

STATE OF MICHIGAN  
MACOMB COUNTY CIRCUIT COURT

In re: Order Amending Support Orders  
to Establish New Surcharge Rate

Administrative Order 2004-6

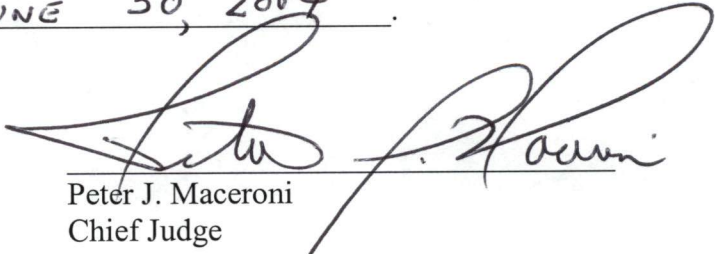
**ORDER AMENDING SUPPORT ORDERS TO ESTABLISH NEW SURCHARGE RATE**

This administrative order is issued to implement PA 276 of 2003. That act changed the way surcharges are imposed on past due child support. Some orders issued from this court contain language that is now in conflict with the public act.

Beginning with surcharges assessed July 1, 2004, pursuant to Public Act 276 of 2003:

1. For a friend of the court case, as of January 1 and July 1 of each year, a surcharge shall be added to support payments that are past due as of those dates. The surcharge shall be calculated at six-month intervals at an annual rate of interest equal to 1% plus the average interest rate paid at auctions of five-year United States treasury notes during the six months immediately preceding July 1 and January 1, as certified by the state treasurer. The amount of the surcharge shall not compound. The amount shown as due and owing on the records of the friend of the court as of January 1 and July 1 of each year shall be reduced by an amount equal to one month's support for purposes of assessing the surcharge. A surcharge under this subsection shall not be added to support ordered under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the time period to the date of the support order.
2. Upon receiving money for payment of support, the friend of the court shall apply the amount received first to current support and then to the support arrearage including surcharges imposed under this section.
3. All contrary surcharge provisions in support orders previously issued by this court are amended to conform to this administrative order.
4. The Order is effective on: JUNE 30, 2004.

Date: JULY 5, 2004

  
Peter J. Maceroni  
Chief Judge