

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act. Any appropriations made available under authority of this Act may be expended without regard to section 3709 of the Revised Statutes of the United States, as amended, and section 1316 of the Supplemental Appropriation Act, 1954 (67 Stat. 439).

Approved July 10, 1957.

Appropriation.

41 USC 5.

40 USC 483b.

## Public Law 85-94

### AN ACT

To improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia.

July 10, 1957  
[H. R. 7249]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following provisions to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law in respect thereto, shall be in effect in the District of Columbia on and after the effective date of this Act.

D. C. family  
support.

### DEFINITIONS

SEC. 2. As used in this Act, unless the context requires otherwise—  
(a) "State" includes any State, Territory, or possession of the United States and the Commonwealth of Puerto Rico and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(b) "Initiating State" means any State in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(c) "Responding State" means any State in which a proceeding pursuant to the proceeding in the initiating State is or may be commenced.

(d) "Court" means the Domestic Relations Branch of the Municipal Court for the District of Columbia and, when the context requires, means the court of any other State as defined in a substantially similar reciprocal law.

(e) "Duty of support" includes: (1) any duty of support imposed by statute or by common law, or by any court order, decree, or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance, or otherwise; (2) any duty of reimbursement imposed by law for moneys expended by a State or a political subdivision or an agency thereof for support, including institutional care; and (3) the duty imposed by section 20 of this Act.

(f) "Dependent" means any person who is in need of and entitled to support from a person legally liable for such support.

(g) "Plaintiff" means any person or any State or political subdivision or agency thereof, commencing a proceeding pursuant to this or a similar reciprocal law, whether on his or its own behalf, or on behalf of a dependent as herein defined.

(h) "Defendant" means any person owing a duty of support, against whom a proceeding is commenced pursuant to this or a similar reciprocal Act.

## REMEDIES ADDITIONAL TO THOSE NOW EXISTING

SEC. 3. The civil remedies herein provided are in addition to and not in substitution for any other remedies.

## EXTENT OF DUTIES OF SUPPORT

SEC. 4. Duties of support enforceable under this Act are those imposed under the laws of any State in which the defendant was present during the period for which support is sought, or in which the dependent was present when the failure to support commenced or where the dependent is when the failure to support continues. The defendant shall be presumed to have been present in the responding State during the period for which support is sought until otherwise shown.

## REMEDIES OF A STATE FURNISHING SUPPORT OR INSTITUTIONAL CARE

SEC. 5. Whenever any State or a political subdivision or agency thereof has furnished, or is furnishing support or institutional care to a dependent, it shall for the purposes of securing reimbursement of past expenditures and of obtaining continuing support, have the same right to invoke the provisions of this Act as the dependent to whom such support or care was furnished, or is being furnished.

## HOW DUTIES OF SUPPORT ARE ENFORCED; JURISDICTION

SEC. 6. Proceedings to enforce duties of support initiated in the District of Columbia shall be commenced by the filing of a complaint irrespective of the relationship between the plaintiff and defendant. Jurisdiction of all proceedings under this Act shall be vested in the domestic relations branch of the municipal court for the District of Columbia, which branch in exercising the jurisdiction vested in the court by this Act, shall have all of the power and authority which is vested in the court by the Act entitled "An Act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes", approved April 11, 1956 (70 Stat. 111, chapter 204).

D. C. Code 11-758.

## CONTENTS OF THE COMPLAINT

SEC. 7. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and of the dependents for whom the duty of support is sought to be enforced, and all other pertinent facts necessary to enable the court to determine whether a duty of support exists on the part of the defendant. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his fingerprints, or social security number.

## REPRESENTATION OF PLAINTIFF

SEC. 8. In any instance in which the Corporation Counsel of the District of Columbia is satisfied that a public support burden has been incurred or is threatened, it shall be his duty to represent the plaintiff in any proceedings arising under this Act or a similar reciprocal Act. In all other cases the court may, in its discretion, appoint private counsel to represent the plaintiff: *Provided*, That the plaintiff

may be represented by private counsel in any proceedings under this Act at his own expense.

#### COMPLAINT ON BEHALF OF A MINOR

SEC. 9. A complaint on behalf of a minor dependent may be brought by any person or agency as next friend of the minor, regardless of whether such person or agency has been appointed guardian of such minor.

#### DUTY OF COURT WHEN DISTRICT OF COLUMBIA IS INITIATING STATE

SEC. 10. If the court finds that a complaint initiated in the District of Columbia sets forth facts from which it appears that the defendant owes a duty of support, as defined in this Act, and that a court of a responding State may obtain jurisdiction of the defendant, it shall so certify and shall cause to be transmitted to the court in the responding State, three copies of its certificate, three certified copies of the complaint, and three copies of this Act.

