

SENATE FILE NO. SF0120

Uniform Interstate Family Support Act.

Sponsored by: Senator(s) Ross and Representative(s)
Nicholas, B.

A BILL

for

1 AN ACT relating to the Uniform Interstate Family Support
2 Act; incorporating the 2008 amendments proposed by the
3 Uniform Laws Commission; amending and creating definitions;
4 clarifying procedures; providing for recognition,
5 registration and cooperation in issuing, modifying and
6 enforcing family support and modification orders and
7 determinations of parentage of children involving parties
8 that live in foreign countries as specified; providing for
9 applicability of the act; providing for severability of
10 provisions; and providing for an effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

14 **Section 1.** W.S. 20-4-198 and 20-4-201 through
15 20-4-213 are created to read:

1

2 20-4-198. State tribunal and support enforcement
3 agency.

4

5 (a) The district courts enumerated in W.S. 5-3-101
6 are the tribunals of this state.

7

8 (b) The Wyoming department of family services is the
9 support enforcement agency of this state.

10

11 ARTICLE 2

12 SUPPORT PROCEEDINGS UNDER CONVENTION

13

14 20-4-201. Definitions.

15

16 (a) As used in this article:

17

18 (i) "Application" means a request under the
19 convention by an obligee or obligor, or on behalf of a
20 child, made through a central authority for assistance from
21 another central authority;

22

1 (ii) "Central authority" means the entity
2 designated by the United States or a foreign country
3 described in W.S. 20-4-140(a)(xxviii) to perform the
4 functions specified in the convention, as defined in W.S.
5 20-4-140(a)(xxvii);
6

7 (iii) "Convention support order" means a support
8 order of a tribunal of a foreign country described in W.S.
9 20-4-140(a)(xxviii);
10

11 (iv) "Direct request" means a petition filed by
12 an individual in a tribunal of this state in a proceeding
13 involving an obligee, obligor or child residing outside the
14 United States;
15

16 (v) "Foreign central authority" means the entity
17 designated by a foreign country described in W.S.
18 20-4-140(a)(xxviii) to perform the functions specified in
19 the convention;
20

21 (vi) "Foreign support agreement":
22

1 (A) Means an agreement for support in a
2 record that:

3 (I) Is enforceable as a support order
4 in the country of origin;

5

6 (II) Has been:

7

8 (1) Formally drawn up or
9 registered as an authentic instrument by a foreign
10 tribunal; or

11

12 (2) Authenticated by, or
13 concluded, registered or filed with a foreign tribunal; and

14

15 (III) May be reviewed and modified by
16 a foreign tribunal; and

17

18 (B) Includes a maintenance arrangement or
19 authentic instrument under the convention.

20

21 (vii) "United States central authority" means
22 the secretary of the United States department of health and
23 human services.

1

2 **20-4-202. Applicability.**

3

4 This article applies only to a support proceeding under the
5 convention. In the proceeding, if a provision of this
6 article is inconsistent with article 1 of this act, this
7 article controls.

8

9 **20-4-203. Relationship of the Wyoming support**
10 **enforcement agency to the United States central authority.**

11

12 The support enforcement agency of this state is recognized
13 as the agency designated by the United States central
14 authority to perform specific functions under the
15 convention.

16

17 **20-4-204. Initiation by the Wyoming support**
18 **enforcement agency proceeding under the convention.**

19

20 (a) In a support proceeding under this article, the
21 support enforcement agency of this state shall:

22

23 (i) Transmit and receive applications; and

1

2 (ii) Initiate or facilitate the institution of a
3 proceeding regarding an application in a tribunal of this
4 state.

5

6 (b) The following support proceedings are available
7 to an obligee under the convention:

8

9 (i) Recognition or recognition and enforcement
10 of a foreign support order;

11

12 (ii) Enforcement of a support order issued or
13 recognized in this state;

14

15 (iii) Establishment of a support order if there
16 is no existing order, including, if necessary,
17 determination of parentage of a child;

18

19 (iv) Establishment of a support order if
20 recognition of a foreign support order is refused under
21 W.S. 20-4-208(b)(ii), (iv) or (ix);

22

1 (v) Modification of a support order of a
2 tribunal of this state; and

3

4 (vi) Modification of a support order of a
5 tribunal of another state or a foreign country.

6

7 (c) The following support proceedings are available
8 under the convention to an obligor against which there is
9 an existing order:

10

11 (i) Recognition of an order suspending or
12 limiting enforcement of an existing support order of a
13 tribunal of this state;

14

15 (ii) Modification of a support order of a
16 tribunal of this state;

17

18 (iii) Modification of a support order of a
19 tribunal of another state or a foreign country.

20

21 (d) A tribunal of this state may not require
22 security, bond or deposit, however described, to guarantee

1 the payment of costs and expenses on proceedings under the
2 convention.

3
4 **20-4-205. Direct request.**

5
6 (a) A petitioner may file a direct request seeking
7 establishment or modification of a support order or
8 determination of parentage of a child. In the proceeding,
9 the law of this state applies.

10
11 (b) A petitioner may file a direct request seeking
12 recognition and enforcement of a support order or support
13 agreement. In the proceeding, W.S. 20-4-206 through
14 20-4-213 apply.

15
16 (c) In a direct request for recognition and
17 enforcement of a convention support order or foreign
18 support agreement:

19
20 (i) A security, bond or deposit is not required
21 to guarantee the payment of costs and expenses; and

22

1 (ii) An obligee or obligor that in the issuing
2 country has benefited from free legal assistance is
3 entitled to benefit, at least to the same extent, from any
4 free legal assistance provided for by the law of this state
5 under the same circumstances.

6
7 (d) A petitioner filing a direct request is not
8 entitled to assistance from the support enforcement agency
9 of this state.

10
11 (e) This article does not prevent the application of
12 laws of this state that provide simplified, more
13 expeditious rules regarding a direct request for
14 recognition and enforcement of a foreign support order or
15 foreign support agreement.

16
17 **20-4-206. Registration of a convention support order.**

18
19 (a) Except as provided in this article, a party who
20 is an individual or a support enforcement agency seeking
21 recognition of a convention support order shall register
22 the order in this state as provided in W.S. 20-4-173
23 through 20-4-184, 20-4-193, 20-4-194 and 20-4-197.

