SPONSOR: Rep. Dukes & Sen. Venables & Sen. Pettyjohn & Sen. Lavelle;
Reps. D. Short, Hudson, Briggs King, Gray, Kenton, Miro, Outten, Peterman, Ramone, Spiegelman, B. Short;
Sens. Hocker, Simpson

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 407

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF CHILD SUPPORT ORDERS AND INCOME-WITHHOLDING ORDERS FROM OTHER JURISDICTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6-316(e), Title 13 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 6-316 Special rules of evidence and procedure.

(e) Documentary evidence transmitted from another state, or the support enforcement agency of this State, to a tribunal of this State by telephone, telecopier, or other means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

Section 2. Amend § 6-602(a), Title 13 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6-602 Procedure to register order for enforcement.

(a) A support order or income-withholding order of another state may be registered in this State by sending, either physically or electronically, the following records and information to the Family Court in this State:

(1) A letter of transmittal to the tribunal requesting registration and enforcement;

(2) ~~Two copies, including one certified copy,~~ A 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:

(i) The obligor's address and social security number;

(ii) The name and address of the obligor's employer and any other source of income of the obligor;

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(iii) A description and the location of property of the obligor in this State not exempt from execution; and

(5) Except as otherwise provided in § 6-312 of this title, the name and address of the oblige and, if applicable, the person to whom support payments are to be remitted.

SYNOPSIS

This Bill amends the Uniform Interstate Family Support Act relating to the registration of child support orders, income-withholding orders, or both, from other states. The amendments provide that such orders can be registered in Delaware by either the foreign jurisdiction or the applicable support enforcement agency in Delaware sending those orders (and other pertinent information) directly to the Family Court, either physically or by electronic transmission. This Bill also removes the requirement that two copies of such order be provided.