INTERNATIONAL ENFORCEMENT ISSUES: A "How To"

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International Custody Orders

> International Support Orders

International Property Orders



Cal. Fam. Code, § 3405, subd. (a).

"A court of this state shall treat a foreign country as if it were a state of the United States for the purpose of applying [the UCCJEA]."

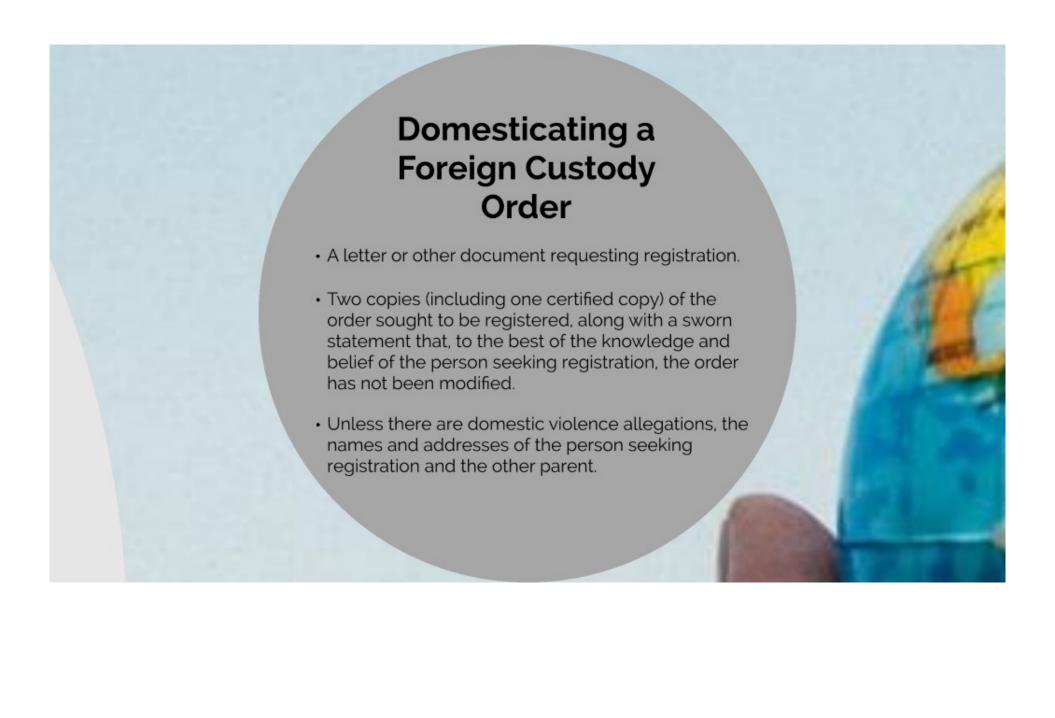
Unless ...

"the child custody law of a foreign country violates fundamental principles of human rights."

Cal. Fam. Code, § 3405, subd. (c).







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ATTORNEY FOR (Notes):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET AXORESE		
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GITY AND REFOODE		
HRANISH NAVE:		
PETITIONER		
RESPONDENT:		
	CASC YUMDER	
REGISTRATION OF OUT-OF-STATE CUSTODY ORDER		
The minor children covered by the out-of-state custody order are (name each):		
Child's name Date of birth A	ge Sex	
0 - Dalle- te te control I leave I leave do control		
a. Pelitioner has been awarded custody visitation of those minor children		
b. Petitioner is the mother father other (specify):	of those minor children.	
c. Petitioner's address is:*		
3. a. Respondent has been awarded custody visitation of those minor childr	en.	
b. Respondent is the mother father after dinar (specify):	of those minor children.	
c. Respondents address is:"		
4. a. Another person (specify name):	has been awarded	
custody visitation of those minor children.	and the off the said	
b. That person is the mother father ather (specify):	of those minor children.	
c. That person's address is:*		
* If there are issues of domestic violence or child abuse, you may give a mailing address	ss instead.	
5. A completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Ac	of WACC SEAL Worm EL -1051 is attrached to this	
registration.	a pocazent (iorni Perrody is attached to the	
I request that the attached out-of-state custody order be registered in this court.		
 The court, county, and state where order was made are (specify): 		
 The date when the most recent order for child custody/visitation was made in that as 		
 Two copies, including one certified copy of that out-of-state order, are attached to the 	s registration and made a part of it.	
d. To the best of my knowledge and belief, this order has not been modified.		
Date:		
I declare under penalty of perjury under the laws of the State of California that the foregoing	g is true and correct.	
	OCCUPATION.	
june de reaninesse)	(SIGNATURE) Prope 1 of 2	
Pour Approved for Optional this REGISTRATION OF OUT-OF-STATE CUSTODY FLESD Fore Jacobs (1997) 2000	ORDER Fan ly Caco, 65 3420, 0445 assessment stranger	
FL-500 Forv. Jonanay - 2000		

_ PETITIONER:		DASE NUMBER	
RESPONDENT:			
	NOTICE OF REGISTRATION OF OUT-OF-STATE CUST	ODY ORDER	
To: R. Petitioner at address of	on 2(c) on page 1		
b. Respondent at address	ss on 3(c) on page 1		
c. L Other person w	ho has been awarded custody or visitation in this custody order	at address on 4(c) on page 1	
The attached out-of-state California court.	custody order can be enforced as of the date of registration in t	he same manner as an order issued by a	
	validity of this registered out-of-state custody order, you must re notice was mailed to you [see clerk's date of mailing below). A		
If you do not request this validity in the future.	hearing, the out-of-state order will be confirmed in Californie and	d you will not be able to challenge its	
	will confirm the out-of-state order unless you can prove one of the not have jurisdiction under chapter 2 of the California Family Co		
	ermination sought to be registered has been vacated, stayed, or cof the California Family Code (commencing with section 3421)		
	ofice of the original order, but did not receive that notice in acco 3408 in the proceedings before the court that issued the order to		
	CLERK'S CERTIFICATE OF MAILING		
sent to each person named in	to this case and that a copy of this Registration of Out-of-State 6 titem 1 above by first-class mail. The copies were enclosed in the persons named in item 1 at the addresses listed above, as	envelopes with postage fully prepaid. The	
At (place):			
On (date):			
Date:	Clark by:	, Deputy	
FL-580[Res. January 1, 2006]	REGISTRATION OF OUT-OF-STATE CUSTODY ORD	DER Pope 2 of 2	