1

2 (b) Notwithstanding W.S. 20-4-161 and 20-4-174(a), a
3 request for registration of a convention support order
4 shall be accompanied by:

5

6 (i) A complete text of the support order, or an
7 abstract or extract of the support order drawn up by the
8 issuing foreign tribunal, which may be in the form
9 recommended by the Hague Conference on Private
10 International Law;

11

12 (ii) A record stating that the support order is
13 enforceable in the issuing country;

14

15 (iii) If the respondent did not appear and was
16 not represented in the proceedings in the issuing country,
17 a record attesting, as appropriate, either that the
18 respondent had proper notice of the proceeding and an
19 opportunity to be heard or that the respondent had proper
20 notice of the support order and an opportunity to be heard
21 in a challenge or appeal on fact or law before a tribunal;

22

1 (iv) A record showing the amount of arrearages,
2 if any, and the date the amount was calculated;

3

4 (v) A record showing a requirement for automatic
5 adjustment of the amount of support, if any, and the
6 information necessary to make the appropriate calculations;
7 and

8

9 (vi) If necessary, a record showing the extent
10 to which the applicant received free legal assistance in
11 the issuing country.

12

13 (c) A request for registration of a convention
14 support order may seek recognition and partial enforcement
15 of the order.

16

17 (d) A tribunal of this state may vacate the
18 registration of a convention support order without the
19 filing of a contest under W.S. 20-4-207 only if, acting on
20 its own motion, the tribunal finds that recognition and
21 enforcement of the order would be manifestly incompatible
22 with public policy.

23

1 (e) The tribunal shall promptly notify the parties of
2 the registration or the order vacating the registration of
3 a convention support order.

4

5 **20-4-207. Contest of a registered convention support**
6 **order.**

7

8 (a) Except as otherwise provided in this article,
9 W.S. 20-4-177 through 20-4-180 apply to a contest of a
10 registered convention support order.

11

12 (b) A party contesting a registered convention
13 support order shall file a contest not later than thirty
14 (30) days after notice of the registration, but if the
15 contesting party does not reside in the United States, the
16 contest shall be filed not later than sixty (60) days after
17 notice of the registration.

18

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

23

1 (d) A contest of a registered convention support
2 order may be based only on grounds set forth in W.S.
3 20-4-208. The contesting party bears the burden of proof.
4

5 (e) In a contest of a registered convention support
6 order, a tribunal of this state:
7

8 (i) Is bound by the findings of fact on which
9 the foreign tribunal based its jurisdiction; and
10

11 (ii) May not review the merits of the order.
12

13 (f) A tribunal of this state deciding a contest of a
14 registered convention support order shall promptly notify
15 the parties of its decision.
16

17 (g) A challenge or appeal, if any, does not stay the
18 enforcement of a convention support order unless there are
19 exceptional circumstances.
20

21 **20-4-208. Recognition and enforcement of a registered**
22 **convention support order.**
23

1 (a) Except as otherwise provided in subsection (b) of
2 this section, a tribunal of this state shall recognize and
3 enforce a registered convention support order.
4

5 (b) The following grounds are the only grounds on
6 which a tribunal of this state may refuse recognition and
7 enforcement of a registered convention support order:
8

9 (i) Recognition and enforcement of the order is
10 manifestly incompatible with public policy, including the
11 failure of the issuing tribunal to observe minimum
12 standards of due process, which include notice and
13 opportunity to be heard;
14

15 (ii) The issuing tribunal lacked personal
16 jurisdiction consistent with W.S. 20-4-142;
17

18 (iii) The order is not enforceable in the
19 issuing country;
20

21 (iv) The order was obtained by fraud in
22 connection with a matter of procedure;
23

1 (v) A record transmitted in accordance with W.S.
2 20-4-206 lacks authenticity or integrity;

3
4 (vi) A proceeding between the same parties and
5 having the same purpose is pending before a tribunal of
6 this state and that proceeding was the first to be filed;

7
8 (vii) The order is incompatible with a more
9 recent support order involving the same parties and having
10 the same purpose if the more recent support order is
11 entitled to recognition and enforcement under this act in
12 this state;

13
14 (viii) Payment, to the extent alleged arrearages
15 have been paid in whole or in part;

16
17 (ix) In a case in which the respondent neither
18 appeared nor was represented in the proceeding in the
19 issuing foreign country:

20
21 (A) If the law of that country provides for
22 prior notice of proceedings, the respondent did not have

1 proper notice of the proceedings and an opportunity to be
2 heard; or

3

4 (B) If the law of that country does not
5 provide for prior notice of the proceedings, the respondent
6 did not have proper notice of the order and an opportunity
7 to be heard in a challenge or appeal on fact or law before
8 a tribunal; or

9

10 (x) The order was made in violation of W.S.
11 20-4-211.

12

13 (c) If a tribunal of this state does not recognize a
14 convention support order under paragraph (b)(ii), (iv),
15 (vi) or (ix) of this section:

16

17 (i) The tribunal may not dismiss the proceeding
18 without allowing a reasonable time for a party to request
19 the establishment of a new convention support order; and

20

21 (ii) The support enforcement agency shall take
22 all appropriate measures to request a child support order

1 for the obligee if the application for recognition and
2 enforcement was received under W.S. 20-4-204.

3
4 **20-4-209. Partial enforcement.**

5
6 If a tribunal of this state does not recognize and enforce
7 a convention support order in its entirety, it shall
8 enforce any severable part of the order. An application or
9 direct request may seek recognition and partial enforcement
10 of a convention support order.

11
12 **20-4-210. Foreign support agreement.**

13
14 (a) Except as otherwise provided in subsections (c)
15 and (d) of this section, a tribunal of this state shall
16 recognize and enforce a foreign support agreement
17 registered in this state.

18
19 (b) An application or direct request for recognition
20 and enforcement of a foreign support agreement shall be
21 accompanied by:

1 (i) A complete text of the foreign support
2 agreement; and

3
4 (ii) A record stating that the foreign support
5 agreement is enforceable as an order of support in the
6 issuing country.

7
8 (c) A tribunal of this state may vacate the
9 registration of a foreign support agreement only if, acting
10 on its own motion, the tribunal finds that recognition and
11 enforcement would be manifestly incompatible with public
12 policy.

13
14 (d) In a contest of a foreign support agreement, a
15 tribunal of this state may refuse recognition and
16 enforcement of the agreement if it finds:

17
18 (i) Recognition and enforcement of the agreement
19 is manifestly incompatible with public policy;

20
21 (ii) The agreement was obtained by fraud or
22 falsification;

23

1 (iii) The agreement is incompatible with a
2 support order involving the same parties and having the
3 same purpose in this state, another state or a foreign
4 country if the support order is entitled to recognition and
5 enforcement under this act in this state; or

6
7 (iv) The record submitted under subsection (b)
8 of this section lacks authenticity or integrity.

9
10 (e) A proceeding for recognition and enforcement of a
11 foreign support agreement shall be suspended during the
12 pendency of a challenge to or appeal of the agreement
13 before a tribunal of another state or a foreign country.

