Chapter 11 Supplement

1. SUPPORT JURISDICTION

As with custody decisions, alimony and child support determinations must comply with due process. The most significant decision concerning due process and personal jurisdiction over modification and enforcement of interstate support obligations remains *Kulko v. Superior Court of California*, set out below.

A. WHICH STATE HAS JURISDICTION TO ISSUE A SUPPORT ORDER?

1. Constitutional Limits

As you learned in first year civil procedure, a court must have personal jurisdiction to decide an individual's financial obligations. The next case explicitly applies this general rule to issues of intrafamilial support.

KULKO V. SUPERIOR COURT

Supreme Court of the United States, 1978.
436 U.S. 84.

MR. JUSTICE MARSHALL delivered the opinion of the Court.

The issue before us is whether, in this action for child support, the California state courts may exercise *in personam* jurisdiction over a nonresident, nondomiciliary parent of minor children domiciled within the State. For reasons set forth below, we hold that the exercise of such jurisdiction would violate the Due Process Clause of the Fourteenth Amendment.

I

Appellant Ezra Kulko married appellee Sharon Kulko Horn in 1959, during appellant's three-day stopover in California en route from a military base in Texas to a tour of duty in Korea. At the time of this marriage, both parties were domiciled in and residents of New York State. Immediately following the marriage, Sharon Kulko returned to New York, as did appellant after his tour of duty. Their first child, Darwin, was born to the Kulkos in New York in 1961, and a year later their second child, Ilsa, was born, also in New York. The Kulkos and their two children resided together as a family in New York City continuously until March 1972, when the Kulkos separated.

Following the separation, Sharon Kulko moved to San Francisco, Cal. A written separation agreement was drawn up in New York; in September 1972, Sharon Kulko flew to New York City in order to sign this agreement. The agreement provided, *inter alia*, that the children would remain with their father during the school year but would spend their Christmas, Easter, and summer vacations with their mother. While Sharon Kulko waived any claim for her own support or maintenance, Ezra Kulko agreed to pay his wife $3,000 per year in child support for the periods when the children were in her care, custody, and control. Immediately after execution of the separation agreement, Sharon Kulko flew to Haiti and procured a divorce there; the divorce decree incorporated the terms of the agreement. She then returned to California, where she remarried and took the name Horn.

The children resided with appellant during the school year and with their mother on vacations, as provided by the separation agreement, until December 1973. At this time, just before Ilsa was to leave New York to spend Christmas vacation with her mother, she told her father that she wanted to remain in California after her vacation. Appellant bought his daughter a one-way

plane ticket, and Ilsa left, taking her clothing with her. Ilsa then commenced living in California with her mother during the school year and spending vacations with her father. In January 1976, appellant's other child, Darwin, called his mother from New York and advised her that he wanted to live with her in California. Unbeknownst to appellant, appellee Horn sent a plane ticket to her son, which he used to fly to California where he took up residence with his mother and sister.

Less than one month after Darwin's arrival in California, appellee Horn commenced this action against appellant in the California Superior Court. She sought to establish the Haitian divorce decree as a California judgment; to modify the judgment so as to award her full custody of the children; and to increase appellant's child-support obligations. Appellant appeared specially and moved to quash service of the summons on the ground that he was not a resident of California and lacked sufficient "minimum contacts" with the State under *International Shoe Co. v. Washington*, 326 U.S. 310 (1945), to warrant the State's assertion of personal jurisdiction over him.

[The lower California courts rejected appellant's claims.]

* * *

The California Supreme Court granted appellant's petition for review, and in a 4–2 decision sustained the rulings of the lower state courts. It noted first that the California Code of Civil Procedure demonstrated an intent that the courts of California utilize all bases of *in personam* jurisdiction "not inconsistent with the Constitution." [Cal. Civ. Proc. Code § 410.10 (1973).] Agreeing with the court below, the Supreme Court stated that, where a nonresident defendant has caused an effect in the State by an act or omission outside the State, personal jurisdiction over the defendant in causes arising from that effect may be exercised whenever "reasonable." It went on to hold that such an exercise was "reasonable" in this case because appellant had "purposely availed himself of the benefits and protections of the laws of California" by sending Ilsa to live with her mother in California. While noting that appellant had not, "with respect to his other child, Darwin, caused an effect in [California]"—since it was appellee Horn who had arranged for Darwin to fly to California in January 1976—the court concluded that it was "fair and reasonable for defendant to be subject to personal jurisdiction for the support of both children, where he has committed acts with respect to one child which confers [*sic*] personal jurisdiction and has consented to the permanent residence of the other child in California."

