

WAC 388-14A-3307 How does the division of child support proceed when there are multiple child support orders for the same obligor and children? When more than one current child support order exists for the same obligor and children, the division of child support (DCS) may proceed as follows:

(1) When not acting as a responding jurisdiction, DCS decides whether or not a determination of controlling order is necessary, and which state has the authority to make a determination of controlling order (DCO) under UIFSA.

(2) The controlling order is the single order used for prospective enforcement and modification, determined according to the priority scheme set out in the Uniform Interstate Family Support Act (UIFSA).

(3) Using the criteria listed in RCW 26.21A.130, DCS may decide which child support order it should enforce and may serve a notice of support debt and demand for payment under WAC 388-14A-3304.

(4) When a party objects to enforcement of the order selected for enforcement under subsection (1) of this section, or when the order that DCS decides to enforce is not the order presented by a party or another jurisdiction for enforcement of current support, DCS may serve a notice of support debt and registration as provided in WAC 388-14A-7100.

(5) WAC 388-14A-7305 describes how either party or the initiating jurisdiction can ask for a DCO.

(6) WAC 388-14A-7315 describes how DCS decides whether to deny a request for a DCO.

(7) If DCS reviews the orders in response to a request for a DCO and decides that a Washington order is the presumed controlling order, DCS refers the case to superior court.

(8) If DCS reviews the orders in response to a request for a DCO and decides that a non-Washington order is the presumed controlling order, DCS serves a notice of support debt and registration as provided in WAC 388-14A-7325.

[Statutory Authority: RCW 26.23.120, 43.20A.550, 74.04.055, 74.08.090, 74.20.040(9), 74.20A.310, and 45 C.F.R. Parts 301.1, 302.35, 302.36, 303.3, 303.7, 303.11, 303.20, 305.63, 307.13, and 308.2. WSR 11-22-116, § 388-14A-3307, filed 11/2/11, effective 12/3/11. Statutory Authority: RCW 34.05.220(2), 43.20A.550, 74.04.055, 74.08.090, 74.20.040, 74.20A.310. WSR 07-08-055, § 388-14A-3307, filed 3/29/07, effective 4/29/07.]