

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

§ 1715. Judgment or Order.

(a) The judgment or order of the court determining the existence or nonexistence of the parent and child relationship is determinative for all purposes.

(b) If the judgment or order of the court is at variance with the child's birth certificate, the court shall order that a new birth certificate be issued under 8 CMC § 1723.

(c) The judgment or order may contain any other provision directed against the appropriate party to the proceeding, concerning the duty of support, the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment or order may direct the father to pay the reasonable expenses of the mother's pregnancy and confinement.

(d) Support judgments or orders ordinarily shall be for periodic payments which may vary in amount. In the best interest of the child, the lump sum payment or the purchase of an annuity may be ordered in lieu of periodic payments of support. The court may limit the parent's liability for past support of the child to the proportion of the expenses already incurred that the court deems just.

(e) In determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, a court enforcing the obligation of support shall consider all relevant facts, including:

- (1) The needs of the child;
- (2) The standard of living and circumstance of the parents;
- (3) The relative financial means of the parents;
- (4) The earning ability of the parents;
- (5) The need and capacity of the child for education, including higher education;
- (6) The age of the child;
- (7) The financial resources and the earning ability of the child;
- (8) The responsibility of the parents for the support of others; and
- (9) The value of services contributed by the custodial parent.

(f) Any order of support made pursuant to this section shall continue until the child is 18 years of age, or in the discretion of the court, until the child is 22 years of age, if, for example, the child is a student, unless the support order is terminated sooner by court order.

(g) The court may order support to be continued after the child is 21 years of age if the child is unable to care for himself by reason of mental or physical handicap or other reason justifiable in the opinion of the court.

Source: PL 4-38, § 15.