
**By: Delegates Hubbard, Owings, Grosfeld, Montague, Shriver, Rosenberg, Pitkin,
Frush, Menes, R. Baker, Benson, T. Murphy, and McHale**

Introduced and read first time: January 12, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Uniform Interstate Family Support Act**

3 FOR the purpose of repealing the Maryland Uniform Reciprocal Enforcement of
4 Support Act; enacting the Maryland Uniform Interstate Family Support Act;
5 establishing the bases and procedures for a tribunal of this State to exercise
6 personal jurisdiction over a nonresident individual in a proceeding to establish,
7 modify, or enforce a support order or to determine parentage; establishing
8 procedures in proceedings under this Act involving two or more states; providing
9 that, with certain exceptions, the issuing tribunal retains continuing, exclusive
10 jurisdiction over a support order; establishing the priority of existing multiple
11 support orders; establishing procedures applicable to proceedings under this Act;
12 authorizing a tribunal of this State to issue a support order under certain
13 circumstances; establishing procedures for direct enforcement of the order of
14 another state without registration of the order with a tribunal of this State;
15 establishing procedures for enforcement and modification of the order of another
16 state after registration with a tribunal of this State; establishing procedures for a
17 party to contest the validity or enforcement of an order of another state that is
18 registered in this State; authorizing a tribunal of this State to determine parentage
19 of a child under certain circumstances; establishing procedures for interstate
20 rendition of certain individuals; defining certain terms; providing for the application
21 of this Act; making provisions of this Act severable; providing for a delayed effective
22 date; and generally relating to interstate enforcement of support orders.

23 BY repealing

24 Article - Family Law
25 Section 10-301 through 10-340, inclusive, and the subtitle "Subtitle 3. Maryland
26 Uniform Reciprocal Enforcement of Support Act"
27 Annotated Code of Maryland
28 (1991 Replacement Volume and 1995 Supplement)

29 BY adding to

30 Article - Family Law
31 Section 10-301 through 10-351, inclusive, to be under the new subtitle "Subtitle 3.
32 Maryland Uniform Interstate Family Support Act"
33 Annotated Code of Maryland

2

1 (1991 Replacement Volume and 1995 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That Section(s) 10-301 through 10-340, inclusive, and the subtitle
4 "Subtitle 3. Maryland Uniform Reciprocal Enforcement of Support Act" of Article -
5 Family Law of the Annotated Code of Maryland be repealed.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
7 read as follows:

8 **Article - Family Law**

9 SUBTITLE 3. MARYLAND UNIFORM INTERSTATE FAMILY SUPPORT ACT.
10 PART I. GENERAL PROVISIONS.

11 10-301. DEFINITIONS.

12 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (B) "CHILD" MEANS AN INDIVIDUAL, WHETHER OVER OR UNDER THE AGE
15 OF MAJORITY, WHO IS OR IS ALLEGED TO BE OWED A DUTY OF SUPPORT BY THE
16 INDIVIDUAL'S PARENT OR WHO IS OR IS ALLEGED TO BE THE BENEFICIARY OF A
17 SUPPORT ORDER DIRECTED TO THE PARENT.

18 (C) "CHILD SUPPORT ORDER" MEANS A SUPPORT ORDER FOR A CHILD,
19 INCLUDING A CHILD WHO HAS ATTAINED THE AGE OF MAJORITY UNDER THE LAW
20 OF THE ISSUING STATE.

21 (D) "DUTY OF SUPPORT" MEANS AN OBLIGATION IMPOSED OR IMPOSABLE BY
22 LAW TO PROVIDE SUPPORT FOR A CHILD, SPOUSE, OR FORMER SPOUSE, INCLUDING
23 AN UNSATISFIED OBLIGATION TO PROVIDE SUPPORT.

24 (E) "HOME STATE" MEANS THE STATE IN WHICH A CHILD LIVED WITH A
25 PARENT OR A PERSON ACTING AS PARENT FOR AT LEAST 6 CONSECUTIVE MONTHS
26 IMMEDIATELY PRECEDING THE TIME OF FILING OF A COMPLAINT OR COMPARABLE
27 PLEADING FOR SUPPORT AND, IF A CHILD IS LESS THAN 6 MONTHS OLD, THE STATE
28 IN WHICH THE CHILD LIVED FROM BIRTH WITH ANY OF THEM. A PERIOD OF
29 TEMPORARY ABSENCE OF ANY OF THEM IS COUNTED AS PART OF THE 6-MONTH OR
30 OTHER PERIOD.

31 (F) "INCOME" INCLUDES EARNINGS OR OTHER PERIODIC ENTITLEMENTS TO
32 MONEY FROM ANY SOURCE AND ANY OTHER PROPERTY SUBJECT TO
33 WITHHOLDING FOR SUPPORT UNDER THE LAW OF THIS STATE.

34 (G) "INCOME WITHHOLDING ORDER" MEANS AN ORDER OR OTHER LEGAL
35 PROCESS DIRECTED TO AN OBLIGOR'S EMPLOYER UNDER SUBTITLE 1 OF THIS
36 TITLE, TO WITHHOLD SUPPORT FROM THE INCOME OF THE OBLIGOR.

37 (H) "INITIATING STATE" MEANS A STATE IN WHICH A PROCEEDING UNDER
38 THIS SUBTITLE OR A LAW SUBSTANTIALLY SIMILAR TO THIS SUBTITLE, THE
39 UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, OR THE REVISED

3

1 UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT IS FILED FOR
2 FORWARDING TO A RESPONDING STATE.

3 (I) "INITIATING TRIBUNAL" MEANS THE AUTHORIZED TRIBUNAL IN AN
4 INITIATING STATE.

5 (J) "ISSUING STATE" MEANS THE STATE IN WHICH A TRIBUNAL ISSUES A
6 SUPPORT ORDER OR RENDERS A JUDGMENT DETERMINING PARENTAGE.

7 (K) "ISSUING TRIBUNAL" MEANS THE TRIBUNAL THAT ISSUES A SUPPORT
8 ORDER OR RENDERS A JUDGMENT DETERMINING PARENTAGE.

9 (L) "LAW" INCLUDES DECISIONAL AND STATUTORY LAW AND RULES AND
10 REGULATIONS HAVING THE FORCE OF LAW.

11 (M) "OBLIGEE" MEANS:

12 (1) AN INDIVIDUAL TO WHOM A DUTY OF SUPPORT IS OR IS ALLEGED
13 TO BE OWED OR IN WHOSE FAVOR A SUPPORT ORDER HAS BEEN ISSUED OR A
14 JUDGMENT DETERMINING PARENTAGE HAS BEEN RENDERED;

15 (2) A STATE OR POLITICAL SUBDIVISION TO WHICH THE RIGHTS UNDER
16 A DUTY OF SUPPORT OR SUPPORT ORDER HAVE BEEN ASSIGNED OR WHICH HAS
17 INDEPENDENT CLAIMS BASED ON FINANCIAL ASSISTANCE PROVIDED TO AN
18 INDIVIDUAL OBLIGEE; OR

19 (3) AN INDIVIDUAL SEEKING A JUDGMENT DETERMINING PARENTAGE
20 OF THE INDIVIDUAL'S CHILD.

21 (N) "OBLIGOR" MEANS AN INDIVIDUAL OR THE ESTATE OF A DECEDENT:

22 (1) WHO OWES OR IS ALLEGED TO OWE A DUTY OF SUPPORT;

23 (2) WHO IS ALLEGED BUT HAS NOT BEEN ADJUDICATED TO BE A
24 PARENT OF A CHILD; OR

25 (3) WHO IS LIABLE UNDER A SUPPORT ORDER.

26 (O) "REGISTER" MEANS TO RECORD A SUPPORT ORDER OR JUDGMENT
27 DETERMINING PARENTAGE IN THE REGISTRY OF FOREIGN SUPPORT ORDERS.

28 (P) "REGISTERING TRIBUNAL" MEANS A TRIBUNAL IN WHICH A SUPPORT
29 ORDER IS REGISTERED.

30 (Q) "RESPONDING STATE" MEANS A STATE TO WHICH A PROCEEDING IS
31 FORWARDED UNDER THIS SUBTITLE OR A LAW SUBSTANTIALLY SIMILAR TO THIS
32 SUBTITLE, THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, OR THE
33 REVISED UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

34 (R) "RESPONDING TRIBUNAL" MEANS THE AUTHORIZED TRIBUNAL IN A
35 RESPONDING STATE.

36 (S) "SPOUSAL SUPPORT ORDER" MEANS A SUPPORT ORDER FOR A SPOUSE
37 OR FORMER SPOUSE OF THE OBLIGOR.

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1 (T) (1) "STATE" MEANS A STATE OF THE UNITED STATES, THE DISTRICT OF
2 COLUMBIA, THE COMMONWEALTH OF PUERTO RICO, OR ANY TERRITORY OR
3 INSULAR POSSESSION SUBJECT TO THE JURISDICTION OF THE UNITED STATES.

4 (2) "STATE" INCLUDES:

5 (I) AN INDIAN TRIBE; AND

6 (II) A FOREIGN JURISDICTION THAT HAS ESTABLISHED
7 PROCEDURES FOR ISSUANCE AND ENFORCEMENT OF SUPPORT ORDERS WHICH ARE
8 SUBSTANTIALLY SIMILAR TO THE PROCEDURES UNDER THIS SUBTITLE.

9 (U) "SUPPORT ENFORCEMENT AGENCY" MEANS A PUBLIC OFFICIAL OR
10 AGENCY AUTHORIZED TO SEEK:

11 (1) ENFORCEMENT OF SUPPORT ORDERS OR LAWS RELATING TO THE
12 DUTY OF SUPPORT;

13 (2) ESTABLISHMENT OR MODIFICATION OF CHILD SUPPORT;

14 (3) DETERMINATION OF PARENTAGE; OR

15 (4) THE LOCATION OF OBLIGORS OR THEIR ASSETS.

16 (V) "SUPPORT ORDER" MEANS A JUDGMENT, DECREE, OR ORDER, WHETHER
17 TEMPORARY, FINAL, OR SUBJECT TO MODIFICATION, FOR THE BENEFIT OF A CHILD,
18 A SPOUSE, OR A FORMER SPOUSE, WHICH PROVIDES FOR MONETARY SUPPORT,
19 HEALTH CARE, ARREARAGES, OR REIMBURSEMENT, AND MAY INCLUDE RELATED
20 COSTS AND FEES, INTEREST, INCOME WITHHOLDING, ATTORNEY'S FEES, AND
21 OTHER RELIEF.

