

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTICS RELATIONS

§ 15704. Initiation by Child Support Enforcement Division of Support Proceeding Under Convention.

(a) In a support proceeding under this Article, the Child Support Enforcement Division 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 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 8 CMC § 15708(b)(2), (4), or (9);
- (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.

Source: PL 20-22 § 6 (Oct. 6, 2017), modified.

Commission Comment: The Commission changed “Section” to “8 CMC §” in (b)(4) pursuant to 1 CMC § 3806(g).