* * *

* * * [W]e hereby grant the petition and reverse the judgment below.

II

* * *

Like any standard that requires a determination of "reasonableness," the "minimum contacts" test of *International Shoe* is not susceptible of mechanical application; rather, the facts of each case must be weighed to determine whether the requisite "affiliating circumstances" are present. *Hanson v. Denckla*, 357 U.S. 235, 246 (1958). * * *

A

In reaching its result, the California Supreme Court did not rely on appellant's glancing presence in the State some 13 years before the events that led to this controversy, nor could it have. Appellant has been in California on only two occasions, once in 1959 for a three-day military stopover on his way to Korea, and again in 1960 for a 24-hour stopover on his return from Korean service. To hold such temporary visits to a State a basis for the assertion of *in personam* jurisdiction over unrelated actions arising in the future would make a mockery of the limitations on state jurisdiction imposed by the Fourteenth Amendment. Nor did the California court rely on

the fact that appellant was actually married in California on one of his two brief visits. We agree that where two New York domiciliaries, for reasons of convenience, marry in the State of California and thereafter spend their entire married life in New York, the fact of their California marriage by itself cannot support a California court's exercise of jurisdiction over a spouse who remains a New York resident in an action relating to child support.

Finally, in holding that personal jurisdiction existed, the court below carefully disclaimed reliance on the fact that appellant had agreed at the time of separation to allow his children to live with their mother three months a year and that he had sent them to California each year pursuant to this agreement. As was noted below, to find personal jurisdiction in a State on this basis, merely because the mother was residing there, would discourage parents from entering into reasonable visitation agreements. Moreover, it could arbitrarily subject one parent to suit in any State of the Union where the other parent chose to spend time while having custody of their offspring pursuant to a separation agreement. * * *

* * *

The "purposeful act" that the California Supreme Court believed did warrant the exercise of personal jurisdiction over appellant in California was his "actively and fully consent[ing] to Ilsa living in California for the school year . . . and . . . sen[ding] her to California for that purpose." We cannot accept the proposition that appellant's acquiescence in Ilsa's desire to live with her mother conferred jurisdiction over appellant in the California courts in this action. A father who agrees, in the interests of family harmony and his children's preferences, to allow them to spend more time in California than was required under a separation agreement can hardly be said to have "purposefully availed himself" of the "benefits and protections" of California's laws.[7]

Nor can we agree with the assertion of the court below that the exercise of *in personam* jurisdiction here was warranted by the financial benefit appellant derived from his daughter's presence in California for nine months of the year. This argument rests on the premise that, while appellant's liability for support payments remained unchanged, his yearly expenses for supporting the child in New York decreased. But this circumstance, even if true, does not support California's assertion of jurisdiction here. Any diminution in appellant's household costs resulted, not from the child's presence in California, but rather from her absence from appellant's home. Moreover, an action by appellee Horn to increase support payments could now be brought, and could have been brought when Ilsa first moved to California, in the State of New York; a New York court would clearly have personal jurisdiction over appellant and, if a judgment were entered by a New York court increasing appellant's child-support obligations, it could properly be enforced against him in both New York and California. Any ultimate financial advantage to appellant thus results not from the child's presence in California, but from appellee's failure earlier to seek an increase in payments under the separation agreement. The argument below to the contrary, in our view, confuses the question of appellant's liability with that of the proper forum in which to determine that liability.