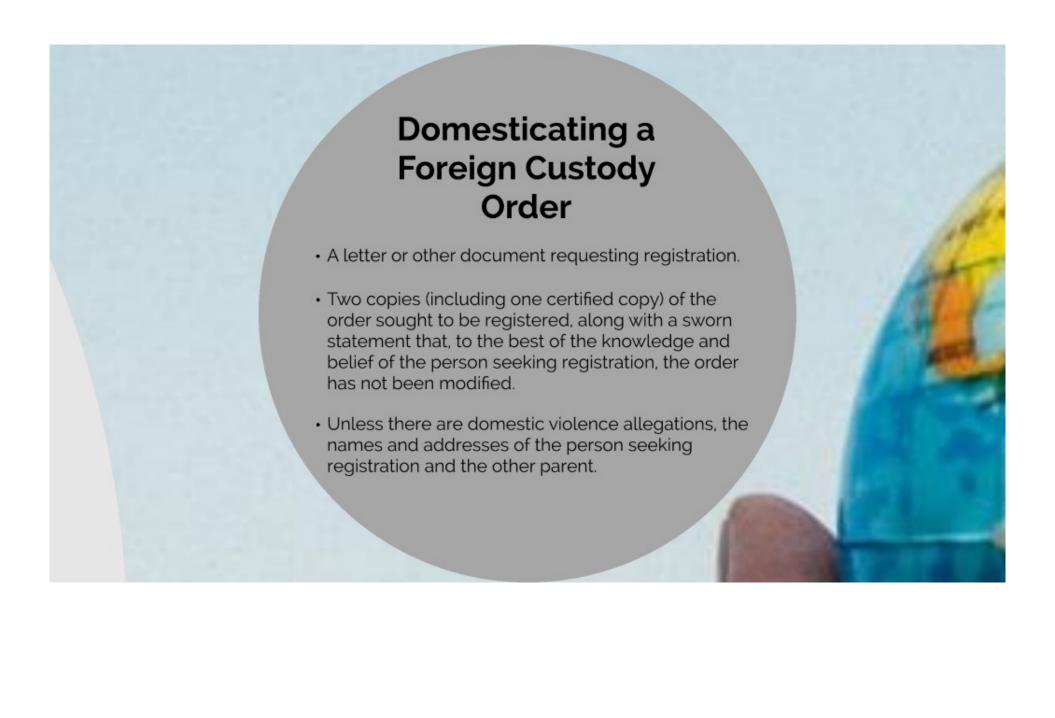
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Cal. Fam. Code, § 3429.

"In a child custody proceeding, each party, in its first pleading or in an attached affidavit, shall give information, if reasonably ascertainable, under oath as to the child's present address or whereabouts, the places where the child has lived during the last five years, and the names and present addresses of the persons with whom the child has lived during that period. . . ."

SHORT TITLE:				CASE ILLINEER			
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UCCJEA Jurisdiction

(Cal. Fam. Code, § 3421)

- The issuing court was the "home state" of the child; or
- The issuing court was the "home state" of the child within six months before the commencement of the proceeding and the child was absent from the state but a parent (or person acting as a parent) continued to live in the state.

"Home state" is "the state in which a child has lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child custody proceeding."

"In the case of a child less than six months of age, the term means the state in which the child lived from birth with any of the persons mentioned."

"A period of temporary absence . . . is part of the period."

(Cal. Fam. Code, § 3402, subd. (g).)

UCCJEA Jurisdiction

(Cal. Fam. Code, § 3421)

- The issuing court was the "home state" of the child; or
- The issuing court was the "home state" of the child within six months before the commencement of the proceeding and the child was absent from the state but a parent (or person acting as a parent) continued to live in the state.

If there was no "home state," or the home state declined to exercise jurisdiction in favor of a more convenient forum (Cal. Fam. Code, § 3427), then the issuing forum had jurisdiction if:

- (a) the child and at least one parent (or a person acting as a parent) had a significant connection with the issuing forum; and
- (b) substantial evidence was available in the issuing forum concerning the child's care, protection, training, and personal relationships.

(Cal. Fam. Code, § 3421, subd. (a)(2).)



The court shall confirm the registered order unless . . .

"... the person contesting registration was entitled to notice, but notice was not given in accordance with ... Section 3408, in the proceedings ... that issued the order for which registration is sought."

(Cal. Fam. Code, § 3445, subd. (d)(3).)

"Before a child custody determination is made . . . , notice and opportunity to be heard in accordance with the standards of Section 3408 must be given to . . . any parent whose parental rights have not been previously terminated[] and any person having physical custody of the child."

(Cal. Fam. Code, § 3245.)

"Notice required for the exercise of jurisdiction . . . may be given in a manner prescribed by the law of this state . . . or by the law of the state in which service is made. Notice must be given in a manner reasonably calculated to give actual notice but may be by publication if other means are not effective."

(Cal. Fam. Code, § 3408, subd. (a).)

W.M. v. V.A. (2018) 30 Cal.App.5th 64 [notice of a Belarus action was insufficient under UCCJEA]



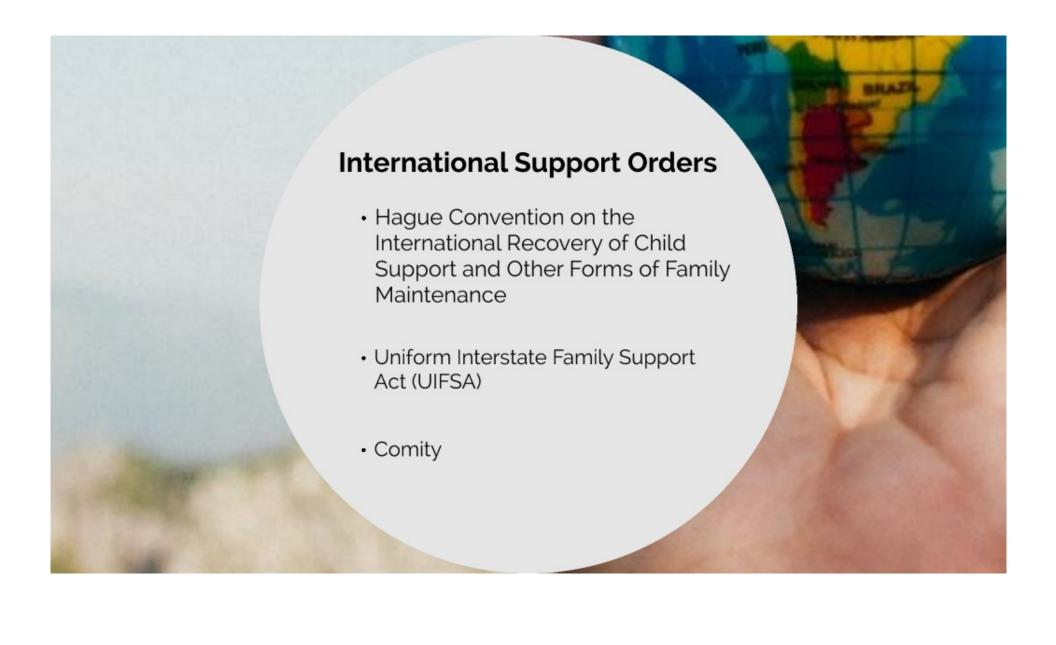
INTERNATIONAL ENFORCEMENT ISSUES: A "How To"

