

How Do I Register an Out-of-State Custody Order in Washington?

Is this packet for me?

Yes, if:

- You have a custody order from another state and
- You want it to have full effect in Washington

Why should I register an out-of-state custody order in Washington?

If you, the other party, or the children live in Washington, it will be easier for you to enforce the order, if you ever need to.

[RCW 26.27.441](#) explains the process for registering an order.

RCW stands for [Revised Code of Washington](#). Those are our state's laws.

Will it cost money?

The court may ask you to pay a filing fee to register this order. If you think you cannot pay the filing fee, you may file a Request for Fee Waiver. Our publication called [Filing Fee Waiver](#) has more information. Our packet called [Filing a Motion for Waiver of Your Filing Fee](#) has instructions and the forms you need.

To begin the process, you need to file a Request for Child Custody Determination Registration under UCCJEA. A blank copy of that form is in this packet.

You will need to file two copies of your out-of-state custody order. One copy must be certified.

◆ Get a certified copy from the clerk of the court where the order came from. You will probably have to pay for it.

You will also need to file a Confidential Information Form and the Notice of Child Custody Determination Registration.

Do I have to let the other party know that I am doing this?

The law states that the clerk will serve the other party. But most counties do not do this. Ask your local clerk's office if they will. If the local clerk will not serve the other party, you will need to do it yourself. You will also need to file a Return of Service.

You will need the court's permission first. A copy of the Motion/Declaration for Ex Parte Order Allowing Petitioner to Arrange Service and the Ex Parte Order Allowing Petitioner to Arrange Service are in this packet. Check with the clerk's office to see when you can present your Motion and Order regarding service to the court.

Can the other party try to stop me from registering the order in Washington?

Yes. After you serve the other party, they may ask for a hearing to contest the order's validity. If they do not do this within 20 days of being served (60 days if served out-of-state), then you can file with the clerk the Notice of Confirmation of Child Custody Determination Registration included in this packet.

If the other party asks for a hearing, the only way they can stop you from registering the order in Washington is if they can show:

- The out-of-state court did not have jurisdiction (see shaded box below) to enter the order in the first place; or
- The order you want to register has been vacated, stayed, or changed by another court; or
- You did not give the other person proper notice under Washington state law ([RCW 26.27.081](#)), in the out-of-state case.

◆ Our publication called [Which Court Has the Right to Enter Custody Orders? Frequently Asked Questions about Jurisdiction](#) has more about jurisdiction.

I need to go to a hearing on registering my out-of-state order. What are the hearing rules?

It depends on the county. Check your county's local rules. They may be online here: http://www.courts.wa.gov/court_rules/?fa=court_rules.local&group=local. Or ask the court clerk, family law facilitator (if your county has one) or the assistant to the judge your motion is assigned to.

Summary of Steps

- STEP 1. Gather the Forms and Documents You Need
- STEP 2. Fill Out the Forms
- STEP 3. Talk to a Lawyer, if You Can
- STEP 4. Make Three Extra Copies of Each Document
- STEP 5. File / Deliver Working Papers / Have the Other Party Served
- STEP 6. Confirm Hearing / Go to Hearing (if there is one)

STEP 1: Get the forms and documents you may need.

◆ Forms A, - F are in this packet. If you need forms G – I, get our packet called [Filing a Motion for Waiver of Your Filing Fee](#).

FORM A: Request for Child Custody Determination Registration under UCCJEA (*WPF DRPSCU 08.0500*)

FORM B: Motion/Declaration for Ex Parte Order Allowing Petitioner to Arrange Service (*WPF DRPSCU 08.0510*)

FORM C: Ex Parte Order Allowing Petitioner to Arrange Service (*WPF DRPSCU 08.0520*)

FORM D: Return of Service

FORM E: Notice of Confirmation of Child Custody Determination Registration (*WPF DRPSCU 08.0530*)

FORM F: Order of Confirmation of Registered Child Custody Determination (*WPF DRPSCU 08.0550*)

FORM G: Motion for Filing Fee Waiver

FORM H: Financial Statement

FORM I: Order re Waiver of Filing Fee

STEP 2: Fill out the forms.

