

407.5205 Continuing, exclusive jurisdiction.

- (1) A tribunal of this state issuing a support order consistent with the law of this state has continuing, exclusive jurisdiction over a child support order:
 - (a) As long as this state remains the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or
 - (b) Until all of the parties who are individuals have filed written consents with the tribunal of this state for a tribunal of another state to modify the order and assume continuing, exclusive jurisdiction.
- (2) A tribunal of this state issuing a child support order consistent with the law of this state may not exercise its continuing jurisdiction to modify the order if the order has been modified by a tribunal of another state pursuant to a law substantially similar to KRS 407.5101 to 407.5902.
- (3) If a child support order of this state is modified by a tribunal of another state pursuant to a law substantially similar to KRS 407.5101 to 407.5902, a tribunal of this state loses its continuing, exclusive jurisdiction with regard to prospective enforcement of the order issued in this state, and may only:
 - (a) Enforce the order that was modified as to amounts accruing before the modification;
 - (b) Enforce nonmodifiable aspects of that order; and
 - (c) Provide other appropriate relief for violations of that order which occurred before the effective date of the modification.
- (4) A tribunal of this state shall recognize the continuing, exclusive jurisdiction of a tribunal of another state which has issued a child support order pursuant to a law substantially similar to KRS 407.5101 to 407.5902.
- (5) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.
- (6) A tribunal of this state issuing a support order consistent with the law of this state has continuing, exclusive jurisdiction over a spousal support order throughout the existence of the support obligation. A tribunal of this state may not modify a spousal support order issued by a tribunal of another state having continuing, exclusive jurisdiction over that order under the law of that state.

Effective: March 23, 1998

History: Amended 1998 Ky. Acts ch. 101, sec. 2, effective March 23, 1998.-- Contingent effective date repealed 1998 Ky. Acts ch. 101, sec. 20, effective March 23, 1998. -- Created 1996 Ky. Acts ch. 365, sec. 20, effective upon contingency.