

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

PART 3

552.1631 Modification of order issued in another state; petition.

Sec. 631. A party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another state shall register that order in this state in the same manner provided in part 1 of this article if the order has not been registered. A petition for modification may be filed at the same time as a registration request or later. The pleading shall specify the grounds for modification.

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

552.1633 Enforcement of another state's child support order.

Sec. 633. This state's tribunal may enforce another state's child support order registered for purposes of modification in the same manner as if the order had been issued by this state's tribunal, but the registered order may be modified only if the requirements of section 635 are met.

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

552.1635 Modification of another state's child support order; finding by responding tribunal; requirements, procedures, and defenses; jurisdiction.

Sec. 635. (1) After another state's child support order is registered in this state, the responding tribunal of this state may modify that order only if section 231 does not apply and, after notice and hearing, the tribunal finds 1 of the following:

- (a) All of the following requirements are met:
 - (i) The child, the individual obligee, and the obligor do not reside in the issuing state.
 - (ii) A petitioner who is a nonresident of this state seeks modification.
 - (iii) The respondent is subject to the personal jurisdiction of this state's tribunal.

(b) The child, or a party who is an individual, is subject to the personal jurisdiction of the tribunal of this state and all of the parties who are individuals have filed written consent in the issuing tribunal for a tribunal of this state to modify the support order and assume continuing, exclusive jurisdiction over the order. However, if the issuing state is a foreign jurisdiction that has not enacted a law or established procedures substantially similar to the procedures under this act, the consent otherwise required of an individual residing in this state is not required for the tribunal to assume jurisdiction to modify the child support order.

(2) Modification of a registered child support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by this state's tribunal, and the order may be enforced and satisfied in the same manner. This state's tribunal shall not modify an aspect of a child support order that cannot be modified under the issuing state's law. If 2 or more tribunals have issued child support orders for the same obligor and child, the order that controls and shall be recognized under this act establishes the aspects of the support order that are nonmodifiable.

(3) On issuance of an order modifying a child support order issued in another state, this state's tribunal becomes the tribunal of continuing, exclusive jurisdiction.

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

552.1637 Recognition of modification.

Sec. 637. This state's tribunal shall recognize a modification of its earlier child support order by a tribunal of another state that assumed jurisdiction under a law substantially similar to this act and, upon request and except as otherwise provided in this act, shall do all of the following:

- (a) Enforce the order that was modified only as to an amount accruing before the modification.
- (b) Enforce only nonmodifiable aspects of that order.
- (c) Provide other appropriate relief only for a violation of that order that occurred before the modification's effective date.
- (d) Recognize the other state's modifying order, upon registration, for the purpose of enforcement.

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

552.1638 Child not resident of issuing state; jurisdiction.

Sec. 638. (1) If all of the parties who are individuals reside in this state and the child does not reside in the issuing state, a tribunal of this state has jurisdiction to enforce and to modify the issuing state's child support order in a proceeding to register that order.

(2) A tribunal of this state exercising jurisdiction under this section shall apply the provisions of articles I

and II, this article, and the procedural and substantive law of this state to the proceedings for enforcement or modification. Articles III, IV, V, VII, and VIII do not apply.

History: Add. 1998, Act 65, Imd. Eff. Apr. 27, 1998.

552.1639 Issuance of modified child support order; failure to file with issuing tribunal.

Sec. 639. Within 30 days after issuance of a modified child support order, the party obtaining the modifications shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order and in each tribunal in which the party knows the earlier order is registered. 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 modified order of the new tribunal having continuing, exclusive jurisdiction.

History: Add. 1998, Act 65, Imd. Eff. Apr. 27, 1998.