



General Assembly

Substitute Bill No. 6973

January Session, 2015



AN ACT ADOPTING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT OF 2008.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2015*) Sections 1 to 78, inclusive, of
2 this act may be cited as the Uniform Interstate Family Support Act.

3 Sec. 2. (NEW) (*Effective July 1, 2015*) As used in this section and
4 sections 3 to 78, inclusive, of this act:

5 (1) "Child" means an individual, whether over or under the age of
6 majority, who is or is alleged to be owed a duty of support by the
7 individual's parent or who is or is alleged to be the beneficiary of a
8 support order directed to the parent.

9 (2) "Child support order" means a support order for a child,
10 including a child who has attained the age of majority under the law of
11 the issuing state or foreign country.

12 (3) "Convention" means the Convention on the International
13 Recovery of Child Support and Other Forms of Family Maintenance,
14 concluded at The Hague on November 23, 2007.

15 (4) "Duty of support" means an obligation imposed or imposable by
16 law to provide support for a child, spouse or former spouse, including

17 an unsatisfied obligation to provide support.

18 (5) "Foreign country" means a country, including a political
19 subdivision thereof, other than the United States, that authorizes the
20 issuance of support orders and (A) which has been declared under the
21 law of the United States to be a foreign reciprocating country; (B)
22 which has established a reciprocal arrangement for child support with
23 this state as provided in section 24 of this act; (C) which has enacted a
24 law or established procedures for the issuance and enforcement of
25 support orders which are substantially similar to the procedures under
26 sections 1 to 78, inclusive, of this act; or (D) in which the Convention is
27 in force with respect to the United States.

28 (6) "Foreign support order" means a support order of a foreign
29 tribunal.

30 (7) "Foreign tribunal" means a court, administrative agency or quasi-
31 judicial entity of a foreign country which is authorized to establish,
32 enforce or modify support orders or to determine parentage of a child.
33 The term includes a competent authority under the Convention.

34 (8) "Home state" means the state or foreign country in which a child
35 lived with a parent or a person acting as parent for at least six
36 consecutive months immediately preceding the time of filing of a
37 petition or comparable pleading for support and, if a child is less than
38 six months old, the state or foreign country in which the child lived
39 from birth with any of them. A period of temporary absence of any of
40 them is counted as part of the six-month or other period.

41 (9) "Income" includes earnings or other periodic entitlements to
42 money from any source and any other property subject to withholding
43 for support under the law of this state.

44 (10) "Income-withholding order" means an order or other legal
45 process directed to an obligor's employer or other payer of income, as
46 defined by section 52-362 of the general statutes, as amended by this
47 act, to withhold support from the income of the obligor.

48 (11) "Initiating tribunal" means the tribunal of a state or foreign
49 country from which a petition or comparable pleading is forwarded or
50 in which a petition or comparable pleading is filed for forwarding to
51 another state or foreign country.

52 (12) "Issuing foreign country" means the foreign country in which a
53 tribunal issues a support order or a judgment determining parentage
54 of a child.

55 (13) "Issuing state" means the state in which a tribunal issues a
56 support order or a judgment determining parentage of a child.

57 (14) "Issuing tribunal" means the tribunal of a state or foreign
58 country that issues a support order or a judgment determining
59 parentage of a child.

60 (15) "Law" includes decisional and statutory law and rules and
61 regulations having the force of law.

62 (16) "Obligee" means (A) an individual to whom a duty of support is
63 or is alleged to be owed or in whose favor a support order or a
64 judgment determining parentage of a child has been issued; (B) a
65 foreign country, state, or political subdivision of a state to which the
66 rights under a duty of support or support order have been assigned or
67 which has independent claims based on financial assistance provided
68 to an individual obligee in place of child support; (C) an individual
69 seeking a judgment determining parentage of the individual's child; or
70 (D) a person that is a creditor in a proceeding under sections 61 to 73,
71 inclusive, of this act.

72 (17) "Obligor" means an individual, or the estate of a decedent that
73 (A) owes or is alleged to owe a duty of support; (B) is alleged but has
74 not been adjudicated to be a parent of a child; (C) is liable under a
75 support order; or (D) is a debtor in a proceeding under sections 61 to
76 73, inclusive, of this act.

77 (18) "Outside this state" means a location in another state or a

78 country other than the United States, whether or not the country is a
79 foreign country.

80 (19) "Person" means an individual, corporation, business trust,
81 estate, trust, partnership, limited liability company, association, joint
82 venture, public corporation, government or governmental subdivision,
83 agency or instrumentality or any other legal or commercial entity.

84 (20) "Record" means information that is inscribed on a tangible
85 medium or that is stored in an electronic or other medium and is
86 retrievable in perceivable form.

87 (21) "Register" means to file in a tribunal of this state a support
88 order or judgment determining parentage of a child issued in another
89 state or a foreign country.

90 (22) "Registering tribunal" means a tribunal in which a support
91 order or judgment determining parentage of a child is registered.

92 (23) "Responding state" means a state in which a petition or
93 comparable pleading for support or to determine parentage of a child
94 is filed or to which a petition or comparable pleading is forwarded for
95 filing from another state or a foreign country.

96 (24) "Responding tribunal" means the authorized tribunal in a
97 responding state or foreign country.

98 (25) "Spousal support order" means a support order for a spouse or
99 former spouse of the obligor.

100 (26) "State" means a state of the United States, the District of
101 Columbia, Puerto Rico, the United States Virgin Islands or any
102 territory or insular possession under the jurisdiction of the United
103 States. The term includes an Indian nation or tribe.

104 (27) "Support enforcement agency" means a public official,
105 governmental entity or private agency authorized to (A) seek

106 enforcement of support orders or laws relating to the duty of support;
107 (B) seek establishment or modification of child support; (C) request
108 determination of parentage of a child; (D) attempt to locate obligors or
109 their assets; or (E) request determination of the controlling child
110 support order.

111 (28) "Support order" means a judgment, decree, order, decision or
112 directive, whether temporary, final or subject to modification, issued in
113 a state or foreign country for the benefit of a child, a spouse or a former
114 spouse, which provides for monetary support, health care, arrearages,
115 retroactive support or reimbursement for financial assistance provided
116 to an individual obligee in place of child support. The term may
117 include related costs and fees, interest, income withholding, automatic
118 adjustment, reasonable attorney's fees and other relief.

119 (29) "Tribunal" means a court, administrative agency or quasi-
120 judicial entity authorized to establish, enforce or modify support
121 orders or to determine parentage of a child.

122 Sec. 3. (NEW) (*Effective July 1, 2015*) (a) The Superior Court and the
123 Family Support Magistrate Division of the Superior Court are the
124 tribunals of this state.

125 (b) The Bureau of Child Support Enforcement within the
126 Department of Social Services and Support Enforcement Services of the
127 Superior Court are the support enforcement agencies of this state.

128 Sec. 4. (NEW) (*Effective July 1, 2015*) (a) Remedies provided by
129 sections 1 to 78, inclusive, of this act are cumulative and do not affect
130 the availability of remedies under other law or the recognition of a
131 foreign support order on the basis of comity.

132 (b) Sections 1 to 78, inclusive, of this act do not (1) provide the
133 exclusive method of establishing or enforcing a support order under
134 the law of this state; or (2) grant a tribunal of this state jurisdiction to
135 render judgment or issue an order relating to child custody or
136 visitation in a proceeding under sections 1 to 78, inclusive, of this act.

137 Sec. 5. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state shall
138 apply sections 1 to 60, inclusive, of this act and, as applicable, sections
139 61 to 73, inclusive, of this act, to a support proceeding involving (1) a
140 foreign support order; (2) a foreign tribunal; or (3) an obligee, obligor
141 or child residing in a foreign country.

142 (b) A tribunal of this state that is requested to recognize and enforce
143 a support order on the basis of comity may apply the procedural and
144 substantive provisions of sections 1 to 60, inclusive, of this act.

145 (c) Sections 61 to 73, inclusive, of this act apply only to a support
146 proceeding under the Convention. In such a proceeding, if a provision
147 of sections 61 to 73, inclusive, of this act is inconsistent with sections 1
148 to 60, inclusive, of this act, sections 61 to 73, inclusive, of this act,
149 control.

150 Sec. 6. (NEW) (*Effective July 1, 2015*) (a) In a proceeding to establish
151 or enforce a support order or to determine parentage of a child, a
152 tribunal of this state may exercise personal jurisdiction over a
153 nonresident individual or the individual's guardian or conservator if
154 (1) the individual is personally served with process within this state;
155 (2) the individual submits to the jurisdiction of this state by consent in
156 a record, by entering a general appearance or by filing a responsive
157 document having the effect of waiving any contest to personal
158 jurisdiction; (3) the individual resided with the child in this state; (4)
159 the individual resided in this state and provided prenatal expenses or
160 support for the child; (5) the child resides in this state as a result of the
161 acts or directives of the individual; (6) the individual engaged in sexual
162 intercourse in this state and the child may have been conceived by that
163 act of intercourse; or (7) there is any other basis consistent with the
164 constitutions of this state and the United States for the exercise of
165 personal jurisdiction.

166 (b) The bases of personal jurisdiction set forth in subsection (a) or in
167 any other law of this state may not be used to acquire personal
168 jurisdiction for a tribunal of this state to modify a child support order

169 of another state unless the requirements of section 55 of this act are
170 met, or, in the case of a foreign support order, unless the requirements
171 of section 59 of this act are met.

172 Sec. 7. (NEW) (*Effective July 1, 2015*) Personal jurisdiction acquired
173 by a tribunal of this state in a proceeding under sections 1 to 78,
174 inclusive, of this act or other law of this state relating to a support
175 order continues as long as a tribunal of this state has continuing,
176 exclusive jurisdiction to modify its order or continuing jurisdiction to
177 enforce its order as provided by sections 10, 11 and 16 of this act.

178 Sec. 8. (NEW) (*Effective July 1, 2015*) Under sections 1 to 78,
179 inclusive, of this act, a tribunal of this state may serve as an initiating
180 tribunal to forward proceedings to a tribunal of another state and as a
181 responding tribunal for proceedings initiated in another state or a
182 foreign country.

183 Sec. 9. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state may
184 exercise jurisdiction to establish a support order if the petition or
185 comparable pleading is filed after a pleading is filed in another state or
186 a foreign country only if (1) the petition or comparable pleading in this
187 state is filed before the expiration of the time allowed in the other state
188 or the foreign country for filing a responsive pleading challenging the
189 exercise of jurisdiction by the other state or the foreign country; (2) the
190 contesting party timely challenges the exercise of jurisdiction in the
191 other state or the foreign country; and (3) if relevant, this state is the
192 home state of the child.

193 (b) A tribunal of this state may not exercise jurisdiction to establish a
194 support order if the petition or comparable pleading is filed before a
195 petition or comparable pleading is filed in another state or a foreign
196 country if (1) the petition or comparable pleading in the other state or
197 foreign country is filed before the expiration of the time allowed in this
198 state for filing a responsive pleading challenging the exercise of
199 jurisdiction by this state; (2) the contesting party timely challenges the
200 exercise of jurisdiction in this state; and (3) if relevant, the other state

201 or foreign country is the home state of the child.

202 Sec. 10. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state that
203 has issued a child support order consistent with the law of this state
204 has and shall exercise continuing, exclusive jurisdiction to modify its
205 child support order if the order is the controlling order and (1) at the
206 time of the filing of a request for modification this state is the residence
207 of the obligor, the individual obligee or the child for whose benefit the
208 support order is issued; or (2) even if this state is not the residence of
209 the obligor, the individual obligee or the child for whose benefit the
210 support order is issued, the parties consent in a record or in open court
211 that the tribunal of this state may continue to exercise jurisdiction to
212 modify its order.

213 (b) A tribunal of this state that has issued a child support order
214 consistent with the law of this state may not exercise continuing,
215 exclusive jurisdiction to modify the order if (1) all of the parties who
216 are individuals file consent in a record with the tribunal of this state
217 that a tribunal of another state that has jurisdiction over at least one of
218 the parties who is an individual or that is located in the state of
219 residence of the child may modify the order and assume continuing,
220 exclusive jurisdiction; or (2) its order is not the controlling order.

221 (c) If a tribunal of another state has issued a child support order
222 pursuant to the Uniform Interstate Family Support Act, as amended
223 from time to time, or a law substantially similar to that act which
224 modifies a child support order of a tribunal of this state, tribunals of
225 this state shall recognize the continuing, exclusive jurisdiction of the
226 tribunal of the other state.

227 (d) A tribunal of this state that lacks continuing, exclusive
228 jurisdiction to modify a child support order may serve as an initiating
229 tribunal to request a tribunal of another state to modify a support
230 order issued in that state.

231 (e) A temporary support order issued ex parte or pending resolution

232 of a jurisdictional conflict does not create continuing, exclusive
233 jurisdiction in the issuing tribunal.

234 Sec. 11. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state that
235 has issued a child support order consistent with the law of this state
236 may serve as an initiating tribunal to request a tribunal of another state
237 to enforce (1) the order if the order is the controlling order and has not
238 been modified by a tribunal of another state that assumed jurisdiction
239 pursuant to the Uniform Interstate Family Support Act; or (2) a money
240 judgment for arrears of support and interest on the order accrued
241 before a determination that an order of a tribunal of another state is the
242 controlling order.

243 (b) A tribunal of this state having continuing jurisdiction over a
244 support order may act as a responding tribunal to enforce the order.

245 Sec. 12. (NEW) (*Effective July 1, 2015*) (a) If a proceeding is brought
246 under sections 1 to 78, inclusive, of this act and only one tribunal has
247 issued a child support order, the order of that tribunal controls and
248 must be recognized.

249 (b) If a proceeding is brought under sections 1 to 78, inclusive, of
250 this act, and two or more child support orders have been issued by
251 tribunals of this state, another state, or a foreign country with regard to
252 the same obligor and same child, a tribunal of this state having
253 personal jurisdiction over both the obligor and individual obligee shall
254 apply the following rules and by order shall determine which order
255 controls and must be recognized:

256 (1) If only one of the tribunals would have continuing, exclusive
257 jurisdiction under sections 1 to 78, inclusive, of this act, the order of
258 that tribunal controls.

259 (2) If more than one of the tribunals would have continuing,
260 exclusive jurisdiction under sections 1 to 78, inclusive, of this act (A) an
261 order issued by a tribunal in the current home state of the child
262 controls; or (B) if an order has not been issued in the current home

263 state of the child, the order most recently issued controls.

264 (3) If none of the tribunals would have continuing, exclusive
265 jurisdiction under sections 1 to 78, inclusive, of this act, the tribunal of
266 this state shall issue a child support order, which controls.

267 (c) If two or more child support orders have been issued for the
268 same obligor and same child, upon request of a party who is an
269 individual or that is a support enforcement agency, a tribunal of this
270 state having personal jurisdiction over both the obligor and the obligee
271 who is an individual shall determine which order controls under
272 subsection (b) of this section. The request may be filed with a
273 registration for enforcement or registration for modification pursuant
274 to sections 45 to 60, inclusive, of this act or may be filed as a separate
275 proceeding.

276 (d) A request to determine which is the controlling order must be
277 accompanied by a copy of every child support order in effect and the
278 applicable record of payments. The requesting party shall give notice
279 of the request to each party whose rights may be affected by the
280 determination.

281 (e) The tribunal that issued the controlling order under subsection
282 (a), (b) or (c) of this section has continuing jurisdiction to the extent
283 provided in section 10 or 11 of this act.

284 (f) A tribunal of this state that determines by order which is the
285 controlling order under subdivision (1) or (2) of subsection (b) or
286 subsection (c) of this section, or that issues a new controlling order
287 under subdivision (3) of subsection (b) of this section, shall state in that
288 order (1) the basis upon which the tribunal made its determination; (2)
289 the amount of prospective support, if any; and (3) the total amount of
290 consolidated arrears and accrued interest, if any, under all of the
291 orders after all payments made are credited as provided by section 14
292 of this act.

293 (g) Within thirty days after issuance of an order determining which

294 is the controlling order, the party obtaining the order shall file a
295 certified copy of it in each tribunal that issued or registered an earlier
296 order of child support. A party or support enforcement agency
297 obtaining the order that fails to file a certified copy is subject to
298 appropriate sanctions by a tribunal in which the issue of failure to file
299 arises. The failure to file does not affect the validity or enforceability of
300 the controlling order.

301 (h) An order that has been determined to be the controlling order, or
302 a judgment for consolidated arrears of support and interest, if any,
303 made pursuant to this section must be recognized in proceedings
304 under sections 1 to 78, inclusive, of this act.

305 Sec. 13. (NEW) (*Effective July 1, 2015*) In responding to registrations
306 or petitions for enforcement of two or more child support orders in
307 effect at the same time with regard to the same obligor and different
308 individual obligees, at least one of which was issued by a tribunal of
309 another state or a foreign country, a tribunal of this state shall enforce
310 those orders in the same manner as if the orders had been issued by a
311 tribunal of this state.

312 Sec. 14. (NEW) (*Effective July 1, 2015*) A tribunal of this state shall
313 credit amounts collected for a particular period pursuant to any child
314 support order against the amounts owed for the same period under
315 any other child support order for support of the same child issued by a
316 tribunal of this state, another state or a foreign country.

317 Sec. 15. (NEW) (*Effective July 1, 2015*) A tribunal of this state
318 exercising personal jurisdiction over a nonresident in a proceeding
319 under sections 1 to 78, inclusive, of this act, under other law of this
320 state relating to a support order, or recognizing a foreign support
321 order may receive evidence from outside this state pursuant to section
322 32 of this act, communicate with a tribunal outside this state pursuant
323 to section 33 of this act and obtain discovery through a tribunal outside
324 this state pursuant to section 34 of this act. In all other respects,
325 sections 17 to 60, inclusive, of this act do not apply, and the tribunal

326 shall apply the procedural and substantive law of this state.

