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2 Article 2.
3 Jurisdiction.

4 Part 1. Extended Personal Jurisdiction.

5 **§ 52C-2-201. Bases for jurisdiction over nonresident.**

6 In a proceeding to establish, enforce, or modify a support order or to determine parentage, a
7 tribunal of this State may exercise personal jurisdiction over a nonresident individual or the
8 individual's guardian or conservator if:

- 9 (1) The individual is personally served with a summons and complaint within
10 this State;
11 (2) The individual submits to the jurisdiction of this State by consent, by
12 entering a general appearance, or by filing a responsive document having the
13 effect of waiving any contest to personal jurisdiction;
14 (3) The individual resided with the child in this State;
15 (4) The individual resided in this State and provided prenatal expenses or
16 support for the child;
17 (5) The child resides in this State as a result of the acts or directives of the
18 individual;
19 (6) The individual engaged in sexual intercourse in this State and the child may
20 have been conceived by that act of intercourse;
21 (7) The individual asserted paternity in an affidavit which has been filed with
22 the clerk of superior court; or
23 (8) There is any other basis consistent with the constitutions of this State and the
24 United States for the exercise of personal jurisdiction. (1995, c. 538, s. 7(c).)
25

26 **§ 52C-2-202. Procedure when exercising jurisdiction over nonresident.**

27 A court of this State exercising personal jurisdiction over a nonresident under G.S.
28 52C-2-201 may apply G.S. 52C-3-315 to receive evidence from another state, and G.S.
29 52C-3-317 to obtain discovery through a tribunal of another state. In all other respects, Articles
30 3 through 7 of this Chapter do not apply and the tribunal shall apply the procedural and
31 substantive law of this State, including the rules on choice of law other than those established
32 by this Chapter. (1995, c. 538, s. 7(c).)
33

34 Part 2. Proceedings Involving Two or More States.

35 **§ 52C-2-203. Initiating and responding tribunal of state.**

36 Under this Chapter, a tribunal of this State may serve as an initiating tribunal to forward
37 proceedings to another state and as a responding tribunal for proceedings initiated in another
38 state. (1995, c. 538, s. 7(c); 1997-433, s. 10.1; 1998-17, s. 1.)
39

40 **§ 52C-2-204. Simultaneous proceedings in another state.**

41 (a) A tribunal of this State may exercise jurisdiction to establish a support order if the
42 petition or comparable pleading is filed after a petition or comparable pleading is filed in
43 another state only if:

- 44 (1) The petition or comparable pleading in this State is filed before the
45 expiration of the time allowed in the other state for filing a responsive
46 pleading challenging the exercise of jurisdiction by the other state;
47 (2) The contesting party timely challenges the exercise of jurisdiction in the
48 other state; and
49 (3) If relevant, this State is the home state of the child.

1 (b) A tribunal of this State may not exercise jurisdiction to establish a support order if
2 the petition or comparable pleading is filed before a petition or comparable pleading is filed in
3 another state if:

- 4 (1) The petition or comparable pleading in the other state is filed before the
5 expiration of the time allowed in this State for filing a responsive pleading
6 challenging the exercise of jurisdiction by this State;
- 7 (2) The contesting party timely challenges the exercise of jurisdiction in this
8 State; and
- 9 (3) If relevant, the other state is the home state of the child. (1995, c. 538, s.
10 7(c).)

11
12 **§ 52C-2-205. Continuing, exclusive jurisdiction.**

13 (a) A tribunal of this State issuing a support order consistent with the law of this State
14 has continuing, exclusive jurisdiction over a child support order:

- 15 (1) As long as this State remains the residence of the obligor, the individual
16 obligee, or the child for whose benefit the support order is issued; or
- 17 (2) Until all of the parties who are individuals have filed written consents with
18 the tribunal of this State for a tribunal of another state to modify the order
19 and assume continuing, exclusive jurisdiction.

20 (b) A tribunal of this State issuing a child support order consistent with the law of this
21 State may not exercise its continuing jurisdiction to modify the order if the order has been
22 modified by a tribunal of another state pursuant to a law substantially similar to this Chapter.

23 (c) If a child support order of this State is modified by a tribunal of another state
24 pursuant to a law substantially similar to this Chapter, a tribunal of this State loses its
25 continuing, exclusive jurisdiction with regard to prospective enforcement of the order issued in
26 this State, and may only:

- 27 (1) Enforce the order that was modified as to amounts accruing before the
28 modification;
- 29 (2) Enforce nonmodifiable aspects of that order; and
- 30 (3) Provide other appropriate relief for violations of that order which occurred
31 before the effective date of the modification.

32 (d) A tribunal of this State shall recognize the continuing, exclusive jurisdiction of a
33 tribunal of another state which has issued a child support order pursuant to a law substantially
34 similar to this Chapter.