On all of the forms, fill out the caption (the top portion of each form naming the county, the parties involved, and the case number). If you are the one asking to register the Order, you are the Petitioner.

◆ The other party is the Respondent.

FORM A: Request for Child Custody Determination Registration under UCCJEA

To fill out the Caption, look at the top of the first page of the out-of-state custody order you want to register. Copy its caption.

After **“To:”** Write in the name of the county where you want to register your order.

After **“And:”** Write in the names of all the other parties.1.1 Write your name in the blank.

1.2 Write in the respondent’s name. Check the boxes that apply to this person.

1.3 Read this sentence. If does not apply to your out-of-state order, **STOP. Do not register this order.**

1.4 Read this paragraph.

Write in where you are signing the form. Then sign and date it.

FORM B: Motion/Declaration for Ex Parte Order Allowing Petitioner to Arrange Service

If the court will not serve the respondent and you have to do it yourself, use this form.

- ◆ If you do not need to serve the respondent yourself, skip this form. Go to Form F if the respondent asks for a hearing after being served.
- ◆ Skip to form E if the respondent does not ask for a hearing.

Fill out the caption.

I. Motion: Write your name in the first blank. In the second blank, write in the name of the county where you want to register your order.

Sign and date this section. Print your name under your signature.

II. Declaration: Write your name in the first blank.

2.1 Read this sentence.

2.2 Write in the name of the county where you want to register your order in both blanks.

2.3 Read this paragraph.

Write in where you are signing the form. Then sign and date it.

FORM C: Ex Parte Order Allowing Petitioner to Arrange Service

Fill out the caption.

I. Basis: Write in the name of the county where you want to register your order.

Under “Presented By,” sign your name. Next to that, print or type your name.

- ◆ DO NOT SIGN THIS ORDER. The judge or commissioner will do that.

FORM D: Return of Service

Fill out the caption.

Paragraph 2.

Write the respondent’s name in the blank. Check the box next to “Other.” Write in the names of the forms you are serving:

- Request for Child Custody Determination Registration under UCCJEA

- Motion/Declaration for Ex Parte Order Allowing Petitioner to Arrange Service
- Ex Parte Order Allowing Petitioner to Arrange Service

You MUST list them all. If you leave one out, you will have no proof that the respondent got it.

Paragraph 3.

The server should fill in the date, time (show a.m. or p.m.) and address where s/he served the papers.

Paragraph 4.

If the server gave the papers directly to the respondent, check the first box. If the server did abode service¹, check the second box. Fill in the name of the person the server gave the papers to.

- ◆ **In this kind of case, we recommend service by mail. It is easier, especially if the respondent lives far away**
- ◆ You may want to have the server send the papers by return receipt requested, if you can pay for it. Then you will have extra proof that the respondent got the papers.
- ◆ Do NOT use return receipt requested if you believe the respondent will refuse to pick up their mail.

If the server mailed the papers, check the fifth box. Attach a copy of the return receipt where indicated.

Paragraph 5.

Leave this blank.

Paragraph 6.

In the “Other” section, your server may write other information. Example: if your server tried, several times, to serve the respondent but s/he is never home or could not be found, the server should write the dates and times and descriptions of each time the server tried to serve the respondent.

If the server gave the papers to an adult living with the respondent who would not give his/her name, the server should write what the person who took the papers looks like.

Signature.

¹ “Abode service” means handing the papers to someone who lives at the home who is mentally competent and 18 or over. It does not have to be the respondent. Tell your server NOT TO LEAVE THE PAPERS OUTSIDE.

The server should write the city and state where s/he signed the form, write in the date, and sign where it says "Signature" and then print or type his/her name where it says "Print or Type Name."

