

Friend of the Court:

Does service take a back seat to collections?

Second in a series.

By LYNN ORR

"The Friend of the Court does not have the caliber of people to handle the trauma and the emotional problems that occur. You have heard it said that divorce is worse than death, because death is final. If you have children, you are never divorced."

— Testimony to the Michigan Women's Commission

"You go in, sign your name and sit around and wait. It's kind of like unemployment, except you pay them money and you get to sit down."

— A divorced father

Michigan's Friend of the Court system, which oversees all divorces involving minors, nationally is considered one of the best in the nation for its high rate of collecting child support.

"In most states, there is no agency comparable to the Friend of the Court for cases in which the custodial parent is not receiving welfare," according to David Chambers, University of Michigan law professor, in his five-year study of the system, "Making Fathers Pay."

But despite its collections' record, critics argue that the county agencies are not equipped to handle the problems of divorcing parents and their children.

Alan Lebow of Equal Rights for Fathers, a Southfield-based group organized by divorcing fathers, sees Friend of the Court itself as a cause of problems. He argues that the agency's inefficiency causes numerous visits to the office and actually increases the workload.

"They never come to a decision," said Lebow, who estimates he's been to court 50 times in the five years since his divorce.

"They never take care of those cases to begin with and then complain about staffing. Why do you have to go to court anyway? Because the lawyers make money. Divorced people are fed up with the government, judges and lawyers."

ONE DIVORCED woman wrote a letter to the Wayne County Friend of the Court because her former husband owed her about \$700 in child support. Within one week, a court date had been scheduled for her ex-husband. But the Friend of the Court's records held her ex-husband in arrears for about \$1,000 more than he owed her, she said.

He met with the Friend of the Court seven times to attempt to clear up the record. Finally she appeared in court with her husband as he tried to explain that he didn't owe the \$1,000.

"The judge was so rude to him. She told him, 'You just shut up. You speak when you're asked to.'"

"She wouldn't settle anything. We went over to Friend of the Court but they wouldn't see us. We had to make an appointment. So we went back again and they put him on probation for one year. I had no idea how they ever came up with so much money so I had to sign an affidavit that he wasn't in arrears for the extra \$1,000 they had tacked on there."

"I wondered if I said, 'Yeh, he owes me that money.' I wonder if they would have made them pay it."

Because some women are so bitter, they'd do anything to take him to the cleaners."

CRITICISMS of Friend of the Court voiced during hearings conducted last year by the Michigan Women's Commission included open hostility, negativism, sexist attitudes and "not caring."

Mothers said they were made to feel guilty because they're divorced. Attorneys said sexist attitudes pervade investigations, such as not requiring verification of both parents' earnings.

Fathers also are concerned about the lack of uniformity among counties. Currently, there is no state agency that oversees the county agencies. Crossing the county line can mean as much as \$20 more per week for child support. Each county sets

"I wondered if I said, 'Yeh, he owes me that money.' I wonder if they would have made him pay it. Because some women are so bitter, they'd do anything to take him to the cleaners."

— A divorced mother

its own standards, as well as its own schedule of child support.

In Oakland County, the schedule is "loosely interpreted" by circuit court judges who decide the final settlement, often a compromise. In Wayne County, Friend of the Court only uses a child support schedule for the temporary court order before the final divorce.

In Washtenaw County, a complicated formula of child support is rarely disregarded by judges.

Critics of Friend of the Court also question the qualifications of the staff.

"People are threatened, lied to, ignored," Lebow said. "My experience with Friend of the Court has shown me that I have no reason to have faith or trust in the legal system."

According to reports submitted last year by the Friends of the Court to the Michigan Women's Commission, the number of employees with a background in human services is scant.

In Wayne County, only one of 39 attorneys in Friend of the Court had a degree in a human service field. Statistics on investigators/caseworkers are difficult to categorize, because the agency did not list a total number. But of at least 64 staffers, only five had a master's degree, while none had a master's degree in social work. Of more than 300 employees, Wayne County did not list one psychologist.

The staff of Oakland County's Friend of the Court totaled 89, including 13 attorneys, four with teaching certificates and one who majored in social problems; two investigators/caseworkers with a master's degree; and two psychologists with master's degrees in counseling and guidance.