327 Sec. 16. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state
328 issuing a spousal support order consistent with the law of this state
329 has continuing, exclusive jurisdiction to modify the spousal support
330 order throughout the existence of the support obligation.

331 (b) A tribunal of this state may not modify a spousal support order
332 issued by a tribunal of another state or a foreign country having
333 continuing, exclusive jurisdiction over that order under the law of that
334 state or foreign country.

335 (c) A tribunal of this state that has continuing, exclusive jurisdiction
336 over a spousal support order may serve as (1) an initiating tribunal to
337 request a tribunal of another state to enforce the spousal support order
338 issued in this state; or (2) a responding tribunal to enforce or modify its
339 own spousal support order.

340 Sec. 17. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
341 provided in sections 1 to 78, inclusive, of this act, sections 17 to 35,
342 inclusive, of this act apply to all proceedings under sections 1 to 78,
343 inclusive, of this act.

344 (b) An individual petitioner or a support enforcement agency may
345 initiate a proceeding authorized under sections 1 to 78, inclusive, of
346 this act by filing a petition in an initiating tribunal for forwarding to a
347 responding tribunal or by filing a petition or a comparable pleading
348 directly in a tribunal of another state or a foreign country which has or
349 can obtain personal jurisdiction over the respondent.

350 Sec. 18. (NEW) (*Effective July 1, 2015*) A minor parent, or a guardian
351 or other legal representative of a minor parent, may maintain a
352 proceeding on behalf of or for the benefit of the minor's child.

353 Sec. 19. (NEW) (*Effective July 1, 2015*) Except as otherwise provided
354 in sections 1 to 78, inclusive, of this act a responding tribunal of this
355 state shall (1) apply the procedural and substantive law generally

356 applicable to similar proceedings originating in this state and may
357 exercise all powers and provide all remedies available in those
358 proceedings; and (2) determine the duty of support and the amount
359 payable in accordance with the law and support guidelines of this
360 state.

361 Sec. 20. (NEW) (*Effective July 1, 2015*) (a) Upon the filing of a petition
362 authorized by sections 1 to 78, inclusive, of this act an initiating
363 tribunal of this state shall forward the petition and its accompanying
364 documents (1) to the responding tribunal or appropriate support
365 enforcement agency in the responding state; or (2) if the identity of the
366 responding tribunal is unknown, to the state information agency of the
367 responding state with a request that they be forwarded to the
368 appropriate tribunal and that receipt be acknowledged.

369 (b) If requested by the responding tribunal, a tribunal of this state
370 shall issue a certificate or other document and make findings required
371 by the law of the responding state. If the responding tribunal is in a
372 foreign country, upon request the tribunal of this state shall specify the
373 amount of support sought, convert that amount into the equivalent
374 amount in the foreign currency under applicable official or market
375 exchange rate as publicly reported and provide any other documents
376 necessary to satisfy the requirements of the responding foreign
377 tribunal.

378 Sec. 21. (NEW) (*Effective July 1, 2015*) (a) When a responding tribunal
379 of this state receives a petition or comparable pleading from an
380 initiating tribunal or directly pursuant to subsection (b) of section 17 of
381 this act, it shall cause the petition or pleading to be filed and notify the
382 petitioner where and when it was filed.

383 (b) A responding tribunal of this state, to the extent not prohibited
384 by other law, may do one or more of the following (1) establish or
385 enforce a support order, modify a child support order, determine the
386 controlling child support order or determine parentage of a child; (2)
387 order an obligor to comply with a support order, specifying the

388 amount and the manner of compliance; (3) order income withholding;
389 (4) determine the amount of any arrearages and specify a method of
390 payment; (5) enforce orders by civil or criminal contempt, or both; (6)
391 set aside property for satisfaction of the support order; (7) place liens
392 and order execution on the obligor's property; (8) order an obligor to
393 keep the tribunal informed of the obligor's current residential address,
394 electronic mail address, telephone number, employer, address of
395 employment and telephone number at the place of employment; (9)
396 issue a *capias mittimus* for an obligor who has failed after proper
397 notice to appear at a hearing ordered by the tribunal and enter the
398 *capias mittimus* in any local and state computer systems for criminal
399 warrants; (10) order the obligor to seek appropriate employment by
400 specified methods; (11) award reasonable attorney's fees and other fees
401 and costs; and (12) grant any other available remedy.

402 (c) A responding tribunal of this state shall include in a support
403 order issued under sections 1 to 78, inclusive, of this act, or in the
404 documents accompanying the order, the calculations on which the
405 support order is based.

406 (d) A responding tribunal of this state may not condition the
407 payment of a support order issued under sections 1 to 78, inclusive, of
408 this act upon compliance by a party with provisions for visitation.

409 (e) If a responding tribunal of this state issues an order under
410 sections 1 to 78, inclusive, of this act, the tribunal shall send a copy of
411 the order to the petitioner and the respondent and to the initiating
412 tribunal, if any.

413 (f) If requested to enforce a support order, arrears, or judgment or
414 modify a support order stated in a foreign currency, a responding
415 tribunal of this state shall convert the amount stated in the foreign
416 currency to the equivalent amount in dollars under the applicable
417 official or market exchange rate as publicly reported.

418 Sec. 22. (NEW) (*Effective July 1, 2015*) If a petition or comparable

419 pleading is received by an inappropriate tribunal of this state, the
420 tribunal shall forward the pleading and accompanying documents to
421 an appropriate tribunal of this state or another state and notify the
422 petitioner where and when the pleading was sent.

423 Sec. 23. (NEW) (*Effective July 1, 2015*) (a) A support enforcement
424 agency of this state, upon request, shall provide services to a petitioner
425 in a proceeding under sections 1 to 78, inclusive, of this act.

426 (b) A support enforcement agency of this state that is providing
427 services to the petitioner shall (1) take all steps necessary to enable an
428 appropriate tribunal of this state, another state, or a foreign country to
429 obtain jurisdiction over the respondent; (2) request an appropriate
430 tribunal to set a date, time, and place for a hearing; (3) make a
431 reasonable effort to obtain all relevant information, including
432 information as to income and property of the parties; (4) within five
433 days, exclusive of Saturdays, Sundays and legal holidays, after receipt
434 of notice in a record from an initiating, responding, or registering
435 tribunal, send a copy of the notice to the petitioner; (5) within five
436 days, exclusive of Saturdays, Sundays and legal holidays, after receipt
437 of communication in a record from the respondent or the respondent's
438 attorney, send a copy of the communication to the petitioner; and (6)
439 notify the petitioner if jurisdiction over the respondent cannot be
440 obtained.

441 (c) A support enforcement agency of this state that requests
442 registration of a child support order in this state for enforcement or for
443 modification shall make reasonable efforts (1) to ensure that the order
444 to be registered is the controlling order; or (2) if two or more child
445 support orders exist and the identity of the controlling order has not
446 been determined, to ensure that a request for such a determination is
447 made in a tribunal having jurisdiction to do so.

448 (d) A support enforcement agency of this state that requests
449 registration and enforcement of a support order, arrears or judgment
450 stated in a foreign currency shall convert the amounts stated in the

451 foreign currency into the equivalent amounts in dollars under the
452 applicable official or market exchange rate as publicly reported.

453 (e) A support enforcement agency of this state shall issue or request
454 a tribunal of this state to issue a child support order and an income-
455 withholding order that redirect payment of current support, arrears
456 and interest if requested to do so by a support enforcement agency of
457 another state pursuant to section 35 of this act.

458 (f) Sections 1 to 78, inclusive, of this act do not create or negate a
459 relationship of attorney and client or other fiduciary relationship
460 between a support enforcement agency or the attorney for the agency
461 and the individual being assisted by the agency.

462 Sec. 24. (NEW) (*Effective July 1, 2015*) (a) If the Commissioner of
463 Social Services determines that the Bureau of Child Support
464 Enforcement is neglecting or refusing to provide services to an
465 individual, or if the Chief Court Administrator determines that
466 Support Enforcement Services is neglecting or refusing to provide
467 services to an individual, the commissioner or Chief Court
468 Administrator may order their respective agencies to perform their
469 duties under sections 1 to 78, inclusive, of this act or may provide
470 those services directly to the individual.

471 (b) The Attorney General may determine that a foreign country has
472 established a reciprocal arrangement for child support with this state
473 and take appropriate action for notification of the determination.

474 Sec. 25. (NEW) (*Effective July 1, 2015*) An individual may employ
475 private counsel to represent the individual in proceedings authorized
476 by sections 1 to 78, inclusive, of this act.

477 Sec. 26. (NEW) (*Effective July 1, 2015*) (a) Support Enforcement
478 Services of the Superior Court is the state information agency under
479 sections 1 to 78, inclusive, of this act.

480 (b) The state information agency shall (1) compile and maintain a

481 current list, including addresses, of the tribunals in this state which
482 have jurisdiction under sections 1 to 78, inclusive, of this act and any
483 support enforcement agencies in this state and transmit a copy to the
484 state information agency of every other state; (2) maintain a register of
485 names and addresses of tribunals and support enforcement agencies
486 received from other states; (3) forward to the appropriate tribunal in
487 this state in which the obligee who is an individual or the obligor
488 resides, or in which the obligor's property is believed to be located, all
489 documents concerning a proceeding under sections 1 to 78, inclusive,
490 of this act received from another state or a foreign country; and (4)
491 obtain information concerning the location of the obligor and the
492 obligor's property within this state not exempt from execution, by such
493 means as postal verification and federal or state locator services,
494 examination of telephone directories, requests for the obligor's address
495 from employers, and examination of governmental records, including,
496 to the extent not prohibited by other law, those relating to real
497 property, vital statistics, law enforcement, taxation, motor vehicles,
498 driver's licenses and Social Security.

499 Sec. 27. (NEW) (*Effective July 1, 2015*) (a) In a proceeding under
500 sections 1 to 78, inclusive, of this act a petitioner seeking to establish a
501 support order, to determine parentage of a child, or to register and
502 modify a support order of a tribunal of another state or a foreign
503 country must file a petition. Unless otherwise ordered under section 28
504 of this act, the petition or accompanying documents must provide, so
505 far as known, the name, residential address and Social Security
506 numbers of the obligor and the obligee or the parent and alleged
507 parent, and the name, sex, residential address, Social Security number
508 and date of birth of each child for whose benefit support is sought or
509 whose parentage is to be determined. Unless filed at the time of
510 registration, the petition must be accompanied by a copy of any
511 support order known to have been issued by another tribunal. The
512 petition may include any other information that may assist in locating
513 or identifying the respondent.

514 (b) The petition must specify the relief sought. The petition and
515 accompanying documents must conform substantially with the
516 requirements imposed by the forms mandated by federal law for use
517 in cases filed by a support enforcement agency.

518 Sec. 28. (NEW) (*Effective July 1, 2015*) If a party alleges in an affidavit
519 or a pleading under oath that the health, safety or liberty of a party or
520 child would be jeopardized by disclosure of specific identifying
521 information, that information must be sealed and may not be disclosed
522 to the other party or the public. After a hearing in which a tribunal
523 takes into consideration the health, safety or liberty of the party or
524 child, the tribunal may order disclosure of information that the
525 tribunal determines to be in the interest of justice.

526 Sec. 29. (NEW) (*Effective July 1, 2015*) (a) The petitioner may not be
527 required to pay a filing fee or other costs.

528 (b) If an obligee prevails, a responding tribunal of this state may
529 assess against an obligor filing fees, reasonable attorney's fees, other
530 costs and necessary travel and other reasonable expenses incurred by
531 the obligee and the obligee's witnesses. The tribunal may not assess
532 fees, costs or expenses against the obligee or the support enforcement
533 agency of either the initiating or responding state or foreign country,
534 except as provided by other law. Attorney's fees may be taxed as costs,
535 and may be ordered paid directly to the attorney, who may enforce the
536 order in the attorney's own name. Payment of support owed to the
537 obligee has priority over fees, costs and expenses.

538 (c) The tribunal shall order the payment of costs and reasonable
539 attorney's fees if it determines that a hearing was requested primarily
540 for delay. In a proceeding under sections 45 to 60, inclusive, of this act,
541 a hearing is presumed to have been requested primarily for delay if a
542 registered support order is confirmed or enforced without change.

543 Sec. 30. (NEW) (*Effective July 1, 2015*) (a) Participation by a petitioner
544 in a proceeding under sections 1 to 78, inclusive, of this act before a

545 responding tribunal, whether in person, by private attorney, or
546 through services provided by the support enforcement agency, does
547 not confer personal jurisdiction over the petitioner in another
548 proceeding.

549 (b) A petitioner is not amenable to service of civil process while
550 physically present in this state to participate in a proceeding under
551 sections 1 to 78, inclusive, of this act.

552 (c) The immunity granted by this section does not extend to civil
553 litigation based on acts unrelated to a proceeding under sections 1 to
554 78, inclusive, of this act committed by a party while physically present
555 in this state to participate in the proceeding.

556 Sec. 31. (NEW) (*Effective July 1, 2015*) A party whose parentage of a
557 child has been previously determined by or pursuant to law may not
558 plead nonparentage as a defense to a proceeding under sections 1 to
559 78, inclusive, of this act.

560 Sec. 32. (NEW) (*Effective July 1, 2015*) (a) The physical presence of a
561 nonresident party who is an individual in a tribunal of this state is not
562 required for the establishment, enforcement or modification of a
563 support order or the rendition of a judgment determining parentage of
564 a child.

565 (b) An affidavit, a document substantially complying with federally
566 mandated forms, or a document incorporated by reference in any of
567 them, which would not be excluded under the hearsay rule if given in
568 person, is admissible in evidence if given under penalty of perjury by a
569 party or witness residing outside this state.

570 (c) A copy of the record of child support payments certified as a true
571 copy of the original by the custodian of the record may be forwarded
572 to a responding tribunal. The copy is evidence of facts asserted in it,
573 and is admissible to show whether payments were made.

574 (d) Copies of bills for testing for parentage of a child and for

575 prenatal and postnatal health care of the mother and child, furnished
576 to the adverse party at least ten days before trial, are admissible in
577 evidence to prove the amount of the charges billed and that the
578 charges were reasonable, necessary and customary.

579 (e) Documentary evidence transmitted from outside this state to a
580 tribunal of this state by telephone, telecopier or other electronic means
581 that do not provide an original record may not be excluded from
582 evidence on an objection based on the means of transmission.

583 (f) In a proceeding under sections 1 to 78, inclusive, of this act, a
584 tribunal of this state shall permit a party or witness residing outside
585 this state to be deposed or to testify under penalty of perjury by
586 telephone, audiovisual means or other electronic means at a
587 designated tribunal or other location. A tribunal of this state shall
588 cooperate with other tribunals in designating an appropriate location
589 for the deposition or testimony.

590 (g) If a party called to testify at a civil hearing refuses to answer on
591 the ground that the testimony may be self-incriminating, the trier of
592 fact may draw an adverse inference from the refusal.

593 (h) A privilege against disclosure of communications between
594 spouses does not apply in a proceeding under sections 1 to 78,
595 inclusive, of this act.

596 (i) The defense of immunity based on the relationship of husband
597 and wife or parent and child does not apply in a proceeding under
598 sections 1 to 78, inclusive, of this act.

599 (j) A voluntary acknowledgment of paternity, certified as a true
600 copy, is admissible to establish parentage of the child.

601 Sec. 33. (NEW) (*Effective July 1, 2015*) A tribunal of this state may
602 communicate with a tribunal outside this state in a record or by
603 telephone, electronic mail or other means, to obtain information
604 concerning the laws, the legal effect of a judgment, decree or order of

605 that tribunal, and the status of a proceeding. A tribunal of this state
606 may furnish similar information by similar means to a tribunal outside
607 this state.

608 Sec. 34. (NEW) (*Effective July 1, 2015*) A tribunal of this state may (1)
609 request a tribunal outside this state to assist in obtaining discovery;
610 and (2) upon request, compel a person over which it has jurisdiction to
611 respond to a discovery order issued by a tribunal outside this state.

612 Sec. 35. (NEW) (*Effective July 1, 2015*) (a) A support enforcement
613 agency or tribunal of this state shall disburse promptly any amounts
614 received pursuant to a support order, as directed by the order. The
615 agency or tribunal shall furnish to a requesting party or tribunal of
616 another state or a foreign country a certified statement by the
617 custodian of the record of the amounts and dates of all payments
618 received.

619 (b) If neither the obligor, nor the obligee who is an individual, nor
620 the child resides in this state, upon request from the support
621 enforcement agency of this state or another state, the support
622 enforcement agency of this state or a tribunal of this state shall (1)
623 direct that the support payment be made to the support enforcement
624 agency in the state in which the obligee is receiving services; and (2)
625 issue and send to the obligor's employer a conforming income-
626 withholding order or an administrative notice of change of payee,
627 reflecting the redirected payments.

628 (c) The support enforcement agency of this state receiving
629 redirected payments from another state pursuant to a law similar to
630 subsection (b) of this section shall furnish to a requesting party or
631 tribunal of the other state a certified statement by the custodian of the
632 record of the amount and dates of all payments received.

633 Sec. 36. (NEW) (*Effective July 1, 2015*) (a) If a support order entitled
634 to recognition under sections 1 to 78, inclusive, of this act, has not been
635 issued, a responding tribunal of this state with personal jurisdiction

636 over the parties may issue a support order if (1) the individual seeking
637 the order resides outside this state; or (2) the support enforcement
638 agency seeking the order is located outside this state.