◆ **Fees and mileage:** Usually, you can skip this section. Usually only professional servers will use the box for fees and mileage. (You do not need a professional server for this type of case.) If you have the server deliver by mail, this section does not apply.

Tape the return receipt to the second page when you get it. Then file with the clerk.

FORM E: Notice of Confirmation of Child Custody Determination Registration

◆ Use this form only if the respondent does not schedule a hearing by the deadline.

Fill out the caption.

After **"To:"** Write in the names of all the other parties.**1.1** Fill in your name.

1.2 Write in the date that the court signed the Ex Parte Order.

1.3 Read this paragraph. Do as it says.

1.4 Write in the date you served the respondent. Check the first box if you served the respondent in Washington. Check the second box if you served the respondent outside of Washington.

1.5 Check the box that applies.

Sign and date on the second page. Then type or print your name. Fill in your address.

◆ If you need to file a motion for fee waiver, our packet called [Filing a Motion for Waiver of Your Filing Fee](#) has forms and instructions.

◆ **After you have filed this form, you may now enforce your order in Washington state.** Skip the rest of the steps below. Go to the section called "I got my Order registered. Do I need to do anything else to enforce the Order?"

FORM E: (Proposed) Order of Confirmation of Registered Child Custody Determination, if there will be a hearing

Fill out the caption.

1.1 Fill in your name in the first blank.

1.2 Write in the date of your hearing. Check the box next to “Petitioner.” If the respondent shows up, the judge can check the appropriate box.

1.3 Read this paragraph.

II Findings: Let the judge check the appropriate box here.

III Order:

Write in the blank the date that you registered your out-of-state order with the court. Let the judge check the second box after the hearing.

Under “Presented By,” sign and then print your name in the appropriate spaces.

◆ **FORMS G, H, and I:** If you need these forms, get our packet called [Filing a Motion for Waiver of Filing Fee](#) for instructions.

Do I Schedule the Hearing? If the respondent asks for a hearing, the respondent will need to arrange for the hearing. You should get notice of the hearing. If you do not, call the clerk.

STEP 3: Talk to a lawyer, if possible.

These instructions are not legal advice. Try to talk to a lawyer about your problem before filing your motion. If you cannot afford to hire a lawyer to represent you, you may be able to pay one to advise you and review your paperwork. If you are very low-income, call CLEAR. (See end of publication for contact info.)

STEP 4: Make three extra copies of each document.

Make at least three copies of each document (more if there is more than one other party in the case):

- One copy for you
- one for the respondent’s lawyer(or the respondent if s/he does not have a lawyer)
- one for the judge (working papers), if there will be a hearing on your Motion

See Step 5 for more information on working papers.

STEP 5: File / Deliver Working Papers / Have Other Party Served

◆ **Keep reading only if the respondent scheduled a hearing on your motion.**

You should have already filed the following with the Clerk's office:

- Form A
- Forms B – D if you had to serve the respondent yourself
- Forms G – I if you asked for a fee waiver
- A copy of your proposed Order (form F)

You can also file a copy of your proposed form F if the local rules allow it. (Check with the clerk.)

Working Papers: If you are going to a hearing, some counties require “working papers.” Working papers are an extra copy of your packet (the papers you filed plus the order marked “Proposed;” see above) that goes to the judge. Ask the clerk or family law facilitator if you will need to file working papers. If so, write the following in the top right hand corner of the first page of this set:

WORKING PAPERS: MOVING PARTY

JUDGE'S CIVIL LAW MOTIONS

DATE: _____ TIME: _____ AM/PM

NAME: _____

(Your Name)

*Fill in the date and time of your hearing.

Serving the respondent with a copy of your working papers IF THE RESPONDENT HAS SCHEDULED A HEARING:

You must have the respondent served with a copy of your packet the proper amount of time before the hearing. Each county has its own local rule on how much time in advance a party must get notice of the hearing. **Ask the family law facilitator or court clerk how many days' advance notice to the respondent you have to give. Then deliver or serve the motion packet appropriately. Add days if you are serving by mail.** Bring the remaining copy of your motion packet to your hearing. It is your copy.

