

The background features a large, faint seal of the Judicial Council of California. The seal is circular and contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. The central image depicts a figure holding a scale and a sword, with a landscape and ships in the background.

The Interstate Child

25th Annual AB 1058 Child Support
Training Conference
October 14, 2021

Excellent UCCJEA Resource

Thanks To

Hon. Shawna Schwarz

Supervising Judge, Juvenile Dependency Court

Santa Clara County Superior Court



JUDICIAL COUNCIL
OF CALIFORNIA

CA Family Code

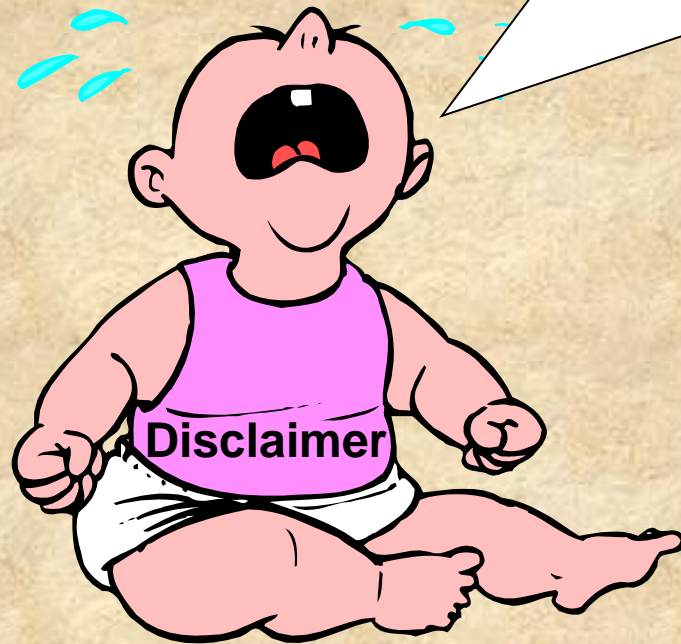
UIFSA - § 5700.101 -.905

UCCJEA - §§ 3400-3465

UPA - §§ 7600-7730



Under the UPA, how many ways
are there to become a
LEGAL PARENT?



Click the link in the chat, scan the QR code below with your phone's camera,



Under the UPA, how many ways are there to become a LEGAL PARENT?



or go to www.menti.com and use the code 1126 8175

P A A A A !



