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**LEGAL  
REQUIREMENTS**

Section 371 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 authorizes the U.S. Secretary of State, with the concurrence of the Secretary of Health and Human Services to make federal level reciprocity arrangements for child support establishment and enforcement that are binding upon all U.S. states. PRWORA also expressly allows the individual states to negotiate state level arrangements up until such time as a federal arrangement is concluded. Many states have such arrangements with additional countries not yet the subject of a federal declaration.

Section 371 of PRWORA establishes standards for foreign support enforcement procedures. There are certain mandatory elements required in the support enforcement procedures of a foreign country which may be the subject of a declaration of reciprocity. The foreign country must:

- Have in effect procedures, available to residents of the United States, for establishment of paternity, and establishment of orders of support for children and custodial parents;
- Have in effect procedures, available to residents of the United States, for enforcement of orders to provide support to children and custodial parents, including procedures for collection and appropriate distribution of support payments under such orders;
- Provide these procedures (above), including legal and administrative assistance, to United States residents at no cost;
- Designate a central authority responsible for facilitating support enforcement in cases involving residents of the foreign country and residents of the United States; and that authority must also ensure compliance with the established standards.

PRWORA also requires the designation of a central authority in the United States to facilitate support enforcement in cases involving residents of the United States and residents of foreign countries, subject to a declaration of reciprocity. The central authority, the Secretary of Health and Human Services, is responsible for:

- development of uniform forms and procedures;
- notification of foreign reciprocating countries of the state of residence of individuals sought for support enforcement purposes on the basis of information provided by the Federal parent Locator Service; and
- any other oversight, assistance, and coordination activities as the Secretary may find necessary and appropriate.

**INTERNATIONAL  
RECIPROCITY**

International reciprocity regarding the establishment and enforcement of family support obligations (both child support and spousal support) is a rapidly growing area of activity for the child support program.

The State of Michigan has established support enforcement reciprocity with numerous foreign nations and Canadian Provinces. A list of these nations is found in IV-D Combined Manual exhibit Item 320X1.

The U.S. Federal Government has declared support enforcement reciprocity with a number of foreign nations and provinces within Canada. A list of the nations/states/provinces with which the U.S. Federal Government has agreements is provided in the IV-D Combined Manual exhibit Item 320X2, "International Child Support Directory."

**INTERNATIONAL  
SUPPORT  
PROCEDURES**

International cases are handled in the same way as interstate cases, with only a few minor exceptions. Cases received from nations/states/provinces under Federal level reciprocity agreements are processed under the Uniform Interstate Family Support Act (UIFSA).

**SPECIFIC ISSUES  
WITH  
INTERNATIONAL  
RECIPROCITY****Canadian  
Provisional Court  
Orders**

Courts in Canada issue "provisional support orders." Provisional support orders are not enforceable, until confirmed by the entry of an order in the responding jurisdiction. In this respect, provisional orders can be looked at as "proposed" orders.

**Bilingual Interstate  
Forms**

Many bilingual versions of UIFSA interstate forms are available through the Office of Child Support.

**Foreign Currency  
Conversion Rates**

One common area of concern regarding international reciprocity cases is that of the foreign currency exchange rate. Foreign currency conversion rates are routinely published in major U.S. newspapers. Amounts past due (arrears) , as well as ongoing support obligations, should be specified in both foreign currency and the equivalent amount in U.S. dollars. The date of the currency conversion calculation should be documented when it is necessary to perform a conversion calculation. Since currency conversion rates can fluctuate, cases where currency conversion is an issue should be reviewed annually to recalculate the support obligation at the current conversion rate.

**NEW RECIPROCAL  
AGREEMENTS**

The Office of Child Support will consider approaching foreign governments regarding the establishment of a reciprocal agreement when

there is an identified need to take action against or for a citizen of that nation and that nation's body of family law is determined to be reasonably similar to Michigan state law. Child Support staff are encouraged to contact OCS Central Office when a situation is identified that may require working with a foreign nation where no reciprocal agreement with Michigan exists.

**LEGAL BASE**

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42 USC 659a

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