Deviation Addendum

(Child Support Deviation Factors, FOC 10d)

When to Use:	• You believe application of the Michigan Child Support Formula will lead to an **unjust** or **inappropriate** result**;** and • You want the court to deviate from the formula and determine a more appropriate support amount.
Filing Fees:	$0
Method of Payment:	Credit Card
Where to File:	https://mifile.courts.michigan.gov
Filing Type:	Order Regarding Child Support
Copies:	Original + 2 copies
Additional Information:	This document **must** be attached to a Uniform Child Support Order. This document must be approved by the Friend of the Court. You may purchase copies and stamped envelopes in the Legal Self-Help Center. **Note:** Deviations cannot be based solely on disagreement with the policies embodied in the formula.

Deviation Addendum

The court **must** order support according to the Michigan Child Support Formula **unless** the application of the formula would be unjust (unfair) or inappropriate.

If you are following the child support formula, you do **NOT** need to fill out the attached deviation addendum.

If you believe application of the child support formula would be unjust or inappropriate, you may ask the court to order a different support amount by completing the attached deviation addendum. On the second page of the deviation addendum (question 2.b.) you must explain which deviation factors you relied on to determine that application of the Michigan Child Support Formula would be unjust or inappropriate. The deviation factors are listed below.

1. The child has special needs.
2. The child has extraordinary educational expenses.
3. A parent is a minor.
4. The child's residence income is below the threshold to qualify for public assistance, and at least one parent has sufficient income to pay additional support that will raise the child's standard of living above the public assistance threshold.
5. A parent has a reduction in the income available to support a child due to the extraordinary levels of jointly accumulated debt.
6. The court awards property in lieu of support for the benefit of the child.
7. A parent is incarcerated with minimal or no income or assets.
8. A parent has incurred, or is likely to incur, extraordinary medical expenses for either that parent or a dependent.
9. A parent receives bonus income in varying amounts or at irregular intervals.
10. Someone other than the parent can supply reasonable and appropriate health care coverage.
11. A parent provides substantially all the support for a stepchild, and the stepchild's parents earn no income and are unable to earn income.
12. A child earns an extraordinary income.
13. The court orders a parent to pay taxes, mortgage installments, home insurance premiums, telephone or utility bills, etc., before entry of a final judgment or order.
14. A parent must pay significant amounts of restitution, fines, fees, or costs associated with that parent's conviction or incarceration for a crime other than those related to failing to support children, or a crime against a child in the current case or that child's sibling, other parent, or custodian.
15. A parent makes payments to a bankruptcy plan or has debt discharged, when either significantly impacts the monies that parent has available to pay support.
16. A parent provides a substantial amount of a child's day-time care and directly contributes toward a significantly greater share of the child's costs than those reflected by the overnights used to calculate the offset for parental time.
17. A child in the custody of a nonparent-recipient spends a significant number of overnights with the payer that causes a significant savings in the nonparent-custodian's expenses.
18. The court ordered non-modifiable spousal support paid between the parents before October 2004.
19. When a parent's share of net child care expenses exceeds 50 percent of that parent's base support obligation calculated under §3.02 before applying the parental time offset.
20. When the amount calculated does not exceed $15, and the administrative cost to enforce and process payments outweighs the benefit of the minimal amounts.
21. Any other factor the court deems relevant to the best interests of a child.

STATE OF MICHIGAN 20th JUDICIAL CIRCUIT OTTAWA COUNTY	UNIFORM CHILD SUPPORT ORDER DEVIATION ADDENDUM	CASE NO. and JUDGE

Court address

12240 Fillmore St, Rm 50, West Olive, MI 49460

Court telephone no.

616-846-8315

Plaintiff's name	v	Defendant's name

THE COURT FINDS:

1. Paragraph(s) _____ (Paragraph number) in the preceding pages of the uniform order deviate from the Michigan Child Support Formula and are warranted to avoid an unjust or inappropriate result.

2. Pursuant to MCL 552.605(2), it has been determined from the facts of this case that if the Michigan Child Support Formula were applied, the following would be ordered:

a. **Payer, Support Recipient, and Children Supported Under the Order.**

Payer:	Support recipient:
Children's names	Annual overnights with payer

b. **Support Obligation.**

Children supported	1 child	2 children	3 children	4 children	5 or more children
Base Support: (includes support plus or minus premium adjustment for health-care insurance)					
Support:	$	$	$	$	$
Premium adjust.	$	$	$	$	$
Subtotal:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Ordinary medical:	$	$	$	$	$
Child care:	$	$	$	$	$
Other:	$	$	$	$	$
Benefit credit:	$	$	$	$	$
Total:	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

☐ Support was reduced because payer's income was reduced.

c. **Ordinary Medical Expenses.** Ordinary medical expenses are the support recipient's co-payments, deductibles, and other uninsured medical-related costs for all children in this case. Annually, the ordinary medical expense amount to be shared between the parties is $ _____ . The payer's portion of ordinary medical expenses is listed in the above grid.

Distribute form to:
Court
Plaintiff
Defendant
Friend of the court

d. **Additional Medical Expenses.** Additional medical expenses are the support recipient's out-of-pocket (uninsured) expenses that exceed the children's ordered annual ordinary medical expense amount and any of the support payer's uninsured medical expenses. The annual ordinary medical amount is listed in the paragraph above. Plaintiff will pay _____ % and defendant will pay _____ % of all additional medical expenses.

e. **Health-Care Coverage.** For the benefit of the children, the ☐ plaintiff ☐ defendant shall maintain health-care coverage (as defined in MCL 552.602) that includes payment for hospital, dental, optical, and other health-care expenses when that coverage is accessible to the child and available at a reasonable cost. The reasonable cost is the parent's net cost of adding the children to the parent's coverage
☐ up to a maximum of $ _____ for plaintiff. ☐ up to a maximum of $ _____ for defendant.
☐ not to exceed 6% of the plaintiff's/defendant's gross income.

3. Applying the Michigan Child Support Formula is unjust or inappropriate because: (Specify the deviation factors relied on.)

4. The child support order deviates from the Michigan Child Support Formula as follows:
(Specify which provisions of the child support formula create an unjust or inappropriate result and explain how this order deviates from the provisions.)

5. The value of property or other support awarded instead of the payment of child support: (If not applicable, put none.)

Plaintiff (if consent/stipulation)	Date	Defendant (if consent/stipulation)	Date
Plaintiff's attorney	Date	Defendant's attorney	Date

Prepared by: _____
Name (type or print)

NOTE: When deviating, this form must be completed, attached, and served along with the rest of the Uniform Child Support Order. The proof of service on the Uniform Child Support Order must indicate this form was included.