STEP 6: Confirm your hearing. Go to the hearing.

Confirmation:

Check with the family law facilitator or court clerk to determine whether you have to confirm your hearing and if so, how you must confirm your hearing. In some counties, you will have to confirm your hearing several days before the actual hearing. **IF YOU DO NOT DO SO, THE COURT MIGHT AUTOMATICALLY CANCEL YOUR HEARING!**

Respondent's response:

If the respondent files a written response to your motion, s/he must do so by the time stated in your county's Local Rules. Check with the family law facilitator or court clerk in your county to learn what that time is. (Your local rules may be online here: http://www.courts.wa.gov/court_rules/?fa=court_rules.local&group=local.) If the respondent does not file a written response in time, you have the right to object to a late response, or a verbal response.

At the Hearing, if there is one:

You must go to the hearing. At the hearing, you can tell the judge your side of the case. You cannot present any new facts that are not already in the documents you filed.

Bring a copy of your motion packet with you. Everything you will want to say about the Request for Child Custody Determination must be in your forms. If the court allows you to speak at all, it will only give you a few minutes to do so.

YOU MAY HAVE TO WAIT AS LONG AS THREE HOURS FOR YOUR HEARING. DO NOT BRING CHILDREN WITH YOU. Arrive a half-hour early for your hearing to check in.

If the respondent shows up at the hearing, each of you will have a chance to tell your side of the case. Stand while speaking. Tell the judge briefly what you want and why. Try to keep your argument short. Only outline your main points. You may have only a few minutes to speak. In most cases, the judge will have read your papers before the hearing. Do not repeat everything in your papers. Try to make notes to use at the hearing.

DO NOT INTERRUPT THE JUDGE.

After the judge has heard both sides, s/he will make a decision. Listen carefully. Usually the judge will sign your Order the day of your hearing. Some counties require the judge to sign them before the parties leave the courthouse. Find out beforehand what the local practice is in the county where you have filed.

After the Hearing:

The judge may have you or the respondent file the Order with the clerk. **Do not leave the courthouse with or destroy the original order signed by the judge.** If you do not know what to do with the originals, ask the clerk's office for help.

I got my Order registered. Do I need to do anything else to enforce the Order?

If the respondent is not following the Order, you may need to file a motion for contempt. Our publication called [Contempt of Court in Family Law Cases: The Basics](#) explains the law. Our packets called Filing a Motion for Contempt in a [Dissolution](#) or [Parentage](#) case have forms and instructions.

◆ **The laws and court rules are complex.** Following these instructions will not guarantee a good result. Try to talk to a lawyer about your problem before filing your action. (You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem, but not represent you in court.)

What if I need legal help?

- Apply online with [CLEAR*Online](#) - <http://nwjustice.org/get-legal-help>
or
- Call CLEAR at 1-888-201-1014

CLEAR is Washington's toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

- **Outside King County:** Call 1-888-201-1014 weekdays from 9:10 a.m. until 12:25 p.m. CLEAR works with a language line to provide interpreters as needed at no cost to callers. If you are deaf or hard of hearing, please call 1-888-201-1014 using your preferred TTY or Video relay service.
- **King County:** Call 211 for information and referral to an appropriate legal services provider Monday through Friday from 8:00 am – 6:00 pm. You may also call (206) 461-3200, or the toll-free number, which may be useful when calling from a pay phone, 1-877-211-WASH (9274). 211 works with a language line to provide interpreters as needed at no cost to callers. Deaf and hearing-impaired callers can call 1-800-833-6384 or 711 to be connected to a relay operator at no cost, who will then connect them with 211. Information on legal service providers in King County may also be accessed through 211's website at www.resourcehouse.com/win211/.
- **Persons 60 and Over:** Persons 60 or over may call CLEAR*Sr at 1-888-387-7111, regardless of income.

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

This information is current as of March 2013.

