



Substitute House Bill No. 6973

Public Act No. 15-71

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:

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

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

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

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

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

(4) "Duty of support" means an obligation imposed or imposable by

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law to provide support for a child, spouse or former spouse, including an unsatisfied obligation to provide support.

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

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

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

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

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

(10) "Income-withholding order" means an order or other legal

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process directed to an obligor's employer or other payer of income, as defined by section 52-362 of the general statutes, as amended by this act, to withhold support from the income of the obligor.

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

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

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

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

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

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

(17) "Obligor" means an individual, or the estate of a decedent that

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(A) owes or is alleged to owe a duty of support; (B) is alleged but has not been adjudicated to be a parent of a child; (C) is liable under a support order; or (D) is a debtor in a proceeding under sections 61 to 73, inclusive, of this act.

(18) "Outside this state" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

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

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

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

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

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

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

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

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

(27) "Support enforcement agency" means a public official, governmental entity or private agency authorized to (A) seek enforcement of support orders or laws relating to the duty of support; (B) seek establishment or modification of child support; (C) request determination of parentage of a child; (D) attempt to locate obligors or their assets; or (E) request determination of the controlling child support order.

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

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

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

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

Sec. 4. (NEW) (*Effective July 1, 2015*) (a) Remedies provided by

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sections 1 to 78, inclusive, of this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

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

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

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

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

Sec. 6. (NEW) (*Effective July 1, 2015*) (a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if (1) the individual is personally served with process within this state; (2) the individual submits to the jurisdiction of this state by consent in a record, by entering a general appearance or by filing a responsive document having the effect of waiving any contest to personal

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jurisdiction; (3) the individual resided with the child in this state; (4) the individual resided in this state and provided prenatal expenses or support for the child; (5) the child resides in this state as a result of the acts or directives of the individual; (6) the individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse; or (7) there is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) or in any other law of this state may not be used to acquire personal jurisdiction for a tribunal of this state to modify a child support order of another state unless the requirements of section 55 of this act are met, or, in the case of a foreign support order, unless the requirements of section 59 of this act are met.

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

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

Sec. 9. (NEW) (*Effective July 1, 2015*) (a) A tribunal of this state may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if (1) the petition or comparable pleading in this state is filed before the expiration of the time allowed in the other state

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or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country; (2) the contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and (3) if relevant, this state is the home state of the child.

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

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

(b) A tribunal of this state that has issued a child support order consistent with the law of this state may not exercise continuing, exclusive jurisdiction to modify the order if (1) all of the parties who are individuals file consent in a record with the tribunal of this state that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of

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residence of the child may modify the order and assume continuing, exclusive jurisdiction; or (2) its order is not the controlling order.

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

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

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

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

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

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

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must be recognized.

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

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

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

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

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

(d) A request to determine which is the controlling order must be

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accompanied by a copy of every child support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

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

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

(g) Within thirty days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

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

Sec. 13. (NEW) (*Effective July 1, 2015*) In responding to registrations

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or petitions for enforcement of two or more child support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of this state shall enforce those orders in the same manner as if the orders had been issued by a tribunal of this state.

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

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

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

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

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

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

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

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

Sec. 19. (NEW) (*Effective July 1, 2015*) Except as otherwise provided in sections 1 to 78, inclusive, of this act a responding tribunal of this state shall (1) apply the procedural and substantive law generally applicable to similar proceedings originating in this state and may exercise all powers and provide all remedies available in those proceedings; and (2) determine the duty of support and the amount payable in accordance with the law and support guidelines of this state.

Sec. 20. (NEW) (*Effective July 1, 2015*) (a) Upon the filing of a petition authorized by sections 1 to 78, inclusive, of this act an initiating tribunal of this state shall forward the petition and its accompanying

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documents (1) to the responding tribunal or appropriate support enforcement agency in the responding state; or (2) if the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

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

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

(b) A responding tribunal of this state, to the extent not prohibited by other law, may do one or more of the following (1) establish or enforce a support order, modify a child support order, determine the controlling child support order or determine parentage of a child; (2) order an obligor to comply with a support order, specifying the amount and the manner of compliance; (3) order income withholding; (4) determine the amount of any arrearages and specify a method of payment; (5) enforce orders by civil or criminal contempt, or both; (6) set aside property for satisfaction of the support order; (7) place liens and order execution on the obligor's property; (8) order an obligor to keep the tribunal informed of the obligor's current residential address, electronic mail address, telephone number, employer, address of

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employment and telephone number at the place of employment; (9) issue a *capias mittimus* for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the *capias mittimus* in any local and state computer systems for criminal warrants; (10) order the obligor to seek appropriate employment by specified methods; (11) award reasonable attorney's fees and other fees and costs; and (12) grant any other available remedy.

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

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

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

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

Sec. 22. (NEW) (*Effective July 1, 2015*) If a petition or comparable pleading is received by an inappropriate tribunal of this state, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of this state or another state and notify the petitioner where and when the pleading was sent.

Sec. 23. (NEW) (*Effective July 1, 2015*) (a) A support enforcement

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agency of this state, upon request, shall provide services to a petitioner in a proceeding under sections 1 to 78, inclusive, of this act.

