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SENATE BILL NO. 319

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend and reenact §§ 16.1-278.15, 20-60.3, 20-124.2, and 63.2-1916 of the Code of Virginia, relating to child support; child attending college.

Patron—Ruff

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-278.15, 20-60.3, 20-124.2, and 63.2-1916 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-278.15. Custody or visitation, child or spousal support generally.

A. In cases involving the custody, visitation or support of a child pursuant to subdivision A 3 of § 16.1-241, the court may make any order of disposition to protect the welfare of the child and family as may be made by the circuit court. The parties to any petition where a child whose custody, visitation, or support is contested shall show proof that they have attended within the 12 months prior to their court appearance or that they shall attend within 45 days thereafter an educational seminar or other like program conducted by a qualified person or organization approved by the court. The court may require the parties to attend such seminar or program in uncontested cases only if the court finds good cause. The seminar or other program shall be a minimum of four hours in length and shall address the effects of separation or divorce on children, parenting responsibilities, options for conflict resolution and financial responsibilities. Once a party has completed one educational seminar or other like program, the required completion of additional programs shall be at the court's discretion. Parties under this section shall include natural or adoptive parents of the child, or any person with a legitimate interest as defined in § 20-124.1. The fee charged a party for participation in such program shall be based on the party's ability to pay; however, no fee in excess of \$50 may be charged. Whenever possible, before participating in mediation or alternative dispute resolution to address custody, visitation or support, each party shall have attended the educational seminar or other like program. The court may grant an exemption from attendance of such program for good cause shown or if there is no program reasonably available. Other than statements or admissions by a party admitting criminal activity or child abuse or neglect, no statement or admission by a party in such seminar or program shall be admissible into evidence in any subsequent proceeding. If support is ordered for a child, the order shall also provide that support will continue to be paid for a child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the parent seeking or receiving child support, until the child reaches the age of 19 or graduates from high school, whichever occurs first. The court may also order the continuation of support for any child over the age of 18 who is (a) severely and permanently mentally or physically disabled, (b) unable to live independently and support himself, and (c) resides in the home of the parent seeking or receiving child support.

A1. The court may also order the continuation of support for any child over the age of 18 who (i) is continuously enrolled in and attending an institution of higher education, including a vocational school; (ii) maintains a course load that is at least one-half of the load that has been determined by the institution of higher education to constitute full-time enrollment; and (iii) makes satisfactory academic progress so as to permit the child's continued enrollment and attendance. Support ordered pursuant to this subsection shall terminate upon the child's completion of the requirements for attaining an undergraduate degree or the completion of the vocational program or until the child reaches the age of 23. The court may order support pursuant to this subsection with respect to any child who has not reached the age of 23 regardless of whether any prior support obligation terminated by operation of law pursuant to subsection A. A child shall be considered to be continuously enrolled in and attending an institution for higher education for purposes of this subsection during any regularly scheduled break in the academic year or program, which shall include summer breaks and the period from when a child graduates from high school until he starts attending the institution, provided that the child has enrolled in the institution prior to his graduation and that his attendance will commence within four months from the time of his graduation.

B. In any case involving the custody or visitation of a child, the court may award custody upon petition to any party with a legitimate interest therein, including, but not limited to, grandparents, stepparents, former stepparents, blood relatives and family members. The term "legitimate interest" shall be broadly construed to accommodate the best interest of the child. The authority of the juvenile court

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59 to consider a petition involving the custody of a child shall not be proscribed or limited where the
60 custody of the child has previously been awarded to a local board of social services.

61 C. In any determination of support obligation under this section, the support obligation as it becomes
62 due and unpaid creates a judgment by operation of law. Such judgment becomes a lien against real
63 estate only when docketed in the county or city where such real estate is located. Nothing herein shall
64 be construed to alter or amend the process of attachment of any lien on personal property.

65 D. Orders entered prior to July 1, 2008, shall not be deemed void or voidable solely because the
66 petition or motion that resulted in the order was completed, signed and filed by a nonattorney employee
67 of the Department of Social Services.

68 E. In cases involving charges for desertion, abandonment or failure to provide support by any person
69 in violation of law, disposition shall be made in accordance with Chapter 5 (§ 20-61 et seq.) of Title 20.