Steven K. Yoda | Walzer Melcher LLP | Los Angeles, CA

International Custody Orders

> International Support Orders

International Property Orders



42 Hague Countries:

Albania; Austria; Belarus; Belgium; Bosnia and Herzegovina; Brazil; Bulgaria; Burkina Faso; Canada; Croatia; Cyprus; Czech Republic; Estonia; Finland; France; Germany; Greece; Guyana; Honduras; Hungary; Ireland; Italy; Kazakhstan; Latvia; Lithuania; Luxembourg; Malta; Montenegro; Netherlands; Nicaragua; Norway; Poland; Portugal; Romania; Slovakia; Slovenia; Spain; Sweden; Turkey; Ukraine; United Kingdom; United States of America

(https://www.hcch.net/en/instruments/conventions/status-table/?cid=131)

Hague Convention support orders are governed by a specific chapter (Chapter 7) within California's UIFSA.

"[I]f a provision of this chapter [Chapter 7] is inconsistent with Chapters 1 through 6, this chapter controls."

(Cal. Fam. Code, § 5700.702.)

Domestication of a Hague Convention Support Order

Registration requires:

- (1) a complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal . . . ;
- (2) a record stating that the support order is enforceable in the issuing country;
- (3) if the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

- (4) a record showing the amount of arrears, if any, and the date the amount was calculated:
- (5) a record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and
- (6) if necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(Cal. Fam. Code, § 5700.706.)

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"A tribunal of this state may vacate the registration of a Convention support order [without a contest proceeding] only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy."

(Cal. Fam. Code, § 5700.706, subd. (d).)

There are no published California cases that expound upon this *ex officio*, *sua sponte* power of the court to deny recognition of a Hague Convention support order on public policy grounds.

However, UIFSA's official comments to section 706(d) notes that this power is in tension with UIFSA's core policy of promoting and requiring recognition of foreign support orders. It seems the power should be used sparingly: It is "not a vehicle for the review of the merits of the decision."

One (possible) example: a California court might deny registration of a foreign support order against a parent whose parental rights were terminated and the child was subsequently adopted by another person.

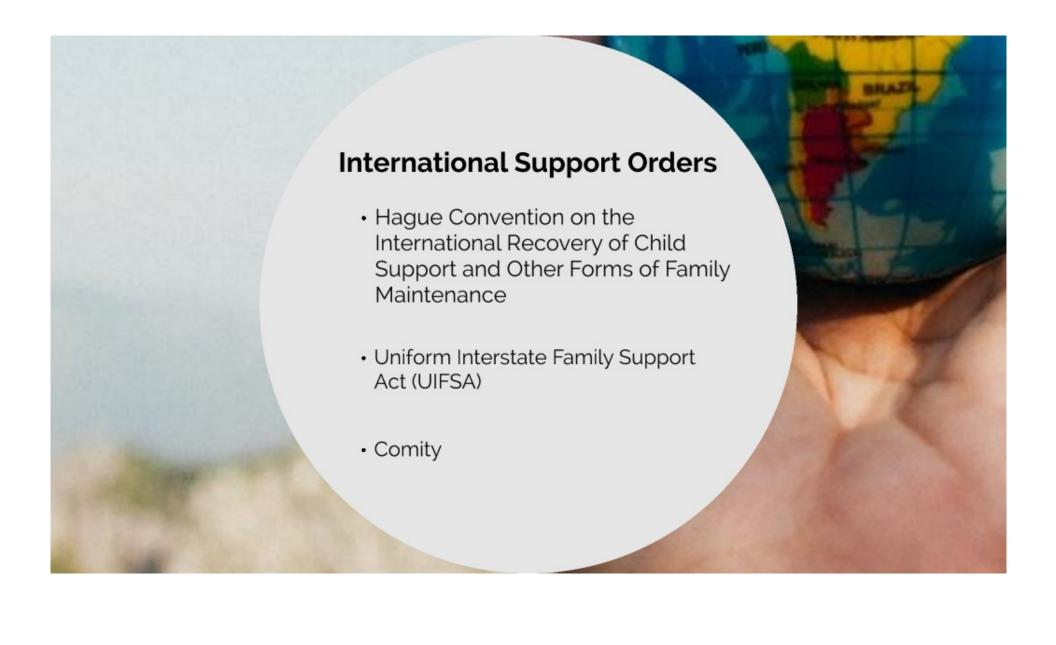
(UIFSA (2008) § 706(d) cmt.)

Assuming no *sua sponte* action by the court on its own motion, "[t]he tribunal shall promptly notify the parties of the registration . . . of a Convention support order."

(Cal. Fam. Code, § 5700.706, subd. (e).)

Unless the opposing party later prevails at a contest hearing, "a tribunal of this state *shall* recognize and enforce a Convention support order."

(Cal. Fam. Code, § 5700.708, subd. (a) [emphasis added].)



Contesting Registration of a Hague Convention Support Order

- A party contesting a registered Hague Convention support order shall file a contest not later than 30 days after notice of registration (or 60 days if the contesting party does not reside in the United States). (Cf. 20 days under UIFSA.)
- If the non-registering party fails to timely contest the registration, then the order shall be enforceable.

(Cal. Fam. Code, § 5700.707, subds. (b), (c).)

- "The contesting party bears the burden of proof."
- "A contest of a registered Convention support order may be based only on the grounds set forth in Section 5700.708 [setting forth 9 specific grounds]."

(Cal. Fam. Code, § 5700.707, subd. (d).)

- The Court is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and
- The Court may not review the merits of the foreign order.

