

# SENATE BILL REPORT

## SHB 2347

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As Reported By Senate Committee On:  
Judiciary, February 28, 2002

**Title:** An act relating to the uniform interstate family support act.

**Brief Description:** Modifying the uniform interstate family support act.

**Sponsors:** House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Darneille, Delvin and Dickerson; by request of Uniform Legislation Commission).

**Brief History:**

**Committee Activity:** Judiciary: 2/28/02 [DP].

**Brief Summary of Substitute Bill**

- Incorporates the most recent Uniform Law Commissioner's amendments into Washington's Uniform Interstate Family Support Act.

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, Long, McCaslin, Poulsen, Roach, Thibaudeau and Zarelli.

**Staff:** Lisa Ellis (786-7421)

**Background:** In 1996, the United States Congress mandated that states adopt the Uniform Interstate Family Support Act (UIFSA). In part, UIFSA facilitates the collection of child support across state lines and prevents multiple states from issuing competing support orders for the same parties.

UIFSA contains procedures for obtaining jurisdiction over a nonresident for a support order in this state; enforcing a support order and income-withholding order issued from another state; registering an order issued from another state for enforcement purposes; and modifying an order issued from another state.

**Summary of Bill:** Generally, the 2001 amendments to UIFSA make the following changes:

- authorize the state to recognize support order from foreign country jurisdictions if there is an agreement between the state and the country;
- update certain provisions to recognize the use of standard forms and electronic communications;

- clarify when a party may seek to modify an order registered in a state that is not the issuing state;
- allow the parties to voluntarily seek to have an order issued or modified in a state even if the parties do not reside in that state;
- clarify how to determine which order is controlling in cases of multiple orders from multiple states;
- clarify that a state obtaining jurisdiction over a person for support purposes does not automatically give that state jurisdiction over the person for other nonsupport issues;
- clarify that the local law of a responding state applies with regard to enforcement procedures and remedies; and
- fix the duration of a support order to the duration required under the law of the issuing state.

*Jurisdiction.* It is clarified that the first state to impose a support order retains "continuing exclusive jurisdiction" to modify a child support award except for specified circumstances. A state may continue to exercise jurisdiction over its order if the parties consent, even if all parties have left the state. In certain situations, a registering state may modify the existing order of a different state. Parties may also consent to have another state exert continuing, exclusive jurisdiction to modify an order.

*Registering a Support Order for Modification and Direct Enforcement.* In cases where two or more support orders exist, procedures are clarified that the party registering the order must provide a copy of all the other orders to the registering state, specify that the order is the controlling order, and specify the amount of consolidated unpaid support obligations, if any. Washington's support enforcement agency must make reasonable efforts to ensure that the support order it receives from another state is the controlling order.

Even if support orders from other states contributed to past due obligations, the law that applies to consolidated unpaid obligations is the law of the state that issued the controlling order. The law of the state that issued the controlling order governs for the duration of the obligation.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Six months following Congress' amendment to 42 USC § 666(f) that authorizes or mandates states to adopt this version of UIFSA.

**Testimony For:** This bill provides more uniformity, better communications, and standardizes procedures for interstate support cases. The implementation of this bill will allow the Division of Child Support and prosecutors' offices to be more effective in establishing child support.

**Testimony Against:** None.

**Testified:** Representative Jeannie Darneille, prime sponsor; Marlin Appelwick, Uniform Law Commission.