70 F. In cases involving a spouse who seeks spousal support after having separated from his spouse, the
71 court may enter any appropriate order to protect the welfare of the spouse seeking support.

72 G. In any case or proceeding involving the custody or visitation of a child, the court shall consider
73 the best interest of the child, including the considerations for determining custody and visitation set forth
74 in Chapter 6.1 (§ 20-124.1 et seq.) of Title 20.

75 H. In any proceeding before the court for custody or visitation of a child, the court may order a
76 custody or a psychological evaluation of any parent, guardian, legal custodian or person standing in loco
77 parentis to the child, if the court finds such evaluation would assist it in its determination. The court
78 may enter such orders as it deems appropriate for the payment of the costs of the evaluation by the
79 parties.

80 I. When deemed appropriate by the court in any custody or visitation matter, the court may order
81 drug testing of any parent, guardian, legal custodian or person standing in loco parentis to the child. The
82 court may enter such orders as it deems appropriate for the payment of the costs of the testing by the
83 parties.

84 § 20-60.3. Contents of support orders.

85 All orders directing the payment of spousal support where there are minor children whom the parties
86 have a mutual duty to support and all orders directing the payment of child support, including those
87 orders confirming separation agreements, entered on or after October 1, 1985, whether they are original
88 orders or modifications of existing orders, shall contain the following:

89 1. Notice that support payments may be withheld as they become due pursuant to § 20-79.1 or
90 § 20-79.2, from income as defined in § 63.2-1900, without further amendments of this order or having to
91 file an application for services with the Department of Social Services; however, absence of such notice
92 in an order entered prior to July 1, 1988, shall not bar withholding of support payments pursuant to
93 § 20-79.1;

94 2. Notice that support payments may be withheld pursuant to Chapter 19 (§ 63.2-1900 et seq.) of
95 Title 63.2 without further amendments to the order upon application for services with the Department of
96 Social Services; however, absence of such notice in an order entered prior to July 1, 1988, shall not bar
97 withholding of support payments pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2;

98 3. The name, date of birth, and last four digits of the social security number of each child to whom a
99 duty of support is then owed by the parent;

100 4. If known, the name, date of birth, and last four digits of the social security number of each parent
101 of the child and, unless otherwise ordered, each parent's residential and, if different, mailing address,
102 residential and employer telephone number, driver's license number, and the name and address of his or
103 her employer; however, when a protective order has been issued or the court otherwise finds reason to
104 believe that a party is at risk of physical or emotional harm from the other party, information other than
105 the name of the party at risk shall not be included in the order;

106 5. Notice that, pursuant to § 20-124.2, support will continue to be paid for any child over the age of
107 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the
108 party seeking or receiving child support until such child reaches the age of 19 or graduates from high
109 school, whichever occurs first, and that the court may also order the continuation of support for any
110 child over the age of 18 who is (a) severely and permanently mentally or physically disabled, (b) unable
111 to live independently and support himself, and (c) residing in the home of the parent seeking or
112 receiving child support;

113 6. Notice that, pursuant to § 20-124.2, support may be continued for any child over the age of 18
114 who (i) is continuously enrolled in and attending an institution of higher education, including a
115 vocational school; (ii) maintains a course load that is at least one-half of the load that has been
116 determined by the institution to constitute full-time enrollment; and (iii) makes satisfactory academic
117 progress so as to permit the child's continued enrollment and attendance, and that any support so
118 continued shall terminate upon the child's completion of the requirements for attaining an
119 undergraduate degree or the completion of the vocational program or until the child reaches the age of
120 23;

67. On and after July 1, 1994, notice that a petition may be filed for suspension of any license, certificate, registration or other authorization to engage in a profession, trade, business, occupation, or recreational activity issued by the Commonwealth to a parent as provided in § 63.2-1937 upon a delinquency for a period of 90 days or more or in an amount of \$5,000 or more. The order shall indicate whether either or both parents currently hold such an authorization and, if so, the type of authorization held;