(Cal. Fam. Code, § 5700.707, subd. (e).)

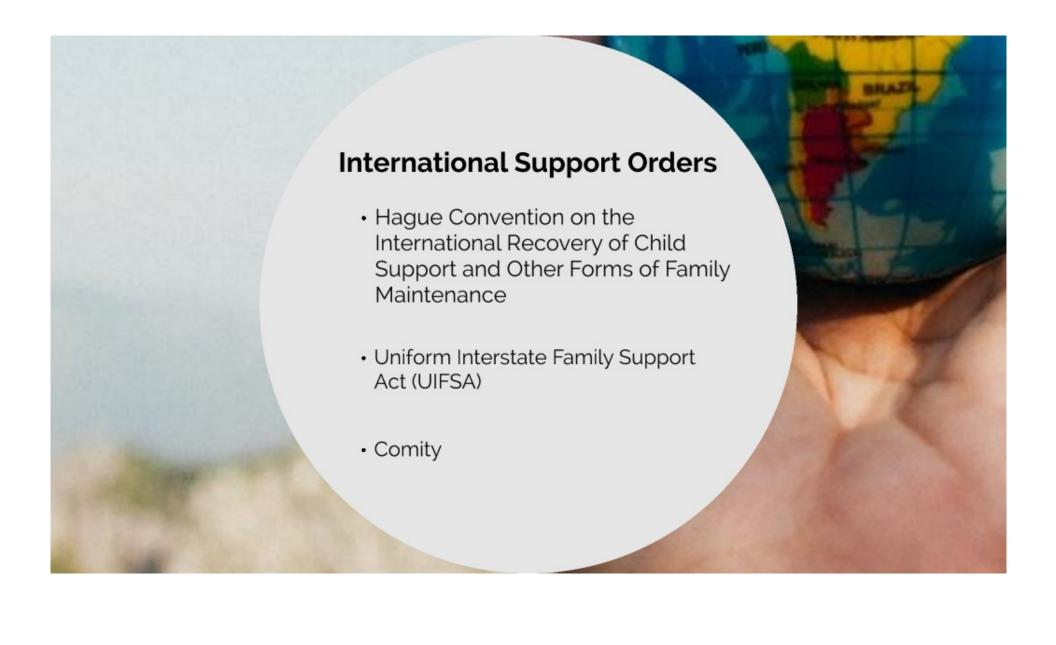
The following grounds are the only grounds on which a tribunal of this state may refuse recognition and enforcement of a registered Convention support order:

- (1) recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;
- (2) the issuing tribunal lacked personal jurisdiction . . . ;
- (3) the order is not enforceable in the issuing country;
- (4) the order was obtained by fraud in connection with a matter of procedure;
- (5) a record transmitted . . lacks authenticity or integrity;
- (6) a proceeding between the same parties and having the same purpose is pending before a tribunal of this state and that proceeding was the first to be filed;

- (7) the order is incompatible with a more recent support order ... [that] is entitled to recognition and enforcement ... in this state;
- (8) payment, . . . in whole or in part;
- (9) in a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:
 - (A) if the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or
 - (B) if the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or
- (10) the order was made in violation of Section 5700.711 limproper modification of a Convention support order where obligee remains resident of the foreign issuing country, which maintains jurisdiction over the support order].

(Cal. Fam. Code, § 5700.708, subd. (b).)

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UIFSA

- Adopted by all 50 states.
- In California, UIFSA is codified at Cal. Fam. Code, § 5700.101 et seq.

UIFSA is *not* the exclusive method of establishing or enforcing a support order in California.

(Cal. Fam. Code, § 5700.104, subd. (b).)

"Remedies provided by [UIFSA] are cumulative and do not affect the availability of remedies under other law "

(Cal. Fam. Code, § 5700.104, subd. (a) [emphases added].)

In addition to Hague Convention countries, UIFSA applies to any "foreign country," defined as a country (or political subdivision thereof), which:

- has been declared under the law of the United States to be a foreign reciprocating country;
- has established a reciprocal arrangement for child support with California; or
- has enacted law or procedures for the issuance and enforcement of support orders which are substantially similar to UIFSA.

(Cal. Fam. Code, § 5700.102, subd. (5).)

US Foreign Reciprocating Countries: Australia; El Salvador. (https://www.acf.hhs.gov/css/partners/international.)

California Reciprocal Countries: Bermuda; Fiji; Mexico; New Zealand; Quebec (Canada); South Africa. (https://ocsp.acf.hhs.gov/irg/profile.html?
selection=STA&stateGeoBox=06.)

In addition to Hague Convention countries, UIFSA applies to any "foreign country," defined as a country (or political subdivision thereof), which:

- has been declared under the law of the United States to be a foreign reciprocating country;
- has established a reciprocal arrangement for child support with California; or
- has enacted law or procedures for the issuance and enforcement of support orders which are substantially similar to UIFSA.

(Cal. Fam. Code, § 5700.102, subd. (5).)

"Substantially similar" means "the foreign country has laws and procedures that allow for recognition and enforcement of a California . . . support order, which need not be identical to California's laws and procedures "

(Cima-Sorci v. Sorci (2017) 17 Cal.App.5th 875, 888.)

The Official Comments to UIFSA contemplate "individualized determinations on a case-by-case basis."

(UIFSA (2008) § 102(5)(C) cmt.)

Domestication of Non-Hague Support Order

Requirements for registration:

- (1) a letter of transmittal . . . requesting registration and enforcement;
- (2) two copies, including one certified copy, of the order to be registered, including any modification of the order;
- (3) a sworn statement by the person requesting registration . . . showing the amount of any arrearage;

- (4) the name of the obligor and, if known:
 - (A) the obligor's address and social security number;
 - (B) the name and address of the obligor's employer and any other source of income of the obligor; and
 - (C) a description and the location of property of the obligor in this state not exempt from execution; and
- (5) ... the name and address of the obligee [unless the health, safety, or liberty of the obligee or child would be jeopardized].

(Cal. Fam. Code, § 5700.602, subd. (a).)