Disclaimer

Presumed

Acknowledged

Adjudicated

Adopted

Artificial

Presumed

- In the Context of Marriage

 - Before

 - During

 - After

- Holding Out

Acknowledged

 Signed

 Mother

 Biological Father

 Presumed Father

 Filed

Adjudicated



Court



Jurisdiction



Parties



Genetic Test

Full

Faith

and

Credit





The Interstate Child

UCCJEA & UIFSA

Origins

UIFSA ↔ FFCCSOA

UCCJEA ↔ PKPA

Jurisdiction Subject Matter

UCCJEA

- ▶ **Custody**
- ▶ **Visitation**

UIFSA

Support

- ▶ **Child**
- ▶ **Spousal**

Jurisdiction Additional

UCCJEA

- ▶ “Status”
- ▶ Home State
- ▶ Significant Contacts

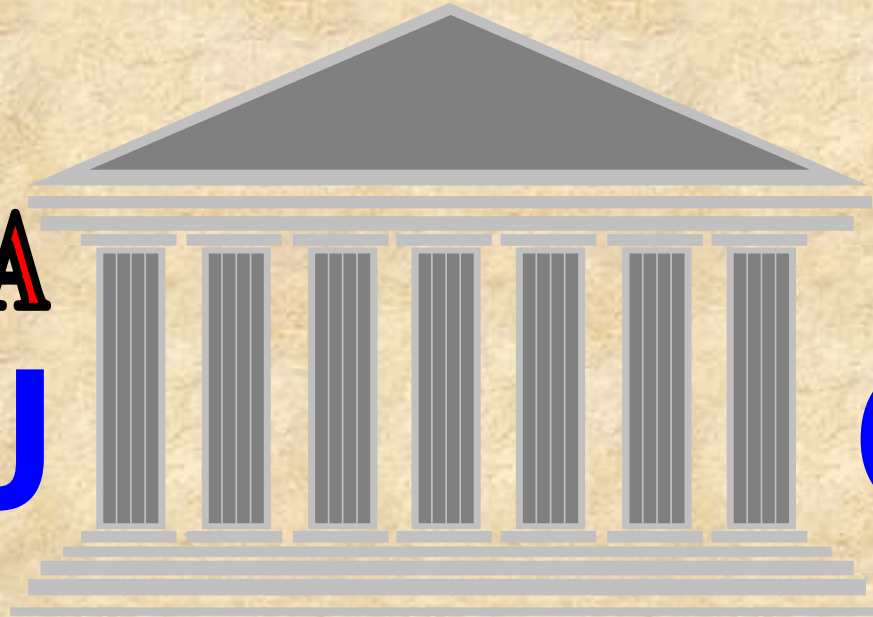
UIFSA

- ▶ Personal
- ▶ Long-Arm

ONE ORDER

UCCJEA

ECJ

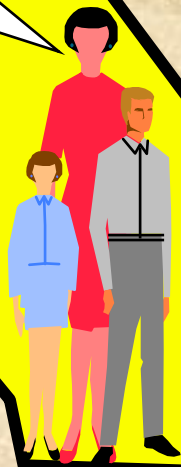


UIFSA

CEJ

Exclusive Jurisdiction to **MODIFY**

**Divorce
Custody
Support**





HOW TO



Registration

UCCJEA & UIFSA

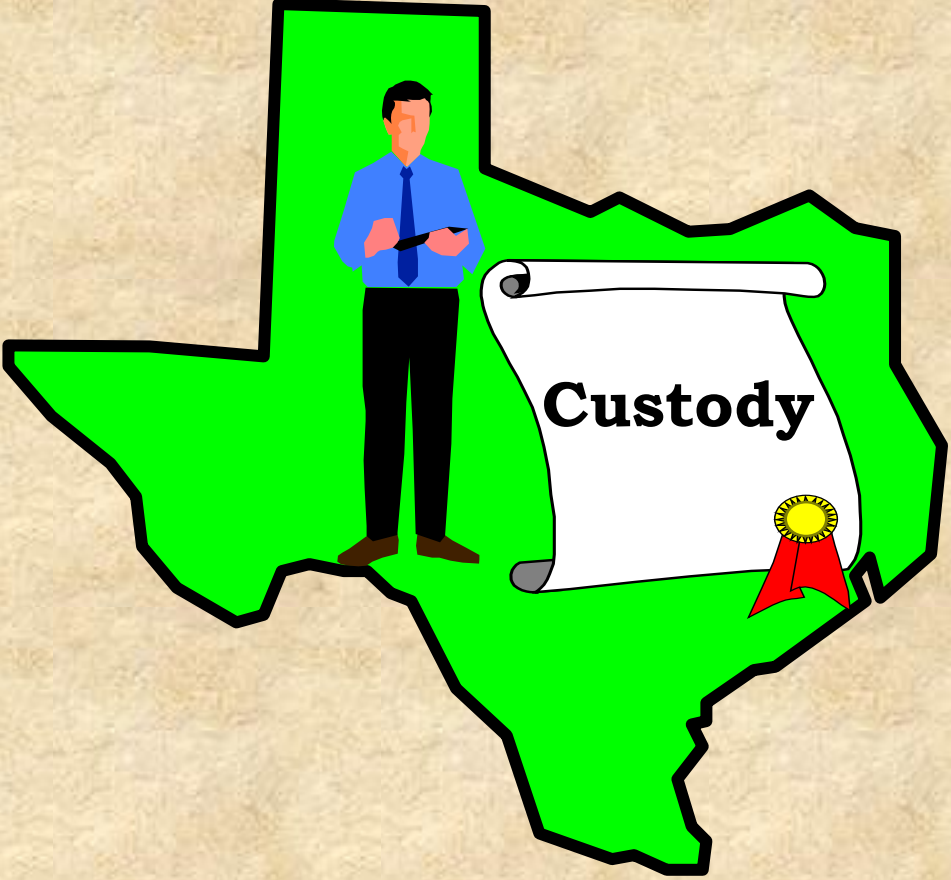
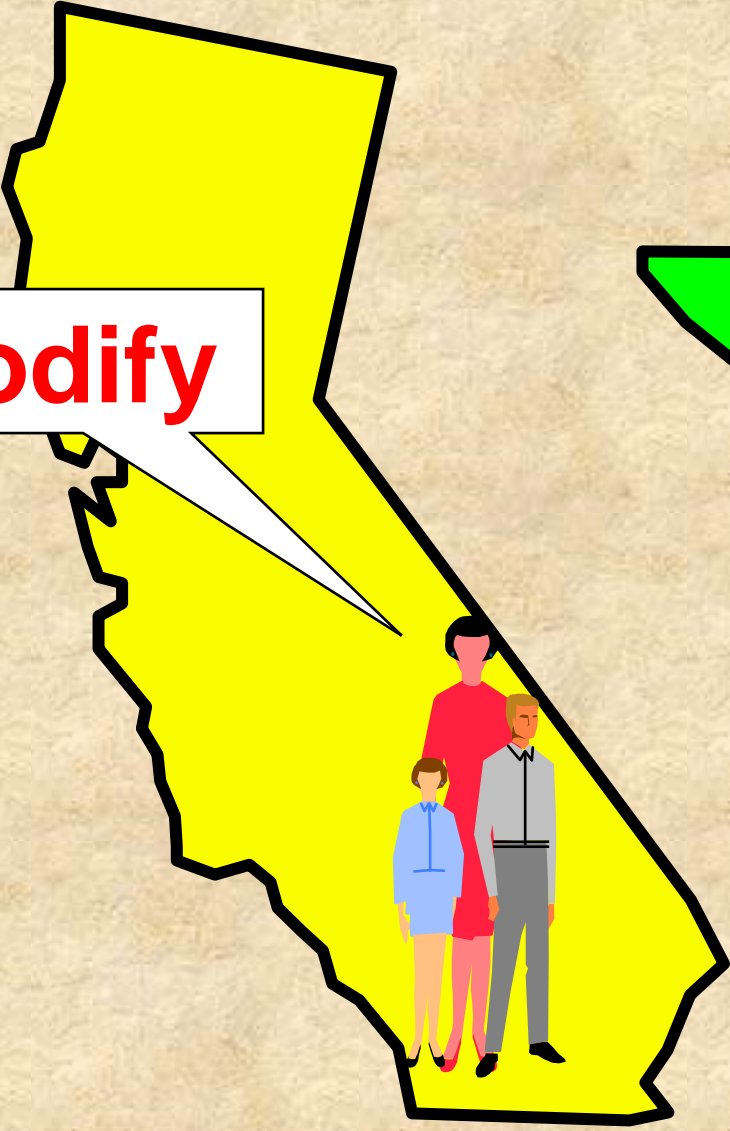
- Notice
- No Contest - Confirmation
- Contest – Limited Defenses

