

## INSTRUCTIONS: HOW TO FILL OUT THE FORMS TO REGISTER A FOREIGN (out-of-state) FAMILY SUPPORT ORDER.

### PLEASE NOTE:

- The papers in this packet serve only to ask the Court to **register** the other state's order.
  - **Remember:** Filing your application today in this Court **does not necessarily mean the Court has jurisdiction to modify or enforce** the out-of-state order.
  - **Separate forms** are required to request that the Court modify or enforce the out-of-state order being registered. These forms are available at the Law Library Resource Center. Requests to modify or enforce can be filed at the same time as the request to register the foreign order, or later.
- For an Arizona court to have power to modify (**change**) a support order, either:
  - One party still lives in the state that issued the Order, either the child or other party lives in Arizona and both parties have signed and filed a Consent in the court that signed the Order that allows Arizona to modify the support Order **OR**
  - No one lives in the state that issued the Order, the person who is requesting the modification does not live in Arizona and the other party lives in Arizona **OR**
  - Everyone lives in Arizona.
- The State of Arizona's **Division of Child Support Services** (DCSS) may be able to enforce the other state's order without you having to go through the court registration process if requested by you or the family support enforcement agency of the state that issued the order. (**A.R.S. § 25-1287**)

### 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 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. 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 web site. 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 FAMILY SUPPORT ORDER (DRFOS11f)**

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 (other state's) 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.
1. Check the box for **1A** if there is a single non-Arizona order that you want to register. Then attach a photocopy of that order.

Check the box for **1B** if there are multiple out-of-state orders, and you are asking this Court to declare a *particular one* as the controlling order, and to register that order. Then attach photocopies of those orders.

Check the box for **1C** if there are multiple out-of-state orders and you *want the court to decide* which one is the controlling order and to register that order. Then attach photocopies of those orders

2. Please read and be aware of the content of these statements.
3. **Enclosures:** Read and check the appropriate boxes to indicate you are including the documents that apply to your situation (and sign and date the **Request to Register** letter). Then add the documents to the set of original forms you will be filing.

**Form 3: AFFIDAVIT to REGISTER FOREIGN SUPPORT ORDER (DRFOS12f)**

- 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 foreign (out-of-state) Order to be registered in Arizona. If you are asking Arizona to declare which of several orders is the "controlling order", list the Petitioner and Respondent as named on the most recent order from the other state.

**UNDER OATH OR AFFIRMATION**, carefully read and fill out the rest of this form accurately and completely.

1. **A.** Fill in the information requested about the other state's (non-Arizona) order to be registered. If more than one out-of-state order is in question, provide information here about the one order you believe to be the valid and controlling order, or if more than one order is involved and you are asking the Court to determine which order is valid and controlling, list information here about the most recent order involved.

**B. "Have all parties named in the other state's order either moved out of the issuing state or filed a "consent to transfer to Arizona"?"**

- Answer "**Yes**" if all parties named in this order:
  1. Moved out of that state since the order was issued, **OR**

2. Any party who has remained in the issuing state has filed papers in the courts of the issuing state to consent to the transfer of jurisdiction to Arizona.

- Answer “**No**” if any party named in the other state’s order still lives in the issuing state, and has not filed a “consent to transfer”.

If a party remains in the issuing state and all parties have not filed a “Consent to Transfer” in the courts of that state, Arizona may still enforce the order even if it does not have the authority to *change* the order. (A.R.S. § 25-1303(C))

2. Answer “**Yes**” if the order described in “1” is the only order under which money is still owed, whether for arrears, meaning overdue support payments, or current, ongoing child or spousal support. Skip Section 3 and go directly to Section 4. If the answer is “**No**,” meaning there are multiple orders under which money is owed, whether for arrears or current, ongoing child or spousal support, fill out Section 3.

3. **INFORMATION ABOUT ADDITIONAL ORDERS** (for either current support or arrears (“back support”) or income withholding). You may supply information for up to two (2) additional orders here (**A, B**). If there are more than two orders involved, check the box at the end of **3(B)** to indicate the same information for additional orders is included on separate pages.

**C. ARREARS.** Enter the total amount of overdue support (arrears) from all orders involved (and which you will supply copies of).

**D. CERTIFIED STATEMENT OF ARREARS.** Check the box for “D” if you are including a certified statement of arrears from the court or agency responsible for maintaining records of support payments.

4. **INFORMATION ABOUT THE PARTIES**

Supply the information requested about the adult parties and minor children named in the order described in “1”. As stated on the form, 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 from the Law Library Resource Center web site.

5. **ADDITIONAL INFORMATION.**

**A.** Read the question and answer “Yes” or “No” to the best of your belief.

**B.** If the answer to “A” is “Yes,” list the states here. Do not include the issuing state.

**C.** Read the question and answer “Yes” or “No” to the best of your belief. If “Yes,” list and describe the property.

**D. Other Information:** If there are any Income Withholding Orders in effect for either current or overdue support or other information specifically related to the support order being registered, that has not already been mentioned, describe here, as specifically as possible.

**UNDER OATH OR AFFIRMATION,** 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.

**NEXT:** After you have completed all forms go to “**PROCEDURES, What to do After Completing all Forms**” DRFOS10P, (the last document in this packet) and follow the instructions on what to do next.