

407.5607 Contest of registration or enforcement.

- (1) A party contesting the validity or enforcement of a registered order or seeking to vacate the registration has the burden of proving one (1) or more of the following defenses:
 - (a) The issuing tribunal lacked personal jurisdiction over the contesting party;
 - (b) The order was obtained by fraud;
 - (c) The order has been vacated, suspended, or modified by a later order;
 - (d) The issuing tribunal has stayed the order pending appeal;
 - (e) There is a defense under the law of this state to the remedy sought;
 - (f) Full or partial payment has been made; or
 - (g) The statute of limitation under KRS 407.5604 precludes enforcement of some or all of the arrearages.
- (2) If a party presents evidence establishing a full or partial defense under subsection (1) of this section, a tribunal may stay enforcement of the registered order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered order may be enforced by all remedies available under the law of this state.
- (3) If the contesting party does not establish a defense under subsection (1) of this section to the validity or enforcement of the order, the registering tribunal shall issue an order confirming the order.

Effective: March 23, 1998

History: Contingent effective date repealed 1998 Ky. Acts ch. 101, sec. 20, effective March 23, 1998. -- Created 1996 Ky. Acts ch. 365, sec. 52, effective upon contingency.