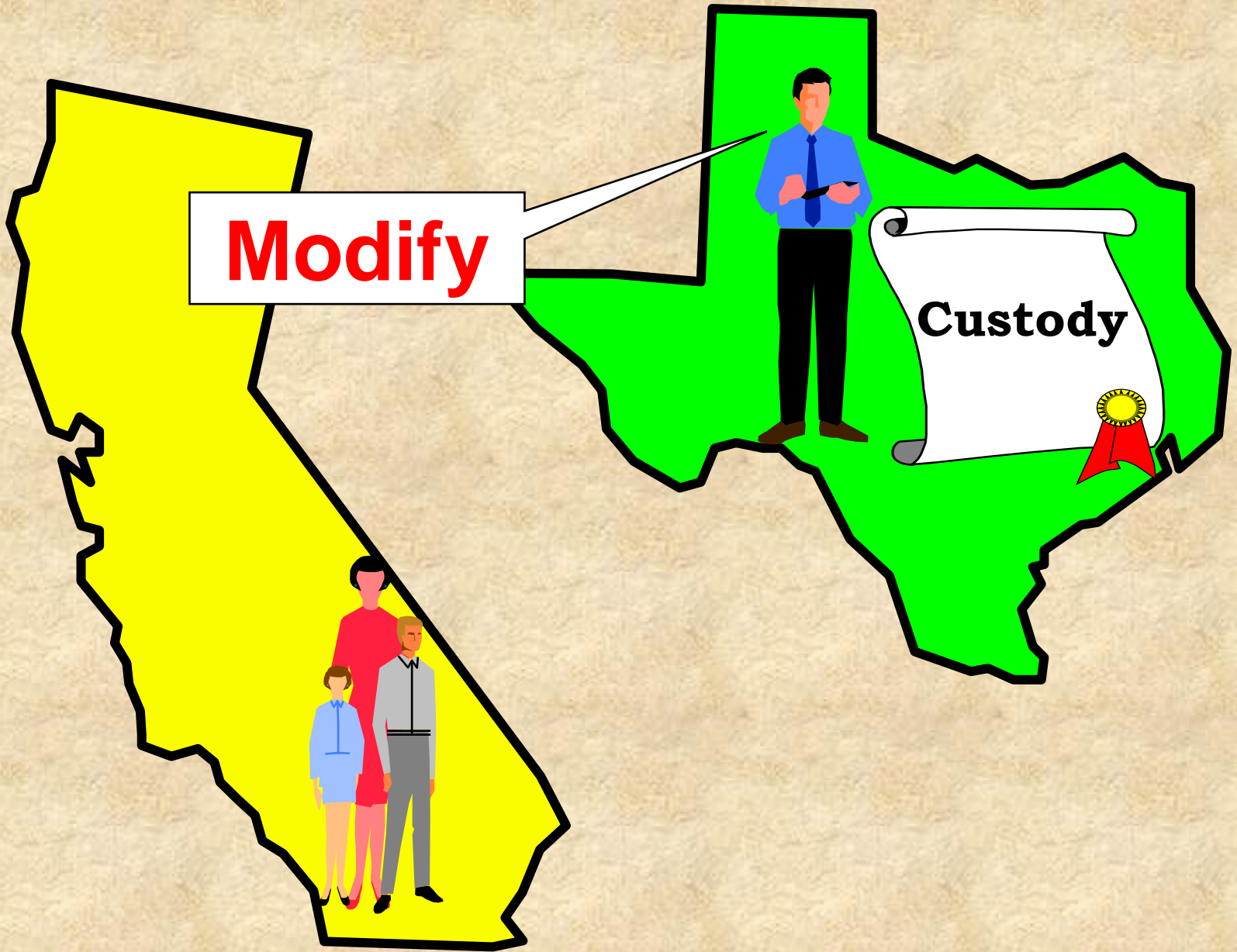
Modification

UCCJEA

- Original Court Transfers
- Assumption Upon Showing
 - All Parties Left Issuing State

