

HOUSE BILL NO. HB0122

Uniform Interstate Family Support Act.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to the Uniform Interstate Family Support
2 Act; amending the act to conform with changes proposed by
3 the National Conference of Commissioners on Uniform State
4 Laws; amending definitions; clarifying procedures with
5 respect to which jurisdiction among the various states has
6 jurisdiction under specified circumstances; deleting
7 obsolete references; and providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 20-4-195 through 20-4-197 are created
12 to read:

13

14 **20-4-195. Application of act to nonresident subject**
15 **to person jurisdiction.**

16

1 A tribunal of this state exercising personal jurisdiction
2 over a nonresident in a proceeding under this act, under
3 other law of this state relating to a support order, or
4 recognizing a support order of a foreign country or
5 political subdivision on the basis of comity may receive
6 evidence from another state pursuant to W.S. 20-4-166,
7 communicate with a tribunal of another state pursuant to
8 W.S. 20-4-167, and obtain discovery through a tribunal of
9 another state pursuant to W.S. 20-4-168. In all other
10 respects, W.S. 20-4-151 through 20-4-185 do not apply and
11 the tribunal shall apply the procedural and substantive law
12 of this state.

13

14 **20-4-196. Continuing exclusive jurisdiction to modify**
15 **spousal support order.**

16

17 (a) A tribunal of this state issuing a spousal
18 support order consistent with the law of this state has
19 continuing, exclusive jurisdiction to modify the spousal
20 support order throughout the existence of the support
21 obligation.

22

23 (b) A tribunal of this state may not modify a spousal
24 support order issued by a tribunal of another state having

1 continuing, exclusive jurisdiction over that order under
2 the law of that state.

3

4 (c) A tribunal of this state that has continuing,
5 exclusive jurisdiction over a spousal support order may
6 serve as:

7

8 (i) An initiating tribunal to request a tribunal
9 of another state to enforce the spousal support order
10 issued in this state; or

11

12 (ii) A responding tribunal to enforce or modify
13 its own spousal support order.

14

15 **20-4-197. Jurisdiction to modify child support order**
16 **of foreign country or political subdivision.**

17

18 (a) If a foreign country or political subdivision
19 that is a state will not or may not modify its order
20 pursuant to its laws, a tribunal of this state may assume
21 jurisdiction to modify the child support order and bind all
22 individuals subject to the personal jurisdiction of the
23 tribunal whether or not the consent to modification of a
24 child support order otherwise required of the individual

1 pursuant to W.S. 20-4-183 has been given or whether the
2 individual seeking modification is a resident of this state
3 or of the foreign country or political subdivision.

4

5 (b) An order issued pursuant to this section is the
6 controlling order.

7

8 **Section 2.** W.S. 20-4-140(a)(vii), (xv), (xviii)(B),
9 (xix)(C), (D), by creating a new subparagraph (E), (xx),
10 (xxii) and by creating new paragraphs (xxv) and (xxvi),
11 20-4-141, 20-4-142(a)(intro) and by creating a new
12 subsection (b), 20-4-143, 20-4-146(a), (b), (d) and by
13 creating a new subsection (g), 20-4-147(a) and (b),
14 20-4-148(b)(intro), (ii), (iii), (c) through (f) and by
15 creating new subsections (g) and (h), 20-4-149, 20-4-150,
16 20-4-151(c), 20-4-153, 20-4-154(a)(intro) and (b),
17 20-4-155(b)(intro), (i) and by creating a new subsection
18 (f), 20-4-156, 20-4-157(b)(intro), (iv), (v) and by
19 creating new subsections (d) through (f), 20-4-158,
20 20-4-160(b)(ii) and (iii), 20-4-161(a), 20-4-162,
21 20-4-164(a), 20-4-166(a), (b), (e), (f) and by creating a
22 new subsection (k), 20-4-167, 20-4-169, 20-4-170(b),
23 20-4-171(a), (e)(intro), (ii) and (g), 20-4-172(a),
24 20-4-173, 20-4-174(a)(intro), (ii), (iii), (v) and by

1 creating new subsections (d) and (e), 20-4-176,
2 20-4-177(b)(intro), by creating a new subsection (c) and by
3 renumbering (c) as (d), 20-4-179(a)(vi), (vii) and by
4 creating a new paragraph (viii), 20-4-182,
5 20-4-183(a)(intro), (ii)(A), by creating a new paragraph
6 (iii), (c), by creating a new subsection (d) and by
7 amending and renumbering (d) as (e), 20-4-184(a)(intro),
8 (i), (iii) and (iv), 20-4-185(a), 20-4-186(b)(ii),
9 20-4-187(b), 20-4-188 and 20-4-192(a), (b)(ii) and (iii)
10 are amended to read:

11

12 **20-4-140. Definitions.**

13

14 (a) As used in this act:

15

16 (vii) "Initiating state" means a state from
17 which a proceeding is filed for forwarding to a responding
18 state under the Uniform Interstate Family Support Act or a
19 law or procedure substantially similar to this act; ~~the~~
20 ~~Uniform Reciprocal Enforcement of Support Act, or the~~
21 ~~Revised Uniform Reciprocal Enforcement of Support Act;~~

22

23 (xv) "Responding state" means a state in which a
24 proceeding is filed or to which a proceeding is forwarded