	NSMITTAL #1 - INITIAL REQUEST	
The information on this form may be disclosed as a	uthorized by law.	
If you are not the intended recipient, you are hereby		u de la companya de
or copying of this form or its contents is strictly proh	ibited.	
Child Support Agency Confidential Information F	orm must be attached.	
Petitioner: Legal Name (first, middle, last, suffu)	IV-D Case: [TANF	
Tribal Affiliation (Y applicable)	[] IV-E Foster Care [] Medicaid Only [] Former Assistance	
Respondent: Legal Name (first middle, hist, suffix)	Never Assistance	File Stamp
Tribal Affiliation (Fapplicable)		
	Responding Locator Code:	State
To: (Agency Name and Address)	Responding IV-D Case Identifier: Responding Tribunal Number:	0.000.000.00
From: (Agency Name and Address)	Initiating Locator Code:	State
	Initiating IV-D Case Identifier: Initiating Tribunal Number:	
Send Payments To: (If different from above)	Payment Locator Code:	State
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CHILD SUPPORT ENFORCEMENT TRANSMITTAL #1 - INITIAL I		
Section II. Case Summary (Continued):	CEGOCOT, I AGE 2	
Date of support order State and county, tribe, or foreign country issuing	order Inburial number	
control couper rotation control country, compare to rotation y security	LIVE TO SECOND S	
Support amount/frequency Date of last payment Total amount of err	ears Period of computation	
S S	thru	
[] Current Support [] Arrears Only		
[] Additional orders or information attached.		
Section III. Obligee Information: [] Parent [] Caretaker		
Obligee legal name (first, middle, last, suffix)		
If caretaker: relationship to child(ren) [] Has	legal custody/guardisnship of the child(ren)	
Section IV. Obligor Information: Obligor legal name (first, middle, last, suffix		
Section V. Dependent Child(ren) Information:		
Legal Name (first, middle, last, suffix)		
VI. Other Pertinent Information:		
VI. Other Pertinent information:		
[] Contin	ued on attached sheet(s), incorporated by reference.	
VII. Attachments: (Supporting Documentation)		
[] Child Support Agency Confidential Information Form for IV-D Use Only	[] Uniform Support Petition	
[] Declaration in Support of Establishing Parentage	[] General Testimony	
] Declaration in Support of Establishing Parentage] Personal Information Form for UIFSA § 311	[] General Testimony [] Support order(s)	
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CHILD SUPPORT AGENCY CONFIDENTIAL INFORMATION FORM

FOR IV-D AGENCY USE ONLY - DO NOT FILE WITH A TRIBUNAL OR PROVIDE TO THE OTHER PARTY

The information on the form may be disclosed only as authorized by law.

If you are not the intended recipient, you are hereby notified that any use, disclosure, distribution, or copying of this form or its contents is strictly prohibited.

NOTE:

[] This form sent through EDE

Section I. Case Information:

ı	Initiating jurisdiction name:	Responding jurisdiction name:
1	Initiating IV-D case identifier:	Responding IV-D case identifier:
ı	Initiating tribunal number:	Responding tribunal number:

Section II. Parent/Caretaker Information:

Parent []Obligee or []Oblige	gor	Parent []Obliges or []Ob	oligor
Legal name (first, middle, last, suff	saje	Legal name (first, middle, last, s	uffix):
Relationship to child(ren):		Relationship to child(ren):	
Gender: [] Male [] Female	[] Other	Gender: [] Male [] Femal	e []Other
Date of birth:	Place of birth: (city, county, state)	Date of birth:	Place of birth: (city, county, state)
SSN:	Hame telephone:	SSN:	Home telephone:
Cell telephone:	Work telephone:	Cell telephone:	Work telephone:
Alias (e.g., maiden name, nicknam	e).	Alias (e.g., maiden name, nickn	ame):
Home address (street, city, state.	zip code]:	Home address (street, city, sta	te, zip code):
Date address confirmed:		Date address confirmed:	
Mailing address (street, PO Box, Date address confirmed:	city, state, zip code):	Mailing address (street, PO Bo	
E-mait		E-mail:	
Employer name:		Employer name:	
Date employer confirmed:		Date employer confirmed:	
Employer address (street, city, st	ate, zip code):	Employer address (street, city,	state, zip code)
Employer FEIN:	520700 070	Employer FEIN:	
Incarcerated? [[Yes [] No (If yes, Inmate #: and facility name:		Incarcereled? []Yes []Net (If yes, Inmate #:) and facility name:	

Child Support Agency Confidential Information Form OMB 0970 - 0085 Expiration Date: 12/31/2019

Caretaker - Obligate (What notinger as at the chickpricy parent) Legal rame (inst. middle, but, suite) Relationship to chickprice) Gender: [] Mide [] Fernate [] Other Date of bitth: SSN:	CHILD SUPPORT AGENCY CONFIDENTIAL INFORMATION FORM, PAGE 2	
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Centure: [Malot [] Female [] Other Date of birth: \$SN	Legal name (first, middle, fast, suffix):	
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Parentage was established on	(date) in	(state).	
Parentage was established by:			
[] Order			
[] Advnowledgment of Parentage			
[] Adoption			
[] Other:			
[] Parentage was not established.			
Child #3 legal name (first, middle, last, suffici:			
Harris Administration of the Control			
Home address (street, city, state, zip code):			
SSN:	Date of black		
	Date of birth:	Female	
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The information on this form may be disclos	ed to the parties in the case, unless ac	companied by a nondisclosure finding/affidavit.	
	e hereby notified that any use, disclosu	re, distribution, or copying of this form or its contents	
is strictly prohibited.			
For IV-D cases, a Transmittal #1 and Chile			
Responding IV-D Case Identifier:	Initiating IV-D Ca		
Responding Tribunal Number:	Initiating Tribo		
NOTE:		Register for Enforcement	
[] Nondisclosure Finding/Affidavit attacl [] This form sent through EDE	ned [Register for Enforcement of Arrears Only	
[] This form sent through EDE		[] Assigned Arrears [] Non-assigned Arrears	
	1	Register for Modification	
	· ·	Register for Modification and Enforcement	
Section I. Case Summary: (Background			
	State and county/tribe issuing order.	Tribunal number:	
Current Obligation	Amount Frequency (per		
Current child support S			
Current medical support \$			
Current spousal support \$			
Other: \$			
Type of Arrears	Amount		
Total child support arrears \$			
Total medical support arrears \$			
Total spousal support arrears \$			
Total interest \$			
Other: \$	The second second		
Total amount of arrears: \$		mputation: fromto	
Assigned arreers only: \$		rentation of TANE time periods.)	
Section II. Obligee Information: [
Obligee's legal name (first middle, last, suffix)	J:	_	
Obligee's address:		[] Has legal custody/guardianship of the child(ren)	
If caretaker, relationship to child(ren): Section III. Obligor Information:		[] The regarded accomplisation and Critic(tell)	
Obligor's legal name (first, middle, last, suffix):			
Obligor's address:		A STATE OF THE PARTY OF THE PAR	
SSN:	Employer Name:		
Employer address:			

