

§3051. Petition to establish support order

1. Responding tribunal may issue support order. If a support order entitled to recognition under this chapter has not been issued, a responding tribunal of this State with personal jurisdiction over the parties may issue a support order if:

A. The individual seeking the order resides outside this State; or [PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

B. The support enforcement agency seeking the order is located outside this State. [PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

[PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

2. Responding tribunal may issue temporary support order. A responding tribunal of this State may issue a temporary support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

A. The presumed father of the child; [PL 2003, c. 436, §28 (NEW).]

B. Petitioning to have his paternity of the child adjudicated; [PL 2003, c. 436, §28 (NEW).]

C. Identified as the father of the child through genetic testing; [PL 2003, c. 436, §28 (NEW).]

D. An alleged father of the child who has declined to submit to genetic testing; [PL 2003, c. 436, §28 (NEW).]

E. Shown by clear and convincing evidence to be the father of the child; [PL 2003, c. 436, §28 (NEW).]

F. An acknowledged parent of the child as provided in chapter 61, subchapter 3; [PL 2021, c. 610, §12 (AMD).]

G. The mother of the child; or [PL 2003, c. 436, §28 (NEW).]

H. An individual who has been ordered to pay child support to the child in a previous proceeding and the order has not been reversed or vacated. [PL 2003, c. 436, §28 (NEW).]

[PL 2021, c. 610, §12 (AMD).]

3. Tribunal shall issue support order. Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 3005.

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

SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2003, c. 436, §28 (AMD). PL 2009, c. 95, §55 (AMD). PL 2009, c. 95, §87 (AFF). PL 2015, c. 296, Pt. C, §23 (AMD). PL 2015, c. 296, Pt. D, §1 (AFF). RR 2015, c. 2, §10 (COR). PL 2021, c. 610, §12 (AMD).

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