78. The monthly amount of support and the effective date of the order. In proceedings on initial petitions, the effective date shall be the date of filing of the petition; in modification proceedings, the effective date may be the date of notice to the responding party. The first monthly payment shall be due on the first day of the month following the hearing date and on the first day of each month thereafter. In addition, an amount shall be assessed for any full and partial months between the effective date of the order and the date that the first monthly payment is due. The assessment for the initial partial month shall be prorated from the effective date through the end of that month, based on the current monthly obligation;

89. a. An order for health care coverage, including the health insurance policy information, for dependent children pursuant to §§ 20-108.1 and 20-108.2 if available at reasonable cost as defined in § 63.2-1900, or a written statement that health care coverage is not available at a reasonable cost as defined in such section, and a statement as to whether there is an order for health care coverage for a spouse or former spouse; and

b. A statement as to whether cash medical support, as defined in § 63.2-1900, is to be paid by or reimbursed to a party pursuant to subsections D and G of § 20-108.2, and if such expenses are ordered, then the provisions governing how such payment is to be made;

910. If support arrearages exist, (i) to whom an arrearage is owed and the amount of the arrearage, (ii) the period of time for which such arrearage is calculated, and (iii) a direction that all payments are to be credited to current support obligations first, with any payment in excess of the current obligation applied to arrearages;

1011. If child support payments are ordered to be paid through the Department of Social Services or directly to the obligee, and unless the court for good cause shown orders otherwise, the parties shall give each other and the court and, when payments are to be made through the Department, the Department of Social Services at least 30 days' written notice, in advance, of any change of address and any change of telephone number within 30 days after the change;

1112. If child support payments are ordered to be paid through the Department of Social Services, a provision requiring an obligor to keep the Department of Social Services informed of the name, address and telephone number of his current employer, or if payments are ordered to be paid directly to the obligee, a provision requiring an obligor to keep the court informed of the name, address and telephone number of his current employer;

1213. If child support payments are ordered to be paid through the Department of Social Services, a provision requiring the party obligated to provide health care coverage to keep the Department of Social Services informed of any changes in the availability of the health care coverage for the minor child or children, or if payments are ordered to be paid directly to the obligee, a provision requiring the party obligated to provide health care coverage to keep the other party informed of any changes in the availability of the health care coverage for the minor child or children;

1314. The separate amounts due to each person under the order, unless the court specifically orders a unitary award of child and spousal support due or the order affirms a separation agreement containing provision for such unitary award;

1415. Notice that in determination of a support obligation, the support obligation as it becomes due and unpaid creates a judgment by operation of law. The order shall also provide, pursuant to § 20-78.2, for interest on the arrearage at the judgment rate as established by § 6.1-330.54 unless the obligee, in a writing submitted to the court, waives the collection of interest;

1516. Notice that on and after July 1, 1994, the Department of Social Services may, pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and in accordance with §§ 20-108.2 and 63.2-1921, initiate a review of the amount of support ordered by any court;

1617. A statement that if any arrearages for child support, including interest or fees, exist at the time the youngest child included in the order emancipates, payments shall continue in the total amount due (current support plus amount applied toward arrearages) at the time of emancipation until all arrearages are paid; and

1718. Notice that, in cases enforced by the Department of Social Services, the Department of Motor Vehicles may suspend or refuse to renew the driver's license of any person upon receipt of notice from the Department of Social Services that the person (i) is delinquent in the payment of child support by 90 days or in an amount of \$5,000 or more or (ii) has failed to comply with a subpoena, summons, or warrant relating to paternity or child support proceedings.

182 The provisions of this section shall not apply to divorce decrees where there are no minor children
183 whom the parties have a mutual duty to support.

184 § 20-124.2. Court-ordered custody and visitation arrangements.

185 A. In any case in which custody or visitation of minor children is at issue, whether in a circuit or
186 district court, the court shall provide prompt adjudication, upon due consideration of all the facts, of
187 custody and visitation arrangements, including support and maintenance for the children, prior to other
188 considerations arising in the matter. The court may enter an order pending the suit as provided in
189 § 20-103. The procedures for determining custody and visitation arrangements shall insofar as practical,
190 and consistent with the ends of justice, preserve the dignity and resources of family members. Mediation
191 shall be used as an alternative to litigation where appropriate. When mediation is used in custody and
192 visitation matters, the goals may include development of a proposal addressing the child's residential
193 schedule and care arrangements, and how disputes between the parents will be handled in the future.