B

* * *

The circumstances in this case clearly render "unreasonable" California's assertion of personal jurisdiction. There is no claim that appellant has visited physical injury on either property or persons within the State of California. The cause of action herein asserted arises, not from the defendant's commercial transactions in interstate commerce, but rather from his

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[7] The court below stated that the presence in California of appellant's daughter gave appellant the benefit of California's "police and fire protection, its school system, its hospital services, its recreational facilities, its libraries and museums. . . ." But, in the circumstances presented here, these services provided by the State were essentially benefits to the child, not the father, and in any event were not benefits that appellant purposefully sought for himself.

personal, domestic relations. It thus cannot be said that appellant has sought a commercial benefit from solicitation of business from a resident of California that could reasonably render him liable to suit in state court; appellant's activities cannot fairly be analogized to an insurer's sending an insurance contract and premium notices into the State to an insured resident of the State. *Cf. McGee v. International Life Insurance Co.*, 355 U.S. 220 (1957). Furthermore, the controversy between the parties arises from a separation that occurred in the State of New York; appellee Horn seeks modification of a contract that was negotiated in New York and that she flew to New York to sign. As in *Hanson v. Denckla*, 357 U.S. at 252, the instant action involves an agreement that was entered into with virtually no connection with the forum State.

Finally, basic considerations of fairness point decisively in favor of appellant's State of domicile as the proper forum for adjudication of this case, whatever the merits of appellee's underlying claim. It is appellant who has remained in the State of the marital domicile, whereas it is appellee who has moved across the continent. *Cf. May v. Anderson*, 345 U.S. 528, 534–35, n.8 (1953). * * *. * * * As noted above, appellant did no more than acquiesce in the stated preference of one of his children to live with her mother in California. This single act is surely not one that a reasonable parent would expect to result in the substantial financial burden and personal strain of litigating a child-support suit in a forum 3,000 miles away, and we therefore see no basis on which it can be said that appellant could reasonably have anticipated being "haled before a [California] court," *Shaffer v. Heitner*, 433 U.S. [186, 216 (1977)]. To make jurisdiction in a case such as this turn on whether appellant bought his daughter her ticket or instead unsuccessfully sought to prevent her departure would impose an unreasonable burden on family relations, and one wholly unjustified by the "quality and nature" of appellant's activities in or relating to the State of California. *International Shoe Co. v. Washington*, 326 U.S. at 319.

III

In seeking to justify the burden that would be imposed on appellant were the exercise of *in personam* jurisdiction in California sustained, appellee argues that California has substantial interests in protecting the welfare of its minor residents and in promoting to the fullest extent possible a healthy and supportive family environment in which the children of the State are to be raised. These interests are unquestionably important. But while the presence of the children and one parent in California arguably might favor application of California law in a lawsuit in New York, the fact that California may be the " 'center of gravity' " for choice-of-law purposes does not mean that California has personal jurisdiction over the defendant. * * *

California's legitimate interest in ensuring the support of children resident in California without unduly disrupting the children's lives, moreover, is already being served by the State's participation in the Revised Uniform Reciprocal Enforcement of Support Act of 1968. This statute provides a mechanism for communication between court systems in different States, in order to facilitate the procurement and enforcement of child-support decrees where the dependent children reside in a State that cannot obtain personal jurisdiction over the defendant. * * *

* * *

Reversed.

MR. JUSTICE BRENNAN, with whom MR. JUSTICE WHITE and MR. JUSTICE POWELL join, dissenting.

* * * I cannot say that the Court's determination against state-court *in personam* jurisdiction is implausible, but, though the issue is close, my independent weighing of the facts leads me to conclude, in agreement with the analysis and determination of the California Supreme Court, that appellant's connection with the State of California was not too attenuated, under the standards of reasonableness and fairness implicit in the Due Process Clause, to require him to conduct his defense in the California courts. I therefore dissent.

NOTE AND QUESTIONS

Physical presence and purposeful act. Given the location of the children and relevant evidence in California, as well as California's interest in children living there, why didn't the Supreme Court hold that the California courts had ruled correctly? How does sending a child to live in another state differ from sending an insurance contract to another state? Should there be an exception to normal rules of personal jurisdiction for child custody and support cases?

2. State Laws

The Uniform Interstate Family Support Act (UIFSA), first promulgated in 1992, provides uniform rules for enforcement and modification of family support orders by setting jurisdictional standards for state courts, determining the basis for a state to exercise exclusive jurisdiction over a child support proceeding, and creating rules for determining which state issues a controlling order if proceedings are commenced in multiple jurisdictions. In 1996, Congress mandated that states enact some parts of UIFSA as a condition of remaining eligible for federal funding of child support enforcement. By 1998, all U.S. jurisdictions had complied. UIFSA, prefatory note (2008).