1 for filing from an initiating state under the Uniform
2 Interstate Family Support Act or a law or procedure
3 substantially similar to this act;~~;~~ ~~the Uniform Reciprocal~~
4 ~~Enforcement of Support Act, or the Revised Uniform~~
5 ~~Reciprocal Enforcement of Support Act;~~

6
7 (xviii) "State" means a state of the United
8 States, the District of Columbia, the United States Virgin
9 Islands, or any territory or insular possession subject to
10 the jurisdiction of the United States. The term includes:

11
12 (B) A foreign ~~jurisdiction~~ country or
13 political subdivision that:

14
15 (I) Has been declared to be a foreign
16 reciprocating country or political subdivision under
17 federal law;

18
19 (II) Has established a reciprocal
20 arrangement for child support with this state as provided
21 in W.S. 20-4-158.

22
23 (III) Has enacted a law or established
24 procedures for issuance and enforcement of support orders

1 which are substantially similar to the procedures under
2 this act. ~~the Uniform Reciprocal Enforcement of Support~~
3 ~~Act, or the Revised Uniform Reciprocal Enforcement of~~
4 ~~Support Act.~~

5

6 (xix) "Support enforcement agency" means a
7 public official or agency authorized to seek:

8

9 (C) Determination of parentage; ~~or~~

10

11 (D) ~~To locate~~ Location of obligors or their
12 assets; ~~or~~ or

13

14 (E) Determination of the controlling child
15 support order.

16

17 (xx) "Support order" means a judgment, decree,
18 ~~or~~ order or directive, whether temporary, final, or subject
19 to modification, issued by a tribunal for the benefit of a
20 child, a spouse, or a former spouse, which provides for
21 monetary support, health care, arrearages or reimbursement,
22 and may include related costs and fees, interest, income
23 withholding, attorney's fees, and other relief;

24

1 (xxii) "This act" means W.S. 20-4-139 through
2 ~~20-4-194~~ 20-4-197;

3

4 (xxv) "Person" means an individual, corporation,
5 business trust, estate, trust, partnership, limited
6 liability company, association, joint venture, government,
7 governmental subdivision, agency, or instrumentality,
8 public corporation or any other legal or commercial entity;

9

10 (xxvi) "Record" means information that is
11 inscribed on a tangible medium or that is stored in an
12 electronic or other medium and is retrievable in a
13 perceivable form.

14

15 **20-4-141. Remedies cumulative.**

16

17 (a) Remedies provided by the Uniform Interstate
18 Family Support Act are cumulative and do not affect the
19 availability of remedies under other law, including the
20 recognition of a support order of a foreign country or
21 political subdivision on the basis of comity.

22

23 (b) This act does not:

24

1 (i) Provide the exclusive method of establishing
2 or enforcing a support order under the law of this state;
3 or

4
5 (ii) Grant a tribunal of this state jurisdiction
6 to render judgment or issue an order relating to child
7 custody or visitation under this act.

8
9 **20-4-142. Basis for jurisdiction over nonresident.**

10
11 (a) In a proceeding to establish, or enforce, ~~or~~
12 ~~modify~~ a support order or to determine parentage, a
13 tribunal of this state may exercise personal jurisdiction
14 over a nonresident individual or the individual's guardian
15 or conservator if:

16
17 (b) The bases of personal jurisdiction set forth in
18 subsection (a) of this section or in any other law of this
19 state may not be used to acquire personal jurisdiction for
20 a tribunal of the state to modify a child support order of
21 another state unless the requirements of W.S. 20-4-183 or
22 20-4-197 are met.

23

1 **20-4-143. Procedure when exercising jurisdiction over**
2 **nonresident.**

3
4 Personal jurisdiction acquired by a tribunal of this state
5 ~~exercising personal jurisdiction over a nonresident under~~
6 ~~W.S. 20-4-142 may apply to receive evidence from another~~
7 ~~state under W.S. 20-4-166 and to obtain discovery through a~~
8 ~~tribunal of another state under W.S. 20-4-168. In all other~~
9 ~~respects, W.S. 20-4-151 through 20-4-179 do not apply and~~
10 ~~the tribunal shall apply the procedural and substantive law~~
11 ~~of this state, including the rules on choice of law other~~
12 ~~than those established by the Uniform Interstate Family~~
13 ~~Support Act~~ in a proceeding under this act or other law of
14 this state relating to a support order continues as long as
15 a tribunal of this state has continuing, exclusive
16 jurisdiction to modify its order or continuing jurisdiction
17 to enforce its order as provided by W.S. 20-4-146, 20-4-147
18 and 20-4-196.

19
20 **20-4-146. Continuing exclusive jurisdiction.**

21
22 (a) A tribunal of this state ~~issuing~~ that has issued
23 a child support order consistent with the law of this state
24 has, and shall exercise, continuing, exclusive jurisdiction

1 ~~ever a~~ to modify its child support order if the order is
2 the controlling order and:

3
4 (i) ~~As long as~~ At the time of filing of a
5 request for modification, this state ~~remains~~ is the
6 residence of the obligor, the individual obligee or the
7 child for whose benefit the support order is issued; or

8
9 (ii) ~~Until all of the parties who are~~
10 ~~individuals have filed written consents with~~ Even if this
11 state is not the residence of the obligor, the individual
12 obligee or the child for whose benefit the support order is
13 issued, the parties consent in a record or in open court
14 that the tribunal of this state ~~for a tribunal of another~~
15 ~~state to modify the order and assume continuing, exclusive~~
16 may continue to exercise jurisdiction to modify its order.

