

This brochure summarizes the Uniform Interstate Family Support Act (UIFSA) that allows states to work together in their collection of court-ordered child support. All states and territories in the United States have adopted the UIFSA.

Background

In 1996, Congress required all states to enact the UIFSA. In Michigan, UIFSA is now in the statute books as MCL 552.1101 – 552.1901.

Under the old laws, two or more states might issue conflicting support orders for the same support payer and children. That made it hard to know

- how much support was owed,
- to whom the support was owed, and
- which state should collect it.

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 at a time may issue an order. The state that issues the original order holds what UIFSA calls “Continuing, Exclusive Jurisdiction” (CEJ) of the order. CEJ can be lost (transferred) to another state if circumstances allow it.

The following definitions will help you understand how UIFSA works.

Continuing, Exclusive Jurisdiction (CEJ) – A state that issues a support order consistent with that state’s law is the only state that can change this order as long as one of the parties or the child lives there.

Controlling Order – If there is more than one order, the controlling order is the support order that has priority over any other order.

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

Party - The case’s plaintiff or defendant. Parties are almost always a child’s parents. Occasionally a court may recognize other people and agencies as parties to a case.

Moving Party - The party or state that asks a court to order something.

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

Registering Party - A party who seeks to register an order in another state.

Registration - The process for having an order from one state recognized and enforced by another state.

Support Order - A court’s order to pay child or spousal support. Also called a “judgment,” “decree,” or simply “order.”

No Support Order Yet?

If no court has issued a support order, a support order can be established in Michigan. If the parents or children involved meet some specific requirements (for example, they have sufficient “contacts” with this state), a Michigan court then may be able to enter an order to determine paternity or to order support without help from another state. If another state’s help is needed, UIFSA has rules that allow two states to work together to establish a support order.

Controlling Order

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

Now all state courts follow UIFSA’s rules to determine the order that has priority and the state courts that have the power to change the order. This is where CEJ comes in. The state that is determined to have CEJ is the only state that can change the support order.

Enforcement

When one state enters an order requiring a person in a different state to pay support, the state that entered the order can use its laws to collect the support. The state that entered the order may also register the order for

enforcement only in the other state. The other state cannot change the support order, but uses its laws to collect the support as if it had entered the order.

Modification

Under UIFSA, several factors are used to help decide which state may change the order.

If either of the parties or any of their children still lives in the state that issued the controlling order, only that state’s courts may change the support amount. If neither party nor any of their children still live in the state that issued the controlling order, that state cannot modify the support order.

UIFSA allows both parties to agree in writing that a state where one of them lives may take control of the case and change the support amount. Otherwise the party who wants to change the order must register the order *for modification* in the state where the other party lives. Once a new state modifies an order, the original state loses its CEJ and the new state then has acquired CEJ.

Once a state changes another state’s order, it must begin collecting the *current* support. Other states 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 must be registered in another state (the “responding state”) before that second state can enforce or modify the order. A responding state enforces registered support orders issued in another state exactly as it would enforce orders issued by its own courts.

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

The other party has 20 days to object to the order being registered. This is the only opportunity to object. If the

non-registering party does not object within 20 days, the order will be registered.

If the non-registering party does file a timely and proper objection with the local UIFSA agency, that agency will schedule a hearing and send both parties a notice detailing the date, time, and place of the hearing.

Where to Get UIFSA Assistance in Michigan

Contact a child support specialist at the Office of Child Support 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.

The Office of Child Support can be reached at (800) 540-0008

Contact the Michigan 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.
- You have a support order in another state and you wish to apply for services in Michigan.

*A directory of local Friend of the Court offices can be found at:
<http://courts.michigan.gov/scao/services/dirs/cofoc.asp>*

Note: Michigan courts cannot *modify* a support order if no one involved in the case (parents or children) live in Michigan. However, a Michigan FOC office can still enforce *past-due* support that was originally ordered by a Michigan court. You also may apply for child support services in the state where you currently live.

The Uniform Interstate Family Support Act (UIFSA)



States Working Together to Collect Child Support