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

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

(d) A support enforcement agency of this state that requests registration and enforcement of a support order, arrears or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of this state shall issue or request

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a tribunal of this state to issue a child support order and an income-withholding order that redirect payment of current support, arrears and interest if requested to do so by a support enforcement agency of another state pursuant to section 35 of this act.

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

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

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

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

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

(b) The state information agency shall (1) compile and maintain a current list, including addresses, of the tribunals in this state which have jurisdiction under sections 1 to 78, inclusive, of this act and any

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

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

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

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

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

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

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

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Sec. 30. (NEW) (*Effective July 1, 2015*) (a) Participation by a petitioner in a proceeding under sections 1 to 78, inclusive, of this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

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

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

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

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

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

(c) A copy of the record of child support payments certified as a true copy of the original by the custodian of the record may be forwarded

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to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least ten days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary and customary.

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

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

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

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

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

(j) A voluntary acknowledgment of paternity, certified as a true

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copy, is admissible to establish parentage of the child.

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

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

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

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

(c) The support enforcement agency of this state receiving

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redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

Sec. 36. (NEW) (*Effective July 1, 2015*) (a) If a support order entitled to recognition under sections 1 to 78, inclusive, of this act, has not been issued, a responding tribunal of this state with personal jurisdiction over the parties may issue a support order if (1) the individual seeking the order resides outside this state; or (2) the support enforcement agency seeking the order is located outside this state.

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

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

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

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

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

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

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

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to (1) the employer's fee for processing an income-withholding order; (2) the maximum amount permitted to be withheld

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from the obligor's income; and (3) the times within which the employer must implement the withholding order and forward the child support payment.

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

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

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

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

(b) The obligor shall give notice of the contest to (1) a support enforcement agency providing services to the obligee; (2) each

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employer that has directly received an income-withholding order relating to the obligor; and (3) the person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

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

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this state to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to sections 1 to 78, inclusive, of this act.

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

Sec. 46. (NEW) (*Effective July 1, 2015*) (a) Except as otherwise provided in section 66 of this act, a support order or income-withholding order of another state or a foreign support order may be registered in this state by sending the following records to the Family Support Magistrate Division of the Superior Court in this state (1) a letter of transmittal to the tribunal requesting registration and enforcement; (2) two copies, including one certified copy, of the order to be registered, including any modification of the order; (3) a sworn statement by the person requesting registration or a certified statement

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by the custodian of the records showing the amount of any arrearage; (4) the name of the obligor and, if known (A) the obligor's address and Social Security number; (B) the name and address of the obligor's employer and any other source of income of the obligor; and (C) a description and the location of property of the obligor in this state not exempt from execution; and (5) except as otherwise provided in section 28 of this act, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

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

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

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

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

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

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state.

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

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

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

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

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

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

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

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

(c) If the registering party asserts that two or more orders are in effect, a notice must also (1) identify the two or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any; (2) notify the nonregistering party of the right to a determination of which is the controlling order; (3) state that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and (4) state that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

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

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

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

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

Sec. 51. (NEW) (*Effective July 1, 2015*) (a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses (1) the issuing tribunal lacked personal jurisdiction over the contesting party; (2) the order was obtained by fraud; (3) the order has been vacated, suspended or modified by a later order; (4) the issuing tribunal has stayed the order pending appeal; (5) there is a defense under the law of this state to the remedy sought; (6) full or partial payment has been made; (7) the statute of limitations under section 48 of this act precludes enforcement of some or all of the alleged arrearages; or (8) the alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the proceeding to permit production of additional relevant evidence and issue other appropriate

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orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of this state.

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

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

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

Sec. 54. (NEW) (*Effective July 1, 2015*) A tribunal of this state may enforce a child support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of this state, but the registered support order may be modified only if the requirements of section 55 or 57 of this act have been met.

Sec. 55. (NEW) (*Effective July 1, 2015*) (a) If section 57 of this act does not apply, upon petition a tribunal of this state may modify a child support order issued in another state which is registered in this state if, after notice and hearing, the tribunal finds that (1) the following requirements are met (A) neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state; (B) a petitioner

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who is a nonresident of this state seeks modification; and (C) the respondent is subject to the personal jurisdiction of the tribunal of this state; or (2) this state is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of this state, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of this state to modify the support order and assume continuing, exclusive jurisdiction.

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

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

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

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

(f) Notwithstanding subsections (a) to (e), inclusive, of this section and subsection (b) of section 6 of this act, a tribunal of this state retains jurisdiction to modify an order issued by a tribunal of this state if (1)

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one party resides in another state; and (2) the other party resides outside the United States.

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

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

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

Sec. 58. (NEW) (*Effective July 1, 2015*) Within thirty days after issuance of a modified child support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the

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validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

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

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

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

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

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

(2) "Central authority" means the entity designated by the United States or a foreign country to perform the functions specified in the Convention.

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

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

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

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

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

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

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

(b) The following support proceedings are available to an obligee

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under the Convention (1) recognition or recognition and enforcement of a foreign support order; (2) enforcement of a support order issued or recognized in this state; (3) establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child; (4) establishment of a support order if recognition of a foreign support order is refused under subdivisions (2), (4) or (9) of subsection (b) of section 68 of this act; (5) modification of a support order of a tribunal of this state; and (6) modification of a support order of a tribunal of another state or a foreign country.