194 B. In determining custody, the court shall give primary consideration to the best interests of the
195 child. The court shall assure minor children of frequent and continuing contact with both parents, when
196 appropriate, and encourage parents to share in the responsibilities of rearing their children. As between
197 the parents, there shall be no presumption or inference of law in favor of either. The court shall give
198 due regard to the primacy of the parent-child relationship but may upon a showing by clear and
199 convincing evidence that the best interest of the child would be served thereby award custody or
200 visitation to any other person with a legitimate interest. The court may award joint custody or sole
201 custody.

202 C. The court may order that support be paid for any child of the parties. The court shall also order
203 that support will continue to be paid for any child over the age of 18 who is (i) a full-time high school
204 student, (ii) not self-supporting, and (iii) living in the home of the party seeking or receiving child
205 support until such child reaches the age of 19 or graduates from high school, whichever first occurs. The
206 court may also order the continuation of support for any child over the age of 18 who is (i) severely
207 and permanently mentally or physically disabled, (ii) unable to live independently and support himself,
208 and (iii) resides in the home of the parent seeking or receiving child support. In addition, the court may
209 confirm a stipulation or agreement of the parties which extends a support obligation beyond when it
210 would otherwise terminate as provided by law. The court shall have no authority to decree support of
211 children payable by the estate of a deceased party. The court may make such further decree as it shall
212 deem expedient concerning support of the minor children, including an order that either party or both
213 parties provide health care coverage or cash medical support, or both.

214 *C1. The court may also order the continuation of support for any child over the age of 18 who (i) is*
215 *continuously enrolled in and attending an institution of higher education, including a vocational school;*
216 *(ii) maintains a course load that is at least one-half of the load that has been determined by the*
217 *institution to constitute full-time enrollment; and (iii) makes satisfactory academic progress so as to*
218 *permit the child's continued enrollment and attendance. Support ordered pursuant to this subsection*
219 *shall terminate upon the child's completion of the requirements for attaining an undergraduate degree*
220 *or the completion of the vocational program or until the child reaches the age of 23. The court may*
221 *order support pursuant to this subsection with respect to any child who has not reached the age of 23*
222 *regardless of whether any prior support obligation terminated by operation of law pursuant to*
223 *subsection C. A child shall be considered to be continuously enrolled in and attending an institution of*
224 *higher education for purposes of this subsection during any regularly scheduled break in the school's*
225 *academic year or program, which shall include summer breaks and the period from when a child*
226 *graduates from high school until he starts attending a secondary or vocational school, provided that the*
227 *child has enrolled in the school prior to his graduation and that his attendance will commence within*
228 *four months from the time of his graduation.*

229 D. In any case in which custody or visitation of minor children is at issue, whether in a circuit or
230 district court, the court may order an independent mental health or psychological evaluation to assist the
231 court in its determination of the best interests of the child. The court may enter such order as it deems
232 appropriate for the payment of the costs of the evaluation by the parties.

233 E. The court shall have the continuing authority and jurisdiction to make any additional orders
234 necessary to effectuate and enforce any order entered pursuant to this section or § 20-103 including the
235 authority to punish as contempt of court any willful failure of a party to comply with the provisions of
236 the order. A parent or other person having legal custody of a child may petition the court to enjoin and
237 the court may enter an order to enjoin a parent of the child from filing a petition relating to custody and
238 visitation of that child for any period of time up to 10 years if doing so is in the best interests of the
239 child and such parent has been convicted of an offense under the laws of the Commonwealth or a
240 substantially similar law of another state, the United States, or any foreign jurisdiction which constitutes
241 (i) murder or voluntary manslaughter, or a felony attempt, conspiracy or solicitation to commit any such
242 offense, if the victim of the offense was a child of the parent, a child with whom the parent resided at
243 the time the offense occurred, or the other parent of the child, or (ii) felony assault resulting in serious

bodily injury, felony bodily wounding resulting in serious bodily injury, or felony sexual assault, if the victim of the offense was a child of the parent or a child with whom the parent resided at the time of the offense. When such a petition to enjoin the filing of a petition for custody and visitation is filed, the court shall appoint a guardian ad litem for the child pursuant to § 16.1-266.