22 (W) "TRIBUNAL" MEANS A COURT, ADMINISTRATIVE AGENCY, OR
23 QUASI-JUDICIAL ENTITY AUTHORIZED TO ESTABLISH, ENFORCE, OR MODIFY
24 SUPPORT ORDERS OR TO DETERMINE PARENTAGE.

25 10-302. TRIBUNALS OF THIS STATE.

26 THE CIRCUIT COURTS ARE THE TRIBUNALS OF THIS STATE.

27 10-303. REMEDIES CUMULATIVE.

28 REMEDIES PROVIDED BY THIS SUBTITLE ARE CUMULATIVE AND DO NOT
29 AFFECT THE AVAILABILITY OF REMEDIES UNDER OTHER LAW.

30 PART II. JURISDICTION.

31 SUBPART A. EXTENDED PERSONAL JURISDICTION.

32 10-304. BASES FOR JURISDICTION OVER NONRESIDENT.

33 IN A PROCEEDING TO ESTABLISH, ENFORCE, OR MODIFY A SUPPORT ORDER
34 OR TO DETERMINE PARENTAGE, A TRIBUNAL OF THIS STATE MAY EXERCISE
35 PERSONAL JURISDICTION OVER A NONRESIDENT INDIVIDUAL OR THE
36 INDIVIDUAL'S GUARDIAN OR CONSERVATOR IF:

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1 (1) THE INDIVIDUAL IS PERSONALLY SERVED WITHIN THIS STATE;

2 (2) THE INDIVIDUAL SUBMITS TO THE JURISDICTION OF THIS STATE BY
3 CONSENT, BY ENTERING A GENERAL APPEARANCE, OR BY FILING A RESPONSIVE
4 DOCUMENT HAVING THE EFFECT OF WAIVING ANY CONTEST TO PERSONAL
5 JURISDICTION;

6 (3) THE INDIVIDUAL RESIDED WITH THE CHILD IN THIS STATE;

7 (4) THE INDIVIDUAL RESIDED IN THIS STATE AND PROVIDED
8 PRENATAL EXPENSES OR SUPPORT FOR THE CHILD;

9 (5) THE CHILD RESIDES IN THIS STATE AS A RESULT OF THE ACTS OR
10 DIRECTIVES OF THE INDIVIDUAL;

11 (6) THE INDIVIDUAL ENGAGED IN SEXUAL INTERCOURSE IN THIS
12 STATE AND THE CHILD MAY HAVE BEEN CONCEIVED BY THAT ACT OF
13 INTERCOURSE; OR

14 (7) THERE IS ANY OTHER BASIS CONSISTENT WITH THE CONSTITUTIONS
15 OF THIS STATE AND THE UNITED STATES FOR THE EXERCISE OF PERSONAL
16 JURISDICTION.

17 10-305. PROCEDURE WHEN EXERCISING JURISDICTION OVER NONRESIDENT.

18 A TRIBUNAL OF THIS STATE EXERCISING PERSONAL JURISDICTION OVER A
19 NONRESIDENT UNDER § 10-304 OF THIS SUBTITLE MAY APPLY § 10-327 OF THIS
20 SUBTITLE (SPECIAL RULES OF EVIDENCE AND PROCEDURE) TO RECEIVE EVIDENCE
21 FROM ANOTHER STATE, AND § 10-329 OF THIS SUBTITLE (ASSISTANCE WITH
22 DISCOVERY) TO OBTAIN DISCOVERY THROUGH A TRIBUNAL OF ANOTHER STATE. IN
23 ALL OTHER RESPECTS, PARTS III THROUGH VII OF THIS SUBTITLE DO NOT APPLY
24 AND THE TRIBUNAL SHALL APPLY THE PROCEDURAL AND SUBSTANTIVE LAW OF
25 THIS STATE, INCLUDING THE RULES ON CHOICE OF LAW OTHER THAN THOSE
26 ESTABLISHED BY THIS SUBTITLE.

27 SUBPART B. PROCEEDINGS INVOLVING TWO OR MORE STATES.

28 10-306. INITIATING AND RESPONDING TRIBUNAL OF THIS STATE.

29 UNDER THIS SUBTITLE, A TRIBUNAL OF THIS STATE MAY SERVE AS AN
30 INITIATING TRIBUNAL TO FORWARD PROCEEDINGS TO ANOTHER STATE AND AS A
31 RESPONDING TRIBUNAL FOR PROCEEDINGS INITIATED IN ANOTHER STATE.

32 10-307. SIMULTANEOUS PROCEEDINGS IN ANOTHER STATE.

33 (A) A TRIBUNAL OF THIS STATE MAY EXERCISE JURISDICTION TO ESTABLISH
34 A SUPPORT ORDER IF THE COMPLAINT OR COMPARABLE PLEADING IS FILED AFTER
35 A COMPLAINT OR COMPARABLE PLEADING IS FILED IN ANOTHER STATE ONLY IF:

36 (1) THE COMPLAINT OR COMPARABLE PLEADING IN THIS STATE IS
37 FILED BEFORE THE EXPIRATION OF THE TIME ALLOWED IN THE OTHER STATE FOR
38 FILING A RESPONSIVE PLEADING CHALLENGING THE EXERCISE OF JURISDICTION
39 BY THE OTHER STATE;

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1 (2) THE CONTESTING PARTY TIMELY CHALLENGES THE EXERCISE OF
2 JURISDICTION IN THE OTHER STATE; AND

3 (3) IF RELEVANT, THIS STATE IS THE HOME STATE OF THE CHILD.

4 (B) A TRIBUNAL OF THIS STATE MAY NOT EXERCISE JURISDICTION TO
5 ESTABLISH A SUPPORT ORDER IF THE COMPLAINT OR COMPARABLE PLEADING IS
6 FILED BEFORE A COMPLAINT OR COMPARABLE PLEADING IS FILED IN ANOTHER
7 STATE IF:

8 (1) THE COMPLAINT OR COMPARABLE PLEADING IN THE OTHER STATE
9 IS FILED BEFORE THE EXPIRATION OF THE TIME ALLOWED IN THIS STATE FOR
10 FILING A RESPONSIVE PLEADING CHALLENGING THE EXERCISE OF JURISDICTION
11 BY THIS STATE;

12 (2) THE CONTESTING PARTY TIMELY CHALLENGES THE EXERCISE OF
13 JURISDICTION IN THIS STATE; AND

14 (3) IF RELEVANT, THE OTHER STATE IS THE HOME STATE OF THE
15 CHILD.

16 10-308. CONTINUING EXCLUSIVE JURISDICTION.

17 (A) A TRIBUNAL OF THIS STATE ISSUING A SUPPORT ORDER CONSISTENT
18 WITH THE LAW OF THIS STATE HAS CONTINUING, EXCLUSIVE JURISDICTION OVER A
19 CHILD SUPPORT ORDER:

20 (1) AS LONG AS THIS STATE REMAINS THE RESIDENCE OF THE
21 OBLIGOR, THE INDIVIDUAL OBLIGEE, OR THE CHILD FOR WHOSE BENEFIT THE
22 SUPPORT ORDER IS ISSUED; OR

23 (2) UNTIL EACH INDIVIDUAL PARTY HAS FILED WRITTEN CONSENT
24 WITH THE TRIBUNAL OF THIS STATE FOR A TRIBUNAL OF ANOTHER STATE TO
25 MODIFY THE ORDER AND ASSUME CONTINUING, EXCLUSIVE JURISDICTION.

26 (B) A TRIBUNAL OF THIS STATE ISSUING A CHILD SUPPORT ORDER
27 CONSISTENT WITH THE LAW OF THIS STATE MAY NOT EXERCISE ITS CONTINUING
28 JURISDICTION TO MODIFY THE ORDER IF THE ORDER HAS BEEN MODIFIED BY A
29 TRIBUNAL OF ANOTHER STATE PURSUANT TO A LAW SUBSTANTIALLY SIMILAR TO
30 THIS SUBTITLE.

31 (C) IF A CHILD SUPPORT ORDER OF THIS STATE IS MODIFIED BY A TRIBUNAL
32 OF ANOTHER STATE PURSUANT TO A LAW SUBSTANTIALLY SIMILAR TO THIS
33 SUBTITLE, A TRIBUNAL OF THIS STATE LOSES ITS CONTINUING, EXCLUSIVE
34 JURISDICTION WITH REGARD TO PROSPECTIVE ENFORCEMENT OF THE ORDER
35 ISSUED IN THIS STATE, AND MAY ONLY:

36 (1) ENFORCE THE ORDER THAT WAS MODIFIED AS TO AMOUNTS
37 ACCRUING BEFORE THE MODIFICATION;

38 (2) ENFORCE NONMODIFIABLE ASPECTS OF THAT ORDER; AND

39 (3) PROVIDE OTHER APPROPRIATE RELIEF FOR VIOLATIONS OF THAT
40 ORDER WHICH OCCURRED BEFORE THE EFFECTIVE DATE OF THE MODIFICATION.

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1 (D) A TRIBUNAL OF THIS STATE SHALL RECOGNIZE THE CONTINUING,
2 EXCLUSIVE JURISDICTION OF A TRIBUNAL OF ANOTHER STATE WHICH HAS ISSUED
3 A CHILD SUPPORT ORDER PURSUANT TO A LAW SUBSTANTIALLY SIMILAR TO THIS
4 SUBTITLE.

5 (E) A TEMPORARY SUPPORT ORDER ISSUED EX PARTE OR PENDING
6 RESOLUTION OF A JURISDICTIONAL CONFLICT DOES NOT CREATE CONTINUING,
7 EXCLUSIVE JURISDICTION IN THE ISSUING TRIBUNAL.

8 (F) A TRIBUNAL OF THIS STATE ISSUING A SUPPORT ORDER CONSISTENT
9 WITH THE LAW OF THIS STATE HAS CONTINUING, EXCLUSIVE JURISDICTION OVER A
10 SPOUSAL SUPPORT ORDER THROUGHOUT THE EXISTENCE OF THE SUPPORT
11 OBLIGATION. A TRIBUNAL OF THIS STATE MAY NOT MODIFY A SPOUSAL SUPPORT
12 ORDER ISSUED BY A TRIBUNAL OF ANOTHER STATE HAVING CONTINUING,
13 EXCLUSIVE JURISDICTION OVER THAT ORDER UNDER THE LAW OF THAT STATE.