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

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

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

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

(c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement (1) a security, bond, or deposit is not required to guarantee the payment of costs and expenses; and (2) an obligee or obligor that in the issuing country has

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benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of this state under the same circumstances.

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

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

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

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

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

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

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

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

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

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

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

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

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(f) A tribunal of this state deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

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

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

(b) The following grounds are the only grounds on which a tribunal of this state may refuse recognition and enforcement of a registered Convention support order (1) recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard; (2) the issuing tribunal lacked personal jurisdiction consistent with section 6 of this act; (3) the order is not enforceable in the issuing country; (4) the order was obtained by fraud in connection with a matter of procedure; (5) a record transmitted in accordance with section 66 of this act lacks authenticity or integrity; (6) a proceeding between the same parties and having the same purpose is pending before a tribunal of this state and that proceeding was the first to be filed; (7) the order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under sections 1 to 78, inclusive, of this act in this state; (8) payment, to the extent alleged arrears have been paid in whole or in part; (9) in a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country (A) if the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or (B) if the law of that country does not provide for prior notice of the proceedings, the

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respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or (10) the order was made in violation of section 71 of this act.

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

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

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

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

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

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(d) In a contest of a foreign support agreement, a tribunal of this state may refuse recognition and enforcement of the agreement if it finds (1) recognition and enforcement of the agreement is manifestly incompatible with public policy; (2) the agreement was obtained by fraud or falsification; (3) the agreement is incompatible with a support order involving the same parties and having the same purpose in this state, another state, or a foreign country if the support order is entitled to recognition and enforcement under sections 1 to 78, inclusive, of this act in this state; or (4) the record submitted under subsection (b) of this section lacks authenticity or integrity.

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

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

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

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

Sec. 73. (NEW) (*Effective July 1, 2015*) A record filed with a tribunal

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of this state under sections 61 to 73, inclusive, of this act must be in the original language and, if not in English, must be accompanied by an English translation.

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

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

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

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

(b) If, under sections 1 to 78, inclusive, of this act or a law substantially similar to sections 1 to 78, inclusive, of this act, the governor of another state makes a demand that the governor of this

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state surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the governor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the governor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the governor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

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

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

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

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

(b) Except as provided in sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act any court or family support magistrate, called upon to enforce a support order, shall insure that such order is reasonable in light of the obligor's ability to pay. Except as provided in sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act any support order entered pursuant to this section, or any support order from another jurisdiction subject to enforcement by the state of Connecticut, may be modified by motion of the party seeking such modification, including Support Enforcement Services in IV-D support cases, as defined in subdivision (13) of subsection (b) of section 46b-231, as amended by this act, upon a showing of a substantial change in the circumstances of either party or upon a showing that the final order for child support substantially deviates from the child support guidelines established pursuant to section 46b-215a, unless there was a specific finding on the record that the application of the guidelines would be inequitable or inappropriate, provided the court or family support magistrate finds that the obligor or the obligee and any other interested party have received actual notice of the pendency of such motion and of the time and place of the hearing on such motion. There shall be a rebuttable presumption that any deviation of less than fifteen per cent from the child support guidelines is not substantial and any deviation of fifteen per cent or more from the guidelines is substantial. Modification may be made of such support order without regard to whether the order was issued before, on or after May 9, 1991. In any hearing to modify any support order from another jurisdiction the court or the family support magistrate shall conduct the proceedings in accordance with sections [46b-213o to 46b-213r] 53 to 59, inclusive, of this act. No such support orders may be subject to retroactive modification except that the court or family support magistrate may

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order modification with respect to any period during which there is a pending motion for a modification of an existing support order from the date of service of notice of such pending motion upon the opposing party pursuant to section 52-50.

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

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

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

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

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Commission.

(b) If, in any proceeding under this chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, 47-14g, 51-348a and 52-362, as amended by this act, the court appoints counsel or a guardian ad litem for a minor child, the court may not order the father, mother or an intervening party, individually or in any combination, to pay the reasonable fees of such counsel or guardian ad litem from a college savings account, including any account established pursuant to any qualified tuition program, as defined in Section 529(b) of the Internal Revenue Code, that has been established for the benefit of the minor child. If the court determines that the father, mother or an intervening party does not have the ability to pay such reasonable fees, the court shall not order that such reasonable fees be paid by such persons through the use of a credit card. In addition, any order for the payment of such reasonable fees shall be limited to income or assets that are not exempt property under sections 52-352a and 52-352b.

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

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

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

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

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

(a) In any IV-D support case, as defined in subdivision (13) of subsection (b) of section 46b-231, as amended by this act, in which the paternity of a child is at issue, or in any case in which a support enforcement agency is providing services to a petitioner in a proceeding under sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, in which the paternity of a child is at issue, the IV-D agency or the support enforcement agency shall require the child and all other parties other than individuals who have good cause for refusing to cooperate or who are subject to other exceptions to submit to genetic tests which shall mean deoxyribonucleic acid tests, to be performed by a hospital, accredited laboratory, qualified physician or other qualified person designated by such agency, to determine whether or not the putative father or husband is the father of the child, upon the request of any such party, provided such request is supported by a sworn statement by the party which either (1) alleges paternity and sets forth facts establishing a reasonable possibility of the requisite sexual contact between the parties, or (2) denies paternity and sets forth facts

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establishing a reasonable possibility of the nonexistence of sexual contact between the parties.