Modify

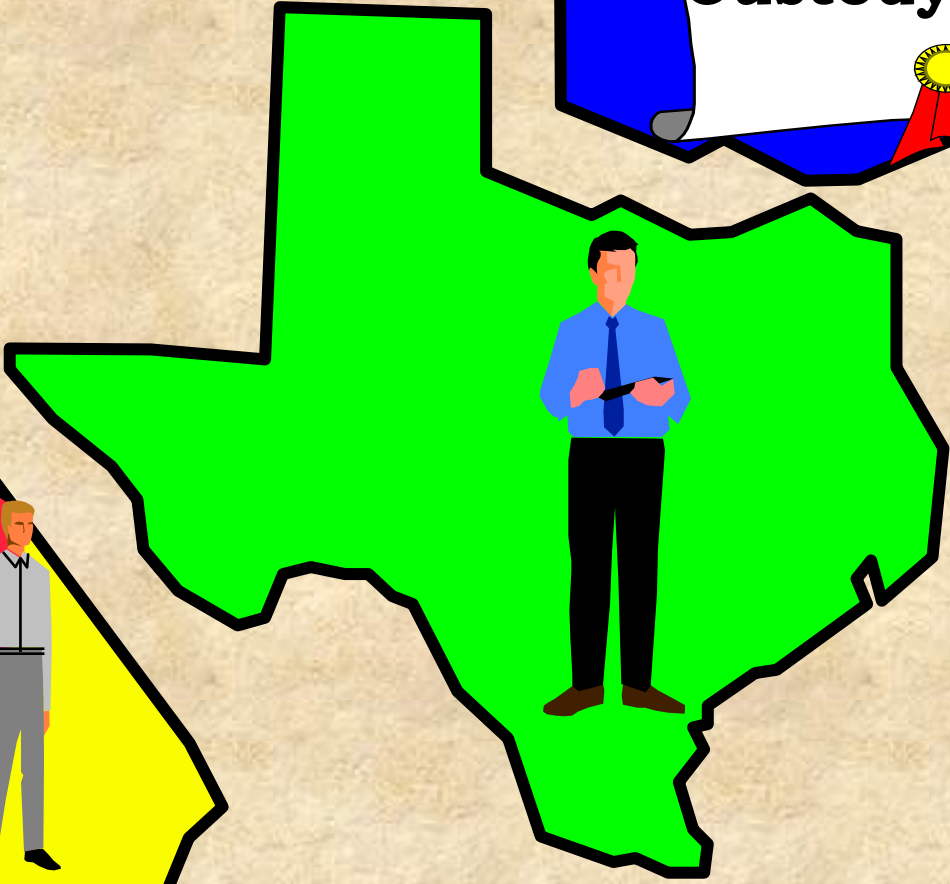
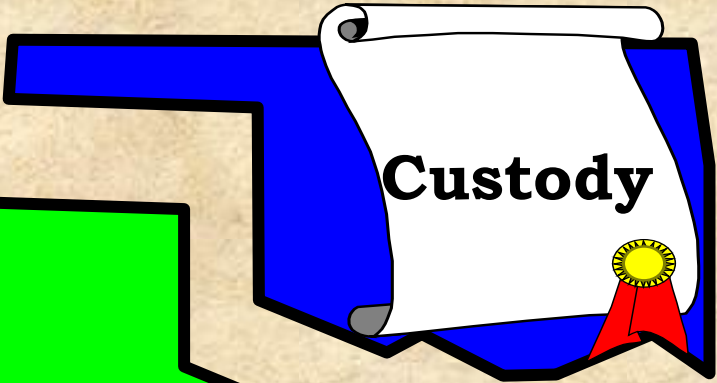
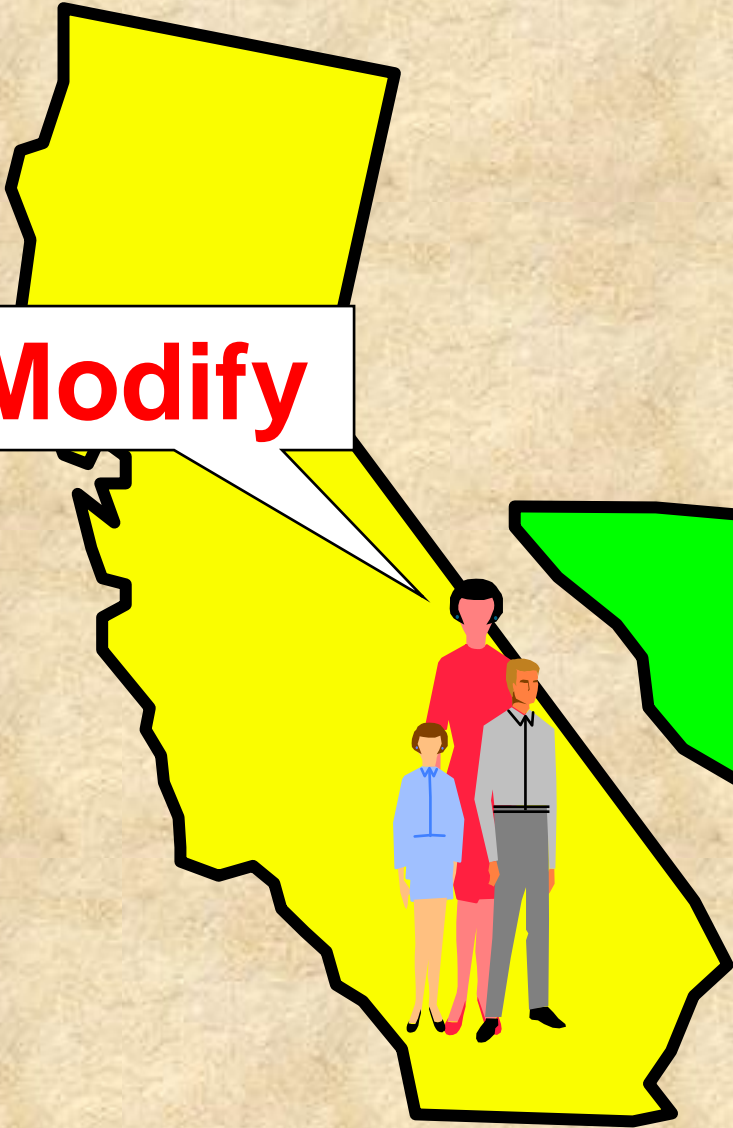