35 (e) A temporary support order issued ex parte or pending resolution of a jurisdictional
36 conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

37 (f) A tribunal of this State issuing a support order consistent with the law of this State
38 has continuing, exclusive jurisdiction over a spousal support order throughout the existence of
39 the support obligation. A tribunal of this State may not modify a spousal support order issued
40 by a tribunal of another state having continuing, exclusive jurisdiction over that order under the
41 law of that state. (1995, c. 538, s. 7(c); 1997-433, s. 10.2; 1998-17, s. 1.)

42
43 **§ 52C-2-206. Enforcement and modification of support order by tribunal having**
44 **continuing jurisdiction.**

45 (a) A tribunal of this State may serve as an initiating tribunal to request a tribunal of
46 another state to enforce or modify a support order issued in that state.

47 (b) A tribunal of this State having continuing, exclusive jurisdiction over a support
48 order may act as a responding tribunal to enforce or modify the order. If a party subject to the
49 continuing, exclusive jurisdiction of the tribunal no longer resides in the issuing state, in
50 subsequent proceedings the tribunal may apply G.S. 52C-3-315 to receive evidence from
51 another state and G.S. 52C-3-317 to obtain discovery through a tribunal of another state.

1 (c) A tribunal of this State which lacks continuing, exclusive jurisdiction over a spousal
2 support order may not serve as a responding tribunal to modify a spousal support order of
3 another state. (1995, c. 538, s. 7(c).)
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5 Part 3. Reconciliation of Multiple Orders.

6 **§ 52C-2-207. Recognition of controlling child support order.**

7 (a) If a proceeding is brought under this Chapter and only one tribunal has issued a
8 child support order, the order of that tribunal controls and must be so recognized.

9 (b) If a proceeding is brought under this Chapter, and two or more child support orders
10 have been issued by tribunals of this State or another state with regard to the same obligor and
11 child, a tribunal of this State shall apply the following rules in determining which order to
12 recognize for purposes of continuing, exclusive jurisdiction:

13 (1) If only one of the tribunals would have continuing, exclusive jurisdiction
14 under this Chapter, the order of that tribunal controls and must be so
15 recognized.

16 (2) If more than one of the tribunals would have continuing, exclusive
17 jurisdiction under this Chapter, an order issued by a tribunal in the current
18 home state of the child controls and must be so recognized, but if an order
19 has not been issued in the current home state of the child, the order most
20 recently issued controls and must be so recognized.

21 (3) If none of the tribunals would have continuing, exclusive jurisdiction under
22 this Chapter, the tribunal of this State having jurisdiction over the parties
23 shall issue a child support order, which controls and must be so recognized.

24 (c) If two or more child support orders have been issued for the same obligor and child
25 and if the obligor or the individual obligee resides in this State, a party may request a tribunal
26 of this State to determine which order controls and must be so recognized under subsection (b)
27 of this section. The request must be accompanied by a certified copy of every support order in
28 effect. The requesting party shall give notice of the request to each party whose rights may be
29 affected by a certified copy of every support order in the effect. The requesting party shall give
30 notice of the request to each party whose rights may be affected by the determination.

31 (d) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this
32 section is the tribunal that has continuing, exclusive jurisdiction under G.S. 52C-2-205.

33 (e) A tribunal of this State which determines by order the identity of the controlling
34 order under subdivision (b)(1) or (2) of this section or which issues a new controlling order
35 under subdivision (b)(3) of this section shall state in that order the basis upon which the
36 tribunal made its determination.

37 (f) Within 30 days after issuance of an order determining the identity of the controlling
38 order, the party obtaining the order shall file a certified copy of it with each tribunal that issued
39 or registered an earlier order of child support. A party who obtains the order and fails to file a
40 certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to
41 file arises. The failure to file does not affect the validity or enforceability of the controlling
42 order. (1995, c. 538, s. 7(c); 1997-433, s. 10.3(b); 1998-17, s. 1.)
43

44 **§ 52C-2-208. Multiple child support orders for two or more obligees.**

45 In responding to multiple registrations or petitions for enforcement of two or more child
46 support orders in effect at the same time with regard to the same obligor and different
47 individual obligees, at least one of which was issued by a tribunal of another state, a tribunal of
48 this State shall enforce those orders in the same manner as if the multiple orders had been
49 issued by a tribunal of this State. (1995, c. 538, s. 7(c).)
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51 **§ 52C-2-209. Credit for payments.**

1 Amounts collected and credited for a particular period pursuant to a support order issued by
2 a tribunal of another state must be credited against the amounts accruing or accrued for the
3 same period under a support order issued by the tribunal of this State. (1995, c. 538, s. 7(c).)