Letter of Transmittal Requesting Registration OMB 0970 - 0065 Expiration Date: 12/31/2019 Page 1 of 2

	Pertinent Information:	
This order is registere	ed in the following states:	
Attach description an	d location of any property not exempt from execution.	
Identify any source of	income of the obligor in addition to employment:	
Other:		
Section V. Attach	ments: Required – Two copies, including one certified of	copy, of the order to be registered,
including any mod	dification of the order.	
The following docume	ents are also attached and part of this Letter of Transmittal Reques	ting Registration:
[] Certified statement	nt of arrears (IV-D agency or other government entity record)	
[] Swom statement	of arrears (direct payments)	
[] Order determining	g arrears	
* *	calion of any property not exempt from execution	
[] Other attachment		
	registration for modification, also attach a Uniform Support Petition	. General Testimony, and a Personal
Information Form for	NAME OF THE PARTY	
Section VI. Declar		
	ury, all information and facts stated in this Letter of Transmittal Req	uesting Registration are true to
the best of my knowle	rage and belief.	
1		
D-t-	Name Carlo and the Carlo and t	Ø:
Date	Name [] Party seeking registration [] IV-D representative/title	a Signature
Date	Name [] Party seeking registration [] IV-D representative/titl	a Signature
Date	Name [] Party seeking registration [] IV-D representative/tit	a Signature
Date Date	Name [] Party seeking registration [] IV-D representative titl Printed name of petitioner's private attorney and	s Signature Signature of patitioner's private attorney
	Printed name of petitioner's private attorney and	
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Date	Printed name of petitioner's private attorney and attorney/bar number (if applicable)	
Date	Printed name of petitioner's private attorney and attorney/bar number (if applicable) ments:	Signature of petitioner's private attorney
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Letter of Transmittal Requesting Registration

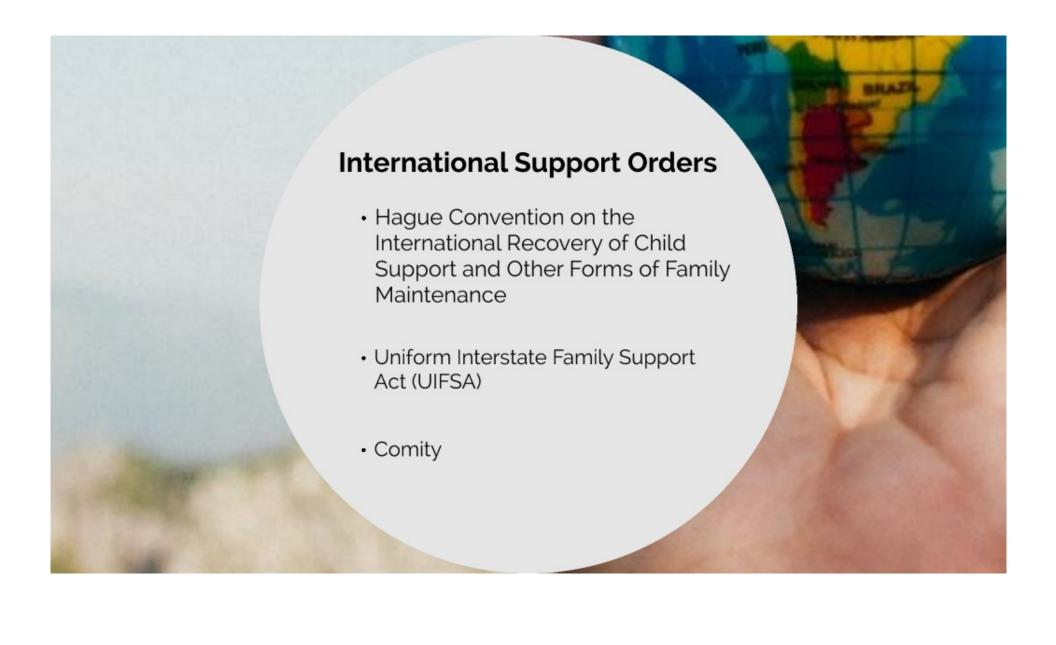
FL-570	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRECAUSY MIC ONLY	
STREET ACRESSE NAMES ADDRESSE	
CRY MODE COST.	
пенсикая:	
PET/ITIONER/PLAINTIFF:	
RESPENDENT/DEPENDANT:	
NOTICE OF REGISTRATION OF OUT-OF-STATE SUPPORT ORDER CARENARES	
Support Order Income Withholding Order	
1. To (name):	
You are notified that an Out-of-State Support Order Out-of-State Order for income Withhiddinghas been registered with this court. A copy of the order and the Latter of Transmittal Requesting Registration are attached.	
3. The amount of arreors is specified in section 1 on the attached Letter of Transmittel Requesting Registration.	
The amount of the afleged arrears is: as of	
☐ The arrears have a U.S. dollar equivalence of	
 The registered order is enforceable in the same mariner as a support order made by a Colfornia court as of the date that the Letter of Transmittal Requesting Registration is filed. 	
 If you want to contast the validity or enforcement of the registered order, you must request a hearing within 20 days after notice. You can request a hearing by completing and filing a Request for Hearing Registration of Support Order (form FL-575). 	
b. If you fail to contest the validity or enforcement of the attached order within 20 days after notice, the order will be confirmed by the court and you will be unable to contest any portion of the order including the amount of arrears as specified in item 1 of the Eatter of Transmittel Requesting Registration.	
CLERK'S CERTIFICATE OF MAILING	
7. Lordify that I am not a party to this cause and that a copy of the Letter of Transmittal Requesting Registration with a copy of the cut-of-state order were sent to the person named in item 1 by first-class mail. The copies were and used in an envelope with postage fully perpend. The envelope was addressed to the person named in item 1 only at the address in the Personal Information Form, seated, and deposited with the U.S. Postal Service.	
at (place):	
an (data):	
A copy was sent to the local child support agency on (diste):	
Date: Clerk, by	
Page 1 of 1	
For a fayer and for Op Jurist Disc. An old Country Confereig. NOTICE OF REGISTRATION OF OUT-OF-STATE SUPPORT ORDER. An old Country Confereig. PROPERTY ORDER. And Country Confereig. An old Country Cou	
For your protection and privacy, please press the Cinar	
This Form button after you have printed the form. Print this form Save this form Clear this form	

"A... foreign support order is registered when the order is filed in ... this state."

