Sec. 3. Persons legally liable for support of dependents. For the purpose of this act, the following persons in one state are declared to be liable for the support of dependents residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for such support a fair and teasonable sum, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this act:

(a) Husband liable for support of his wife;

(b) Father liable for support of his child or children under seventeen years of age;

(c) Mother liable for support of her child or children under seventeen years of age whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children;

(d) Parents severally liable for support of their child seventeen years of age or older whenever such child is unable to maintain himself and is likely to become a public charge;

(e) Wife liable for support of her husband if he is incapable of supporting himself;

(f) Adult person liable for support of his or her parent or parents;

(g) Grandparent liable for support of his or her grandchild or grandchildren. L. 1949, c.807, s. 3, added L. 1955, c. 289, s.2, eff. Oct. 1, 1955.

Sec. 3-a Additional provisions regarding liability for support.

For the purposes of this act:

(a) A child or children born of parents who, at any time prior or subsequent to the birth of such child, have entered into a civil or religious marriage ceremony, shall be deemed the legitimate child or children of both parents, regardless of the validity of such marriage.

(b) A child or children born of parents who held or hold themselves out as husband and wife by virtue of a common law matriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate child or children of both parents.

(c) A woman who was or is held out as his wife by a man by virtue of a common law matriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate wife of such man.

(d) Notwithstanding the fact that the respondent has obtained in any state or country a final decree of divorce or separation from his wife or a decree dissolving his marriage, the respondent shall be deemed legally liable for the support of any dependent child of such marriage.

(e) The natural parents of a child born out of wedlock shall be severally liable for the support of such child, but the liability of the natural father shall not be enforceable unless he has been adjudicated to be the child's father by a court of competent jurisdiction, or he has or shall acknowledge paternity of the child in open court, or by a verified written statement. L. 1949, c. 807, s. 3-a, added L.1955, c. 289, s. 2, eff. Oct. 1, 1955.

Sec. 4. Jurisidiction and powers of court. For the purposes of this act:

(a) The court shall have jurisdiction regardless of the state of last residence or domicile of the petitioner and the respondent and whether or not the respondent has ever been a resident of the initiating state or the dependent person has ever been a resident of the responding state.

(b) The court of the responding state shall have the power to order the respondent to pay sums sufficient to provide necessary food, shelter, clothing, care, medical or hospital expenses, expenses of confinement, expenses of education of a child, funeral expenses and such other reasonable and proper expenses of the petitioner as justice requires, having due regard to the circumstances of the respective parties.

(c) The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either of both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the right so to take testimony shall be exercised, provided that the respondent is given a full and fair opportunity to answer the allegations of the petitioner.

Sec. 5. Cases in which proceedings are maintainable. A proceeding to compel support of a dependent may be maintained under this act in any of the following cases:

(a) Where the petitioner and the respondent are residents of or domiciled or found in the same state.

(b) Where the petitioner resides in one state and the respondent is a resident of or is domiciled or found in another state having substantially similar or reciprocal laws.

(c) Where the respondent is not and never was a resident of or domiciled in the initiating state and the petitioner resides or is domiciled in such state and the respondent is believed to be a resident of or domiciled in another state having cubstantially similar or reciprocal laws.

(d) Where the respondent was or is a resident of or domiciled in the initiating state and has departed or departs from such state leaving therein a dependent in need of and entitled to support under this act and is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

Sec. 5-a Remedies of a public agency. Whenever the state or a political subdivision, or any official agency thereof, is furnishing support or is likely to furnish support to a dependent it shall have the same right to invoke the provisions of this act as the dependent to whom the duty of support is owed. 1.1949, c.807 S. 5-a, added L.1952, c.40, s.1, eff. Feb. 22, 1952.

Sec. 6. Procedure. (a) A proceeding under this act shall be commenced by a petitioner by filing a verified petition in the court in the county of the state wherein he resides or is domiciled, showing the name, age, tesidence and circumstances of the petitioner, alleging that he is in need of and is entitled to support from the respondent, giving his name, age, residence and circumstances, and praying that the respondent be compelled to furnish such support.

(b) If the respondent be a resident of or domiciled in such state and the court has or can acquire jurisdiction of the person of the respondent under existing laws in effect in such state, such laws shall govern and control the procedure to be followed in such proceeding.

(c) If the respondent be not a resident of or domiciled in or cannot be found in such state, a judge of such court shall certify that a verified petition has been filed in his court in a proceeding against the respondent under this act to compel the support of the petitioner, that a summons, duly issued out of his court for service upon the respondent has been returned with an affidavit to the effect that the respondent cannot with due diligence be located or served with such process in the initiating state, that the respondent is believed to be residing or domiciled in the responding state and that, in his opinion, the respondent should be compelled to answer such petition and should be dealt with according to law, and he shall transmit such certificate and certified copies of such petition and summons to the appropriate court in the responding state. In the event that the court shall have before it satisfactory evidence that the respondent is not within the initiating state or cannot be served with process there, the summons and affidavit required herein may be omitted and the certificate shall contain a statement of the reasons for said omissions and the pertinent evidence supporting the same. As amended L. 1956, c. 150 eff. March 22, 1956.

(d) Any judge of a court in the county of the responding state in which the respondent resides or is domiciled or found, upon presentation to him of such certificate and certified copies of such petition and summons, shall fix a time and place for a heating on such petition and shall issue a summons out of his court, directed to the respondent, duly requiring him to appear at such time and place.

(e) It shall not be necessary for the petitioner or the petitioner's witnesses to appear personally at such hearing, but it shall be the duty of the petitioner's representative of the responding state to appear on behalf of and tepresent the petitioner at all stages of the proceeding.

(f) If at such hearing the respondent controverts the petition and enters a verified denial of any of the material allegations thereof, the judge presiding at such hearing shall stay the proceedings and transmit to the judge of the court in the initiating state a transcript of the clerk's minutes showing the denials entered by the respondent.

(g) Upon receipt by the judge of the court in the initiating state of such transcript, such court shall take such proof, including the testimony of the petitioner and the petitioner's witnesses and such other evidence as the court may deem proper, and, after due deliberation, the court shall make its recommendation, based on all of such proof and evidence, and shall transmit to the court in the responding state a certified transcript of such proof and evidence and of its proceedings and recommendation in connection therewith.

(h) Upon the receipt of such transcript, the court in the responding state shall resume its hearing in the proceeding and shall give the respondent a reasonable opportunity to appear and reply.

(i) Upon the resumption of such hearing, the respondent shall have the right to examine or cross-examine the petitioner and the petitioner's witnesses by means of depositions or written interrogatories, and the petitioner shall have the right to examine or cross-examine the respondent and the respondent's witnesses by means of depositions or written interrogatories.

(j) If a respondent, duly summoned by a court in the responding state, wilfully fails without good cause to appear as directed in the summons, he shall be punished in the same manner and to the same extent as is provided by law for the punishment of a defendant or witness who wilfully disobeys a summons or subpoena duly issued out of such court in any other action of proceeding cognizable by said court.

(k) If, on the return day of the summons, the respondent appears at the time and place specified therein and fails to answer the petition or admits the allegations thereof or, if, after a hearing has been duly held by the court in the responding state in accordance with the provisions of this section, such court has found and determined that the prayer of the petitioner, or any part thereof, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall crake and enter an order directing the respondent to furnish support to the petitioner and to pay therefor such sum as the court shall determine, having due regard to the parties' means and circumstances. A certified copy of such order shall be transmitted by the court to the court in the initiating state and such copy shall be filed with and made a part of the records of such court in such proceeding. The court shall place the respondent on probation on such terms and conditions as the court may deem proper or necessary to assure faithful compliance by the respondent with such order. The court shall also have power to require the respondent to furnish recognizance in the form of a cash deposit or surety bond in such amount as the court may deem proper and just to assure the payment of the amount required to be paid by the respondent for the support of the

(1) The court making such order shall have the power to direct the respondent to make the payments required thereby at specified intervals to the probation department or bureau of the court and to report personally to such department or bureau at such times as may be deemed necessary and the respondent shall at all times be under the supervision of such department or bureau.

