to resend a BW entry or cancellation to LEIN when the BW has an out-of-synchronization status and there is no other active BW for the same type of action (e.g., there is only one BW for failure to appear at a show cause hearing for support). The inactivate function on the BWNT screen allows FOC staff with the appropriate roles to inactivate an out-of-synchronization BW that exists in MiCSES but does not exist in LEIN.

The resend and inactivate functions are also available on a limited basis for BWs that are awaiting a response from LEIN (i.e., MiCSES has sent a transaction to LEIN but has not received a response). FOC staff with the BW Officer role may use these functions for BWs that have a communication/transaction to LEIN pending for five days. In particular, this function will allow BWNT-type BWs that are in MiCSES but not in LEIN (i.e., "orphaned" BWNT BWs) to be resolved. The five-day time frame allows MiCSES to automatically resend pending transactions to LEIN over a limited number of 24-hour cycles while also allowing the BW Officer the ability to resolve BW issues without significant delay.

B. Cancel Function on the LERR Screen

The cancel function on the LERR screen allows FOC staff with the appropriate roles to cancel a BW in LEIN that was not entered in LEIN through MiCSES.

6.2 Manual Message Deletion

The BW Officer has the ability to delete error, warning and administrative messages on the LERR screen for the county to which (s)he is assigned. To prevent unauthorized disclosure,[45] the BW Officer must delete the messages after appropriate action has been taken.

6.3 Automatic Cancellation and Correction

MiCSES will automatically cancel the BW when an administrative message indicates the BW is cancelled in LEIN and the BW in the message is identified (i.e., matched) with a corresponding BW in MiCSES. MiCSES will not automatically cancel the BW when the BW in the administrative message is not identified (i.e., matched) with a BW in MiCSES.

MiCSES will automatically cancel or correct BWs during the BW validation process.[46] MiCSES also will automatically correct a BW when corresponding information related to the BW is updated in MiCSES (e.g., member's date of birth).[47]

6.4 Automatic Message Deletion

MiCSES will automatically delete error messages when the associated information has been corrected and the BW has been re-sent to LEIN. MiCSES will not delete an administrative message when the corresponding BW is cancelled in MiCSES. However, MiCSES will automatically delete error, warning and administrative messages after one-and-a-half years of inaction.

7. Required BW Reconciliation and Validation

The MSP-LFS and the interagency agreement require, as a condition of using and/or communicating with LEIN, the originating agency to validate and certify every active BW entered into LEIN by the originating agency.[48]

Validation is a quality control measure that determines whether the information is consistent and valid in both LEIN and MiCSES. Validation maintains system integrity and reduces the risk that a law enforcement officer, relying on incorrect LEIN data,

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[45] Ref: Subsection 3, "Non-Disclosure of LEIN Information," in this manual section.
[46] Ref: Subsection 7, "Required BW Reconciliation and Validation," in this manual section.
[47] Ref: Subsection 6.1.1, "Cross-County Warrant Modification," in this manual section for more information.
[48] Ref: CJIS Administrative Rule R 28.5401 and 2011 *LEIN Operations Manual*, Section 1.16, "Validation of Records."

will make an erroneous arrest. Because of the serious risk of an erroneous arrest based on incorrect or invalid warrant information, the originating agency's staff (i.e., FOC staff on behalf of the court) must check and correct BWs for accuracy when the BW information in LEIN does not match the submitted BW information. Further, if a warrant does not contain complete and accurate information, a law enforcement officer may not consider it reliable enough to arrest the individual (i.e., execute the warrant).

Mismatches between MiCSES and LEIN may occur because:

- The first transmission of the BW from MiCSES to LEIN did not go through properly;
- A field is missing, blank, or unknown in MiCSES or LEIN;
- The enforcing law enforcement agency added or modified the BW in LEIN to pack it with missing, valid or accurate identifying information;
- The submitted data contains a special character or number;[49] or
- A BW was added or cancelled after the BW add or cancel cutoff date.

The BW Officer must conduct a monthly reconciliation and validation between MiCSES, the originating agency (i.e., court/FOC), and LEIN. The BW Officer must use validation reports from MiCSES to:

- Reconcile the BW data entered on MiCSES against the BW data entered on LEIN;
- Ensure incorrect information is corrected in MiCSES;
- Ensure information that is missing in MiCSES but valid and entered in LEIN is added to MiCSES; and
- Certify the validity of the BWs.

7.1 Receipt of Validation File From LEIN

Each month, typically mid-month, LEIN sends to MiCSES a LEIN validation data file that lists the total BWs entered in LEIN by each originating agency (i.e., court/FOC).

