

Effective 7/1/2015

78B-14-401 Establishment of support order.

- (1) If a support order entitled to recognition under this chapter has not been issued, a responding tribunal of this state with personal jurisdiction over the parties may issue a support order if:
 - (a) the individual seeking the order resides outside this state; or
 - (b) the support enforcement agency seeking the order is located outside this state.
- (2) The tribunal may issue a temporary child support order if the tribunal determines that an order is appropriate and the individual ordered to pay is:
 - (a) a presumed father of the child;
 - (b) petitioning to have his paternity adjudicated;
 - (c) identified as the father of the child through genetic testing;
 - (d) an alleged father who has declined to submit to genetic testing;
 - (e) shown by clear and convincing evidence to be the father of the child;
 - (f) an acknowledged father determined in accordance with Title 78B, Chapter 15, Part 3, Voluntary Declaration of Paternity Act;
 - (g) the mother of the child; or
 - (h) an individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.
- (3) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to Section 78B-14-305.

Revisor instructions Chapter 245, 2013 General Session
Amended by Chapter 412, 2011 General Session