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

No petition under section 46b-160, as amended by this act, shall be withdrawn except upon approval of a judge or in IV-D support cases as defined in subsection (b) of section 46b-231, as amended by this act, and petitions brought under sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, the family support magistrate assigned to the judicial district in which the petition was brought. Any agreement of settlement, before or after a petition has been brought, other than an agreement made under the provisions of section 46b-172, as amended by this act, between the mother and putative father shall take effect only upon approval of the terms thereof by a judge of the Superior Court, or family support magistrate assigned to the judicial district in which the mother or the putative father resides and, in the case of children supported by the state or the town, on the approval of the Commissioner of Social Services or the Attorney General. When so approved, such agreements shall be binding upon all persons executing them, whether such person is a minor or an adult.

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

(a) (1) In lieu of or in conclusion of proceedings under section 46b-160, as amended by this act, a written acknowledgment of paternity executed and sworn to by the putative father of the child when accompanied by (A) an attested waiver of the right to a blood test, the right to a trial and the right to an attorney, (B) a written affirmation of paternity executed and sworn to by the mother of the child, and (C) if the person subject to the acknowledgment of paternity is an adult eighteen years of age or older, a notarized affidavit

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affirming consent to the voluntary acknowledgment of paternity, shall have the same force and effect as a judgment of the Superior Court. It shall be considered a legal finding of paternity without requiring or permitting judicial ratification, and shall be binding on the person executing the same whether such person is an adult or a minor, subject to subdivision (2) of this subsection. Such acknowledgment shall not be binding unless, prior to the signing of any affirmation or acknowledgment of paternity, the mother and the putative father are given oral and written notice of the alternatives to, the legal consequences of, and the rights and responsibilities that arise from signing such affirmation or acknowledgment. The notice to the mother shall include, but shall not be limited to, notice that the affirmation of paternity may result in rights of custody and visitation, as well as a duty of support, in the person named as father. The notice to the putative father shall include, but not be limited to, notice that such father has the right to contest paternity, including the right to appointment of counsel, a genetic test to determine paternity and a trial by the Superior Court or a family support magistrate and that acknowledgment of paternity will make such father liable for the financial support of the child until the child's eighteenth birthday. In addition, the notice shall inform the mother and the father that DNA testing may be able to establish paternity with a high degree of accuracy and may, under certain circumstances, be available at state expense. The notices shall also explain the right to rescind the acknowledgment, as set forth in subdivision (2) of this subsection, including the address where such notice of rescission should be sent, and shall explain that the acknowledgment cannot be challenged after sixty days, except in court upon a showing of fraud, duress or material mistake of fact.

(2) The mother and the acknowledged father shall have the right to rescind such affirmation or acknowledgment in writing within the earlier of (A) sixty days, or (B) the date of an agreement to support

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such child approved in accordance with subsection (b) of this section or an order of support for such child entered in a proceeding under subsection (c) of this section. An acknowledgment executed in accordance with subdivision (1) of this subsection may be challenged in court or before a family support magistrate after the rescission period only on the basis of fraud, duress or material mistake of fact which may include evidence that he is not the father, with the burden of proof upon the challenger. During the pendency of any such challenge, any responsibilities arising from such acknowledgment shall continue except for good cause shown.

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

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

(b) (1) An agreement to support the child by payment of a periodic sum until the child attains the age of eighteen years or as otherwise provided in this subsection, together with provisions for reimbursement for past-due support based upon ability to pay in accordance with the provisions of section 17a-90 or 17b-81, subsection (b) of section 17b-179 or section 17b-223, 46b-129 or 46b-130, and reasonable expense of prosecution of the petition, when filed with and approved by a judge of the Superior Court, or in IV-D support cases

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and matters brought under sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act, a family support magistrate at any time, shall have the same force and effect, retroactively or prospectively in accordance with the terms of the agreement, as an order of support entered by the court, and shall be enforceable and subject to modification in the same manner as is provided by law for orders of the court in such cases. If such child is unmarried and a full-time high school student, such support shall continue according to the parents' respective abilities to pay, if such child is in need of support, until such child completes the twelfth grade or attains the age of nineteen, whichever occurs first.

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

(3) Payments under such agreement shall be made to the petitioner, except that in IV-D support cases, as defined in subsection (b) of section 46b-231, as amended by this act, payments shall be made to the Bureau of Child Support Enforcement or its designated agency and distributed as required by Title IV-D of the Social Security Act. In IV-D support cases, the IV-D agency or a support enforcement agency under cooperative agreement with the IV-D agency may, upon notice to the obligor and obligee, redirect payments for the support of any child receiving child support enforcement services either to the state of Connecticut or to the present custodial party, as their interests may appear, provided neither the obligor nor the obligee objects in writing within ten business days from the mailing date of such notice. Any such notice shall be sent by first class mail to the most recent address of such obligor and obligee, as recorded in the state case registry pursuant to section 46b-218, and a copy of such notice shall be filed with the court or family support magistrate if both the obligor and obligee fail to object to the redirected payments within ten business days from the mailing date of such notice.

