

**Report on Public Policy Position****Name of section:**

Family Law Section

**Contact person:**

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**Bill Number:**

[HB 6571](#) (LeBlanc) Family law; child support; cost-of-living increases in child support awards; implement. Amends secs. 17, 17b & 19 of [1982 PA 294](#) (MCL [552.517](#) et seq.) & adds sec. 17f.

**Date position was adopted:**

November 1, 2008

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

16 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

HB 6571 would require support orders to include a provision for a COLA adjustment every two years. This would automatically preserve the value of the support order without the need for a manual review. The payer could object to the proposed increase by filing a motion and scheduling a hearing. The bill would allow each order to select an appropriate COLA index for their order, and the court does not have to include the provision if the payer's income or occupation doesn't provide for a COL adjustment or if the parties agree that it is inappropriate.

The Family Law Section felt that this bill would actually increase the burden of adjusting child support. Very few jobs still have COLA, and in current economic conditions few payer's incomes keep pace with inflation. If this provision were put in the majority of orders, most payers would be put in the position of having to file a motion or sustain an inappropriate increase in support. Because each order may choose its own COL index, the Friend of the

Court would have to custom program each case. It would be easier for parties with predictable increases in income to merely provide for specific step increases on specific dates. The Family Law Section opposes this bill.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2008-HB-6571>