17
18 (b) A tribunal of this state ~~issuing that has issued~~
19 a child support order consistent with the law of this state
20 may not exercise ~~its~~ continuing, exclusive jurisdiction to
21 modify the order if: ~~the order has been modified by a~~
22 ~~tribunal of another state pursuant to a law substantially~~
23 ~~similar to the Uniform Interstate Family Support Act.~~

24

1 (i) All the parties who are individuals file
2 consent in a record with the tribunal of this state that a
3 tribunal of another state that has jurisdiction over at
4 least one (1) of the parties, who is an individual or that
5 is located in the state of residence of the child, may
6 modify the order and assume continuing, exclusive
7 jurisdiction; or

8
9 (ii) Its order is not the controlling order.

10
11 ~~(d) A tribunal of this state shall recognize the~~
12 ~~continuing, exclusive jurisdiction of~~ If a tribunal of
13 another state ~~which~~ has issued a child support order
14 pursuant to ~~this act~~ the Uniform Interstate Family Support
15 Act or a law substantially similar to ~~this~~ that act which
16 modifies a child support order of a tribunal of this state,
17 tribunals of this state shall recognize the continuing,
18 exclusive jurisdiction of the tribunal of the other state.

19
20 (g) A tribunal of this state that lacks continuing,
21 exclusive jurisdiction to modify a child support order may
22 serve as an initiating tribunal of another state to modify
23 a support order issued in that state.

24

1 **20-4-147. Continuing jurisdiction to enforce a child**
2 **support order.**

3
4 (a) A tribunal of this state that has issued a child
5 support order consistent with the law of this state may
6 serve as an initiating tribunal to request a tribunal of
7 another state to enforce ~~;~~ ~~or modify a support order issued~~
8 ~~in that state.~~

9
10 (i) The order if the order is the controlling
11 order and has not been modified by a tribunal of another
12 state that assumed jurisdiction pursuant to the Uniform
13 Interstate Family Support Act; or

14
15 (ii) A money judgment for arrearages of support
16 and interest on the order accrued before a determination
17 that an order of another state is the controlling order.

18
19 (b) A tribunal of this state having continuing~~,~~
20 ~~exclusive~~ jurisdiction over a support order may act as a
21 responding tribunal to enforce ~~or modify~~ the order. ~~If a~~
22 ~~party subject to the continuing, exclusive jurisdiction of~~
23 ~~the tribunal no longer resides in the issuing state, in~~
24 ~~subsequent proceedings the tribunal may apply to receive~~

1 ~~evidence from another state under W.S. 20-4-166 and to~~
2 ~~obtain discovery through a tribunal of another state under~~
3 ~~W.S. 20-4-168.~~

4
5 **20-4-148. Determination of controlling child support**
6 **orders.**

7
8 (b) If a proceeding is brought under this act, and
9 two (2) or more child support orders have been issued by
10 tribunals of this state or another state with regard to the
11 same obligor and same child, a tribunal of this state
12 having personal jurisdiction over both the obligor and
13 individual obligee shall apply the following rules ~~in~~
14 determining and by order shall determine which order ~~to~~
15 ~~recognize for purposes of continuing, exclusive~~
16 ~~jurisdiction~~ controls:

17
18 (ii) If more than one (1) of the tribunals would
19 have continuing, exclusive jurisdiction under this act: r

20
21 (A) An order issued by a tribunal in the
22 current home state of the child controls; ~~and shall be so~~
23 ~~recognized,~~ but

24

1 (B) If an order has not been issued in the
2 current home state of the child, the order most recently
3 issued controls. ~~and shall be so recognized;~~

4
5 (iii) If none of the tribunals would have
6 continuing, exclusive jurisdiction under this act, the
7 tribunal of this state ~~having jurisdiction over the parties~~
8 shall issue a child support order, which controls. ~~and~~
9 ~~shall be so recognized.~~

10
11 (c) If two (2) or more child support orders have been
12 issued for the same obligor and same child, ~~and if the~~
13 ~~obligor or the individual obligee resides in this state,~~
14 upon request of a party ~~may request who is an individual or~~
15 a support enforcement agency, a tribunal of this state ~~to~~
16 having personal jurisdiction over both the obligor and the
17 obligee who is an individual shall determine which order
18 controls ~~and shall be so recognized~~ under subsection (b) of
19 this section. This request ~~shall be accompanied by a~~
20 ~~certified copy of every support order in effect. The~~
21 ~~requesting party shall give notice of the request to each~~
22 ~~party whose rights may be affected by the determination~~ may
23 be filed with a registration for enforcement or
24 registration for modification pursuant to W.S. 20-4-173

1 through 20-4-184, 20-4-193, 20-4-194 and 20-4-197, or may
2 be filed as a separate proceeding.

3

4 (d) The tribunal that issued the controlling order
5 under subsection (a), (b) or (c) of this section ~~is the~~
6 ~~tribunal that~~ has continuing, ~~exclusive~~ jurisdiction ~~under~~
7 to the extent provided in W.S. 20-4-146 or 20-4-147.

