

Out-of-State Child Custody and Parenting Time Judgments — Information on Registration and Enforcement

Packet 5C

An Oregon court may enforce a judgment or order from another state if one parent is not following the provisions of the judgment or order and a party is located in Oregon. The preferred procedure for enforcement starts with registration of the out-of-state judgment in an Oregon Circuit Court. However, if your case involves emergency circumstances, you may file your enforcement papers immediately. In this case, it is recommended that you start the registration process at the same time you file your request for enforcement. You are encouraged to seek legal advice from an attorney to help you decide whether or not you should register your out-of-state order/judgment.

1. Process for Registering an Out-of-State Judgment.

A. File the following forms with the Circuit Court:

- A letter requesting registration and enforcement.
- Two copies (one **must be certified**) of the out-of-state order or judgment.
- A sworn statement (you may use the Affidavit in this packet) that the order or judgment has not been modified and information regarding the custodial status of the child/ren .

B. Pay the fee to register the out-of-state order or judgment. Check with your local court for current filing fees.

C. Complete Service.

You must serve any parent or person acting as a parent who has been awarded custody, parenting time or visitation in the judgment that you are asking the court to register with the following documents:

- the included Notice (informing them of the right to contest the registration),
- a true copy of the judgment or order you are registering, and
- a true copy of the Affidavit you filled out above.

You may use the Sheriff's office or a process server to complete this step.

D. Confirmation of the Registered Order or Judgment.

Your registration is confirmed if 21 days have passed from the date of service, **and** if the party (or parties) served do/does not request a hearing. If no hearing was requested within the 21 day time period, fill out the Notice of Confirmation of Registration of Child Custody Determination and serve it to all parties that were served with the documents from part B above. If a hearing is requested, the court will schedule and hold a hearing to decide whether the registered order or judgment will be confirmed. You should check back with the court 21 days after service to find out if the other party/ies has/have objected.

2. Filing to Enforce the Judgment or Order.

You may request the Circuit Court enforce the registered order or judgment by using either the custody or parenting time enforcement packets (Packets 5A or 5B).

- For enforcement of **parenting time (visitation)**, use the forms available on the OJD Family Law Website-Parenting Plan Enforcement link (<http://www.courts.oregon.gov/familylaw>) which includes forms specifically required by the county in which you are seeking enforcement, or if your county does not have these forms, use Packet 5A-Parenting Time/Plan Enforcement (Oregon and Out-of-State Orders).
- For enforcement of **custody**, use Packet 5B-Custody Enforcement (Oregon and Out-of-State Orders/Judgments) and follow the directions for either Oregon or out-of-state custody judgments, whichever applies to your situation.