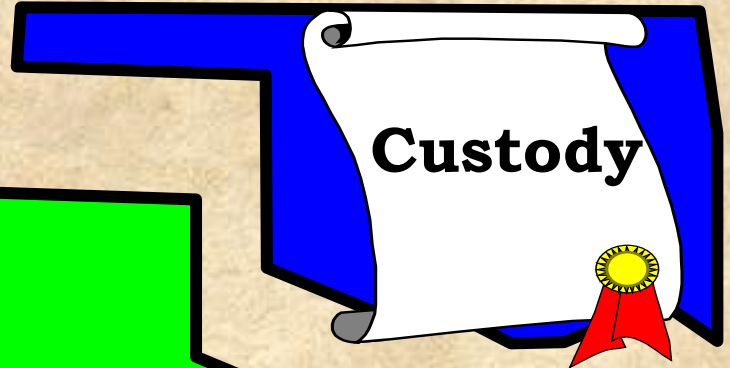
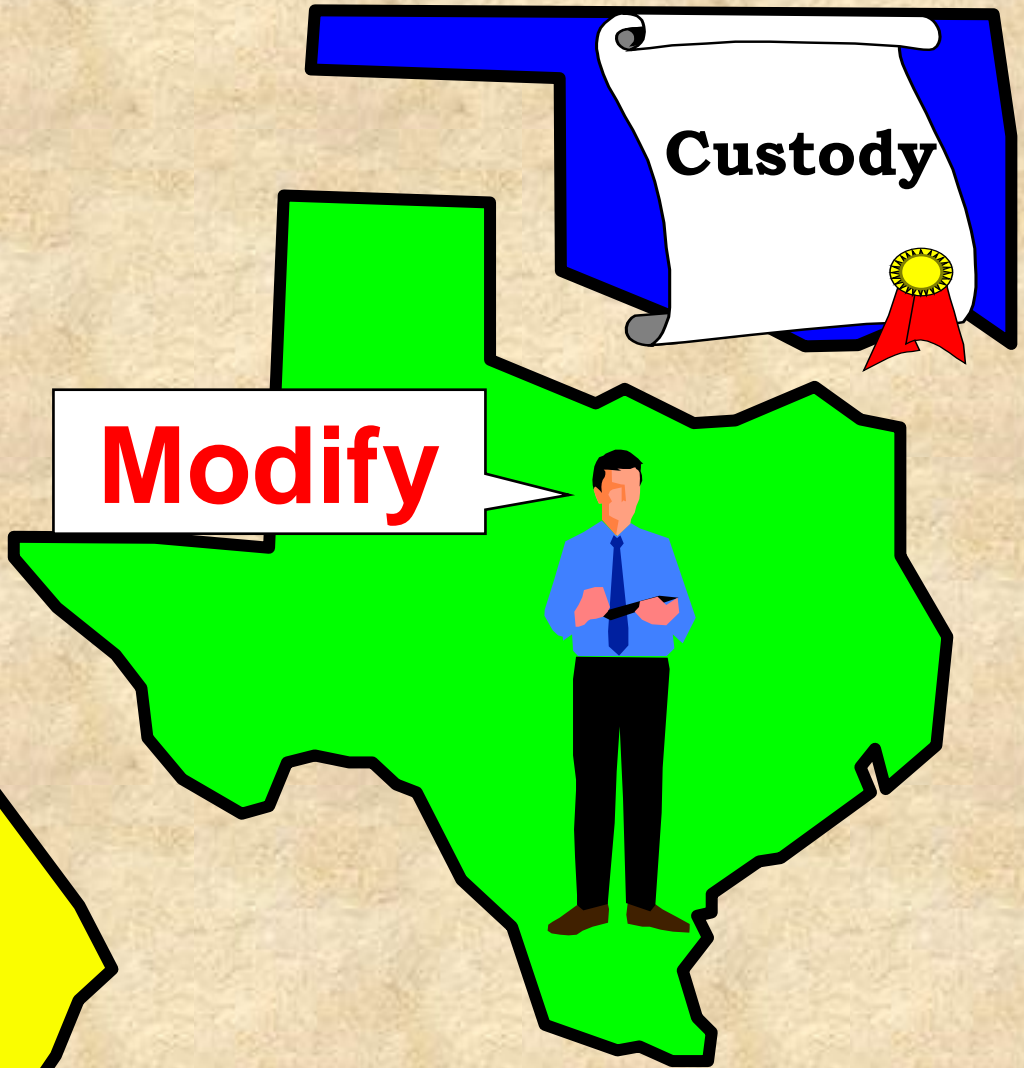
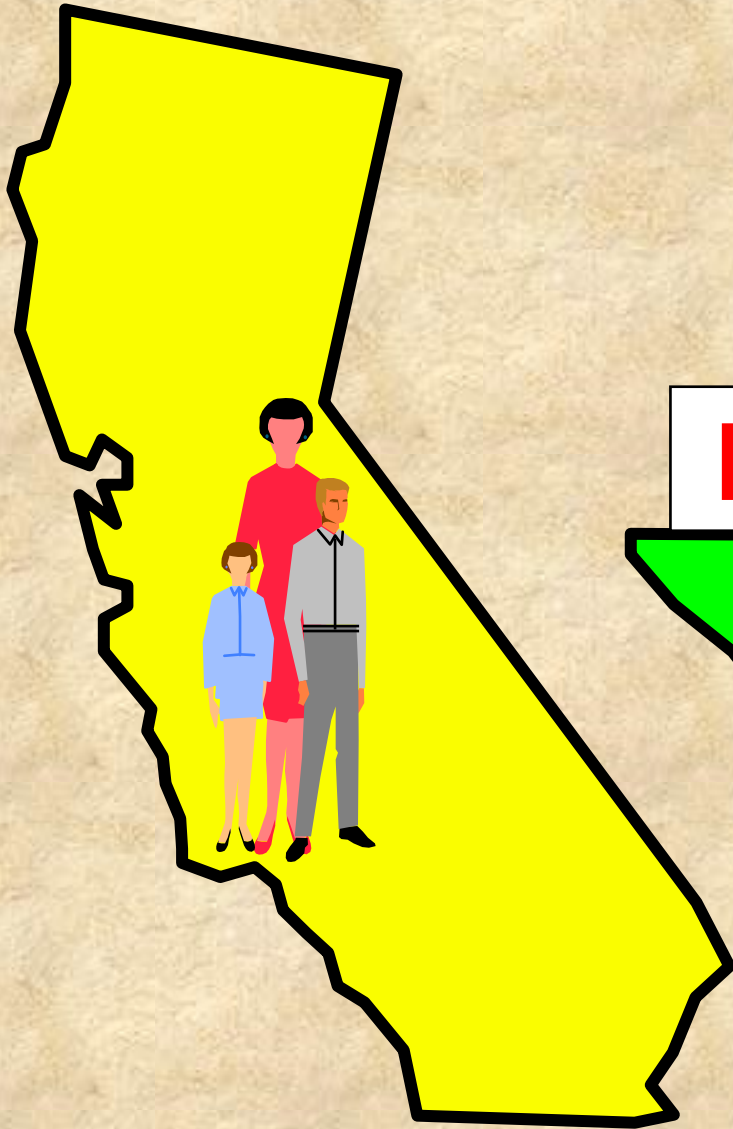
Modify

