

SELF-SERVICE CENTER

**PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED ALL FORMS TO REGISTER A FOREIGN CUSTODY COURT ORDER**

(for CUSTODY, LEGAL DECISION MAKING, PARENTING TIME, OR NON-PARENT VISITATION IN ARIZONA)

**AFTER YOU HAVE COMPLETED THE FOLLOWING DOCUMENTS:**

- “Family Court Sensitive Data Cover Sheet”, DRSDS10f-c (no copies needed)
- “Request to Register” letter, DRFOC11f
- “Affidavit to Register a Foreign Order”, DRFOC12f
- “Affidavit Regarding Minor Children to Register Foreign Custody Order”, (DRFOC13f), along with any extra pages used.
- “Five Year Residential History – Additional Children”, (DRFOC13fb) (if necessary)

**STEP 1. GATHER CERTIFIED COPIES OF THE ORDER(S)** to be registered.

**STEP 2. MAKE 2 COPIES** (or more, if more than one other party is involved) **of the following:**

- Request to Register letter
- Affidavit to Register Foreign Custody Order
- Affidavit Regarding Minor Children (along with any extra pages)
- The foreign order(s) being registered

**STEP 3. SEPARATE YOUR DOCUMENTS INTO 3 SETS\*** (or More, if additional parties)

SET 1 – FOR CLERK OF COURT	SET 2: Your Copy
<b>Originals</b> (some will be copies of originals) <ul style="list-style-type: none"><li>• Family Court Sensitive Data Coversheet</li><li>• Request to Register letter</li><li>• Affidavit to Register Foreign Custody Order</li><li>• Affidavit Regarding Minor Children + extra</li><li>• Five Year History sheet – if needed</li><li>• One certified copy of Foreign Order</li></ul>	<ul style="list-style-type: none"><li>• Request to Register letter</li><li>• Affidavit to Register Foreign Custody Order</li><li>• Affidavit Regarding Minor Children + extra</li><li>• Five Year History sheet – if needed</li><li>• Copy of Foreign Order</li></ul>
	<b>SET 3 (or more):* Other Party’s Copy</b> <ul style="list-style-type: none"><li>• Request to Register letter</li><li>• Affidavit to Register Foreign Custody Order</li><li>• Affidavit Regarding Minor Children + extra</li><li>• Five Year History sheet – if needed</li><li>• Copy of Foreign Order</li></ul>
<b>SET 4 (or more)*.</b> Only if needed. (See below)	
<b>*If more than one other adult</b> (or agency) is listed as a party in the order being registered, you will need to make an <b>additional</b> set of the documents listed in Set 3 for <b>each party</b> .	

#### STEP 4. FILE YOUR PAPERS WITH THE CLERK OF COURT.

Court is open from 8:00 A.M. to 5:00 P.M., Monday through Friday, except holidays. You may file at any of the following court locations.

##### Central Court Building

201 West Jefferson, 1st floor  
Phoenix, Arizona 85003

##### Northwest Court Complex

14264 West Tierra Buena Lane  
Surprise, Arizona 85374

##### Southeast Court Complex

222 East Javelina Avenue, 1st floor  
Mesa, Arizona 85210

##### Northeast Court Complex

18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

**FEES:** There is a filing fee to register another state's order regarding matters of custody, legal decision making, parenting time, or non-parent visitation. If you cannot afford the filing fee, you may obtain the (free) fee deferral (payment plan) or waiver application from any Superior Court Self-Service Center location or from the Self-Service Center online.

Go to the Clerk of the Court's Filing Counter. Hand over the originals, all sets of copies, and the filing fee or **Fee Deferral Application** to the Clerk at the filing counter.

##### The Clerk will:

- Assign a new Maricopa County case number,
- Review the Fee Deferral Application (if applicable). (You will later receive a bill or payment plan if fees are not waived).
- Keep the originals and all but one set of copies,
- Stamp the extra copies to indicate they conform to (are the same as) documents filed with the Court, *and*
- Return one set of stamped ("conformed") copies for you to keep for your records.

**NOTE:** For purposes of *enforcement*, a custody, legal decision making, parenting time or (non-parent) visitation order is registered when filed (A.R.S. § 25-1055), and may be immediately enforced in the same manner as an order issued by a court of this state, however no court of this state may *modify* that order if the issuing court still has jurisdiction (A.R.S. §§ 25-1033, 1056).

#### AFTER YOU FILE:

- The Court will notify the non-registering party of your request to register the other state's order in Arizona. Notice will include copies of orders involved and related documents.
- Those receiving notice have **twenty (20) days** to request a hearing to object or otherwise respond to the order being registered in Arizona.
- For purposes of responding to registration and a request to **enforce** the order, the other parties may seek to vacate (cancel) the registration, defend against accusations they violated the order, or dispute what you are asking the Court to order.
- For purposes of responding to registration and a request to **modify** the order, the other parties may dispute whether Arizona has jurisdiction to do so if any parties still live in the issuing state and no other provisions of A.R.S. § 25-1031-1034 apply.

**If a non-registering party requests a hearing, the Court will notify all parties of the date, time and place of the hearing.**

**STEP 5 (A). IF THERE IS A HEARING: GO.** If a conference and hearing have been scheduled, be sure to write down the date, time and place, and attend the hearing.

- **Be on time.**
- **Dress neatly.**
- **Do not bring children to court.**

A party disputing the validity or enforcement of a registered order or seeking to vacate (cancel) the registration has the burden of proving one or more of the defenses listed in **A.R.S. § 25-1055 (D)**.

#### **WHAT THE COURT WILL DO:**

**If a party presents evidence establishing a full or partial defense**, the court may:

- Stay (halt or prevent) enforcement of the registered order,
- Continue the proceeding to permit introduction of additional relevant evidence,
- Enforce the uncontested parts of the order.

**If the contesting party does not establish a defense** to the validity of the order itself or to enforcement of the order, the court will issue an order confirming the order. **A.R.S. § 25-1055(D)**

#### **STEP 5 (B). IF THERE IS NO HEARING.**

**If no request for hearing is made within 20 days**, in accord with **A.R.S. § 25-1055 (D)** and **(E)**,

- 1. Registration will be confirmed by operation of law** (automatically),
- 2. Later attempts to dispute any matter that could have been brought up will be barred, and**
- 3. The court will notify the person who requested registration and all other parties previously served of the confirmation.**

**NOTICE: Once registration is confirmed**, whether after notice and hearing or by operation of law because no party requested a hearing to dispute it, **later attempts to dispute any matter that could have been brought up at the time of registration are barred.** **A.R.S. § 25-1055 (F)**

Once registration is confirmed, the order may be enforced as if issued by a court of this state. Separate requirements apply however, for this state to be able to **change** the order. If you want to modify the registered order, see **A.R.S. § 25-1033** and the other statutes it mentions to help determine whether Arizona may now or in the future have jurisdiction to modify the order, or consult an Arizona licensed attorney for advice.