

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10.01 Purpose of The Uniform Interstate Family Support Act (UIFSA)

_____ New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

_____ N/A _____

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare?

_____ N/A _____

Is there another, less restrictive method of regulation available that could adequately protect the public?

_____ N/A _____

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

_____ NO _____

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule?

_____ N/A _____

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

_____ YES _____

Does the proposed rule have an economic impact?

_____ NO _____

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

Adnan A. Guzman
Date: 10-11-15

DATE FILED
(STAMP)

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-.02 Definitions

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare? N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:
Robert J. Guebert
Date: 6-11-15

DATE FILED
(STAMP)

APA-1
11/96

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-03 Duties of Support Enforcement Agency

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare? N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

 Amy J. Gustafson
Date: 6-11-15

DATE FILED
(STAMP)

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-04 State Information Agency for UIFSA

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare?

N/A

Is there another, less restrictive method of regulation available that could adequately protect the public?

N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule?

N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

YES

Does the proposed rule have an economic impact?

NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

Adney J. Baskin
Date: 6-11-15

DATE FILED
(STAMP)

APA-1
11/96

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-.05 Receipt and Disbursement of Payments

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare? N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

Amy J. Burkaw
Date: 6-11-15

DATE FILED
(STAMP)

APA-1
11/96

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-06 Contest By Obligor _____

_____ New Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? _____ N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare? _____ N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? _____ N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? _____ NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule? _____ N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ YES

Does the proposed rule have an economic impact? _____ NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

Amy A. Bullock
Date: 6-11-15

DATE FILED
(STAMP)

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 660 Department or Agency Human Resources
Rule No. and Title 660-3-10-.07 Administrative Enforcement of Orders

_____ New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A

Is there a reasonable relationship between the state's policed power and the protection of the public health, safety, or welfare? N/A

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that it might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:

Gary A. Buckner
Date: 6-11-15

DATE FILED
(STAMP)

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Human Resources

<u>RULE NO. & TITLE:</u>	660-3-10-.01	Purpose of The Uniform Interstate Family Support Act (UIFSA)
	660-3-10-.02	Definitions
	660-3-10-.03	Duties of Support Enforcement Agency
	660-3-10-.04	State Information Agency for UIFSA Cases
	660-3-10-.05	Receipt and Disbursement of Payment
	660-3-10-.06	Contest By Obligor
	660-3-10-.07	Administrative Enforcement of Orders

INTENDED ACTION: Proposed permanent rules to comply with The Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183) requires all states to enact any amendments to the Uniform Interstate Family Support Act officially adopted as of September 30, 2008 by the National conference of Commissioners on Union State Laws.

SUBSTANCE OF PROPOSED ACTION: The rule has been proposed to comply with changes in federal law regarding the enactment of UIFSA 2008. The rule clarifies the process of managing interstate as well as international child support cases.

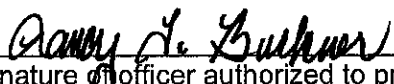
TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person through close of business on August 4, 2015. Persons wishing to submit data, views or arguments orally should contact the Department's Administrative Procedures Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding State holidays, at (334) 242-9330 to set up an appointment for such oral/in person presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

August 4, 2015

CONTACT PERSON AT AGENCY:

Mrs. Gail Grobe
State Department of Human Resources
Gordon Persons Building
50 Ripley Street
Montgomery, Alabama 36130-1801



(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

**DEPARTMENT OF HUMAN RESOURCES
CHILD SUPPORT ENFORCEMENT DIVISION
ADMINISTRATIVE CODE**

**CHAPTER 660-3-10
ALABAMA UNIFORM INTERSTATE FAMILY SUPPORT ACT**

TABLE OF CONTENTS

660-3-10-.01	Purpose of the Uniform Interstate Family Support Act (UIFSA)
660-3-10-.02	Definitions
660-3-10-.03	Duties of Support Enforcement Agency
660-3-10-.04	State Information Agency for UIFSA Cases
660-3-10-.05	Receipt and Disbursement of Payment
660-3-10-.06	Contest by Obligor
660-3-10-.07	Administrative Enforcement of Orders

660-3-10-.01 **Purpose of the Uniform Interstate Family Support Act (UIFSA).** UIFSA was created to identify ways to improve the efficiency and effectiveness of interstate child support enforcement by addressing interstate cases in a uniform manner. The Personal and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), mandated that all states adopt the 1993 UIFSA Model Act, and the 1996 amendments adopted by the National Conference of Commissioners on Uniform State Laws. UIFSA 1996 with amendments became effective January 1, 1998 in this state. ~~UIFSA was created to address interstate cases in a uniform manner.~~ Until December 31, 1999, interstate proceedings started prior to January 1, 1998, ~~were~~ will be governed by laws in effect prior to January 1, 1998. ~~UIFSA was created to identify ways to improve the efficiency and effectiveness of interstate child support enforcement by addressing interstate cases in a uniform manner.~~ The Preventing Sex Trafficking and Strengthening Families Act of 2014 (P.L. 113-183) required each state to enact the 2008 amendments during its 2015 legislative session.

