

INSTRUCTIONS: HOW TO FILL OUT THE FORMS TO REGISTER A FOREIGN (Out-of-State) COURT ORDER for LEGAL DECISION-MAKING (Legal Custody), PARENTING TIME, or NON-PARENT VISITATION

PLEASE NOTE:

- Filing this application today with the Court does not necessarily mean the Court has jurisdiction to modify (change) or enforce this out-of-state court order.
- The papers in this packet only serve to *request registration* of the other state's order in Arizona.
- Registration is effective when filed. (**A.R.S. § 25-1055**)
- Separate forms are required to request the order be enforced or modified, and are available from the Law Library Resource Center.
- Arizona may not modify (change) the order unless it has legal authority ("jurisdiction") to do so.
- Arizona will not have jurisdiction unless the issuing court has lost jurisdiction because no child, parent, or person acting as parent reside in the issuing state (**A.R.S. § 25-1033**), or other basis of jurisdiction under **A.R.S. §§ 25-1031-1034** applies.

All Forms: TYPE OR PRINT IN BLACK INK

Form 1: FAMILY DEPARTMENT/ SENSITIVE DATA COVERSHEET (DRSDS10fc)

- Write in the information requested about the Petitioner and Respondent, (as listed in other state's case), and any children still under the age of 18 who are subjects of the order.
- **DO NOT INCLUDE MAILING ADDRESS ON THIS FORM (OR OTHERS) IF REQUESTING ADDRESS PROTECTION.**
- **Case Type:** Mark the box [x] for "**Register Foreign Custody Order**".
- **Interpreter:** Check "yes" or "no" to indicate whether an interpreter will be needed for any party. If "yes", write in for what language(s).
- No additional copies of this document are needed.

NOTICE: If specific address or identifying information would endanger a party or child and the information is not already known to other parties, write "Protected" in the space for that information. Then, complete the "Request for Protected Address" form available from any Law Library Resource Center location or the Law Library Resource Center website. You may file the "protected address" form with your "Register Foreign Order" format the Clerk of Court filing counter.

Form 2: REQUEST TO REGISTER FOREIGN (Other State's) COURT ORDER (DRFOC11f)

This form serves as a cover or transmittal letter to state your request to the Court and to accompany the documents required to register the foreign order in Arizona.

- Fill in the information requested at top left about the person filing the request to register the other state's order in Arizona.
- Do not fill in the box that says "For Court Use Only". The Clerk at the Filing Counter will stamp a new case number in that space when the papers are filed.
 - Please read and be aware of the content of the statements that appear below the information about the order.
 - **Enclosures:** Read and check the appropriate boxes to indicate you are including the documents that apply to your situation.
 - Sign and date the letter.

Form 3: AFFIDAVIT TO REGISTER FOREIGN ORDER (DRFOC12f)

(Regarding Legal Decision-Making, Parenting Time, or Non-Parent Visitation)

- Fill in the information requested at top left about the person filing the request to register the other state's order in Arizona.
- Do not fill in the box that says "For Court Use Only". The Clerk at the Filing Counter will stamp a new, local case number in that space when the papers are filed.
- Write in the name of the Petitioner and Respondent as listed on the Order you are seeking to register in Arizona.
- Check one or more boxes to indicate the purpose for registering the other state's order in Arizona.

1. INFORMATION ABOUT THE FOREIGN (Other State's) ORDER TO BE REGISTERED IN ARIZONA.

A. Fill in the information requested about the foreign (non-Arizona) order to be registered.

- Check the box to indicate your understanding and belief that this is the most recent and valid order and that it has not been modified.

B. "Have all parties named in the other state's order moved out of the issuing state?"

- Answer "**Yes**" if the parties named in the order no longer live in the state that issued the order.
- Answer "**No**" if any party named in the out-of-state order still lives in the issuing state.

2. INFORMATION ABOUT THE PARTIES.

Supply the information requested about the adult parties named in the other state's order. If specific address or identifying information would endanger a party or child and the information is not already known to other parties, write "Protected" in the space for that information. You will need to supply the information to the Court on the "**Request for Protected Address**" form available from the Law Library Resource Center or the Law Library Resource Center website.

3. INFORMATION ABOUT MINOR CHILDREN IN THE OUT-OF-STATE CASE.

Write the information in the boxes about each child named in the other state's order.

