

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

**IN RE: FRIEND OF THE COURT
INVESTIGATION EXPENSES**

**LOCAL ADMINISTRATIVE
ORDER: 2011-06**

At s session of said Court, held in the Kent County Courthouse
in the City of Grand Rapids, in said County on
November 22, 2011

Present: HON. DONALD A. JOHNSTON
Chief Circuit Judge

IT IS ORDERED that:

This administrative order is issued in accordance with MCL 552.505(3) and SCAO Administrative Memorandum 2010-05 Standards for Charging Friend of the Court Investigation Expenses, effective October 18, 2010. The purpose of this order is to implement charges pursuant to MCL 552.505(3) upon approval by the State Court Administrative Office. This Local Administrative Order rescinds Local Administrative Order 2010-03.

1. Definitions

“Expense” means any direct or indirect cost for an investigation or submitting a report.

“Investigation” means the work done on a case to organize or gather information needed to fulfill the office’s duties under MCL 552.505(1)(g).

“Office” means the Kent County Friend of the Court.

“Report” means the work and expenses associated with preparing and submitting a written document regarding an investigation to the court and parties.

“Request” means an express statement by a party or party’s attorney asking for an investigation, whether made in a document submitted to the office or court, a statement made on the record, or an order stipulating to an investigation, or a court finding that a party requested an investigation.

2. Charges for Expenses

- a. The office shall maintain sufficient records to document the basis of its determination that a party has requested an investigation, and to determine whether the amount charged exceeds the office’s expenses for that case.

- b. If a party requests an investigation, the office shall charge \$300.00 for expenses attributable to an investigation, unless otherwise ordered by the Court. The office shall charge both parties equally (\$150.00 each party), unless the Court otherwise apportions the expenses between the parties. The office shall not charge for its expenses when it is notified that the Court has waived or suspended fees because of inability to pay or indigence.
- c. Unless the Court orders a party to pay an amount prior to the office starting an investigation, the office shall bill for its expenses as provided above upon receipt of an order for an investigation requested by a party, or any time within 14 days following entry of an order that resolves the disputed matter if the office discovers that a party requested an investigation.

Any bill provided pursuant to this order shall contain instructions on submitting a payment and specify when payment is due.

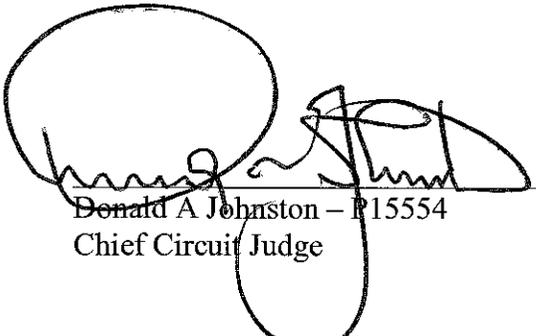
- d. Unless a party disputes the amount charged on a case, the office shall presume that its charges do not exceed its actual expenses. If a party, who has paid the billed amount, requests a confirmation that the charges exceed the office's actual expenses on a case, the office shall provide an itemized statement showing actual expenses. If the amount collected exceeds the actual expenses that the office can document for a case, the office shall refund the difference.

3. Payments and Refunds

- a. The Friend of the Court office shall receive and process payments for amounts charged pursuant to MCL 552.505(3).
- b. To be considered timely, a party must pay as ordered in a case, or within 14 days of the office providing a bill for its expense.
- c. The office shall return any amount collected that exceeds its total expenses as provided in 2 d above.
- d. The office shall notify the Court if full payment of the ordered amount has not been received within the time provided in the order referring the matter for investigation, or within 14 days from the date of the entry of the order if no time is provided in the order, whichever is earlier.

Effective Date: November 22, 2011

Date: Nov 22, 2011


Donald A Johnston – P15554
Chief Circuit Judge