§ 63.2-1916. Notice of administrative support order; contents; hearing; modification.

A. The Commissioner may proceed against a noncustodial parent whose support debt has accrued or is accruing based upon subrogation to, assignment of, or authorization to enforce a support obligation. Such obligation may be created by a court order for support of a child or child and spouse or decree of divorce ordering support of a child or child and spouse. In the absence of such a court order or decree of divorce, the Commissioner may, pursuant to this chapter, proceed against a person whose support debt has accrued or is accruing based upon payment of public assistance or who has a responsibility for the support of any dependent child or children and their custodial parent. The administrative support order shall also provide that support shall continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the parent seeking or receiving child support, until such child reaches the age of 19 or graduates from high school, whichever comes first.

B. *The administrative order may also provide for the continuation of support for any child over the age of 18 who (i) is continuously enrolled in and attending a secondary or vocational school; (ii) maintains a course load that is at least one-half of the load that has been determined by the school to constitute full-time enrollment; and (iii) makes satisfactory academic progress so as to permit the child's continued enrollment and attendance. Support shall terminate upon the child's completion of the requirements for attaining an undergraduate degree or the completion of the vocational program or until the child reaches the age of 23. The administrative order may continue support pursuant to this subsection with respect to any child who has not reached the age of 23 regardless of whether any prior support obligation terminated by operation of law pursuant to subsection A. A child shall be considered to be continuously enrolled in and attending an institution of higher education for purposes of this subsection during any regularly scheduled break in the academic year or program, which shall include summer breaks and the period from when a child graduates from high school until he starts attending the institution, provided that the child has enrolled in the institution prior to his graduation and that his attendance will commence within four months from the time of his graduation.*

C. The Commissioner shall initiate proceedings by issuing notice containing the administrative support order which shall become effective unless timely contested. The notice shall be served upon the debtor (a) in accordance with the provisions of §§ 8.01-296, 8.01-327 or § 8.01-329 or (b) by certified mail, return receipt requested, or the debtor may accept service by signing a formal waiver. A copy of the notice shall be sent to the obligee by first-class mail. The notice shall include the following:

1. A statement of the support debt or obligation accrued or accruing and the basis and authority under which the assessment of the debt or obligation was made. The initial administrative support order shall be effective on the date of service and the first monthly payment shall be due on the first of the month following the date of service and the first of each month thereafter. A modified administrative support order shall be effective the date that notice of the review is served on the nonrequesting party, and the first monthly payment shall be due on the first day of the month following the date of such service and on the first day of each month thereafter. In addition, an amount shall be assessed for the partial month between the effective date of the order and the date that the first monthly payment is due. The assessment for the initial partial month shall be prorated from the effective date through the end of that month, based on the current monthly obligation. All payments are to be credited to current support obligations first, with any payment in excess of the current obligation applied to arrearages, if any;

2. A statement of the name, date of birth, and last four digits of the social security number of the child or children for whom support is being sought;

3. A statement that support shall continue to be paid for any child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the party seeking or receiving child support, until such child reaches the age of 19 or graduates from high school, whichever comes first;

4. *A statement that support may continue for any child over the age of 18 who (i) is continuously enrolled in and attending an institution of higher education, including a vocational school; (ii) maintains a course load that is at least one-half of the load that has been determined by the institution to constitute full-time enrollment; and (iii) makes satisfactory academic progress so as to permit the child's continued enrollment and attendance, and that any support so continued shall terminate upon the child's completion of the requirements for attaining an undergraduate degree or the completion of the vocational program or until the child reaches the age of 23*

45. A demand for immediate payment of the support debt or obligation or, in the alternative, a demand that the debtor file an answer with the Commissioner within 10 days of the date of service of

305 the notice stating his defenses to liability;

306 56. If known, the full name, date of birth, and last four digits of the social security number of each
307 parent of the child; however, when a protective order has been issued or the Department otherwise finds
308 reason to believe that a party is at risk of physical or emotional harm from the other party, only the
309 name of the party at risk shall be included in the order;

