

IC 31-18

ARTICLE 18. FAMILY LAW: UNIFORM INTERSTATE FAMILY SUPPORT ACT

IC 31-18-1

Chapter 1. Definitions

IC 31-18-1-1

Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-2

"Child"

Sec. 2. "Child" means an individual who is:

- (1) owed or alleged to be owed a duty of support by the individual's parent; or
- (2) the beneficiary of a support order directed to the parent.

The term includes a child who is over the age of majority.

As added by P.L.1-1997, SEC.10. Amended by P.L.97-2004, SEC.107.

IC 31-18-1-3

"Child support order"

Sec. 3. "Child support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-4

"Duty of support"

Sec. 4. "Duty of support" means an obligation imposed or that may be imposed by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-5

"Home state"

Sec. 5. "Home state" means:

- (1) the state in which a child lived with a parent or a person acting as parent for at least six (6) consecutive months immediately preceding the time of filing of a petition or comparable pleading for support; and
- (2) if a child is less than six (6) months of age, the state in which the child lived since birth with a parent or person acting as a parent.

A period of temporary absence of the child, parent, or person acting as a parent is included as part of the six (6) month period under

subdivision (1) or other period under subdivision (2).
As added by P.L.1-1997, SEC.10.

IC 31-18-1-6

"Income"

Sec. 6. "Income" means anything of value owed to an obligor.
As added by P.L.1-1997, SEC.10.

IC 31-18-1-7

"Income payor"

Sec. 7. "Income payor" means an employer or other person who owes income to an obligor.
As added by P.L.1-1997, SEC.10.

IC 31-18-1-8

"Income withholding order"

Sec. 8. "Income withholding order" means an order or other legal process directed to an obligor's income payor to withhold:

- (1) support; and
- (2) support fees and maintenance fees as described in IC 33-37-5-6;

from the income of the obligor.
As added by P.L.1-1997, SEC.10. Amended by P.L.148-2006, SEC.29.

IC 31-18-1-9

"Initiating state"

Sec. 9. "Initiating state" means a state in which a proceeding is forwarded or in which a proceeding is filed for forwarding to a responding state under:

- (1) this article or a law substantially similar to this article;
- (2) the Uniform Reciprocal Enforcement of Support Act; or
- (3) the Revised Uniform Reciprocal Enforcement of Support Act.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.12.

IC 31-18-1-10

"Initiating tribunal"

Sec. 10. "Initiating tribunal" means the authorized tribunal in an initiating state.
As added by P.L.1-1997, SEC.10.

IC 31-18-1-11

"Issuing state"

Sec. 11. "Issuing state" means the state in which a tribunal issues a support order or enters a judgment of paternity.
As added by P.L.1-1997, SEC.10.

IC 31-18-1-12

"Issuing tribunal"

Sec. 12. "Issuing tribunal" means the tribunal that issues a support order or enters a judgment of paternity.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-13**"Law"**

Sec. 13. "Law" includes decisional and statutory law and rules and regulations having the force of law.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-14**"Obligee"**

Sec. 14. "Obligee" means:

(1) an individual to whom a duty of support is owed or is alleged to be owed or in whose favor a:

(A) support order has been issued; or

(B) judgment determining paternity has been entered;

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

(3) an individual seeking a judgment to establish paternity of the individual's child.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.13.

IC 31-18-1-15**"Obligor"**

Sec. 15. "Obligor" means an individual or the estate of a decedent who:

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

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

(3) is liable under a support order.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.14.

IC 31-18-1-16**"Register"**

Sec. 16. "Register" means to record a:

(1) support order; or

(2) judgment determining paternity;

in the appropriate location for the recording or filing of foreign judgments generally or foreign support orders specifically.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-17**"Registering tribunal"**

Sec. 17. "Registering tribunal" means a tribunal in which a

support order is registered.
As added by P.L.1-1997, SEC.10.

IC 31-18-1-18

"Responding state"

Sec. 18. "Responding state" means a state to which a proceeding is filed or to which a proceeding is forwarded for filing from an initiating state under:

- (1) this article or a law substantially similar to this article;
- (2) the Uniform Reciprocal Enforcement of Support Act; or
- (3) the Revised Uniform Reciprocal Enforcement of Support Act.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.15.

IC 31-18-1-19

"Responding tribunal"

Sec. 19. "Responding tribunal" means the authorized tribunal in a responding state.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-20

"Spousal support order"

Sec. 20. "Spousal support order" means a support order for a spouse or former spouse of the obligor.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-21

"State"

Sec. 21. "State" means:

- (1) a state of the United States;
- (2) the District of Columbia;
- (3) the Commonwealth of Puerto Rico; or
- (4) any territory or insular possession subject to the jurisdiction of the United States.

The term includes an Indian tribe and a foreign jurisdiction that have enacted a law or established procedures for issuing and enforcing support orders that are substantially similar to the procedures under this article or the procedures under the Uniform Reciprocal Enforcement of Support Act or the Revised Uniform Reciprocal Enforcement of Support Act.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.16.

IC 31-18-1-22

Repealed

(Repealed by P.L.213-1999, SEC.33.)

IC 31-18-1-23

"Support enforcement agency"

Sec. 23. "Support enforcement agency" means a public official or an agency authorized to seek to:

- (1) enforce a support order or laws regarding the duty of support;
- (2) establish or modify child support;
- (3) establish paternity; or
- (4) locate an obligor or the obligor's assets.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-24

"Support order"

Sec. 24. "Support order" means a judgment, a decree, or an order, whether:

- (1) temporary;
- (2) final; or
- (3) subject to modification;

for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, or reimbursement, and may include related costs and fees, interest, income withholding, attorney's fees, and other relief.

As added by P.L.1-1997, SEC.10.

IC 31-18-1-25

"Tribunal"

Sec. 25. "Tribunal" means a court, an administrative agency, or a quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine paternity. In referring to an Indiana tribunal acting as an authorized responding court under this article, the term means a court that is authorized to establish, enforce, or modify support orders or establish paternity but does not include an administrative agency or a quasi-judicial entity.

As added by P.L.1-1997, SEC.10. Amended by P.L.213-1999, SEC.17.