

ADVANCED UIFSA SCENARIOS

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SCENARIO #1

Maria and Mario have a child support order from Connecticut. Maria currently resides in New Jersey, Mario resides in Massachusetts. Mario wanted the order modified in 2010, so the paperwork was sent to NJ (the non-requesting party's state). For various reasons (although lack of jurisdiction is NOT one of these), NJ had a hearing but did not modify the order. Now, Maria wants a modification. Where should the order be sent, and why? What documentation should be sent?

SCENARIO #2

North Carolina established a child support order in 2005 for Ernie to pay Berta \$500/month for their two children, Alpha & Omega. In 2008 Berta and the two children moved to South Carolina and applied for TANF, so payments were redirected. Arrears on the case are currently \$5000. Ernie applies for services in NC, saying that he has legal custody of Alpha while Berta's mother has legal custody of Omega. The grandmother and Omega are residing in Maryland, and Berta is currently living in Virginia. Ernie wants an order established for Berta to pay child support to him retroactive to when he took legal custody of Alpha in 2014, which would wipe out the arrears. What should NC do? What about the original order? Would the actions be administrative or judicial (or both)? Proof of custody? What about granny?

SCENARIO #3

Martha has two children, Juan One and Juan Two, ages 2 and 5 respectively. Her husband is recently deceased. She applies for services in Georgia, claiming that another man, George, is definitely the father of Juan One and possibly the father of Juan Two. George is currently enrolled in the military, stationed in Iraq but with a legal residence in Florida. Is establishment of paternity and support an option? What course of action do you recommend, and where? Is the military service in Iraq a factor? If FL says they will not pursue the case, are there any other options?

SCENARIO #4

There is a \$600/month child support order from New York for Brad to pay Angelina for their one child. Angelina moves to Pennsylvania and applies for services, so a redirection of payments is requested. Brad moves to Japan, but is working for an American company. The order is successfully being enforced via an IWO. Now Angelina wants an upward modification, so documents are sent to the non-requesting party's "state", Japan. Japan says their child support laws do not allow them to modify or enforce the NY order. What are your options? Where?

SCENARIO #5

There is a child support order from Tennessee for Tom to pay Gisele \$800/month in support for their two children, Spoiled and Rotten. Tom is in Kentucky, so the order is registered there for enforcement. Gisele contacts her TN worker and reports that one of the children (Spoiled) has died. What should TN do? During this process, TN is informed that Gisele has now passed away as well. Now what should TN do? What happens to the order? Gisele's mother, the new CP, wants the existing arrears made payable to her. Is this an option?

SCENARIO #6

Joe and Jolene have a 2012 Nebraska child support order for \$100/week; Joe is the NCP. Jolene moves to Texas, and payments are redirected. The order is being enforced by NE via IWO, and this continues even when Joe moves to Oklahoma. The case has been receiving \$125/week for quite some time; the extra \$25/week is to recoup arrears. Suddenly the case starts receiving \$225/week from the employer: \$125/week from the NE IWO plus \$100/week from a TX IWO that instructed the employer to send the money directly to NE. What do you do? Is what TX did legal?

SCENARIO #7

Cleo (CP) and Mark (NCP) have a 2003 child support order from California for \$1000/month. Mark resides in Oregon, Cleo resides in Washington, and the order is sent to OR for registration for enforcement. During the 20 day timeframe Mark objects, saying he has a more recent order, a 2008 divorce decree from Colorado Supreme Court for only \$700/month, which he says should be enforced instead. What does OR have jurisdiction to do? Is a Determination of Controlling Order appropriate? What about arrears, including interest?

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