

UNIFORM INTERSTATE FAMILY SUPPORT ACT (EXCERPT)
Act 310 of 1996

PART 2

552.1221 State tribunal as initiating and responding tribunal.

Sec. 221. Under this act, this state's tribunal may serve as an initiating tribunal to forward proceedings to another state and as a responding tribunal for proceedings initiated in another state.

History: 1996, Act 310, Eff. June 1, 1997.

552.1223 Establishment of support order; filing petition or pleading; jurisdiction.

Sec. 223. (1) This state's tribunal may exercise jurisdiction to establish a support order if a petition or comparable pleading is filed in this state after a petition or comparable pleading is filed in another state only if all of the following are true:

(a) The petition or comparable pleading in this state is filed before the expiration of the time allowed in the other state for filing a responsive pleading challenging the exercise of jurisdiction by the other state.

(b) The contesting party timely challenges the exercise of jurisdiction in the other state.

(c) If relevant, this state is the child's home state.

(2) This state's tribunal shall not exercise jurisdiction to establish a support order if a petition or comparable pleading is filed before a petition or comparable pleading is filed in another state if all of the following are true:

(a) The petition or comparable pleading in the other state is filed before the expiration of the time allowed in this state for filing a responsive pleading challenging the exercise of jurisdiction by this state.

(b) The contesting party timely challenges the exercise of jurisdiction in this state.

(c) If relevant, the other state is the child's home state.

History: 1996, Act 310, Eff. June 1, 1997.

552.1224 Issuance of support order; continuing exclusive jurisdiction; modification; recognition of jurisdiction of another state; temporary ex parte order; duration of jurisdiction; modification.

Sec. 224. (1) A tribunal of this state that issues a support order consistent with this state's law has continuing, exclusive jurisdiction over a child support order in either of the following circumstances:

(a) As long as this state remains the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued.

(b) Until all parties who are individuals have filed written consent with this state's tribunal for another state's tribunal to modify the order and assume continuing, exclusive jurisdiction.

(2) A tribunal of this state that issues a child support order consistent with this state's law shall not exercise its continuing jurisdiction to modify the order if the order has been modified by another state's tribunal under a law substantially similar to this act.

(3) If a child support order of this state is modified by another state's tribunal under a law substantially similar to this act, this state's tribunal loses its continuing, exclusive jurisdiction with regard to prospective enforcement of the order issued in this state and may only do 1 or more of the following:

(a) Enforce the order that was modified as to amounts accruing before the modification.

(b) Enforce nonmodifiable aspects of that order.

(c) Provide other appropriate relief for violations of that order that occurred before the modification's effective date.

(4) This state's tribunal shall recognize the continuing, exclusive jurisdiction of a tribunal of another state that issues a child support order under a law substantially similar to this act.

(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.

(6) A tribunal of this state that issues a support order consistent with this state's law has continuing, exclusive jurisdiction over a spousal support order throughout the existence of the support obligation. This state's tribunal shall not modify a spousal support order issued by a tribunal of another state having continuing, exclusive jurisdiction over that order under the law of that state.

History: 1996, Act 310, Eff. June 1, 1997;—Am. 1998, Act 65, Imd. Eff. Apr. 27, 1998.

552.1225 State tribunal serving as initiating or responding tribunal.

Sec. 225. (1) This state's tribunal may serve as an initiating tribunal to request another state's tribunal to enforce or modify a support order issued in that state.

(2) A tribunal of this state that has continuing, exclusive jurisdiction over a support order may act as a responding tribunal to enforce or modify the order. If a party subject to the tribunal's continuing, exclusive jurisdiction no longer resides in the issuing state, in subsequent proceedings the tribunal may apply section 328 to receive evidence from another state and section 332 to obtain discovery through another state's tribunal.

(3) A tribunal of this state that lacks continuing, exclusive jurisdiction over a spousal support order shall not serve as a responding tribunal to modify another state's spousal support order.

History: 1996, Act 310, Eff. June 1, 1997.