

§3051. Petition to establish support order

1. Responding tribunal may issue support order. 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 [PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

B. The support enforcement agency seeking the order is located outside this State. [PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

[PL 2009, c. 95, §55 (AMD); PL 2009, c. 95, §87 (AFF).]

2. Responding tribunal may issue temporary support order. A responding tribunal of this State may issue a temporary support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

A. The presumed father of the child; [PL 2003, c. 436, §28 (NEW).]

B. Petitioning to have his paternity of the child adjudicated; [PL 2003, c. 436, §28 (NEW).]

C. Identified as the father of the child through genetic testing; [PL 2003, c. 436, §28 (NEW).]

D. An alleged father of the child who has declined to submit to genetic testing; [PL 2003, c. 436, §28 (NEW).]

E. Shown by clear and convincing evidence to be the father of the child; [PL 2003, c. 436, §28 (NEW).]

F. An acknowledged parent of the child as provided in chapter 61, subchapter 3; [PL 2021, c. 610, §12 (AMD).]

G. The mother of the child; or [PL 2003, c. 436, §28 (NEW).]

H. An individual who has been ordered to pay child support to the child in a previous proceeding and the order has not been reversed or vacated. [PL 2003, c. 436, §28 (NEW).]

[PL 2021, c. 610, §12 (AMD).]

3. Tribunal shall issue support order. 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 3005.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2003, c. 436, §28 (AMD). PL 2009, c. 95, §55 (AMD). PL 2009, c. 95, §87 (AFF). PL 2015, c. 296, Pt. C, §23 (AMD). PL 2015, c. 296, Pt. D, §1 (AFF). RR 2015, c. 2, §10 (COR). PL 2021, c. 610, §12 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 130th Maine Legislature and is current through October 1, 2022. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.