639 (b) The tribunal may issue a temporary child support order if the
640 tribunal determines that such an order is appropriate and the
641 individual ordered to pay is (1) a presumed father of the child; (2)
642 petitioning to have his paternity adjudicated; (3) identified as the
643 father of the child through genetic testing; (4) an alleged father who
644 has declined to submit to genetic testing; (5) shown by clear and
645 convincing evidence to be the father of the child; (6) an acknowledged
646 father as provided by section 46b-172 of the general statutes; (7) the
647 mother of the child; or (8) an individual who has been ordered to pay
648 child support in a previous proceeding and the order has not been
649 reversed or vacated.

650 (c) Upon finding, after notice and opportunity to be heard, that an
651 obligor owes a duty of support, the tribunal shall issue a support order
652 directed to the obligor and may issue other orders pursuant to section
653 21 of this act.

654 Sec. 37. (NEW) (*Effective July 1, 2015*) A tribunal of this state
655 authorized to determine parentage of a child may serve as a
656 responding tribunal in a proceeding to determine parentage of a child
657 brought under sections 1 to 78, inclusive, of this act or a law or
658 procedure substantially similar to sections 1 to 78, inclusive, of this act.

659 Sec. 38. (NEW) (*Effective July 1, 2015*) An income-withholding order
660 issued in another state may be sent by or on behalf of the obligee, or by
661 the support enforcement agency, to the person defined as the obligor's
662 employer under section 52-362 of the general statutes, as amended by
663 this act, without first filing a petition or comparable pleading or
664 registering the order with a tribunal of this state.

665 Sec. 39. (NEW) (*Effective July 1, 2015*) (a) Upon receipt of an income-
666 withholding order, the obligor's employer shall immediately provide a

667 copy of the order to the obligor.

668 (b) The employer shall treat an income-withholding order issued in
669 another state which appears regular on its face as if it had been issued
670 by a tribunal of this state.

671 (c) Except as otherwise provided in subsection (d) of this section
672 and section 40 of this act, the employer shall withhold and distribute
673 the funds as directed in the withholding order by complying with
674 terms of the order which specify (1) the duration and amount of
675 periodic payments of current child support, stated as a sum certain; (2)
676 the person designated to receive payments and the address to which
677 the payments are to be forwarded; (3) medical support, whether in the
678 form of periodic cash payment, stated as a sum certain, or ordering the
679 obligor to provide health insurance coverage for the child under a
680 policy available through the obligor's employment; (4) the amount of
681 periodic payments of fees and costs for a support enforcement agency,
682 the issuing tribunal, and the obligee's attorney, stated as sums certain;
683 and (5) the amount of periodic payments of arrearages and interest on
684 arrearages, stated as sums certain.

685 (d) An employer shall comply with the law of the state of the
686 obligor's principal place of employment for withholding from income
687 with respect to (1) the employer's fee for processing an income-
688 withholding order; (2) the maximum amount permitted to be withheld
689 from the obligor's income; and (3) the times within which the employer
690 must implement the withholding order and forward the child support
691 payment.

692 Sec. 40. (NEW) (*Effective July 1, 2015*) If an obligor's employer
693 receives two or more income-withholding orders with respect to the
694 earnings of the same obligor, the employer satisfies the terms of the
695 orders if the employer complies with the law of the state of the
696 obligor's principal place of employment to establish the priorities for
697 withholding and allocating income withheld for two or more child
698 support obligees.

699 Sec. 41. (NEW) (*Effective July 1, 2015*) An employer that complies
700 with an income-withholding order issued in another state in
701 accordance with sections 38 to 44, inclusive, of this act is not subject to
702 civil liability to an individual or agency with regard to the employer's
703 withholding of child support from the obligor's income.

704 Sec. 42. (NEW) (*Effective July 1, 2015*) An employer that wilfully fails
705 to comply with an income-withholding order issued in another state
706 and received for enforcement is subject to the same penalties that may
707 be imposed for noncompliance with an order issued by a tribunal of
708 this state.

709 Sec. 43. (NEW) (*Effective July 1, 2015*) (a) An obligor may contest the
710 validity or enforcement of an income-withholding order issued in
711 another state and received directly by an employer in this state by
712 registering the order in a tribunal of this state and filing a contest to
713 that order as provided in sections 45 to 60, inclusive, of this act, or
714 otherwise contesting the order in the same manner as if the order had
715 been issued by a tribunal of this state.

716 (b) The obligor shall give notice of the contest to (1) a support
717 enforcement agency providing services to the obligee; (2) each
718 employer that has directly received an income-withholding order
719 relating to the obligor; and (3) the person designated to receive
720 payments in the income-withholding order or, if no person is
721 designated, to the obligee.

722 Sec. 44. (NEW) (*Effective July 1, 2015*) (a) A party or support
723 enforcement agency seeking to enforce a support order or an income-
724 withholding order, or both, issued in another state or a foreign support
725 order may send the documents required for registering the order to a
726 support enforcement agency of this state.

727 (b) Upon receipt of the documents, the support enforcement agency,
728 without initially seeking to register the order, shall consider and, if
729 appropriate, use any administrative procedure authorized by the law

730 of this state to enforce a support order or an income-withholding
731 order, or both. If the obligor does not contest administrative
732 enforcement, the order need not be registered. If the obligor contests
733 the validity or administrative enforcement of the order, the support
734 enforcement agency shall register the order pursuant to sections 1 to
735 78, inclusive, of this act.

736 Sec. 45. (NEW) (*Effective July 1, 2015*) A support order or income-
737 withholding order issued in another state or a foreign support order
738 may be registered in this state for enforcement.

739 Sec. 46. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
740 provided in section 66 of this act, a support order or income-
741 withholding order of another state or a foreign support order may be
742 registered in this state by sending the following records to the Family
743 Support Magistrate Division of the Superior Court in this state (1) a
744 letter of transmittal to the tribunal requesting registration and
745 enforcement; (2) two copies, including one certified copy, of the order
746 to be registered, including any modification of the order; (3) a sworn
747 statement by the person requesting registration or a certified statement
748 by the custodian of the records showing the amount of any arrearage;
749 (4) the name of the obligor and, if known (A) the obligor's address and
750 Social Security number; (B) the name and address of the obligor's
751 employer and any other source of income of the obligor; and (C) a
752 description and the location of property of the obligor in this state not
753 exempt from execution; and (5) except as otherwise provided in
754 section 28 of this act, the name and address of the obligee and, if
755 applicable, the person to whom support payments are to be remitted.

756 (b) On receipt of a request for registration, the registering tribunal
757 shall cause the order to be filed as an order of a tribunal of another
758 state or a foreign support order, together with one copy of the
759 documents and information, regardless of their form.

760 (c) A petition or comparable pleading seeking a remedy that must
761 be affirmatively sought under other law of this state may be filed at the

762 same time as the request for registration or later. The pleading must
763 specify the grounds for the remedy sought.

764 (d) If two or more orders are in effect, the person requesting
765 registration shall (1) furnish to the tribunal a copy of every support
766 order asserted to be in effect in addition to the documents specified in
767 this section; (2) specify the order alleged to be the controlling order, if
768 any; and (3) specify the amount of consolidated arrears, if any.

769 (e) A request for a determination of which is the controlling order
770 may be filed separately or with a request for registration and
771 enforcement or for registration and modification. The person
772 requesting registration shall give notice of the request to each party
773 whose rights may be affected by the determination.

774 Sec. 47. (NEW) (*Effective July 1, 2015*) (a) A support order or income-
775 withholding order issued in another state or a foreign support order is
776 registered when the order is filed in the registering tribunal of this
777 state.

778 (b) A registered support order issued in another state or a foreign
779 country is enforceable in the same manner and is subject to the same
780 procedures as an order issued by a tribunal of this state.

781 (c) Except as otherwise provided in sections 1 to 78, inclusive, of this
782 act, a tribunal of this state shall recognize and enforce, but may not
783 modify, a registered support order if the issuing tribunal had
784 jurisdiction.

785 Sec. 48. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
786 provided in subsection (d) of this section, the law of the issuing state or
787 foreign country governs (1) the nature, extent, amount and duration of
788 current payments under a registered support order; (2) the
789 computation and payment of arrearages and accrual of interest on the
790 arrearages under the support order; and (3) the existence and
791 satisfaction of other obligations under the support order.

792 (b) In a proceeding for arrears under a registered support order, the
793 statute of limitation of this state, or of the issuing state or foreign
794 country, whichever is longer, applies.

795 (c) A responding tribunal of this state shall apply the procedures
796 and remedies of this state to enforce current support and collect arrears
797 and interest due on a support order of another state or a foreign
798 country registered in this state.

799 (d) After a tribunal of this state or another state determines which is
800 the controlling order and issues an order consolidating arrears, if any,
801 a tribunal of this state shall prospectively apply the law of the state or
802 foreign country issuing the controlling order, including its law on
803 interest on arrears, on current and future support, and on consolidated
804 arrears.

805 Sec. 49. (NEW) (*Effective July 1, 2015*) (a) When a support order or
806 income-withholding order issued in another state or a foreign support
807 order is registered, the registering tribunal of this state shall notify the
808 nonregistering party. The notice must be accompanied by a copy of the
809 registered order and the documents and relevant information
810 accompanying the order.

811 (b) A notice must inform the nonregistering party (1) that a
812 registered support order is enforceable as of the date of registration in
813 the same manner as an order issued by a tribunal of this state; (2) that a
814 hearing to contest the validity or enforcement of the registered order
815 must be requested within twenty days after notice unless the
816 registered order is under section 67 of this act; (3) that failure to contest
817 the validity or enforcement of the registered order in a timely manner
818 will result in confirmation of the order and enforcement of the order
819 and the alleged arrearages; and (4) of the amount of any alleged
820 arrearages.

821 (c) If the registering party asserts that two or more orders are in
822 effect, a notice must also (1) identify the two or more orders and the

823 order alleged by the registering party to be the controlling order and
824 the consolidated arrears, if any; (2) notify the nonregistering party of
825 the right to a determination of which is the controlling order; (3) state
826 that the procedures provided in subsection (b) of this section apply to
827 the determination of which is the controlling order; and (4) state that
828 failure to contest the validity or enforcement of the order alleged to be
829 the controlling order in a timely manner may result in confirmation
830 that the order is the controlling order.

831 (d) Upon registration of an income-withholding order for
832 enforcement, the support enforcement agency or the registering
833 tribunal shall notify the obligor's employer pursuant to section 52-362
834 of the general statutes, as amended by this act.

835 Sec. 50. (NEW) (*Effective July 1, 2015*) (a) A nonregistering party
836 seeking to contest the validity or enforcement of a registered support
837 order in this state shall request a hearing within the time required by
838 section 49 of this act. The nonregistering party may seek to vacate the
839 registration, to assert any defense to an allegation of noncompliance
840 with the registered order, or to contest the remedies being sought or
841 the amount of any alleged arrearages pursuant to section 51 of this act.

842 (b) If the nonregistering party fails to contest the validity or
843 enforcement of the registered support order in a timely manner, the
844 order is confirmed by operation of law.

845 (c) If a nonregistering party requests a hearing to contest the validity
846 or enforcement of the registered support order, the registering tribunal
847 shall schedule the matter for hearing and give notice to the parties of
848 the date, time and place of the hearing.

849 Sec. 51. (NEW) (*Effective July 1, 2015*) (a) A party contesting the
850 validity or enforcement of a registered support order or seeking to
851 vacate the registration has the burden of proving one or more of the
852 following defenses (1) the issuing tribunal lacked personal jurisdiction
853 over the contesting party; (2) the order was obtained by fraud; (3) the

854 order has been vacated, suspended or modified by a later order; (4) the
855 issuing tribunal has stayed the order pending appeal; (5) there is a
856 defense under the law of this state to the remedy sought; (6) full or
857 partial payment has been made; (7) the statute of limitations under
858 section 48 of this act precludes enforcement of some or all of the
859 alleged arrearages; or (8) the alleged controlling order is not the
860 controlling order.

861 (b) If a party presents evidence establishing a full or partial defense
862 under subsection (a) of this section, a tribunal may stay enforcement of
863 a registered support order, continue the proceeding to permit
864 production of additional relevant evidence and issue other appropriate
865 orders. An uncontested portion of the registered support order may be
866 enforced by all remedies available under the law of this state.

867 (c) If the contesting party does not establish a defense under
868 subsection (a) of this section to the validity or enforcement of a
869 registered support order, the registering tribunal shall issue an order
870 confirming the order.

871 Sec. 52. (NEW) (*Effective July 1, 2015*) Confirmation of a registered
872 support order, whether by operation of law or after notice and hearing,
873 precludes further contest of the order with respect to any matter that
874 could have been asserted at the time of registration.

875 Sec. 53. (NEW) (*Effective July 1, 2015*) A party or support
876 enforcement agency seeking to modify, or to modify and enforce, a
877 child support order issued in another state shall register that order in
878 this state in the same manner provided in sections 45 to 52, inclusive,
879 of this act if the order has not been registered. A motion for
880 modification may be filed at the same time as a request for registration,
881 or later. The pleading must specify the grounds for modification.

882 Sec. 54. (NEW) (*Effective July 1, 2015*) A tribunal of this state may
883 enforce a child support order of another state registered for purposes
884 of modification, in the same manner as if the order had been issued by

885 a tribunal of this state, but the registered support order may be
886 modified only if the requirements of section 55 or 57 of this act have
887 been met.

888 Sec. 55. (NEW) (*Effective July 1, 2015*) (a) If section 57 of this act does
889 not apply, upon petition a tribunal of this state may modify a child
890 support order issued in another state which is registered in this state if,
891 after notice and hearing, the tribunal finds that (1) the following
892 requirements are met (A) neither the child, nor the obligee who is an
893 individual, nor the obligor resides in the issuing state; (B) a petitioner
894 who is a nonresident of this state seeks modification; and (C) the
895 respondent is subject to the personal jurisdiction of the tribunal of this
896 state; or (2) this state is the residence of the child, or a party who is an
897 individual is subject to the personal jurisdiction of the tribunal of this
898 state, and all of the parties who are individuals have filed consents in a
899 record in the issuing tribunal for a tribunal of this state to modify the
900 support order and assume continuing, exclusive jurisdiction.

901 (b) Modification of a registered child support order is subject to the
902 same requirements, procedures and defenses that apply to the
903 modification of an order issued by a tribunal of this state and the order
904 may be enforced and satisfied in the same manner.

905 (c) A tribunal of this state may not modify any aspect of a child
906 support order that may not be modified under the law of the issuing
907 state, including the duration of the obligation of support. If two or
908 more tribunals have issued child support orders for the same obligor
909 and same child, the order that controls and must be so recognized
910 under section 12 of this act establishes the aspects of the support order
911 which are nonmodifiable.

912 (d) In a proceeding to modify a child support order, the law of the
913 state that is determined to have issued the initial controlling order
914 governs the duration of the obligation of support. The obligor's
915 fulfillment of the duty of support established by that order precludes
916 imposition of a further obligation of support by a tribunal of this state.

917 (e) On the issuance of an order by a tribunal of this state modifying
918 a child support order issued in another state, the tribunal of this state
919 becomes the tribunal having continuing, exclusive jurisdiction.

920 (f) Notwithstanding subsections (a) to (e), inclusive, of this section
921 and subsection (b) of section 6 of this act, a tribunal of this state retains
922 jurisdiction to modify an order issued by a tribunal of this state if (1)
923 one party resides in another state; and (2) the other party resides
924 outside the United States.

925 Sec. 56. (NEW) (*Effective July 1, 2015*) If a child support order issued
926 by a tribunal of this state is modified by a tribunal of another state
927 which assumed jurisdiction pursuant to the Uniform Interstate Family
928 Support Act, a tribunal of this state (1) may enforce its order that was
929 modified only as to arrears and interest accruing before the
930 modification; (2) may provide appropriate relief for violations of its
931 order which occurred before the effective date of the modification; and
932 (3) shall recognize the modifying order of the other state, upon
933 registration, for the purpose of enforcement.

934 Sec. 57. (NEW) (*Effective July 1, 2015*) (a) If all of the parties who are
935 individuals reside in this state and the child does not reside in the
936 issuing state, a tribunal of this state has jurisdiction to enforce and to
937 modify the issuing state's child support order in a proceeding to
938 register that order.

939 (b) A tribunal of this state exercising jurisdiction under this section
940 shall apply the provisions of sections 1 to 16, inclusive, of this act,
941 sections 45 to 60, inclusive, of this act, and the procedural and
942 substantive law of this state to the proceeding for enforcement or
943 modification. Sections 17 to 44, inclusive, of this act and sections 61 to
944 75, inclusive, of this act do not apply.

945 Sec. 58. (NEW) (*Effective July 1, 2015*) Within thirty days after
946 issuance of a modified child support order, the party obtaining the
947 modification shall file a certified copy of the order with the issuing

948 tribunal that had continuing, exclusive jurisdiction over the earlier
949 order, and in each tribunal in which the party knows the earlier order
950 has been registered. A party who obtains the order and fails to file a
951 certified copy is subject to appropriate sanctions by a tribunal in which
952 the issue of failure to file arises. The failure to file does not affect the
953 validity or enforceability of the modified order of the new tribunal
954 having continuing, exclusive jurisdiction.

955 Sec. 59. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
956 provided in section 71 of this act, if a foreign country lacks or refuses
957 to exercise jurisdiction to modify its child support order pursuant to its
958 laws, a tribunal of this state may assume jurisdiction to modify the
959 child support order and bind all individuals subject to the personal
960 jurisdiction of the tribunal whether the consent to modification of a
961 child support order otherwise required of the individual pursuant to
962 section 55 of this act has been given or whether the individual seeking
963 modification is a resident of this state or of the foreign country.