(m) A respondent who shall wilfully fail to comply with or violate the terms or conditions of the support order or of his probation shall be punished by the court in the same manner and to the same extent as is provided by law for a contempt of such court or a violation of probation ordered by such court in any other suit or proceeding cognizable by such court,

(n) Upon the receipt of a payment made by the respondent pursuant to the order of the court of the responding state in any proceeding under this act, the probation department or bureau of such court shall forthwith transmit the same to the court of the initiating state.

(o) The probation department or buteau of the court in the tesponding state shall, not later than thirty days following the end of each fiscal year, furnish to the court of the initiating state an itemized statement under oath of all payments made by the tespondent duting such fiscal year for the support of the petitioner in such proceeding.

(p) The court of the initiating state shall receive and accept all payments made by the respondent to the probation department or bureau of the court of the responding state and transmitted by the latter on behalf of the respondent. Upon receipt of any such payment, and under such rules as the court of the initiating state may prescribe, the court, or its probation department or bureau, as the court may direct, shall deliver such payment to the dependent person entitled thereto, take a proper receipt and acquittance therefor, and keep a permanent record thereof. L.1949, c.807, s.6; amended L.1953, c.455, s.1, eff. April 2, 1953.

(q) The court of the responding state may use any power to enforce a duty of support against a respondent under this act which is otherwise available to it under the laws of the responding state. Added L. 1956, c. 155, eff. March 22, 1956.

Sec. 6-a Appeals; effectiveness of orders. Any respondent in a proceeding brought under the provisions of this act shall have the same right of appeal as in civil proceedings or actions brought in the same court. Any order for support made by the court shall not be affected by an appeal but shall continue in effect until the appeal is decided and thereafter, if the order is affirmed, until changed by further order of the court. L.1949, c.807, s.6-a, added L.1953, c431, eff. April 2, 1953.

Sec. 7 Duty of petitioners' representatives. It shall be the duty of all petitioners' representatives of this state to appear in this state on behalf of and represent the petitioner in every proceeding pursuant to this act, at the time the petition is filed and at all stages of the proceeding thereafter, and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Sec. 7-a Expenses of proceedings. Expenses of stenographic records of court proceedings and of certification of court records shall be a county charge and shall be paid out of the county treasury. L.1949, c.807, s.7-a, added L.1950, c.702; amended L.1953, c.455, s.2, eff, April 2, 1953.

Sec. 8. Construction of act. 1. This act shall be construed to furnish an additional or alternative civil temedy and shall in no way affect or impair any other remedy, civil or criminal, provided in any other statute and available to the petitioner in relation to the same subject matter. 2. This act shall not be construed to confer jurisdiction on the court of the initiating or responding state in any pending or future action for divorce, legal separation or annulment. As amended L.1952, c.40, s.2. eff. Feb. 22, 1952.

Sec. 9. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

Sec. 10. Separability. If any part of this act or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgement shall not affect or impair the validity of the remainder of such act or the application thereof to other persons and circumstances.

Sec. 11. Chapter seven hundred ninety of the laws of nineteen hundred forty-eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws," is hereby repealed.

Sec. 12. This act shall take effect immediately.

State of New York )
Department of State ) ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Carmine G. DeSapio

Secretary of State.

UNIFORM SUPPORT OF DEPENDENTS LAW F-176 Rev. 5-10-56 DRCNYC

## LAWS OF NEW YORK. - By Authority CHAPTER 807 of the Laws of 1949, as Amended

AN ACT authorizing and prescribing the procedure for civil proceedings to compel the support of dependent wives, children and poor relatives within and without the state, and repealing chapter seven hundred ninety of the laws of nineteen hundred forty eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws"

Became a law April 25, 1949, with the approval of the Governor. Passed, by a majority vote, three fifth being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

#### UNIFORM SUPPORT OF DEPENDENTS LAW

Section 1 Short title; purpose.

- Definitions.
- 3. Persons legally liable for support of dependents.
- 3-a. Additional provisions regarding liability for support.
- 4. Jurisdiction and powers of court.
- 5. Cases in which proceedings are maintainable.
- 5-a. Remedies of a public agency.
- 6. Procedute.
- 6-a. Appeals; effectiveness of orders.
- 7. Duty of petitioners' representatives.
- 7-a. Expenses of proceedings.
- 8. Construction of act.
- 9. Uniformity of interpretation.
- 10. Separability.

Section 1. Short title; purpose. This act may be cited and referred to as the uniform support of dependents

The purpose of this uniform act is to secure support in civil proceedings for dependent wives, children and poor relatives from persons legally responsible for their support.

- Sec. 2. Definitions. As used in this act, unless the context shall require otherwise, the following terms shall have the meanings ascribed to them by this section:
- (a) "State" shall mean and include any state, tetritory or possession of the United States and the District of Columbia.
- (b) "Court" shall mean and include the domestic relations court of the city of New York, the children's court in any county outside the city of New York, whether established as a separate court or as a part or division of the county court, and a municipal court; when the context requires, it shall mean and include a court of another state defined in and upon which appropriate jurisdiction has been conferred by a substantially similar reciprocal law.
- (c) "Child" includes a step child, foster child, child born out of wedlock or legally adopted child and means a child actually or apparently under seventeen years of age, and a child over seventeen years of age who is unable to maintain himself and is likely to become a public charge.
  - (d) "Dependent" shall mean and include any person who is entitled to support pursuant to this act.
- (e) "Petitioner" shall mean and include each dependent person for whom support is sought in a proceeding instituted pursuant to this act.
- (f) "Respondent" shall mean and include each person against whom a proceeding is instituted pursuant to this act.
- (g) "Petitioner's representative" shall mean and include a corporation counsel, county attorney, state's attorney, commonwealth attorney and any other public officer, by whatever title his public office may be known, charged by law with the duty of instituting, maintaining or prosecuting a proceeding under this act or under the laws of the state or states wherein the petitioner and the respondent reside.
- (h) "Summons" shall mean and include a subpoena, warrant, citation, order or other notice, by whatever name known, provided for by the laws of the state or states wherein the petitioner and the respondent reside as the means for requiring the appearance and attendance in court of the respondent in a proceeding instituted pursuant to this act.
  - (i) "Initiating state!" shall mean the state of domicile of residence of the petitioner.
- (j) "Responding state" shall mean the state wherein the respondent resides or is domiciled or found. As amended L.1949, c.807, s.2; L. 1950, c.401; L.1953, cc.443, 456; L. 1954, c. 721, s. 1; L. 1955, c.289, s. 1, eff.Oct. 1, 1955.

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#### LOIS KATZ. mother on behalf of WILLIAM KREAMERILL

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WILLIAM KREAMER

IS THE CIRCUIT OF HE OF BALDWIN COUNTY ALABAMA IN ROLLY CASE NO. 4018

It appearing to the Court that the above cause is imactive, when consideration, it is CRDERED. A DJUDGED and DECREED by the Court that said cause be and hereby is transferred to the inactive docket of this Court, and

It further appearing to the Court that the execution for costs against the Defendant was returned by the Sheriff of this County, "No Property Found", it is therefore, ORDERED and DECREED by the Court that the costs be and hereby are now taxed against the State of Alabama pursuant of Section 119. (b), Title 34, 1955 Cumulative Pocket Parts, Code of Alabama.

This 16 day of May 1959

ALICE J. Diller Mesers Level

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#### **DOMESTIC RELATIONS COURT**

CITY OF NEW YORK

135 EAST 22ND STREET

June 17, 1957

Re: Louis Katz

vs. William Kreamer Docket No. USDL 1003/57

Clerk of Court Circuit Court Baldwin County Bay Minette, Alabama

Dear Sir:

On April 16, 1957, we forwarded to you papers in the above-entitled matter in accordance with the reciprocal legislation.

We would very much appreciate your informing us of the action taken, and the present status of the matter.

Thank you for your kind cooperation.

Very truly yours,

Frank A. Marron

Administrative Officer

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Filed-Mr Marron notified on 28 May-see the



# STATE OF ALABAMA OFFICE OF CIRCUIT SOLICITOR

28TH JUDICIAL CIRCUIT
BAY MINETTE, ALABAMA

28 May 1957

Mr Frank A. Marron Administrative Officer Domestic Relations Court 135 East 22nd Street New York, N.Y.

> Re: Lois Katz, Petitioner (Your USDL 1003/57) vs. William Kreamer, Respondent:

Dear Mr Marron:

Your letter of April 16, 1957, containing the necessary papers for the above styled cause is acknow-ledged.