#### COSTS AND FEES

SEC. 11. The complaint, when initiated in the District of Columbia, shall be accompanied by such fees and costs as may be required by the court as well as by the court of the responding State: *Provided*, That the court whether the District of Columbia be the initiating or responding State, may in its discretion direct that payment or prepayment of any part or all fees and costs incurred in the District of Columbia be waived upon the filing of an affidavit representing that the plaintiff is unable to pay the same: *Provided further*, That the court shall direct waiver of payment or prepayment of such fees and costs whenever the plaintiff is a State having a similar provision for waiver of fees, or a political subdivision or agency thereof. Nothing in this section shall be construed to deprive the court of its discretion to assess costs and fees.

#### JURISDICTION BY ARREST

SEC. 12. When the court has reason to believe that the defendant may flee the jurisdiction of the responding State, it may (a) as the court of the initiating State, request in its certificate that the court of the responding State obtain the body of the defendant by appropriate process if that be permissible under the law of the responding State, or (b) as the court of a responding State, obtain the body of the defendant by any appropriate process.

#### INFORMATION AGENT

SEC. 13. The Corporation Counsel of the District of Columbia is hereby designated as the reciprocal information agent under this Act and it shall be his duty to transmit a copy of this Act and any subsequent changes therein to the State information agency of every other State which has adopted this or a substantially similar Act, and to maintain a registry of the names and addresses of the courts having jurisdiction of such proceedings in other States.

#### DUTY OF THE COURT WHEN THE DISTRICT OF COLUMBIA IS RESPONDING STATE

SEC. 14. (a) When the court receives from the court of an initiating State certified copies of a complaint or other proceedings containing the essential allegations of a complaint, under whatever name it may be known, and a certificate similar to that required by section 10

hereof, it shall docket the cause and refer the matter to the Corporation Counsel, or to private counsel, if appropriate, for such further action as may be necessary to obtain jurisdiction of the defendant in order to carry out the provisions of this Act.

(b) If the court is unable to obtain jurisdiction of the defendant due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating State, and shall hold the case pending receipt of more accurate information or an amended complaint from the court in the initiating State.

#### ORDER OF SUPPORT

SEC. 15. If the court finds a duty of support as defined by this Act it may order the defendant to pay such amounts under such terms and conditions as the court may deem proper. The court may require the defendant to furnish recognizance in the form of a cash deposit or bond, and may punish a defendant who violates any order of the court to the same extent as is provided by law for contempt in any other suit or proceeding cognizable by the court.

#### COPIES OF ORDERS TO BE TRANSMITTED TO INITIATING STATE

SEC. 16. The court shall cause to be transmitted to the court of the initiating State a certified copy of all orders of support or for reimbursement therefor entered by it.

#### ADDITIONAL DUTIES OF THE COURT

SEC. 17. The court shall have the additional duty, which may be carried out by the clerk of the court, to receive payments made pursuant to order of the court by defendants within the District of Columbia or transmitted by the court of a responding State, and to disburse the same in accordance with the order of the court, and upon request of the court of an initiating State shall furnish to that court a certified statement of all payments received and disbursed in a particular case.

#### TESTIMONY OF SPOUSE

SEC. 18. In all proceedings arising under this Act, husband and wife shall be competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

#### APPLICATION OF PAYMENTS

SEC. 19. No order of support entered by the Court in any proceeding arising under this Act shall supersede any previous order of support entered in a divorce or separate maintenance action, or any other proceedings, but the amounts for a particular period paid pursuant to either order, when verified, shall be credited against amounts accruing or accrued for the same period under both.

#### SUPPORT OF ILLEGITIMATE CHILDREN

SEC. 20. The natural father of an illegitimate child shall have the duty to support such child until the age of sixteen years (a) when paternity has been established by judicial process, or (b) when paternity has been directly acknowledged by the putative father under oath.

#### EFFECT OF PARTICIPATION IN PROCEEDING

SEC. 21. Participation in any proceedings under this Act shall not

confer upon any court jurisdiction of any of the parties thereto in any other proceeding.

#### APPEALS

SEC. 22. Any party aggrieved by any final or interlocutory order or judgment entered in the court shall have the same right of appeal available in respect to any final or interlocutory order or judgment entered in the civil branch of the municipal court for the District of Columbia.

#### SEVERABILITY

SEC. 23. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

#### APPROPRIATIONS AUTHORIZED

SEC. 24. Appropriations for expenses necessary for carrying out the purposes of this Act, including additional personal services for the court and for the Office of the Corporation Counsel, are hereby authorized.

#### REORGANIZATION

SEC. 25. Where any provision of this Act refers to an office or agency abolished under the provisions of Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this Act shall be construed as a limitation on the authority vested in the Commissioners by such Reorganization Plan.

D. C. Code title  
1 app.

#### EFFECTIVE DATE

SEC. 26. This Act shall take effect sixty days after appropriations therefor become available.

Approved July 10, 1957.

### Public Law 85-95

#### AN ACT

Authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate.

July 10, 1957  
[S. 1429]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate, in accordance with plans to be prepared by or under direction of the Architect of the Capitol and to be submitted to and approved by the Senate Office Building Commission.

Senate Office  
Building.

70 Stat. 966,  
40 USC 174b-1  
note.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, and the

Appropriation.