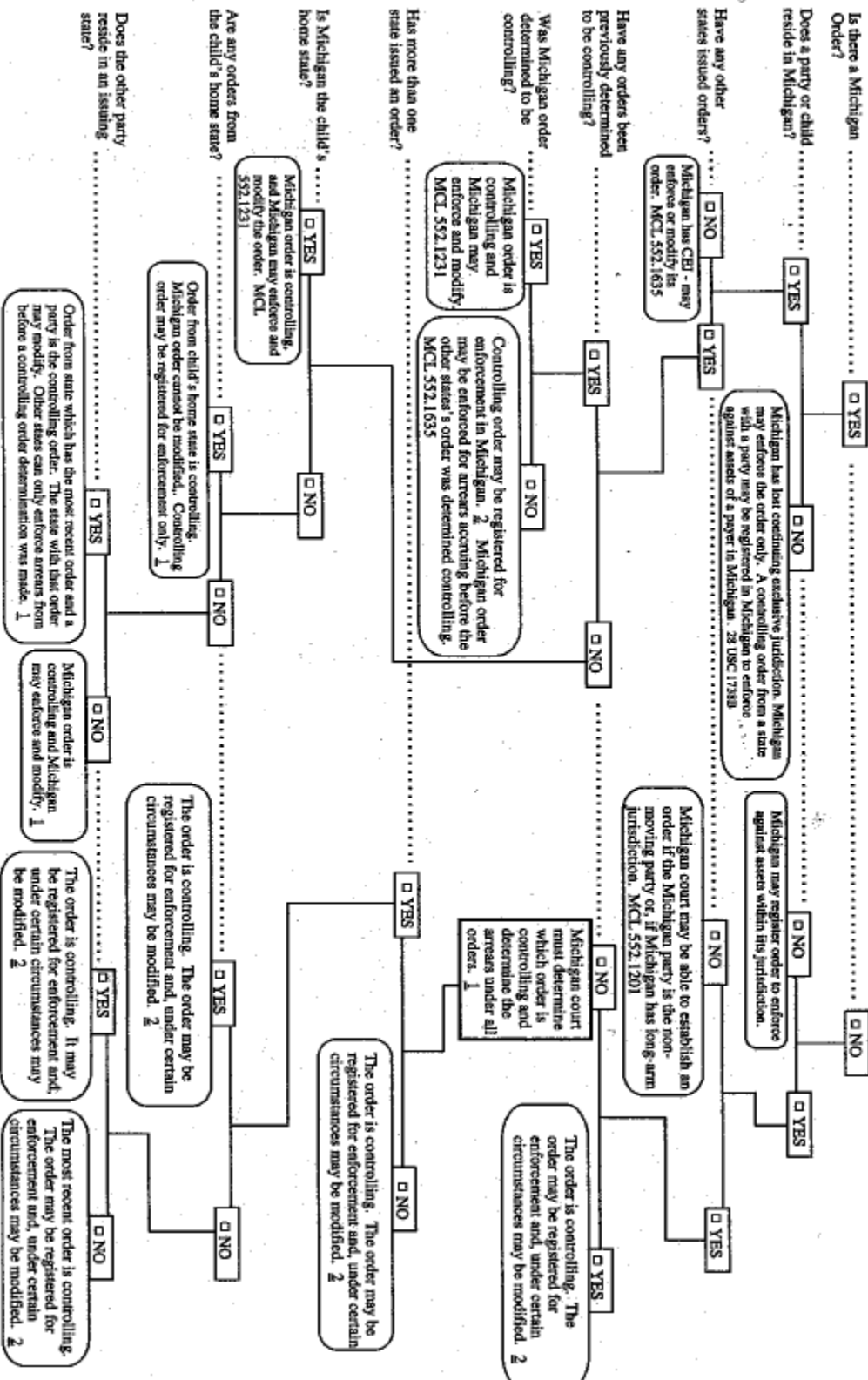


Uniform Interstate Family Support Act, Judicial Decisional Aid



1. When the court enters its order, a specific determination should be made concerning which order is controlling (MCL 552.1231). The friend of the court should send notice of the controlling order determination to all tribunals that have issued or registered any orders (MCL 552.1231).

2. The controlling order may be registered for modification if the non-moving party is a resident of Michigan, or, if all parties have agreed in writing in the jurisdiction that issued the order that Michigan may assume continuing exclusive jurisdiction. If both parties live in Michigan, MCL 552.1638 permits them to register the order in Michigan for modification. If these conditions are not met, the order may only be registered for enforcement if Michigan has jurisdiction over the payer or the payer's assets.

The Judicial Decisional Aid is designed for judges and referees to assist them when a case under the Uniform Interstate Family support Act is set before them.

The aid assists the court in determining whether an order can be entered in Michigan and under what circumstances Michigan can modify a support order.

The controlling order is the order (if there are multiple orders between the same parties) that has priority under UIFSA rules and continues to be enforced or modified. The decisional aid will assist in determining the controlling order. Once the controlling order is determined, Michigan may enforce the order or modify it only if Michigan has Continuing Exclusive Jurisdiction (CEJ). A state has CEJ if a party or child live in the state and it issued the controlling order. If no party or child live in the state that issued the controlling order, the order may only be modified if a non-resident asks the state to exercise jurisdiction to modify it.

That state then obtains CEJ.

There are special rules in UIFSA regarding choice of law, long arm jurisdiction, non-disclosure, receipt of evidence (including telephonic appearances) and statutes of limitation. A summary of UIFSA appears on the reverse of this aid with highlighted sections addressing important issues. The digested version does not include Article VII (determination of parentage or Article VIII (extradition).

The federal full faith and credit for child support orders act 28 USC 1738B also governs when a court may modify a child support order.