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

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

(2) Past-due support in such cases shall be limited to the three years next preceding the filing of a petition pursuant to this section. Such court or family support magistrate, in IV-D support cases, may also order the acknowledged father who is subject to a plan for

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reimbursement of past-due support and is not incapacitated to participate in work activities which may include, but shall not be limited to, job search, training, work experience and participation in the job training and retraining program established by the Labor Commissioner pursuant to section 31-3t.

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

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

(5) All payments under this subsection shall be made to the petitioner, except that in IV-D support cases, as defined in subsection (b) of section 46b-231, as amended by this act, payments shall be made to the state, acting by and through the IV-D agency and distributed as required by Title IV-D of the Social Security Act. In IV-D support cases, the IV-D agency or a support enforcement agency under cooperative agreement with the IV-D agency may, upon notice to the obligor and obligee, redirect payments for the support of any child receiving child support enforcement services either to the state of Connecticut or to the present custodial party, as their interests may appear, provided neither the obligor nor the obligee objects in writing within ten

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

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

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

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

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

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

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

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

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

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

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

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

(b) For the purposes of this section:

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

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

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

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(4) "Bureau of Child Support Enforcement" means a division within the Department of Social Services established pursuant to section 17b-179;

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

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

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

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

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

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

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

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

(13) "IV-D support cases" means cases in which the IV-D agency is

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providing child support enforcement services under Title IV-D of the Social Security Act pursuant to (A) an application under subsection (h) of section 17b-179, or (B) referral of a (i) temporary family assistance case under section 17b-112, which for the purposes of this section may be referred to as "TFA", (ii) a Medicaid case under section 17b-261, or (iii) a foster care case under section 46b-130; and

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

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

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

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

(f) The Family Support Magistrate Division shall include nine family support magistrates who shall be appointed by the Governor to serve in that capacity for a term of three years. A family support magistrate may be reappointed by the Governor upon completion of each term of office. To be eligible for appointment, a family support magistrate must have engaged in the practice of law for five years prior to appointment and shall be experienced in the field of family law. The family support magistrate shall devote full time to the duties of a

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family support magistrate and shall not engage in the private practice of law. A family support magistrate may be removed from office by the Governor for cause.

(g) A Chief Family Support Magistrate shall be designated by the Chief Court Administrator of the Superior Court from among the nine family support magistrates appointed by the Governor pursuant to subsection (f) of this section. Under the direction of the Chief Court Administrator, the Chief Family Support Magistrate shall supervise the Family Support Magistrate Division and submit an annual report to the Chief Court Administrator and perform such other duties as provided in this section.

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

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

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

(2) Any family support magistrate may elect to be included within the provisions of sections 51-49, 51-49a, 51-49b, 51-49c, 51-49d, 51-49h, 51-50a and 51-50b, or to continue to be subject to the provisions of

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subdivision (1) of this subsection. Any family support magistrate who has so elected may revoke such election and elect to be included in the provisions of chapters 65 and 66 regarding retirement and disability of state employees. Thereupon any payments transferred from the State Employees Retirement Fund to the Judges, Family Support Magistrates and Compensation Commissioners Retirement Fund shall be transferred from the Judges, Family Support Magistrates and Compensation Commissioners Retirement Fund to the State Employees Retirement Fund.

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

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

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

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

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(1) A family support magistrate in IV-D support cases may compel the attendance of witnesses or the obligor under a summons issued pursuant to section 17b-745, as amended by this act, 46b-172, as amended by this act, or 46b-215, as amended by this act, a subpoena issued pursuant to section 52-143, or a citation for failure to obey an order of a family support magistrate or a judge of the Superior Court. If a person is served with any such summons, subpoena or citation issued by a family support magistrate or the assistant clerk of the Family Support Magistrate Division and fails to appear, a family support magistrate may issue a *capias mittimus* directed to a judicial marshal to the extent authorized pursuant to section 46b-225, or any other proper officer to arrest the obligor or the witness and bring the obligor or witness before a family support magistrate. Whenever such a *capias mittimus* is ordered, the family support magistrate shall establish a recognizance to the state of Connecticut in the form of a bond of such character and amount as to assure the appearance of the obligor at the next regular session of the Family Support Magistrate Division in the judicial district in which the matter is pending. If the obligor posts such a bond, and thereafter fails to appear before the family support magistrate at the time and place the obligor is ordered to appear, the family support magistrate may order the bond forfeited, and the proceeds thereof distributed as required by Title IV-D of the Social Security Act.

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

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of child and spousal support in such cases.

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

(C) A family support magistrate shall not modify an order for periodic payment on an arrearage due the state for state assistance which has been discontinued to increase such payments, unless the family support magistrate first determines that the state has made a reasonable effort to notify the current recipient of child support, at the most current address available to the IV-D agency, of the pendency of the motion to increase such periodic arrearage payments and of the time and place of the hearing on such motion. If such recipient appears, either personally or through a representative, at such hearing, the family support magistrate shall determine whether the order in effect for child support is reasonable in relation to the current financial circumstances of the parties, prior to modifying an order increasing such periodic arrearage payments.