14
15 **20-4-211. Modification of a convention child support**
16 **order.**

17
18 (a) A tribunal of this state may not modify a
19 convention child support order if the obligee remains a
20 resident of the foreign country where the support order was
21 issued unless:

1 (i) The obligee submits to the jurisdiction of a
2 tribunal of this state, either expressly or by defending on
3 the merits of the case without objecting to the
4 jurisdiction at the first available opportunity; or

5

6 (ii) The foreign tribunal lacks or refuses to
7 exercise jurisdiction to modify its support order or issue
8 a new support order.

9

10 (b) If a tribunal of this state does not modify a
11 convention child support order because the order is not
12 recognized in this state, W.S. 20-4-208(c) applies.

13

14 **20-4-212. Personal information; limit on use.**

15

16 Personal information gathered or transmitted under this
17 article may be used only for the purposes for which it was
18 gathered or transmitted.

19

20 **20-4-213. Record in original language; English.**

21

1 A record filed with a tribunal of this state under this
2 article shall be in the original language and, if not
3 English, shall be accompanied by an English translation.
4

5 **Section 2.** W.S. 20-4-140(a)(ii), (iv), (viii) through
6 (x), (xi)(A) through (C), by creating a new subparagraph
7 (D), (xii) through (xvi), (xviii)(intro), (xix), (xx)
8 through (xxii), (xxv) and by creating new paragraphs
9 (xxviii) through (xxxii), 20-4-141(a), (b)(ii) and by
10 creating new subsections (c) through (e),
11 20-4-142(a)(intro), (ii), (v), (vii) and (b), 20-4-144,
12 20-4-145(a)(intro), (i), (ii), (b)(intro), (i) and (iii),
13 20-4-147(a)(ii), 20-4-148(a), (b)(intro), (i), (ii)(A) and
14 (c), 20-4-149, 20-4-150, 20-4-151(a) and (c), 20-4-154(b),
15 20-4-155(b)(i), (viii), (xi), (c) and (f), 20-4-156,
16 20-4-157(b)(i), (iv) and (v), 20-4-158(b), 20-4-160(b)(iii)
17 and (iv), 20-4-161(a), 20-4-163(a) through (c),
18 20-4-164(c), 20-4-166(a), (b), (d) through (f) and (h),
19 20-4-167, 20-4-168(a)(i) and (ii), 20-4-169(a),
20 20-4-170(a), 20-4-172(a) and (b), 20-4-173,
21 20-4-174(a)(intro) and (b), 20-4-175, 20-4-176(a)(intro)
22 and (b) through (d), 20-4-177(a), (b)(ii), (c)(i) and (d),
23 20-4-178, 20-4-179(a)(intro), (vii), (b) and (c), 20-4-180

1 through 20-4-182, 20-4-183(a)(intro), (ii)(C), (c) and by
2 creating a new subsection (f), 20-4-185(a), 20-4-186(a),
3 20-4-187(a) and (b), 20-4-188, 20-4-190, 20-4-191,
4 20-4-192(a), 20-4-193(b), 20-4-195, 20-4-196(b) and
5 20-4-197 are amended to read:

6
7 **20-4-140. Definitions.**

8
9 (a) As used in this act:

10
11 (ii) "Child support order" means a support order
12 for a child, including a child who has attained the age of
13 majority under the law of the issuing state or foreign
14 country;

15
16 (iv) "Home state" means the state or foreign
17 country in which a child lived with a parent or a person
18 acting as a parent for at least six (6) consecutive months
19 immediately preceding the time of filing of a petition or
20 comparable pleading for support and, if a child less than
21 six (6) months old, the state or foreign country in which
22 the child lived from birth with any of them. A period of

1 temporary absence of any of them is counted as part of the
2 six (6) month or other period;

3

4 (viii) "Initiating tribunal" means the
5 ~~authorized~~ tribunal ~~in an initiating of a~~ state or foreign
6 country from which a petition or comparable pleading is
7 forwarded or in which a petition or comparable pleading is
8 filed for forwarding to another state or foreign country;

9

10 (ix) "Issuing state" means the state in which a
11 tribunal issues a support order or ~~renders~~ a judgment
12 determining parentage of a child;

13

14 (x) "Issuing tribunal" means the tribunal of a
15 state or foreign country that issues a support order or
16 ~~renders~~ a judgment determining parentage of a child;

17

18 (xi) "Obligee" means:

19

20 (A) An individual to whom a duty of support
21 is or is alleged to be owed or in whose favor a support
22 order ~~has been issued~~ or a judgment determining parentage
23 of a child has been ~~rendered~~ issued;

1

2 (B) A foreign country, state or political
3 subdivision of a state to which the rights under a duty of
4 support or support order have been assigned or which has
5 independent claims based on financial assistance provided
6 to an individual obligee in place of child support; ~~or~~

7

8 (C) An individual seeking a judgment
9 determining parentage of the individual's child; ~~or~~ or

10

11 (D) A person that is a creditor in a
12 proceeding under article 2 of this act.

13

14 (xii) "Obligor" means an individual, or the
15 estate of a decedent that:

16

17 (A) ~~who~~ Owes or is alleged to owe a duty of
18 support;

19

20 (B) ~~who~~ Is alleged but has not been
21 adjudicated to be a parent of a child; or

22

1 (C) ~~who~~ Is liable under a support order ~~;~~
2 or

3
4 (D) Is a debtor in a proceeding under
5 article 2 of this act.

6
7 (xiii) "Register" means to record or file in a
8 tribunal of this state a support order or judgment
9 determining parentage ~~in the appropriate location for the~~
10 ~~recording or filing of foreign judgments generally or~~
11 ~~foreign support orders specifically~~ of a child issued in
12 another state or a foreign country;

13
14 (xiv) "Registering tribunal" means a tribunal in
15 which a support order or judgment determining parentage of
16 a child is registered;

17
18 (xv) "Responding state" means a state in which a
19 ~~proceeding~~ petition or comparable pleading for support or
20 to determine parentage of a child is filed or to which a
21 ~~proceeding~~ petition or comparable pleading is forwarded for
22 filing from ~~an initiating~~ another state ~~under the Uniform~~

1 ~~Interstate Family Support Act or a law or procedure~~
2 ~~substantially similar to this act~~ or a foreign country;

3
4 (xvi) "Responding tribunal" means the authorized
5 tribunal in a responding state or foreign country;

6
7 (xviii) "State" means a state of the United
8 States, the District of Columbia, Puerto Rico, the United
9 States Virgin Islands, or any territory or insular
10 possession ~~subject to~~ under the jurisdiction of the United
11 States. The term includes ~~÷~~ an Indian nation or tribe;

12
13 (xix) "Support enforcement agency" means a
14 public official, governmental entity or private agency
15 authorized to ~~seek~~ ;

16
17 (A) Seek enforcement of support orders or
18 laws relating to the duty of support;

19
20 (B) Seek establishment or modification of
21 child support;

22

1 (C) Request determination of parentage of a
2 child;

3
4 (D) ~~Location of~~ Attempt to locate obligors
5 or their assets; or

6
7 (E) Request determination of the
8 controlling child support order.