Author: ~~Patricia Brooks~~ Clifford Smith

Statutory Authority: P.L. 104-193, §§321-325; P.L. 113-183, §§301-302; Code of Ala. 1975, as amended, §§30-3DA-101 through 30-3DA-9026.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.02 **Definitions.** The following definitions shall apply to this chapter:

(a) Child – an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(b) Child Support Order – a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(c) Convention – the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(d)(e) Duty of Support – an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(e) Foreign Country – a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders, and:

(1) which has been declared under the law of the United States to be a foreign reciprocating country;

(2) which has established a reciprocal arrangement for child support with this state as provided in Code of Alabama, 1975, as amended, Section 30-3D-308;

(3) which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under UIFSA; or

(4) in which the Convention is in force with respect to the United States.

(f) Foreign Support Order – a support order of a foreign tribunal.

(g) Foreign Tribunal – a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(h)(d) Home State – the state or foreign country in which a child lived with a parent or a person acting as parent for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(i)(e) Income includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of this state.

(j)(f) Income Withholding Order – an order or other legal process directed to an obligor's employer or other debtor, as defined by Code of Ala. 1975, as amended, by Sections 30-3-60 through 30-3-71, to withhold support from the income of the obligor.

~~(g) Initiating State – a state from which a proceeding is forwarded or in which a proceeding is filed for forwarding to a responding state under this chapter or a law or procedure substantially similar to this chapter, the Uniform Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement of Support Act.~~

~~(k)(h) Initiating Tribunal – the authorized tribunal in an initiating state, the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.~~

(1) Issuing Foreign Country – the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

~~(m)~~(i) Issuing State – the state in which a tribunal issues a support order or renders a judgment determining parentage of a child.

~~(n)~~(j) Issuing Tribunal – the tribunal of a state or foreign country that issues a support order or renders a judgment determining parentage of a child.

~~(o)~~(k) Law includes decisional and statutory law and rules and regulation having the force of law.

~~(p)~~(l) Obligee means:

(1) Aan individual to whom a duty of support is or is alleged to be owed or in whose favor a support order has been issued or a judgment determining parentage of a child has been rendered issued;

(2) Aa foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee; or in place of child support;

(3) Aan individual seeking a judgment determining parentage of the individual's child; or

(4) a person that is a creditor in a proceeding under Article 7 of UIFSA.

~~(q)~~(m) Obligor means an individual or the estate of a decedent, that:

(1) ~~who~~ owes or is alleged to owe a duty of support;

(2) ~~who~~ is alleged but has not been adjudicated to be a parent of a child; or

(3) ~~who~~ is liable under a support order; or

(4) is a debtor in a proceeding under Article 7 of UIFSA.

~~(r)~~ Outside this state – a location in another state or a country other than the United States, whether or not the country is a foreign country.

~~(n)~~ Petition – the original or initial pleading by which an action is commenced under the Alabama Rules of Civil Procedure, including a complaint.

~~(s)~~ Person – an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

~~(t)~~ Record – information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

~~(u)~~(e) Register – to file in a tribunal of a state a support order or judgment determining parentage of a child issued in another state or foreign country, with the clerk of the appropriate court.

~~(v)(p)~~ Registering Tribunal – a tribunal in which a support order or judgment determining parentage of a child is registered.

~~(w)(q)~~ Responding State – a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country. ~~proceeding is filed or to which a proceeding is forwarded for filing from an initiating state under this chapter or a law or procedure substantially similar to this chapter, the Uniform Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement of Support Act.~~

~~(x)(r)~~ Responding Tribunal – the authorized tribunal in a responding state or foreign country.

~~(y)(s)~~ Spousal Support Order – a support order for a spouse or former spouse of the obligor.

~~(z)(t)~~ State – a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under subject to the jurisdiction of the United States. The term includes: an Indian nation or tribe.

~~(1)~~ an Indian tribe; and

~~(2)~~ a foreign jurisdiction that has enacted a law or established procedures for issuance and enforcement of support orders which are substantially similar to the procedures under this chapter, the Uniform Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement of Support Act.

~~(aa)(u)~~ Support ~~e~~Enforcement ~~a~~Agency – a public official, governmental entity, or private agency authorized to seek:

(1) seek enforcement of support orders or laws relating to the duty of support;

(2) seek establishment or modification of child support;

(3) request determination of parentage; ~~or of a child;~~

(4) attempt to locate obligors or their assets; ~~or~~

(5) request determination of the controlling child support order.