(Cal. Fam. Code, § 5700.603, subd. (a).)

"A registered support order issued in . . . a foreign country is enforceable in the same manner . . . as an order issued by a tribunal of this state."

(Cal. Fam. Code, § 5700.603, subd. (b).)



Contesting Registration of a Non-Hague Support Order

- The non-registering party must contest the validity of a registered support order by requesting a hearing within 20 days after notice of the registered order is sent. (Cal. Fam. Code, §§ 5700.605, subd. (b)(2), 5700.606, subd. (a).)
- "If the non-registering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law." (Cal. Fam. Code, § 5700.606, subd. (b).)

A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one of the following defenses:

- (1) the issuing tribunal lacked personal jurisdiction over the contesting party;
- (2) the order was obtained by fraud;
- (3) the order has been vacated, suspended, or modified by a later order:
- (4) the issuing tribunal has stayed the order pending appeal;

- (5) there is a defense under the law of this state to the remedy sought;
- (6) full or partial payment has been made;
- (7) the statute of limitation . . . precludes enforcement of some or all of the alleged arrearages; or
- (8) the alleged controlling order is not the controlling order.

(Cal. Fam. Code, § 5700.607, subd. (a).)

"In a proceeding for arrears under a registered support order, the statute of limitation of this state, or of the issuing state or foreign country, whichever is longer, applies."

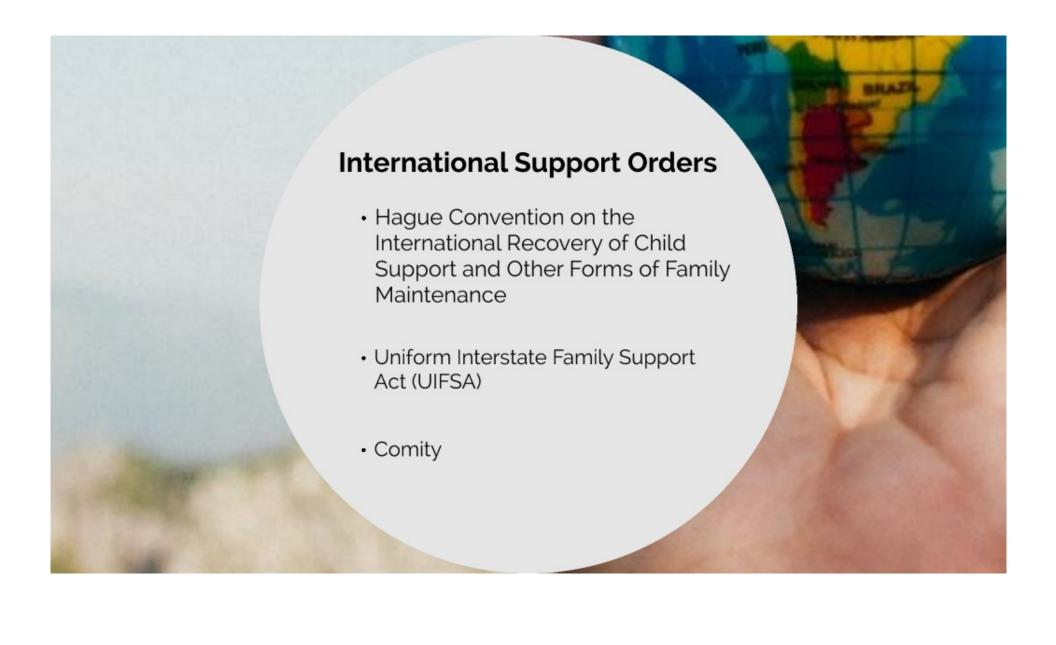
(Cal. Fam. Code, § 5700.604, subd. (b).)

Practically speaking, this means that California's statute of limitation will always apply because, in California:

"A money judgment . . . , including a judgment for child, family, or spousal support, is enforceable until paid in full or otherwise satisfied."

(Cal. Fam. Code, § 291, subd. (a).)

	FL-575
"WITH SITHOUT ATTORNEY OR ATTORNEY (name, plate but number, and settleds):	FOR COURT USE ONLY
MANG STATEBAR NO:	
FRM MANG:	
STREET ADDRESS:	
attr: SIA F VP DOILE	
TELEPHONE NO.: PAX NO:	
EASAL ADDRESS:	
ATTOMEY FOR Justin	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
STREET ACOMESIS:	
MALING ADDRESS:	
DITY AND Z P CODE	
BRANCH HAME:	
PETITIONER/PLAINTIFF:	
RESPONDENT/DEFENDANT:	
OTHER PARENT:	
REQUEST FOR HEARING REGARDING REGISTRATION OF	CASE ROBOL IS
SUPPORT ORDER	
California Support Order Out-of-State Support Order	
NOTICE OF HEARING	
. A hearing on this application will be held as follows (see instructions on how to get a fre	ening date):
The state of the s	anny anny
a. Date: Time: Dept:	Disc Room:
b. The address of the court is same as noted above Other (i	specity):
2. I request that service of the registration of support be vacated (canceled) because	
 I am not the Obligor named in the Letter of Transmittal Requesting Registration 	ion.
b. The court or tribunal that issued the order did not have personal jurisdiction of	ver me.
c. the support order was obtained by fraud.	
C. I the support brown ends obtained by fraction	
d the support order has been vacaled, suspended, or modified by a later order	(Please attach a copy of the later order.)
e the order has been stayed pending appeal.	
 the amount of arrears in section 1 of the Letter of Transmittal Requesting Re 	
arrears is (specify amount): \$ Supporting documents	
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a language all of the amount and anforceable	s anauveo.
g some or all of the amears are not enforceable.	s attacrecs.
	s attaures.
	в впаслео.
h Other (specify):	
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INTERNATIONAL ENFORCEMENT ISSUES: A "How To"

