STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

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# MICHIGAN IV-D ACTION TRANSMITTAL 2007-018

**TO:**       All Prosecuting Attorney (PA) Staff

**FROM:**    Marilyn F. Stephen, Director
             Office of Child Support

**DATE:**    April 2, 2007

**SUBJECT:**  *Service of Process* (LSOP) Screen Enhancements in the Michigan Child
              Support Enforcement System (MiCSES) for the MiCSES 4.4 Release

## PURPOSE:

This Action Transmittal (AT), effective April 13, 2007, describes enhancements to the
LSOP screen in MiCSES.

## BACKGROUND:

The Michigan Paternity Act, Michigan Compiled Law (MCL) 722.714(10), allows the
Department of Human Services (DHS) to file a complaint on behalf of a child being
supported by public assistance. When this occurs, the law requires the mother or
alleged father to be made a party plaintiff (displayed as the role of "co-plaintiff" in
MiCSES) and requires service to both the parent in the home (as a party plaintiff) and
the parent living apart (as defendant). Both parents may be in the home, or live outside
the home. PA staff must determine the appropriate role for each individual.

In addition, when a child is in foster care or with a third-party custodian, Michigan
statutes[1] make both parents liable for the support of the child. If the actions against both
parents occur in the same docket, the PA may serve one parent as the defendant and
the other parent as the co-defendant.

PA staff track the service of process on the LSOP screen in MiCSES. Prior to the
MiCSES 4.4 Release on April 13, 2007, the LSOP screen only tracked service of
process for one defendant, even though there can be more than one party on a given
case (as in the above two scenarios).

In addition, the LSOP screen had some inconsistencies that made it difficult for PA staff
to enter and update information accurately. For example:

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[1] MCL 552.451a, MCL 722.3, MCL 722.712, MCL 722.714(10)

- Information did not update properly after PA staff clicked the *Update* button; and
- Error messages displayed at inappropriate times.

**PROGRAM ACTIONS AND POLICY INFORMATION:**

Effective April 13, 2007, there will be new functionality related to the tracking of service of process on the LSOP screen (Ref: Attachment 1 for a screen print of the new design of the LSOP screen):

**A.  *Service of Process Attempts* section: *Service Attempt Date* field**

Title 45 of the Code of Federal Regulations, Chapter 303.3(c) (45 CFR 303.3[c]) requires a state to define diligent efforts to provide service of process to a non-custodial parent (NCP) in a paternity establishment case. In partial fulfillment of these requirements, MiCSES allows PA staff to change the *Service Attempt Date* field only within eight days of original entry. With the MiCSES enhancement, the following system limitations will further enforce this policy:

1.  When PA staff save the *Service Attempt Date*, the screen will only be updated if they enter a note. A *Note* field (free-text field) will pop up on the LSOP screen if a modification of the *Service Attempt Date* field is attempted.

2.  When PA staff enter a note, they must:

    a.  Enter at least five alphabetical characters in the *Note* field; and
    b.  Explain why they modified the date, since the date affects timely service of process.

        Note:  This explanation is required to provide a history of actions on the case for audit purposes and to track changes in the required timeframes for service of process.

**B.  Proper display of error messages**

MiCSES will follow screen standards for handling errors. The LSOP screen will not display any other messages when PA staff click the *Update* button and the action is successful. Error messages will display at the appropriate times when incorrect actions are attempted (e.g., the user enters fewer than five alphabetical characters in the *Note* field).

**C.  *Service of Process* section: new *Party* field**

The *Service of Process* section on the LSOP screen will have a new field, *Party*. It will allow PA staff to track service of process for more than one party on the case.

1. The *Party* field will feature an initial field for inserting the two-letter role code, and an adjacent field that displays the caption name.[2]

    a. The four most frequently used codes (and their corresponding caption names) for serving parties are:

        i. CD (Co-Defendant);
        ii. DF (Defendant);
        iii. PC (Co-Plaintiff); and
        iv. PL (Plaintiff).

    b. In addition to the codes above, there are four other *Party* field codes. It is not anticipated that any of these will be used for service of process. These codes (and their corresponding caption names) include:

        i. 3P (Third Party);
        ii. CH (Child);
        iii. GA (Government Agency); and
        iv. TP (Third-Party Plaintiff).

    Note: PA staff must select one of the eight codes to track service of process for each individual party to the case. There can be only one individual for each type of party per case.

2. When PA staff double-click the *Party* field, it will display a list of values (LOV) derived from information in the *Legal Case Role Information* field on the *Legal Case* (LCSE) screen.

3. Double-clicking on a value will insert the two-letter role code in the *Party* field, and the associated caption name will display in the adjacent field. If PA staff type the two-letter role in the *Party* field, MiCSES will insert the value, if found on the LOV in the field. If the two-letter role code in the *Party* field is not found on the LOV, MiCSES will prevent the PA worker from updating the screen.

4. Once PA staff enter or select a value for the *Party* field, MiCSES will display information added for that party in the *Service of Process* and *Service of Process Attempts* sections of the LSOP screen.

    Note: All PA staff must track the service of process information in MiCSES by individual party on the case.

5. MiCSES will create alerts at the court action referral (CAR) level in accordance with the service timelines for the party with an LCSE code and description of "DF – Defendant." The system functionality will not create alerts for the service

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[2] The caption name is the name that is used in the caption portion of legal documents.

timelines of the "CD – Co-Defendant," even if the dates of service of process for the defendant and co-defendant are different.

6. MiCSES will update an existing LSOP screen for a party when PA staff change information for that party and click the *Update* button prior to selecting a new party.

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| **LEGAL REFERENCES:** | <u>Federal</u><br>45 CFR 302.31<br>45 CFR 303.3(c)<br>45 CFR 303.4(d)<br>45 CFR 303.101<br>*Automated Systems For Child Support Enforcement: A Guide For States*, Updated August 2000 – Objective C-2<br><br><u>State</u><br>MCL 552.451a<br>MCL 722.3<br>MCL 722.712<br>MCL 722.714(10) |
| **POLICY REFERENCE:** | AT 2003-006, *Agency Complaint Signatures* |
| **AT MAINTENANCE:** | Retain AT until further notice. |
| **EFFECTIVE DATE:** | Upon receipt. |
| **REVIEW PARTICIPANTS:** | Establishment Work Improvement Team<br>Friend of the Court Association Reviewers<br>Program Leadership Group<br>Lynn Davidson, Macomb County Friend of the Court (FOC) |
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| **CC:** | All FOC staff<br>All OCS staff |
| **ATTACHMENTS:** | Attachment 1: *Service of Process* (LSOP) Screen |

**MFS/NF**