14 10-309. ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER BY TRIBUNAL
15 HAVING CONTINUING JURISDICTION.

16 (A) A TRIBUNAL OF THIS STATE MAY SERVE AS AN INITIATING TRIBUNAL TO
17 REQUEST A TRIBUNAL OF ANOTHER STATE TO ENFORCE OR MODIFY A SUPPORT
18 ORDER ISSUED IN THAT STATE.

19 (B) A TRIBUNAL OF THIS STATE HAVING CONTINUING, EXCLUSIVE
20 JURISDICTION OVER A SUPPORT ORDER MAY ACT AS A RESPONDING TRIBUNAL TO
21 ENFORCE OR MODIFY THE ORDER. IF A PARTY SUBJECT TO THE CONTINUING,
22 EXCLUSIVE JURISDICTION OF THE TRIBUNAL NO LONGER RESIDES IN THE ISSUING
23 STATE, IN SUBSEQUENT PROCEEDINGS THE TRIBUNAL MAY APPLY § 10-327 OF THIS
24 SUBTITLE (SPECIAL RULES OF EVIDENCE AND PROCEDURE) TO RECEIVE EVIDENCE
25 FROM ANOTHER STATE AND § 10-329 OF THIS SUBTITLE (ASSISTANCE WITH
26 DISCOVERY) TO OBTAIN DISCOVERY THROUGH A TRIBUNAL OF ANOTHER STATE.

27 (C) A TRIBUNAL OF THIS STATE WHICH LACKS CONTINUING, EXCLUSIVE
28 JURISDICTION OVER A SPOUSAL SUPPORT ORDER MAY NOT SERVE AS A
29 RESPONDING TRIBUNAL TO MODIFY A SPOUSAL SUPPORT ORDER OF ANOTHER
30 STATE.

31 SUBPART C. RECONCILIATION WITH ORDERS OF OTHER STATES.

32 10-310. RECOGNITION OF CHILD SUPPORT ORDERS.

33 (A) IF A PROCEEDING IS BROUGHT UNDER THIS SUBTITLE, AND ONE OR
34 MORE CHILD SUPPORT ORDERS HAVE BEEN ISSUED IN THIS OR ANOTHER STATE
35 WITH REGARD TO AN OBLIGOR AND A CHILD, A TRIBUNAL OF THIS STATE SHALL
36 APPLY THE FOLLOWING RULES IN DETERMINING WHICH ORDER TO RECOGNIZE
37 FOR PURPOSES OF CONTINUING, EXCLUSIVE JURISDICTION:

38 (1) IF ONLY ONE TRIBUNAL HAS ISSUED A CHILD SUPPORT ORDER, THE
39 ORDER OF THAT TRIBUNAL MUST BE RECOGNIZED.

40 (2) IF TWO OR MORE TRIBUNALS HAVE ISSUED CHILD SUPPORT
41 ORDERS FOR THE SAME OBLIGOR AND CHILD, AND ONLY ONE OF THE TRIBUNALS

8
1 WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS SUBTITLE, THE
2 ORDER OF THAT TRIBUNAL MUST BE RECOGNIZED.

3 (3) IF TWO OR MORE TRIBUNALS HAVE ISSUED CHILD SUPPORT
4 ORDERS FOR THE SAME OBLIGOR AND CHILD, AND MORE THAN ONE OF THE
5 TRIBUNALS WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS
6 SUBTITLE, AN ORDER ISSUED BY A TRIBUNAL IN THE CURRENT HOME STATE OF
7 THE CHILD MUST BE RECOGNIZED, BUT IF AN ORDER HAS NOT BEEN ISSUED IN THE
8 CURRENT HOME STATE OF THE CHILD, THE ORDER MOST RECENTLY ISSUED MUST
9 BE RECOGNIZED.

10 (4) IF TWO OR MORE TRIBUNALS HAVE ISSUED CHILD SUPPORT
11 ORDERS FOR THE SAME OBLIGOR AND CHILD, AND NONE OF THE TRIBUNALS
12 WOULD HAVE CONTINUING, EXCLUSIVE JURISDICTION UNDER THIS SUBTITLE, THE
13 TRIBUNAL OF THIS STATE MAY ISSUE A CHILD SUPPORT ORDER, WHICH MUST BE
14 RECOGNIZED.

15 (B) THE TRIBUNAL THAT HAS ISSUED AN ORDER RECOGNIZED UNDER
16 SUBSECTION (A) OF THIS SECTION IS THE TRIBUNAL HAVING CONTINUING,
17 EXCLUSIVE JURISDICTION.

18 10-311. MULTIPLE CHILD SUPPORT ORDERS FOR TWO OR MORE OBLIGEES.

19 IN RESPONDING TO MULTIPLE REGISTRATIONS OR REQUESTS FOR
20 ENFORCEMENT OF TWO OR MORE CHILD SUPPORT ORDERS IN EFFECT AT THE SAME
21 TIME WITH REGARD TO THE SAME OBLIGOR AND DIFFERENT INDIVIDUAL
22 OBLIGEES AT LEAST ONE OF WHICH WAS ISSUED BY A TRIBUNAL OF ANOTHER
23 STATE, A TRIBUNAL OF THIS STATE SHALL ENFORCE THOSE ORDERS IN THE SAME
24 MANNER AS IF THE MULTIPLE ORDERS HAD BEEN ISSUED BY A TRIBUNAL OF THIS
25 STATE.

26 10-312. CREDIT FOR PAYMENTS.

27 AMOUNTS COLLECTED AND CREDITED FOR A PARTICULAR PERIOD PURSUANT
28 TO A SUPPORT ORDER ISSUED BY A TRIBUNAL OF ANOTHER STATE MUST BE
29 CREDITED AGAINST THE AMOUNTS ACCRUING OR ACCRUED FOR THE SAME
30 PERIOD UNDER A SUPPORT ORDER ISSUED BY THE TRIBUNAL OF THIS STATE.

31 PART III. CIVIL PROVISIONS OF GENERAL APPLICATION.

32 10-313. PROCEEDINGS UNDER THIS SUBTITLE.

33 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THIS PART III
34 APPLIES TO ALL PROCEEDINGS UNDER THIS SUBTITLE.

35 (B) THIS SUBTITLE PROVIDES FOR THE FOLLOWING PROCEEDINGS:

36 (1) ESTABLISHMENT OF AN ORDER FOR SPOUSAL SUPPORT OR CHILD
37 SUPPORT PURSUANT TO PART IV OF THIS SUBTITLE;

38 (2) ENFORCEMENT OF A SUPPORT ORDER AND INCOME WITHHOLDING
39 ORDER OF ANOTHER STATE WITHOUT REGISTRATION PURSUANT TO PART V OF
40 THIS SUBTITLE;

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1 (3) REGISTRATION OF AN ORDER FOR SPOUSAL SUPPORT OR CHILD
2 SUPPORT OF ANOTHER STATE FOR ENFORCEMENT PURSUANT TO PART VI OF THIS
3 SUBTITLE;

4 (4) MODIFICATION OF AN ORDER FOR CHILD SUPPORT OR SPOUSAL
5 SUPPORT ISSUED BY A TRIBUNAL OF THIS STATE PURSUANT TO PART II, SUBPART B
6 OF THIS SUBTITLE;

7 (5) REGISTRATION OF AN ORDER FOR CHILD SUPPORT OF ANOTHER
8 STATE FOR MODIFICATION PURSUANT TO PART VI OF THIS SUBTITLE;

9 (6) DETERMINATION OF PARENTAGE PURSUANT TO PART VII OF THIS
10 SUBTITLE; AND

11 (7) ASSERTION OF JURISDICTION OVER NONRESIDENTS PURSUANT TO
12 PART II, SUBPART A OF THIS SUBTITLE.

13 (C) AN INDIVIDUAL OR A SUPPORT ENFORCEMENT AGENCY MAY COMMENCE
14 A PROCEEDING AUTHORIZED UNDER THIS SUBTITLE BY FILING A COMPLAINT IN AN
15 INITIATING TRIBUNAL FOR FORWARDING TO A RESPONDING TRIBUNAL OR BY
16 FILING A COMPLAINT OR A COMPARABLE PLEADING DIRECTLY IN A TRIBUNAL OF
17 ANOTHER STATE WHICH HAS OR CAN OBTAIN PERSONAL JURISDICTION OVER THE
18 DEFENDANT.

19 10-314. ACTION BY MINOR PARENT.

20 A MINOR PARENT, OR A GUARDIAN OR OTHER LEGAL REPRESENTATIVE OF A
21 MINOR PARENT, MAY MAINTAIN A PROCEEDING ON BEHALF OF OR FOR THE
22 BENEFIT OF THE MINOR'S CHILD.

23 10-315. APPLICATION OF LAW OF THIS STATE.

24 EXCEPT AS OTHERWISE PROVIDED BY THIS SUBTITLE, A RESPONDING
25 TRIBUNAL OF THIS STATE:

26 (1) SHALL APPLY THE PROCEDURAL AND SUBSTANTIVE LAW,
27 INCLUDING THE RULES ON CHOICE OF LAW, GENERALLY APPLICABLE TO SIMILAR
28 PROCEEDINGS ORIGINATING IN THIS STATE AND MAY EXERCISE ALL POWERS AND
29 PROVIDE ALL REMEDIES AVAILABLE IN THOSE PROCEEDINGS; AND

30 (2) SHALL DETERMINE THE DUTY OF SUPPORT AND THE AMOUNT
31 PAYABLE IN ACCORDANCE WITH THE LAW AND SUPPORT GUIDELINES OF THIS
32 STATE.

33 10-316. DUTIES OF INITIATING TRIBUNAL.

34 UPON THE FILING OF A COMPLAINT AUTHORIZED BY THIS SUBTITLE, AN
35 INITIATING TRIBUNAL OF THIS STATE SHALL FORWARD THREE COPIES OF THE
36 COMPLAINT AND ITS ACCOMPANYING DOCUMENTS:

37 (1) TO THE RESPONDING TRIBUNAL OR APPROPRIATE SUPPORT
38 ENFORCEMENT AGENCY IN THE RESPONDING STATE; OR

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1 (2) IF THE IDENTITY OF THE RESPONDING TRIBUNAL IS UNKNOWN, TO
2 THE STATE INFORMATION AGENCY OF THE RESPONDING STATE WITH A REQUEST
3 THAT THEY BE FORWARDED TO THE APPROPRIATE TRIBUNAL AND THAT RECEIPT
4 BE ACKNOWLEDGED.