UIFSA is only the most recent effort to develop uniform state laws on support jurisdiction. In 1950, the National Conference of Commissioners on Uniform State Laws (NCCUSL) drafted the Uniform Reciprocal Enforcement of Support Act (URESA). In *Kulko*, the Court relied on a revised version of URESA to reach its decision.

UIFSA provides procedural and jurisdictional rules for establishing, enforcing, and modifying family support orders, including the ability to determine parentage in the interstate litigation. Only one state has continuing jurisdiction to modify a support order. Unlike the UCCJEA, which governs only subject matter jurisdiction, UIFSA addresses both personal and subject matter jurisdiction. For example, Section 202, reproduced below, provides that personal jurisdiction continues as long as a tribunal has continuing, exclusive jurisdiction to modify or enforce an order.

UNIFORM INTERSTATE FAMILY SUPPORT ACT[1]

(2008).

§ 102. Definitions.

* * *

(4) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least six consecutive months immediately preceding the time of filing of a [petition] or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

* * *

§ 201. Bases For Jurisdiction Over Nonresident.

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this state may exercise personal jurisdiction over a nonresident individual [or the individual's guardian or conservator] if:

(1) the individual is personally served with [citation, summons, notice] within this state;

[1] *Editors' Note:* Brackets are reproduced as they appear in the original material.

(2) the individual submits to the jurisdiction of this state by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) the individual resided with the child in this state;

(4) the individual resided in this state and provided prenatal expenses or support for the child;

(5) the child resides in this state as a result of the acts or directives of the individual;

(6) the individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse;

(7) the individual asserted parentage of a child in the [putative father registry] maintained in this state by the [appropriate agency]; or

(8) there is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

* * *

§ 202. Duration Of Personal Jurisdiction.

Personal jurisdiction acquired by a tribunal of this state in a proceeding under this [act] or other law of this state relating to a support order continues as long as a tribunal of this state has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by Sections 205, 206, and 211.

NOTES AND QUESTIONS

1. *Long-arm jurisdiction*. UIFSA contains a broad provision for asserting long-arm jurisdiction over an absent respondent in the state of residence of the other parent, the child's custodian, or the child who is entitled to support. Sections 201 and 202 of UIFSA (reproduced above) allow an issuing state to assert long-arm jurisdiction over a nonresident respondent to establish a support order or to determine parentage. UIFSA § 201, cmt. Such jurisdiction ensures that child support can be established through a one-state proceeding. Where the long-arm statute can be satisfied, the petitioner (either the obligor or obligee) can: (1) use the long-arm statute to obtain personal jurisdiction over the respondent; or (2) initiate a two-state proceeding seeking to establish a support order in the respondent's state of residence. *Id*.

2. Kulko *and UIFSA*. Are all of the provisions in Section 201 of UIFSA concerning personal jurisdiction constitutional under *Kulko*?

B. MODIFYING AND ENFORCING A CHILD SUPPORT ORDER

As in the child custody jurisdiction area, both federal and state laws control child support subject matter jurisdiction.

1. FFCCSOA

Congress enacted the Full Faith and Credit for Child Support Orders Act (FFCCSOA) in 1994. 28 U.S.C. § 1738B (2018). The legislation, which is similar to the PKPA, is designed: (1) to facilitate enforcement of child support orders among the states; (2) to discourage continuing interstate controversies over child support to ensure greater financial stability and secure family relationships for the child; and (3) to avoid jurisdictional competition and conflict among the state courts in establishing child support orders.

The FFCCSOA requires a state to give full faith and credit to any valid child support order. A support order is valid if: (1) it was issued by a court pursuant to the laws of the state in which the court was located; (2) the court had subject matter jurisdiction to hear and resolve the matter; and (3) the court had personal jurisdiction over the parties, provided that the parties had reasonable notice and an opportunity to be heard.

