

**TITLE 8: FAMILY LAW AND PROBATE**  
**DIVISION 1: DOMESTIC RELATIONS**

**§ 1580. Income Withholding Order and Notice of Another State.**

(a) *Payor's Receipt of Income Withholding Order of Another State.* An income withholding order or notice issued in another state may be sent by a public office as defined in this Act, to the person defined as the obligor's payor under this Act, without first filing a petition or comparable pleading or registering the order with a tribunal of the Commonwealth. If a custodial parent obligee signs and directly sends an income withholding notice issued in another State to payors, a certified copy of the underlying income withholding order shall be attached to the notice.

(b) *Tribunal's Receipt of an Income-Withholding Order or Notice of Another State.* An income-withholding order or notice issued by a tribunal of another state may be registered in the CNMI for enforcement.

(c) *Procedure to Register the Income Withholding Order or Notice from Another State.* A support order or income-withholding order or notice of another state may be registered in the CNMI by sending the following records and information to the Office of the Attorney General, Division of Child Support Enforcement:

- (1) A letter of transmittal to the tribunal requesting registration and enforcement;
- (2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;
- (3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;
- (4) The name of the obligor and, if known;
- (5) The obligor's address and social security number;
- (6) The name and address of the obligor's payor and any other source of income of the obligor;
- (7) A description and the location of property of the obligor in the CNMI not exempt from execution; and
- (8) The name and address of the obligee, unless exempted, and, if applicable, the person to whom support payments are to be remitted.

(d) Upon receipt of a request for registration, the registering tribunal shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form.

(e) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the CNMI may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(f) If two or more orders are in effect, the person requesting registration shall:

- (1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;
- (2) Specify the order alleged to be the controlling order, if any; and
- (3) Specify the amount of consolidated arrears, if any.

(g) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

(h) *Effect of Registration of an Income Withholding Order or Notice for Enforcement.*

- (1) An income-withholding order or notice issued in another state is registered when the order is filed in the registering tribunal of the CNMI.
- (2) A registered order issued in another state is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the CNMI.

(3) Except as otherwise provided in this Act, a tribunal of the CNMI shall recognize and enforce, but may not modify, a registered order if the issuing tribunal has continuing exclusive jurisdiction as defined by the Uniform Interstate Family Support Act.

(i) *Payor's Compliance with Income-Withholding Order or Notice of Another State.* Upon receipt of an income-withholding order or notice, the obligor's payor shall immediately provide a copy of the order to the obligor. The payor shall treat an income-withholding order or notice issued in another state as if it had been issued by a tribunal of the CNMI. The payor shall withhold the funds as directed in the withholding order or notice by complying with the terms of the order or notice. Provided, however, that no payor shall enforce any income withholding notice sent directly by a custodial parent obligee residing outside the Commonwealth, unless a certified copy of the underlying income withholding order is attached to the notice. The payor shall distribute the funds withheld to the CNMI Support Disbursement Unit. The CNMI Support Disbursement Unit shall distribute the funds to the person designated to receive payments on the income withholding order or notice.

(j) Income-withholding orders of a foreign country or political subdivision may be recognized in this jurisdiction on the basis of comity.

**Source:** PL 14-34, § 12.