9
10 (xx) "Support order" means a judgment, decree,
11 order, decision, or directive, whether temporary, final, or
12 subject to modification, issued ~~by a tribunal~~ in a state or
13 foreign country for the benefit of a child, a spouse, or a
14 former spouse, which provides for monetary support, health
15 care, arrearages retroactive support, or reimbursement, ~~and~~
16 for financial assistance provided to an individual obligee
17 in place of child support. The term may include related
18 costs and fees, interest, income withholding, automatic
19 adjustment, reasonable attorney's fees, and other relief;

20
21 (xxi) "Tribunal" means a court, administrative
22 agency or quasi-judicial entity authorized to establish,
23 enforce or modify support orders or to determine parentage

1 of a child. For purposes of establishing, enforcing or
2 modifying support orders or determining parentage in
3 Wyoming, tribunal means only the district court;

4
5 (xxii) "This act" means W.S. 20-4-139 through
6 ~~20-4-197~~ 20-4-213;

7
8 (xxv) "Person" means an individual, corporation,
9 business trust, estate, trust, partnership, limited
10 liability company, association, joint venture, public
11 corporation, government, or governmental subdivision,
12 agency, or instrumentality, ~~public corporation~~ or any other
13 legal or commercial entity;

14
15 (xxvii) "Convention" means the convention on the
16 international recovery of child support and other forms of
17 family maintenance, concluded at the Hague on November 23,
18 2007;

19
20 (xxviii) "Foreign country" means a country,
21 including a political subdivision thereof, other than the
22 United States, that authorizes the issuance of support
23 orders and:

1

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22

(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 W.S. 20-4-158;

(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 this act;

(D) In which the convention is in force
with respect to the United States.

(xxix) "Foreign support order" means a support
order of a foreign tribunal;

(xxx) "Foreign tribunal" means a court,
administrative agency or quasi-judicial entity of a foreign
country which is authorized to establish, enforce or modify

1 support orders or to determine parentage of a child. The
2 term includes a competent authority under the convention;

3
4 (xxxi) "Issuing foreign country" means the
5 foreign country in which a tribunal issues a support order
6 or a judgment determining parentage of a child;

7
8 (xxxii) "Outside this state" means a location in
9 another state or a country other than the United States,
10 whether or not the country is a foreign country.

11
12 **20-4-141. Remedies cumulative; application of act to**
13 **resident of foreign country and foreign support proceeding.**

14
15 (a) Remedies provided by ~~the Uniform Interstate~~
16 ~~Family Support Act~~ this act are cumulative and do not
17 affect the availability of remedies under other law,
18 ~~including~~ or the recognition of a foreign support order ~~of~~
19 ~~a foreign country or political subdivision~~ on the basis of
20 comity.

21
22 (b) This act does not:

1 (ii) Grant a tribunal of this state jurisdiction
2 to render judgment or issue an order relating to child
3 custody or visitation in a proceeding under this act.

4
5 (c) A tribunal of this state shall apply article 1 of
6 this act and, as applicable, article 2 of this act, to a
7 support proceeding involving:

8
9 (i) A foreign support order;

10
11 (ii) A foreign tribunal; or

12
13 (iii) An obligee, obligor or child residing in a
14 foreign country.

15
16 (d) A tribunal of this state that is requested to
17 recognize and enforce a support order on the basis of
18 comity may apply the procedural and substantive provisions
19 of article 1 of this act.

20
21 (e) Article 2 of this act applies only to a support
22 proceeding under the convention. In such a proceeding, if a

1 provision of article 2 of this act is inconsistent with
2 article 1 of this act, article 2 of this act controls.

3
4 **20-4-142. Basis for jurisdiction over nonresident.**

5
6 (a) In a proceeding to establish or enforce a support
7 order or to determine parentage of a child, a tribunal of
8 this state may exercise personal jurisdiction over a
9 nonresident individual or the individual's guardian or
10 conservator if:

11
12 (ii) The individual submits to the jurisdiction
13 of this state by consent in a record, by entering a general
14 appearance, or by filing a responsive document having the
15 effect of waiving any contest to personal jurisdiction;

16
17 (v) The child resides in this state as a result
18 of the ~~act~~ acts or directives of the individual;

19
20 (vii) The individual asserted parentage of a
21 child in this state pursuant to ~~W.S. 14-2-401 through~~
22 ~~14-2-907~~ the putative father registry created by W.S.

1 1-22-117 and maintained in this state by the department of
2 family services; or

3
4 (b) The bases of personal jurisdiction set forth in
5 subsection (a) of this section or in any other law of this
6 state may not be used to acquire personal jurisdiction for
7 a tribunal of this state to modify a child support order of
8 another state unless the requirements of W.S. 20-4-183 ~~or~~
9 ~~20-4-197~~ are met, or, in the case of a foreign support
10 order, unless the requirements of W.S. 20-4-197 are met.

11
12 **20-4-144. Initiating and responding tribunal of this**
13 **state.**

14
15 Under ~~the Uniform Interstate Family Support Act~~ this act, a
16 tribunal of this state may serve as an initiating tribunal
17 to forward proceedings to a tribunal of another state and
18 as a responding tribunal for proceedings initiated in
19 another state or a foreign country.

20
21 **20-4-145. Simultaneous proceedings.**
22

1 (a) A tribunal of this state may exercise
2 jurisdiction to establish a support order if the petition
3 or comparable pleading is filed after a pleading is filed
4 in another state or a foreign country only if:

5
6 (i) The petition or comparable pleading in this
7 state is filed before the expiration of the time allowed in
8 the other state or the foreign country for filing a
9 responsive pleading challenging the exercise of
10 jurisdiction by the other state or the foreign country;

11
12 (ii) The contesting party timely challenges the
13 exercise of jurisdiction in the other state or the foreign
14 country; and

15
16 (b) A tribunal of this state may not exercise
17 jurisdiction to establish a support order if the petition
18 or comparable pleading is filed before a petition or
19 comparable pleading is filed in another state or a foreign
20 country if:

21
22 (i) The petition or comparable pleading in the
23 other state or foreign country is filed before the

1 expiration of the time allowed in this state for filing a
2 responsive pleading challenging the exercise of
3 jurisdiction by this state;

4
5 (iii) If relevant, the other state or foreign
6 country is the home state of the child.