8

9 (e) A tribunal of this state ~~which that~~ determines by
10 order ~~the identity of which is~~ which is the controlling order under
11 paragraph (b) (i) or (ii) or subsection (c) of this section
12 or ~~which that~~ issues a new controlling order under
13 paragraph (b) (iii) of this section shall state in that
14 order:

15

16 (i) The basis upon which the tribunal made its
17 determination;

18

19 (ii) The amount of prospective support, if any;
20 and

21

22 (iii) The total amount of consolidated
23 arrearages and accrued interest, if any, under all of the

1 orders after all payments made are credited as provided by
2 20-4-150.

3

4 (f) Within thirty (30) days after issuance of an
5 order determining ~~the identity of~~ which is the controlling
6 order, the party obtaining the order shall file a certified
7 copy of the order ~~with~~ in each tribunal that issued or
8 registered an earlier order of child support. A party ~~who~~
9 ~~obtains~~ or support enforcement agency obtaining the order
10 ~~and~~ that fails to file a certified copy is subject to
11 appropriate sanctions by a tribunal in which the issue of
12 failure to file arises. The failure to file does not affect
13 the validity or enforceability of the controlling order.

14

15 (g) A request to determine which is the controlling
16 order shall be accompanied by a copy of every child support
17 order in effect and the applicable record of payments. The
18 requesting party shall give notice of the request to each
19 party whose rights may be affected by the determination.

20

21 (h) An order that has been determined to be the
22 controlling order, or a judgment for consolidated
23 arrearages of support and interest, if any, made pursuant

1 to this section shall be recognized in proceedings under
2 this act.

3

4 **20-4-149. Child support orders for two or more**
5 **obligees.**

6

7 In responding to ~~multiple~~ registrations or petitions for
8 enforcement of two (2) or more child support orders in
9 effect at the same time with regard to the same obligor and
10 different individual obligees, at least one (1) of which
11 was issued by a tribunal of another state, a tribunal of
12 this state shall enforce those orders in the same manner as
13 if the multiple orders had been issued by a tribunal of
14 this state.

15

16 **20-4-150. Credit for payments.**

17

18 ~~Amounts~~ A tribunal of this state shall credit amounts
19 collected ~~and credited~~ for a particular period pursuant to
20 a any child support order against the amounts owed for the
21 same period under any other child support order for support
22 of the same child issued by a tribunal of this or another
23 state. ~~shall be credited against the amounts accruing or~~

1 ~~accrued for the same period under a support order issued by~~
2 ~~the tribunal of this state.~~

3
4 **20-4-151. Proceedings under the Uniform Interstate**
5 **Family Support Act.**

6
7 (c) An individual petitioner or a support enforcement
8 agency may ~~commence~~ initiate a proceeding authorized under
9 the act by filing a petition in an initiating tribunal for
10 forwarding to a responding tribunal or by filing a petition
11 or a comparable pleading directly in a tribunal of another
12 state which has or can obtain personal jurisdiction over
13 the respondent.

14
15 **20-4-153. Application of law of this state.**

16
17 (a) Except as otherwise provided ~~by the Uniform~~
18 ~~Interstate Family Support Act~~ in this act, a responding
19 tribunal of this state shall:

20
21 (i) ~~Shall~~ Apply the procedural and substantive
22 law, ~~including the rules on choice of law,~~ generally
23 applicable to similar proceedings originating in this state

1 and may exercise all powers and provide all remedies
2 available in those proceedings; and

3

4 (ii) ~~Shall~~ Determine the duty of support and the
5 amount payable in accordance with the presumptive child
6 support established under W.S. 20-2-304.

7

8 **20-4-154. Duties of initiating tribunal.**

9

10 (a) Upon the filing of a petition authorized by ~~the~~
11 ~~Uniform Interstate Family Support Act~~ this act, an
12 initiating tribunal of this state shall forward ~~three (3)~~
13 ~~copies of~~ the petition and its accompanying documents:

14

15 (b) If ~~a responding state has not enacted this act or~~
16 ~~a law or procedure substantially similar to this act,~~
17 requested by the responding tribunal, a tribunal of this
18 state ~~may~~ shall issue a certificate or other document and
19 make findings required by the law of the responding state.
20 If the responding state is a foreign ~~jurisdiction~~ country
21 or political subdivision, upon request the tribunal ~~may~~
22 shall specify the amount of support sought, convert that
23 amount into the equivalent amount in the foreign currency
24 under applicable official or market exchange rate as

1 publicly reported and provide any other documents necessary
2 to satisfy the requirements of the responding state.

3

4 **20-4-155. Duties and power of responding tribunal.**

5

6 (b) A responding tribunal of this state, to the
7 extent ~~otherwise authorized~~ not prohibited by other law,
8 may do one (1) or more of the following:

9

10 (i) Issue or enforce a support order, modify a
11 child support order, determine the controlling child
12 support order or ~~render a judgment to~~ determine parentage;

13

14 (f) If requested to enforce a support order,
15 arrearages or judgment, or modify a support order stated in
16 a foreign currency, a tribunal of this state shall convert
17 the amount stated in the foreign currency to the equivalent
18 amount in dollars under the applicable official or market
19 exchange rate as publicly reported.