7.2 Automated Reconciliation and Report

The Michigan IV-D program has opted to automate some of the reconciliation and validation procedures to reduce manual work and to increase the timeliness in which accurate and complete BW information is maintained in LEIN. MiCSES performs an automated reconciliation and submits certain BW updates to LEIN before it compiles the *LEIN Reconciliation Report* for the BW Officer to complete the required monthly validation. When MiCSES receives the validation

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[49] LEIN does not accept numbers in name fields (e.g., in the name "John James 3rd," the suffix of "3rd" would not be accepted, but "III" would).

data file from LEIN, it compares all of the BWs entered in LEIN and included in the validation file to the BWs entered in MiCSES.

Within the first two business days of receiving LEIN validation data, MiCSES automatically submits BW modifications and cancellations to LEIN if it can identify:

- Information that is missing in LEIN but identified in MiCSES;
- Information that has been identified and updated in MiCSES but not in LEIN;
- Information identified in MiCSES that is different than the information identified in LEIN (with the exception of blank, unknown, or missing information); or
- A BW that was not cancelled because of timing issues.

7.2.1 After the reconciliation process, MiCSES records each BW on the LVAL screen's *LEIN Reconciliation Report* under one of five categories (sub-reports):

- *Warrants Active in LEIN, No History in MiCSES;*
- *Warrants Cancelled in MiCSES, Active in LEIN;*
- *Warrants With Mismatched Information;*
- *Warrants Active in MiCSES, Not in LEIN;* or
- *Warrants With Identical Information.*

7.2.2 FOC staff are notified that the *LEIN Reconciliation Report* is available in MiCSES in two ways:

- DTMB-MiCSES Help Desk staff send a notification to each county's FOC email address when the *LEIN Reconciliation Report* is available and ready to be generated from the LVAL screen (on the LEIN validation start date); and
- The *LEIN validation start date (Validation Start DT)* field on the LVAL screen indicates the date the report is ready for generation (the start date is not displayed until after the prior month's LEIN validation due date – typically the fifteenth of the month or the last business day before that date). FOC staff with the BW Officer role may view this date on the LVAL screen and generate the *LEIN Reconciliation Report* from the LVAL screen.

7.3 Required FOC Reconciliation and Validation Actions

The validation file includes all BWs entered in LEIN by the originating agency, and the automatic reconciliation transmits updates for these BWs. However, the required monthly validation and certification is only for a subset of all the originating agency's BWs. The subset required to be validated/certified in a particular month consists of the BWs entered in the "validation month" in all

previous years. The "validation month" is the month that is three months prior to the month that LEIN provides the validation data, and the validation/certification is due the month after LEIN provides the validation data.

> **Example:**
>
> The June validation includes BWs entered in past years during the month of March (validation month), and the validation/certification is due in July.

7.3.1 Reconciliation and Validation Process

    A. The BW Officer must, by the validation due date:

        1. Generate the *LEIN Reconciliation Report* and review all BWs except for those appearing on the *Warrants With Identical Information* sub-report;[50]
        2. Review the errors, warnings and administrative messages on the LERR screen;
        3. Ensure incorrect information is corrected so the BWs entered in MiCSES and LEIN match and have the most current, valid information;
        4. If a BW is active in LEIN but cancelled in MiCSES or does not have a history in MiCSES, ensure the BW is entered in MiCSES or cancelled manually as necessary;
        5. If a BW is active in MiCSES but not active in LEIN, ensure the BW is resubmitted to LEIN or removed from MiCSES; and
        6. Complete the validation process by certifying on the LVAL screen that all BWs for the validation month have been reviewed, reconciled and validated.

    B. Ensuring incorrect information is corrected includes:

        1. Updating MiCSES with valid information that was entered in LEIN by the enforcing law enforcement agency but is missing in MiCSES (e.g., LEIN shows brown eye color for an individual, but the eye color for the same individual in MiCSES is blank); and
        2. Resolving any mismatches where MiCSES and LEIN have a particular piece of identifying information, but the information differs (e.g., LEIN shows brown eye color for an individual, but the eye color for the same individual in MiCSES is green).

        If there is any question regarding the accuracy of the information entered by the enforcing law enforcement agency, the BW Officer

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[50] The BW Officer may review the *Warrants With Identical Information* sub-report, but it is not mandatory. By default, it is not selected to generate.

and/or other IV-D staff should contact the enforcing law enforcement agency to verify it.

The BW Officer must also manually delete an error, warning or administrative message on the LERR screen if it remains after the issue has been resolved (Ref: Subsections 6.2, "Manual Message Deletion"; 6.3, "Automatic Cancellation and Correction"; and 6.4, "Automatic Message Deletion" in this manual section).

The BW Officer is not required to take action if the BW has identical information (e.g., BW status, name, date of birth, etc.) in LEIN and MiCSES.