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

(4) Motions for modification of existing child and spousal support orders entered by the Superior Court in IV-D support cases, including motions to modify existing child and spousal support orders entered

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in actions brought pursuant to chapter 815j, shall be brought in the Family Support Magistrate Division and decided by a family support magistrate. Family support magistrates, in deciding if a spousal or child support order should be modified, shall make such determination based upon the criteria set forth in sections 46b-84 and 46b-215b. A person who is aggrieved by a decision of a family support magistrate modifying a Superior Court order is entitled to appeal such decision in accordance with the provisions of subsection (n) of this section.

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

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

(7) Family support magistrates shall enforce orders for child and spousal support entered by such family support magistrate and by the Superior Court in IV-D support cases by citing an obligor for contempt. Family support magistrates, in IV-D support cases, may

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order any obligor who is subject to a plan for reimbursement of past-due support and is not incapacitated, to participate in work activities which may include, but shall not be limited to, job search, training, work experience and participation in the job training and retraining program established by the Labor Commissioner pursuant to section 31-3t. Family support magistrates shall also enforce income withholding orders entered pursuant to section 52-362, as amended by this act, including any additional amounts to be applied toward liquidation of any arrearage, as required under subsection (e) of said section. Family support magistrates may require the obligor to furnish recognizance to the state of Connecticut in the form of a cash deposit or bond of such character and in such amount as the Family Support Magistrate Division deems proper to assure appearance at the next regular session of the Family Support Magistrate Division in the judicial district in which the matter is pending. Upon failure of the obligor to post such bond, the family support magistrate may refer the obligor to a community correctional center until he has complied with such order, provided the obligor shall be heard at the next regular session of the Family Support Magistrate Division in the court to which he was summoned. If no regular session is held within seven days of such referral, the family support magistrate shall either cause a special session of the Family Support Magistrate Division to be convened, or the obligor shall be heard by a Superior Court judge in the judicial district in which the matter is pending. If the obligor fails to appear before the family support magistrate at the time and place he is ordered to appear, the family support magistrate may order the bond, if any, forfeited, and the proceeds thereof distributed as required by Title IV-D of the Social Security Act, and the family support magistrate may issue a *capias mittimus* for the arrest of the obligor, ordering him to appear before the family support magistrate. A family support magistrate may determine whether or not an obligor is in contempt of the order of the Superior Court or of a family support magistrate and may make such orders as are provided by law to

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enforce a support obligation, except that if the family support magistrate determines that incarceration of an obligor for failure to obey a support order may be indicated, the family support magistrate shall inform the obligor of his right to be represented by an attorney and his right to a court-appointed attorney to represent him if he is indigent. If the obligor claims he is indigent and desires an attorney to represent him, the family support magistrate shall conduct a hearing to determine if the obligor is indigent. If, after such hearing, the family support magistrate finds that the obligor is indigent, the family support magistrate shall appoint an attorney to represent the obligor.

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

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

(10) In any proceeding in the Family Support Magistrate Division, if

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the family support magistrate finds that a party is indigent and unable to pay a fee or fees payable to the court or to pay the cost of service of process, the family support magistrate shall waive such fee or fees and the cost of service of process shall be paid by the state.

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

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

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

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

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

(3) Within fourteen days after the filing of the petition, or within

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such further time as may be allowed by the court, the Family Support Magistrate Division shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding appealed from, which shall include the decision of the family support magistrate. The court may require or permit subsequent corrections or additions to the record.

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

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

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

(7) The Superior Court may affirm the decision of the family support magistrate or remand the case for further proceedings. The Superior Court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the decision of the

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family support magistrate is: (A) In violation of constitutional or statutory provisions; (B) in excess of the statutory authority of the family support magistrate; (C) made upon unlawful procedure; (D) affected by other error of law; (E) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or (F) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

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

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

(10) In any case in which any party claims that he cannot pay the costs of an appeal or defending an appeal under this section, he shall, within the time permitted for filing the appeal, or the time permitted for filing of a transcript of testimony if preparation of such transcript is required, file with the clerk of the superior court to which the appeal is to be taken an application for waiver of payment of such fees, costs and necessary expenses. The application shall conform to rules adopted pursuant to section 51-14. After such hearing as the Superior Court determines is necessary, the Superior Court shall enter its judgment on the application, which judgment shall contain a statement of the facts the Superior Court has found, with its conclusions thereon. The filing of the application for the waiver shall toll the time limits for the filing of an appeal until such time as a judgment on such application is entered.

(o) Upon final determination of any appeal from a decision of a family support magistrate by the Superior Court, there shall be no right to further review except to the Appellate Court. The procedure

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on such appeal to the Appellate Court shall, except as otherwise provided herein, be in accordance with the procedures provided by rule or law for the appeal of judgments rendered by the Superior Court unless modified by rule of the judges of the Appellate Court. There shall be no right to further review except to the Supreme Court pursuant to the provisions of section 51-197f.