This is toadvise that the sheriff of this county has returned the papers in this case without service upon the respondent. He could not be found in this county, and neither could any information of his whereabouts be obtained. Yesterday afternoon I talked with a local attorney, who represented Mr Kreamer in some legal work in recent months, and he has no information of Mr Kreamer's whereabouts.

I regret that this Court is unable to assist you in this matter. Should any information later turn up that would enable this court to handle this matter we will do so.

Very truly yours,

Kenneth Cooper Circuit Solicitor

## CHRONOLOGICAL RECORD

SHEET No.

U.S.D.L.

RESPONDENT KREAMER, WILLIAM PETITIONER Lois Katz, mother o/b/o DOCKET No.

201 Magnolia Avenue William Kreamer III, et al 1003/57

DATE Fairhope, Alabama

31 West 11th St.Apt/6B

3/28/57 2/38 XXX

Scheduled for Court Hearing, Part III on April 8, 1957.
Wm.L.Kiel, Court Clerk fm

4/8/57

## COURT ACTION

CORPORATION COUNSEL. PETITIONER WITH ATTORNEY. TESTIMONY TAKEN. EXHIBITS RECEIVED. CERTIFICATE SIGNED: THE NEEDS OF THE DEPENDENTS ARE THE SUM OF \$60.00 PER WEEK.

JUSTICE WALTEMADE (L.Sternlicht, t.st.)fm

# PETITION FOR SUPPORT - FAMILY

# STATE OF NEW YORK

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DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION County of . New York ..

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·	Certificate signed.	County of M. V. York				
<u>(Sign</u>	ad) Justice Waltemade			:		
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		Petitioner	-			
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		Villiam Kreamer	1			
		Respondent.	1	3		
		UNDER NEW YORK UNIFORM SUPPORT LAW				
		PETITION - FAMILY'S Chilosey				
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		Filed. March 28th19.57.				
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DOMESTIC PELATIONS COURT OF THE CUTY OF THE	PRK
DOMESTIC RELATIONS COURT OF THE CITY OF NEW Lois Katz, mother o/b/o County. New York	
Lois Katz, mother o/b/o County. New York.	*****
Petitioner)	TESTIMONY OF
vs ) lois Ket	Z, mother o/b/o, Petitioner
<u> </u>	Kreamer Tillet al
Respondent)	Docket No. 1003/57
Lois Katz, mother on behalf of , th	e Petitioner herein being duly aware
on her oath testifies as follows:	deligation nerela, being duly sworn,
Q. What is your full name?	
A. Lois Katz	
Q. Where are you now living?	
A. 31 West 11th St. Apt.6B, New York, N.Y.	
Q. When and where were you married to the Responde	
A. October 11, 1945 at New York, N.Y.	
o. Met is your present full itelestery	
A. The state of th	
A. I am Givorced So the Respondent, and reson of divorce 5/13/55 in New Orleans Louis Respondent of the Respondent of th	married. He obtained a final decree
Q. What were the curcumstances leading to the sepa	FACTOR & From your husband?
A	
Q. Were any children born of this marriage?	
A. Yes - two children.	
Q. What are the names and ages of the children und A. William Kreamer III - 10 Yrs.	er 17 years of age?
Obristing Krosmer - & V.	
Ohristine Kroamer - 8 Yrs. Q. Are they living with you?	
A. Yes.	
Q. When was it your husband last lived with you?	
A. September 1952.	
Q. When and how much was his last contribution for	support!
A. I received two payments of \$20. the last	one March 21,1957. Prior to these
Dayments, no support for the children si Q. Is there a complaint or an order for support in	Tany court: 120. \$20. on March 28,1957
A. No. We had entered into a separation	n agreement - Resp. was to pay \$50.
Ser wear an to the one of \$1,200	• ION Wile and children Paymente
A. Yes \$74. weekly net.	to increase when income higher. On remarriage, payments for the
O Trans was any other course of income?	children's support to continue.
O. Have you any other source of income?  A. My present husband has been supporting	
a son of his own and ow two abiliarab	
a son of his own and my two children.  Q. Are you and the children in good health?	Section 1997
A. Yes.	
Q. Have you any debts outstanding?	
A. \$150. for medical and dental services for	m min f 7 den m
Q. What do you require for the support of wounself	c valuate was
Q. What do you require for the support of wounself	wand children?
A. \$60. weekly. former	And the second
Q. Do you know where your husband is now living?	
A. 201 Magnolia Avenue, Fairhope, Alabema	
Q. Do you know if and where your husband is now emp	aloued?
A. Alabama Drycocks, Mobile, Alabama.	proyect:
markemental in the control of the co	
Q. What is his salary, if you know?	the commence of the commence o
A. I do not know present selery. In 1954 he	was earning \$150. weekly.
Q. wAre you now receiving public aid; and how much?	
A	
	(Signed) Lois Katz
Taken and sworn to before me.	
mother on bel	Malf of the Petitioner
Signed) Wilfred A. Welt@made	
Justice, DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK	



#### DOMESTIC RELATIONS COURT

CITY OF NEW YORK

135 EAST 22ND STREET

April 16, 1957

Docket No. USDL 1003/57

Lois Katz, mother, o/b/o
William Kreamer III et al
Petitioner

William Kreamer

Respondent

Clerk of Court Circuit Court Baldwin County Bay Minette, Alabama

Dear Sir:

Please find enclosed certified copies of records in the above-entitled case, for appropriate action by your court, in accordance with your reciprocal legislation, and our Uniform Support of Dependents Law, Chapter 807, Laws of New York in an action for support against the above named respondent who is residing in your jurisdiction.

Will you kindly inform us of the adjudication made in this matter.

If an order is made, we would appreciate having the checks sent by your court to this œurt, for proper recording and forwarding to the petitioner.

Thank you for your cooperation in this matter.

gare amore

Very truly yours,

Frank A. Marron Clerk-of-Court Administrative Officer

- (o) The probation department or bureau of the court in the responding state shall, not later than thirty days following the end of each fiscal year, furnish to the court of the initiating state an itemized statement under oath of all payments made by the respondent during such fiscal year for the support of the petitioner in such proceeding.
- (p) The court of the initiating state shall receive and accept all payments made by the respondent to the probation department or buteau of the court of the responding state and transmitted by the latter on behalf of the respondent. Upon receipt of any such payment, and under such rules as the court of the initiating state may prescribe, the court, or its probation department or bureau, as the court may direct, shall deliver such payment to the dependent person entitled thereto, take a proper receipt and acquittance therefor, and keep a permanent record thereof. L.1949, c.807, s.6; amended L.1953, c.455, s.1, eff. April 2, 1953.

(q) The court of the responding state may use any power to enforce a duty of support against a respondent under this act which is otherwise available to it under the laws of the responding state. Added L.1956, c.155, eff. March 22, 1956.

Sec. 6-a Appeals; effectiveness of orders. Any respondent in a proceeding brought under the provisions of this act shall have the same right of appeal as in civil proceedings or actions brought in the same court. Any order for support made by the court shall not be affected by an appeal but shall continue in effect until the appeal is decided and thereafter, if the order is affirmed, until changed by further order of the court. 1.1949, c.807, s.6-a, added 1.1953, c431, eff. April (2, 1953.

Sec. 7 Duty of petitioners' representatives. It shall be the duty of all petitioners' representatives of this state to appear in this state on behalf of and represent the petitioner in every proceeding pursuant to this act, at the time the petition is filed and at all stages of the proceeding thereafter, and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Sec. 7-a Expenses of proceedings. Expenses of stenographic records of court proceedings and of certification of court records shall be a county charge and shall be paid out of the county treasury. L.1949, c.807, s.7-a, added L.1950, c.702; amended L.1953, c.455, s.2, eff. April 2, 1953.

Sec. 8. Construction of act. 1. This act shall be construed to furnish an additional or alternative civil remedy and shall in no way affect or impair any other remedy, civil or criminal, provided in any other statute and available to the petitioner in relation to the same subject matter. 2. This act shall not be construed to confer jurisdiction on the court of the initiating or responding state in any pending or future action for divoce, legal separation or annulment. As amended L. 1952, c. 40, s. 2. eff. Feb. 22, 1952.

Sec. 9. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

Sec. 10. Separability. If any part of this act or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgement shall not affect or impair the validity of the temainder of such act or the application thereof to other persons and circumstances.

