

# UIFSA THE UNIFORM INTERSTATE FAMILY SUPPORT ACT

## INTRODUCTION

In the past, collecting child support across state lines has been difficult. Laws varied from state to state, occasionally causing complications. The United States Congress recognized this problem and mandated that all states adopt the Uniform Interstate Family Support Act (UIFSA) to facilitate collecting child support across state lines.

### NO SUPPORT ORDER

If a child support order does not exist, one can be established. If the child and one of the parents lives in Texas, a child support order or paternity determination may be established without the assistance of another state. If the parents already have had sufficient contact with Texas, we may be able to enter an order even if one of the parents does not currently reside here. If another state's assistance is needed, UIFSA enables Texas and the other state to cooperate to establish a child support order.

### CONTROLLING ORDER

Before UIFSA was passed, each state involved could enter a different support order. This resulted in delays and confusion. Frequently, it was not clear how much support was owed, to whom the support was owed, or which state needed to collect the support.

UIFSA permits only one active support order for a case at a time. When there are several orders, UIFSA has rules to determine which order should

be followed. The order with priority is called the "controlling order."

### REGISTERING ORDERS

Orders may be registered in different states for enforcement and modification purposes. Orders registered from another state are enforced as an order issued by the responding state.

The initiating state sends the order and related documents to the responding state. The responding state then registers the order and sends a notice to the parent who did not request that the order be registered in that state. This parent has 20 days to object to the order's being registered.

If an objection to the registration is made prior to the deadline, a hearing will be scheduled. A notice will be sent to the parties notifying them of the date, time and location of the hearing. A decision on whether the registration will be allowed will be made based on the facts presented at the hearing.

### ENFORCEMENT

States now have more power to collect payments from child support obligors who live in other states. UIFSA allows states to enforce their orders without the assistance of the state where the obligor lives. In many cases, a withholding order can be sent directly to an out-ofstate non-custodial parent's employer, requiring that child support be deducted from the parent's wages.



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At times, it is better to work with authorities in the other state to collect child support. The order can be registered by the other (responding) state for enforcement, but it cannot be changed by that state. The responding state has the authority to pursue collection using enforcement hearings, license suspension and incarceration of the delinquent non-custodial parent if necessary.

## **MODIFICATION**

Changes in circumstances such as job promotions, prolonged unemployment or disability, may affect the noncustodial parent's payment status in the years following the establishment of the support order. These changes may justify a modification in the support order.

UIFSA sets the ground rules for modification based on the state issuing the order, the states of residence of the parents and children, and the controlling order. If either of the parents or the child still lives in the state that issued the controlling order, any change in the support amount must occur there.

If all parties involved have left the state that issued the controlling order, that state may not be able to change the support amount. To change support, the order must be registered for modification in the state of residence of the parent who is not seeking the modification. If more than one state has issued an order, and none of the parties lives in those states, none of the orders is controlling.

All of the orders should be registered in the state that has jurisdiction over both parties. That state will calculate the amount of support to be paid and will issue a new controlling order.

UIFSA also allows both parents to agree in writing that a state where one parent resides may modify the order and take control of the case.

Once a state properly modifies another state's order, the new amount of support is the amount to be collected by all states.

## **CONTACT INFORMATION**

### **BY US MAIL**

Office of the Attorney General  
Child Support Division  
P.O. Box 12017  
Austin, TX 78711-2017

### **ON THE INTERNET**

Web site: [www.oag.state.tx.us](http://www.oag.state.tx.us)  
E-mail: [child.support@oag.state.tx.us](mailto:child.support@oag.state.tx.us)

### **BY TELEPHONE**

**Regional Call Centers and Area Offices  
(all voice)**

Harris County .....(713) 243-7100  
Dallas/Tarrant County (972) 339-3100  
Bexar County.....(210) 841-8450  
Travis County .....(512) 514-7000  
Lubbock.....(806) 765-0094  
McAllen .....(956) 682-5581  
Tyler .....(903) 595-6900  
El Paso .....(915)855-3540

### **24 HOUR VOICE INFORMATION**

#### **RESPONSE SYSTEM**

(800)-252-8014

### **FOR THE DEAF AND HARD OF HEARING**

(800) 572-2686 (TTY)

(512) 460-6417 (TTY)

