

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

§ 15701. Definitions.

In this Article:

(a) “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.

(b) “Central authority” means the entity designated by the United States or a foreign country described in 8 CMC § 15102(e)(4) to perform the functions specified in the Convention.

(c) “Convention support order” means a support order of a tribunal of a foreign country described in 8 CMC § 15102(e)(4).

(d) “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.

(e) “Foreign central authority” means the entity designated by a foreign country described in 8 CMC § 15102(e)(4) to perform the functions specified in the Convention.

(f) “Foreign support agreement”:

(1) means an agreement for support in a record that:

(i) is enforceable as a support order in the country of origin;

(ii) has been:

(A) formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(B) authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) may be reviewed and modified by a foreign tribunal; and

(2) includes a maintenance arrangement or authentic instrument under the Convention.

(g) “United States central authority” means the Secretary of the United States Department of Health and Human Services.

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

Commission Comment: The Commission changed “Section” to “8 CMC §” in (b), (c), and (e) pursuant to 1 CMC § 3806(g). The Commission renumbered (f)(1)(A)–(C) to (f)(1)(i)–(iii), and (f)(1)(ii)(i)–(ii) to (f)(1)(ii)(A)–(B) pursuant to 1 CMC § 3806(a).