Enforcement of Registered Support Orders (UIFSA)

Is the obligee trying to collect vested, non-modifiable **ARREARAGES** that are entitled to recognition and enforcement under the US Constitution's full faith and credit requirement and accrued under a *valid* spousal support or child support order (a) that *has not been modified* in accordance with UIFSA or FFCCSOA, *or* (b) *before* the date the order was modified in accordance with UIFSA or FFCCSOA?

YES ⇨ The order may be **REGISTERED FOR ENFORCEMENT** in North Carolina *regardless of whether the obligee is a non-resident of the state.* G.S. 52C-6-601. A North Carolina court must enforce the **ARREARAGES** owed under the out-of-state support order *regardless of whether the out-of-state order is entitled to recognition under UIFSA*. G.S. 52C-2-207. The issuing state's statute of limitations applies if it is longer than the N.C. statute of limitations. G.S. 52C-6-604. The order also may be administratively enforced or enforced via direct income withholding without registration. G.S. 52C-5-501.

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Is the obligee seeking **PROSPECTIVE ENFORCEMENT** of a spousal support order or child support order issued by another state?

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Is the order the **ONE CONTROLLING ORDER** under UIFSA/FFCCSOA? G.S. 52C-2-207?

NO ⇨ The order **SHOULD NOT BE ENFORCED** *prospectively* in North Carolina. G.S. 52C-2-207.

YES

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The order may be **REGISTERED** and **MUST BE ENFORCED** by a N.C. court (or enforced without registration by administrative remedies or direct income withholding). G.S. 52C-6-601, 52C-5-501. The issuing state's law governs the amount, scope, and duration of support; N.C. law governs the remedies available to enforce support. G.S. 52C-6-604. The registered order remains an order of the issuing state and *may not be modified* by a N.C. court unless allowed under G.S. 52C-6-611 or 613.