



**Child Support Division**  
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Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

November 25, 2013

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SUPREME COURT FILED  
IN THE OFFICE OF THE  
CLERK OF SUPREME COURT  
NOVEMBER 29, 2013  
STATE OF NORTH DAKOTA

Penny Miller  
Clerk of the Supreme Court  
600 E. Boulevard Avenue  
Bismarck, ND 58505-0530

Re: Proposed Amendments to N.D.R.Ct. 3.1

Dear Clerk Miller:

I am writing on behalf of Child Support about the proposed amendment to N.D.R.Ct. 3.1(e). The explanatory note indicates that the proposed amendment is intended to clarify that only a single copy of any pleading or document need be filed with the court and goes on to specify that the proposed amendment will supersede the requirement in N.D.C.C. § 14-12.2-36 for filing two copies of an order.

Given the electronic filing environment, Child Support understands the operational reasons for the proposed amendment. But we would also like the Supreme Court to be aware that federal law at 42 U.S.C. § 666(f) requires North Dakota to have the Uniform Interstate Family Support Act, codified at N.D.C.C. ch. 14-12.2, in effect:

**(f) Uniform Interstate Family Support Act**

In order to satisfy section 654(20)(A) of this title, on and after January 1, 1998, each State must have in effect the Uniform Interstate Family Support Act, as approved by the American Bar Association on February 9, 1993, and as in effect on August 22, 1996, including any amendments officially adopted as of such date by the National Conference of Commissioners on Uniform State Laws.

If the Supreme Court supersedes N.D.C.C. § 14-12.2-36, there is a risk that North Dakota will be out of compliance with federal law, which, in turn, could affect North Dakota's participation in the federally mandated child support enforcement program.

Having said this, if the Supreme Court adopts the proposed amendment, Child Support staff will comply with the rule as amended. If the superseding of N.D.C.C. § 14-12.2-36 causes the federal child support agency to find compliance issues with our program, may we ask the Supreme Court to reconsider the rule change at that time?

Penny Miller  
Page 2  
November 26, 2013

Thank you for the opportunity to comment. If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paulette Oberst".

Paulette Oberst  
Special Assistant Attorney General  
Policy Administrator/ Lead Attorney for Child Support