20

21 **20-4-156. Inappropriate tribunal.**

22

23 If a petition or comparable pleading is received by an
24 inappropriate tribunal of this state, ~~it~~ the tribunal shall

1 forward the pleading and accompanying document to an
2 appropriate tribunal in this state or another state and
3 notify the petitioner where and when the pleading was sent.
4

5 **20-4-157. Duties of support enforcement agency.**

6
7 (b) A support enforcement agency of this state that
8 is providing services to the petitioner ~~as appropriate~~
9 shall:
10

11 (iv) Within five (5) days, exclusive of
12 Saturdays, Sundays and legal holidays, after receipt of a
13 written notice in a record from an initiating, responding
14 or registering tribunal, send a copy of the notice to the
15 petitioner;
16

17 (v) Within five (5) days, exclusive of
18 Saturdays, Sundays and legal holidays, after receipt of a
19 written communication in a record from the respondent or
20 the respondent's attorney, send a copy of the communication
21 to the petitioner; and
22

23 (d) A support enforcement agency of this state that
24 requests registration of a child support order in this

1 state for enforcement or for modification shall make
2 reasonable efforts:

3
4 (i) To ensure that the order to be registered is
5 the controlling order; or

6
7 (ii) If two (2) or more child support orders
8 exist and the identity of the controlling order has not
9 been determined, to ensure that a request for a
10 determination is made in a tribunal having jurisdiction to
11 do so.

12
13 (e) A support enforcement agency of this state that
14 requests registration and enforcement of a support order,
15 arrearages or judgment stated in a foreign currency shall
16 convert the amounts stated in the foreign currency into the
17 equivalent amounts in dollars under the applicable official
18 or market exchange rate as publicly reported.

19
20 (f) A support enforcement agency of this state shall
21 request a tribunal of this state to issue a child support
22 order and an income withholding order that redirect payment
23 of current support, arrearages and interest if requested to

1 do so by a support enforcement agency of another state
2 pursuant to W.S. 20-4-169.

3
4 **20-4-158. Duty of attorney general.**

5
6 (a) If the state attorney general determines that the
7 support enforcement agency is neglecting or refusing to
8 provide services to an individual, the attorney general may
9 order the agency to perform its duties under this act or
10 may provide those services directly to the individual.

11
12 (b) The attorney general may determine that a foreign
13 country or political subdivision has established a
14 reciprocal arrangement for child support with this state
15 and take appropriate action for notification of the
16 determination.

17
18 **20-4-160. Duties of state information agency.**

19
20 (b) The state information agency shall:

21
22 (ii) Maintain a register of names and addresses
23 of tribunals and support enforcement agencies received from
24 other states;

1

2

3

4

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20-4-161. Pleadings and accompanying documents.

11

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24

(iii) Forward to the appropriate tribunal in the ~~place~~ county in this state in which the ~~individual~~ obligee who is an individual or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under this act received from an initiating tribunal or the state information agency of the initiating state; and

(a) In a proceeding under this act, a petitioner seeking to establish ~~or modify~~ a support order, ~~or~~ to determine parentage ~~in a proceeding under this act~~ or to register and modify a support order of another state shall ~~verify the~~ file a petition. Unless otherwise ordered under W.S. 20-4-162, the petition or accompanying document shall provide, so far as known, the name, residential address and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number and date of birth of each child for ~~whom~~ whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition shall be

1 accompanied by a ~~certified~~ copy of any support order ~~in~~
2 ~~effect~~ known to have been issued by another tribunal. The
3 petition or accompanying documents may include any other
4 information that may assist in locating or identifying the
5 respondent.

6
7 **20-4-162. Nondisclosure of information in exceptional**
8 **circumstances.**

9
10 ~~Upon a finding, which may be made ex parte,~~ If a party
11 alleges in an affidavit or a pleading under oath that the
12 health, safety or liberty of a party or child would be
13 ~~unreasonably put at risk~~ jeopardized by ~~the~~ disclosure of
14 specific identifying information, ~~or if an existing order~~
15 ~~so provides, a tribunal shall order that the address of the~~
16 ~~child or party or other identifying~~ that information shall
17 be sealed and may not be disclosed ~~in a pleading or other~~
18 ~~document filed in a proceeding under this act~~ to the other
19 party or the public. After a hearing in which a tribunal
20 takes into consideration the health, safety or liberty of
21 the party or child, the tribunal may order disclosure of
22 information that the tribunal determines to be in the
23 interest of justice.

24

1 **20-4-164. Limited immunity of petitioner.**

2

3 (a) Participation by a petitioner in a proceeding
4 under this act before a responding tribunal, whether in
5 person, by private attorney, or through services provided
6 by the support enforcement agency, does not confer personal
7 jurisdiction over the petitioner in another proceeding.

8

9 **20-4-166. Special rules of evidence and procedure.**

10

11 (a) The physical presence of ~~the petitioner~~ a
12 nonresident party who is an individual in a responding
13 tribunal of this state is not required for the
14 establishment, enforcement or modification of a support
15 order or the rendition of a judgment determining parentage.

16

17 (b) ~~A verified petition,~~ An affidavit, a document
18 substantially complying with federally mandated forms and
19 or a document incorporated by reference in any of them,
20 which would not be excluded under the hearsay rule if given
21 in person, is admissible in evidence if given under ~~oath~~
22 penalty of perjury or false swearing by a party or witness
23 residing in another state.

