

# Out-of-State Child Custody and Parenting Time Judgments

## Information on Registration and Enforcement

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.

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

#### A. File the following papers with the Circuit Court:

- A letter requesting registration and enforcement.
- Two copies (one must be certified) of the Out-of-State judgment or Order.
- A sworn statement that the order or judgment has not been modified and information regarding the custodial status of the child/ren.

#### B. 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 attached 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 have the other party served by any mentally competent person, 18 or older and long as s/he lives in the state where the party is served, or the Sheriff's office or a process server. Your server must complete the Declaration of Service stating when and where the other party was served. The declaration is required to be filed with the court.

#### C. Confirmation of the Registered Order or Judgment.

Your registration is confirmed after 21 days have passed from the date of service if the party (or parties) served do 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 hold a hearing to decide whether the registered order or judgment will be confirmed.

### 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.

- For enforcement of PARENTING TIME (VISITATION), you may use the Enforcement of Oregon Parenting Time Order//Judgment forms available on the Washington County Circuit Court website:  
[http://courts.oregon.gov/Washington/Services/Family\\_Law/parenting\\_plan\\_enforcement.page?](http://courts.oregon.gov/Washington/Services/Family_Law/parenting_plan_enforcement.page?)
- For enforcement of CUSTODY, you may use the Enforcement of Oregon Custody Order/Judgment (Order of Assistance) or Enforcement of Out-of-State Custody Order/Judgment (Order of Assistance) forms available on the Washington County Circuit Court website:  
[http://courts.oregon.gov/Washington/Services/Family\\_Law/parenting\\_plan\\_enforcement.page?](http://courts.oregon.gov/Washington/Services/Family_Law/parenting_plan_enforcement.page?)

# NOTICE

**Please read carefully. Your legal rights may be affected.**

A child custody determination (see attached copy) has been registered with the Washington County Circuit Court. 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.

A hearing to contest the validity of the registered determination must be requested within 21 days after service of this notice. 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.

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON

In the Matter of  the Marriage of: )  
 )  
\_\_\_\_\_, )  
Petitioner, )  
and )  
\_\_\_\_\_, )  
Respondent. )

Case No. \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF  
REGISTRATION OF AN OUT OF  
STATE CHILD CUSTODY  
DETERMINATION

STATE OF \_\_\_\_\_ )  
 )  
County of \_\_\_\_\_ )

I,  Petitioner  Respondent, being first duly sworn, say the following is true:

1. To the best of my knowledge and belief, the child custody determination that I am requesting the Court to register has not been modified.
2. My name and address or contact address is: \_\_\_\_\_  
\_\_\_\_\_
3. The name(s) and address(es) of any other person(s) that were awarded custody, parenting time or visitation in the child custody determination I am asking the Court to enforce is/are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.
- I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

Petitioner  Respondent, Signature \_\_\_\_\_ Print Name \_\_\_\_\_

Address or Contact Address \_\_\_\_\_ City, State, Zip Telephone or Contact Telephone \_\_\_\_\_

SIGNED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public for \_\_\_\_\_/Court Clerk  
My Commission Expires: \_\_\_\_\_

I certify that this is a true copy. \_\_\_\_\_  
 Petitioner  Respondent, Signature

**Letter to Court Clerk Requesting Registration  
of a Child Custody or Parenting Time Determination Under UCCJEA  
Subject to Fee Under ORS 21.145, ORS 109.787(1)(b)**

Date: \_\_\_\_\_, 20\_\_\_\_\_

Name and address of registrant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To the attention of: Washington County Circuit Court Clerk, Family Law Dept.  
150 N. First Avenue  
Hillsboro, OR 97124

Dear Family Law Clerk:

I obtained a Judgment or Order from \_\_\_\_\_ State (a state other than Oregon) concerning child custody or parenting time. It is still valid and current. I would like to register it in Oregon so that I may seek enforcement of this judgment/order in Oregon.

I wish to register it for the following purpose:

- In case I need to seek enforcement of it in Oregon at a later time. I am not currently filing an enforcement action. *Note: The child(ren) have been in Oregon or are anticipated to be in Oregon in the future.*
- I am currently filing an expedited parenting time enforcement action in Oregon.
- I am currently requesting an Order of Assistance in a custody enforcement case.
- Other: \_\_\_\_\_

Enclosed are the following:

- (1) Two copies, including one certified copy, of the order or judgment from \_\_\_\_\_ State which I want to register as a foreign judgment. The case name and number for this out-of-state order or judgment are:  
Case Name (parties' names): \_\_\_\_\_  
Case Number: \_\_\_\_\_

(2) My Affidavit in Support of Registration of an Out of State Child Custody Determination.  
Service of the notice of the right to contest registration will be handled as follows:

- a)  The other parent (or person acting as parent) has already been served with the:

Notice of the right to contest registration;  
True copy of the judgment or order I am registering;  
True copy of Affidavit in Support of Registration.

A proof of service is enclosed for filing.

- b)  I have arranged for immediate service of the above documents on the other parent.  
A proof of service will be filed with the court when this is completed.

- c)  (*Check only if seeking an Order of Assistance*) After the law enforcement officer recovers the child(ren) based on the Order of Assistance in my custody enforcement case, or at the same time the officer does this, I will arrange to have these documents served on the other parent (or person acting as parent).