5 10-317. DUTIES AND POWERS OF RESPONDING TRIBUNAL.

6 (A) WHEN A RESPONDING TRIBUNAL OF THIS STATE RECEIVES A COMPLAINT
7 OR COMPARABLE PLEADING FROM AN INITIATING TRIBUNAL OR DIRECTLY
8 PURSUANT TO § 10-313 OF THIS SUBTITLE (PROCEEDINGS UNDER THIS SUBTITLE), IT
9 SHALL CAUSE THE COMPLAINT OR PLEADING TO BE FILED AND NOTIFY THE
10 PLAINTIFF BY FIRST-CLASS MAIL WHERE AND WHEN IT WAS FILED.

11 (B) A RESPONDING TRIBUNAL OF THIS STATE, TO THE EXTENT OTHERWISE
12 AUTHORIZED BY LAW, MAY DO ONE OR MORE OF THE FOLLOWING:

13 (1) ISSUE OR ENFORCE A SUPPORT ORDER, MODIFY A CHILD SUPPORT
14 ORDER, OR RENDER A JUDGMENT TO DETERMINE PARENTAGE;

15 (2) ORDER AN OBLIGOR TO COMPLY WITH A SUPPORT ORDER,
16 SPECIFYING THE AMOUNT AND THE MANNER OF COMPLIANCE;

17 (3) ORDER INCOME WITHHOLDING;

18 (4) DETERMINE THE AMOUNT OF ANY ARREARAGES, AND SPECIFY A
19 METHOD OF PAYMENT;

20 (5) ENFORCE ORDERS BY CIVIL OR CRIMINAL CONTEMPT, OR BOTH;

21 (6) SET ASIDE PROPERTY FOR SATISFACTION OF THE SUPPORT ORDER;

22 (7) PLACE LIENS AND ORDER EXECUTION ON THE OBLIGOR'S
23 PROPERTY;

24 (8) ORDER AN OBLIGOR TO KEEP THE TRIBUNAL INFORMED OF THE
25 OBLIGOR'S CURRENT RESIDENTIAL ADDRESS, TELEPHONE NUMBER, EMPLOYER,
26 ADDRESS OF EMPLOYMENT, AND TELEPHONE NUMBER AT THE PLACE OF
27 EMPLOYMENT;

28 (9) ISSUE A BENCH WARRANT FOR AN OBLIGOR WHO HAS FAILED
29 AFTER PROPER NOTICE TO APPEAR AT A HEARING ORDERED BY THE TRIBUNAL
30 AND ENTER THE BENCH WARRANT IN ANY LOCAL AND STATE COMPUTER SYSTEMS
31 FOR CRIMINAL WARRANTS;

32 (10) ORDER THE OBLIGOR TO SEEK APPROPRIATE EMPLOYMENT BY
33 SPECIFIED METHODS;

34 (11) AWARD REASONABLE ATTORNEY'S FEES AND OTHER FEES AND
35 COSTS; AND

36 (12) GRANT ANY OTHER AVAILABLE REMEDY.

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1 (C) A RESPONDING TRIBUNAL OF THIS STATE SHALL INCLUDE IN A SUPPORT
2 ORDER ISSUED UNDER THIS SUBTITLE, OR IN THE DOCUMENTS ACCOMPANYING
3 THE ORDER, THE CALCULATIONS ON WHICH THE SUPPORT ORDER IS BASED.

4 (D) A RESPONDING TRIBUNAL OF THIS STATE MAY NOT CONDITION THE
5 PAYMENT OF A SUPPORT ORDER ISSUED UNDER THIS SUBTITLE UPON COMPLIANCE
6 BY A PARTY WITH PROVISIONS FOR VISITATION.

7 (E) IF A RESPONDING TRIBUNAL OF THIS STATE ISSUES AN ORDER UNDER
8 THIS SUBTITLE, THE TRIBUNAL SHALL SEND A COPY OF THE ORDER BY FIRST-CLASS
9 MAIL TO THE PLAINTIFF AND THE DEFENDANT AND TO THE INITIATING TRIBUNAL,
10 IF ANY.

11 10-318. INAPPROPRIATE TRIBUNAL.

12 IF A COMPLAINT OR COMPARABLE PLEADING IS RECEIVED BY AN
13 INAPPROPRIATE TRIBUNAL OF THIS STATE, IT SHALL FORWARD THE PLEADING AND
14 ACCOMPANYING DOCUMENTS TO AN APPROPRIATE TRIBUNAL IN THIS STATE OR
15 ANOTHER STATE AND NOTIFY THE PLAINTIFF BY FIRST-CLASS MAIL WHERE AND
16 WHEN THE PLEADING WAS SENT.

17 10-319. DUTIES OF SUPPORT ENFORCEMENT AGENCY.

18 (A) A SUPPORT ENFORCEMENT AGENCY OF THIS STATE, UPON REQUEST,
19 SHALL PROVIDE SERVICES TO A PLAINTIFF IN A PROCEEDING UNDER THIS
20 SUBTITLE.

21 (B) A SUPPORT ENFORCEMENT AGENCY THAT IS PROVIDING SERVICES TO
22 THE PLAINTIFF AS APPROPRIATE SHALL:

23 (1) TAKE ALL STEPS NECESSARY TO ENABLE AN APPROPRIATE
24 TRIBUNAL IN THIS STATE OR ANOTHER STATE TO OBTAIN JURISDICTION OVER THE
25 DEFENDANT;

26 (2) REQUEST AN APPROPRIATE TRIBUNAL TO SET A DATE, TIME, AND
27 PLACE FOR A HEARING;

28 (3) MAKE A REASONABLE EFFORT TO OBTAIN ALL RELEVANT
29 INFORMATION, INCLUDING INFORMATION AS TO INCOME AND PROPERTY OF THE
30 PARTIES;

31 (4) WITHIN 2 DAYS, EXCLUSIVE OF SATURDAYS, SUNDAYS, AND LEGAL
32 HOLIDAYS, AFTER RECEIPT OF A WRITTEN NOTICE FROM AN INITIATING,
33 RESPONDING, OR REGISTERING TRIBUNAL, SEND A COPY OF THE NOTICE BY
34 FIRST-CLASS MAIL TO THE PLAINTIFF;

35 (5) WITHIN 2 DAYS, EXCLUSIVE OF SATURDAYS, SUNDAYS, AND LEGAL
36 HOLIDAYS, AFTER RECEIPT OF A WRITTEN COMMUNICATION FROM THE
37 DEFENDANT OR THE DEFENDANT'S ATTORNEY, SEND A COPY OF THE
38 COMMUNICATION BY FIRST-CLASS MAIL TO THE PLAINTIFF; AND

39 (6) NOTIFY THE PLAINTIFF IF JURISDICTION OVER THE DEFENDANT
40 CANNOT BE OBTAINED.

12

1 (C) THIS SUBTITLE DOES NOT CREATE OR NEGATE A RELATIONSHIP OF
2 ATTORNEY AND CLIENT OR OTHER FIDUCIARY RELATIONSHIP BETWEEN A
3 SUPPORT ENFORCEMENT AGENCY OR THE ATTORNEY FOR THE AGENCY AND THE
4 INDIVIDUAL BEING ASSISTED BY THE AGENCY.

5 10-320. PRIVATE COUNSEL.

6 AN INDIVIDUAL MAY EMPLOY PRIVATE COUNSEL TO REPRESENT THE
7 INDIVIDUAL IN PROCEEDINGS AUTHORIZED BY THIS SUBTITLE.

8 10-321. DUTIES OF CHILD SUPPORT ENFORCEMENT ADMINISTRATION.

9 (A) THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION IS THE STATE
10 INFORMATION AGENCY UNDER THIS SUBTITLE.

11 (B) THE STATE INFORMATION AGENCY SHALL:

12 (1) COMPILE AND MAINTAIN A CURRENT LIST, INCLUDING ADDRESSES,
13 OTHER TRIBUNALS IN THIS STATE WHICH HAVE JURISDICTION UNDER THIS
14 SUBTITLE, AND ANY SUPPORT ENFORCEMENT AGENCIES IN THIS STATE AND
15 TRANSMIT A COPY TO THE STATE INFORMATION AGENCY OF EVERY OTHER STATE;

16 (2) MAINTAIN A REGISTER OF TRIBUNALS AND SUPPORT
17 ENFORCEMENT AGENCIES RECEIVED FROM OTHER STATES;

18 (3) FORWARD TO THE APPROPRIATE TRIBUNAL IN THE PLACE IN THIS
19 STATE IN WHICH THE INDIVIDUAL OBLIGEE OR THE OBLIGOR RESIDES, OR IN
20 WHICH THE OBLIGOR'S PROPERTY IS BELIEVED TO BE LOCATED, ALL DOCUMENTS
21 CONCERNING A PROCEEDING UNDER THIS SUBTITLE RECEIVED FROM AN
22 INITIATING TRIBUNAL OR THE STATE INFORMATION AGENCY OF THE INITIATING
23 STATE; AND

24 (4) OBTAIN INFORMATION CONCERNING THE LOCATION OF THE
25 OBLIGOR AND THE OBLIGOR'S PROPERTY WITHIN THIS STATE NOT EXEMPT FROM
26 EXECUTION, BY SUCH MEANS AS POSTAL VERIFICATION AND FEDERAL OR STATE
27 LOCATOR SERVICES, EXAMINATION OF TELEPHONE DIRECTORIES, REQUESTS FOR
28 THE OBLIGOR'S ADDRESS FROM EMPLOYERS, AND EXAMINATION OF
29 GOVERNMENTAL RECORDS, INCLUDING, TO THE EXTENT NOT PROHIBITED BY
30 OTHER LAW, THOSE RELATING TO REAL PROPERTY, VITAL STATISTICS, LAW
31 ENFORCEMENT, TAXATION, MOTOR VEHICLES, DRIVERS' LICENSES, AND SOCIAL
32 SECURITY.

33 10-322. PLEADINGS AND ACCOMPANYING DOCUMENTS.