964 (b) An order issued by a tribunal of this state modifying a foreign
965 child support order pursuant to this section is the controlling order.

966 Sec. 60. (NEW) (*Effective July 1, 2015*) A party or support
967 enforcement agency seeking to modify, or to modify and enforce, a
968 foreign child support order not under the Convention may register
969 that order in this state under sections 45 to 52, inclusive, of this act if
970 the order has not been registered. A motion for modification may be
971 filed at the same time as a request for registration, or at another time.
972 The motion must specify the grounds for modification.

973 Sec. 61. (NEW) (*Effective July 1, 2015*) As used in this section and
974 sections 62 to 73, inclusive, of this act:

975 (1) "Application" means a request under the Convention by an
976 obligee or obligor, or on behalf of a child, made through a central
977 authority for assistance from another central authority.

978 (2) "Central authority" means the entity designated by the United

979 States or a foreign country to perform the functions specified in the
980 Convention.

981 (3) "Convention support order" means a support order of a tribunal
982 of a foreign country.

983 (4) "Direct request" means a petition filed by an individual in a
984 tribunal of this state in a proceeding involving an obligee, obligor or
985 child residing outside the United States.

986 (5) "Foreign central authority" means the entity designated by a
987 foreign country to perform the functions specified in the Convention.

988 (6) "Foreign support agreement" means (A) an agreement for
989 support in a record that (i) is enforceable as a support order in the
990 country of origin; (ii) has been (I) formally drawn up or registered as
991 an authentic instrument by a foreign tribunal; or (II) authenticated by,
992 or concluded, registered or filed with a foreign tribunal; and (iii) may
993 be reviewed and modified by a foreign tribunal; and (B) a maintenance
994 arrangement or authentic instrument under the Convention.

995 (7) "United States central authority" means the Secretary of the
996 United States Department of Health and Human Services.

997 Sec. 62. (NEW) (*Effective July 1, 2015*) Sections 61 to 73, inclusive, of
998 this act apply only to a support proceeding under the Convention. In
999 such a proceeding, if a provision of sections 61 to 73, inclusive, of this
1000 act is inconsistent with sections 1 to 60, inclusive, of this act, sections 61
1001 to 73, inclusive, of this act, control.

1002 Sec. 63. (NEW) (*Effective July 1, 2015*) The IV-D agency of this state is
1003 recognized as the agency designated by the United States central
1004 authority to perform specific functions under the Convention.

1005 Sec. 64. (NEW) (*Effective July 1, 2015*) (a) In a support proceeding
1006 under sections 61 to 73, inclusive, of this act, the IV-D agency of this
1007 state shall (1) transmit and receive applications; and (2) initiate or

1008 facilitate the institution of a proceeding regarding an application in a
1009 tribunal of this state.

1010 (b) The following support proceedings are available to an obligee
1011 under the Convention (1) recognition or recognition and enforcement
1012 of a foreign support order; (2) enforcement of a support order issued or
1013 recognized in this state; (3) establishment of a support order if there is
1014 no existing order, including, if necessary, determination of parentage
1015 of a child; (4) establishment of a support order if recognition of a
1016 foreign support order is refused under subdivisions (2), (4) or (9) of
1017 subsection (b) of section 68 of this act; (5) modification of a support
1018 order of a tribunal of this state; and (6) modification of a support order
1019 of a tribunal of another state or a foreign country.

1020 (c) The following support proceedings are available under the
1021 Convention to an obligor against which there is an existing support
1022 order (1) recognition of an order suspending or limiting enforcement
1023 of an existing support order of a tribunal of this state; (2) modification
1024 of a support order of a tribunal of this state; and (3) modification of a
1025 support order of a tribunal of another state or a foreign country.

1026 (d) A tribunal of this state may not require security, bond, or
1027 deposit, however described, to guarantee the payment of costs and
1028 expenses in proceedings under the Convention.

1029 Sec. 65. (NEW) (*Effective July 1, 2015*) (a) A petitioner may file a
1030 direct request seeking establishment or modification of a support order
1031 or determination of parentage of a child. In the proceeding, the law of
1032 this state applies.

1033 (b) A petitioner may file a direct request seeking recognition and
1034 enforcement of a support order or support agreement. In the
1035 proceeding, sections 66 to 73, inclusive, of this act, apply.

1036 (c) In a direct request for recognition and enforcement of a
1037 Convention support order or foreign support agreement (1) a security,
1038 bond, or deposit is not required to guarantee the payment of costs and

1039 expenses; and (2) an obligee or obligor that in the issuing country has
1040 benefited from free legal assistance is entitled to benefit, at least to the
1041 same extent, from any free legal assistance provided for by the law of
1042 this state under the same circumstances.

1043 (d) A petitioner filing a direct request is not entitled to assistance
1044 from the IV-D agency.

1045 (e) Sections 61 to 73, inclusive, of this act do not prevent the
1046 application of laws of this state that provide simplified, more
1047 expeditious rules regarding a direct request for recognition and
1048 enforcement of a foreign support order or foreign support agreement.

1049 Sec. 66. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
1050 provided in sections 61 to 73, inclusive, of this act, a party who is an
1051 individual or a support enforcement agency seeking recognition of a
1052 Convention support order shall register the order in this state as
1053 provided in sections 45 to 60, inclusive, of this act.

1054 (b) Notwithstanding section 27 of this act and subsection (a) of
1055 section 46 of this act, a request for registration of a Convention support
1056 order must be accompanied by (1) a complete text of the support order;
1057 (2) a record stating that the support order is enforceable in the issuing
1058 country; (3) if the respondent did not appear and was not represented
1059 in the proceedings in the issuing country, a record attesting, as
1060 appropriate, either that the respondent had proper notice of the
1061 proceedings and an opportunity to be heard or that the respondent
1062 had proper notice of the support order and an opportunity to be heard
1063 in a challenge or appeal on fact or law before a tribunal; (4) a record
1064 showing the amount of arrears, if any, and the date the amount was
1065 calculated; (5) a record showing a requirement for automatic
1066 adjustment of the amount of support, if any, and the information
1067 necessary to make the appropriate calculations; and (6) if necessary, a
1068 record showing the extent to which the applicant received free legal
1069 assistance in the issuing country.

1070 (c) A request for registration of a Convention support order may
1071 seek recognition and partial enforcement of the order.

1072 (d) A tribunal of this state may vacate the registration of a
1073 Convention support order without the filing of a contest under section
1074 67 of this act only if, acting on its own motion, the tribunal finds that
1075 recognition and enforcement of the order would be manifestly
1076 incompatible with public policy.

1077 (e) The tribunal shall promptly notify the parties of the registration
1078 or the order vacating the registration of a Convention support order.

1079 Sec. 67. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
1080 provided in sections 61 to 73, inclusive, of this act, sections 49 to 52,
1081 inclusive, of this act, apply to a contest of a registered Convention
1082 support order.

1083 (b) A party contesting a registered Convention support order shall
1084 file a contest not later than thirty days after notice of the registration,
1085 but if the contesting party does not reside in the United States, the
1086 contest must be filed not later than sixty days after notice of the
1087 registration.

1088 (c) If the nonregistering party fails to contest the registered
1089 Convention support order by the time specified in subsection (b) of
1090 this section, the order is enforceable.

1091 (d) A contest of a registered Convention support order may be
1092 based only on grounds set forth in section 68 of this act. The contesting
1093 party bears the burden of proof.

1094 (e) In a contest of a registered Convention support order, a tribunal
1095 of this state (1) is bound by the findings of fact on which the foreign
1096 tribunal based its jurisdiction; and (2) may not review the merits of the
1097 order.

1098 (f) A tribunal of this state deciding a contest of a registered

1099 Convention support order shall promptly notify the parties of its
1100 decision.

1101 (g) A challenge or appeal, if any, does not stay the enforcement of a
1102 Convention support order unless there are exceptional circumstances.

1103 Sec. 68. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
1104 provided in subsection (b) of this section, a tribunal of this state shall
1105 recognize and enforce a registered Convention support order.

1106 (b) The following grounds are the only grounds on which a tribunal
1107 of this state may refuse recognition and enforcement of a registered
1108 Convention support order (1) recognition and enforcement of the order
1109 is manifestly incompatible with public policy, including the failure of
1110 the issuing tribunal to observe minimum standards of due process,
1111 which include notice and an opportunity to be heard; (2) the issuing
1112 tribunal lacked personal jurisdiction consistent with section 6 of this
1113 act; (3) the order is not enforceable in the issuing country; (4) the order
1114 was obtained by fraud in connection with a matter of procedure; (5) a
1115 record transmitted in accordance with section 66 of this act lacks
1116 authenticity or integrity; (6) a proceeding between the same parties
1117 and having the same purpose is pending before a tribunal of this state
1118 and that proceeding was the first to be filed; (7) the order is
1119 incompatible with a more recent support order involving the same
1120 parties and having the same purpose if the more recent support order
1121 is entitled to recognition and enforcement under sections 1 to 78,
1122 inclusive, of this act in this state; (8) payment, to the extent alleged
1123 arrears have been paid in whole or in part; (9) in a case in which the
1124 respondent neither appeared nor was represented in the proceeding in
1125 the issuing foreign country (A) if the law of that country provides for
1126 prior notice of proceedings, the respondent did not have proper notice
1127 of the proceedings and an opportunity to be heard; or (B) if the law of
1128 that country does not provide for prior notice of the proceedings, the
1129 respondent did not have proper notice of the order and an opportunity
1130 to be heard in a challenge or appeal on fact or law before a tribunal; or
1131 (10) the order was made in violation of section 71 of this act.

1132 (c) If a tribunal of this state does not recognize a Convention
1133 support order under subdivision (2), (4) or (9) of subsection (b) of this
1134 section (1) the tribunal may not dismiss the proceeding without
1135 allowing a reasonable time for a party to request the establishment of a
1136 new Convention support order; and (2) the IV-D agency shall take all
1137 appropriate measures to request a child support order for the obligee if
1138 the application for recognition and enforcement was received under
1139 section 64 of this act.

1140 Sec. 69. (NEW) (*Effective July 1, 2015*) If a tribunal of this state does
1141 not recognize and enforce a Convention support order in its entirety, it
1142 shall enforce any severable part of the order. An application or direct
1143 request may seek recognition and partial enforcement of a Convention
1144 support order.

1145 Sec. 70. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise
1146 provided in subsections (c) and (d) of this section, a tribunal of this
1147 state shall recognize and enforce a foreign support agreement
1148 registered in this state.

1149 (b) An application or direct request for recognition and enforcement
1150 of a foreign support agreement must be accompanied by (1) a complete
1151 text of the foreign support agreement; and (2) a record stating that the
1152 foreign support agreement is enforceable as an order of support in the
1153 issuing country.

1154 (c) A tribunal of this state may vacate the registration of a foreign
1155 support agreement only if, acting on its own motion, the tribunal finds
1156 that recognition and enforcement would be manifestly incompatible
1157 with public policy.

1158 (d) In a contest of a foreign support agreement, a tribunal of this
1159 state may refuse recognition and enforcement of the agreement if it
1160 finds (1) recognition and enforcement of the agreement is manifestly
1161 incompatible with public policy; (2) the agreement was obtained by
1162 fraud or falsification; (3) the agreement is incompatible with a support

1163 order involving the same parties and having the same purpose in this
1164 state, another state, or a foreign country if the support order is entitled
1165 to recognition and enforcement under sections 1 to 78, inclusive, of this
1166 act in this state; or (4) the record submitted under subsection (b) of this
1167 section lacks authenticity or integrity.

1168 (e) A proceeding for recognition and enforcement of a foreign
1169 support agreement must be suspended during the pendency of a
1170 challenge to or appeal of the agreement before a tribunal of another
1171 state or a foreign country.

1172 Sec. 71. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state may
1173 not modify a Convention child support order if the obligee remains a
1174 resident of the foreign country where the support order was issued
1175 unless (1) the obligee submits to the jurisdiction of a tribunal of this
1176 state, either expressly or by defending on the merits of the case
1177 without objecting to the jurisdiction at the first available opportunity;
1178 or (2) the foreign tribunal lacks or refuses to exercise jurisdiction to
1179 modify its support order or issue a new support order.

1180 (b) If a tribunal of this state does not modify a Convention child
1181 support order because the order is not recognized in this state,
1182 subsection (c) of section 68 of this act applies.

1183 Sec. 72. (NEW) (*Effective July 1, 2015*) Personal information gathered
1184 or transmitted under sections 61 to 73, inclusive, of this act may be
1185 used only for the purposes for which it was gathered or transmitted.

1186 Sec. 73. (NEW) (*Effective July 1, 2015*) A record filed with a tribunal
1187 of this state under sections 61 to 73, inclusive, of this act must be in the
1188 original language and, if not in English, must be accompanied by an
1189 English translation.

1190 Sec. 74. (NEW) (*Effective July 1, 2015*) (a) For purposes of sections 74
1191 and 75 of this act, "governor" includes an individual performing the
1192 functions of governor or the executive authority of a state covered by
1193 sections 1 to 78, inclusive, of this act.

1194 (b) The governor of this state may (1) demand that the governor of
1195 another state surrender an individual found in the other state who is
1196 charged criminally in this state with having failed to provide for the
1197 support of an obligee; or (2) on the demand of the governor of another
1198 state, surrender an individual found in this state who is charged
1199 criminally in the other state with having failed to provide for the
1200 support of an obligee.

1201 (c) A provision for extradition of individuals not inconsistent with
1202 sections 1 to 78, inclusive, of this act applies to the demand even if the
1203 individual whose surrender is demanded was not in the demanding
1204 state when the crime was allegedly committed and has not fled
1205 therefrom.

1206 Sec. 75. (NEW) (*Effective July 1, 2015*) (a) Before making a demand
1207 that the governor of another state surrender an individual charged
1208 criminally in this state with having failed to provide for the support of
1209 an obligee, the governor of this state may require a prosecutor of this
1210 state to demonstrate that at least sixty days previously the obligee had
1211 initiated proceedings for support pursuant to sections 1 to 78,
1212 inclusive, of this act or that the proceeding would be of no avail.

1213 (b) If, under sections 1 to 78, inclusive, of this act or a law
1214 substantially similar to sections 1 to 78, inclusive, of this act, the
1215 governor of another state makes a demand that the governor of this
1216 state surrender an individual charged criminally in that state with
1217 having failed to provide for the support of a child or other individual
1218 to whom a duty of support is owed, the governor may require a
1219 prosecutor to investigate the demand and report whether a proceeding
1220 for support has been initiated or would be effective. If it appears that a
1221 proceeding would be effective but has not been initiated, the governor
1222 may delay honoring the demand for a reasonable time to permit the
1223 initiation of a proceeding.

1224 (c) If a proceeding for support has been initiated and the individual
1225 whose rendition is demanded prevails, the governor may decline to

1226 honor the demand. If the petitioner prevails and the individual whose
1227 rendition is demanded is subject to a support order, the governor may
1228 decline to honor the demand if the individual is complying with the
1229 support order.

1230 Sec. 76. (NEW) (*Effective July 1, 2015*) In applying and construing
1231 sections 1 to 78, inclusive, of this act, consideration must be given to
1232 the need to promote uniformity of the law with respect to its subject
1233 matter among states that enact it.

1234 Sec. 77. (NEW) (*Effective July 1, 2015*) Sections 1 to 78, inclusive, of
1235 this act apply to proceedings begun on or after July 1, 2015, to establish
1236 a support order or determine parentage of a child or to register,
1237 recognize, enforce or modify a prior support order, determination, or
1238 agreement, whenever issued or entered.

1239 Sec. 78. (NEW) (*Effective July 1, 2015*) If any provision of sections 1 to
1240 78, inclusive, of this act or their application to any person or
1241 circumstance is held invalid, the invalidity does not affect other
1242 provisions or applications of sections 1 to 78, inclusive, of this act
1243 which can be given effect without the invalid provision or application.
1244 To this end the provisions of sections 1 to 78, inclusive, of this act are
1245 severable.

1246 Sec. 79. Subsection (b) of section 17b-745 of the general statutes is
1247 repealed and the following is substituted in lieu thereof (*Effective July*
1248 *1, 2015*):

1249 (b) Except as provided in sections [46b-212 to 46b-213w] 1 to 78,
1250 inclusive, of this act any court or family support magistrate, called
1251 upon to enforce a support order, shall insure that such order is
1252 reasonable in light of the obligor's ability to pay. Except as provided in
1253 sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act any support
1254 order entered pursuant to this section, or any support order from
1255 another jurisdiction subject to enforcement by the state of Connecticut,
1256 may be modified by motion of the party seeking such modification,

1257 including Support Enforcement Services in IV-D support cases, as
1258 defined in subdivision (13) of subsection (b) of section 46b-231, as
1259 amended by this act, upon a showing of a substantial change in the
1260 circumstances of either party or upon a showing that the final order for
1261 child support substantially deviates from the child support guidelines
1262 established pursuant to section 46b-215a, unless there was a specific
1263 finding on the record that the application of the guidelines would be
1264 inequitable or inappropriate, provided the court or family support
1265 magistrate finds that the obligor or the obligee and any other
1266 interested party have received actual notice of the pendency of such
1267 motion and of the time and place of the hearing on such motion. There
1268 shall be a rebuttable presumption that any deviation of less than fifteen
1269 per cent from the child support guidelines is not substantial and any
1270 deviation of fifteen per cent or more from the guidelines is substantial.
1271 Modification may be made of such support order without regard to
1272 whether the order was issued before, on or after May 9, 1991. In any
1273 hearing to modify any support order from another jurisdiction the
1274 court or the family support magistrate shall conduct the proceedings in
1275 accordance with sections [46b-213o to 46b-213r] 53 to 59, inclusive, of
1276 this act. No such support orders may be subject to retroactive
1277 modification except that the court or family support magistrate may
1278 order modification with respect to any period during which there is a
1279 pending motion for a modification of an existing support order from
1280 the date of service of notice of such pending motion upon the opposing
1281 party pursuant to section 52-50.