7
8 **20-4-147. Continuing jurisdiction to enforce a child**
9 **support order.**

10
11 (a) A tribunal of this state that has issued a child
12 support order consistent with the law of this state may
13 serve as an initiating tribunal to request a tribunal of
14 another state to enforce:

15
16 (ii) A money judgment for arrearages of support
17 and interest on the order accrued before a determination
18 that an order of a tribunal of another state is the
19 controlling order.

20
21 **20-4-148. Determination of controlling child support**
22 **orders.**

1 (a) If a proceeding is brought under this act and
2 only one (1) tribunal has issued a child support order, the
3 order of that tribunal controls and shall be ~~so~~ recognized.
4

5 (b) If a proceeding is brought under this act, and
6 two (2) or more child support orders have been issued by
7 tribunals of this state, ~~or~~ another state or a foreign
8 country with regard to the same obligor and same child, a
9 tribunal of this state having personal jurisdiction over
10 both the obligor and individual obligee shall apply the
11 following rules and by order shall determine which order
12 controls and shall be recognized:
13

14 (i) If only one (1) of the tribunals would have
15 continuing, exclusive jurisdiction under this act, the
16 order of that tribunal controls; ~~and shall be so~~
17 ~~recognized;~~
18

19 (ii) If more than one (1) of the tribunals would
20 have continuing, exclusive jurisdiction under this act:
21

22 (A) An order issued by a tribunal in the
23 current home state of the child controls; ~~but~~ or

1

2 (c) If two (2) or more child support orders have been
3 issued for the same obligor and same child, upon request of
4 a party who is an individual or that is a support
5 enforcement agency, a tribunal of this state having
6 personal jurisdiction over both the obligor and the obligee
7 who is an individual shall determine which order controls
8 under subsection (b) of this section. This request may be
9 filed with a registration for enforcement or registration
10 for modification pursuant to W.S. 20-4-173 through
11 20-4-184, 20-4-193, 20-4-194 and 20-4-197, or may be filed
12 as a separate proceeding.

13

14 **20-4-149. Child support orders for two or more**
15 **obligees.**

16

17 In responding to registrations or petitions for enforcement
18 of two (2) or more child support orders in effect at the
19 same time with regard to the same obligor and different
20 individual obligees, at least one (1) of which was issued
21 by a tribunal of another state or a foreign country, a
22 tribunal of this state shall enforce those orders in the

1 same manner as if the multiple orders had been issued by a
2 tribunal of this state.

3

4 **20-4-150. Credit for payments.**

5

6 A tribunal of this state shall credit amounts collected for
7 a particular period pursuant to any child support order
8 against the amounts owed for the same period under any
9 other child support order for support of the same child
10 issued by a tribunal of this state, ~~or~~ another state or a
11 foreign country.

12

13 **20-4-151. Proceedings under the Uniform Interstate**
14 **Family Support Act.**

15

16 (a) Except as otherwise provided in this act, W.S.
17 20-4-151 through 20-4-169 apply to all proceedings under
18 ~~the Uniform Interstate Family Support Act~~ this act.

19

20 (c) An individual petitioner or a support enforcement
21 agency may initiate a proceeding authorized under the act
22 by filing a petition in an initiating tribunal for
23 forwarding to a responding tribunal or by filing a petition

1 or a comparable pleading directly in a tribunal of another
2 state or a foreign country which has or can obtain personal
3 jurisdiction over the respondent.

4
5 **20-4-154. Duties of initiating tribunal.**

6
7 (b) If requested by the responding tribunal, a
8 tribunal of this state shall issue a certificate or other
9 document and make findings required by the law of the
10 responding state. If the responding ~~state~~tribunal is in a
11 foreign country, ~~or political subdivision,~~ upon request the
12 tribunal of this state shall specify the amount of support
13 sought, convert that amount into the equivalent amount in
14 the foreign currency under applicable official or market
15 exchange rate as publicly reported and provide any other
16 documents necessary to satisfy the requirements of the
17 responding ~~state~~foreign tribunal.

18
19 **20-4-155. Duties and power of responding tribunal.**

20
21 (b) A responding tribunal of this state, to the
22 extent not prohibited by other law, may do one (1) or more
23 of the following:

1

2 (i) ~~Issue~~Establish or enforce a support order,
3 modify a child support order, determine the controlling
4 child support order or determine parentage of a child;

5

6 (viii) Order an obligor to keep the tribunal
7 informed of the obligor's current residential address,
8 electronic mail address, telephone number, employer,
9 address of employment and telephone number at the place of
10 employment;

11

12 (ix) Award reasonable attorney's fees and other
13 fees and ~~court~~ costs;

14

15 (c) A responding tribunal of this state shall include
16 in a support order issued under ~~the Uniform Interstate~~
17 ~~Family Support Act~~ this act, or in the documents
18 accompanying the order, the calculations on which the
19 support order is based.

20

21 (f) If requested to enforce a support order,
22 arrearages or judgment, or modify a support order stated in
23 a foreign currency, a responding tribunal of this state

1 shall convert the amount stated in the foreign currency to
2 the equivalent amount in dollars under the applicable
3 official or market exchange rate as publicly reported.

4
5 **20-4-156. Inappropriate tribunal.**

6
7 If a petition or comparable pleading is received by an
8 inappropriate tribunal of this state, the tribunal shall
9 forward the pleading and accompanying ~~document~~documents to
10 an appropriate tribunal ~~in~~of this state or another state
11 and notify the petitioner where and when the pleading was
12 sent.

13
14 **20-4-157. Duties of support enforcement agency.**

15
16 (b) A support enforcement agency of this state that
17 is providing services to the petitioner shall:

18
19 (i) Take all steps necessary to enable an
20 appropriate tribunal ~~in~~of this state, ~~or~~another state or
21 a foreign country to obtain jurisdiction over the
22 respondent;

1 (iv) Within ~~five (5)~~ two (2) days, exclusive of
2 Saturdays, Sundays and legal holidays, after receipt of ~~a~~
3 ~~written~~ notice in a record from an initiating, responding
4 or registering tribunal, send a copy of the notice to the
5 petitioner;

6
7 (v) Within ~~five (5)~~ two (2) days, exclusive of
8 Saturdays, Sundays and legal holidays, after receipt of ~~a~~
9 ~~written~~ communication in a record from the respondent or
10 the respondent's attorney, send a copy of the communication
11 to the petitioner; and

12
13 **20-4-158. Duty of attorney general.**

14
15 (b) The attorney general may determine that a foreign
16 country ~~or political subdivision~~ has established a
17 reciprocal arrangement for child support with this state
18 and take appropriate action for notification of the
19 determination.