The FFCCSOA also limits one state's authority to modify a support order issued by another state. A second state can modify the order if it has been properly registered in that state under the Act and either: (1) the issuing court no longer has continuing, exclusive jurisdiction because neither the child nor any individual contestant resides there, and the parties have not consented to having that court continue to exercise its jurisdiction to modify; or (2) each contestant has filed written consent with the state that has continuing, exclusive jurisdiction for a second state's court to assume jurisdiction. Note that a state loses continuing, exclusive jurisdiction if it is no longer the resident state of the child or any contestant, unless all the contestants have filed written consents for that state to retain jurisdiction. 28 U.S.C. § 1738B(d),(e); see Margaret Campbell Haynes & Susan Friedman Paikin, *"Reconciling" FFCSOA and UIFSA,* 49 Fam. L.Q. 331, 340 (2015).

NOTE AND QUESTIONS

The FFCCSOA contains several choice-of-law provisions that courts must apply. First, the Act states that the forum state's law applies in proceedings to establish, modify or enforce a child support order unless otherwise provided. 28 U.S.C. § 1738B(h)(1). Second, the law of the issuing court's state applies in interpreting a child support order, such as determining the duration of current payments and other obligations. 28 U.S.C. § 1738B(h)(2). However, the court must apply the statute of limitations that provides the longer period of limitation of either the forum state or the issuing state. 28 U.S.C. § 1738B(h)(3). What policies support these choice-of-law provisions?

PROBLEM 11-A

Susan and Michael were married and had three children, ages 25, 21, and 19. The couple, who lived in New York throughout their marriage, recently divorced, and a New York court issued a child support order. Under New York law, a child is eligible for child support until she reaches the age of 21, and therefore the youngest child was eligible for support. Susan and the youngest child moved to Virginia, where the law mandates child support only until the age of 18. Does the Virginia court have the authority to enforce the New York support order? Is the youngest child entitled to child support in Virginia?

2. UIFSA

Under UIFSA, a party who requests another state's tribunal to modify an existing child support order must register the original order in the other state. Because UIFSA provides continuing, exclusive authority in the court exercising original jurisdiction, generally only that court may modify the support order. However, if modification jurisdiction is no longer appropriate in the issuing court, a second tribunal may become vested with the continuing, exclusive jurisdiction necessary to modify the order. This vesting can occur when neither the individual parties nor the child reside in the issuing state, or when the parties agree that another tribunal may assume modification jurisdiction. Section 205 allows parties to agree that the issuing tribunal will continue to exercise its continuing, exclusive jurisdiction even if the parties and child have moved from that state.

Together, UIFSA and the FFCCSOA have simplified issues involving modification and enforcement. A second state must "enforce according to its terms" a child support order from another state according to the first state's law. "For example, the duration of the obligation to pay support is determined by the law of the rendering state (F1), even if the law of the recognizing

state (F2) provides for a shorter duration, such as when it provides for an earlier age of majority or emancipation." Symeon C. Symeonides, *Choice of Law in the American Courts in 2009: Twenty-Third Annual Survey*, 58 Am. J. Comp. L. 227, 285 (2010).

PROBLEM 11-B

In 2012, a California trial court ordered Father to pay Mother $700.00 per month in child support for their son. In 2016, Mother moved with their son from California to Texas. In June 2018, Father moved from California to Nevada.

On June 14, 2019, Father filed a request in California court to modify the amount of his child support payments based on his reduced income. Mother opposed his request, arguing that the matter should be heard in the state of their son's residence (i.e., Texas) because none of the trio lived in California.

You are the law clerk to the California state court judge who is assigned to hear this case, and the judge asks for your recommendation about how to proceed.

As you research the legal issues, you find the following in the Comments to Section 205 of the UIFSA:

> This section is perhaps the most crucial provision in UIFSA. [T]he issuing tribunal retains continuing, exclusive jurisdiction over a child-support order [so] long as one of the individual parties or the child continues to reside in the issuing state, and as long as the parties do not agree to the contrary, the issuing tribunal has continuing, exclusive jurisdiction over its child-support order—which in practical terms means that it may modify its order. . .
>
> The other side of the coin follows logically. Just as subsection (a) defines the retention of continuing, exclusive jurisdiction, by clear implication the subsection also identifies how jurisdiction to modify may be lost. That is, if all the relevant persons—the obligor, the individual obligee, and the child—have permanently left the issuing state, absent an agreement the issuing tribunal no longer has an appropriate nexus with the parties or child to justify the exercise of jurisdiction to modify its child-support order. Further, the issuing tribunal will have no current evidence readily available to it about the factual circumstances of anyone involved, and the taxpayers of that state will have no reason to expend public funds on the process. Note, however, that the original order of the issuing tribunal remains valid and enforceable. That order is in effect not only in the issuing state, but also in those states in which the order has been registered.

