

§3151. Procedure to register order for enforcement

1. Required documents and information. Except as otherwise provided in section 3316, a support order or an income-withholding order of another state or a foreign support order may be registered in this State by sending the following records to the appropriate tribunal in this State:

A. A letter of transmittal to the tribunal requesting registration and enforcement; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

B. Two copies, including one certified copy, of the order to be registered, including any modification of an order; [PL 2003, c. 436, §36 (AMD).]

C. A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearages; [PL 2003, c. 436, §36 (AMD).]

D. The name of the obligor and, if known:

(1) The obligor's address and social security number;

(2) The name and address of the obligor's employer and any other source of income of the obligor; and

(3) A description and the location of property of the obligor in this State not exempt from execution; and [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

E. Except as otherwise provided in section 3012, the name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted. [PL 2009, c. 95, §61 (AMD); PL 2009, c. 95, §87 (AFF).]

[PL 2009, c. 95, §61 (AMD); PL 2009, c. 95, §87 (AFF).]

2. File as foreign judgment. On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of another state or foreign country, together with one copy of the documents and information, regardless of their form.

[PL 2009, c. 95, §62 (AMD); PL 2009, c. 95, §87 (AFF).]

3. Additional petition filed at same time. A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this State may be filed at the same time as the request for registration, or later. The pleading must specify the grounds for the remedy sought.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

4. Two or more orders in effect. If 2 or more orders are in effect, the person requesting registration shall:

A. Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section; [PL 2003, c. 436, §36 (NEW).]

B. Specify the order alleged to be the controlling order, if any; and [PL 2003, c. 436, §36 (NEW).]

C. Specify the amount of consolidated arrears, if any. [PL 2003, c. 436, §36 (NEW).]

[PL 2003, c. 436, §36 (NEW).]

5. Request for determination of controlling order. A request for a determination of which order is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

[PL 2003, c. 436, §36 (NEW).]

SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2003, c. 436, §36 (AMD). PL 2009, c. 95, §§61, 62 (AMD). PL 2009, c. 95, §87 (AMD).

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