1282 Sec. 80. Subdivision (4) of subsection (b) of section 46b-56c of the
1283 general statutes is repealed and the following is substituted in lieu
1284 thereof (*Effective July 1, 2015*):

1285 (4) On motion or petition of a parent, the court may enter an
1286 educational support order at the time of entering an order pursuant to
1287 any other provision of the general statutes authorizing the court to
1288 make an order of support for a child, subject to the provisions of
1289 sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act.

1290 Sec. 81. Section 46b-62 of the general statutes is repealed and the
1291 following is substituted in lieu thereof (*Effective July 1, 2015*):

1292 (a) In any proceeding seeking relief under the provisions of this
1293 chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, [46b-212
1294 to 46b-213w] 1 to 78, inclusive, of this act, 47-14g, 51-348a and 52-362,
1295 as amended by this act, the court may order either spouse or, if such
1296 proceeding concerns the custody, care, education, visitation or support
1297 of a minor child, either parent to pay the reasonable attorney's fees of
1298 the other in accordance with their respective financial abilities and the
1299 criteria set forth in section 46b-82. If, in any proceeding under this
1300 chapter and said sections, the court appoints counsel or a guardian ad
1301 litem for a minor child, the court may order the father, mother or an
1302 intervening party, individually or in any combination, to pay the
1303 reasonable fees of such counsel or guardian ad litem or may order the
1304 payment of such counsel's or guardian ad litem's fees in whole or in
1305 part from the estate of the child. If the child is receiving or has received
1306 state aid or care, the compensation of such counsel or guardian ad
1307 litem shall be established and paid by the Public Defender Services
1308 Commission.

1309 (b) If, in any proceeding under this chapter and sections 17b-743,
1310 17b-744, 45a-257, 46b-1, 46b-6, [46b-212 to 46b-213w] 1 to 78, inclusive,
1311 of this act, 47-14g, 51-348a and 52-362, as amended by this act, the
1312 court appoints counsel or a guardian ad litem for a minor child, the
1313 court may not order the father, mother or an intervening party,
1314 individually or in any combination, to pay the reasonable fees of such
1315 counsel or guardian ad litem from a college savings account, including
1316 any account established pursuant to any qualified tuition program, as
1317 defined in Section 529(b) of the Internal Revenue Code, that has been
1318 established for the benefit of the minor child. If the court determines
1319 that the father, mother or an intervening party does not have the
1320 ability to pay such reasonable fees, the court shall not order that such
1321 reasonable fees be paid by such persons through the use of a credit
1322 card. In addition, any order for the payment of such reasonable fees

1323 shall be limited to income or assets that are not exempt property under
1324 sections 52-352a and 52-352b.

1325 (c) In any proceeding under this chapter and sections 17b-743, 17b-
1326 744, 45a-257, 46b-1, 46b-6, [46b-212 to 46b-213w] 1 to 78, inclusive, of
1327 this act, 47-14g, 51-348a and 52-362, as amended by this act, in which
1328 the court appoints counsel or a guardian ad litem for a minor child, the
1329 court may order that the fees to be paid to such counsel or guardian ad
1330 litem be calculated on a sliding-scale basis after giving due
1331 consideration to the income and assets of the parties to the proceeding.

1332 (d) The Judicial Branch shall develop and implement a methodology
1333 for calculating, on a sliding-scale basis, the fees owing to counsel or a
1334 guardian ad litem for a minor child appointed in any proceeding
1335 under this chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6,
1336 [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, 47-14g, 51-348a and
1337 52-362, as amended by this act.

1338 Sec. 82. Subdivision (2) of subsection (a) of section 46b-160 of the
1339 general statutes is repealed and the following is substituted in lieu
1340 thereof (*Effective July 1, 2015*):

1341 (2) The verified petition, summons and order shall be filed in the
1342 superior court for the judicial district in which either she or the
1343 putative father resides, except that in IV-D support cases, as defined in
1344 subdivision (13) of subsection (b) of section 46b-231, as amended by
1345 this act, and in petitions brought under sections [46b-212 to 46b-213w]
1346 1 to 78, inclusive, of this act, such petition shall be filed with the clerk
1347 for the Family Support Magistrate Division serving the judicial district
1348 where either she or the putative father resides.

1349 Sec. 83. Subsection (a) of section 46b-168a of the general statutes is
1350 repealed and the following is substituted in lieu thereof (*Effective July*
1351 *1, 2015*):

1352 (a) In any IV-D support case, as defined in subdivision (13) of
1353 subsection (b) of section 46b-231, as amended by this act, in which the

1354 paternity of a child is at issue, or in any case in which a support
1355 enforcement agency is providing services to a petitioner in a
1356 proceeding under sections [46b-212 to 46b-213w] 1 to 78, inclusive, of
1357 this act, in which the paternity of a child is at issue, the IV-D agency or
1358 the support enforcement agency shall require the child and all other
1359 parties other than individuals who have good cause for refusing to
1360 cooperate or who are subject to other exceptions to submit to genetic
1361 tests which shall mean deoxyribonucleic acid tests, to be performed by
1362 a hospital, accredited laboratory, qualified physician or other qualified
1363 person designated by such agency, to determine whether or not the
1364 putative father or husband is the father of the child, upon the request
1365 of any such party, provided such request is supported by a sworn
1366 statement by the party which either (1) alleges paternity and sets forth
1367 facts establishing a reasonable possibility of the requisite sexual
1368 contact between the parties, or (2) denies paternity and sets forth facts
1369 establishing a reasonable possibility of the nonexistence of sexual
1370 contact between the parties.

1371 Sec. 84. Section 46b-170 of the general statutes is repealed and the
1372 following is substituted in lieu thereof (*Effective July 1, 2015*):

1373 No petition under section 46b-160, as amended by this act, shall be
1374 withdrawn except upon approval of a judge or in IV-D support cases
1375 as defined in subsection (b) of section 46b-231, as amended by this act,
1376 and petitions brought under sections [46b-212 to 46b-213w] 1 to 78,
1377 inclusive, of this act, the family support magistrate assigned to the
1378 judicial district in which the petition was brought. Any agreement of
1379 settlement, before or after a petition has been brought, other than an
1380 agreement made under the provisions of section 46b-172, as amended
1381 by this act, between the mother and putative father shall take effect
1382 only upon approval of the terms thereof by a judge of the Superior
1383 Court, or family support magistrate assigned to the judicial district in
1384 which the mother or the putative father resides and, in the case of
1385 children supported by the state or the town, on the approval of the
1386 Commissioner of Social Services or the Attorney General. When so

1387 approved, such agreements shall be binding upon all persons
1388 executing them, whether such person is a minor or an adult.

1389 Sec. 85. Section 46b-172 of the general statutes is repealed and the
1390 following is substituted in lieu thereof (*Effective July 1, 2015*):

1391 (a) (1) In lieu of or in conclusion of proceedings under section
1392 46b-160, as amended by this act, a written acknowledgment of
1393 paternity executed and sworn to by the putative father of the child
1394 when accompanied by (A) an attested waiver of the right to a blood
1395 test, the right to a trial and the right to an attorney, (B) a written
1396 affirmation of paternity executed and sworn to by the mother of the
1397 child, and (C) if the person subject to the acknowledgment of paternity
1398 is an adult eighteen years of age or older, a notarized affidavit
1399 affirming consent to the voluntary acknowledgment of paternity, shall
1400 have the same force and effect as a judgment of the Superior Court. It
1401 shall be considered a legal finding of paternity without requiring or
1402 permitting judicial ratification, and shall be binding on the person
1403 executing the same whether such person is an adult or a minor, subject
1404 to subdivision (2) of this subsection. Such acknowledgment shall not
1405 be binding unless, prior to the signing of any affirmation or
1406 acknowledgment of paternity, the mother and the putative father are
1407 given oral and written notice of the alternatives to, the legal
1408 consequences of, and the rights and responsibilities that arise from
1409 signing such affirmation or acknowledgment. The notice to the mother
1410 shall include, but shall not be limited to, notice that the affirmation of
1411 paternity may result in rights of custody and visitation, as well as a
1412 duty of support, in the person named as father. The notice to the
1413 putative father shall include, but not be limited to, notice that such
1414 father has the right to contest paternity, including the right to
1415 appointment of counsel, a genetic test to determine paternity and a
1416 trial by the Superior Court or a family support magistrate and that
1417 acknowledgment of paternity will make such father liable for the
1418 financial support of the child until the child's eighteenth birthday. In
1419 addition, the notice shall inform the mother and the father that DNA

1420 testing may be able to establish paternity with a high degree of
1421 accuracy and may, under certain circumstances, be available at state
1422 expense. The notices shall also explain the right to rescind the
1423 acknowledgment, as set forth in subdivision (2) of this subsection,
1424 including the address where such notice of rescission should be sent,
1425 and shall explain that the acknowledgment cannot be challenged after
1426 sixty days, except in court upon a showing of fraud, duress or material
1427 mistake of fact.

1428 (2) The mother and the acknowledged father shall have the right to
1429 rescind such affirmation or acknowledgment in writing within the
1430 earlier of (A) sixty days, or (B) the date of an agreement to support
1431 such child approved in accordance with subsection (b) of this section
1432 or an order of support for such child entered in a proceeding under
1433 subsection (c) of this section. An acknowledgment executed in
1434 accordance with subdivision (1) of this subsection may be challenged
1435 in court or before a family support magistrate after the rescission
1436 period only on the basis of fraud, duress or material mistake of fact
1437 which may include evidence that he is not the father, with the burden
1438 of proof upon the challenger. During the pendency of any such
1439 challenge, any responsibilities arising from such acknowledgment
1440 shall continue except for good cause shown.

1441 (3) All written notices, waivers, affirmations and acknowledgments
1442 required under subdivision (1) of this subsection, and rescissions
1443 authorized under subdivision (2) of this subsection, shall be on forms
1444 prescribed by the Department of Public Health, provided such
1445 acknowledgment form includes the minimum requirements specified
1446 by the Secretary of the United States Department of Health and
1447 Human Services. All acknowledgments and rescissions executed in
1448 accordance with this subsection shall be filed in the paternity registry
1449 established and maintained by the Department of Public Health under
1450 section 19a-42a.

1451 (4) An acknowledgment of paternity signed in any other state
1452 according to its procedures shall be given full faith and credit by this

1453 state.

1454 (b) (1) An agreement to support the child by payment of a periodic
1455 sum until the child attains the age of eighteen years or as otherwise
1456 provided in this subsection, together with provisions for
1457 reimbursement for past-due support based upon ability to pay in
1458 accordance with the provisions of section 17a-90 or 17b-81, subsection
1459 (b) of section 17b-179 or section 17b-223, 46b-129 or 46b-130, and
1460 reasonable expense of prosecution of the petition, when filed with and
1461 approved by a judge of the Superior Court, or in IV-D support cases
1462 and matters brought under sections [46b-212 to 46b-213w] 1 to 78,
1463 inclusive, of this act, a family support magistrate at any time, shall
1464 have the same force and effect, retroactively or prospectively in
1465 accordance with the terms of the agreement, as an order of support
1466 entered by the court, and shall be enforceable and subject to
1467 modification in the same manner as is provided by law for orders of
1468 the court in such cases. If such child is unmarried and a full-time high
1469 school student, such support shall continue according to the parents'
1470 respective abilities to pay, if such child is in need of support, until such
1471 child completes the twelfth grade or attains the age of nineteen,
1472 whichever occurs first.

1473 (2) Past-due support in such cases shall be limited to the three years
1474 next preceding the date of the filing of such agreements to support.

1475 (3) Payments under such agreement shall be made to the petitioner,
1476 except that in IV-D support cases, as defined in subsection (b) of
1477 section 46b-231, as amended by this act, payments shall be made to the
1478 Bureau of Child Support Enforcement or its designated agency and
1479 distributed as required by Title IV-D of the Social Security Act. In IV-D
1480 support cases, the IV-D agency or a support enforcement agency under
1481 cooperative agreement with the IV-D agency may, upon notice to the
1482 obligor and obligee, redirect payments for the support of any child
1483 receiving child support enforcement services either to the state of
1484 Connecticut or to the present custodial party, as their interests may
1485 appear, provided neither the obligor nor the obligee objects in writing

1486 within ten business days from the mailing date of such notice. Any
1487 such notice shall be sent by first class mail to the most recent address
1488 of such obligor and obligee, as recorded in the state case registry
1489 pursuant to section 46b-218, and a copy of such notice shall be filed
1490 with the court or family support magistrate if both the obligor and
1491 obligee fail to object to the redirected payments within ten business
1492 days from the mailing date of such notice.

1493 (4) Such written agreements to support shall be sworn to, and shall
1494 be binding on the person executing the same whether he is an adult or
1495 a minor.

1496 (c) (1) At any time after the signing of any acknowledgment of
1497 paternity, upon the application of any interested party, the court or
1498 any judge thereof or any family support magistrate in IV-D support
1499 cases and in matters brought under sections [46b-212 to 46b-213w] 1 to
1500 78, inclusive, of this act, shall cause a summons, signed by such judge
1501 or family support magistrate, by the clerk of the court or by a
1502 commissioner of the Superior Court, to be issued, requiring the
1503 acknowledged father to appear in court at a time and place as
1504 determined by the clerk but not more than ninety days after the
1505 issuance of the summons, to show cause why the court or the family
1506 support magistrate assigned to the judicial district in IV-D support
1507 cases should not enter judgment for support of the child by payment of
1508 a periodic sum until the child attains the age of eighteen years or as
1509 otherwise provided in this subsection, together with provision for
1510 reimbursement for past-due support based upon ability to pay in
1511 accordance with the provisions of section 17a-90 or 17b-81, subsection
1512 (b) of section 17b-179 or section 17b-223, 46b-129 or 46b-130, a
1513 provision for health coverage of the child as required by section 46b-
1514 215, as amended by this act, and reasonable expense of the action
1515 under this subsection. If such child is unmarried and a full-time high
1516 school student such support shall continue according to the parents'
1517 respective abilities to pay, if such child is in need of support, until such
1518 child completes the twelfth grade or attains the age of nineteen,

1519 whichever occurs first.

1520 (2) Past-due support in such cases shall be limited to the three years
1521 next preceding the filing of a petition pursuant to this section. Such
1522 court or family support magistrate, in IV-D support cases, may also
1523 order the acknowledged father who is subject to a plan for
1524 reimbursement of past-due support and is not incapacitated to
1525 participate in work activities which may include, but shall not be
1526 limited to, job search, training, work experience and participation in
1527 the job training and retraining program established by the Labor
1528 Commissioner pursuant to section 31-3t.

1529 (3) Proceedings to obtain such orders of support shall be
1530 commenced by the service of such summons on the acknowledged
1531 father. A state marshal or proper officer shall make due return of
1532 process to the court not less than twenty-one days before the date
1533 assigned for hearing.

1534 (4) The prior judgment as to paternity shall be res judicata as to that
1535 issue for all paternity acknowledgments filed with the court on or after
1536 March 1, 1981, but before July 1, 1997, and shall not be reconsidered by
1537 the court unless the person seeking review of the acknowledgment
1538 petitions the superior court for the judicial district having venue for a
1539 hearing on the issue of paternity within three years of such judgment.
1540 In addition to such review, if the acknowledgment of paternity was
1541 filed prior to March 1, 1981, the acknowledgment of paternity may be
1542 reviewed by denying the allegation of paternity in response to the
1543 initial petition for support, whenever it is filed.

1544 (5) All payments under this subsection shall be made to the
1545 petitioner, except that in IV-D support cases, as defined in subsection
1546 (b) of section 46b-231, as amended by this act, payments shall be made
1547 to the state, acting by and through the IV-D agency and distributed as
1548 required by Title IV-D of the Social Security Act. In IV-D support cases,
1549 the IV-D agency or a support enforcement agency under cooperative
1550 agreement with the IV-D agency may, upon notice to the obligor and

1551 obligee, redirect payments for the support of any child receiving child
1552 support enforcement services either to the state of Connecticut or to
1553 the present custodial party, as their interests may appear, provided
1554 neither the obligor nor the obligee objects in writing within ten
1555 business days from the mailing date of such notice. Any such notice
1556 shall be sent by first class mail to the most recent address of such
1557 obligor and obligee, as recorded in the state case registry pursuant to
1558 section 46b-218, and a copy of such notice shall be filed with the court
1559 or family support magistrate if both the obligor and obligee fail to
1560 object to the redirected payments within ten business days from the
1561 mailing date of such notice.

1562 (d) Whenever a petition is filed for review of an acknowledgment of
1563 paternity of a child who is or has been supported by the state, and
1564 review of such acknowledgment of paternity is granted by the court
1565 pursuant to subsection (c) of this section, and upon review, the court or
1566 family support magistrate finds that the petitioner is not the father of
1567 the child, the Department of Social Services shall refund to the
1568 petitioner any money paid by the petitioner to the state during any
1569 period such child was supported by the state.