24

1 (e) Documentary evidence transmitted from another
2 state to a tribunal of this state by telephone, telecopier,
3 or other means that do not provide an original ~~writing~~
4 record may not be excluded from evidence on an objection
5 based on the means of transmission.

6
7 (f) In a proceeding under this act, a tribunal of
8 this state ~~may~~ shall permit a party or witness residing in
9 another state to be deposed or to testify by telephone,
10 audiovisual means or other electronic means at a designated
11 tribunal or other location in that state. A tribunal of
12 this state shall cooperate with tribunals of other states
13 in designating an appropriate location for the deposition
14 or testimony.

15
16 (k) A voluntary acknowledgment of paternity,
17 certified as a true copy, is admissible to establish
18 parentage of the child.

19

20 **20-4-167. Communications between tribunals.**

21

22 A tribunal of this state may communicate with a tribunal of
23 another state or foreign country or political subdivision
24 in ~~writing~~ a record, or by telephone or other means, to

1 obtain information concerning the laws, ~~of that state,~~ the
2 legal affect of a judgment, decree or order of that
3 tribunal, and the status of a proceeding in the other state
4 or foreign country or political subdivision. A tribunal of
5 this state may furnish similar information by similar means
6 to a tribunal of another state or foreign country or
7 political subdivision.

8
9 **20-4-169. Receipt and disbursement of payments.**

10
11 (a) A support enforcement agency or tribunal of this
12 state shall disburse promptly any amounts received pursuant
13 to a support order, as directed by the order. The agency
14 or tribunal shall furnish to a requesting party or tribunal
15 of another state a certified statement by the custodian of
16 the record of the amounts and dates of all payments
17 received.

18
19 (b) If neither the obligor, nor the obligee who is an
20 individual, nor the child resides in this state, upon
21 request from the support enforcement agency of this state
22 or another state, a tribunal of this state shall:

23

1 (i) Direct that the support payment be made to
2 the support enforcement agency in the state in which the
3 obligee is receiving services; and

4
5 (ii) Issue and send to the obligor's employer a
6 conforming income withholding order or an administrative
7 notice of change of payee, reflecting the redirected
8 payments.

9
10 (c) The support enforcement agency of this state
11 receiving redirected payments from another state pursuant
12 to a law similar to subsection (b) of this section shall
13 furnish to a requesting party or tribunal of the other
14 state a certified statement by the custodian of the record
15 of the amount and dates of all payments received.

16
17 **20-4-170. Petition to establish support order.**

18
19 (b) The tribunal may issue a temporary child support
20 order if the tribunal determines that the order is
21 appropriate and the individual ordered to pay is:

22

1 ~~The respondent has signed a verified~~
2 ~~statement acknowledging parentage~~ A presumed father of the
3 child;

4
5 ~~The respondent has been determined by or~~
6 ~~pursuant to law to be the parent~~ Petitioning to have his
7 paternity adjudicated; ~~or~~

8
9 ~~There is other clear and convincing~~
10 ~~evidence that the respondent is the child's parent.~~
11 Identified as the father of the child through genetic
12 testing;

13
14 (iv) An alleged father who has declined to
15 submit to genetic testing;

16
17 (v) Shown by clear and convincing evidence to be
18 the father of the child;

19
20 (vi) An acknowledged father as provided by W.S.
21 14-2-601 et seq.;

22
23 (vii) The mother of the child; or

24

1 (viii) An individual who has been ordered to pay
2 child support in a previous proceeding and the order has
3 not been reversed or vacated.

4
5 **20-4-171. Employer's receipt of income withholding**
6 **order of another state; employer's compliance with income**
7 **withholding order of another state; compliance with**
8 **multiple income withholding orders.**

9
10 (a) An income withholding order issued in another
11 state may be sent by or on behalf of the obligee, or by the
12 support enforcement agency to the person ~~or entity~~ defined
13 as the obligor's employer under W.S. 20-6-201 through
14 20-6-222 without first filing a petition or comparable
15 pleading or registering the order with a tribunal of this
16 state.

17
18 (e) Except as otherwise provided in subsections (f)
19 and (g) of this section, the employer shall withhold and
20 distribute the funds as directed in the withholding order
21 by complying with terms of the order which specify:

22

1 (ii) The person ~~or agency~~ designated to receive
2 payments and the address to which the payments are to be
3 forwarded;

4
5 (g) If an obligor's employer receives ~~multiple~~two
6 (2) or more income withholding orders with respect to the
7 earnings of the same obligor, the employer satisfies the
8 terms of the ~~multiple~~ orders if the employer complies with
9 the law of the state of the obligor's principal place of
10 employment to establish the priorities for withholding and
11 allocating income withheld for ~~multiple~~two (2) or more
12 child support obligees.

13
14 **20-4-172. Administrative enforcement of orders.**

15
16 (a) A party or support enforcement agency seeking to
17 enforce a support order or an income withholding order, or
18 both, issued by a tribunal of another state may send the
19 documents required for registering the order to a support
20 enforcement agency of this state.

21
22 **20-4-173. Registration of order for enforcement.**

23

1 A support order or ~~an~~ income withholding order issued by a
2 tribunal of another state may be registered in this state
3 for enforcement.

