

ALABAMA RULES OF JUDICIAL ADMINISTRATION

Rule 32.1

Child support information sheet.

This rule, as adopted effective July 1, 1998, shall apply to all filings made on or after July 1, 1998.

A "child support information sheet" (see the form attached as an appendix to this rule), shall accompany the filing of each complaint, petition, answer, or motion to intervene in a divorce action, an action seeking to establish or to modify child support, or an action to determine paternity. Each party, or if the party is represented by counsel, the party's attorney, shall complete the child support information sheet and print his or her name and daytime telephone number in the spaces provided at the bottom of the sheet before filing it with the court. However, the failure to file the child support information sheet when the complaint, petition, answer, or motion to intervene is filed shall not affect the validity of the action or the date of the commencement of the action.

If the complaint, petition, answer, or motion to intervene is presented to the clerk of the court without a properly completed child support information sheet, the clerk shall accept the complaint, petition, answer, or motion to intervene and inform the person filing it of the requirements of this rule, and each party, or, if a party is represented by counsel, then the party's attorney, shall promptly file a completed child support information sheet.

If a party fails to comply with the requirements of this rule, the court in which the action is pending may make such orders as it believes are just, including issuing an order staying the proceedings until the child support information sheet is filed, or, after proper notice, dismissing the action; and, in lieu of any other orders, or in addition to any orders, the court may treat the failure to comply with the requirements of this rule as contempt of court.

[Adopted effective July 1, 1998.]

Comment

This rule was drafted to comply with the Child Support Reform Act of 1997, codified at § 30-3-190, et seq., Ala. Code 1975. The child support information sheet will allow the Department of Human Resources to maintain a central repository of case information. The child support information sheet must be filed by both parties in all divorce actions, even those in which the parties have no minor children. In that event, the parties would check the "Not applicable" block on the child support information sheet.