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

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

(r) Orders for support entered by a family support magistrate shall have the same force and effect as orders of the Superior Court, except where otherwise provided in sections 17b-81, 17b-93, 17b-179, 17b-743, 17b-744, 17b-745, as amended by this act, and 17b-746, subsection (a) of section 46b-55, sections 46b-59a, 46b-86 and 46b-172, as amended by this act, this chapter, subsection (b) of section 51-348, section 52-362, as amended by this act, subsection (a) of section 52-362d, subsection (a) of section 52-362e and subsection (c) of section 53-304, and shall be considered orders of the Superior Court for the purpose of establishing and enforcing support orders of the family support magistrate, as provided in sections 17b-81, 17b-93, 17b-179, 17b-745, as amended by this act, 52-362, as amended by this act, 52-362d, 52-362e and 53-304, except as otherwise provided in this section. All orders for support

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issued by family support magistrates in any matter before a magistrate shall contain an order for withholding to enforce such orders as set forth in section 52-362, as amended by this act.

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

(1) Supervise the payment of any child or spousal support order in IV-D support cases and cases under sections [46b-212 to 46b-213w] 1 to 78, inclusive, of this act. Supervision of such orders is defined as the utilization of all procedures available by law to collect child or spousal support, or enforce medical support including (A) issuance and implementation of income withholdings ordered by the Superior Court or a family support magistrate pursuant to section 52-362, as amended by this act, (B) issuance of an order requiring any party to appear before a family support magistrate on an action to modify a support order pursuant to subdivision (4) of this subsection, (C) issuance of a capias mittimus directed to a proper officer to arrest an obligor or witness and bring such obligor or witness before a family support magistrate if such obligor or witness is served with a summons, subpoena, citation or order to appear issued by a family support magistrate, the assistant clerk of the Family Support Magistrate Division or a support enforcement officer and fails to appear, (D) if necessary, bringing an application for contempt to a family support magistrate and, in connection with such application, issuing an order requiring the obligor to appear before a family support magistrate to show cause why such obligor should not be held in contempt for failure to pay an order for child or spousal support entered by the Superior Court or a family support magistrate, (E) issuance of a National Medical Support Notice in accordance with section 46b-88, and (F) taking of acknowledgements of parties to agreements incident to the duties under subdivision (4) of this subsection;

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

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

(4) Review child support orders (A) in non-TFA IV-D support cases (i) at the request of either parent or custodial party subject to a support order, or (ii) upon receipt of information indicating a substantial change in circumstances of any party to the support order, (B) in TFA cases, at the request of the Bureau of Child Support Enforcement, or (C) as necessary to comply with federal requirements for the child support enforcement program mandated by Title IV-D of the Social Security Act, and initiate an action before a family support magistrate to modify such support order if it is determined upon such review that the order substantially deviates from the child support guidelines established pursuant to section 46b-215a. A requesting party under subparagraph (A)(i) or (B) of this subdivision shall have a right to such review every three years without proving a substantial change in circumstances, but more frequent reviews shall be made only if such

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requesting party demonstrates a substantial change in circumstances. There shall be a rebuttable presumption that any deviation of less than fifteen per cent from the child support guidelines is not substantial and any deviation of fifteen per cent or more from the guidelines is substantial. Modification may be made of such support order without regard to whether the order was issued before, on or after May 9, 1991. In determining whether to modify a child support order based on a substantial deviation from such child support guidelines, consideration shall be given to the division of real and personal property between the parties set forth in any final decree entered pursuant to chapter 815j and the benefits accruing to the child as the result of such division. No order for periodic payment of support may be subject to retroactive modification, except that the family support magistrate may order modification with respect to any period during which there is a pending motion for modification of a support order from the date of service of notice of such pending motion to the opposing party pursuant to section 52-50.

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

(t) The Attorney General shall:

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

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

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

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

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

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

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Sec. 90. Subsection (f) of section 52-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

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

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

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

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to the employee.

Sec. 91. Subsection (n) of section 52-362 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

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

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

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

(A) The Department of Social Services shall make available to all employers in this state a standard notice and claim form, written in clear and simple language, which shall include (i) notice that money will be withheld from the employee's wages for child support and health insurance; (ii) notice of the amount of disposable earnings that

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are exempt from the income withholding order; (iii) notice that the amount of the income withholding order may not exceed the maximum permitted by federal law under 15 USC 1673, together with a statement of the obligor's right to claim any other applicable state or federal exemptions; (iv) notice of the right to object to the validity or enforcement of such income withholding order in a court in this state and of the right to seek modification of the underlying support order in the court of continuing exclusive jurisdiction; (v) notice of the right to seek the assistance of the Bureau of Child Support Enforcement of the Department of Social Services and the toll-free telephone number at which the bureau can be contacted; and (vi) a claim form which shall include (I) a list of the most common defenses and exemptions to such income withholding order in a manner which allows the obligor to check any of the defenses and exemptions which apply; (II) a space where the obligor may briefly explain the obligor's claim or defense; (III) a space where the obligor may initiate a request for services to modify the support order, and the address of the Bureau of Child Support Enforcement of the Department of Social Services to which such request may be sent; (IV) a space for the obligor to provide the obligor's address and the name of the town in which the obligor principally conducts the obligor's work for the employer; (V) a space for the obligor to sign the obligor's name; (VI) the address of Support Enforcement Services to which the claim form is to be sent in order to contest the validity or enforcement of the income withholding order; and (VII) space for the employer to state the date upon which the form was actually delivered to the obligor.

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

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the income withholding order shall be included.

