

§3007. Duties of the department as the support enforcement agency

1. Services to petitioner. The department, upon request, shall provide services to a petitioner in a proceeding under this chapter.

[PL 2009, c. 95, §39 (AMD); PL 2009, c. 95, §87 (AFF).]

2. Duties. If the department provides services to the petitioner, the department shall:

A. Take all steps necessary to enable an appropriate tribunal of this State or another state or a foreign country to obtain jurisdiction over the respondent; [PL 2009, c. 95, §40 (AMD); PL 2009, c. 95, §87 (AFF).]

B. Request an appropriate tribunal to set a date, time and place for a hearing; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

C. Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

D. Within 2 days, exclusive of Saturdays, Sundays and legal holidays, after receipt of a written notice in a record from an initiating, responding or registering tribunal, send a copy of the notice to the petitioner; [PL 2003, c. 436, §17 (AMD).]

E. Within 2 days, exclusive of Saturdays, Sundays and legal holidays, after receipt of a written communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and [PL 2003, c. 436, §17 (AMD).]

F. Notify the petitioner if jurisdiction over the respondent can not be obtained. [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

[PL 2009, c. 95, §40 (AMD); PL 2009, c. 95, §87 (AFF).]

2-A. Registration; reasonable efforts. If the department requests registration of a child support order in this State for enforcement or for modification, the department shall make reasonable efforts:

A. To ensure that the order to be registered is the controlling order; or [PL 2003, c. 436, §18 (NEW).]

B. If 2 or more child support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so. [PL 2003, c. 436, §18 (NEW).]

[PL 2003, c. 436, §18 (NEW).]

2-B. Conversion of amounts to dollars. If the department requests registration and enforcement of a support order, arrears or judgment stated in a foreign currency, the department shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

[PL 2003, c. 436, §18 (NEW).]

2-C. Issuance upon request. The department shall issue or request a tribunal of this State to issue a child support order and an income-withholding order that redirect payment of current support, arrears and interest if requested to do so by a support enforcement agency of another state pursuant to section 3019.

[PL 2009, c. 95, §41 (AMD); PL 2009, c. 95, §87 (AFF).]

3. No attorney or fiduciary relationship. This chapter does not create or negate a relationship of attorney and client or other fiduciary relationship between the department or the attorney for the department and the individual being assisted by the department.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2003, c. 436, §§17,18 (AMD). PL 2009, c. 95, §§39-41 (AMD). PL 2009, c. 95, §87 (AFF).

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