34 (A) A PLAINTIFF SEEKING TO ESTABLISH OR MODIFY A SUPPORT ORDER OR
35 TO DETERMINE PARENTAGE IN A PROCEEDING UNDER THIS SUBTITLE MUST
36 VERIFY THE COMPLAINT. UNLESS OTHERWISE ORDERED UNDER § 10-323 OF THIS
37 SUBTITLE (NONDISCLOSURE OF INFORMATION IN EXCEPTIONAL CIRCUMSTANCES),
38 THE PLAINTIFF OR ACCOMPANYING DOCUMENTS MUST PROVIDE, SO FAR AS
39 KNOWN, THE NAME, RESIDENTIAL ADDRESS, AND SOCIAL SECURITY NUMBERS OF
40 THE OBLIGOR AND THE OBLIGEE AND THE NAME, SEX, RESIDENTIAL ADDRESS,
41 SOCIAL SECURITY NUMBER, AND DATE OF BIRTH OF EACH CHILD FOR WHOM
42 SUPPORT IS SOUGHT. THE COMPLAINT MUST BE ACCOMPANIED BY A CERTIFIED

13

1 COPY OF ANY SUPPORT ORDER IN EFFECT. THE COMPLAINT MAY INCLUDE ANY
2 OTHER INFORMATION THAT MAY ASSIST IN LOCATING OR IDENTIFYING THE
3 DEFENDANT.

4 (B) THE COMPLAINT MUST SPECIFY THE RELIEF SOUGHT. THE COMPLAINT
5 AND ACCOMPANYING DOCUMENTS MUST CONFORM SUBSTANTIALLY WITH THE
6 REQUIREMENTS IMPOSED BY THE FORMS MANDATED BY FEDERAL LAW FOR USE IN
7 CASES FILED BY A SUPPORT ENFORCEMENT AGENCY.

8 10-323. NONDISCLOSURE OF INFORMATION IN EXCEPTIONAL CIRCUMSTANCES.

9 UPON A FINDING, WHICH MAY BE MADE EX PARTE, THAT THE HEALTH,
10 SAFETY, OR LIBERTY OF A PARTY OR CHILD WOULD BE UNREASONABLY PUT AT
11 RISK BY THE DISCLOSURE OF IDENTIFYING INFORMATION, OR IF AN EXISTING
12 ORDER SO PROVIDES, A TRIBUNAL SHALL ORDER THAT THE ADDRESS OF THE
13 CHILD OR PARTY OR OTHER IDENTIFYING INFORMATION NOT BE DISCLOSED IN A
14 PLEADING OR OTHER DOCUMENT FILED IN A PROCEEDING UNDER THIS SUBTITLE.

15 10-324. COSTS AND FEES.

16 (A) THE PLAINTIFF MAY NOT BE REQUIRED TO PAY A FILING FEE OR OTHER
17 COSTS.

18 (B) IF AN OBLIGEE PREVAILS, A RESPONDING TRIBUNAL MAY ASSESS
19 AGAINST AN OBLIGOR FILING FEES, REASONABLE ATTORNEY'S FEES, OTHER COSTS,
20 AND NECESSARY TRAVEL AND OTHER REASONABLE EXPENSES INCURRED BY THE
21 OBLIGEE AND THE OBLIGEE'S WITNESSES. THE TRIBUNAL MAY NOT ASSESS FEES,
22 COSTS, OR EXPENSES AGAINST THE OBLIGEE OR THE SUPPORT ENFORCEMENT
23 AGENCY OF EITHER THE INITIATING OR THE RESPONDING STATE, EXCEPT AS
24 PROVIDED BY OTHER LAW. ATTORNEY'S FEES MAY BE TAXED AS COSTS, AND MAY
25 BE ORDERED PAID DIRECTLY TO THE ATTORNEY, WHO MAY ENFORCE THE ORDER
26 IN THE ATTORNEY'S OWN NAME. PAYMENT OF SUPPORT OWED TO THE OBLIGEE
27 HAS PRIORITY OVER FEES, COSTS, AND EXPENSES.

28 (C) THE TRIBUNAL SHALL ORDER THE PAYMENT OF COSTS AND
29 REASONABLE ATTORNEY'S FEES IF IT DETERMINES THAT A HEARING WAS
30 REQUESTED PRIMARILY FOR DELAY. IN A PROCEEDING UNDER PART VI OF THIS
31 SUBTITLE (ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER AFTER
32 REGISTRATION), A HEARING IS PRESUMED TO HAVE BEEN REQUESTED PRIMARILY
33 FOR DELAY IF A REGISTERED SUPPORT ORDER IS CONFIRMED OR ENFORCED
34 WITHOUT CHANGE.

35 10-325. LIMITED IMMUNITY OF PLAINTIFF.

36 (A) PARTICIPATION BY A PLAINTIFF IN A PROCEEDING BEFORE A
37 RESPONDING TRIBUNAL, WHETHER IN PERSON, BY PRIVATE ATTORNEY, OR
38 THROUGH SERVICES PROVIDED BY THE SUPPORT ENFORCEMENT AGENCY, DOES
39 NOT CONFER PERSONAL JURISDICTION OVER THE PLAINTIFF IN ANOTHER
40 PROCEEDING.

14

1 (B) A PLAINTIFF IS NOT AMENABLE TO SERVICE OF CIVIL PROCESS WHILE
2 PHYSICALLY PRESENT IN THIS STATE TO PARTICIPATE IN A PROCEEDING UNDER
3 THIS SUBTITLE.

4 (C) THE IMMUNITY GRANTED BY THIS SECTION DOES NOT EXTEND TO CIVIL
5 LITIGATION BASED ON ACTS UNRELATED TO A PROCEEDING UNDER THIS SUBTITLE
6 COMMITTED BY A PARTY WHILE PRESENT IN THIS STATE TO PARTICIPATE IN THE
7 PROCEEDING.

8 10-326. NONPARENTAGE AS DEFENSE.

9 A PARTY WHOSE PARENTAGE OF A CHILD HAS BEEN PREVIOUSLY
10 DETERMINED BY OR PURSUANT TO LAW MAY NOT PLEAD NONPARENTAGE AS A
11 DEFENSE TO A PROCEEDING UNDER THIS SUBTITLE.

12 10-327. SPECIAL RULES OF EVIDENCE AND PROCEDURE.

13 (A) THE PHYSICAL PRESENCE OF THE PLAINTIFF IN A RESPONDING
14 TRIBUNAL OF THIS STATE IS NOT REQUIRED FOR THE ESTABLISHMENT,
15 ENFORCEMENT, OR MODIFICATION OF A SUPPORT ORDER OR THE RENDITION OF A
16 JUDGMENT DETERMINING PARENTAGE.

17 (B) A VERIFIED COMPLAINT, AFFIDAVIT, DOCUMENT SUBSTANTIALLY
18 COMPLYING WITH FEDERALLY MANDATED FORMS, AND A DOCUMENT
19 INCORPORATED BY REFERENCE IN ANY OF THEM, NOT EXCLUDED UNDER THE
20 HEARSAY RULE IF GIVEN IN PERSON, IS ADMISSIBLE IN EVIDENCE IF GIVEN UNDER
21 OATH BY A PARTY OR WITNESS RESIDING IN ANOTHER STATE.

22 (C) A COPY OF THE RECORD OF CHILD SUPPORT PAYMENTS CERTIFIED AS A
23 TRUE COPY OF THE ORIGINAL BY THE CUSTODIAN OF THE RECORD MAY BE
24 FORWARDED TO A RESPONDING TRIBUNAL. THE COPY IS EVIDENCE OF FACTS
25 ASSERTED IN IT, AND IS ADMISSIBLE TO SHOW WHETHER PAYMENTS WERE MADE.

26 (D) COPIES OF BILLS FOR TESTING FOR PARENTAGE, AND FOR PRENATAL
27 AND POSTNATAL HEALTH CARE OF THE MOTHER AND CHILD, FURNISHED TO THE
28 ADVERSE PARTY AT LEAST 10 DAYS BEFORE TRIAL, ARE ADMISSIBLE IN EVIDENCE
29 TO PROVE THE AMOUNT OF THE CHARGES BILLED AND THAT THE CHARGES WERE
30 REASONABLE, NECESSARY, AND CUSTOMARY.

31 (E) DOCUMENTARY EVIDENCE TRANSMITTED FROM ANOTHER STATE TO A
32 TRIBUNAL OF THIS STATE BY TELEPHONE, TELECOPIER, OR OTHER MEANS THAT DO
33 NOT PROVIDE AN ORIGINAL WRITING MAY NOT BE EXCLUDED FROM EVIDENCE ON
34 AN OBJECTION BASED ON THE MEANS OF TRANSMISSION.

35 (F) IN A PROCEEDING UNDER THIS SUBTITLE, A TRIBUNAL OF THIS STATE
36 MAY PERMIT A PARTY OR WITNESS RESIDING IN ANOTHER STATE TO BE DEPOSED
37 OR TO TESTIFY BY TELEPHONE, AUDIOVISUAL MEANS, OR OTHER ELECTRONIC
38 MEANS AT A DESIGNATED TRIBUNAL OR OTHER LOCATION IN THAT STATE. A
39 TRIBUNAL OF THIS STATE SHALL COOPERATE WITH TRIBUNALS OF OTHER STATES
40 IN DESIGNATING AN APPROPRIATE LOCATION FOR THE DEPOSITION OR
41 TESTIMONY.

15

1 (G) IF A PARTY CALLED TO TESTIFY AT A CIVIL HEARING REFUSES TO
2 ANSWER ON THE GROUND THAT THE TESTIMONY MAY BE SELF-INCRIMINATING,
3 THE TRIER OF FACT MAY DRAW AN ADVERSE INFERENCE FROM THE REFUSAL.

4 (H) A PRIVILEGE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN
5 SPOUSES DOES NOT APPLY IN A PROCEEDING UNDER THIS SUBTITLE.

6 (I) THE DEFENSE OF IMMUNITY BASED ON THE RELATIONSHIP OF HUSBAND
7 AND WIFE OR PARENT AND CHILD DOES NOT APPLY IN A PROCEEDING UNDER THIS
8 SUBTITLE.

9 10-328. COMMUNICATIONS BETWEEN TRIBUNALS.

10 A TRIBUNAL OF THIS STATE MAY COMMUNICATE WITH A TRIBUNAL OF
11 ANOTHER STATE IN WRITING, OR BY TELEPHONE OR OTHER MEANS, TO OBTAIN
12 INFORMATION CONCERNING THE LAWS OF THAT STATE, THE LEGAL EFFECT OF A
13 JUDGMENT, DECREE, OR ORDER OF THAT TRIBUNAL, AND THE STATUS OF A
14 PROCEEDING IN THE OTHER STATE. A TRIBUNAL OF THIS STATE MAY FURNISH
15 SIMILAR INFORMATION BY SIMILAR MEANS TO A TRIBUNAL OF ANOTHER STATE.