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**Superior Court of Washington
County of**

In re:

and

Child(ren),
Petitioner(s),

Respondent(s).

No.

**Request for Child Custody
Determination Registration
Under UCCJEA
(RQCUSDR)**

To: _____ County Superior Court

And: _____, Respondent

_____, Respondent

_____, Respondent

_____, Respondent

1.1 The petitioner, _____, requests that the court register the attached child custody determination under the Uniform Child Custody and Enforcement Jurisdiction Act, RCW 26.27.441. Two copies, including one certified, of the child custody determination and all modifications of that child custody determination are attached.

1.2 The respondent, _____, is the [] parent [] person acting as a parent who has been awarded [] custody [] visitation in the child custody determination.

1.3 The determination sought to be registered has not been modified.

1.4 Identifying information concerning the petitioner and respondent required by RCW 26.27.281, is confidential pursuant to GR 22, and is contained in the verified and signed Confidential Information Form that must be filed with the court.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____, [City] _____ [State] on _____ [Date].

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name

**Superior Court of Washington
County of**

In re:

Child(ren),

Petitioner(s),

and

Respondent(s).

No.

**Motion/Declaration for Ex Parte
Order Allowing Petitioner to
Arrange Service
(Optional Use)
(MTAF)**

I. Motion

The petitioner, _____, asks the court for an order allowing the petitioner, rather than the _____ County Superior Court, to arrange for service of legal documents and notices on the parties in this action.

Dated: _____

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name

II. Declaration

_____, hereby declares as follows:

2.1 I am the petitioner in the above captioned cause. I filed the action for registration herein.

2.2 As set forth in RCW 26.27.441, the _____ County Superior Court

is responsible for serving the respondent with the legal documents in this action. To my knowledge and belief, the _____ County Superior Court has not established a procedure for serving legal documents and notices in these cases.

2.3 To facilitate the prosecution of this case and in accordance with due process, the petitioner asks that he/she be allowed to arrange for service of legal documents and notices in this case. Proof of service (Return of Service) will be filed to demonstrate that notice was given.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____, [City] _____ [State] on _____ [Date].

Signature of Petitioner or Lawyer/WSBA No. _____

Print or Type Name

**Superior Court of Washington
County of**

In re:

and

Child(ren),
Petitioner(s),

Respondent(s).

No.

**Ex Parte Order Allowing
Petitioner to Arrange Service
(Optional Use)
(ORRSR)**

I. Basis

The petitioner filed a motion asking the court for an order allowing the petitioner, rather than the _____ County Superior Court, to arrange for service of legal documents and notices on the parties in this action.

II. Findings

Good cause exists to grant the requested relief.

III. Order

It is Ordered that the petitioner shall arrange for service of legal documents and notices in this proceeding in lieu of the superior court as required by RCW 26.27.441.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name

**Superior Court of Washington
County of**

In re:

and

Petitioner,

Respondent.

No.

**Return of Service
(Optional Use)
(RTS)**

I Declare:

1. I am over the age of 18 years, and I am not a party to this action.
2. I served the following documents to (name) _____:
 - summons, a copy of which is attached
 - petition in this action
 - proposed parenting plan or residential schedule
 - proposed child support order
 - proposed child support worksheets
 - sealed financial source documents cover sheet and financial documents
 - financial declaration
 - Notice Re: Dependent of a Person in Military Service
 - notice of hearing for _____
 - motion for temporary order
 - motion for and ex parte order
 - motion for and order to show cause re: _____
 - declarations of _____
 - temporary order
 - other:

3. The date, time and place of service were (if by mail refer to Paragraph 4 below):

Date: _____ Time: _____ a.m./p.m.

