

# Citizens lobby seeking change in court system

By JACKIE KLEIN

Calling the state Friend of the Court system "no friend to the children of Michigan," the Michigan Citizens Lobby (MCL) has recommended reform of the system.

MCL made the charge at a press conference Monday in Southfield. The organization released a report based on five years of research and investigation of the Friend of the Court system.

"The major conclusion of the report is that the Friend of the Court is no friend to the children of Michigan," said Kay McGowan, MCL special projects director who wrote the 20-page study.

"The Friend of the Court was established by the legislature in 1919 to protect children under 18 years old in divorced families."

"As an arm of the circuit court, the Friend of the Court has primary responsibility to help decide which parent gets custody, to make sure support payments are made and to make sure the child has the chance to visit the non-custodial parent. The Friend of the Court isn't working well. It no longer responds to the needs of the people it serves."

During the past five years, according to Ms. McGowan, many persons have called the Southfield-based MCL to complain and air frustrations about the Friend of the Court. The system hasn't kept pace with changes in society, she maintained.

LAST YEAR, one in every three marriages failed and more than half involved minor children, Ms. McGowan said. Because the Friend of the Court operates differently in all 83 counties — and because there are no educational qualifications needed for appointment to the court or staff — the system is designed to fail, she contended.

"The costs of the system's failure are

high to the individuals and the state," Ms. McGowan said. "Mothers on welfare are affected because of unpaid child support. Fathers are in jail because no other child-support enforcement system has been created."

"But the saddest victims are the children who are denied contact with one of their parents and are lacking economic necessities because of unpaid support."

The MCL report makes the following recommendations:

- Changes in the Friend of the Court system. These include establishing qualifications for appointment, involvement of county commissioners in the appointment process, limiting terms of office, providing ways to remove persons who don't do the job and creation of a complaint process.

- Changes in practices. Including providing help by telephone to avoid the hardship of repeated visits and long waits, insuring caseworkers' impartiality and handling problems without requiring parties to hire lawyers.

- New ways of collecting court-ordered child support. Suggested are mandatory wage assignments where there's a history of non-payment, optional wage assignments in other cases, employers mandated to cooperate with wage assignments and joint parent responsibility for child support in proportion to income.

- Enforcement of visitation rights. These include a special staff responsible for problem cases, measures to follow when visitation is denied, starting with educational efforts and continuing through mediation or arbitration.

- Alternatives to imprisonment for nonpayment of child support. Suggested are wage assignments, liens on assets, posting of a support bond, child support insurance, fines for refusal, referral to sources of training and job placement where needed.

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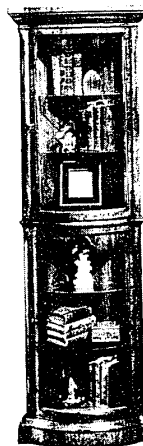
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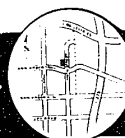
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