16 10-329. ASSISTANCE WITH DISCOVERY.

17 A TRIBUNAL OF THIS STATE MAY:

18 (1) REQUEST A TRIBUNAL OF ANOTHER STATE TO ASSIST IN OBTAINING
19 DISCOVERY; AND

20 (2) UPON REQUEST, COMPEL A PERSON OVER WHOM IT HAS
21 JURISDICTION TO RESPOND TO A DISCOVERY ORDER ISSUED BY A TRIBUNAL OF
22 ANOTHER STATE.

23 10-330. RECEIPT AND DISBURSEMENT OF PAYMENTS.

24 A SUPPORT ENFORCEMENT AGENCY OR TRIBUNAL OF THIS STATE SHALL
25 DISBURSE PROMPTLY ANY AMOUNTS RECEIVED PURSUANT TO A SUPPORT ORDER,
26 AS DIRECTED BY THE ORDER. THE AGENCY OR TRIBUNAL SHALL FURNISH TO A
27 REQUESTING PARTY OR TRIBUNAL OF ANOTHER STATE A CERTIFIED STATEMENT
28 BY THE CUSTODIAN OF THE RECORD OF THE AMOUNTS AND DATES OF ALL
29 PAYMENTS RECEIVED.

30 PART IV. ESTABLISHMENT OF SUPPORT ORDER.

31 10-331. COMPLAINT TO ESTABLISH SUPPORT ORDER.

32 (A) IF A SUPPORT ORDER ENTITLED TO RECOGNITION UNDER THIS SUBTITLE
33 HAS NOT BEEN ISSUED, A RESPONDING TRIBUNAL OF THIS STATE MAY ISSUE A
34 SUPPORT ORDER IF:

35 (1) THE INDIVIDUAL SEEKING THE ORDER RESIDES IN ANOTHER
36 STATE; OR

37 (2) THE SUPPORT ENFORCEMENT AGENCY SEEKING THE ORDER IS
38 LOCATED IN ANOTHER STATE.

16

1 (B) THE TRIBUNAL MAY ISSUE A TEMPORARY CHILD SUPPORT ORDER IF:

2 (1) THE DEFENDANT HAS SIGNED A VERIFIED STATEMENT
3 ACKNOWLEDGING PARENTAGE;

4 (2) THE DEFENDANT HAS BEEN DETERMINED BY OR PURSUANT TO
5 LAW TO BE THE PARENT; OR

6 (3) THERE IS OTHER CLEAR AND CONVINCING EVIDENCE THAT THE
7 DEFENDANT IS THE CHILD'S PARENT.

8 (C) UPON FINDING, AFTER NOTICE AND OPPORTUNITY TO BE HEARD, THAT
9 AN OBLIGOR OWES A DUTY OF SUPPORT, THE TRIBUNAL SHALL ISSUE A SUPPORT
10 ORDER DIRECTED TO THE OBLIGOR AND MAY ISSUE OTHER ORDERS PURSUANT TO
11 § 10-317 OF THIS SUBTITLE (DUTIES AND POWERS OF RESPONDING TRIBUNAL).

12 PART V. DIRECT ENFORCEMENT OF ORDER OF ANOTHER STATE WITHOUT
13 REGISTRATION.

14 10-332. RECOGNITION OF INCOME WITHHOLDING ORDER OF ANOTHER STATE.

15 (A) AN INCOME WITHHOLDING ORDER ISSUED IN ANOTHER STATE MAY BE
16 SENT BY FIRST-CLASS MAIL TO THE PERSON OR ENTITY DEFINED AS THE OBLIGOR'S
17 EMPLOYER UNDER SUBTITLE 1 OF THIS TITLE WITHOUT FIRST FILING A REQUEST
18 FOR SERVICE OF THE ORDER OR COMPARABLE PLEADING OR REGISTERING THE
19 ORDER WITH A TRIBUNAL OF THIS STATE. UPON RECEIPT OF THE ORDER, THE
20 EMPLOYER SHALL:

21 (1) TREAT AN INCOME WITHHOLDING ORDER ISSUED IN ANOTHER
22 STATE WHICH APPEARS REGULAR ON ITS FACE AS IF IT HAD BEEN ISSUED BY A
23 TRIBUNAL OF THIS STATE;

24 (2) IMMEDIATELY PROVIDE A COPY OF THE ORDER TO THE OBLIGOR;
25 AND

26 (3) DISTRIBUTE THE FUNDS AS DIRECTED IN THE WITHHOLDING
27 ORDER.

28 (B) AN OBLIGOR MAY CONTEST THE VALIDITY OR ENFORCEMENT OF AN
29 INCOME WITHHOLDING ORDER ISSUED IN ANOTHER STATE IN THE SAME MANNER
30 AS IF THE ORDER HAD BEEN ISSUED BY A TRIBUNAL OF THIS STATE. SECTION 10-337
31 OF THIS SUBTITLE (CHOICE OF LAW) APPLIES TO THE CONTEST. THE OBLIGOR SHALL
32 GIVE NOTICE OF THE CONTEST TO ANY SUPPORT ENFORCEMENT AGENCY
33 PROVIDING SERVICES TO THE OBLIGEE AND TO:

34 (1) THE PERSON OR AGENCY DESIGNATED TO RECEIVE PAYMENT IN
35 THE INCOME WITHHOLDING ORDER; OR

36 (2) IF NO PERSON OR AGENCY IS DESIGNATED, THE OBLIGEE.

17

1 10-333. ADMINISTRATIVE ENFORCEMENT OF ORDERS.

2 (A) A PARTY SEEKING TO ENFORCE A SUPPORT ORDER OR AN INCOME
3 WITHHOLDING ORDER, OR BOTH, ISSUED BY A TRIBUNAL OF ANOTHER STATE MAY
4 SEND THE DOCUMENTS REQUIRED FOR REGISTERING THE ORDER TO A SUPPORT
5 ENFORCEMENT AGENCY OF THIS STATE.

6 (B) UPON RECEIPT OF THE DOCUMENTS, THE SUPPORT ENFORCEMENT
7 AGENCY, WITHOUT INITIALLY SEEKING TO REGISTER THE ORDER, SHALL
8 CONSIDER AND, IF APPROPRIATE, USE ANY ADMINISTRATIVE PROCEDURE
9 AUTHORIZED BY THE LAW OF THIS STATE TO ENFORCE A SUPPORT ORDER OR AN
10 INCOME WITHHOLDING ORDER, OR BOTH. IF THE OBLIGOR DOES NOT CONTEST
11 ADMINISTRATIVE ENFORCEMENT, THE ORDER NEED NOT BE REGISTERED. IF THE
12 OBLIGOR CONTESTS THE VALIDITY OR ADMINISTRATIVE ENFORCEMENT OF THE
13 ORDER, THE SUPPORT ENFORCEMENT AGENCY SHALL REGISTER THE ORDER
14 PURSUANT TO THIS SUBTITLE.

15 PART VI. ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER AFTER
16 REGISTRATION.

17 SUBPART A. REGISTRATION AND ENFORCEMENT OF SUPPORT ORDER.

18 10-334. REGISTRATION OF ORDER FOR ENFORCEMENT.

19 A SUPPORT ORDER OR AN INCOME WITHHOLDING ORDER ISSUED BY A
20 TRIBUNAL OF ANOTHER STATE MAY BE REGISTERED IN THIS STATE FOR
21 ENFORCEMENT.

22 10-335. PROCEDURE TO REGISTER ORDER FOR ENFORCEMENT.

23 (A) A SUPPORT ORDER OR INCOME WITHHOLDING ORDER OF ANOTHER
24 STATE MAY BE REGISTERED IN THIS STATE BY SENDING THE FOLLOWING
25 DOCUMENTS AND INFORMATION TO THE APPROPRIATE TRIBUNAL IN THIS STATE:

26 (1) A LETTER OF TRANSMITTAL TO THE TRIBUNAL REQUESTING
27 REGISTRATION AND ENFORCEMENT;

28 (2) TWO COPIES, INCLUDING ONE CERTIFIED COPY, OF ALL ORDERS TO
29 BE REGISTERED, INCLUDING ANY MODIFICATION OF AN ORDER;

30 (3) A SWORN STATEMENT BY THE PARTY SEEKING REGISTRATION OR A
31 CERTIFIED STATEMENT BY THE CUSTODIAN OF THE RECORDS SHOWING THE
32 AMOUNT OF ANY ARREARAGE;

33 (4) THE NAME OF THE OBLIGOR AND, IF KNOWN:

34 (I) THE OBLIGOR'S ADDRESS AND SOCIAL SECURITY NUMBER;

35 (II) THE NAME AND ADDRESS OF THE OBLIGOR'S EMPLOYER AND
36 ANY OTHER SOURCE OF INCOME OF THE OBLIGOR; AND

37 (III) A DESCRIPTION AND THE LOCATION OF PROPERTY OF THE
38 OBLIGOR IN THIS STATE NOT EXEMPT FROM EXECUTION; AND

18

1 (5) THE NAME AND ADDRESS OF THE OBLIGEE AND, IF APPLICABLE,
2 THE AGENCY OR PERSON TO WHOM SUPPORT PAYMENTS ARE TO BE REMITTED.

3 (B) ON RECEIPT OF A REQUEST FOR REGISTRATION, THE REGISTERING
4 TRIBUNAL SHALL CAUSE THE ORDER TO BE FILED AS A FOREIGN JUDGMENT,
5 TOGETHER WITH ONE COPY OF THE DOCUMENTS AND INFORMATION, REGARDLESS
6 OF THEIR FORM.

7 (C) A COMPLAINT OR COMPARABLE PLEADING SEEKING A REMEDY THAT
8 MUST BE AFFIRMATIVELY SOUGHT UNDER OTHER LAW OF THIS STATE MAY BE
9 FILED AT THE SAME TIME AS THE REQUEST FOR REGISTRATION OR LATER. THE
10 PLEADING MUST SPECIFY THE GROUNDS FOR THE REMEDY SOUGHT.

11 10-336. EFFECT OF REGISTRATION FOR ENFORCEMENT.

12 (A) A SUPPORT ORDER OR INCOME WITHHOLDING ORDER ISSUED IN
13 ANOTHER STATE IS REGISTERED WHEN THE ORDER IS FILED IN THE REGISTERING
14 TRIBUNAL OF THIS STATE.