Address: _____

4. Service was made:

- by delivery to the person named in paragraph 2 above.
- by delivery to (name) _____, a person of suitable age and discretion residing at the respondent's usual abode.
- by publication as provided in RCW 4.28.100. (File Affidavit of Publication separately.)
- (check this box only if there is a court order authorizing service by mail) by mailing two copies postage prepaid to the person named in the order entered by the court on (date) _____. One copy was mailed by ordinary first class mail, the other copy was sent by certified mail return receipt requested. (Tape return receipt below.) The copies were mailed on (date) _____.
- (check this box only if there is a statute authorizing service by mail) by mailing a copy postage prepaid to the person requiring service by any form of mail requiring return receipt. (Tape return receipt below.) The copy was mailed on (date) _____.

5. Service of Notice on Dependent of a Person in Military Service.

- The Notice to Dependent of Person in Military Service was served on mailed by first class mail on (date) _____.
- Other:

6. Other:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature

Print or Type Name

Fees:

Service _____

Mileage _____

Total _____

(Tape Return Receipt here, if service was by mail.)

File the original Return of Service with the clerk. Provide a copy to the law enforcement agency where protected person resides if the documents served include a restraining order signed by the court.

**Superior Court of Washington
County of**

In re:

and

Child(ren),
Petitioner(s),

Respondent(s).

No.

**Notice of Child Custody
Determination Registration
Under UCCJEA
(NTCUSDR)**

To: _____, Respondent
_____, Respondent

The petitioner has registered your child custody determination for the child(ren):

Name (first/last) _____ Age _____

with the Superior Court under the Uniform Child Custody Jurisdiction and Enforcement Act, RCW 26.27.441. A copy of your child custody determination is attached to the Request for Child Custody Determination Registration Under UCCJEA, along with any other relevant documents.

I. Notice

1.1 A registered child custody determination is enforceable as of the date of registration in the same manner as a child custody determination issued by a court of this state.

- 1.2 A hearing to contest the validity of the registered determination must be requested within 20 days after the date of receipt by certified or registered mail or personal service of this notice (or within 60 days if you receive the notice outside of the state).
- 1.3 Failure to contest the registration in a timely manner will result in confirmation of the determination and precludes further contest of that determination with respect to any matter that could have been asserted.
- 1.4 You bear the burden of contesting the registration or seeking to vacate the registration.
- 1.5 You may request a hearing by sending a written request for a hearing within the time limits set forth in paragraph (1.2) to the _____ County Superior Court and to the undersigned petitioner. (Use WPF DRPSCU 08.0540, Request for Hearing to Contest Registration of Child Custody Determination.) (Contact the County Clerk for noting and scheduling information.)

This Notice is issued pursuant to RCW 26.27.441(3).

Dated: _____

Signature of Petitioner or Lawyer/WSBA No.

Type or print name

Notice: You may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Address

City, State, Zip

**Superior Court of Washington
County of**

In re:

and

Child(ren),
Petitioner(s),

Respondent(s).

No.

**Order of Confirmation
Of Registered Child Custody
Determination
(ORCCUSD)**

Clerk's Action Required

I. Basis

1.1 The petitioner, _____, filed a Notice of Registration of Child Custody Determination. The respondent, _____, filed a Request for Hearing to contest the validity of the registration.

1.2 A hearing was held on _____ [Date]. Persons appearing at the hearing were:

- The petitioner(s)
- The attorney for the petitioner, _____
- The respondent(s)
- The attorney for the respondent, _____
- Other: _____

1.3 The court heard argument and considered the case record to date of this matter.

II. Findings

The Court Finds:

- The respondent failed to contest the validity of the registration in a timely manner.
- The respondent presented failed to present sufficient evidence to establish a defense to the validity of the registration.

Other:

III. Order

It is Ordered that the child custody determination registered on _____ [Date] is:

- Dismissed and is not subject to the same procedures as a child custody determination issued by this court.
- Confirmed and is subject to the same procedures as a child custody determination issued by this court.

Dated: _____

Judge/Commissioner

Presented by:

Approved for entry and notice
of presentation waived by:

Signature of Petitioner or Lawyer/WSBA No.

Signature of Respondent or Lawyer/WSBA No.

Print or Type Name

Print or Type Name