

# REGISTRATION OF CHILD CUSTODY DETERMINATION

## SPOKANE COUNTY FAMILY COURT FACILITATOR

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A child custody determination issued by a court of another state may be registered in this state, with or without a simultaneous request for enforcement.

### Checklist of Steps to Complete:

- \_\_\_\_\_ 1. Fill out the *Confidential Information (FL All Family 001)* completely and sign. Print clearly in black ink or type.
- \_\_\_\_\_ 2. Fill out the *Request to Register Out-of-State Custody Order (FL UCCJEA 801)* completely and sign. Print clearly in black ink or type.
- \_\_\_\_\_ 3. Obtain two copies, **including one certified copy**, of the determination sought to be registered.
- \_\_\_\_\_ 4. Fill out the *Notice of Registration of Out-of-State Custody Order (FL UCCJEA 802)* completely and sign. Print clearly in black ink or type.

Make two copies (original plus two copies) of the forms listed above, one for each party to the custody determination.

- \_\_\_\_\_ 5. **File the original** *Request to Register Out-of-State Custody Order* together with the two copies of the determination sought to be registered and the *Notice of Registration of Out-of-State Custody Order* with the Spokane County Superior Court Clerk, Room 300, between the hours of 8:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m., Monday through Friday, Cashier's Window (to the far right when you enter). Pay the filing fee of \$260.00. Enter the case number and date stamp on the front page of each of your copies.
- \_\_\_\_\_ 6. You must make arrangements to serve the other party with a copy of the *Request to Register Out-of-State Custody Order* and *Notice of Registration of Out-of-State Custody Order*. The *Request to Register Out-of-State Custody Order* and *Notice of Registration of Out-of-State Custody Order* must be served or given to the other party by a third person. **YOU CANNOT** serve the other party. The person who serves the other party must complete and sign a *Proof of Personal Service* form. Make a copy for yourself.
- \_\_\_\_\_ 7. After the other party has been served, file the *Proof of Personal Service (FL All Family 101)* form with the Superior Court Clerk - Room 300,

between the hours of 8:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m., Monday through Friday. Put the date stamp on your copy.

If the other party does not file a *Motion to Dismiss Registration of Out-of-State Custody Order and Notice of Hearing (FL UCCJEA 804)* within 20 days after service (60 days if served out of state) the registration shall be confirmed as a matter of law.

- \_\_\_\_\_ 8. Fill out the *Order About Registering Out-of-State Custody Order (FL UCCJEA 805)* completely and sign. Print clearly in black ink or type. Take this Order to Courtroom 304 to present to the Court for signature.
  
- \_\_\_\_\_ 9. Fill out the *Notice: Out-of-State Custody Order Confirmed Without Hearing (FL UCCJEA 806)*. File the original of this document and provide copies to the opposing party.

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NOTE: All of the above mentioned forms can be found on the Washington State Court website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).

The Family Court Facilitator, Room 200, Family Law Center, is available to review your documents and answer procedural questions. It is recommended you have all documents reviewed before filing and presenting to the court.

## **RCW 26.27.441**

### **Registration of child custody determination.**

(1) A child custody determination issued by a court of another state may be registered in this state, with or without a simultaneous request for enforcement, by sending to the appropriate court in this state:

(a) A letter or other document requesting registration;

(b) Two copies, including one certified copy, of the determination sought to be registered, and a statement under penalty of perjury that to the best of the knowledge and belief of the person seeking registration, the determination has not been modified; and

(c) Except as otherwise provided in RCW 26.27.281, the name and address of the person seeking registration and any parent or person acting as a parent who has been awarded custody or visitation in the child custody determination sought to be registered.

(2) On receipt of the documents required by subsection (1) of this section, the registering court shall:

(a) Cause the determination to be filed as a foreign judgment, together with one copy of any accompanying documents and information, regardless of their form; and

(b) Serve notice upon the persons named pursuant to subsection (1)(c) of this section and provide them with an opportunity to contest the registration in accordance with this section.

(3) The notice required by subsection (2)(b) of this section must state that:

(a) A registered determination is enforceable as of the date of the registration in the same manner as a determination issued by a court of this state;

(b) A hearing to contest the validity of the registered determination must be requested within twenty days after service of notice; and

(c) Failure to contest the registration will result in confirmation of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted.

(4) A person seeking to contest the validity of a registered determination must request a hearing within twenty days after service of the notice. At that hearing, the court shall confirm the registered determination unless the person contesting registration establishes that:

(a) The issuing court did not have jurisdiction under Article 2;

(b) The child custody determination sought to be registered has been vacated, stayed, or modified by a court having jurisdiction to do so under Article 2; or

(c) The person contesting registration was entitled to notice, but notice was not given in accordance with the standards of RCW 26.27.081, in the proceedings before the court that issued the determination for which registration is sought.

(5) If a timely request for a hearing to contest the validity of the registration is not made, the registration is confirmed as a matter of law and the person requesting registration and all persons served must be notified of the confirmation.

(6) Confirmation of a registered determination, whether by operation of law or after notice and hearing, precludes further contest of the determination with respect to any matter that could have been asserted at the time of registration.

[2001 c 65 § 305.]