4

5 **20-4-174. Procedure to register order for**
6 **enforcement.**

7

8 (a) A support order or an income withholding order of
9 another state may be registered in this state by sending
10 the following ~~documents~~ records and information to the
11 appropriate tribunal in this state:

12

13 (ii) Two (2) copies, including one (1) certified
14 copy, of ~~all orders~~ the order to be registered, including
15 any modification of ~~an~~ the order;

16

17 (iii) A sworn statement by the ~~party seeking~~
18 person requesting registration or a certified statement by
19 the custodian of the records showing the amount of any
20 arrearage;

21

22 (v) Except as otherwise provided in W.S.
23 20-4-162, the name and address of the obligee and, if

1 applicable, the ~~agency or~~ person to whom support payments
2 are to be remitted.

3

4 (d) If two (2) or more orders are in effect, the
5 person requesting registration shall:

6

7 (i) Furnish to the tribunal a copy of every
8 support order asserted to be in effect in addition to the
9 documents specified in this section;

10

11 (ii) Specify the order alleged to be the
12 controlling order, if any; and

13

14 (iii) Specify the amount of consolidated
15 arrearages, if any.

16

17 (e) A request for a determination of which is the
18 controlling order may be filed separately or with a request
19 for registration and enforcement or for registration and
20 modification. The person requesting registration shall give
21 notice of the request to each party whose rights may be
22 affected by the determination.

23

24 **20-4-176. Choice of law.**

1

2 (a) Except as otherwise provided in subsection (d) of
3 this section, the law of the issuing state governs:

4

5 (i) The nature, extent, amount and duration of
6 current payments ~~and other obligations of support and~~ under
7 a registered support order;

8

9 (ii) The computation and payment of arrearages
10 and accrual of interest on the arrearages under the support
11 order; ~~and~~ and

12

13 (iii) The existence and satisfaction of other
14 obligations under the support order.

15

16 (b) In a proceeding for arrearages under a registered
17 support order, the statute of limitation ~~under the laws~~ of
18 this state or of the issuing state, whichever is longer,
19 applies.

20

21 (c) A responding tribunal of this state shall apply
22 the procedures and remedies of this state to enforce
23 current support and collect arrearages and interest due on
24 a support order of another state registered in this state.

1 (d) After a tribunal of this or another state
2 determines which is the controlling order and issues an
3 order consolidating arrearages, if any, a tribunal of this
4 state shall prospectively apply the law of the state
5 issuing the controlling order, including its law on
6 interest on arrearages, on current and future support, and
7 on consolidated arrearages.

8
9 **20-4-177. Notice of registration of order.**

10
11 (b) ~~The~~A notice shall inform the nonregistering
12 party:

13
14 (c) If the registering party asserts that two (2) or
15 more orders are in effect, a notice shall also:

16
17 (i) Identify the two (2) or more orders and the
18 order alleged by the registering person to be the
19 controlling order and the consolidated arrearages, if any;

20
21 (ii) Notify the nonregistering party of the
22 right to a determination of which is the controlling order;

23

1 (iii) State that the procedures provided in
2 subsection (b) of this section apply to the determination
3 of which is the controlling order; and

4
5 (iv) State that failure to contest the validity
6 or enforcement of the order alleged to be the controlling
7 order in a timely manner may result in confirmation that
8 the order is the controlling order.

9
10 ~~(e)~~ (d) Upon registration of an income withholding
11 order for enforcement, the registering tribunal shall
12 notify the obligor's employer pursuant to W.S. 20-6-201
13 through 20-6-222.

14
15 **20-4-179. Contest of registration or enforcement.**

16
17 (a) A party contesting the validity or enforcement of
18 a registered order or seeking to vacate the registration
19 has the burden of proving one (1) or more of the following
20 defenses:

21
22 (vi) Full or partial payment has been made; ~~or~~

23

1 (vii) The statute of limitations under W.S.
2 20-4-176 precludes enforcement of some or all of the
3 arrearages; ~~or~~ or

4
5 (viii) The alleged controlling order is not the
6 controlling order.

7
8 **20-4-182. Effect of registration for modification.**

9
10 A tribunal of this state may enforce a child support order
11 of another state registered for purposes of modification,
12 in the same manner as if the order had been issued by a
13 tribunal of this state, but the registered order may be
14 modified only if the requirements of W.S. 20-4-183,
15 20-4-193 or 20-4-197 have been met.

16
17 **20-4-183. Modification of child support order of**
18 **another state.**

19
20 (a) ~~After~~ If W.S. 20-4-193 does not apply, except as
21 otherwise provided in W.S. 20-4-197, upon petition a
22 tribunal of this state may modify a child support order
23 issued in another state ~~has been~~ which is registered in
24 this state, ~~the responding tribunal of this state may~~

1 ~~modify that order only if W.S. 20-4-193 does not apply and~~
2 if, after notice and hearing, ~~it~~ the tribunal finds that
3 either of the following paragraphs apply:

4
5 (ii) The following requirements are met:

6
7 (A) Neither the child, the individual
8 obligee who is an individual ~~and nor~~ the obligor ~~do not~~
9 ~~reside~~ resides in the issuing state;

10
11 (iii) This state is the state of residence of
12 the child, or a party who is an individual is subject to
13 the personal jurisdiction of the tribunal of this state and
14 all of the parties who are individuals have filed consents
15 in a record in the issuing tribunal for a tribunal of this
16 state to modify the support order and assume continuing,
17 exclusive jurisdiction.

