

ADMINISTRATIVE ORDER 001-052606

The following procedures for recognition and enforcement of foreign court child support orders are hereby adopted by the Little Traverse Bay Bands Tribal Court:

Tribal Court Procedures for Recognition and Enforcement of Foreign Court Child Support Orders

Section 1. Enforcement of Child Support Order.

- A. The Little Traverse Bay Bands Tribal Court shall immediately recognize and enforce an order to withhold income for child support issued by a court of a State or a federally-recognized Tribe under the Federal law mandate.
- B. Tribal Court shall produce a *Notice of Order to Withhold Income for Child Support and Order to Recognize and Enforce Order to Withhold Income for Child Support* to be entered by the Court.
- C. The order to withhold income for child support issued by a court of a State or a federally-recognized Tribe shall be attached to the Tribal Court's *Notice of Order to Withhold Income for Child Support and Order to Recognize and Enforce Order to Withhold Income for Child Support*.
- D. The Tribal Court shall serve the parties of the action, and their attorneys if applicable, the *Notice of Order to Withhold Income for Child Support and Order to Recognize and Enforce Order to Withhold Income for Child Support* along with the attached foreign court order by first-class mail to the last known addresses of the parties.
- E. The Tribal Court shall serve the employer (the Little Traverse Bay Bands of Odawa Indians) of the payer of support the *Notice of Order to Withhold Income for Child Support and Order to Recognize and Enforce Order to Withhold Income for Child Support* along with the attached foreign court order by first-class mail to the last known address or by personal service.
- F. No hearing shall be scheduled for recognition and enforcement of an order to withhold income for child support issued by a court of a State or a federally-recognized Tribe unless a party to the action files an *Objection* in the Tribal Court under the grounds stated in Section 2 below.

Section 2. Objection to Order to Withhold Income for Child Support.

- A. An *Objection* to recognition and enforcement of an order to withhold income for child support issued by a court of a State or a federally-recognized Tribe may be filed in Tribal Court under the grounds stated below:
1. the state court lacked subject matter or personal jurisdiction; or
 2. the income withholding order for child support was obtained without fair notice or a fair hearing.
- B. An *Objection* to recognition and enforcement of an order to withhold income for child support issued by a court of a State or a federally-recognized Tribe shall be filed in Tribal Court within twenty-one (21) days of the date of service of the *Notice of Order to Withhold Income for Child Support and Order to Recognize and Enforce Order to Withhold Income for Child Support*.
- C. The Tribal Court shall serve the parties of the action, and their attorneys if applicable, the *Objection* by first-class mail to the last known addresses of the parties.
- D. A hearing on the *Objection* shall be scheduled by the Tribal Court if the grounds stated in the *Objection* conform to Section 2(A).

05/26/06

Date

Honorable Michael Petoskey

MICHAEL PETOSKEY
Chief Judge