

**THE UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA):
WORKING TOGETHER TO COLLECT CHILD SUPPORT**



State Court Administrative Office
Friend of the Court Bureau
Michigan Supreme Court

UIFSA

This brochure summarizes the 2008 Uniform Interstate Family Support Act (UIFSA) that allows other states, foreign countries, and tribes to work together to collect child support.

The following definitions will help you understand how UIFSA works:

Continuing, exclusive jurisdiction (CEJ) – A state or foreign country that issues a support order is the only state or foreign country that can change the order as long as one of the parties or the child lives there.

Controlling order – On rare occasions when there is more than one order for a child’s support, the controlling order is the order that has priority over any other order.

Current support – The amount of money ordered to be paid on a regular basis for the care of a child. Current support may include amounts for child care, health care, court costs, and fees.

Party – The person asking for support and the person paying support. Parties are often a child’s parents. A court may recognize other people and agencies as parties to a case.

Moving party – The party, state, or foreign country that asks a court to issue an order.

Past-due support – Support that was due but not paid in the past and is still owed.

Registering party – A party who seeks to register an order in another state or foreign country.

Registration – The process for having an order from one state or foreign country recognized and enforced by another state or foreign country.

Support order – An order to pay child or spousal support. Also called a “judgment,” “decree,” or simply “order.”

Tribunal – A court, administrative agency, or quasi-judicial office in any state or country that is legally allowed to establish, enforce, or modify support orders or to determine a child’s paternity.

BACKGROUND

In Michigan, UIFSA is codified as MCL 552.2101. UIFSA can best be described as one order, at one time, in one place for each combination of payer and child. This means that only a single state or foreign country at a time may issue a child support court order.

NO SUPPORT ORDER YET?

If no other state or country has issued a support order, a support or paternity order can be established in Michigan. The parents or children involved must have “sufficient connections,” (such as working or owning property) to Michigan to make it fair for a Michigan court to enter an order without help from another state or country. If Michigan needs help from another state or country to enter the order, UIFSA has rules that allow the states or countries to work together to establish an order.

CONTROLLING ORDER

Before UIFSA, if parties moved to different states or foreign countries, a tribunal in a party’s new state or foreign country would often issue a new support order. Differing orders for the same payer and children led to confusion and disagreements between parties, states, and countries.

Now all state courts and courts in participating foreign countries follow UIFSA's rules to determine the order that has priority and the tribunal that have the power to change the order, otherwise known as *continuing exclusive jurisdiction* (CEJ). The tribunal that is determined to have CEJ is the only tribunal that can change the support order.

ENFORCEMENT

When a tribunal enters an order requiring a person in a different state or foreign country to pay support, the tribunal that entered the order can use its laws to collect the support. The tribunal that entered the order may also register the order for *enforcement only* in the other state or country. The other court cannot change the support order, but will use its own laws to collect the support as if it had entered the order.

MODIFICATION

There are several factors under UIFSA to help decide which tribunal can change a court order. If either of the parties or any of their children still live in the state or foreign country that issued the controlling order, only the original tribunal may change the support amount. If nobody on the case still lives in the state or foreign country that issued the order, the original tribunal usually cannot modify the order.

But, UIFSA allows both parties to agree in writing to let the original tribunal change its order. The parties can also agree in writing that a tribunal where one of them lives may take control of the case and change the support amount. If the parties cannot agree, the party who wants to change the order must register the order *for modification* in the tribunal where the other party lives. Once a new tribunal modifies an order, the original tribunal loses its CEJ and the new state or foreign country acquires CEJ.

Once a tribunal changes the order of another state or foreign country, it must begin collecting the *current* support. Other tribunals that previously issued orders may not continue to charge *current* support, but they may collect *past-due* support and enforce other provisions that were unmet in their previous orders.

REGISTERING ORDERS

An order issued in one state or foreign country must be registered in another tribunal before the new tribunal can enforce or modify the order. Once the order is registered in another state or foreign country, that state or foreign country enforces the support order as it would enforce orders that it issued.

The registration process starts when the state or foreign country that issued the order sends copies of the order and related documents to the responding state or foreign country. When the documents arrive, the responding state or foreign country will file them with the correct local office. That office then sends copies of the documents and notice to the other party in the case.

The order is considered registered when it is filed. The other party has 20 days to object to the registration. If the nonregistering party does not object within 20 days, the order will be registered.

A nonregistering party who files a timely and proper objection will have a hearing to consider the objection.

WHERE TO GET UIFSA ASSISTANCE IN MICHIGAN

Contact an Office of Child Support – Support Specialist at (866) 540-0008 if:

- You do not have a support order, or
- You live in Michigan and need to enforce or modify a support order issued in another state or foreign country.

Contact your County Friend of the Court office responsible for your case if:

- You have a Michigan support order and need to have it modified or enforced in another state or foreign country.
- You have a support order in another state or foreign country and you wish to apply for services in Michigan.

A directory of local Friend of the Court offices is at <https://courts.michigan.gov/self-help/directories/pages/trial-court-directory.aspx>. You can also use the Interactive Voice Response line to reach the proper office by calling **(877) 543-2660**.

Note: Michigan courts cannot *modify* a support order if no one involved in the case (parents or children) live in Michigan unless the parties agree in writing. However, a Michigan FOC office can still enforce support that was originally ordered by a Michigan court until another state issues a support order.

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FRIEND OF THE COURT

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This brochure provides general information to service members who have been ordered to pay child support, and to parents who receive or want to receive child support from a service member. This brochure does NOT replace the advice of an attorney regarding a specific situation or case.

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