Sincerely yours,

---

*Signature of Requesting Party/Registrant*

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

In the matter of [ ] the marriage of
Petitioner,
and
Respondent

Case No. \_\_\_\_\_

NOTICE OF CONFIRMATION OF
REGISTRATION OF CHILD CUSTODY
DETERMINATION PURSUANT TO
ORS 109.787(6)
and CERTIFICATE OF MAILING

NOTICE OF CONFIRMATION OF REGISTRATION OF CHILD CUSTODY DETERMINATION

This document serves as notice to all persons served that a hearing was not requested to contest the registration of the Child Custody Determination in this case. Pursuant to ORS 109.787(6), the Child Custody Determination is confirmed and no other contests to the registration or matters that could have been asserted at the time of the registration will be allowed.

Certificate of Document Preparation. You are required to truthfully complete this certificate regarding the document you are filing with the court. Check all boxes and complete all blanks that apply:

- [ ] I selected this document for myself and I completed it without paid assistance.
[ ] I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

Submitted by:

[ ] Petitioner [ ] Respondent, Signature Print Name

Address or Contact Address City, State, Zip Telephone or Contact Telephone

Certificate of Mailing. I certify I mailed a copy of this judgment and attachments thereto by U.S. Mail with postage paid to the other party at the following address: \_\_\_\_\_ on the following date: \_\_\_\_\_.

[ ] Petitioner [ ] Respondent, Signature Print Name

I certify that this is a true copy: \_\_\_\_\_
[ ] Petitioner [ ] Respondent, Signature

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON

In the Matter of  the Marriage of: ) Case No. \_\_\_\_\_  
 )  
\_\_\_\_\_, )  
Petitioner, )  
and )  
\_\_\_\_\_, )  
Respondent. )  
 )  
 )  
 )  
 )  
 )  
 )

DECLARATION OF SERVICE

- Personal Service (ORCP 7D(2)(a))  
 Substitute Service (ORCP 7D(2)(b))  
 Office Service (ORCP 7D(2)(c))  
(ORCP 7D(2)(d))

I, \_\_\_\_\_, declare I am a resident of the County of \_\_\_\_\_, State of \_\_\_\_\_. I am a competent person 18 years of age or older and not a party to or attorney in this proceeding. I certify that the person, firm, or corporation served is the identical one named in this action.

(Check one of the following):

1.  **Personal Service.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the **Notice, Judgment, and Affidavit in Support of Registration of an Out-of-State Custody** by delivering them to  Petitioner  Respondent \_\_\_\_\_ (name) in person at the following address \_\_\_\_\_ within the County of \_\_\_\_\_, State of \_\_\_\_\_.

2.  **Substitute Service.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the **Notice, Judgment, and Affidavit in Support of Registration of an Out-of-State Custody** by delivering them to \_\_\_\_\_ (name), who is a person age 14 or older and a member of the household of the party to be served, at the following address \_\_\_\_\_ within the County of \_\_\_\_\_, State of \_\_\_\_\_.

(Complete the section below only if the undersigned performed the follow-up mailing required by ORCP 7D(2)(b). If a party or other person other than the undersigned did the follow up mailing, s/he must use a separate Affidavit/Certificate of Mailing.)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I personally deposited a true copy of the **Notice, Judgment, and Affidavit in Support of Registration of an Out-of-State Custody** with the United States Postal Service, via first class mail, in a sealed envelope, postage prepaid, addressed to the party to be served:  Petitioner  Respondent \_\_\_\_\_ (name), at the party's home address listed above, together with a statement of the date, time and place that the documents were hand-delivered to the party's dwelling (residence).

3.  **Office Service.** On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m., I served true copies of the **Notice, Judgment, and Affidavit in Support of Registration of an Out-**

**of-State Custody** by delivering them, in person, to the office of the party to be served, located at: \_\_\_\_\_

\_\_\_\_\_  
(address), during normal working hours for that office, where I left the documents with \_\_\_\_\_  
(name), who is a person apparently in charge and who has a business duty to provide the documents to the party  
to be served. (Complete the section below only if the undersigned performed the follow-up mailing required by  
ORCP 7D(2)(c). If a party or other person other than the undersigned did the follow up mailing, s/he must use  
a separate Affidavit/Certificate of Mailing.)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I personally deposited a true copy of  
the **Notice, Judgment, and Affidavit in Support of Registration of an Out-of-State Custody** with the United  
States Postal Service, via first class mail, in a sealed envelope, postage prepaid, addressed to the party to be  
served:  Petitioner  Respondent (name) \_\_\_\_\_, at the party's:  home address  
located at: \_\_\_\_\_(address), OR  
 business address, listed above, together with a statement of the date, time and place that the documents were  
hand-delivered to the party's office.

**Certificate of Document Preparation.** You are required to truthfully complete this certificate regarding the  
document you are filing with the court. Check all boxes and complete all blanks that apply:

- I selected this document for myself and I completed it without paid assistance.  
 I paid or will pay money to \_\_\_\_\_ for assistance in preparing this form.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I  
understand it is made for use as evidence in court and is subject to penalty for perjury.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Signature of Server

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address or Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone or Contact Telephone