1570 (e) In IV-D support cases, as defined in subdivision (13) of
1571 subsection (b) of section 46b-231, as amended by this act, a copy of any
1572 support order established pursuant to this section shall be provided to
1573 each party and the state case registry within fourteen days after
1574 issuance of such order or determination.

1575 Sec. 86. Section 46b-207 of the general statutes is repealed and the
1576 following is substituted in lieu thereof (*Effective July 1, 2015*):

1577 The court is authorized to establish and maintain Support
1578 Enforcement Services and such offices thereof as it determines are
1579 necessary for the proper handling of the administrative details incident
1580 to proceedings under sections [46b-212 to 46b-213w] 1 to 78, inclusive,
1581 of this act, and may appoint such personnel as necessary for the proper
1582 administration of the nonjudicial functions of proceedings under

1583 sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act.

1584 Sec. 87. Section 46b-208 of the general statutes is repealed and the
1585 following is substituted in lieu thereof (*Effective July 1, 2015*):

1586 The support service investigators of Support Enforcement Services
1587 of the Superior Court shall, while acting within the scope of their
1588 duties as such, pursuant to matters under sections [46b-212 to 46b-
1589 213w] 1 to 78, inclusive, of this act, have the powers of service and of
1590 execution of summons and orders for withholding, and the conduct of
1591 investigations.

1592 Sec. 88. Subsection (e) of section 46b-215 of the general statutes is
1593 repealed and the following is substituted in lieu thereof (*Effective July*
1594 *1, 2015*):

1595 (e) Except as provided in sections [46b-212 to 46b-213w] 1 to 78,
1596 inclusive, of this act, any court or family support magistrate, called
1597 upon to enforce a support order, shall insure that such order is
1598 reasonable in light of the obligor's ability to pay. Except as provided in
1599 sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, any
1600 support order entered pursuant to this section, or any support order
1601 from another jurisdiction subject to enforcement by the state of
1602 Connecticut, may be modified by motion of the party seeking such
1603 modification upon a showing of a substantial change in the
1604 circumstances of either party or upon a showing that such support
1605 order substantially deviates from the child support guidelines
1606 established pursuant to section 46b-215a, unless there was a specific
1607 finding on the record that the application of the guidelines would be
1608 inequitable or inappropriate, provided the court or family support
1609 magistrate finds that the obligor or the obligee and any other
1610 interested party have received actual notice of the pendency of such
1611 motion and of the time and place of the hearing on such motion. There
1612 shall be a rebuttable presumption that any deviation of less than fifteen
1613 per cent from the child support guidelines is not substantial and any
1614 deviation of fifteen per cent or more from the guidelines is substantial.

1615 Modification may be made of such support order without regard to
1616 whether the order was issued before, on or after May 9, 1991. No such
1617 support orders may be subject to retroactive modification, except that
1618 the court or family support magistrate may order modification with
1619 respect to any period during which there is a pending motion for a
1620 modification of an existing support order from the date of service of
1621 the notice of such pending motion upon the opposing party pursuant
1622 to section 52-50. In any hearing to modify any support order from
1623 another jurisdiction the court or the family support magistrate shall
1624 conduct the proceedings in accordance with sections [46b-213o to 46b-
1625 213r] 53 to 56, inclusive, of this act.

1626 Sec. 89. Section 46b-231 of the general statutes is repealed and the
1627 following is substituted in lieu thereof (*Effective July 1, 2015*):

1628 (a) This section shall be known and may be cited as the "Family
1629 Support Magistrate's Act".

1630 (b) For the purposes of this section:

1631 (1) "Chief Family Support Magistrate" means the family support
1632 magistrate designated by the Chief Court Administrator as provided
1633 in subsection (g) of this section;

1634 (2) "Child support enforcement services" means the services
1635 provided by the IV-D agency or an agency under cooperative or
1636 purchase of service agreement therewith pursuant to Title IV-D of the
1637 Social Security Act, including, but not limited to, location;
1638 establishment of paternity; establishment, modification and
1639 enforcement of child and medical support orders and the collection
1640 and distribution of support payments;

1641 (3) "Commissioner" means the Commissioner of Social Services or a
1642 designee or authorized representative;

1643 (4) "Bureau of Child Support Enforcement" means a division within
1644 the Department of Social Services established pursuant to section

1645 17b-179;

1646 (5) "Department" means the Department of Social Services or any
1647 bureau, division or agency of the Department of Social Services;

1648 (6) "Family Support Magistrate Division" means a division of the
1649 Superior Court created by this section for the purpose of establishing
1650 and enforcing child and spousal support in IV-D cases and in cases
1651 brought pursuant to sections [46b-212 to 46b-213w] 1 to 78, inclusive,
1652 of this act, utilizing quasi-judicial proceedings;

1653 (7) "Family support magistrate" means a person appointed as
1654 provided in subsection (f) of this section to establish and enforce child
1655 and spousal support orders;

1656 (8) "Foster care cases" means cases in which children are receiving
1657 foster care under part I of chapter 319a or part I of chapter 815t, but
1658 does not include cases in which children reside in detention facilities,
1659 forestry camps, training schools or other facilities operated primarily
1660 for the detention of children adjudicated as delinquent;

1661 (9) "Law" means both statutory and common law;

1662 (10) "Obligee" means any person to whom a duty of support is
1663 owed;

1664 (11) "Obligor" means any person owing a duty of support;

1665 (12) "IV-D agency" means the Bureau of Child Support Enforcement
1666 within the Department of Social Services, established pursuant to
1667 section 17b-179 and authorized to administer the child support
1668 program mandated by Title IV-D of the Social Security Act;

1669 (13) "IV-D support cases" means cases in which the IV-D agency is
1670 providing child support enforcement services under Title IV-D of the
1671 Social Security Act pursuant to (A) an application under subsection (h)
1672 of section 17b-179, or (B) referral of a (i) temporary family assistance

1673 case under section 17b-112, which for the purposes of this section may
1674 be referred to as "TFA", (ii) a Medicaid case under section 17b-261, or
1675 (iii) a foster care case under section 46b-130; and

1676 (14) "Support order" means a judgment, decree or order, whether
1677 temporary, final or subject to modification, issued by a court of
1678 competent jurisdiction or another state's administrative agency of
1679 competent jurisdiction, for the support and maintenance of a child,
1680 including a child who has attained the age of majority under the law of
1681 the issuing state, or of the parent with whom the child is living, which
1682 provides for monetary support, health care, arrearages or
1683 reimbursement, and which may include related costs and fees, interest
1684 and penalties, income withholding, attorneys' fees and other relief.

1685 (c) The remedies herein provided are in addition to and not in
1686 substitution for any other remedy.

1687 (d) There is created the Family Support Magistrate Division of the
1688 Superior Court for the purpose of the impartial administration of child
1689 and spousal support.

1690 (e) Repealed by P.A. 91-190, S. 8, 9.

1691 (f) The Family Support Magistrate Division shall include nine family
1692 support magistrates who shall be appointed by the Governor to serve
1693 in that capacity for a term of three years. A family support magistrate
1694 may be reappointed by the Governor upon completion of each term of
1695 office. To be eligible for appointment, a family support magistrate
1696 must have engaged in the practice of law for five years prior to
1697 appointment and shall be experienced in the field of family law. The
1698 family support magistrate shall devote full time to the duties of a
1699 family support magistrate and shall not engage in the private practice
1700 of law. A family support magistrate may be removed from office by
1701 the Governor for cause.

1702 (g) A Chief Family Support Magistrate shall be designated by the
1703 Chief Court Administrator of the Superior Court from among the nine

1704 family support magistrates appointed by the Governor pursuant to
1705 subsection (f) of this section. Under the direction of the Chief Court
1706 Administrator, the Chief Family Support Magistrate shall supervise
1707 the Family Support Magistrate Division and submit an annual report
1708 to the Chief Court Administrator and perform such other duties as
1709 provided in this section.

1710 (h) (1) On and after July 1, 2013, the Chief Family Support
1711 Magistrate shall receive a salary of one hundred thirty-four thousand
1712 five hundred fifty-four dollars, and other family support magistrates
1713 shall receive an annual salary of one hundred twenty-eight thousand
1714 sixty-one dollars.

1715 (2) On and after July 1, 2014, the Chief Family Support Magistrate
1716 shall receive a salary of one hundred forty-one thousand six hundred
1717 eighty-six dollars, and other family support magistrates shall receive
1718 an annual salary of one hundred thirty-four thousand eight hundred
1719 forty-eight dollars.

1720 (i) (1) Family support magistrates shall be included under the
1721 provisions of chapters 65 and 66 regarding retirement and disability of
1722 state employees. Each such individual shall receive full retirement
1723 credit for each year or portion thereof for which retirement benefits are
1724 paid while serving as a family support magistrate.

1725 (2) Any family support magistrate may elect to be included within
1726 the provisions of sections 51-49, 51-49a, 51-49b, 51-49c, 51-49d, 51-49h,
1727 51-50a and 51-50b, or to continue to be subject to the provisions of
1728 subdivision (1) of this subsection. Any family support magistrate who
1729 has so elected may revoke such election and elect to be included in the
1730 provisions of chapters 65 and 66 regarding retirement and disability of
1731 state employees. Thereupon any payments transferred from the State
1732 Employees Retirement Fund to the Judges, Family Support Magistrates
1733 and Compensation Commissioners Retirement Fund shall be
1734 transferred from the Judges, Family Support Magistrates and
1735 Compensation Commissioners Retirement Fund to the State

1736 Employees Retirement Fund.

1737 (j) The Chief Court Administrator shall designate assistant clerks for
1738 the Family Support Magistrate Division to serve in judicial districts
1739 created pursuant to section 51-344 and such other assistant clerks and
1740 other employees as may be necessary for the operation of the Family
1741 Support Magistrate Division. The administrative judge for each
1742 judicial district may also assign clerks or administrative clerks for the
1743 judicial district to serve as assistant clerks or administrative clerks in
1744 his judicial district for the Family Support Magistrate Division.

1745 (k) The Chief Court Administrator shall arrange for the recording of
1746 all hearings before the family support magistrate by contract or
1747 otherwise.

1748 (l) The judges of the Superior Court shall adopt rules of procedure
1749 in accordance with the provisions of section 51-14 for the handling by
1750 magistrates of IV-D support cases and in cases brought pursuant to
1751 sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act. Such rules
1752 of procedure shall conform when applicable to rules adopted for the
1753 Superior Court.

1754 (m) The Chief Family Support Magistrate and the family support
1755 magistrates shall have the powers and duties enumerated in this
1756 subsection.

1757 (1) A family support magistrate in IV-D support cases may compel
1758 the attendance of witnesses or the obligor under a summons issued
1759 pursuant to section 17b-745, as amended by this act, 46b-172, as
1760 amended by this act, or 46b-215, as amended by this act, a subpoena
1761 issued pursuant to section 52-143, or a citation for failure to obey an
1762 order of a family support magistrate or a judge of the Superior Court.
1763 If a person is served with any such summons, subpoena or citation
1764 issued by a family support magistrate or the assistant clerk of the
1765 Family Support Magistrate Division and fails to appear, a family
1766 support magistrate may issue a *capias mittimus* directed to a judicial

1767 marshal to the extent authorized pursuant to section 46b-225, or any
1768 other proper officer to arrest the obligor or the witness and bring the
1769 obligor or witness before a family support magistrate. Whenever such
1770 a *capias mittimus* is ordered, the family support magistrate shall
1771 establish a recognizance to the state of Connecticut in the form of a
1772 bond of such character and amount as to assure the appearance of the
1773 obligor at the next regular session of the Family Support Magistrate
1774 Division in the judicial district in which the matter is pending. If the
1775 obligor posts such a bond, and thereafter fails to appear before the
1776 family support magistrate at the time and place the obligor is ordered
1777 to appear, the family support magistrate may order the bond forfeited,
1778 and the proceeds thereof distributed as required by Title IV-D of the
1779 Social Security Act.

1780 (2) (A) Family support magistrates shall hear and determine matters
1781 involving child and spousal support in IV-D support cases including
1782 petitions for support brought pursuant to sections 17b-81, 17b-179,
1783 17b-745, as amended by this act, and 46b-215, as amended by this act,
1784 applications for show cause orders in IV-D support cases brought
1785 pursuant to subsection (b) of section 46b-172, as amended by this act,
1786 and actions for interstate enforcement of child and spousal support
1787 and paternity under sections [46b-212 to 46b-213w] 1 to 78, inclusive,
1788 of this act, and shall hear and determine all motions for modifications
1789 of child and spousal support in such cases.

1790 (B) In all IV-D support cases, family support magistrates shall have
1791 the authority to order any obligor who is subject to a plan for
1792 reimbursement of past-due support and is not incapacitated to
1793 participate in work activities which may include, but shall not be
1794 limited to, job search, training, work experience and participation in
1795 the job training and retraining program established by the Labor
1796 Commissioner pursuant to section 31-3t.

1797 (C) A family support magistrate shall not modify an order for
1798 periodic payment on an arrearage due the state for state assistance
1799 which has been discontinued to increase such payments, unless the

1800 family support magistrate first determines that the state has made a
1801 reasonable effort to notify the current recipient of child support, at the
1802 most current address available to the IV-D agency, of the pendency of
1803 the motion to increase such periodic arrearage payments and of the
1804 time and place of the hearing on such motion. If such recipient
1805 appears, either personally or through a representative, at such hearing,
1806 the family support magistrate shall determine whether the order in
1807 effect for child support is reasonable in relation to the current financial
1808 circumstances of the parties, prior to modifying an order increasing
1809 such periodic arrearage payments.

1810 (3) Family support magistrates shall review and approve or
1811 disapprove all agreements for support in IV-D support cases filed with
1812 the Family Support Magistrate Division in accordance with sections
1813 17b-179, 17b-745, as amended by this act, 46b-172, as amended by this
1814 act, 46b-215, as amended by this act, and subsection (c) of section 53-
1815 304.

1816 (4) Motions for modification of existing child and spousal support
1817 orders entered by the Superior Court in IV-D support cases, including
1818 motions to modify existing child and spousal support orders entered
1819 in actions brought pursuant to chapter 815j, shall be brought in the
1820 Family Support Magistrate Division and decided by a family support
1821 magistrate. Family support magistrates, in deciding if a spousal or
1822 child support order should be modified, shall make such
1823 determination based upon the criteria set forth in sections 46b-84 and
1824 46b-215b. A person who is aggrieved by a decision of a family support
1825 magistrate modifying a Superior Court order is entitled to appeal such
1826 decision in accordance with the provisions of subsection (n) of this
1827 section.

1828 (5) Proceedings to establish paternity in IV-D support cases shall be
1829 filed in the family support magistrate division for the judicial district
1830 where the mother or putative father resides. The matter shall be heard
1831 and determined by a family support magistrate in accordance with the
1832 provisions of chapter 815y.

1833 (6) Agreements for support obtained in IV-D support cases shall be
1834 filed with the assistant clerk of the family support magistrate division
1835 for the judicial district where the mother or the father of the child
1836 resides, pursuant to subsection (b) of section 46b-172, as amended by
1837 this act, and shall become effective as an order upon filing with the
1838 clerk. Such support agreements shall be reviewed by a family support
1839 magistrate who shall approve or disapprove the agreement. If the
1840 support agreement filed with the clerk is disapproved by a family
1841 support magistrate, the reason for disapproval shall be stated in the
1842 record and such disapproval shall have a retroactive effect. Upon such
1843 disapproval, the clerk shall schedule a hearing for the purpose of
1844 determining appropriate support amounts and shall notify all
1845 appearing parties of the hearing date.

1846 (7) Family support magistrates shall enforce orders for child and
1847 spousal support entered by such family support magistrate and by the
1848 Superior Court in IV-D support cases by citing an obligor for
1849 contempt. Family support magistrates, in IV-D support cases, may
1850 order any obligor who is subject to a plan for reimbursement of past-
1851 due support and is not incapacitated, to participate in work activities
1852 which may include, but shall not be limited to, job search, training,
1853 work experience and participation in the job training and retraining
1854 program established by the Labor Commissioner pursuant to section
1855 31-3t. Family support magistrates shall also enforce income
1856 withholding orders entered pursuant to section 52-362, as amended by
1857 this act, including any additional amounts to be applied toward
1858 liquidation of any arrearage, as required under subsection (e) of said
1859 section. Family support magistrates may require the obligor to furnish
1860 recognizance to the state of Connecticut in the form of a cash deposit
1861 or bond of such character and in such amount as the Family Support
1862 Magistrate Division deems proper to assure appearance at the next
1863 regular session of the Family Support Magistrate Division in the
1864 judicial district in which the matter is pending. Upon failure of the
1865 obligor to post such bond, the family support magistrate may refer the
1866 obligor to a community correctional center until he has complied with

1867 such order, provided the obligor shall be heard at the next regular
1868 session of the Family Support Magistrate Division in the court to
1869 which he was summoned. If no regular session is held within seven
1870 days of such referral, the family support magistrate shall either cause a
1871 special session of the Family Support Magistrate Division to be
1872 convened, or the obligor shall be heard by a Superior Court judge in
1873 the judicial district in which the matter is pending. If the obligor fails
1874 to appear before the family support magistrate at the time and place he
1875 is ordered to appear, the family support magistrate may order the
1876 bond, if any, forfeited, and the proceeds thereof distributed as required
1877 by Title IV-D of the Social Security Act, and the family support
1878 magistrate may issue a *capias mittimus* for the arrest of the obligor,
1879 ordering him to appear before the family support magistrate. A family
1880 support magistrate may determine whether or not an obligor is in
1881 contempt of the order of the Superior Court or of a family support
1882 magistrate and may make such orders as are provided by law to
1883 enforce a support obligation, except that if the family support
1884 magistrate determines that incarceration of an obligor for failure to
1885 obey a support order may be indicated, the family support magistrate
1886 shall inform the obligor of his right to be represented by an attorney
1887 and his right to a court-appointed attorney to represent him if he is
1888 indigent. If the obligor claims he is indigent and desires an attorney to
1889 represent him, the family support magistrate shall conduct a hearing to
1890 determine if the obligor is indigent. If, after such hearing, the family
1891 support magistrate finds that the obligor is indigent, the family
1892 support magistrate shall appoint an attorney to represent the obligor.