15 (B) A REGISTERED ORDER ISSUED IN ANOTHER STATE IS ENFORCEABLE IN
16 THE SAME MANNER AND IS SUBJECT TO THE SAME PROCEDURES AS AN ORDER
17 ISSUED BY A TRIBUNAL OF THIS STATE.

18 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A TRIBUNAL OF THIS
19 STATE SHALL RECOGNIZE AND ENFORCE, BUT MAY NOT MODIFY, A REGISTERED
20 ORDER IF THE ISSUING TRIBUNAL HAD JURISDICTION.

21 10-337. CHOICE OF LAW.

22 (A) THE LAW OF THE ISSUING STATE GOVERNS THE NATURE, EXTENT,
23 AMOUNT, AND DURATION OF CURRENT PAYMENTS AND OTHER OBLIGATIONS OF
24 SUPPORT AND THE PAYMENT OF ARREARAGES UNDER THE ORDER.

25 (B) IN A PROCEEDING FOR ARREARAGES, THE STATUTE OF LIMITATION
26 UNDER THE LAWS OF THIS STATE OR OF THE ISSUING STATE, WHICHEVER IS
27 LONGER, APPLIES.

28 SUBPART B. CONTEST OF VALIDITY OR ENFORCEMENT.

29 10-338. NOTICE OF REGISTRATION OF ORDER.

30 (A) WHEN A SUPPORT ORDER OR INCOME WITHHOLDING ORDER ISSUED IN
31 ANOTHER STATE IS REGISTERED, THE REGISTERING TRIBUNAL SHALL NOTIFY THE
32 NONREGISTERING PARTY. NOTICE MUST BE GIVEN BY FIRST-CLASS, CERTIFIED, OR
33 REGISTERED MAIL OR BY ANY MEANS OF PERSONAL SERVICE AUTHORIZED BY THE
34 LAW OF THIS STATE. THE NOTICE MUST BE ACCOMPANIED BY A COPY OF THE
35 REGISTERED ORDER AND THE DOCUMENTS AND RELEVANT INFORMATION
36 ACCOMPANYING THE ORDER.

37 (B) THE NOTICE MUST INFORM THE NONREGISTERING PARTY:

19

1 (1) THAT A REGISTERED ORDER IS ENFORCEABLE AS OF THE DATE OF
2 REGISTRATION IN THE SAME MANNER AS AN ORDER ISSUED BY A TRIBUNAL OF
3 THIS STATE;

4 (2) THAT A HEARING TO CONTEST THE VALIDITY OR ENFORCEMENT OF
5 THE REGISTERED ORDER MUST BE REQUESTED WITHIN 20 DAYS AFTER THE DATE
6 OF MAILING OR PERSONAL SERVICE OF THE NOTICE;

7 (3) THAT FAILURE TO CONTEST THE VALIDITY OR ENFORCEMENT OF
8 THE REGISTERED ORDER IN A TIMELY MANNER WILL RESULT IN CONFIRMATION OF
9 THE ORDER AND ENFORCEMENT OF THE ORDER AND THE ALLEGED ARREARAGES
10 AND PRECLUDES FURTHER CONTEST OF THAT ORDER WITH RESPECT TO ANY
11 MATTER THAT COULD HAVE BEEN ASSERTED; AND

12 (4) OF THE AMOUNT OF ANY ALLEGED ARREARAGES.

13 (C) UPON REGISTRATION OF AN INCOME WITHHOLDING ORDER FOR
14 ENFORCEMENT, THE REGISTERING TRIBUNAL SHALL NOTIFY THE OBLIGOR'S
15 EMPLOYER PURSUANT TO SUBTITLE 1 OF THIS TITLE.

16 10-339. PROCEDURE TO CONTEST VALIDITY OR ENFORCEMENT OF REGISTERED
17 ORDER.

18 (A) A NONREGISTERING PARTY SEEKING TO CONTEST THE VALIDITY OR
19 ENFORCEMENT OF A REGISTERED ORDER IN THIS STATE SHALL REQUEST A
20 HEARING WITHIN 20 DAYS AFTER THE DATE OF MAILING OR PERSONAL SERVICE OF
21 NOTICE OF THE REGISTRATION. THE NONREGISTERING PARTY MAY SEEK TO
22 VACATE THE REGISTRATION, TO ASSERT ANY DEFENSE TO AN ALLEGATION OF
23 NONCOMPLIANCE WITH THE REGISTERED ORDER, OR TO CONTEST THE REMEDIES
24 BEING SOUGHT OR THE AMOUNT OF ANY ALLEGED ARREARAGES PURSUANT TO §
25 10-340 OF THIS SUBTITLE (CONTEST OF REGISTRATION OR ENFORCEMENT).

26 (B) IF THE NONREGISTERING PARTY FAILS TO CONTEST THE VALIDITY OR
27 ENFORCEMENT OF THE REGISTERED ORDER IN A TIMELY MANNER, THE ORDER IS
28 CONFIRMED BY OPERATION OF LAW.

29 (C) IF A NONREGISTERING PARTY REQUESTS A HEARING TO CONTEST THE
30 VALIDITY OR ENFORCEMENT OF THE REGISTERED ORDER, THE REGISTERING
31 TRIBUNAL SHALL SCHEDULE THE MATTER FOR HEARING AND GIVE NOTICE TO THE
32 PARTIES BY FIRST-CLASS MAIL OF THE DATE, TIME, AND PLACE OF THE HEARING.

33 10-340. CONTEST OF REGISTRATION OR ENFORCEMENT.

34 (A) A PARTY CONTESTING THE VALIDITY OR ENFORCEMENT OF A
35 REGISTERED ORDER OR SEEKING TO VACATE THE REGISTRATION HAS THE
36 BURDEN OF PROVING ONE OR MORE OF THE FOLLOWING DEFENSES:

37 (1) THE ISSUING TRIBUNAL LACKED PERSONAL JURISDICTION OVER
38 THE CONTESTING PARTY;

39 (2) THE ORDER WAS OBTAINED BY FRAUD;

20

1 (3) THE ORDER HAS BEEN VACATED, SUSPENDED, OR MODIFIED BY A
2 LATER ORDER;

3 (4) THE ISSUING TRIBUNAL HAS STAYED THE ORDER PENDING APPEAL;

4 (5) THERE IS A DEFENSE UNDER THE LAW OF THIS STATE TO THE
5 REMEDY SOUGHT;

6 (6) FULL OR PARTIAL PAYMENT HAS BEEN MADE; OR

7 (7) THE STATUTE OF LIMITATION UNDER § 10-337 OF THIS SUBTITLE
8 (CHOICE OF LAW) PRECLUDES ENFORCEMENT OF SOME OR ALL OF THE
9 ARREARAGES.

10 (B) IF A PARTY PRESENTS EVIDENCE ESTABLISHING A FULL OR PARTIAL
11 DEFENSE UNDER SUBSECTION (A) OF THIS SECTION, A TRIBUNAL MAY STAY
12 ENFORCEMENT OF THE REGISTERED ORDER, CONTINUE THE PROCEEDING TO
13 PERMIT PRODUCTION OF ADDITIONAL RELEVANT EVIDENCE, AND ISSUE OTHER
14 APPROPRIATE ORDERS. AN UNCONTESTED PORTION OF THE REGISTERED ORDER
15 MAY BE ENFORCED BY ALL REMEDIES AVAILABLE UNDER THE LAW OF THIS STATE.

16 (C) IF THE CONTESTING PARTY DOES NOT ESTABLISH A DEFENSE UNDER
17 SUBSECTION (A) OF THIS SECTION TO THE VALIDITY OR ENFORCEMENT OF THE
18 ORDER, THE REGISTERING TRIBUNAL SHALL ISSUE AN ORDER CONFIRMING THE
19 ORDER.

20 10-341. CONFIRMED ORDER.

21 CONFIRMATION OF A REGISTERED ORDER, WHETHER BY OPERATION OF LAW
22 OR AFTER NOTICE AND HEARING, PRECLUDES FURTHER CONTEST OF THE ORDER
23 WITH RESPECT TO ANY MATTER THAT COULD HAVE BEEN ASSERTED AT THE TIME
24 OF REGISTRATION.

25 SUBPART C. REGISTRATION AND MODIFICATION OF CHILD SUPPORT ORDER.

26 10-342. PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF ANOTHER STATE FOR
27 MODIFICATION.

28 A PARTY OR SUPPORT ENFORCEMENT AGENCY SEEKING TO MODIFY, OR TO
29 MODIFY AND ENFORCE, A CHILD SUPPORT ORDER ISSUED IN ANOTHER STATE
30 SHALL REGISTER THAT ORDER IN THIS STATE IN THE SAME MANNER PROVIDED IN
31 SUBPART A OF THIS PART IF THE ORDER HAS NOT BEEN REGISTERED. A COMPLAINT
32 FOR MODIFICATION MAY BE FILED AT THE SAME TIME AS A REQUEST FOR
33 REGISTRATION, OR LATER. THE PLEADING MUST SPECIFY THE GROUNDS FOR
34 MODIFICATION.

35 10-343. EFFECT OF REGISTRATION FOR MODIFICATION.

36 A TRIBUNAL OF THIS STATE MAY ENFORCE A CHILD SUPPORT ORDER OF
37 ANOTHER STATE REGISTERED FOR PURPOSES OF MODIFICATION, IN THE SAME
38 MANNER AS IF THE ORDER HAD BEEN ISSUED BY A TRIBUNAL OF THIS STATE, BUT
39 THE REGISTERED ORDER MAY BE MODIFIED ONLY IF THE REQUIREMENTS OF §

21

1 10-344 OF THIS SUBTITLE (MODIFICATION OF CHILD SUPPORT ORDER OF ANOTHER
2 STATE) HAVE BEEN MET.

3 10-344. MODIFICATION OF CHILD SUPPORT ORDER OF ANOTHER STATE.