Custody

Modify









Modification

UIFSA

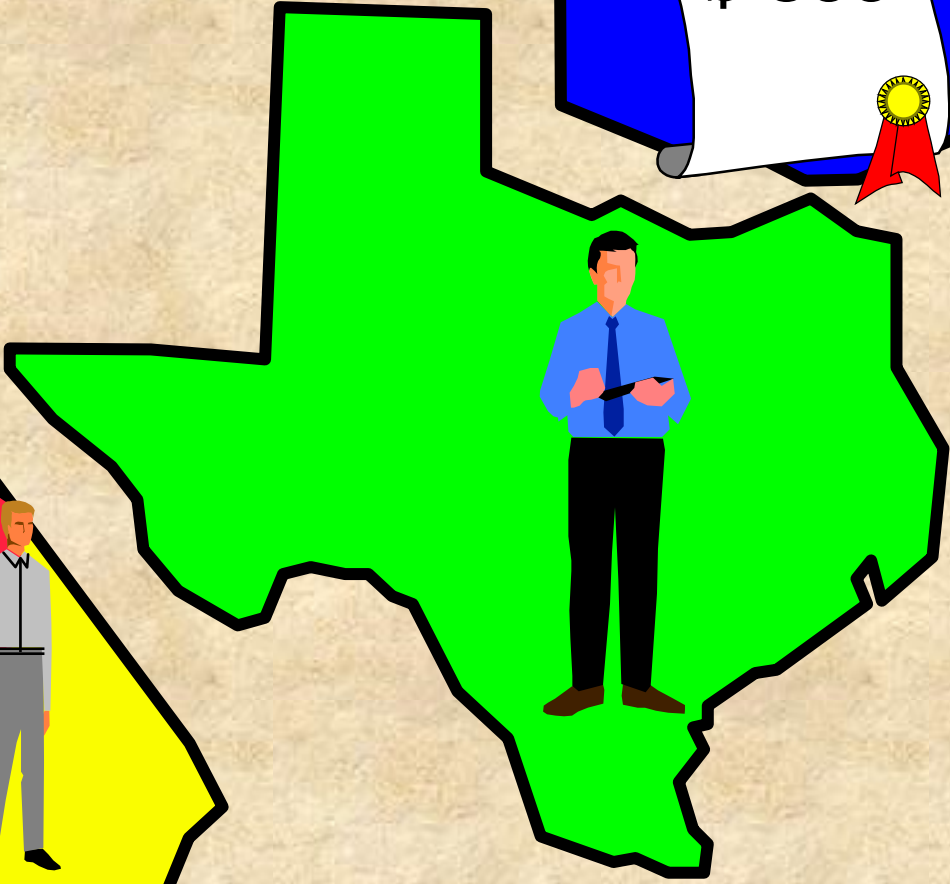
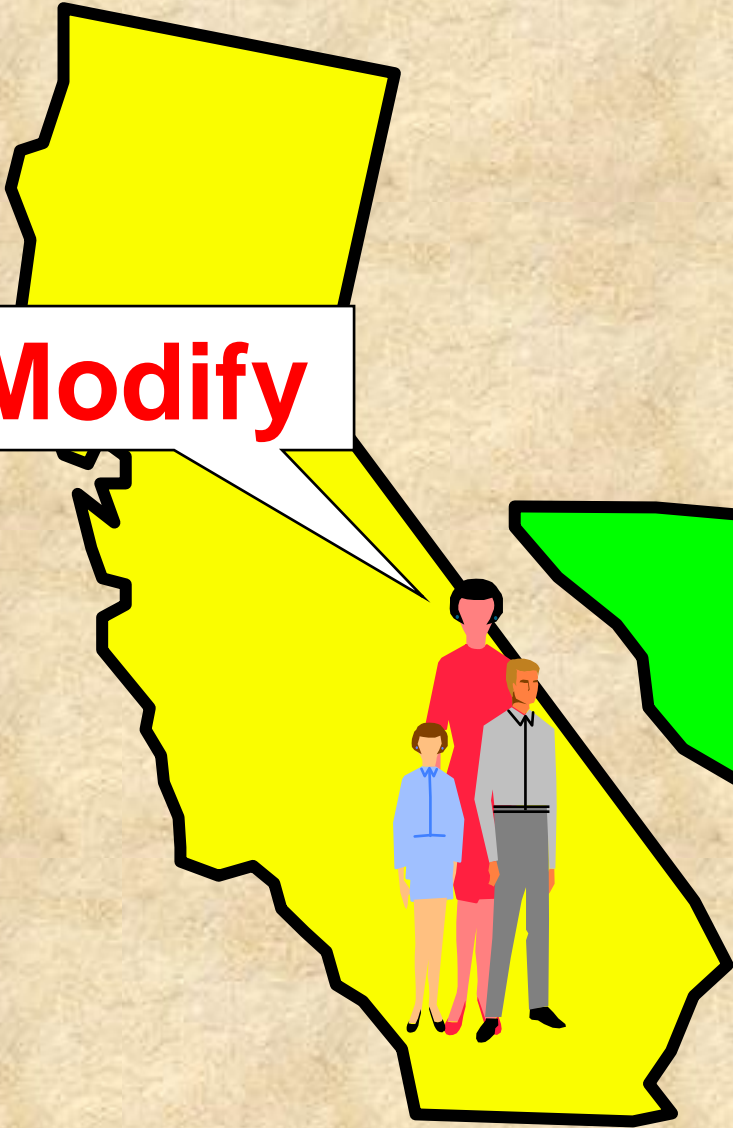
- Agreement
- Assumption Upon Showing
 - All Parties Left Issuing State
 - Petitioner is Nonresident
 - Jurisdiction over Respondent