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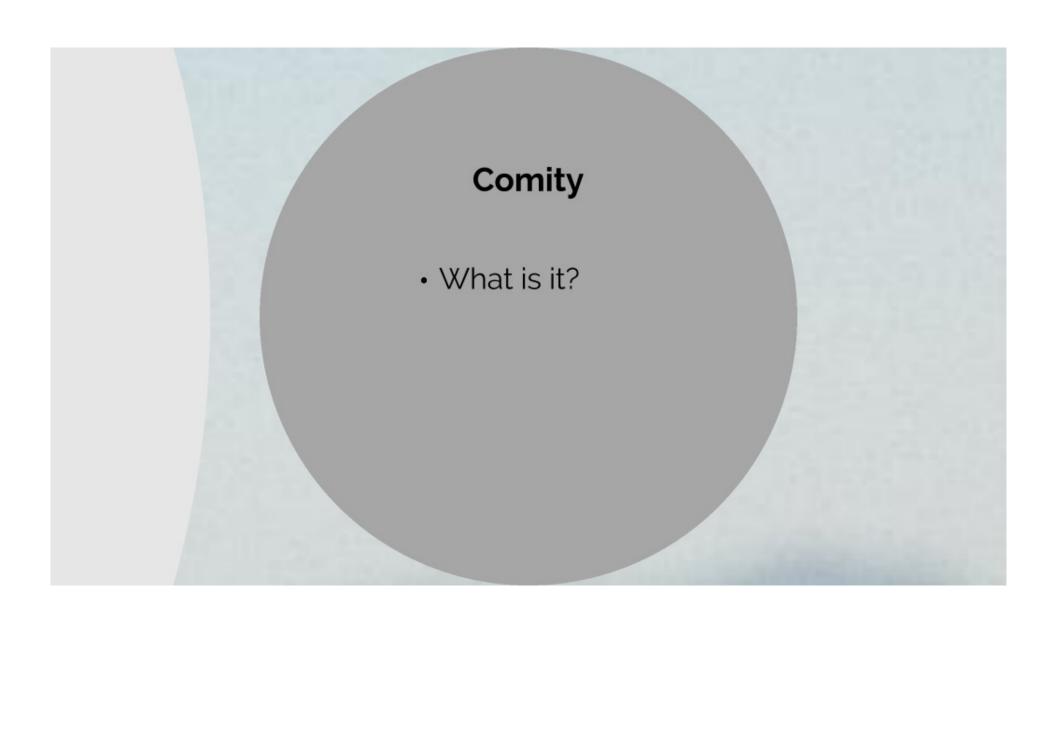
International Custody Orders

> International Support Orders

International Property Orders



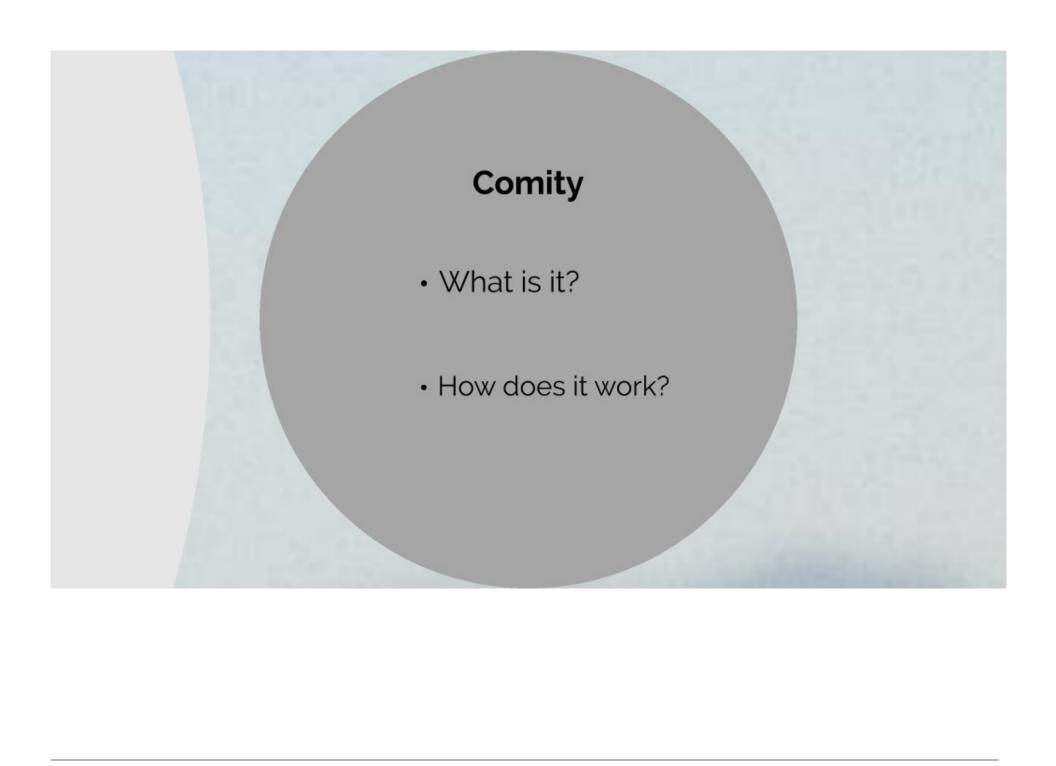




"Comity" is defined as:

"Courtesy among political entities (as . . . courts of different jurisdictions), involving esp. mutual recognition of . . . judicial acts."

(Black's Law Dictionary (7th ed. 1999) p. 261. col. 2.)



- The doctrine of comity is a discretionary judicial principle.
- The courts of this state may, but are not required to, execute the judgment of a foreign nation as a matter of comity." (In re Stephanie M. (1994) 7 Cal.4th 295, 314 [emphasis added].)

"The doctrine of comity prescribes that a court of this nation recognize the judgment of a court of a foreign nation when the foreign court had proper jurisdiction and enforcement does not . . . violate domestic public policy."

(Id. [emphases added].)

"Extension or denial of comity is discretionary and is reviewed on an abuse of discretion standard."

(Id. [emphases added].)

In determining questions of public policy, California courts look to the US and California Constitutions, statutes, and decisional case law.

(12 Cal.Jur.3d (2019) Conflict of Laws, § 19.)

When US or California law is in substantial conflict with the law of the foreign country on the subject matter in controversy, California courts will decline to accept jurisdiction.

(ld.)

- Likewise, a California court may not capriciously deny the enforcement of foreign laws under the doctrine of comity.
- The mere fact that the law of a foreign country differs from California law is not enough to refuse to respect the foreign law.
- In fact, even if a foreign law offends public policy, it may still be applied in a limited manner such that the potential harm is minimal.

(ld. § 21.)



A few final points:

- There is no "automatic" registration process for international property orders.
- Enforcement must proceed through a normal, civil (nonfamily-law) action.
- All of the normal pleading requirements, rules of discovery, dispositive motion practice, etc. in civil actions will apply.
- The ultimate enforceability of the international property order will have to be established through a full-blown trial.