

§3320. Foreign support agreement

1. Recognition. Except as provided in subsections 3 and 4, a tribunal of this State shall recognize and enforce a foreign support agreement registered in this State.

[PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

2. Requirements. An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

A. A complete text of the foreign support agreement; and [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

B. A record stating that the foreign support agreement is enforceable as a decision in the issuing foreign country. [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

[PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

3. Vacate registration. A tribunal of this State may vacate the registration of a foreign support agreement only if, acting on its motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

[PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

4. Refusal of recognition and enforcement. In a contest of a foreign support agreement, a tribunal of this State may refuse recognition and enforcement of the agreement if it finds:

A. Recognition and enforcement of the agreement is manifestly incompatible with public policy; [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

B. The agreement was obtained by fraud or falsification; [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

C. The agreement is incompatible with a support order involving the same parties and having the same purpose in this State, another state or a foreign country if the support order is entitled to recognition and enforcement under this chapter in this State; or [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

D. The record submitted under subsection 2, paragraph B lacks authenticity or integrity. [PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

[PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

5. Suspension of proceeding. A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

[PL 2009, c. 95, §83 (NEW); PL 2009, c. 95, §87 (AFF).]

SECTION HISTORY

PL 2009, c. 95, §83 (NEW). PL 2009, c. 95, §87 (AFF).

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