

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

ARTICLE II

PART 1

**552.1201 Tribunal; personal jurisdiction over nonresident.**

Sec. 201. In a proceeding to establish, enforce, or modify a support order or to determine parentage, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if any of the following are true:

- (a) The individual is personally served with citation, summons, or notice within this state.
- (b) The individual submits to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving a contest to personal jurisdiction.
- (c) The individual resided with the child in this state.
- (d) The individual resided in this state and provided prenatal expenses or support for the child.
- (e) The child resides in this state as a result of the individual's acts or directives.
- (f) The individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse.
- (g) The individual asserted parentage in the parentage registry maintained in this state.
- (h) There is another basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

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

**552.1203 Receipt of evidence and discovery from another state; applicability of procedural and substantive law.**

Sec. 203. A tribunal of this state exercising personal jurisdiction over a nonresident under section 201 may apply section 328 to receive evidence from another state and section 332 to obtain discovery through a tribunal of another state. In all other respects articles III to VII do not apply, and the tribunal shall apply this state's procedural and substantive law, including the rules on choice of law other than those established by this act.

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

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.

### **PART 3**

#### **552.1231 Issuance of 1 or more child support orders; determining recognition of orders for purposes of jurisdiction.**

Sec. 231. (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 shall be 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 or another state for the same obligor and child, a tribunal of this state shall apply the following rules in determining which order to recognize for purposes of continuing, exclusive jurisdiction:

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

(b) If more than 1 of the tribunals would have continuing, exclusive jurisdiction under this act, an order issued by a tribunal in the current home state of the child controls and shall be recognized, but if an order has not been issued in the current home state of the child, the order most recently issued controls and shall be recognized.

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

(3) If 2 or more child support orders have been issued for the same obligor and child and if the obligor or the individual obligee resides in this state, a party may request a tribunal of this state to determine which order

controls and is recognized under subsection (2). The request shall be accompanied by a certified copy of every support order in effect. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(4) The tribunal that issued the controlling order under subsection (1), (2), or (3) is the tribunal that has continuing, exclusive jurisdiction under this act.

(5) A tribunal of this state that determines by order the identity of the controlling order under subsection (2)(a) or (b) or that issues a new controlling order under subsection (2)(c) shall state in that order the basis upon which the tribunal made its determination.

(6) Within 30 days after issuance of an order determining the identity of the controlling order, the party obtaining the order shall file a certified copy of it with each tribunal that issued or registered an earlier order of child support. A party who obtains the order and 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.

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

### **552.1233 Enforcement of multiple registrations or petitions for enforcement.**

Sec. 233. In responding to multiple 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 another state's tribunal, this state's tribunal shall enforce those orders in the same manner as if the multiple orders had been issued by this state's tribunal.

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

### **552.1235 Crediting money collected under another state's support order.**

Sec. 235. Money collected and credited for a particular period under a support order issued by another state's tribunal shall be credited against the amount that accrues for the same period under a support order issued by this state's tribunal.

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