20
21 **20-4-160. Duties of state information agency.**

22
23 (b) The state information agency shall:

1

2 (iii) Forward to the appropriate tribunal in the
3 county in this state in which the obligee who is an
4 individual or the obligor resides, or in which the
5 obligor's property is believed to be located, all documents
6 concerning a proceeding under this act received from ~~an~~
7 ~~initiating tribunal or the state information agency of the~~
8 ~~initiating~~ another state or a foreign country; and

9

10 (iv) Obtain information concerning the location
11 of the obligor and the obligor's property within this state
12 not exempt from execution, by such means as postal
13 verification and federal or state locator services,
14 examination of telephone directories, requests for the
15 obligor's address from the obligor's employer or employers,
16 and examination of governmental records, including, to the
17 extent not prohibited by other law, those relating to real
18 property, vital statistics, law enforcement, taxation,
19 motor vehicles, driver's licenses and social security.

20

21 **20-4-161. Pleadings and accompanying documents.**

22

1 (a) In a proceeding under this act, a petitioner
2 seeking to establish a support order, to determine
3 parentage of a child or to register and modify a support
4 order of a tribunal of another state or a foreign country
5 shall file a petition. Unless otherwise ordered under W.S.
6 20-4-162, the petition or accompanying ~~document~~documents
7 shall provide, so far as known, the name, residential
8 address and social security numbers of the obligor and the
9 obligee or the parent and alleged parent, and the name,
10 sex, residential address, social security number and date
11 of birth of each child for whose benefit support is sought
12 or whose parentage is to be determined. Unless filed at
13 the time of registration, the petition shall be accompanied
14 by a copy of any support order known to have been issued by
15 another tribunal. The petition or accompanying documents
16 may include any other information that may assist in
17 locating or identifying the respondent.

18

19 **20-4-163. Costs and fees.**

20

21 (a) The petitioner may not be required to pay a
22 filing fee or other ~~cost~~costs.

23

1

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

15

16 (c) The tribunal shall order the payment of costs and
17 reasonable attorney's fees if it determines that a hearing
18 was requested primarily for delay. In a proceeding under
19 W.S. 20-4-173 through 20-4-184, 20-4-193, 20-4-194 and
20 20-4-197, a hearing is presumed to have been requested
21 primarily for delay if a registered support order is
22 confirmed or enforced without change.

23

1 **20-4-164. Limited immunity of petitioner.**

2

3 (c) The immunity granted by this section does not
4 extend to civil litigation based on acts unrelated to a
5 proceeding under this act committed by a party while
6 physically present in this state to participate in the
7 proceeding.

8

9 **20-4-166. Special rules of evidence and procedure.**

10

11 (a) The physical presence of a nonresident party who
12 is an individual in a tribunal of this state is not
13 required for the establishment, enforcement or modification
14 of a support order or the rendition of a judgment
15 determining parentage of a child.

16

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

1

2 (d) Copies of bills for testing for parentage of a
3 child, and for prenatal and postnatal health care of the
4 mother and child, furnished to the adverse party at least
5 ten (10) days before trial, are admissible in evidence to
6 prove the amount of the charges billed and that the charges
7 were reasonable, necessary and customary.

8

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

15

16 (f) In a proceeding under this act, a tribunal of
17 this state shall permit a party or witness residing ~~in~~
18 ~~another~~ outside this state to be deposed or to testify
19 under penalty of perjury or false swearing by telephone,
20 audiovisual means or other electronic means at a designated
21 tribunal or other location. ~~in that state.~~ A tribunal of
22 this state shall cooperate with other tribunals ~~of other~~

1 ~~states~~ in designating an appropriate location for the
2 deposition or testimony.

3

4 (h) A privilege against disclosure of communications
5 between spouses does not apply in a proceeding under ~~the~~
6 this act.

7

8 **20-4-167. Communications between tribunals.**

9

10 A tribunal of this state may communicate with a tribunal ~~of~~
11 ~~another~~ outside this state ~~or foreign country or political~~
12 ~~subdivision~~ in a record, or by telephone, electronic mail
13 or other means, to obtain information concerning the laws,
14 the legal ~~affect~~ effect of a judgment, decree or order of
15 that tribunal, and the status of a proceeding. ~~in the other~~
16 ~~state or foreign country or political subdivision.~~ A
17 tribunal of this state may furnish similar information by
18 similar means to a tribunal ~~of another~~ outside this state.
19 ~~or foreign country or political subdivision.~~

20

21 **20-4-168. Assistance with discovery.**

22

23 (a) A tribunal of this state may:

1

2 (i) Request a tribunal ~~of another~~ outside this
3 state to assist in obtaining discovery; and

4

5 (ii) Upon request, compel a person over ~~whom~~
6 which it has jurisdiction to respond to a discovery order
7 issued by a tribunal ~~of another~~ outside this state.

8

9 **20-4-169. Receipt and disbursement of payments.**

10

11 (a) A support enforcement agency or tribunal of this
12 state shall disburse promptly any amounts received pursuant
13 to a support order, as directed by the order. The agency
14 or tribunal shall furnish to a requesting party or tribunal
15 of another state or foreign country a certified statement
16 by the custodian of the record of the amounts and dates of
17 all payments received.

18

19 **20-4-170. Establishment of support order.**

20

21 (a) If a support order entitled to recognition under
22 this act has not been issued, a responding tribunal of this

1 state with personal jurisdiction over the parties may issue
2 a support order if:

3
4 (i) The individual seeking the order resides ~~in~~
5 ~~another~~ outside this state; or

6
7 (ii) The support enforcement agency seeking the
8 order is located ~~in another~~ outside this state.

9
10 **20-4-172. Administrative enforcement of orders.**

11
12 (a) A party or support enforcement agency seeking to
13 enforce a support order or an income withholding order, or
14 both, issued ~~by a tribunal of~~ in another state or a foreign
15 support order may send the documents required for
16 registering the order to a support enforcement agency of
17 this state.

18
19 (b) Upon receipt of the documents, the support
20 enforcement agency, without initially seeking to register
21 the order, shall consider and, if appropriate, use any
22 administrative procedure authorized by the law of this
23 state to enforce a support order or an income withholding

1 order, or both. If the obligor does not contest
2 administrative enforcement, the order need not be
3 registered. If the obligor contests the validity or
4 administrative enforcement of the order, the support
5 enforcement agency shall register the order pursuant to ~~the~~
6 ~~Uniform Interstate Family Support Act~~ this act.

7
8 **20-4-173. Registration of order for enforcement.**

9
10 A support order or income withholding order issued ~~by a~~
11 ~~tribunal of~~ in another state or a foreign support order may
12 be registered in this state for enforcement.