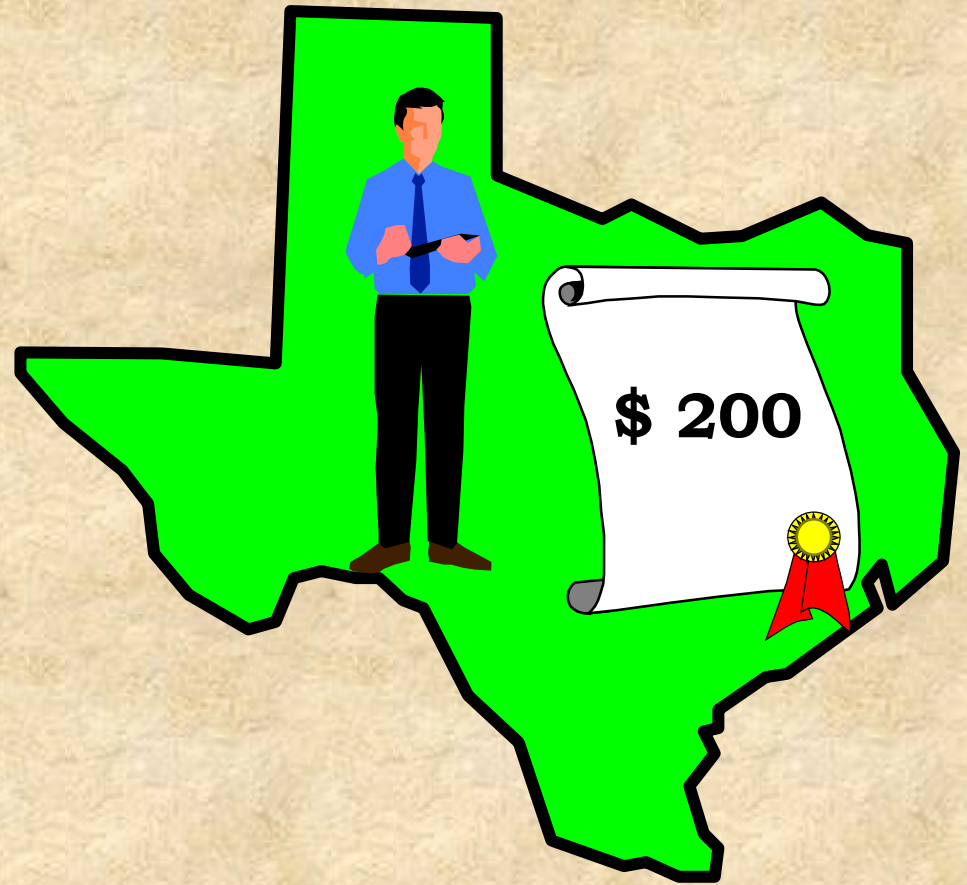
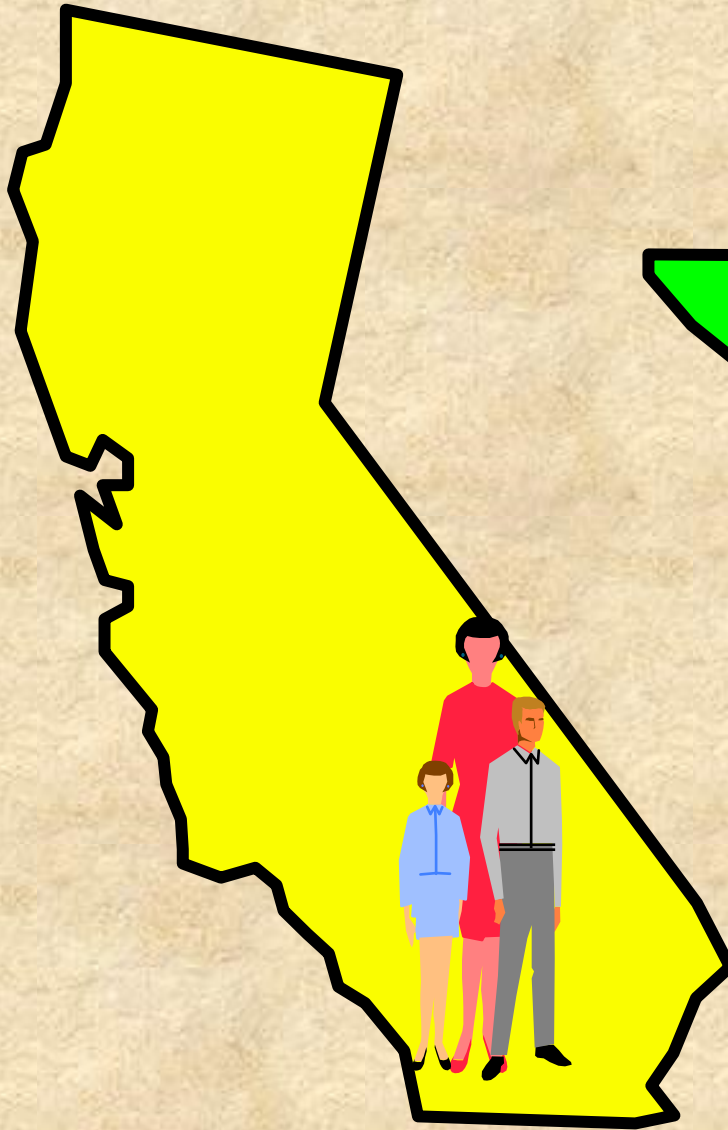
Modification

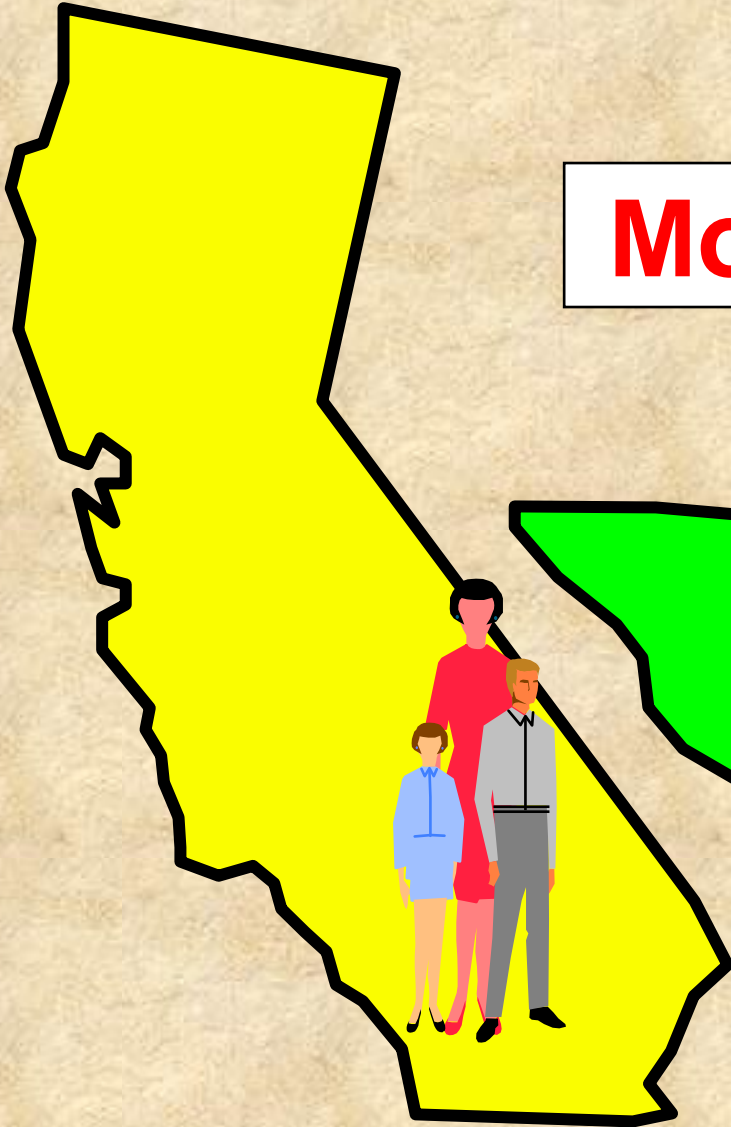
UIFSA

- Upon Assuming
 - Modify CHILD Support
 - NOT Spousal Support
 - Assuming State's Guidelines
- Can **NOT** Modify Duration

