

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

(For LEGAL DECISION-MAKING (Legal Custody), PARENTING TIME (Visitation),
Or
NON-PARENT VISITATION IN ARIZONA)

AFTER YOU HAVE COMPLETED THE FOLLOWING DOCUMENTS:

- “Family Department 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 (Out-of-State) 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 out-of-state 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
<p>Originals (some will be copies of originals)</p> <ul style="list-style-type: none"> • Family Department Sensitive Data Coversheet • Request to Register letter • Affidavit to Register Foreign Custody Order • Affidavit Regarding Minor Children + extra • Five Year History sheet – if needed • Two copies of Foreign Order (One copy must be certified copy) 	<ul style="list-style-type: none"> • Request to Register letter • Affidavit to Register Foreign Custody Order • Affidavit Regarding Minor Children + extra • Five Year History sheet – if needed • Copy of Foreign Order
<p>SET 4: (or more)* Only if needed. (See below)</p>	<p style="text-align: center;">SET 3 (or more):* Other Party’s Copy</p> <ul style="list-style-type: none"> • Request to Register letter • Affidavit to Register Foreign Custody Order • Affidavit Regarding Minor Children + extra • Five Year History sheet – if needed • Copy of Foreign Order
<p>*If more than one other adult (or agency) is listed as a party in the order being registered, you will need to make an additional set of the documents listed in Set 3 for each party.</p>	

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

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.

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 40th Street
Phoenix, Arizona 85032

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

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 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* (change) 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.
- The party receiving notice has **twenty (20) days** to request a hearing to object or otherwise respond to the order being registered in Arizona.

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. However, you must file forms to request enforcement, which may be found at any Law Library Resource Center or online.

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.