1893 (8) Agreements between parties as to custody and visitation of
1894 minor children in IV-D support cases may be filed with the assistant
1895 clerk of the Family Support Magistrate Division. Such agreements shall
1896 be reviewed by a family support magistrate, who shall approve the
1897 agreement unless he finds such agreement is not in the best interests of
1898 the child. Agreements between parties as to custody and visitation in
1899 IV-D support cases shall be enforced in the same manner as
1900 agreements for support are enforced, pursuant to subdivision (7) of

1901 this subsection.

1902 (9) Whenever an obligor is before a family support magistrate in
1903 proceedings to establish, modify or enforce a support order in a IV-D
1904 support case and such order is not secured by an income withholding
1905 order, the family support magistrate may require the obligor to execute
1906 a bond or post other security sufficient to perform such order for
1907 support, provided the family support magistrate finds that such a
1908 bond is available for purchase within the financial means of the
1909 obligor. Upon failure of such obligor to comply with such support
1910 order, the family support magistrate may order the bond or the
1911 security forfeited and the proceeds thereof distributed as required by
1912 Title IV-D of the Social Security Act.

1913 (10) In any proceeding in the Family Support Magistrate Division, if
1914 the family support magistrate finds that a party is indigent and unable
1915 to pay a fee or fees payable to the court or to pay the cost of service of
1916 process, the family support magistrate shall waive such fee or fees and
1917 the cost of service of process shall be paid by the state.

1918 (11) A family support magistrate may dismiss any action or
1919 proceeding which the family support magistrate may hear and
1920 determine.

1921 (12) A family support magistrate may order parties to participate in
1922 the parenting education program in accordance with the provisions of
1923 section 46b-69b.

1924 (13) Family support magistrates may issue writs of habeas corpus
1925 ad testificandum in IV-D support cases for persons in the custody of
1926 the Commissioner of Correction.

1927 (n) (1) A person who is aggrieved by a final decision of a family
1928 support magistrate is entitled to judicial review by way of appeal
1929 under this section.

1930 (2) Proceedings for such appeal shall be instituted by filing a

1931 petition in superior court for the judicial district in which the decision
1932 of the family support magistrate was rendered not later than fourteen
1933 days after filing of the final decision with an assistant clerk assigned to
1934 the Family Support Magistrate Division or, if a rehearing is requested,
1935 not later than fourteen days after filing of the notice of the decision
1936 thereon. In a IV-D support case, such petitions shall be accompanied
1937 by a certification that copies of the petition have been served upon the
1938 IV-D agency as defined in subsection (b) of this section and all parties
1939 of record. Service upon the IV-D agency may be made by the appellant
1940 mailing a copy of the petition by certified mail to the office of the
1941 Attorney General in Hartford.

1942 (3) Within fourteen days after the filing of the petition, or within
1943 such further time as may be allowed by the court, the Family Support
1944 Magistrate Division shall transmit to the reviewing court the original
1945 or a certified copy of the entire record of the proceeding appealed
1946 from, which shall include the decision of the family support
1947 magistrate. The court may require or permit subsequent corrections or
1948 additions to the record.

1949 (4) The aggrieved party shall file with his appeal a statement that no
1950 transcript is required for the purpose of determining the issues raised
1951 on appeal or a statement that he has ordered a transcript. A transcript
1952 may be filed by any party to an appeal and shall be filed within thirty
1953 days from the filing of said appeal unless the time for filing such
1954 transcript is extended by order of the Superior Court or the family
1955 support magistrate. Costs of preparing the transcript shall be paid by
1956 the party ordering the preparation of the transcript.

1957 (5) If, before the date set for hearing, application is made to the
1958 Superior Court for leave to present additional evidence, and it is
1959 shown to the satisfaction of the court that the additional evidence is
1960 material and that there were good reasons for failure to present it in
1961 the proceeding before the family support magistrate, the Superior
1962 Court may permit additional evidence be taken before it upon
1963 conditions determined by the court.

1964 (6) The appeal shall be conducted by the Superior Court without a
1965 jury and shall be confined to the record and such additional evidence
1966 as the Superior Court has permitted to be introduced. The Superior
1967 Court, upon request, shall hear oral argument and receive written
1968 briefs.

1969 (7) The Superior Court may affirm the decision of the family
1970 support magistrate or remand the case for further proceedings. The
1971 Superior Court may reverse or modify the decision if substantial rights
1972 of the appellant have been prejudiced because the decision of the
1973 family support magistrate is: (A) In violation of constitutional or
1974 statutory provisions; (B) in excess of the statutory authority of the
1975 family support magistrate; (C) made upon unlawful procedure; (D)
1976 affected by other error of law; (E) clearly erroneous in view of the
1977 reliable, probative, and substantial evidence on the whole record; or
1978 (F) arbitrary or capricious or characterized by abuse of discretion or
1979 clearly unwarranted exercise of discretion.

1980 (8) Any order entered by the court pursuant to an appeal under this
1981 subsection may be retroactive to the date of the original order entered
1982 by the family support magistrate.

1983 (9) Upon all such appeals which are denied, costs may be taxed in
1984 favor of the prevailing party at the discretion of the Superior Court,
1985 but no costs shall be taxed against the state.

1986 (10) In any case in which any party claims that he cannot pay the
1987 costs of an appeal or defending an appeal under this section, he shall,
1988 within the time permitted for filing the appeal, or the time permitted
1989 for filing of a transcript of testimony if preparation of such transcript is
1990 required, file with the clerk of the superior court to which the appeal is
1991 to be taken an application for waiver of payment of such fees, costs
1992 and necessary expenses. The application shall conform to rules
1993 adopted pursuant to section 51-14. After such hearing as the Superior
1994 Court determines is necessary, the Superior Court shall enter its
1995 judgment on the application, which judgment shall contain a statement

1996 of the facts the Superior Court has found, with its conclusions thereon.
1997 The filing of the application for the waiver shall toll the time limits for
1998 the filing of an appeal until such time as a judgment on such
1999 application is entered.

2000 (o) Upon final determination of any appeal from a decision of a
2001 family support magistrate by the Superior Court, there shall be no
2002 right to further review except to the Appellate Court. The procedure
2003 on such appeal to the Appellate Court shall, except as otherwise
2004 provided herein, be in accordance with the procedures provided by
2005 rule or law for the appeal of judgments rendered by the Superior Court
2006 unless modified by rule of the judges of the Appellate Court. There
2007 shall be no right to further review except to the Supreme Court
2008 pursuant to the provisions of section 51-197f.

2009 (p) The filing of an appeal from a decision of a family support
2010 magistrate does not affect the order of support of a family support
2011 magistrate, but it shall continue in effect until the appeal is decided,
2012 and thereafter, unless denied, until changed by further order of a
2013 family support magistrate or the Superior Court.

2014 (q) When an order for child or spousal support has been entered
2015 against an obligor by the Superior Court in an action originating in the
2016 Superior Court, such order shall supersede any previous order for
2017 child or spousal support against such obligor entered by a family
2018 support magistrate and shall also supersede any previous agreement
2019 for support executed by such obligor and filed with the Family
2020 Support Magistrate Division.

2021 (r) Orders for support entered by a family support magistrate shall
2022 have the same force and effect as orders of the Superior Court, except
2023 where otherwise provided in sections 17b-81, 17b-93, 17b-179, 17b-743,
2024 17b-744, 17b-745, as amended by this act, and 17b-746, subsection (a) of
2025 section 46b-55, sections 46b-59a, 46b-86 and 46b-172, as amended by
2026 this act, this chapter, subsection (b) of section 51-348, section 52-362, as
2027 amended by this act, subsection (a) of section 52-362d, subsection (a) of

2028 section 52-362e and subsection (c) of section 53-304, and shall be
2029 considered orders of the Superior Court for the purpose of establishing
2030 and enforcing support orders of the family support magistrate, as
2031 provided in sections 17b-81, 17b-93, 17b-179, 17b-745, as amended by
2032 this act, 52-362, as amended by this act, 52-362d, 52-362e and 53-304,
2033 except as otherwise provided in this section. All orders for support
2034 issued by family support magistrates in any matter before a magistrate
2035 shall contain an order for withholding to enforce such orders as set
2036 forth in section 52-362, as amended by this act.

2037 (s) Support enforcement officers of Support Enforcement Services of
2038 the Superior Court shall:

2039 (1) Supervise the payment of any child or spousal support order in
2040 IV-D support cases and cases under sections [46b-212 to 46b-213w] 1 to
2041 78, inclusive, of this act. Supervision of such orders is defined as the
2042 utilization of all procedures available by law to collect child or spousal
2043 support, or enforce medical support including (A) issuance and
2044 implementation of income withholdings ordered by the Superior
2045 Court or a family support magistrate pursuant to section 52-362, as
2046 amended by this act, (B) issuance of an order requiring any party to
2047 appear before a family support magistrate on an action to modify a
2048 support order pursuant to subdivision (4) of this subsection, (C)
2049 issuance of a capias mittimus directed to a proper officer to arrest an
2050 obligor or witness and bring such obligor or witness before a family
2051 support magistrate if such obligor or witness is served with a
2052 summons, subpoena, citation or order to appear issued by a family
2053 support magistrate, the assistant clerk of the Family Support
2054 Magistrate Division or a support enforcement officer and fails to
2055 appear, (D) if necessary, bringing an application for contempt to a
2056 family support magistrate and, in connection with such application,
2057 issuing an order requiring the obligor to appear before a family
2058 support magistrate to show cause why such obligor should not be held
2059 in contempt for failure to pay an order for child or spousal support
2060 entered by the Superior Court or a family support magistrate, (E)

2061 issuance of a National Medical Support Notice in accordance with
2062 section 46b-88, and (F) taking of acknowledgements of parties to
2063 agreements incident to the duties under subdivision (4) of this
2064 subsection;

2065 (2) In non-TFA cases, have the authority to bring petitions for
2066 support orders pursuant to section 46b-215, as amended by this act, file
2067 agreements for support with the assistant clerk of the Family Support
2068 Magistrate Division, and bring applications for show cause orders
2069 pursuant to section 46b-172, as amended by this act, and in IV-D
2070 support cases and cases under sections [46b-212 to 46b-213w] 1 to 78,
2071 inclusive, of this act, enforce foreign support orders registered with the
2072 Family Support Magistrate Division pursuant to sections [46b-213f to
2073 46b-213i] 44 to 47, inclusive, of this act, and file agreements for support
2074 with the assistant clerk of the Family Support Magistrate Division;

2075 (3) In connection with any order or agreement entered by, or filed
2076 with, the Family Support Magistrate Division, or any order entered by
2077 the Superior Court in a IV-D support case, upon order, investigate the
2078 financial situation of the parties and report findings to the family
2079 support magistrate regarding: (A) Any pending motion to modify such
2080 order or agreement; or (B) any request or application for modification
2081 of such order or agreement made by an obligee;

2082 (4) Review child support orders (A) in non-TFA IV-D support cases
2083 (i) at the request of either parent or custodial party subject to a support
2084 order, or (ii) upon receipt of information indicating a substantial
2085 change in circumstances of any party to the support order, (B) in TFA
2086 cases, at the request of the Bureau of Child Support Enforcement, or
2087 (C) as necessary to comply with federal requirements for the child
2088 support enforcement program mandated by Title IV-D of the Social
2089 Security Act, and initiate an action before a family support magistrate
2090 to modify such support order if it is determined upon such review that
2091 the order substantially deviates from the child support guidelines
2092 established pursuant to section 46b-215a. A requesting party under
2093 subparagraph (A)(i) or (B) of this subdivision shall have a right to such

2094 review every three years without proving a substantial change in
2095 circumstances, but more frequent reviews shall be made only if such
2096 requesting party demonstrates a substantial change in circumstances.
2097 There shall be a rebuttable presumption that any deviation of less than
2098 fifteen per cent from the child support guidelines is not substantial and
2099 any deviation of fifteen per cent or more from the guidelines is
2100 substantial. Modification may be made of such support order without
2101 regard to whether the order was issued before, on or after May 9, 1991.
2102 In determining whether to modify a child support order based on a
2103 substantial deviation from such child support guidelines,
2104 consideration shall be given to the division of real and personal
2105 property between the parties set forth in any final decree entered
2106 pursuant to chapter 815j and the benefits accruing to the child as the
2107 result of such division. No order for periodic payment of support may
2108 be subject to retroactive modification, except that the family support
2109 magistrate may order modification with respect to any period during
2110 which there is a pending motion for modification of a support order
2111 from the date of service of notice of such pending motion to the
2112 opposing party pursuant to section 52-50.

2113 (5) In proceedings before the Family Support Magistrate Division
2114 under the Uniform Interstate Family Support Act (A) perform clerical,
2115 administrative and other nonjudicial functions on behalf of the Family
2116 Support Magistrate Division; (B) maintain a registry of support orders
2117 and judgments; and (C) assist the IV-D agency in performing its
2118 functions under sections 61 to 73, inclusive, of this act.

2119 (t) The Attorney General shall:

2120 (1) Represent the interest of the state in all actions for child or
2121 spousal support in all cases in which the state is furnishing or has
2122 furnished aid or care to one of the parties to the action or a child of one
2123 of the parties;

2124 (2) In interstate support enforcement under sections [46b-212 to 46b-
2125 213w] 1 to 78, inclusive, of this act, provide necessary legal services on

2126 behalf of the support enforcement agency in providing services to a
2127 petitioner; and

2128 (3) Represent the IV-D agency in providing support enforcement
2129 services in non-TFA IV-D support cases pursuant to sections 17b-179,
2130 17b-745, as amended by this act, and 46b-215, as amended by this act.

2131 (u) (1) The Department of Social Services may in IV-D cases (A)
2132 bring petitions for support orders pursuant to section 46b-215, as
2133 amended by this act, (B) obtain acknowledgments of paternity, (C)
2134 bring applications for show cause orders pursuant to section 46b-172,
2135 as amended by this act, (D) file agreements for support with the
2136 assistant clerk of the Family Support Magistrate Division, (E) issue
2137 withholding orders entered by the Superior Court or a family support
2138 magistrate in accordance with subsection (b) of section 52-362, and (F)
2139 upon notice to the obligor and obligee, redirect payments for the
2140 support of any child receiving child support enforcement services
2141 either to the state of Connecticut or to the present custodial party, as
2142 their interests may appear, for distribution in accordance with Title IV-
2143 D of the Social Security Act, provided neither the obligor nor the
2144 obligee objects in writing within ten business days from the mailing
2145 date of such notice, and provided further that any such notice shall be
2146 sent by first class mail to the most recent address of such obligor and
2147 obligee, as recorded in the state case registry pursuant to section 46b-
2148 218, and a copy of such notice shall be filed with the court or family
2149 support magistrate if both the obligor and obligee fail to object to the
2150 redirected payments within ten business days from the mailing date of
2151 such notice.

2152 (2) The Department of Social Services shall provide notice not less
2153 than once every three years to the parents subject to a support order in
2154 a IV-D case informing the parents of their right to request a review
2155 under subdivision (4) of subsection (s) of this section.

2156 Sec. 90. Subsection (f) of section 52-57 of the general statutes is
2157 repealed and the following is substituted in lieu thereof (*Effective July*

2158 1, 2015):

2159 (f) When the other methods of service of process provided under
2160 this section or otherwise provided by law cannot be effected, in actions
2161 concerning the establishment, enforcement or modification of child
2162 support orders other than actions for dissolution of marriage,
2163 including, but not limited to, such actions under sections 17b-122, 17b-
2164 124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-
2165 197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340
2166 to 17b-350, inclusive, 17b-689b, 17b-743 to 17b-747, inclusive, and [46b-
2167 212 to 46b-213w] 1 to 78, inclusive, of this act, and chapters 815, 815p,
2168 815t, 815y and 816, and actions to implement garnishments for support
2169 under section 52-362, as amended by this act, service of process may be
2170 made upon a party to the action by one of the following methods,
2171 provided proof of receipt of such process by such party is presented to
2172 the court in accordance with rules promulgated by the judges of the
2173 Superior Court:

2174 (1) By certified mail to a party to the action addressed to the
2175 employer of such party. Any service of process so sent shall include on
2176 the outside envelope the words "To be delivered to the employee in
2177 accordance with subsection (f) of section 52-57". The employer shall
2178 accept any such service of process sent by certified mail and promptly
2179 deliver such certified mail to the employee; or

2180 (2) When a party to an action under this subsection is employed by
2181 an employer with fifteen or more employees, by personal service upon
2182 an official of the employer designated as an agent to accept service of
2183 process in actions brought under this subsection. Each employer with
2184 fifteen or more employees doing business in this state shall designate
2185 an official to accept service of process for employees who are parties to
2186 such actions. The person so served shall promptly deliver such process
2187 to the employee.

2188 Sec. 91. Subsection (n) of section 52-362 of the general statutes is
2189 repealed and the following is substituted in lieu thereof (*Effective July*

2190 1, 2015):

2191 (n) When a support order is issued in another state and the obligor
2192 has income subject to withholding derived in this state, such income
2193 shall be subject to withholding in accordance with the provisions of
2194 this section, upon [the] registration of the support order in accordance
2195 with [sections 46b-213g to 46b-213j, inclusive. Notice of rights to the
2196 obligor and the obligor's right to contest such order are governed by
2197 sections 46b-213k to 46b-213n, inclusive] subdivision (1) of this
2198 subsection or as provided in subdivision (2) of this subsection.

