

NO. 22963

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

CHILD SUPPORT ENFORCEMENT AGENCY, and JANE DOE,
Petitioners-Appellees

vs.

JOHN DOE, Respondent-Appellant

APPEAL FROM THE THIRD CIRCUIT COURT
(UIFS NO. 98-18)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Respondent-appellant John Doe appeals from an order of the family court of the third circuit, the Honorable Greg K. Nakamura presiding, granting Child Support Enforcement Agency's (CSEA) petition for child support and spousal maintenance delinquencies. On appeal, appellant argues that the family court erred because: (1) the state of Washington did not have subject matter jurisdiction and personal jurisdiction pursuant to Uniform Interstate Family Support Act (UIFSA); (2) even if Washington had proper jurisdiction, the application for registration of the foreign support order was defective; and (3) even if the application was not defective, the Hawai'i family court lacked jurisdiction to modify the foreign support order.

Upon careful review of the record and the briefs submitted by the parties and having given due consideration to the arguments made and the issues raised by the parties, we hold that: (1) whether the state of Washington had subject matter jurisdiction and personal jurisdiction over John Doe was not relevant to the Hawai'i family court's authority because Washington was the initiating tribunal, HRS § 576B-101 (1997) ("Initiating tribunal" means the authorized tribunal in an initiating state.), while the Hawai'i family court was the responding tribunal, HRS § 576B-305 (1997) ("[A] tribunal of this

State may serve as . . . a responding tribunal for proceedings initiated in another state."); (2) the application for registration was properly completed and supported by the statutorily required documents; and (3) the family court did not modify the Colorado support order when it issued an order for income assignment and directed that payments be made to Washington. Therefore,

IT IS HEREBY ORDERED that the circuit court's order granting CSEA's motion for child support and spousal maintenance delinquencies is affirmed.

DATED: Honolulu, Hawai'i, August 12, 2002.

On the briefs:

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