Sec. 11. Chapter seven hundred ninety of the laws of nineteen hundred forty-eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws," is hereby repealed.

Sec. 12. This act shall take effect immediately.

State of New York )
Department of State ) ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Carmine G. DeSapio

Secretary of State.

UNIFORM SUPPORT OF DEPENDENTS LAW F-176 Rev. 5-10-56 DRCNYC

#### LAWS GF NEW YORK. - By Authority CHAPTER 807 of the Laws of 1949, as Amended

AN ACT authorizing and prescribing the procedure for civil proceedings to compel the support of dependent wives, children and poor relatives within and without the state, and repealing chapter seven hundred ninety of the laws of nineteen hundred forty eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws"

Became a law April 25, 1949, with the approval of the Governor. Passed, by a majority vote, three fifth being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

#### UNIFORM SUPPORT OF DEPENDENTS LAW

Section 1 Short title; purpose.

- Definitions.
- 3. Persons legally liable for support of dependents.
- 3-a. Additional provisions regarding liability for support.
- 4. Jurisdiction and powers of court.
- Cases in which proceedings are maintainable.
- 5-a. Remedies of a public agency.
- Procedure.
- 6-a. Appeals; effectiveness of orders.
- 7. Duty of petitioners' representatives.
- 7-a. Expenses of proceedings.
- 8. Construction of act.
- 9. Uniformity of interpretation.
- 10. Separability.

Section 1. Short title; purpose. This act may be cited and referred to as the uniform support of dependents law.

The purpose of this uniform act is to secure support in civil proceedings for dependent wives, children and poor relatives from persons legally responsible for their support.

Sec. 2. Definitions. As used in this act, unless the context shall require otherwise, the following terms shall have the meanings ascribed to them by this section:

- (a) "State" shall mean and include any state, territory or possession of the United States and the District of Columbia.
- (b) "Court" shall mean and include the domestic relations court of the city of New York, the children's court in any county outside the city of New York, whether established as a separate court or as a part or division of the county court, and a municipal court; when the context requires, it shall mean and include a court of another state defined in and upon which appropriate jurisdiction has been conferred by a substantially similar reciprocal law.
- (c) "Child" includes a step child, foster child, child born out of wedlock or legally adopted child and means a child actually or apparently under seventeen years of age, and a child over seventeen years of age who is unable to maintain himself and is likely to become a public charge.
  - (d) "Dependent" shall mean and include any person who is entitled to support pursuant to this act.
- (e) "Petitioner" shall mean and include each dependent person for whom support is sought in a proceeding instituted pursuant to this act.
- (f) "Respondent" shall mean and include each person against whom a proceeding is instituted pursuant to this act.
- (g) "Petitioner's representative" shall mean and include a corporation counsel, county attorney, state's attorney, commonwealth attorney and any other public officer, by whatever title his public office may be known, charged by law with the duty of instituting, maintaining or prosecuting a proceeding under this act or under the laws of the state or states wherein the petitioner and the respondent reside.
- (h) "Summons" shall mean and include a subpoena, warrant, citation, order or other notice, by whatever name known, provided for by the laws of the state or states wherein the petitioner and the respondent reside as the means for requiring the appearance and attendance in court of the respondent in a proceeding instituted putsuant to this act.
  - (i) "Initiating state." shall mean the state of domicile or residence of the petitioner.
- (j) "Responding state" shall mean the state wherein the respondent resides or is domiciled or found. As amended L.1949, c.807, s.2; L. 1950, c.401; L.1953, cc.443, 456; L. 1954, c. 721, s. 1; L. 1955, c.289, s. 1, eff.Oct. 1, 1955.

Sec. 3. Persons legally liable for support of dependents. For the purpose of this act, the following persons in one state are declared to be liable for the support of dependents residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for such support a fait and reasonable sum, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this act:

(a) Husband liable for support of his wife;

(b) Father liable for support of his child or children under seventeen years of age;

- (c) Mother liable for support of her child or children under seventeen years of age whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children;
- (d) Parents severally liable for support of their child seventeen years of age or older whenever such child is unable to maintain himself and is likely to become a public charge;

(e) Wife liable for support of her husband if he is incapable of supporting himself;

(f) Adult person liable for support of his or her parent or parents;

(g) Grandparent liable for support of his or her grandchild or grandchildren. L. 1949, c.807, s. 3, added L. 1955, c. 289, s.2, eff. Oct. 1, 1955.

Sec. 3-a Additional provisions regarding liability for support.

For the purposes of this act:

(a) A child or children born of parents who, at any time prior or subsequent to the birth of such child, have entered into a civil or religious marriage ceremony, shall be deemed the legitimate child or children of both parents, regardless of the validity of such marriage.

(b) A child or children born of parents who held or hold themselves out as husband and wife by virtue of a common law matriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate child or children of both parents.

(c) A woman who was or is held out as his wife by a man by virtue of a common law marriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate wife of such man.

(d) Notwithstanding the fact that the respondent has obtained in any state or country a final decree of divorce or separation from his wife or a decree dissolving his marriage, the respondent shall be deemed legally liable for the support of any dependent child of such marriage.

(e) The natural parents of a child born out of wedlock shall be severally liable for the support of such child, but the liability of the natural father shall not be enforceable unless he has been adjudicated to be the child's father by a court of competent jurisdiction, or he has or shall acknowledge paternity of the child in open court, or by a verified written statement. L. 1949, c. 807, s. 3-a, added L.1955, c. 289, s. 2, eff. Oct. 1, 1955.

Sec. 4. Jurisidiction and powers of court. For the purposes of this act:

(a) The court shall have jurisdiction regardless of the state of last residence or domicile of the petitioner and the respondent and whether or not the respondent has ever been a resident of the initiating state or the dependent person has ever been a resident of the responding state.

(b) The court of the responding state shall have the power to order the respondent to pay sums sufficient to provide necessary food, shelter, clothing, care, medical or hospital expenses, expenses of confinement, expenses of education of a child, funeral expenses and such other reasonable and proper expenses of the petitioner as justice requires, having due regard to the circumstances of the respective parties.

(c) The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the right so to take testimony shall be exercised, provided that the respondent is given a full and fair opportunity to answer the allegations of the petitioner.

Sec. 5. Cases in which proceedings are maintainable. A proceeding to compel support of a dependent may be maintained under this act in any of the following cases:

(a) Where the petitioner and the respondent are residents of or domiciled or found in the same state.

(b) Where the petitioner resides in one state and the respondent is a resident of or is domiciled or found in another state having substantially similar or reciprocal laws.

(c) Where the respondent is not and never was a resident of or domiciled in the initiating state and the petitioner resides or is domiciled in such state and the respondent is believed to be a resident of or domiciled in another state having cubstantially similar or reciprocal laws.

(d) Where the respondent was or is a resident of or domiciled in the initiating state and has departed or departs from such state leaving therein a dependent in need of and entitled to support under this act and is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

Sec. 5-a Remedies of a public agency. Whenever the state or a political subdivision, or any official agency thereof, is furnishing support or is likely to furnish support to a dependent it shall have the same right to invoke the provisions of this act as the dependent to whom the duty of support is owed. V. 1949, c. 807 S. 5-a, added L. 1952, c. 40, s. 1, eff. Feb. 22, 1952.

Sec. 6. Procedure. (a) A proceeding under this act shall be commenced by a petitioner by filing a verified petition in the court in the county of the state wherein he resides or is domiciled, showing the name, age, residence and circumstances of the petitioner, alleging that he is in need of and is entitled to support from the respondent, giving his name, age, residence and circumstances, and praying that the respondent be compelled to furnish such support.

(b) If the respondent be a resident of or domiciled in such state and the court has or can acquire jurisdiction of the person of the respondent under existing laws in effect in such state, such laws shall govern and control the procedure to be followed in such proceeding.

(c) If the respondent be not a resident of or domiciled in or cannot be found in such state, a judge of such court shall certify that a verified petition has been filed in his court in a proceeding against the respondent under this act to compel the support of the petitioner, that a summons, duly issued out of his court for service upon the respondent has been returned with an affidavit to the effect that the respondent cannot with due diligence be located or served with such process in the initiating state, that the respondent is believed to be residing or domiciled in the responding state and that, in his opinion, the respondent should be compelled to answer such petition and should be dealt with according to law, and he shall transmit such certificate and certified copies of such petition and summons to the appropriate court in the responding state. In the event that the court shall have before it satisfactory evidence that the respondent is not within the initiating state or cannot be served with process there, the summons and affidavit required herein may be omitted and the certificate shall contain a statement of the reasons for said omissions and the pertinent evidence supporting the same. As amended L. 1956, c. 150 eff. March 22, 1956.

