

## The Uniform Interstate Family Support Act

If a child and one of the child's parents live in Texas, a child support order or paternity determination may be established without the assistance of another state. If the parents have already had sufficient contact with Texas, the Attorney General of Texas may be able to enter an order even if the parents do not currently reside here. If another state's assistance is needed the Uniform Interstate Family Support Act enables Texas and other states to cooperate to establish a child support order.

The Uniform Interstate Family Support Act permits only one active support order for a case at a time. This cuts down on delays and confusion. If several orders exist, the Uniform Interstate Family Support Act has rules to determine which order should be followed (the "Controlling Order").

Orders may be registered in different states for enforcement and modification purposes. Orders registered from another state are enforced as an order issued by the responding state.

States now have more power to collect payments from child support obligors who live in other states. The Uniform Interstate Family Support Act allows states to enforce their orders without the assistance of the state where the obligor lives. In many cases, a withholding order can be sent directly to an out-of-state non-custodial parent's employer, requiring that child support be deducted from the parent's wages.

The order can be registered by the other (responding) state for enforcement, but it cannot be changed by that state. The responding state has the authority to pursue collection using enforcement hearings, license suspension and incarceration of the delinquent non-custodial parent if necessary.

Changes in circumstances, such as job promotions, prolonged unemployment or disability, may affect the noncustodial parent's payment status in the years following the establishment of the support order. Such changes may justify a modification in the support order.

The Uniform Interstate Family Support Act sets the ground rules for modification based on the state issuing the order, the states of residence of the parents and children, and the controlling order. If either of the parents or the child still lives in the state that issued the controlling order, any change in the support amount must occur in that state.

If all parties involved have left the state that issued the controlling order, that state may not be able to change the support amount. To change support, the order must be registered for modification in the state of residence of the parent who is not seeking the modification. If more than one state has issued an order, and none of the parties lives in those states, none of the orders is controlling.

All of the orders should be registered in the state that has jurisdiction over both parties. That state will calculate the amount of support to be paid and will issue a new controlling order.

The Uniform Interstate Family Support Act also allows both parents to agree in writing that a state where one parent resides may modify the order and take control of the case.

Once a state properly modifies another state's order, the new amount of support is the amount to be collected by all states.