Both Friends of the Court in Wayne and Oakland counties, appointed by Gov. Milliken, are attorneys.

In Wayne County, referees — all attorneys — are used extensively to hear cases in hopes they can be resolved without going to Circuit Court. All four were promoted from within the department, as was Clayton Christenson, who's been acting Friend of the Court since last year and is awaiting confirma-

tion of his appointment from the governor's office. Christenson's logged more than 40 years with the agency, including stints as a referee and assistant to the Friend of the Court.

Oakland County Friend of the Court John Houghten was appointed to his position in 1976 after spending more than 40 years with the Ferndale School District in an administrative position.

BOTH CHRISTENSON and Houghten said their offices are understaffed and not equipped to deal with the increasing caseload. Oakland County's caseload is only one-sixth of Wayne's, but the rate of new cases added each year is more than half of Wayne's, according to statistics submitted to the Friend of the Court Association.

There are 44 vacancies on Wayne County's staff because of the county's hiring freeze, Christenson said.

Long waits are frequent. Although clients are encouraged to write letters to make a complaint, usually an appointment with an investigator is necessary if there is any kind of dispute. The exception is arrears on child support.

In Oakland County, you may wait as long as 15 minutes on the line to make an appointment. Because the department logged 87,000 phone calls in 1977, Oakland County began using a tape system that asks the caller to submit a complaint in writing for prompt attention or wait on the line for some other matter.

The system cut the phone calls in half, said Houghten, but he admitted that he's still trying to do better.

Fathers sometimes cause their own problems by not identifying their payment with the case number, said both Houghten and Christenson.

If the name is common, the payment may not end up in the correct file. If the payment cannot be identified, the money escheats to the state. Neither Christenson nor Houghten had any statistics on how much money cannot be credited to the correct account.

Oakland County sends coupons to submit with payments, a practice that appears to resolve most cashier problems, Houghten said.

"But the father is responsible whether he gets the coupon or not," he added.

Wayne County does not have a coupon system; Christenson isn't convinced the expense of supplying coupons is warranted by the problem.

Fathers also are warned to keep strict records of payments. And there is no statute of limitations on back child support.

The court will accept the Friend of the Court's record of payment unless the payer proves the Court is in error, such as in a ledger entry or a payment credited to the wrong account.

MONDAY: The bottom line. Why is Friend of the Court making a profit?

'MX debates' to be aired on 56

Bill Moyers moderates live coverage of "The MX Debates," which concerns the proposed building of the controversial underground missile system in Utah and Nevada. It will be shown at 8 p.m. Thursday, April 24, on Channel 56.

Organized by the state of Utah, these special debates consist of three major topics:

- "Is there a strategic need for MX?"
- "If so, what is the best method of deployment?"
- "What are the economic, sociological and environmental consequences of basing the system on the Utah-Nevada border?"

Each topic will be introduced by a short film segment which will state the issues to be discussed and educate the audience to

the importance of the questions raised by the topic.

The proposed \$34 billion mobile MX missile system would consist of 200 missiles with missile tracks and underground shelters. Missiles would be stored and moved to Soviet spy satellites could never be sure where one was located.

Moyers is a journalist and moderator of another news show viewed on 56.

WINE SALE!

CONSERVE WATER...

DRINK WINE

20% OFF SALE

ON ALL WINES & CHAMPAGNES

This is our Annual honest-to-goodness 20% OFF WINE SALE

MR. & MRS. T's
BLOODY MARY MIX
FULL QT.
99¢

MR. & MRS. T's
1¢ SPECIAL!
Buy 1 Pina Colada Mix
at 99¢ qt. and get
1 MAI TAI MIX for 1¢ (fifth's only)
limit 1 per customer

HAAGEN-DAZS
ICE CREAM
99¢ pint

PERRIER
SPARKLING
MINERAL WATER
23.5 oz. **79¢**

BOTTLE & BASKET

WINE SHOPPES

6535 TELEGRAPH
MAPLE & TELEGRAPH
NEXT TO FRANK'S NURSERY
646-6484

188 N. HUNTER
HUNTER & MAPLE
648-6553

SALE ENDS APRIL 30

Items already on sale not included. We reserve the right to limit quantities • Package Liquor Dealer

