

This form explains what to do if you want to register and enforce a child custody order made by the court of another state, an Indian tribe, or another country.

## 1. Where do I register the order?

You can register a child custody order from the court of another state, country, or tribal court with any superior court in California. You can find a listing of California courts here:

## 2. How do I register the order?

You can either bring the required documents to the court clerk's office for registration or you can mail them to the court. Before you mail the documents, you should contact the court to confirm the correct department and address for mailing the documents. (See Family Code, § .)

## 3. What documents do I need to give the court?

The documents you need to give the court to register your order are set out in Family Code section 3445(a):

- a. A letter or other document requesting registration. You may use form , *Registration of Out-of-State or Tribal Custody Order and Notice of Registration*.
- b. Two copies of the out-of-state or tribal custody order that you want to register. One of the copies needs to be certified.
- c. A statement or declaration signed under penalty of perjury that, as far as you know, the order you are registering has not been modified or changed. This declaration is contained in item 6d on page 2 of form .
- d. Unless there have been allegations of domestic violence or child abuse, you must also include your address and the address of any parent or person acting as a parent who has been awarded custody or visitation of the child.

## 4. Is there a fee?

Ask the clerk what the filing fee is. If you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form is available for this purpose.

## 5. What can I ask the court to do?

If you want the assistance of the court and/or law enforcement to enforce the terms of the custody order because someone is violating the order, you can file form FL-581, *Petition for Enforcement of Out-of-State or Tribal Custody Order*, either at the same time you register your custody order or later. The request must contain all the information set out in Family Code section (b) and be signed under penalty of perjury. You must attach to your request certified copies of the order you want enforced. At the time you request enforcement, you can also ask the court to order you physical custody of the child, attorney's fees, and assistance from law enforcement. Sometimes law enforcement can help locate the child or execute a warrant to take physical custody of the child. (See Family Code, §§ , (b)(5).)

## 6. What happens after I register my order?

After you send or give your documents to the court, the court will file your order as a foreign judgment and give any other person you named who has, or claims a right to, custody or visitation with the child (or children) notice of the documents you have filed. (This notice is on page 3 of form FL-580.) The people who get notice have 20 days to ask for a hearing to object to the validity of the registered order. (See Family Code, § (b).)



## 7. What if another person objects to registration of the order?

If someone objects to the registration of the custody order, you will get notice of the time and date that the court has set for a hearing. You or your attorney should go to the hearing. At the hearing, the court will consider whether the court that issued the custody order had jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to make the order; whether the order has ever been vacated, stayed, or modified by a court with jurisdiction; and whether the person objecting to the order received notice of the order before it was made. (See Family Code, § (d).)

## 11. What happens at the enforcement hearing?

You or your attorney must attend this hearing. At this hearing, the court will consider whether the child custody order has been registered and confirmed, and whether the order was later vacated, stayed, or modified by a court with jurisdiction. If the original order has not been registered and confirmed, the court will consider whether the court that issued it had jurisdiction under the UCCJEA, and whether the respondent was entitled to notice of the original order issued by the out-of-state or tribal court but did not receive it. (See Family Code, § (d).)

## 8. When will my order be confirmed?

If at a hearing the court finds that the registered order is valid, or if no one contests the order within 20 days, the court will confirm the order and give notice of the confirmation to you and all the other people served with notice of registration of the order. (See Family Code, § (e).)

## 9. When is the order enforceable?

The registered order is enforceable from the date it is registered with the court unless and until the court finds the order is not valid. You do not have to wait for the court's confirmation. (See Family Code, §§ (c)(1), .)

## 10. What happens if I ask for help with enforcement?

If you ask the court for an order enforcing the custody order (see paragraph 5 above) either at the same time you register the order or later, the court will order the person who has the child in violation of the custody order to come to court, and will set a hearing for as soon after the person is served with that order as possible (usually the next court day). (See Family Code, § (c).)