(C) Upon receipt of a claim form contesting the validity or enforcement of an income withholding order, Support Enforcement Services shall: (i) Give notice of the contest to (I) the support enforcement agency providing services to the obligee; (II) each employer that has directly received an income withholding order relating to the obligor; (III) the person designated to receive payments in the income withholding order; and (IV) if the obligee's address is known, the obligee; (ii) file the claim form and a copy of the income withholding order on behalf of the obligor with the Family Support Magistrate Division; and (iii) notify the person or agency that sent the income withholding order to file not less than ten days before the scheduled hearing (I) two copies, including one certified copy of the underlying support order, including any modification of such order; and (II) a sworn statement showing the amount of any arrearage together with the last court determination of an arrearage and an accounting of the arrearage since such determination.

(D) Upon receipt of a claim form filed by Support Enforcement Services on behalf of the obligor in accordance with subparagraph (C) of this subdivision, the clerk shall promptly enter the appearance of the obligor, schedule a hearing, and give notice of the hearing to the obligor, Support Enforcement Services, the party initiating the income withholding order, and, if the obligee's address is known, the obligee. The family support magistrate shall promptly hear and determine the claim and enter the family support magistrate's determination within forty-five days from the date of the filing of the claim form. The family support magistrate shall utilize the procedures set forth in sections 32 to 34, inclusive, of this act to obtain additional evidence and information as needed for a prompt determination on the claim. If the person or agency that sent the income withholding order fails to file the documents described in subparagraph (C) (iii) of this subdivision

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or fails to comply with a reasonable request for information or documents made under section 33 or 34 of this act, the family support magistrate may (i) continue the hearing for a period of not more than an additional forty-five days and direct Support Enforcement Services to provide such notice as may be appropriate; (ii) order a temporary or partial stay of income withholding for a period not to exceed forty-five days; or (iii) sustain the obligor's objection to the validity or enforcement of the income withholding order and enjoin the employer from complying with such order. In addition to any notice given by the clerk, upon entry of the decision of the family support magistrate on the claim, Support Enforcement Services shall give notice of the decision to each employer that has directly received an income withholding order related to the obligor, the party initiating the income withholding order, the obligor and, if the obligee's address is known, the obligee.

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

(F) Venue for contested claims under this section shall be the Family Support Magistrate Division of the Superior Court in the judicial district in which the obligor resides, provided (i) if the obligor does not reside in this state, venue shall be in the judicial district of the

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employer who is subject to the income withholding order, and (ii) if there is an existing action concerning support of the child or children who are the subject of the income withholding order, the claim shall be filed in that action.

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

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

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

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

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

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

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

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

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

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

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

(8) "Obligor" means any person required to make payments under the terms of a support order for a child, spouse, or former spouse.

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

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

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

(c) When a support order has been issued in this state and the obligor has earnings subject to income withholding in another jurisdiction, (1) the agency shall on application of a resident of this state, (2) Support Enforcement Services shall on behalf of any client for whom Support Enforcement Services is providing services, (3) an

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obligee or obligor of a support order issued by this state may, or (4) an agency to whom the obligee has assigned support rights may, promptly request the agency of another jurisdiction in which the obligor of a support order derives income to enter the order for the purpose of obtaining income withholding against such income. The agency or Support Enforcement Services, as the case may be, shall compile and transmit promptly to the agency of the other jurisdiction all documentation required to enter a support order for this purpose. The agency or Support Enforcement Services also shall transmit immediately to the agency of the other jurisdiction a certified copy of any subsequent modifications of the support order. If the agency or Support Enforcement Services receives notice that the obligor is contesting income withholding in another jurisdiction, it shall immediately notify the individual obligee of the date, time and place of the hearings and of the obligee's right to attend.

(d) When a support order is issued in another jurisdiction and the obligor has income subject to withholding in accordance with the provisions of section 52-362, as amended by this act, Support Enforcement Services shall, upon receiving a support order of another jurisdiction with the documentation specified in this subsection from an agency of another jurisdiction, or from an obligee, an obligor or an attorney for either the obligee or obligor, file such support order and documents in the registry maintained by Support Enforcement Services. Documentation required for the entry of a support order for another jurisdiction for the purpose of withholding of income shall comply with the requirements of section [46b-213h] 46 of this act. If the documentation received by Support Enforcement Services does not conform to those requirements, Support Enforcement Services shall remedy any defect which it can without the assistance of the obligee or requesting agency or person. If Support Enforcement Services is unable to make such corrections, the requesting agency or person shall immediately be notified of the necessary additions or corrections.

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Support Enforcement Services shall accept the documentation required by this subsection as long as the substantive requirements of this subsection are met.

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

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

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

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

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

(j) Any person who is the obligor on a support order of another jurisdiction may obtain a voluntary income withholding by filing with the agency a request for such withholding and a certified copy of the support order issued by such jurisdiction. The agency shall file such request for a voluntary withholding with the certified copy of the support order from the jurisdiction that entered such order with the clerk of Support Enforcement Services of the Superior Court and Support Enforcement Services, acting on behalf of the Family Support Magistrate Division, shall issue an order for withholding. Any order for withholding thus issued shall be subject to all applicable provisions of this section.

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

Approved June 19, 2015