(d) Any judge of a court in the county of the responding state in which the respondent resides or is domiciled or found, upon presentation to him of such certificate and certified copies of such petition and summons, shall fix a time and place for a hearing on such petition and shall issue a summons out of his court, directed to the respondent, duly requiring him to appear at such time and place.

(e) It shall not be necessary for the petitioner or the petitioner's witnesses to appear personally at such hearing, but it shall be the duty of the petitioner's representative of the responding state to appear on behalf of and represent the petitioner at all stages of the proceeding.

(f) If at such hearing the respondent controverts the petition and enters a verified denial of any of the material allegations thereof, the judge presiding at such hearing shall stay the proceedings and transmit to the judge of the court in the initiating state a transcript of the clerk's minutes showing the denials entered by the respondent.

(g) Upon receipt by the judge of the court in the initiating state of such transcript, such court shall take such proof, including the testimony of the petitioner and the petitioner's witnesses and such other evidence as the court may deem proper, and, after due deliberation, the court shall make its recommendation, based on all of such proof and evidence, and shall transmit to the court in the responding state a certified transcript of such proof and evidence and of its proceedings and recommendation in connection therewith.

(h) Upon the receipt of such transcript, the court in the responding state shall resume its hearing in the proceeding and shall give the respondent a reasonable opportunity to appear and reply.

(i) Upon the resumption of such hearing, the respondent shall have the right to examine or cross-examine the petitioner and the petitioner's witnesses by means of depositions or written interrogatories, and the petitioner shall have the right to examine or cross-examine the respondent and the respondent's witnesses by means of depositions or written interrogatories.

(j) If a respondent, duly summoned by a court in the responding state, wilfully fails without good cause to appear as directed in the summons, he shall be punished in the same manner and to the same extent as is provided by law for the punishment of a defendant or witness who wilfully disobeys a summons or subpoena duly issued out of such court in any other action or proceeding cognizable by said court.

(k) If, on the return day of the summons, the respondent appears at the time and place specified therein and fails to answer the petition or admits the allegations thereof or, if, after a hearing has been duly held by the court in the responding state in accordance with the provisions of this section, such court has found and determined that the prayer of the petitioner, or any part thereof, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall make and enter an order directing the respondent to furnish support to the petitioner and to pay therefor such sum as the court shall determine, having due regard to the parties' means and circumstances. A certified copy of such order shall be transmitted by the court to the court in the initiating state and such copy shall be filed with and made a part of the records of such court in such proceeding. The court shall place the respondent on probation on such terms and conditions as the court may deem proper or necessary to assure faithful compliance by the respondent with such order. The court shall also have power to require the respondent to furnish recognizance in the form of a cash deposit or surety bond in such amount as the court may deem proper and just to assure the payment of the amount required to be paid by the respondent for the support of the

(1) The court making such order shall have the power to direct the respondent to make the payments required thereby at specified intervals to the probation department or bureau of the court and to report personally to such department or bureau at such times as may be deemed necessary and the respondent shall at all times be under the supervision of such department or bureau.

(m) A respondent who shall wilfully fail to comply with or violate the terms or conditions of the support order or of his probation shall be punished by the court in the same manner and to the same extent as is provided by law for a contempt of such court or a violation of probation ordered by such court in any other suit or proceeding cognizable by such court,

(n) Upon the receipt of a payment made by the respondent pursuant to the order of the court of the responding state in any proceeding under this act, the probation department or bureau of such court shall forthwith transmit the same to the court of the initiating state.

31 West 11th St. pt.69

Loie Ketz, nother on behalf of William Kreemer, IXI, et

## PETITION FOR SUPPORT - FAMILY

## STATE OF NEW YORK

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: .		75.	Respondent)			Docket 1	No. 1003/57
		Lois Kat	z, mother on be	shalf of	. the Periri	oner herein, being duly	
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44	Α.				التي ميلاك التي التي التي التي التي التي التي التي		
	Q.:	Were any child	ren born of this	marriane			
	A	Yes - two ch	ildren.	mari rage;			
	_		and a first of the second	1			
	Q.	What are the na	ames and ages of	the childre	en under 17 yea	ars of age?	
	Α.	William Krea	mer III - 10	Yrs.			
	Q.	Christine Kr Are they living	camer - 5 Yrs	•			
	Α.	Yes.					
	<u> </u>		rmer				
٠.	Q.	September 19	r/husband last 1	lived with	/OU?		
. 1	Α.			(1)			
٠.	Q.	When and how my	ch was his last	contributio	n for support?		
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aren er inn.	Α.	I received to	wo payments of	\$20. the	last one Ma	27 1057 Tour	+-+
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COURT'S EXHIBIT NO.

## PETITION FOR SUPPORT - FAMILY

# STATE OF NEW YORK

DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION County of . New York

Lois Katz, mother behalf of	on	Sex	Age	Codox;	Reli-	Nativity	Address
behalf of William Kreamer.	III.et al	M	10	·	P	DARRER.	31 West 11th St. pt.6B
	Petitioner					N.Y.	New York, N.Y.
Against				A complete and a comp		The district of the control of the c	
William Kreamer		M	39	W	P	Mass.	201 Magnolia Avenue
	Respondent						Fairhope, Alabama

			<u></u>	ļ	1		-	
6	Respondent						Fairhope,	Alabama
		•						
TO	THE DOMESTIC RELATIONS COURTHE PETITION of LOIS KET	TOF	THE	CITY O	NEW YO	RK - Family	Court Divisi	on:
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	THAT skexixxulex wife of x	th	e ch	ildre:	r's Mot	her .wa	THOUSENESS WAS INCOME AS	
	thexx Recovery green was duly m							0 45
	at	New	. Xor	k.			New York	
thet 1	he Respondent obtaine	d Çi	ty, I nal	decie	Village 3. Of di	vorce in	State of New.Orleans	Louisian
	May 13, 1955, Custo	ody.	of c	hildre	en awar	ded. to th	e Mother	
	and now resides at31.	(est	.llt	h. St.	Apt.6B	" Nem Joi	k. N.Y	····
2.	THAT PREZENTAROUNISMOSENTAR	dexx	south a	aid Re	spondent	is the fat	her of the fo	llowing
	named dependent.S. 1.William Kreamer.	-		n - 4	Novem	ber 29.		10 16
	2. Chr.istine . Kreamer	<del></del> .	· · · · ,	Born	Janua	ry.17.	• • • • • • • • • • • • •	19.49.
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	4	• • • •	,	Born				,19
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	6		•					
3.	THAT PENICOPPENIENS aid o	hild	.r.en	ight(ari	in ne	ed of and	(xx)x(are) enti	tled
	to support from the Respon	dent	unde	rithe	provisio	ns of the N	lew York Unifo	rm
The second secon	Support of Dependents Law	(Cha	p.t.er	807, L	ws of 1	949),		A CONTRACTOR OF THE PROPERTY O
		5	S	entemb				A CONTRACTOR OF THE CONTRACTOR
4.	THAT Respondent, on or abo							
	thereto, refused and negle		_					
1. K	EXCLUSION ON MANY the MONEY AND	epen	dent.	\$. 2CC	ording t	o his means	and earning	capacity;
5.	THAT, upon information and 201 Magnolia Avenue	bel	icf, 	Respond Fa	ient now irhope	is residin	g or domicile Alabama	d at
	No. Street				or Vil		State	
	which State has enacted a	law	subst	antial.	ly simil	ar and reci	procal to the	New
	York Uniform Support of De Lois Katz, mothe:	pend	ents	Law (Cl	apter 8	07, Laws of	1949).	
	Lois Katz, mothe	r om	l ber	mall o	r 0-4			
9	WHEREFORE the Petitione Respondent, as shall be de							
	further relief as the law			(	Signed)	Lois Ka	tz	ner and
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	STATE OF NEW YORK )	-		f.		Same of the second		
	COUNTY OF New York	SS:						
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other			• • • • •		-	• •	says that sh	· · · · · · · · · · · · · · · · · · ·
f the	Petitioner herein, and that contents thereof; and that							
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	matters she believes it to		_			ois Katz	er, which as to	211036
			<b> ,</b>		N. M.	Section 2		
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Petitioner mother on behalf of the