310 67. A statement that if no answer is made on or before 10 days from the date of service of the
311 notice, the administrative support order shall be final and enforceable, and the support debt shall be
312 assessed and determined subject to computation, and is subject to collection action;

313 78. A statement that the debtor may be subject to mandatory withholding of income, the interception
314 of state or federal tax refunds, interception of payments due to the debtor from the Commonwealth,
315 notification of arrearage information to consumer reporting agencies, passport denial or suspension, or
316 incarceration and that the debtor's property will be subject to lien and foreclosure, distraint, seizure and
317 sale, an order to withhold and deliver, or withholding of income;

318 89. A statement that the parents shall keep the Department informed regarding access to health
319 insurance coverage and health insurance policy information and a statement that health care coverage
320 shall be required for the parents' dependent children if available at reasonable cost as defined in
321 § 63.2-1900, or pursuant to subsection A of § 63.2-1903. If a child is enrolled in Department-sponsored
322 health care coverage, the Department shall collect the cost of the coverage pursuant to subsection E of
323 § 20-108.2;

324 910. A statement of each party's right to appeal and the procedures applicable to appeals from the
325 decision of the Commissioner;

326 1011. A statement that the obligor's income shall be immediately withheld to comply with this order
327 unless the obligee, or the Department, if the obligee is receiving public assistance, and obligor agree to
328 an alternative arrangement;

329 1112. A statement that any determination of a support obligation under this section creates a
330 judgment by operation of law and as such is entitled to full faith and credit in any other state or
331 jurisdiction;

332 1213. A statement that each party shall give the Department written notice of any change in his
333 address or phone number within 30 days;

334 1314. A statement that each party shall keep the Department informed of the name, telephone
335 number and address of his current employer;

336 1415. A statement that if any arrearages for child support, including interest or fees, exist at the time
337 the youngest child included in the order emancipates, payments shall continue in the total amount due
338 (current support plus amount applied toward arrearages) at the time of emancipation until all arrearages
339 are paid;

340 1516. A statement that a petition may be filed for suspension of any license, certificate, registration,
341 or other authorization to engage in a profession, trade, business, occupation, or recreational activity
342 issued by the Commonwealth to a parent as provided in § 63.2-1937 upon a delinquency for a period of
343 90 days or more or in amount of \$5,000 or more. The order shall indicate whether either or both parents
344 currently hold such an authorization and, if so, the type of authorization held;

345 1617. A statement that the Department of Motor Vehicles may suspend or refuse to renew the
346 driver's license of any person upon receipt of notice from the Department of Social Services that the
347 person (i) is delinquent in the payment of child support by 90 days or in an amount of \$5,000 or more
348 or (ii) has failed to comply with a subpoena, summons, or warrant relating to paternity or child support
349 proceedings; and

350 1718. A statement that on and after July 1, 1994, the Department of Social Services, as provided in
351 § 63.2-1921 and in accordance with § 20-108.2, may initiate a review of the amount of support ordered
352 by any court.

353 If no answer is received by the Commissioner within 10 days of the date of service or acceptance,
354 the administrative support order shall be effective as provided in the notice. The Commissioner may
355 initiate collection procedures pursuant to this chapter, Chapter 11 (§ 16.1-226 et seq.) of Title 16.1 or
356 Title 20. The debtor and the obligee have 10 days from the date of receipt of the notice to file an
357 answer with the Commissioner to exercise the right to an administrative hearing.

358 Any changes in the amount of the administrative order must be made pursuant to this section. In no
359 event shall an administrative hearing alter or amend the amount or terms of any court order for support
360 or decree of divorce ordering support. No support order may be retroactively modified, but may be
361 modified with respect to any period during which there is a pending petition for modification in any
362 court, but only from the date that notice of the review has been served on the nonrequesting party.
363 Notice of the review shall be served for each review (1) in accordance with the provisions of
364 § 8.01-296, 8.01-327 or 8.01-329, or (2) by certified mail, with proof of actual receipt by the addressee,
365 or (3) by the nonrequesting party executing a waiver. The existence of an administrative order shall not
366 preclude either an obligor or obligee from commencing appropriate proceedings in a juvenile and

367 domestic relations district court or a circuit court.