2199 (1) An income withholding order issued in another state and
2200 registered in this state shall be subject to the procedures for
2201 registration, choice of law, notice to the nonregistering party, contest
2202 and confirmation of such order in sections 45 to 52, inclusive, of this
2203 act.

2204 (2) An income withholding order issued in another state and
2205 received directly by an employer in this state shall be subject to the
2206 procedures in sections 38 to 44, inclusive, of this act. Such employer
2207 shall, in addition to following the procedures in said sections,
2208 immediately provide to the obligor a copy of the notice and claim form
2209 provided by the Department of Social Services pursuant to
2210 subparagraph (A) of this subdivision.

2211 (A) The Department of Social Services shall make available to all
2212 employers in this state a standard notice and claim form, written in
2213 clear and simple language, which shall include (i) notice that money
2214 will be withheld from the employee's wages for child support and
2215 health insurance; (ii) notice of the amount of disposable earnings that
2216 are exempt from the income withholding order; (iii) notice that the
2217 amount of the income withholding order may not exceed the
2218 maximum permitted by federal law under 15 USC 1673, together with
2219 a statement of the obligor's right to claim any other applicable state or
2220 federal exemptions; (iv) notice of the right to object to the validity or
2221 enforcement of such income withholding order in a court in this state

2222 and of the right to seek modification of the underlying support order
2223 in the court of continuing exclusive jurisdiction; (v) notice of the right
2224 to seek the assistance of the Bureau of Child Support Enforcement of
2225 the Department of Social Services and the toll-free telephone number
2226 at which the bureau can be contacted; and (vi) a claim form which shall
2227 include (I) a list of the most common defenses and exemptions to such
2228 income withholding order in a manner which allows the obligor to
2229 check any of the defenses and exemptions which apply; (II) a space
2230 where the obligor may briefly explain the obligor's claim or defense;
2231 (III) a space where the obligor may initiate a request for services to
2232 modify the support order, and the address of the Bureau of Child
2233 Support Enforcement of the Department of Social Services to which
2234 such request may be sent; (IV) a space for the obligor to provide the
2235 obligor's address and the name of the town in which the obligor
2236 principally conducts the obligor's work for the employer; (V) a space
2237 for the obligor to sign the obligor's name; (VI) the address of Support
2238 Enforcement Services to which the claim form is to be sent in order to
2239 contest the validity or enforcement of the income withholding order;
2240 and (VII) space for the employer to state the date upon which the form
2241 was actually delivered to the obligor.

2242 (B) An obligor may contest the validity or enforcement of an income
2243 withholding order issued in another state and received directly by an
2244 employer in this state by following the procedures in section 43 of this
2245 act or by mailing to Support Enforcement Services the claim form
2246 delivered to the obligor pursuant to this subdivision. Such form shall
2247 be signed by the obligor and contain the obligor's address. A copy of
2248 the income withholding order shall be included.

2249 (C) Upon receipt of a claim form contesting the validity or
2250 enforcement of an income withholding order, Support Enforcement
2251 Services shall: (i) Give notice of the contest to (I) the support
2252 enforcement agency providing services to the obligee; (II) each
2253 employer that has directly received an income withholding order
2254 relating to the obligor; (III) the person designated to receive payments

2255 in the income withholding order; and (IV) if the obligee's address is
2256 known, the obligee; (ii) file the claim form and a copy of the income
2257 withholding order on behalf of the obligor with the Family Support
2258 Magistrate Division; and (iii) notify the person or agency that sent the
2259 income withholding order to file not less than ten days before the
2260 scheduled hearing (I) two copies, including one certified copy of the
2261 underlying support order, including any modification of such order;
2262 and (II) a sworn statement showing the amount of any arrearage
2263 together with the last court determination of an arrearage and an
2264 accounting of the arrearage since such determination.

2265 (D) Upon receipt of a claim form filed by Support Enforcement
2266 Services on behalf of the obligor in accordance with subparagraph (C)
2267 of this subdivision, the clerk shall promptly enter the appearance of
2268 the obligor, schedule a hearing, and give notice of the hearing to the
2269 obligor, Support Enforcement Services, the party initiating the income
2270 withholding order, and, if the obligee's address is known, the obligee.
2271 The family support magistrate shall promptly hear and determine the
2272 claim and enter the family support magistrate's determination within
2273 forty-five days from the date of the filing of the claim form. The family
2274 support magistrate shall utilize the procedures set forth in sections 32
2275 to 34, inclusive, of this act to obtain additional evidence and
2276 information as needed for a prompt determination on the claim. If the
2277 person or agency that sent the income withholding order fails to file
2278 the documents described in subparagraph (C) (iii) of this subdivision
2279 or fails to comply with a reasonable request for information or
2280 documents made under section 33 or 34 of this act, the family support
2281 magistrate may (i) continue the hearing for a period of not more than
2282 an additional forty-five days and direct Support Enforcement Services
2283 to provide such notice as may be appropriate; (ii) order a temporary or
2284 partial stay of income withholding for a period not to exceed forty-five
2285 days; or (iii) sustain the obligor's objection to the validity or
2286 enforcement of the income withholding order and enjoin the employer
2287 from complying with such order. In addition to any notice given by the
2288 clerk, upon entry of the decision of the family support magistrate on

2289 the claim, Support Enforcement Services shall give notice of the
2290 decision to each employer that has directly received an income
2291 withholding order related to the obligor, the party initiating the
2292 income withholding order, the obligor and, if the obligee's address is
2293 known, the obligee.

2294 (E) If the claim form requests services to modify the support order,
2295 the Bureau of Child Support Enforcement shall assist the obligor to file
2296 a motion for modification with the appropriate tribunal of the state of
2297 continuing, exclusive jurisdiction in accordance with the law of that
2298 jurisdiction. The receipt of the request for modification shall constitute
2299 a request for Title IV-D services, but the bureau may require the
2300 making of a formal application. Such assistance shall include, but is
2301 not limited to, providing the obligor with information about how such
2302 a motion is filed, contacting the state of continuing, exclusive
2303 jurisdiction on behalf of the obligor to obtain appropriate forms, and
2304 transmitting such forms and applicable information to the appropriate
2305 tribunal in such state.

2306 (F) Venue for contested claims under this section shall be the Family
2307 Support Magistrate Division of the Superior Court in the judicial
2308 district in which the obligor resides, provided (i) if the obligor does not
2309 reside in this state, venue shall be in the judicial district of the
2310 employer who is subject to the income withholding order, and (ii) if
2311 there is an existing action concerning support of the child or children
2312 who are the subject of the income withholding order, the claim shall be
2313 filed in that action.

2314 Sec. 92. Subsection (o) of section 52-362 of the general statutes is
2315 repealed and the following is substituted in lieu thereof (*Effective July*
2316 *1, 2015*):

2317 (o) An employer who withholds the income of an obligor pursuant
2318 to a withholding order issued under subsection (e), [or] (l) or (n) of this
2319 section that is regular on its face shall not be subject to civil liability to
2320 any individual or agency for conduct in compliance with such order.

2321 Sec. 93. Section 52-362f of the general statutes is repealed and the
2322 following is substituted in lieu thereof (*Effective July 1, 2015*):

2323 (a) As used in this section, unless the context requires otherwise:

2324 (1) "Agency" means the Bureau of Child Support Enforcement
2325 within the Department of Social Services of this state and, when the
2326 context requires, means either the court or agency of any other
2327 jurisdiction with functions similar to those defined in this section,
2328 including the issuance and enforcement of support orders.

2329 (2) "Child" means any child, whether above or below the age of
2330 majority, with respect to whom a support order exists.

2331 (3) "Court" means the Superior Court of this state, including the
2332 Family Support Magistrate Division, or the court or agency of any
2333 other jurisdiction with functions similar to those defined in this
2334 section, including the issuance and enforcement of support orders.

2335 (4) "Income" means earnings as defined in subdivision (3) of
2336 subsection (a) of section 52-362.

2337 (5) "Income derived in this jurisdiction" means any earnings, the
2338 payer of which is subject to the jurisdiction of this state for the purpose
2339 of imposing and enforcing an order for withholding under section 52-
2340 362, as amended by this act.

2341 (6) "Jurisdiction" means any state or political subdivision, territory
2342 or possession of the United States, the District of Columbia, and the
2343 Commonwealth of Puerto Rico.

2344 (7) "Obligee" means any person or entity which is entitled to receive
2345 support under an order of support and shall include an agency of
2346 another jurisdiction to which a person has assigned his or her right to
2347 support.

2348 (8) "Obligor" means any person required to make payments under

2349 the terms of a support order for a child, spouse, or former spouse.

2350 (9) "Payer" means any payer of income.

2351 (10) "Support order" means any order, decree, or judgment for the
2352 support, or for the payment of arrearages on such support, of a child,
2353 spouse, or former spouse issued by a court or agency of another
2354 jurisdiction, whether interlocutory or final, whether or not
2355 prospectively or retroactively modifiable, whether incidental to a
2356 proceeding for divorce, judicial or legal separation, separate
2357 maintenance, paternity, guardianship, civil protection, or otherwise.

2358 (b) The remedies herein provided are in addition to and not in
2359 substitution for any other remedies.

2360 (c) When a support order has been issued in this state and the
2361 obligor has earnings subject to income withholding in another
2362 jurisdiction, (1) the agency shall on application of a resident of this
2363 state, (2) Support Enforcement Services shall on behalf of any client for
2364 whom Support Enforcement Services is providing services, (3) an
2365 obligee or obligor of a support order issued by this state may, or (4) an
2366 agency to whom the obligee has assigned support rights may,
2367 promptly request the agency of another jurisdiction in which the
2368 obligor of a support order derives income to enter the order for the
2369 purpose of obtaining income withholding against such income. The
2370 agency or Support Enforcement Services, as the case may be, shall
2371 compile and transmit promptly to the agency of the other jurisdiction
2372 all documentation required to enter a support order for this purpose.
2373 The agency or Support Enforcement Services also shall transmit
2374 immediately to the agency of the other jurisdiction a certified copy of
2375 any subsequent modifications of the support order. If the agency or
2376 Support Enforcement Services receives notice that the obligor is
2377 contesting income withholding in another jurisdiction, it shall
2378 immediately notify the individual obligee of the date, time and place of
2379 the hearings and of the obligee's right to attend.

2380 (d) When a support order is issued in another jurisdiction and the
2381 obligor has income subject to withholding in accordance with the
2382 provisions of section 52-362, as amended by this act, Support
2383 Enforcement Services shall, upon receiving a support order of another
2384 jurisdiction with the documentation specified in this subsection from
2385 an agency of another jurisdiction, or from an obligee, an obligor or an
2386 attorney for either the obligee or obligor, file such support order and
2387 documents in the registry maintained by Support Enforcement
2388 Services. Documentation required for the entry of a support order for
2389 another jurisdiction for the purpose of withholding of income shall
2390 comply with the requirements of section [46b-213h] 46 of this act. If the
2391 documentation received by Support Enforcement Services does not
2392 conform to those requirements, Support Enforcement Services shall
2393 remedy any defect which it can without the assistance of the obligee or
2394 requesting agency or person. If Support Enforcement Services is
2395 unable to make such corrections, the requesting agency or person shall
2396 immediately be notified of the necessary additions or corrections.
2397 Support Enforcement Services shall accept the documentation required
2398 by this subsection as long as the substantive requirements of this
2399 subsection are met.

2400 (e) A support order registered under subsection (d) of this section
2401 shall be enforceable by withholding in the manner and with the effect
2402 as set forth for registered support orders of another jurisdiction
2403 pursuant to section 52-362, as amended by this act. A support order
2404 from another jurisdiction filed under this section shall not be subject to
2405 modification by a court or other agency of this state except as provided
2406 in sections [46b-213o to 46b-213r] 53 to 56, inclusive, of this act. Entry
2407 of the order shall not confer jurisdiction on any court of this state for
2408 any purpose other than withholding of income.

2409 (f) Upon registration of a support order from another jurisdiction
2410 pursuant to subsection (d) of this section, Family Support Magistrate
2411 Division or Support Enforcement Services of the Superior Court acting
2412 on its behalf shall proceed as provided in section [46b-213k] 49 of this

2413 act.

2414 (g) An income withholding order under this section shall direct
2415 payment to the Bureau of Child Support Enforcement or its designated
2416 collection agent. The bureau or its designated agent shall promptly
2417 distribute payments received pursuant to an income withholding
2418 order or garnishment based on a support order of another jurisdiction
2419 entered under this section to the agency or person designated pursuant
2420 to subdivision (5) of subsection (a) of section [46b-213h] 46 of this act.
2421 A support order entered pursuant to subsection (d) of this section does
2422 not nullify and is not nullified by a support order made by a court of
2423 this state pursuant to any other section of the general statutes or a
2424 support order made by a court of any other state. Amounts collected
2425 by any withholding of income shall be credited against the amounts
2426 accruing or accrued for any period under any support orders issued
2427 either by this state or by another jurisdiction.

2428 (h) The agency or Support Enforcement Services, upon receiving a
2429 certified copy of any amendment or modification to a support order
2430 entered pursuant to subsection (d) of this section, shall file such
2431 certified copy with the clerk of Support Enforcement Services, and
2432 Support Enforcement Services shall amend or modify the order for
2433 withholding to conform to the modified support order.

2434 (i) If the agency or Support Enforcement Services determines that
2435 the obligor has obtained employment in another state or has a new or
2436 additional source of income in another state, it shall notify the agency
2437 which requested the income withholding of the changes within ten
2438 days of receiving that information and shall forward to such agency all
2439 information it has or can obtain with respect to the obligor's new
2440 address and the name and address of the obligor's new employer or
2441 other source of income. The agency or Support Enforcement Services
2442 shall include with the notice a certified copy of the order for
2443 withholding in effect in this state.

2444 (j) Any person who is the obligor on a support order of another

2445 jurisdiction may obtain a voluntary income withholding by filing with
 2446 the agency a request for such withholding and a certified copy of the
 2447 support order issued by such jurisdiction. The agency shall file such
 2448 request for a voluntary withholding with the certified copy of the
 2449 support order from the jurisdiction that entered such order with the
 2450 clerk of Support Enforcement Services of the Superior Court and
 2451 Support Enforcement Services, acting on behalf of the Family Support
 2452 Magistrate Division, shall issue an order for withholding. Any order
 2453 for withholding thus issued shall be subject to all applicable provisions
 2454 of this section.

2455 Sec. 94. Sections 46b-212 to 46b-213w, inclusive, of the general
 2456 statutes are repealed. (*Effective July 1, 2015*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>July 1, 2015</i>	New section
Sec. 3	<i>July 1, 2015</i>	New section
Sec. 4	<i>July 1, 2015</i>	New section
Sec. 5	<i>July 1, 2015</i>	New section
Sec. 6	<i>July 1, 2015</i>	New section
Sec. 7	<i>July 1, 2015</i>	New section
Sec. 8	<i>July 1, 2015</i>	New section
Sec. 9	<i>July 1, 2015</i>	New section
Sec. 10	<i>July 1, 2015</i>	New section
Sec. 11	<i>July 1, 2015</i>	New section
Sec. 12	<i>July 1, 2015</i>	New section
Sec. 13	<i>July 1, 2015</i>	New section
Sec. 14	<i>July 1, 2015</i>	New section
Sec. 15	<i>July 1, 2015</i>	New section
Sec. 16	<i>July 1, 2015</i>	New section
Sec. 17	<i>July 1, 2015</i>	New section
Sec. 18	<i>July 1, 2015</i>	New section
Sec. 19	<i>July 1, 2015</i>	New section
Sec. 20	<i>July 1, 2015</i>	New section
Sec. 21	<i>July 1, 2015</i>	New section
Sec. 22	<i>July 1, 2015</i>	New section

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Sec. 46	<i>July 1, 2015</i>	New section
Sec. 47	<i>July 1, 2015</i>	New section
Sec. 48	<i>July 1, 2015</i>	New section
Sec. 49	<i>July 1, 2015</i>	New section
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Sec. 76	<i>July 1, 2015</i>	New section
Sec. 77	<i>July 1, 2015</i>	New section
Sec. 78	<i>July 1, 2015</i>	New section
Sec. 79	<i>July 1, 2015</i>	17b-745(b)
Sec. 80	<i>July 1, 2015</i>	46b-56c(b)(4)
Sec. 81	<i>July 1, 2015</i>	46b-62
Sec. 82	<i>July 1, 2015</i>	46b-160(a)(2)
Sec. 83	<i>July 1, 2015</i>	46b-168a(a)
Sec. 84	<i>July 1, 2015</i>	46b-170
Sec. 85	<i>July 1, 2015</i>	46b-172
Sec. 86	<i>July 1, 2015</i>	46b-207
Sec. 87	<i>July 1, 2015</i>	46b-208
Sec. 88	<i>July 1, 2015</i>	46b-215(e)
Sec. 89	<i>July 1, 2015</i>	46b-231
Sec. 90	<i>July 1, 2015</i>	52-57(f)
Sec. 91	<i>July 1, 2015</i>	52-362(n)
Sec. 92	<i>July 1, 2015</i>	52-362(o)
Sec. 93	<i>July 1, 2015</i>	52-362f
Sec. 94	<i>July 1, 2015</i>	Repealer section

HS *Joint Favorable Subst. -LCO*

JUD *Joint Favorable*