18
19 (c) Except as otherwise provided in W.S. 20-4-197, a
20 tribunal of this state may not modify any aspect of a child
21 support order that may not be modified under the law of the
22 issuing state. If two (2) or more tribunals have issued
23 child support orders for the same obligor and same child,
24 the order that controls and shall be so recognized under

1 W.S. 20-4-148 establishes the aspects of the support order
2 which are nonmodifiable.

3

4 (d) In a proceeding to modify a child support order,
5 the law of the state that is determined to have issued the
6 initial controlling order governs the duration of the
7 obligation of support. The obligor's fulfillment of the
8 duty of support established by that order precludes
9 imposition of a further obligation of support by a tribunal
10 of this state.

11

12 ~~(d)~~(e) On issuance of an order by a tribunal of this
13 state modifying a child support order issued in another
14 state, ~~a~~the tribunal of this state becomes the tribunal
15 having continuing, exclusive jurisdiction.

16

17 **20-4-184. Recognition of order modified in another**
18 **state.**

19

20 (a) If a child support order issued by a tribunal of
21 this state ~~shall recognize a modification of its earlier~~
22 ~~child support order~~ is modified by a tribunal of another
23 state which assumed jurisdiction pursuant to ~~this act or a~~
24 ~~law substantially similar to~~ the Uniform Interstate Family

1 Support Act, ~~and, upon request, except as otherwise~~
2 ~~provided in this act, shall~~ a tribunal of this state:

3
4 (i) May enforce ~~the its~~ order that was modified
5 only as to ~~amounts~~ arrearages and interest accruing before
6 the modification;

7
8 (iii) May provide ~~other~~ appropriate relief ~~only~~
9 for violations of ~~that its~~ order which occurred before the
10 effective date of the modification; and

11
12 (iv) Shall recognize the modifying order of the
13 other state, upon registration, for the purpose of
14 enforcement.

15
16 **20-4-185. Proceeding to determine parentage.**

17
18 (a) A ~~tribunal~~ court of this state authorized to
19 determine parentage of a child may serve as ~~an initiating~~
20 ~~or a~~ responding tribunal in a proceeding to determine
21 parentage brought under the Uniform Interstate Family
22 Support Act or a law or procedure substantially similar to
23 this act, ~~the Uniform Reciprocal Enforcement of Support~~
24 ~~Act or the Revised Uniform Reciprocal Enforcement of~~

1 ~~Support Act to determine that the petitioner is a parent of~~
2 ~~a particular child or to determine that a respondent is a~~
3 ~~parent of that child.~~

4
5 **20-4-186. Grounds for rendition.**

6
7 (b) The governor of this state may:

8
9 (ii) On the demand ~~by~~of the governor of another
10 state surrender an individual found in this state who is
11 charged criminally in the other state with having failed to
12 provide for the support of an obligee.

13
14 **20-4-187. Conditions of rendition.**

15
16 (b) If, under the Uniform Interstate Family Support
17 Act or a law substantially similar to this act, ~~the Uniform~~
18 ~~Reciprocal Enforcement of Support Act or the Revised~~
19 ~~Uniform Reciprocal Enforcement of Support Act,~~ the governor
20 of another state makes a demand that the governor of this
21 state surrender an individual charged criminally in that
22 state with having failed to provide for the support of a
23 child or other individual to whom a duty of support is
24 owed, the governor may require a prosecutor to investigate

1 the demand and report whether a proceeding for support has
2 been initiated or would be effective. If it appears that a
3 proceeding would be effective but has not been initiated,
4 the governor may delay honoring the demand for a reasonable
5 time to permit the initiation of a proceeding.

6
7 **20-4-188. Uniformity of application and construction.**

8
9 ~~The Uniform Interstate Family Support Act shall be applied~~
10 ~~and construed to effectuate its general purpose to make~~
11 ~~uniform~~ In applying and construing this act, consideration
12 shall be given to the need to promote uniformity of the law
13 with respect to ~~the~~ its subject ~~of this act~~ matter among
14 states ~~enacting~~ that enact it.

15
16 **20-4-192. Contest by obligor.**

17
18 (a) An obligor may contest the validity or
19 enforcement of an income withholding order issued in
20 another state and received directly by an employer in this
21 state by registering the order in a tribunal of this state
22 and filing a contest to that order as provided in
23 W.S.20-4-173 through 20-4-197, or otherwise contesting the
24 order in the same manner as if the order had been issued by

1 a tribunal of this state. ~~W.S. 20-4-176 applies to the~~
2 ~~contest.~~

3

4 (b) The obligor shall give notice of the contest to:

5

6 (ii) Each employer that has directly received an
7 income withholding order relating to the obligor; and

8

9 (iii) The person ~~or agency~~ designated to receive
10 payments in the income withholding order or if no person ~~or~~
11 ~~agency~~ is designated, to the obligee.

12

13 **Section 3.** W.S. 20-4-146(c) and (f), 20-4-147(c),
14 20-4-151(b), 20-4-183(a)(i), 20-4-184(a)(ii) and
15 20-4-185(b) are repealed.

16

17 **Section 4.** This act is effective July 1, 2005.

18

19

(END)