4. ADDITIONAL CASE INFORMATION.

List any states (not including the issuing state) where the order has previously been registered.

Note that you will need to supply additional information about the children who are still under the age of 18 on the separate "Affidavit Regarding Minor Children to Register Foreign Order", DRFOC13f, the next document in the "Forms" packet.

Sign the form in the presence of a Clerk of the Court or a Notary Public. By signing this document you are stating to the court under oath or by affirmation, that the information you have provided is true and correct. Note that intentionally providing false information could subject you to prosecution for the crime of perjury.

Form 4: AFFIDAVIT REGARDING MINOR CHILDREN TO REGISTER FOREIGN ORDER (DRFOC13f)

- Fill in the information requested at top left about the person filing the request to register the other state's order in Arizona.
- Do not fill in the box that says "For Court Use Only". The Clerk at the Filing Counter will stamp a new, local case number in that space when the papers are filed.
- Write in the name of the Petitioner and Respondent as listed on the other state's order.

1. FIVE YEAR RESIDENTIAL HISTORY FOR EACH MINOR.

- Space is provided on this form to list three (3) minor children and their residential history for the past five (5) years, or since birth for any younger than five.
- **IF THERE ARE MORE THAN THREE (3):** Check the box at the bottom of page 2 to indicate additional minor children (and their residential histories) are listed on an "Additional Children" document included with, and which should be considered part of this Affidavit. Your oath or affirmation on this Affidavit that the information provided is true and correct to the best of your knowledge and belief applies to the extra page(s) as well.
- You are also required to list the current address of any adult with whom any child named in the order lived over the past five years **unless**:
 1. that information is not already known to other parties, **AND**
 2. that information would endanger those persons or someone else if made public or included with documents to be served on (delivered to) other parties in the case.

If **BOTH** 1 and 2 above apply, write "Protected" in the space provided for the address and supply that information on the **Request for Protected Address** form available from the Law Library Resource Center or the Law Library Resource Center website.

REGARDING 2, 3, and 4 (below): Space is provided to describe only one other legal or physical custody-related case, one other non-legal or physical custody-related case or proceeding, and one non-party person (or agency) who claims rights regarding one or more children named in the other state's order, **if there is more than one:**

- Check the box at the bottom of each section to indicate you are supplying the same information as required for that section on extra pages, which should be considered part of this Affidavit.
- Give the added pages the same title as the section for which you are supplying the additional information, for example “**Other Cases you participated as a party, a witness . . .**” etc.
- Your oath or affirmation on the Affidavit that the information provided is true and correct applies to the extra page(s) as well.

2. OTHER COURT CASES YOU PARTICIPATED AS A PARTY, A WITNESS OR OTHERWISE IN ANY MATTER THAT ADDRESSED YOUR LEGAL DECISION-MAKING, PARENTING TIME, or NON-PARENT VISITATION involving any minor named in the other state's order (other than the case which resulted in the other state's order).

Check “Yes” or “No” to indicate whether there are other court cases as described above. If “yes”, read carefully and provide the information requested.

3. ANY DOMESTIC VIOLENCE, PROTECTIVE ORDER, TERMINATION OF PARENTAL RIGHTS AND ADOPTIONS INVOLVING ANY OF THE PARTIES IN THE CASE YOU ARE SEEKING TO REGISTER. Check “Yes” or “No” to indicate whether there are other any cases or proceedings like the cases listed.

4. ANY OTHER PERSON WHO HAS, PHYSICAL CUSTODY OF OR NON-PARENT VISITATION WITH THE CHILDREN LISTED. Check “Yes” or “No” to indicate whether there are persons other than those listed in the other state's order who claim a right to physical custody or non-parent visitation of any minor named in that order. Use the space provided to list those persons' names and (if not protected) addresses. Briefly explain why each believes he or she has or should have rights concerning any child named in the other state's order. For example you could simply list their relation to the child or children, such as “grandparent”, or state that one or more of the children lived with that individual for some period of time.

YOUR SIGNATURE

Sign the form in the presence of a Clerk of the Court or a Notary Public. By signing this document you are stating to the Court under oath or affirmation that the information you have provided is true and correct to the best of your knowledge and belief. Note that intentionally providing false information could subject you to prosecution for the crime of perjury.

NEXT: Go to “**PROCEDURES, What to do After Completing all Forms**” DRFOC10P, (the last document in this packet) and follow the instructions on how to organize and file your papers.