~~(bb)(v)~~ Support Order – a judgment, decree, ~~or order,~~ decision, or directive whether temporary, final, or subject to modification, ~~for the issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement, for financial assistance provided to an individual obligee in place of child support. The term~~ and may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

~~(cc)(w)~~ Tribunal – a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Author: Patriceia Brooks Clifford Smith

Statutory Authority: P.L. 113-183~~104-193~~, §§301-302~~324-325~~; Code of Ala. 1975, as amended, §§30-3DA-101 through 30-3DA-90~~26~~.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.03 Duties of Support Enforcement Agency.

- (1) The Department of Human Resources is the support enforcement agency in Alabama.
- (2) Upon request, the Department will provide the following services to a petitioner in a UIFSA proceeding:
 - (a) take all steps necessary to enable an appropriate ~~court~~tribunal of—in this state, or a tribunal of another state, or a foreign country to obtain jurisdiction over the respondent;
 - (b) request an appropriate tribunal to set a date, time, and place for a hearing;
 - (c) make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;
 - (d) within seven 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 court, send~~ a copy of the notice to the petitioner;
 - (e) within seven 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
 - (f) notify the petitioner if jurisdiction over the respondent cannot be obtained.
- (3) A support enforcement agency of this state that requests registration of a child support order in this state for enforcement or for modification shall make reasonable efforts:
 - (a) to ensure that the order to be registered is the controlling order; or
 - (b) if two 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.
- (4) A support enforcement agency of this state that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency 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.

(5) A support enforcement agency of this state shall 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 Code of Alabama, 1975, as amended, Section 30-3D-319.

~~(6)(3)~~ UIFSA does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Author: ~~Patricia Brooks~~Clifford Smith

Statutory Authority: P.L. ~~113-183404-193~~, §§~~301-302321-325~~; Code of Ala. 1975, as amended, §§~~38-10-1 through 38-10-12~~, ~~30-3DA-101 through 30-3DA-9026~~.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.04 State Information Agency for UIFSA Cases.

(1) Duties of the Department of Human Resources as the State Information Agency:

(a) compile and maintain a current list, including addresses, of the ~~tribunalsecourts~~ in this state which have jurisdiction under ~~UIFSA~~this chapter and any support enforcement agencies in this state and transmit a copy of the state information agency of every other state;

(b) maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(c) forward to the appropriate ~~tribunal court~~ in the ~~countyplace~~ in this state in which the individual obligee who is an individual or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under ~~UIFSA this chapter~~ received~~received~~ from an ~~initiating tribunal or the state information agency of the initiating state;~~ another state or a foreign country; and

(d) obtain information concerning the location of the obligor and the obligor's property within this state not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Author: ~~Patricia Brooks~~Clifford Smith

Statutory Authority: P.L. ~~113-183404-193~~, §§~~301-302321-325~~; Code of Ala. 1975, as amended, §§~~30-3DA-101 through 30-3DA-9026~~.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.05 Receipt and Disbursement of Payments.

(a) The Department of Human Resources shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The Department of Human Resources shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the court of this state or the collection agency custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor nor the obligee who is an individual, nor the child resides in this state, upon request from the support enforcement agency of this state or another state, the support enforcement agency or a tribunal of this state shall:

(1) direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) issue and send to the obligor's employer a conforming income withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of this state receiving redirected payments from another state shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

Author: ~~Patricia Brooks~~ Clifford Smith

Statutory Authority: P.L. ~~113-183~~104-193, §§~~301-302~~321-325; Code of Ala. 1975, as amended, §§30-3DA-101 through 30-3DA-9026.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.06 Contest By Obligor.

(a) An obligor may contest the validity or enforcement of an income withholding order issued in another state and received directly by an employer in this state by registering the order in a tribunal of this state and filing a contest to that order as provided in Article 6 of UIFSA, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal court in of this state.

(b) The obligor shall give notice of the contest to:

(1) a support enforcement agency providing services to the obligee;

(2) each employer that has directly received an income withholding order relating to the obligor; and

(3) the person ~~or agency~~ designated to receive payments in the income withholding order or, if no person or agency is designated, to the obligee.

Author: ~~Patricia Brooks~~Clifford Smith

Statutory Authority: P.L. ~~113-183404-193~~, §§~~301-302321-325~~; Code of Ala. 1975, as amended, §§~~30-3DA-101~~ through ~~30-3DA-9026~~.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.

660-3-10-.07 Administrative Enforcement of Orders.

(a) A party or support enforcement agency seeking to enforce a support order or an income withholding order, or both, issued in by a tribunal of another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of this state.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this state to enforce a support order or an income withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to UIFSA~~this chapter~~.

Author: ~~Patricia Brooks~~Clifford Smith

Statutory Authority: P.L. ~~113-183404-193~~, §§~~301-302321-325~~; Code of Ala. 1975, as amended, §§~~30-3DA-101~~ through ~~30-3DA-9026~~.

History: Succeedent emergency adoption effective April 10, 1998. **New Rule:** Filed March 6, 1998; effective April 10, 1998. **Amended:** Filed August 5, 2015; effective September 9, 2015.