4 (A) AFTER A CHILD SUPPORT ORDER ISSUED IN ANOTHER STATE HAS BEEN
5 REGISTERED IN THIS STATE, THE RESPONDING TRIBUNAL OF THIS STATE MAY
6 MODIFY THAT ORDER ONLY IF, AFTER NOTICE AND HEARING, IT FINDS THAT:

7 (1) THE FOLLOWING REQUIREMENTS ARE MET:

8 (I) THE CHILD, THE INDIVIDUAL OBLIGEE, AND THE OBLIGOR DO
9 NOT RESIDE IN THE ISSUING STATE;

10 (II) A PLAINTIFF WHO IS A NONRESIDENT OF THIS STATE SEEKS
11 MODIFICATION; AND

12 (III) THE DEFENDANT IS SUBJECT TO THE PERSONAL JURISDICTION
13 OF THE TRIBUNAL OF THIS STATE; OR

14 (2) AN INDIVIDUAL PARTY OR THE CHILD IS SUBJECT TO THE
15 PERSONAL JURISDICTION OF THE TRIBUNAL AND ALL OF THE INDIVIDUAL PARTIES
16 HAVE FILED A WRITTEN CONSENT IN THE ISSUING TRIBUNAL PROVIDING THAT A
17 TRIBUNAL OF THIS STATE MAY MODIFY THE SUPPORT ORDER AND ASSUME
18 CONTINUING, EXCLUSIVE JURISDICTION OVER THE ORDER.

19 (B) MODIFICATION OF A REGISTERED CHILD SUPPORT ORDER IS SUBJECT TO
20 THE SAME REQUIREMENTS, PROCEDURES, AND DEFENSES THAT APPLY TO THE
21 MODIFICATION OF AN ORDER ISSUED BY A TRIBUNAL OF THIS STATE AND THE
22 ORDER MAY BE ENFORCED AND SATISFIED IN THE SAME MANNER.

23 (C) A TRIBUNAL OF THIS STATE MAY NOT MODIFY ANY ASPECT OF A CHILD
24 SUPPORT ORDER THAT MAY NOT BE MODIFIED UNDER THE LAW OF THE ISSUING
25 STATE.

26 (D) ON ISSUANCE OF AN ORDER MODIFYING A CHILD SUPPORT ORDER
27 ISSUED IN ANOTHER STATE, A TRIBUNAL OF THIS STATE BECOMES THE TRIBUNAL
28 OF CONTINUING, EXCLUSIVE JURISDICTION.

29 (E) WITHIN 30 DAYS AFTER ISSUANCE OF A MODIFIED CHILD SUPPORT
30 ORDER, THE PARTY OBTAINING THE MODIFICATION SHALL FILE A CERTIFIED COPY
31 OF THE ORDER WITH THE ISSUING TRIBUNAL WHICH HAD CONTINUING, EXCLUSIVE
32 JURISDICTION OVER THE EARLIER ORDER, AND IN EACH TRIBUNAL IN WHICH THE
33 PARTY KNOWS THAT EARLIER ORDER HAS BEEN REGISTERED.

34 10-345. RECOGNITION OF ORDER MODIFIED IN ANOTHER STATE.

35 A TRIBUNAL OF THIS STATE SHALL RECOGNIZE A MODIFICATION OF ITS
36 EARLIER CHILD SUPPORT ORDER BY A TRIBUNAL OF ANOTHER STATE WHICH
37 ASSUMED JURISDICTION PURSUANT TO A LAW SUBSTANTIALLY SIMILAR TO THIS
38 SUBTITLE AND, UPON REQUEST, EXCEPT AS OTHERWISE PROVIDED IN THIS
39 SUBTITLE, SHALL:

22

1 (1) ENFORCE THE ORDER THAT WAS MODIFIED ONLY AS TO AMOUNTS
2 ACCRUING BEFORE THE MODIFICATION;

3 (2) ENFORCE ONLY NONMODIFIABLE ASPECTS OF THAT ORDER;

4 (3) PROVIDE OTHER APPROPRIATE RELIEF ONLY FOR VIOLATIONS OF
5 THAT ORDER WHICH OCCURRED BEFORE THE EFFECTIVE DATE OF THE
6 MODIFICATION; AND

7 (4) RECOGNIZE THE MODIFYING ORDER OF THE OTHER STATE, UPON
8 REGISTRATION, FOR THE PURPOSE OF ENFORCEMENT.

9 PART VII. DETERMINATION OF PARENTAGE.

10 10-346. PROCEEDING TO DETERMINE PARENTAGE.

11 (A) A TRIBUNAL OF THIS STATE MAY SERVE AS AN INITIATING OR
12 RESPONDING TRIBUNAL IN A PROCEEDING BROUGHT UNDER THIS SUBTITLE OR A
13 LAW SUBSTANTIALLY SIMILAR TO THIS SUBTITLE, THE UNIFORM RECIPROCAL
14 ENFORCEMENT OF SUPPORT ACT, OR THE REVISED UNIFORM RECIPROCAL
15 ENFORCEMENT OF SUPPORT ACT TO DETERMINE THAT THE PLAINTIFF IS A PARENT
16 OF A PARTICULAR CHILD OR TO DETERMINE THAT A DEFENDANT IS A PARENT OF
17 THAT CHILD.

18 (B) IN A PROCEEDING TO DETERMINE PARENTAGE, A RESPONDING
19 TRIBUNAL OF THIS STATE SHALL APPLY THE PROCEDURAL AND SUBSTANTIVE LAW
20 OF THIS STATE AND THE RULES OF THIS STATE ON CHOICE OF LAW.

21 PART VIII. INTERSTATE RENDITION.

22 10-347. GROUNDS FOR RENDITION.

23 (A) FOR PURPOSES OF THIS PART VIII, "GOVERNOR" INCLUDES AN
24 INDIVIDUAL PERFORMING THE FUNCTIONS OF GOVERNOR OR THE EXECUTIVE
25 AUTHORITY OF A STATE COVERED BY THIS SUBTITLE.

26 (B) THE GOVERNOR OF THIS STATE MAY:

27 (1) DEMAND THAT THE GOVERNOR OF ANOTHER STATE SURRENDER
28 AN INDIVIDUAL FOUND IN THE OTHER STATE WHO IS CHARGED CRIMINALLY IN
29 THIS STATE WITH HAVING FAILED TO PROVIDE FOR THE SUPPORT OF AN OBLIGEE;
30 OR

31 (2) ON THE DEMAND BY THE GOVERNOR OF ANOTHER STATE,
32 SURRENDER AN INDIVIDUAL FOUND IN THIS STATE WHO IS CHARGED CRIMINALLY
33 IN THE OTHER STATE WITH HAVING FAILED TO PROVIDE FOR THE SUPPORT OF AN
34 OBLIGEE.

35 (C) A PROVISION FOR EXTRADITION OF INDIVIDUALS NOT INCONSISTENT
36 WITH THIS SUBTITLE APPLIES TO THE DEMAND EVEN IF THE INDIVIDUAL WHOSE
37 SURRENDER IS DEMANDED WAS NOT IN THE DEMANDING STATE WHEN THE CRIME
38 WAS ALLEGEDLY COMMITTED AND HAS NOT FLED THEREFROM.

1 10-348. CONDITIONS OF RENDITION.

2 (A) BEFORE MAKING DEMAND THAT THE GOVERNOR OF ANOTHER STATE
3 SURRENDER AN INDIVIDUAL CHARGED CRIMINALLY IN THIS STATE WITH HAVING
4 FAILED TO PROVIDE FOR THE SUPPORT OF AN OBLIGEE, THE GOVERNOR OF THIS
5 STATE MAY REQUIRE A PROSECUTOR OF THIS STATE TO DEMONSTRATE THAT AT
6 LEAST 60 DAYS PREVIOUSLY THE OBLIGEE HAD INITIATED PROCEEDINGS FOR
7 SUPPORT PURSUANT TO THIS SUBTITLE OR THAT THE PROCEEDING WOULD BE OF
8 NO AVAIL.

9 (B) IF, UNDER THIS SUBTITLE OR A LAW SUBSTANTIALLY SIMILAR TO THIS
10 SUBTITLE, THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, OR THE
11 REVISED UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, THE GOVERNOR
12 OF ANOTHER STATE MAKES A DEMAND THAT THE GOVERNOR OF THIS STATE
13 SURRENDER AN INDIVIDUAL CHARGED CRIMINALLY IN THAT STATE WITH HAVING
14 FAILED TO PROVIDE FOR THE SUPPORT OF A CHILD OR OTHER INDIVIDUAL TO
15 WHOM A DUTY OF SUPPORT IS OWED, THE GOVERNOR MAY REQUIRE A
16 PROSECUTOR TO INVESTIGATE THE DEMAND AND REPORT WHETHER A
17 PROCEEDING FOR SUPPORT HAS BEEN INITIATED OR WOULD BE EFFECTIVE. IF IT
18 APPEARS THAT A PROCEEDING WOULD BE EFFECTIVE BUT HAS NOT BEEN
19 INITIATED, THE GOVERNOR MAY DELAY HONORING THE DEMAND FOR A
20 REASONABLE TIME TO PERMIT THE INITIATION OF A PROCEEDING.

21 (C) IF A PROCEEDING FOR SUPPORT HAS BEEN INITIATED AND THE
22 INDIVIDUAL WHOSE RENDITION IS DEMANDED PREVAILS, THE GOVERNOR MAY
23 DECLINE TO HONOR THE DEMAND. IF THE PLAINTIFF PREVAILS AND THE
24 INDIVIDUAL WHOSE RENDITION IS DEMANDED IS SUBJECT TO A SUPPORT ORDER,
25 THE GOVERNOR MAY DECLINE TO HONOR THE DEMAND IF THE INDIVIDUAL IS
26 COMPLYING WITH THE SUPPORT ORDER.

27 10-349. UNIFORMITY OF APPLICATION AND CONSTRUCTION.

28 THIS SUBTITLE SHALL BE APPLIED AND CONSTRUED TO EFFECTUATE ITS
29 GENERAL PURPOSE TO MAKE UNIFORM THE LAW WITH RESPECT TO THE SUBJECT
30 OF THIS SUBTITLE AMONG STATES ENACTING IT.

31 10-350. SEVERABILITY CLAUSE.

32 IF ANY PROVISION OF THIS SUBTITLE OR ITS APPLICATION TO ANY PERSON OR
33 CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY DOES NOT AFFECT OTHER
34 PROVISIONS OR APPLICATIONS OF THIS SUBTITLE WHICH CAN BE GIVEN EFFECT
35 WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE
36 PROVISIONS OF THIS SUBTITLE ARE SEVERABLE.

37 10-351. SHORT TITLE.

38 THIS SUBTITLE MAY BE CITED AS THE MARYLAND UNIFORM INTERSTATE
39 FAMILY SUPPORT ACT.

40 SECTION 3. AND BE IT FURTHER ENACTED, That the catchlines contained
41 in this Act are not law and may not be considered to have been enacted as part of this
42 Act.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 1, 1997.