

BENCH WARRANT FAQ SHEET

Why was a bench warrant issued?

A warrant is issued when a respondent fails to appear for a court ordered hearing called a Show Cause for Contempt hearing in the Friend of the Court office.

I didn't receive a notice of a Show Cause Hearing. Is the warrant still valid?

The Friend of the Court is obligated to send notification to both parties at the last known address on the records of the Friend of the Court. If the party failed to notify the FOC in writing as to a change of his/her address, the warrant is still valid.

Can a Show Cause Hearing be rescheduled if I am unable to attend?

No. The hearing will not be rescheduled based upon a request from either party. A respondent must appear and speak with their Enforcement Officer to resolve the contempt matter.

How can I resolve my outstanding bench warrant?

1. Call your Enforcement Officer at the Friend of the Court office.
2. Turn yourself in to the local authorities.
3. You may post your full cash bond with local authorities and/or contact the FOC office.

What happens if I am arrested on a bench warrant?

If you are unable to post your full cash bond, you will be interviewed by your Friend of the Court Enforcement Officer to see if an agreement can be reached. If an agreement can be reached, it will be placed in a court order for signatures and you would be released. If an agreement cannot be reached you would need to appear before the court.

If you wish to be represented by an attorney and you cannot afford one on your own, you may request a court appointed attorney. You will be required to complete a request for an attorney and a financial statement for the judge's review. If approved, the matter will be rescheduled for a later date, giving you an opportunity to speak with the attorney prior to your arraignment.

You may request a bond hearing at this time to determine if you will be held until the next hearing date with the attorney or if you will be released and expected to return at the later date and time for your arraignment hearing.

I posted my cash bond. Will that be returned to me?

Your cash bond will be addressed at a walk in appointment with your Friend of the Court Enforcement Officer or at a scheduled cash bond hearing with the judge. In **most** cases, cash bonds are applied towards past due balances of child support.

How long does it take for the cash bond to be released to the payee?

The cash bond would be processed to a payee once the signed agreement has been entered with the court.

How do I know if a warrant has been issued on a party in my case?

The Friend of the Court sends a copy of the Bench Warrant Order to both parties once it has been signed by the Judge. You can also find this information on your MiCase account or by calling: 1-877-543-2660.

What happens if the payer of support does not live in Michigan?

The bench warrant is not valid outside of the State of Michigan. If the party's whereabouts are known in another state, you may notify the Enforcement officer in writing. The Friend of the Court may be able to file an action in the other State to enforce the Michigan order on our behalf.

When does a case qualify for a felony warrant?

The case must have an arrearage of \$10,000 or greater for an in-state felony warrant and \$20,000 or greater for out-of-state felony warrants. The Attorney General's office can review cases to determine if the payer may qualify for a felony warrant. You may contact the Attorney General at 517-373-1111.