Sworn to before me

Dates Orde	ers and Adjournments	Docket No. U.S.D.L1003/:	Dates	Orders and Adjournments	Dates	Orders and Adjournments
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4/8/57 Corporati	on Counsel.	STATE OF NEW YORK				**************************************
	er with Attorney.	DOMESTIC RELATIONS COURT	There's change		:	
Testimony	taken.	OF THE CITY OF NEW YORK		:		
	received.	FAMILY COURT DIVISION				
Certifica	te signed.	County of New York	-			
(Signed) Justic	e Waltemade			,		
0 No. 100 To 100 No. 1	TECHNIN AND AND THE TOTAL PORT OF THE TOTAL PROPERTY OF THE TOTAL	Lois Katz, mother on behalf William Kreamer IIIket a			·	
1		Petitioner				
		Against	1			
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		Respondent	11			
	Section 4.5 and 5. and	UNDER NEW YORK UNIFORM SUPPORT LAW			::	
	A STATE OF THE STA	PETITION - BANKER Children				
		Filed. March. 28th	)		3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	
		Hon. Nathaniel Kaplan Before				
	the Control of the Co	Before, Justice			:	
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AND THE PROPERTY OF THE PROPER		Da Ra Co				

Sec. 3. Persons legally liable for support of dependents. For the purpose of this act, the following persons in one state are declared to be liable for the support of dependents residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for such support a fair and reasonable sum, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this act:

(a) liusband liable for support of his wife;

(b) Father liable for support of his child or children under seventeen years of age;

(c) Mother liable for support of her child or children under seventeen years of age whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children;

(d) Parents severally liable for support of their child seventeen years of age or older whenever such child is unable to maintain himself and is likely to become a public charge:

(e) Wife liable for support of her husband if he is incapable of supporting himself;

(f) Adult person liable for support of his or her parent or parents;

(g) Grandparent liable for support of his or her grandchild or grandchildren, L. 1949, c.807, s. 3, added L. 1955, c. 289, s. 2, eff. Oct. 1, 1955.

Sec. 3-a Additional provisions regarding liability for support.

For the purposes of this act:

(a) A child or children both of parents who, at any time prior or subsequent to the birth of such child, have entered into a civil or religious matriage ceremony, shall be deemed the legitimate child or children of both parents, regardless of the validity of such matriage.

(b) A child or children born of parents who held or hold themselves out as husband and wife by virtue of a common law matriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate child or children of both parents.

(c) A woman who was or is held out as his wife by a man by virtue of a common law matriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate wife of such man.

(d) Notwithstanding the fact that the respondent has obtained in any state or country a final decree of divorce or separation from his wife or a decree dissolving his marriage, the respondent shall be deemed legally liable for the support of any dependent child of such marriage.

(e) The natural parents of a child born out of wedlock shall be severally liable for the support of such child, but the liability of the natural father shall not be enforceable unless he has been adjudicated to be the child's father by a court of competent jurisdiction, or he has or shall acknowledge paternity of the child in open court, or by a verified written statement. L. 1949, c. 807, s. 3-a, added L. 1955, c. 289, s. 2, eff. Oct. 1, 1955.

Sec. 4. Jurisidiction and powers of court. For the purposes of this act:

(a) The court shall have jurisdiction regardless of the state of last residence or domicile of the petitioner and the respondent and whether or not the respondent has ever been a resident of the initiating state or the dependent person has ever been a resident of the responding state.

(b) The court of the responding state shall have the power to order the respondent to pay sums sufficient to provide necessary food, shelter, clothing, care, medical or hospital expenses, expenses of confinement, expenses of education of a child, funeral expenses and such other reasonable and proper expenses of the petitioner as justice requires, having due regard to the circumstances of the respective parties.

(c) The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the right so to take testimony shall be exercised, provided that the respondent is given a full and fair opportunity to answer the allegations of the petitioner.

Sec. 5. Cases in which proceedings are maintainable. A proceeding to compel support of a dependent may be maintained under this act in any of the following cases:

(a) Where the petitioner and the respondent are residents of or domiciled or found in the same state.

(b) Where the petitioner resides in one state and the respondent is a resident of or is domiciled or found in another state having substantially similar or reciprocal laws.

(c) Where the respondent is not and never was a resident of or domiciled in the initiating state and the petitioner resides or is domiciled in such state and the respondent is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

(d) Where the respondent was or is a resident of or domiciled in the initiating state and has departed or departs from such state leaving therein a dependent in need of and entitled to support under this act and is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

Sec. 5-a Remedies of a public agency. Whenever the state or a political subdivision, or any official agency thereof, is furnishing support or is likely to furnish support to a dependent it shall have the same right to invoke the provisions of this act as the dependent to whom the duty of support is owed. 1.1949, c.807 S. 5-a, added L.1952, c.40, s.1, eff. Feb. 22, 1952.

Sec. 6. Procedure. (a) A proceeding under this act shall be commenced by a petitioner by filing a verified petition in the court in the county of the state wherein he resides or is domiciled, showing the name, age, residence and circumstances of the petitioner, alleging that he is in need of and is entitled to support from the respondent, giving his name, age, residence and circumstances, and praying that the respondent be compelled to furnish such support.

(b) If the respondent be a resident of or domiciled in such state and the court has or can acquire jurisdiction of the person of the respondent under existing laws in effect in such state, such laws shall govern and control the procedure to be followed in such proceeding.

(c) If the respondent be not a resident of or domiciled in or cannot be found in such state, a judge of such court shall certify that a verified petition has been filed in his court in a proceeding against the respondent under this act to compel the support of the petitioner, that a summons, duly issued out of his court for service upon the respondent has been returned with an affidavit to the effect that the respondent cannot with due diligence be located or served with such process in the initiating state, that the respondent is believed to be residing or domiciled in the responding state and that, in his opinion, the respondent should be compelled to answer such petition and should be dealt with according to law, and he shall transmit such certificate and certified copies of such petition and summons to the appropriate court in the responding state. In the event that the court shall have before it satisfactory evidence that the respondent is not within the initiating state or cannot be served with process there, the summons and affidavit required herein may be omitted and the certificate shall contain a statement of the reasons for said omissions and the pertinent evidence supporting the same. As amended L. 1956, c. 150 eff. March 22, 1956.

(d) Any judge of a court in the county of the responding state in which the respondent resides or is domiciled or found, upon presentation to him of such certificate and certified copies of such petition and summons, shall fix a time and place for a hearing on such petition and shall issue a summons out of his court, directed to the respondent, duly requiring him to appear at such time and place.

(e) It shall not be necessary for the petitioner or the petitioner's witnesses to appear personally at such hearing, but it shall be the duty of the petitioner's representative of the responding state to appear on behalf of and represent the petitioner at all stages of the proceeding.

. (f) If at such heating the respondent controverts the petition and enters a verified denial of any of the material allegations thereof, the judge presiding at such heating shall stay the proceedings and transmit to the judge of the court in the initiating state a transcript of the clerk's minutes showing the denials entered by the respondent.

(g) Upon receipt by the judge of the court in the initiating state of such transcript, such court shall take such proof, including the testimony of the petitioner and the petitioner's witnesses and such other evidence as the court may deem proper, and, after due deliberation, the court shall make its recommendation, based on all of such proof and evidence, and shall transmit to the court in the responding state a certified transcript of such proof and evidence and of its proceedings and recommendation in connection therewith.

(h) Upon the receipt of such transcript, the court in the responding state shall resume its hearing in the proceeding and shall give the respondent a reasonable opportunity to appear and reply.

(i) Upon the resumption of such hearing, the respondent shall have the right to examine or cross-examine the petitioner and the petitioner's witnesses by means of depositions or written interrogatories, and the petitioner shall have the right to examine or cross-examine the respondent and the respondent's witnesses by means of depositions or written interrogatories.

(j) If a respondent, duly summoned by a court in the responding state, wilfully fails without good cause to appear as directed in the summons, he shall be punished in the same manner and to the same extent as is provided by law for the punishment of a defendant or witness who wilfully disobeys a summons or subpoena duly issued out of such court in any other action or proceeding cognizable by said court.