UIFSA Section 205, Comments.

What advice would you deliver to your judge?

NOTES AND QUESTIONS

1. *Enforcing a support order*. A keystone of UIFSA is that authority to enforce the issuing state's order is not "exclusive" to that state. Instead, if requested, one or more states may also enforce the order. UIFSA provides two direct enforcement procedures that do not require court assistance. First, section 501 permits a notice to be sent directly to the obligor's employer in another state, triggering income withholding by the employer, without a hearing unless the employee objects. Second, Section 507 provides for direct administrative enforcement by the support enforcement agency in the obligor's state.

When enforcing a support order in another state requires court involvement, the obligee must first register the existing support order in the responding state. The responding state must enforce the order except in a few limited circumstances in which modification is permitted.

2. *Modification jurisdiction*. Why are the requirements for initial subject matter jurisdiction and modification jurisdiction different? Should UIFSA be amended "to allow custodial parents to file for

modification of child support orders in their state of residence if all interested persons have moved from the issuing jurisdiction, provided th[e] jurisdiction also has personal jurisdiction over the non-custodial parent," aside from 'cases of extreme hardship to the non-custodial parent' "? Stephen K. Berenson, *Home Court Advantage Revisited: Interstate Modification of Child Support Orders Under UIFSA and FFCCSOA*, 45 Gonz. L. Rev. 479, 497 (2010).

3. *Knock, knock*. Can you think of any reason why the parties might request that the issuing tribunal retain jurisdiction even if no litigant remains in the state? Why would the UIFSA drafters have added this provision to the original Act?

4. *States' UIFSA and federal FFCCSOA*. If the original state court has lost continuing, exclusive jurisdiction under the FFCCSOA, this loss does not automatically confer jurisdiction on another state. Under the FFCCSOA, the new court must have jurisdiction to modify a child support order *in addition to* the original state's loss of continuing jurisdiction. A state's UIFSA provisions set out the circumstances under which a state has jurisdiction to modify another state's support order. Thus, the FFCCSOA works with a state's UIFSA provisions rather than preempting them.

PROBLEM 11-C

New Mexico issued a support order requiring John Vincent to pay $2000 monthly to his ex-wife to support their child. John has resided in California for three years since the issuance of this order because he was assigned to active Air Force duty there. If John filed his income tax returns in New Mexico and intended to return to New Mexico after he retired from the military, does that state retain continuing, exclusive jurisdiction over child support? Does California have jurisdiction to modify New Mexico's order? Under what circumstances would California have jurisdiction? What further information would you need to make your decision? Does California have jurisdiction to enforce the order? What information would you need to make that determination?

PROBLEM 11-D

In 2013, Mark and Tammy were divorced in Colorado, where a court issued a child support order for their two children. The Colorado court later modified this order three times. In 2019, Tammy and the children moved to Washington State, where she filed a petition seeking to modify the child support order. Mark moved to dismiss for lack of subject matter jurisdiction under UIFSA. If you were Mark's lawyer, what arguments would you make that Washington does not have jurisdiction? If you were the judge, what further information would you need to make your decision?

PROBLEM 11-E

Ten years ago, Ashley gave birth to a nonmarital child in Kansas. A Kansas court ordered Kyle, the child's biological father, to pay child support. Two years ago, Ashley moved to Hong Kong and married. The child later received a Hong Kong identity card and began attending school in Hong Kong. Kyle then moved and became a resident of Missouri. Ashley recently filed a motion with the Kansas court to increase Kyle's child support payments. Ashley argues that while she currently lives in Hong Kong and married a Hong Kong resident, Kansas is still her domicile as she maintains a Kansas driver's license, voter's registration, and intends to return to Kansas one day.

Is domicile enough for residence under UIFSA, which exclusively uses the term residence? Would it matter if Ashley's driver's license lists an address that she no longer has in Kansas, or if she hasn't voted in any Kansas elections since moving? May the Kansas court increase Kyle's child support payments under these circumstances?