13
14 **20-4-174. Procedure to register order for**
15 **enforcement.**

16
17 (a) Except as otherwise provided in W.S. 20-4-206, a
18 support order or an income withholding order of another
19 state or a foreign support order may be registered in this
20 state by sending the following records ~~and information~~ to
21 the appropriate tribunal in this state:

1 (b) On receipt of a request for registration, the
2 registering tribunal shall cause the order to be filed as ~~a~~
3 ~~foreign judgment~~ an order of a tribunal of another state or
4 a foreign support order, together with one (1) copy of the
5 documents and information, regardless of their form.

6
7 **20-4-175. Effect of registration for enforcement.**

8
9 (a) A support order or income withholding order
10 issued in another state or a foreign support order is
11 registered when the order is filed in the registering
12 tribunal of this state.

13
14 (b) A registered support order issued in another
15 state or a foreign country is enforceable in the same
16 manner and is subject to the same procedures as an order
17 issued by a tribunal of this state.

18
19 (c) Except as otherwise provided in ~~W.S. 20-4-173~~
20 ~~through 20-4-184~~ this act, a tribunal of this state shall
21 recognize and enforce, but shall not modify, a registered
22 support order if the issuing tribunal had jurisdiction.

23

1 **20-4-176. Choice of law.**

2

3 (a) Except as otherwise provided in subsection (d) of
4 this section, the law of the issuing state or foreign
5 country governs:

6

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

11

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

17

18 (d) After a tribunal of this or another state
19 determines which is the controlling order and issues an
20 order consolidating arrearages, if any, a tribunal of this
21 state shall prospectively apply the law of the state or
22 foreign country issuing the controlling order, including

1 its law on interest on arrearages, on current and future
2 support, and on consolidated arrearages.

3
4 **20-4-177. Notice of registration of order.**

5
6 (a) When a support order or income withholding order
7 issued in another state or a foreign support order is
8 registered, the registering tribunal of this state shall
9 notify the nonregistering party. The notice shall be
10 accompanied by a copy of the registered order and the
11 documents and relevant information accompanying the order.

12
13 (b) A notice shall inform the nonregistering party:

14
15 (ii) That a hearing to contest the validity or
16 enforcement of the registered order shall be requested
17 within twenty (20) days after ~~the date of mailing or~~
18 ~~personal service of the~~ notice unless the registered order
19 is under W.S. 20-4-207;

20
21 (c) If the registering party asserts that two (2) or
22 more orders are in effect, a notice shall also:

1 (i) Identify the two (2) or more orders and the
2 order alleged by the registering ~~person~~party to be the
3 controlling order and the consolidated arrearages, if any;

4
5 (d) Upon registration of an income withholding order
6 for enforcement, the support enforcement agency or the
7 registering tribunal shall notify the obligor's employer
8 pursuant to W.S. 20-6-201 through 20-6-222.

9
10 **20-4-178. Procedure to contest validity or**
11 **enforcement of registered order.**

12
13 (a) A nonregistering party seeking to contest the
14 validity or enforcement of a registered support order in
15 this state shall request a hearing within ~~twenty (20) days~~
16 ~~after the date of mailing or personal service of notice of~~
17 ~~the registration~~the time required by W.S. 20-4-177. The
18 nonregistering party may seek to vacate the registration,
19 to assert any defense to an allegation of noncompliance
20 with the registered order, or to contest the remedies being
21 sought or the amount of any alleged arrearages pursuant to
22 W.S. 20-4-179.

23

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

5
6 (c) If a nonregistering party requests a hearing to
7 contest the validity or enforcement of the registered
8 support order, the registering tribunal shall schedule the
9 matter for hearing and give notice to the parties of the
10 date, time and place of the hearing.

11
12 **20-4-179. Contest of registration or enforcement.**

13
14 (a) A party contesting the validity or enforcement of
15 a registered support order or seeking to vacate the
16 registration has the burden of proving one (1) or more of
17 the following defenses:

18
19 (vii) The statute of limitations under W.S.
20 20-4-176 precludes enforcement of some or all of the
21 alleged arrearages; or

1 (b) If a party presents evidence establishing a full
2 or partial defense under subsection (a) of this section, a
3 tribunal may stay enforcement of ~~the~~a registered support
4 order, continue the proceeding to permit production of
5 additional relevant evidence and issue other appropriate
6 orders. An uncontested portion of the registered support
7 order may be enforced by all remedies available under the
8 laws of this state.

9
10 (c) If the contesting party does not establish a
11 defense under subsection (a) of this section to the
12 validity or enforcement of a registered support order, the
13 registering tribunal shall issue an order confirming the
14 order.

15
16 **20-4-180. Confirmed order.**

17
18 Confirmation of a registered support order, whether by
19 operation of law or after notice and hearing, precludes
20 further contest of the order with respect to any matter
21 that could have been asserted at the time of registration.

1 **20-4-181. Procedure to register child support order**
2 **of another state or foreign country for modification.**

3
4 (a) A party or support enforcement agency seeking to
5 modify, or to modify and enforce, a child support order
6 issued in another state shall register that order in this
7 state in the same manner provided in W.S. 20-4-173 through
8 ~~20-4-176~~ 20-4-180 if the order has not been registered. A
9 petition for modification may be filed at the same time as
10 a request for registration, or later. The ~~pleading~~
11 petition shall specify the grounds for modification.

12
13 (b) A party or support enforcement agency seeking to
14 modify, or to modify and enforce, a foreign child support
15 order not under the convention may register that order
16 under W.S. 20-4-173 through 20-4-180 if the order has not
17 been registered. A petition for modification may be filed
18 at the same time as a request for registration, or at
19 another time. The petition shall specify the grounds for
20 modification.

21
22 **20-4-182. Effect of registration for modification.**
23

1 A tribunal of this state may enforce a child support order
2 of another state registered for purposes of modification,
3 in the same manner as if the order had been issued by a
4 tribunal of this state, but the registered order may be
5 modified only if the requirements of W.S. 20-4-183, or
6 20-4-193 ~~or 20-4-197~~ have been met.

7
8 **20-4-183. Modification of child support order of**
9 **another state.**

10
11 (a) If W.S. 20-4-193 does not apply, ~~except as~~
12 ~~otherwise provided in W.S. 20-4-197,~~ upon petition a
13 tribunal of this state may modify a child support order
14 issued in another state which is registered in this state
15 if, after notice and hearing, the tribunal finds that:

16
17 (ii) The following requirements are met:

18
19 (C) The respondent is subject to the
20 personal jurisdiction of the tribunal of this state; ~~or~~ or

21
22 (c) ~~Except as otherwise provided in W.S. 20-4-197, A~~
23 tribunal of this state may not modify any aspect of a child

1 support order that may not be modified under the law of the
2 issuing state, including the duration of the obligation for
3 support. If two (2) or more tribunals have issued child
4 support orders for the same obligor and same child, the
5 order that controls and shall be so recognized under W.S.
6 20-4-148 establishes the aspects of the support order which
7 are nonmodifiable.

