UNIFORM INTERSTATE FAMILY SUPPORT ACT (EXCERPT)
Act 255 of 2015

CONTINUING, EXCLUSIVE JURISDICTION TO MODIFY CHILD-SUPPORT ORDER

552.2205 Issuance of child-support order; continuing, exclusive jurisdiction; modification; recognition of jurisdiction of another state; ex parte order.

Sec. 205. (1) A tribunal of this state that has issued a child-support order consistent with the law of this state has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and either of the following applies:

(a) At the time of the filing of a request for modification, this state is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued.

(b) Even if this state is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of this state may continue to exercise jurisdiction to modify its order.

(2) A tribunal of this state that has issued a child-support order consistent with the law of this state may not exercise continuing, exclusive jurisdiction to modify the order if either of the following applies:

(a) All of the parties who are individuals file consent in a record with the tribunal of this state that a tribunal of another state that has jurisdiction over at least 1 of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction.

(b) Its order is not the controlling order.

(3) If a tribunal of another state has issued a child-support order according to the uniform interstate family support act or a law substantially similar to that act that modifies a child-support order of a tribunal of this state, tribunals of this state shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(4) A tribunal of this state that lacks continuing, exclusive jurisdiction to modify a child-support order may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(5) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2206 State tribunal serving as initiating or responding tribunal.

Sec. 206. (1) A tribunal of this state that has issued a child-support order consistent with the law of this state may serve as an initiating tribunal to request a tribunal of another state to enforce either of the following:

(a) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction according to the uniform interstate family support act.

(b) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(2) A tribunal of this state having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2207 Issuance of 1 or more child-support orders; recognition; request to determine controlling order; filing of certified copy.

Sec. 207. (1) If a proceeding is brought under this act and only 1 tribunal has issued a child-support order, the order of that tribunal controls and must be so recognized.

(2) If a proceeding is brought under this act, and 2 or more child-support orders have been issued by tribunals of this state, another state, or a foreign country with regard to the same obligor and same child, a tribunal of this state having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(a) If only 1 of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls and must be so recognized.

(b) If more than 1 of the tribunals would have continuing, exclusive jurisdiction under this act, 1 of the following applies:

(*i*) An order issued by a tribunal in the current home state of the child controls.

(*ii*) If an order has not been issued in the current home state of the child, the order most recently issued

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controls.

(c) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of this state shall issue a child-support order, which controls.

(3) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of this state having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (2). The request may be filed with a registration for enforcement or registration for modification under article 6 or may be filed as a separate proceeding.

(4) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(5) The tribunal that issued the controlling order under subsection (1), (2), or (3) has continuing jurisdiction to the extent provided in section 205 or 206.

(6) A tribunal of this state that determines by order which is the controlling order under subsection (2)(a) or (b) or subsection (3), or that issues a new controlling order under subsection (2)(c), shall state the following in that order:

(a) The basis upon which the tribunal made its determination.

(b) The amount of prospective support, if any.

(c) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(7) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(8) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made under this section must be recognized in proceedings under this act.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2208 Response to registrations or petitions for enforcement of 2 or more orders.

Sec. 208. In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least 1 of which was issued by a tribunal of another state or a foreign country, a tribunal of this state shall enforce those orders in the same manner as if the orders had been issued by a tribunal of this state.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2209 Crediting amounts collected under other order.

Sec. 209. A tribunal of this state shall credit amounts collected for a particular period according to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of this state, another state, or a foreign country.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2210 Receipt of evidence, communication, and discovery from another state; application of procedural and substantive law.

Sec. 210. A tribunal of this state exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of this state relating to a support order, or recognizing a foreign support order may receive evidence from outside this state under section 316, communicate with a tribunal outside this state under section 317, and obtain discovery through a tribunal outside this state under section 318. In all other respects, articles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of this state.

History: 2015, Act 255, Eff. Jan. 1, 2016.

552.2211 Spousal-support order; modification.

Sec. 211. (1) A tribunal of this state issuing a spousal-support order consistent with the law of this state has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(2) A tribunal of this state may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign

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country.

(3) A tribunal of this state that has continuing, exclusive jurisdiction over a spousal-support order may serve as either of the following:

(a) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in this state.

(b) A responding tribunal to enforce or modify its own spousal-support order.

History: 2015, Act 255, Eff. Jan. 1, 2016.

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