(k) If, on the return day of the summons, the respondent appears at the time and place specified therein and fails to answer the petition or admits the allegations thereof or, if, after a hearing has been duly held by the court in the responding state in accordance with the provisions of this section, such court has found and determined that the prayer of the petitioner, or any part thereof, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall make and enter an order directing the respondent to furnish support to the petitioner and to pay therefor such sum as the court shall determine, having due regard to the parties' means and circumstances. A certified copy of such order shall be transmitted by the court to the court in the initiating state and such copy shall be filed with and made a part of the records of such court in such proceeding. The court shall place the respondent on probation on such terms and conditions as the court may deem proper or necessary to assure faithful compliance by the respondent with such order. The court shall also have power to require the respondent to furnish recognizance in the form of a cash deposit or surety bond in such amount as the court may deem proper and just to assure the payment of the amount required to be paid by the respondent for the support of the

(1) The court making such order shall have the power to direct the respondent to make the payments required thereby at specified intervals to the probation department or bureau of the court and to report personally to such department or bureau at such times as may be deemed necessary and the respondent shall at all times be under the supervision of such department or bureau.

(m) A respondent who shall wilfully fail to comply with or violate the terms or conditions of the support order or of his probation shall be punished by the court in the same manner and to the same extent as is provided by law for a contempt of such court or a violation of probation ordered by such court in any other suit or proceeding cognizable by such court.

(n) Upon the receipt of a payment made by the respondent pursuant to the order of the court of the responding state in any proceeding under this act, the probation department or bureau of such court shall forthwith transmit the same to the court of the initiating state.

- (o) The probation department or buteau of the court in the responding state shall, not later than thirty days following the end of each fiscal year, furnish to the court of the initiating state an itemized statement under oath of all payments made by the respondent during such fiscal year for the support of the petitioner in such proceeding.
- (p) The court of the initiating state shall receive and accept all payments made by the respondent to the probation department or bureau of the court of the responding state and transmitted by the latter on behalf of the respondent. Upon receipt of any such payment, and under such rules as the court of the initiating state may prescribe, the court, or its probation department or bureau, as the court may direct, shall deliver such payment to the dependent person entitled thereto, take a proper receipt and acquittance therefor, and keep a permanent record thereof. L.1949, c.807, s.6; amended L.1953, c.455, s.1, eff. April 2, 1953.
- (q) The court of the responding state may use any power to enforce a duty of support against a respondent under this act which is otherwise available to it under the laws of the responding state. Added L.1956, c.155, eff. March 22, 1956.

Sec. 6-a Appeals; effectiveness of orders. Any respondent in a proceeding brought under the provisions of this act shall have the same right of appeal as in civil proceedings or actions brought in the same court. Any order for support made by the court shall not be affected by an appeal but shall continue in effect until the appeal is decided and thereafter, if the order is affirmed, until changed by further order of the court. L. 1949, c.807, s.6-a, added L. 1953, c431, eff. April 2, 1953.

Sec. 7 Duty of petitioners' representatives. It shall be the duty of all petitioners' representatives of this state to appear in this state on behalf of and represent the petitioner in every proceeding pursuant to this act, at the time the petition is filed and at all stages of the proceeding thereafter, and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Sec. 7-a Expenses of proceedings. Expenses of stenographic records of court proceedings and of certification of court records shall be a county charge and shall be paid out of the county treasury. L.1949, c.807, s.7-a, added L.1950, c.702; amended L.1953, c.455, s.2, eff. April 2, 1953.

Sec. 8. Construction of act. 1. This act shall be construed to furnish an additional or alternative civil remedy and shall in no way affect or impair any other remedy, civil or criminal, provided in any other statute and available to the petitioner in relation to the same subject matter. 2. This act shall not be construed to confer jurisdiction on the court of the initiating or responding state in any pending or future action for divorce, legal separation or annulment. As amended L. 1952, c. 40, s. 2. eff. Feb. 22, 1952.

Sec. 9. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

Sec. 10. Separability. If any part of this act or the application thereof to any person or circumstances is adjudged invalid by a court of competent jutisdiction, such judgement shall not affect or impair the validity of the remainder of such act or the application thereof to other persons and circumstances.

Sec. 11. Chapter seven hundred ninety of the laws of nineteen hundred forty-eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws," is hereby repealed.

Sec. 12. This act shall take effect immediately.

State of New York )
Department of State ) ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Carmine G. DeSapio

Secretary of State.

UNIFORM SUPPORT OF DEPENDENTS LAW F-176 Rev. 5-10-56 DRCNYC

#### LAWS OF NEW YORK. - By Authority CHAPTER 807 of the Laws of 1949, as Amended

AN ACT authorizing and prescribing the procedure for civil proceedings to compel the support of dependent wives, children and poor relatives within and without the state, and repealing chapter seven hundred ninety of the laws of nineteen hundred forty eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws"

Became a law April 25, 1949, with the approval of the Governor. Passed, by a majority vote, three fifth being present.

The People of the State of New York, tepresented in Senate and Assembly, do enact as follows:

#### UNIFORM SUPPORT OF DEPENDENTS LAW

Section 1 Short title; purpose.

- . Definitions.
- 3. Persons legally liable for support of dependents.
- 3-a. Additional provisions regarding liability for support.
- 4. Jutisdiction and powers of court.
- 5. Cases in which proceedings are maintainable.
- 5-a. Remedies of a public agency.
- 6. Procedure.
- 6-a. Appeals; effectiveness of orders.
- 7. Duty of petitioners' tepresentatives.
- 7-a. Expenses of proceedings.
- 8. Construction of act.
- 9. Uniformity of interpretation.
- 10. Separability.

Section 1. Short title; purpose. This act may be cited and referred to as the uniform support of dependents aw.

The purpose of this uniform act is to secure support in civil proceedings for dependent wives, children and

poor relatives from persons legally responsible for their support.

Sec. 2. Definitions. As used in this act, unless the context shall require otherwise, the following terms

Sec. 2. Definitions. As used in this act, unless the context shall require otherwise, the following term shall have the meanings ascribed to them by this section:

- (a) "State" shall mean and include any state, territory or possession of the United States and the District of Columbia.
- (b) "Court" shall mean and include the domestic relations court of the city of New York, the children's court in any county outside the city of New York, whether established as a separate court or as a part or division of the county court, and a municipal court; when the context requires, it shall mean and include a court of another state defined in and upon which appropriate jurisdiction has been conferred by a substantially similar reciprocal law.
- (c) "Child" includes a step child, foster child, child born out of wedlock or legally adopted child and means a child actually or apparently under seventeen years of age, and a child over seventeen years of age who is unable to maintain himself and is likely to become a public charge.
  - (d) "Dependent" shall mean and include any person who is entitled to support pursuant to this act.
- (e) "Petitioner" shall mean and include each dependent person for whom support is sought in a proceeding instituted pursuant to this act.
- (f) "Respondent" shall mean and include each person against whom a proceeding is instituted pursuant to this act.
- (g) "Petitioner's representative" shall mean and include a corporation counsel, county attorney, state's attorney, commonwealth attorney and any other public officer, by whatever title his public office may be known, charged by law with the duty of instituting, maintaining or prosecuting a proceeding under this act or under the laws of the state or states wherein the petitioner and the respondent teside.
- (h) "Summons" shall mean and include a subpoena, warrant, citation, order or other notice, by whatever name known, provided for by the laws of the state or states wherein the petitioner and the respondent reside as the means for requiring the appearance and attendance in court of the respondent in a proceeding instituted pursuant to this act.
  - (i) "laitiating state." shall mean the state of domicile or residence of the peritioner.
- (j) "Responding state" shall mean the state wherein the respondent resides or is domiciled or found. As amended L.1949, c.807, s.2; L. 1950, c.401; L.1953, cc.443, 456; L. 1954, c. 721, s. 1; L. 1955, c.289, s. 1. eff.Oct. 1, 1955.