8
9 (f) Notwithstanding subsections (a) through (e) of
10 this section and W.S. 20-4-142(b), a tribunal of this state
11 retains jurisdiction to modify an order issued by a
12 tribunal of this state if:

13
14 (i) One (1) party resides in another state; and

15
16 (ii) The other party resides outside the United
17 States.

18
19 **20-4-185. Proceeding to determine parentage.**

20
21 (a) A ~~court~~tribunal of this state authorized to
22 determine parentage of a child may serve as a responding
23 tribunal in a proceeding to determine parentage of a child

1 brought under the Uniform Interstate Family Support Act or
2 a law or procedure substantially similar to this act.

3
4 **20-4-186. Grounds for rendition.**

5
6 (a) For purposes of W.S. 20-4-186 and 20-4-187,
7 "governor" includes an individual performing the functions
8 of the governor or the executive authority of a state
9 covered by ~~the Uniform Interstate Family Support Act~~ this
10 act.

11
12 **20-4-187. Conditions of rendition.**

13
14 (a) Before making demand that the governor of another
15 state surrender an individual charged criminally in this
16 state with having failed to provide for the support of an
17 obligee, the governor of this state may require a
18 prosecutor of this state to demonstrate that at least sixty
19 (60) days previously the obligee had initiated proceedings
20 for support pursuant to ~~the Interstate Family Support Act~~
21 this act or that the proceeding would be of no avail.

1 (b) If, under ~~the Uniform Interstate Family Support~~
2 ~~Act~~ this act or a law substantially similar to this act,
3 the governor of another state makes a demand that the
4 governor of this state surrender an individual charged
5 criminally in that state with having failed to provide for
6 the support of a child or other individual to whom a duty
7 of support is owed, the governor may require a prosecutor
8 to investigate the demand and report whether a proceeding
9 for support has been initiated or would be effective. If
10 it appears that a proceeding would be effective but has not
11 been initiated, the governor may delay honoring the demand
12 for a reasonable time to permit the initiation of a
13 proceeding.

14

15 **20-4-188. Uniformity of application and construction.**

16

17 In applying and construing this uniform act, consideration
18 shall be given to the need to promote uniformity of the law
19 with respect to its subject matter among states that enact
20 it.

21

22 **20-4-190. Immunity from civil liability.**

23

1 An employer ~~who~~that complies with an income withholding
2 order issued in another state in accordance with this
3 article is not subject to civil liability to an individual
4 or agency with regard to the employer's withholding of
5 child support from the obligor's income.

6

7 **20-4-191. Penalties for noncompliance.**

8

9 An employer ~~who~~that willfully fails to comply with an
10 income withholding order issued ~~by~~in another state and
11 received for enforcement is subject to the same penalties
12 that may be imposed for noncompliance with an order issued
13 by a tribunal of this state.

14

15 **20-4-192. Contest by obligor.**

16

17 (a) An obligor may contest the validity or
18 enforcement of an income withholding order issued in
19 another state and received directly by an employer in this
20 state by registering the order in a tribunal of this state
21 and filing a contest to that order as provided in W.S.
22 20-4-173 through 20-4-184, 20-4-193, 20-4-194 and 20-4-197,

1 or otherwise contesting the order in the same manner as if
2 the order had been issued by a tribunal of this state.

3

4 **20-4-193. Jurisdiction to modify child support order**
5 **of another state when individual parties reside in this**
6 **state.**

7

8 (b) A tribunal of this state exercising jurisdiction
9 under this section shall apply the provisions of W.S.
10 20-4-139 through ~~20-4-143~~ 20-4-150, 20-4-173 through
11 20-4-184, 20-4-193, ~~20-4-194~~, through 20-4-198 and the
12 procedural and substantive law of this state to the
13 proceeding for enforcement or modification. W.S. 20-4-151
14 through 20-4-172, 20-4-185 through 20-4-187, ~~and~~ 20-4-190
15 through 20-4-192, 20-4-198 and 20-4-201 through 20-4-213 do
16 not apply.

17

18 **20-4-195. Application of act to nonresident subject**
19 **to person jurisdiction.**

20

21 A tribunal of this state exercising personal jurisdiction
22 over a nonresident in a proceeding under this act, under

1 other law of this state relating to a support order, or
2 recognizing a foreign support order ~~of a foreign country or~~
3 ~~political subdivision on the basis of comity~~ may receive
4 evidence from ~~another~~ outside this state pursuant to W.S.
5 20-4-166, communicate with a tribunal of ~~another~~ outside
6 this state pursuant to W.S. 20-4-167, and obtain discovery
7 through a tribunal ~~of another~~ outside this state pursuant
8 to W.S. 20-4-168. In all other respects, W.S. 20-4-151
9 through 20-4-185, 20-4-190, 20-4-194 and 20-4-197 do not
10 apply and the tribunal shall apply the procedural and
11 substantive law of this state.

12

13 **20-4-196. Continuing exclusive jurisdiction to modify**
14 **spousal support order.**

15

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

21

22 **20-4-197. Jurisdiction to modify child support order**
23 **of foreign country or political subdivision.**

1

2 (a) Except as provided in W.S. 20-4-211, if a foreign
3 country ~~or political subdivision that is a state will not~~
4 ~~or may not modify its order~~ lacks or refuses to exercise
5 jurisdiction to modify its child support order pursuant to
6 its laws, a tribunal of this state may assume jurisdiction
7 to modify the child support order and bind all individuals
8 subject to the personal jurisdiction of the tribunal
9 whether ~~or not~~ the consent to modification of a child
10 support order otherwise required of the individual pursuant
11 to W.S. 20-4-183 has been given or whether the individual
12 seeking modification is a resident of this state or of the
13 foreign country. ~~or political subdivision.~~

14

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

18

19 **Section 3.** W.S. 20-4-140(a)(vii) and (xviii)(A) and
20 (B) is repealed.

21

22 **Section 4.** The amendments to the Uniform Interstate
23 Family Support Act contained in this act apply to

1 proceedings begun on or after July 1, 2015 to establish a
2 support order or determine parentage of a child, or to
3 register, recognize, enforce or modify a prior support
4 order, determination or agreement, whenever issued or
5 entered.

6
7 **Section 5.** If any provision of this act or its
8 application to any person or circumstance is held to be
9 invalid, the invalidity does not affect other provisions or
10 applications of this act which can be given effect without
11 the invalid provision or application, and to this end the
12 provisions of the act are severable.

13
14 **Section 6.** This act is effective immediately upon
15 completion of all acts necessary for a bill to become law
16 as provided by Article 4, Section 8 of the Wyoming
17 Constitution.

18
19 (END)