If the BW Officer does not have access to a particular MiCSES screen for performing demographic updates or does not perform demographic updates in MiCSES per office workflow:

- The BW Officer may share LEIN information from the *LEIN Reconciliation Report* with other FOC staff for the purpose of updating demographic information associated with BWs. However, the information must not be shared in the report itself, in a screen shot, or in a printout of the report containing the LEIN information unless the BW Officer takes responsibility to ensure the information is not further disclosed and is destroyed properly in compliance with security and non-disclosure policy;
- The FOC office may consider granting screen rights or office workflow privileges to the BW Officer for the purpose of updating demographic information associated with BWs; or
- The FOC office may consider granting the BW Officer role to a staff member who already has demographic update privileges – as long as that staff member agrees to follow all policy regarding the protection of LEIN data.[51]

7.3.2 Confirm LEIN's Acceptance of Validation

Prior to the availability of the subsequent month's *LEIN Reconciliation Report*,[52] the BW Officer must verify LEIN's acceptance of the validation by:

A. Reviewing the LVAL screen to determine whether LEIN accepted the current month's validation, or the current month's validation is pending; and

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[51] Ref: Subsection 3.2, "Non-Disclosure of Information Originating From LEIN," in this manual section.
[52] It is recommended the BW Officer verify that LEIN accepted the validation the day after the BW Officer submitted the validation to LEIN via the LVAL screen.

B. Completing and resubmitting the current month's validation if LEIN rejected the current month's validation.

7.3.3 Security and Acceptable Use

Only the BW Officer has access to the LVAL screen for each county to which (s)he is assigned and may generate the report(s) for either one county or all assigned counties at the same time.[53] The BW Officer may also run the report(s) for all months. The information provided on the LVAL screen is historical in nature (includes the past 36 months); it is not modifiable and cannot be deleted. Further, this information is subject to non-disclosure.[54] The BW Officer only has access to the LVAL screen for:

- Viewing the LVAL screen history to determine the validation due date or the status of the current or past month's validation;
- Selecting the report to generate; and
- Submitting certification that the validation was completed.

7.3.4 Manually Reconcile All BWs

Even though the current month's validation only requires the originating agency to validate the warrants entered in the validation month, the originating agency is also responsible for ensuring all warrants entered in LEIN contain complete and accurate information (Ref: Subsection 5.3, "'Packing' the Warrant," and Subsection 6.1, "Manual Cancellation and Correction," in this manual section). Therefore, OCS recommends that, in addition to completing the required monthly validation, the BW Officer run the *LEIN Reconciliation Report* for all available months and ensure missing or incorrect information is confirmed, added and corrected for all BWs listed on the *Warrants With Mismatched Information* sub-report.

7.4 Failure to Validate

MSP-LFS considers it a violation of LEIN rules if validation is not completed properly and timely. In addition, the interagency agreement requires proper and timely validation of all warrant information as a condition of MiCSES interfacing directly with LEIN.[55] CJIS Administrative Rule R 28.5401 states: "An agency that fails to comply with the validation and certification requirements within the prescribed time period shall have its records removed from LEIN, NCIC, and other information systems as required by state and federal policy."

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[53] The BW Officer cannot select only some of his/her assigned counties. The only option is one county or all counties.
[54] Ref: Subsection 3, "Non-Disclosure of LEIN Information," in this manual section.
[55] Ref: MSP-LEIN / SCAO Top Ten List (dated February 17, 2011) available on the SCAO website and the MSP-LEIN website.

MSP-LFS will notify the originating agency when a record is removed from LEIN for failure to validate or submit accurate information.[56]

SUPPORTING REFERENCES: <u>Federal</u>
None

<u>State</u>
MCL 28.211–28.216
MCL 552.626
MCL 552.631
MCL 552.644
MCL 750.161
MCL 750.165

MCR 2.602(A)(1)
MCR 3.221

SCAO ADM 2008-03
SCAO ADM 2004-01

Executive Order No. 2011-7
Executive Order No. 2008-17
Executive Order 1998-1

CJIS Administrative Rule R 28.5201
CJIS Administrative Rule R 28.5208
CJIS Administrative Rule R 28.5209
CJIS Administrative Rule R 28.5401
CJIS Administrative Rule R 28.5402
CJIS Administrative Rule R 28.5404

2011 *LEIN Operations Manual*

REVISION HISTORY: IV-D Memorandum 2015-002
IV-D Memorandum 2014-001
IV-D Memorandum 2011-024
IV-D Memorandum 2009-036

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[56] Ref: CJIS Administrative Rule R 28.5404 and 2011 *LEIN Operations Manual*, Section 1.16.