TESTIMONY - PETITIONER Form F-174 Rev. 031852 STATE OF NEW YORK DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION Lois Katz, mother o/b/o County. . New . Loris . . . . . . . Villiam Treamer Petitioner) TESTIMONY OF LOIS Katz mother o/h/o , Petitioner Tillien Troomer Tilliam Kreamur III. et al Docket No. 1003/57 Respondent) Lois Retz, mother on behalf of , the Petitioner herein, being duly sworn, on her oath testifies as follows: Q. What is your full name? Lois Kata Ο. Where are you now living? 31 West lith St. Apt.68, Wew York, N.Y. Α. When and where were you married to the Respondent? October 11, 1945 at New York, N. Y. 0... Α. That is your present maritel status?

ALEXYON STRIKE THE RESPONDENT; and remarkled. He obtained a final decree of divorce 5/13/55 in New Orleans, Louisians.

When we next the correction corrections to the separation from your husband? Q. Α. Q. Were any children born of this marriage? Q. Α. What are the names and ages of the children under 17 years of age? William Kreemer III - 10 Yrs. 0. A . Christine Kroemer - 8 Krs. Are they living with you? Q. Α. When was it your husband last lived with you? 0. Α. When and how much was his last contribution for support? ο. I received to payments of \$20. The lost one March 21.1957. Prior to these payments, no support for the children since July 1950. \$20. on March 28,1957 is there a complaint or an order for support in any court?
No. We had entered into a separation agreement - 7.50. was to pay \$50. Α. Q. Α. per wek up to income of \$7,500. for wife and children. Payments Are you employed? What are your earnings? to increase when income higher. The 0. On remerriage, payments for the children's support to continue. Α. Have you any other source of income?

My present husband has been sup orting a son of his own and my two children. Are you and the children in good health? Α. 0. Α. you any debts outstanding? o. (150. for medical and dental sarvices for children. 化熟烟 What do you require for the support of yourself and children? %60. weekly. former Do you know where your husband is now living? Α. Do you know if and where you husband is now employed? Alsborns Dyrooks, Mobile, Alsborns.

O. What is his salary, if you know? A. I do not know present selery. In 1954 he was earning \$150. weekly.

Q. Are you now receiving public aid; and how much?

(Signed) Lois Ketz

(Signed) Wilfred A. Welt@mede

Justice, DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK

COURT'S BEELBIE MG .... D. R. G.

UNIFORM SUPPORT OF DEPENDENTS LAW CERTIFICATION OF COURT RECORDS (S6(c) FORM F-184 071553

> STATE OF NEW YORK DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION County of New York

STATE OF NEW YORK) CCUNTY OF . N.Y.

I Frank A. Marron CLEAR of the Domestic Relations Court of the City of New York, Family Division, County of New York State of New York, DO HEREBY ATTEST AND CERTIFY that, as such Chark, I am keeper and custodian of all court records, papers, proceedings and process in and for the Family Division of this Court in said County, and that said records, papers, proceedings and process are kept by me in my files in conformity with the law.

I do further attest and certify that the annexed is a true copy of an original record now on file in this Court, in the matter of .. Lois Katz ....., Petitioner, against .. William Kreamer ....., Respondent, Docket No. 1003/57...., that I have compared the transcript hereto annexed with the said original record, and that the same is a true and correct transcript of the said original record and of the whole thereof.

> IN WITNESS WHEREOF, I have hereunto set my hand and affixed the SEAL of the said Court at.. 135. East 22nd St. on this...l5th ..day of ....April

Rev. 042456 CERTIFICATE (S6(c)

Form F-165

State of New York

DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION

COUNTY OF New York

lois Natz, mother on

behalf of william Kreamer III,

Petitioner

et al Against

YORK, hereby certifies:

William Kreemer

Respondent

THE UNDERSIGNED, a JUSTICE OF THE DOMESTIC RELATIONS COURT of the CITY OF NEW

. 1. That on 28 day of March , 19 5% Petition was verified by the above

Docket No. U.S.D.L. 1003/57

named Petitioner and duly filed in this Court in a proceeding against the above named Respondent commenced under the provisions of the Uniform Support of Dependents

Law of the State of New York (Chapter 807, Laws of 1949 as amended) to compel the

2. That no Summons was issued for the above named Respondent since it appears from pertinent evidence contained in the sworn testimony of the Petitioner herein. as set forth on Form F-174 attached hereto, that the Respondent is residing or

domiciled at 201 Magnolia Avenue, Fairhope, Alabama 3. That the undersigned, A JUSTICE of the DOWESTIC RELATIONS COURT of the CITY OF NEW YORK, has examined the Petitioner under oath, as set forth on Form F-17/ attached hereto, and in the opinion of the undersigned, the needs of the dependent

per (week) (months. 4. That in the opinion of the undersigned JUSTICE the Respondent should be compelled to answer such Petition and be dealt with according to law.

WHEREFORE, it is hereby ORDERED that this certificate together with the exempli-

City, Town or Village State of (Signed) Wilfred A. Weltemade

26 Justice of the Domestic Relations Court of the City of New York

support of the dependent and in that Petition.

named in the petition are the sum of \$60.00

fied copies of the Petition be transmitted to Belawin County, Bey Minette, Alebema

April 8th Dated

The State of Alabama, Circuit Court, Baldwin  Baldwin County. 4018	County
of the first of t	TERM, 19
TO THE STATE OF ALABAMA:	
You Are Hereby Commanded to Summon William : Kreamer,	4
	111111111111111111111111111111111111111
to appear and plead, answer or demur, within thirty days from the service hereof, to the the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against	
	, Defendant
by Lois Katz, mother on behalf of William Kreamer III otal	, Defendant
by Lois Katz, mother on behalf of William Kreamer III etal	, Defendant
	:
by Lois Katz, mother on behalf of William Kreamer III et al  Witness my hand this 24th April 57	, Plaintiff
	, Plaintiff

	N.F.
No. 1,018 Page	Defendant lives at
The State of Alabama Baldwin County	
CIRCUIT COURT	Received In Office
LOIS KATZ, Mother on behalf of	4-24 1957
William Kreamer III, et al	, Sheriff
Plaintiffs	I have executed this summons
vs,	this19
WILIJAM KREAMER	by leaving a copy with
Defendants	Renumed 4 day of May 197
Summons and Complaint	Saylor Wilkins, Sheri
Filed F	By Courty Sheriff
MA L MCK, Register	
Plaintiff's Attorney	Sheriff
Defendant's Attorney	Deputy Sheriff

Form F-165 Rev. 042456 CERTIFICATE (S6(c)

State of New York

DOMESTIC RELATIONS COURT OF THE CITY OF MEW YORK - FAMILY COURT DIVISION

Lois Katz, mother on

Petitioner

Respondent

et al

Against

William Kreamer

YORK, hereby certifies:

City, Town or Village

April 8th

behalf of william Kreemer III,

support of the dependent s named in that Petition.

domiciled at 201 Magnolia Avenue, Fairhope, Alabama

COUNTY OF New York

THE UNDERSIGNED, a JUSTICE OF THE DOMESTIC RELATIONS COURT of the CITY OF NEW

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4. That in the opinion of the undersigned JUSTICE the Respondent should be

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named in the petition are the sum of \$60.00 per (week) (month).

compelled to answer such Petition and be dealt with according to law.

fied copies of the Petition be transmitted to Clerk of Circuit Baldwin County, Bay Minette, Alabama

State of

. 1. That on 28 day of March , 195% Petition was verified by the above named Petitioner and duly filed in this Court in a proceeding against the above named Respondent commenced under the provisions of the Uniform Support of Dependents Law of the State of New York (Chapter 807. Laws of 1949 as amended) to compel the

(Signed) Wilfred A. Waltamade

26 Justice of the Domestic Relations Court

of the City of New York

Court,

Docket No. U.S.D.L. 1003/57

Petitioner

Respondent

Baldwin County, Bay Minette, Alabama

City, Town or Village

Dated April 8th

et al

Against

William Kreamer

YORK, hereby certifies:

Form F-165 Rev. 042456 CERTIFICATE (S6(c)

State of New York

DOMESTIC RELATIONS COURT OF THE CITY OF MEN YORK - FAMILY COURT DIVISION

COUNTY OF New York

Lois Katz, mother on

support of the dependent s named in that Petition.

domiciled at 201 Magnolia Avenue, Fairhope, Alabama

behalf of william Kreamer III,

THE UNDERSIGNED, a JUSTICE OF THE DOMESTIC RELATIONS COURT of the CITY OF NEW

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26 Justice of the Domestic Relations Court

of the City of New York

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State of

Docket No. U.S.D.L. 1003/57

Court.