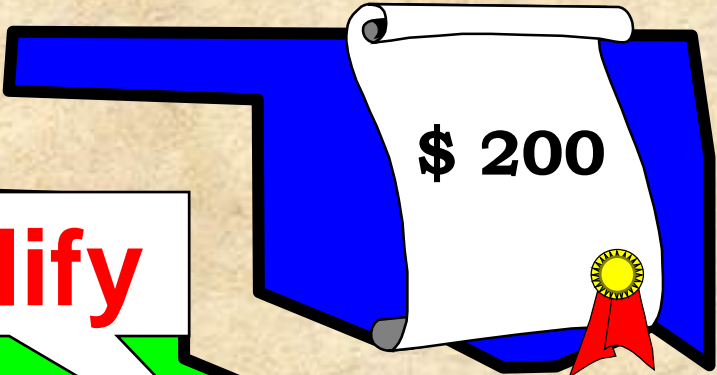
Modify



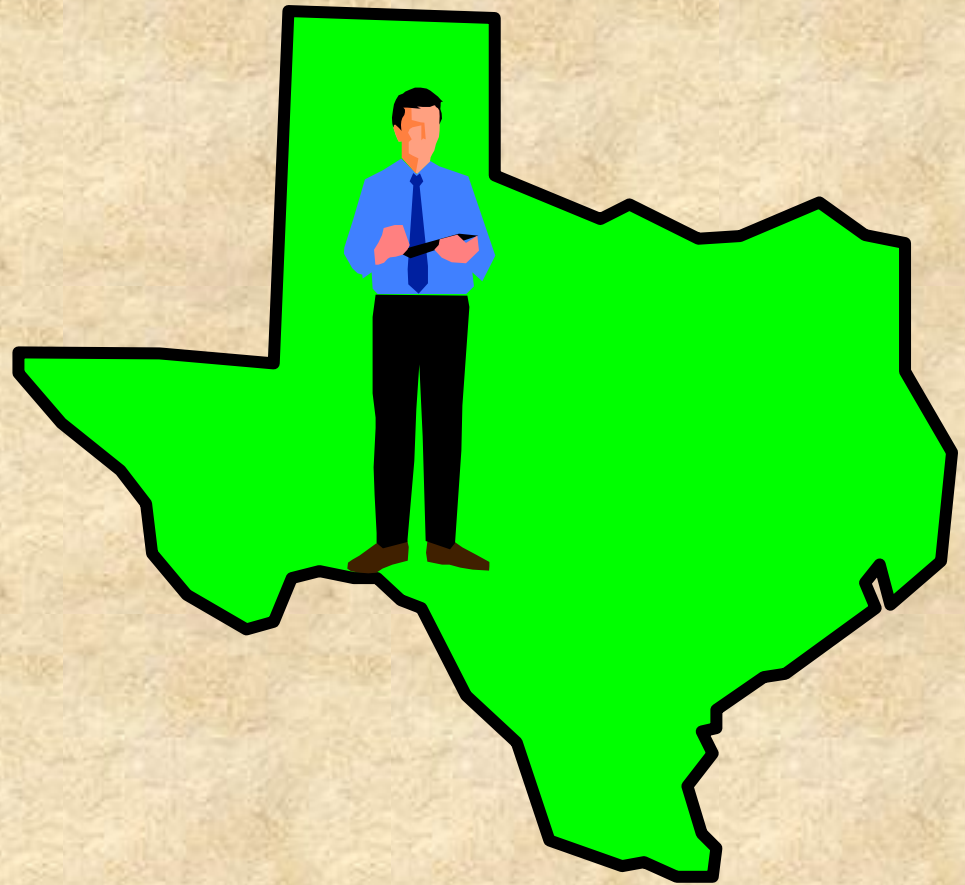
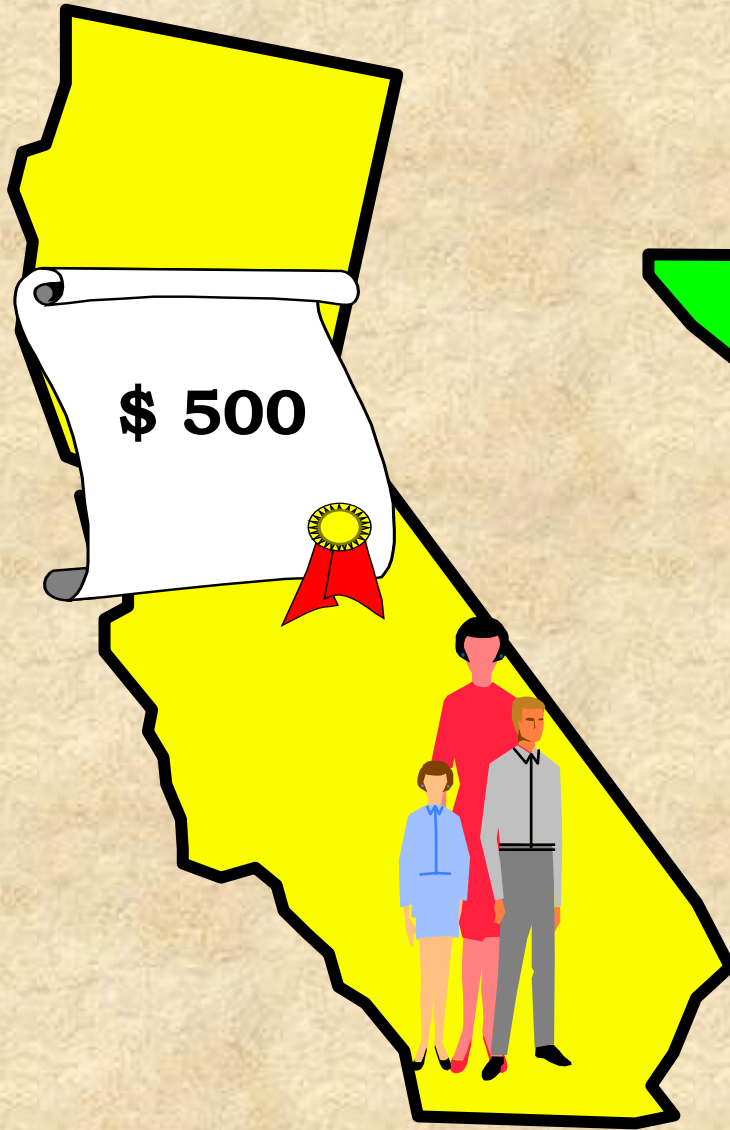




Modify

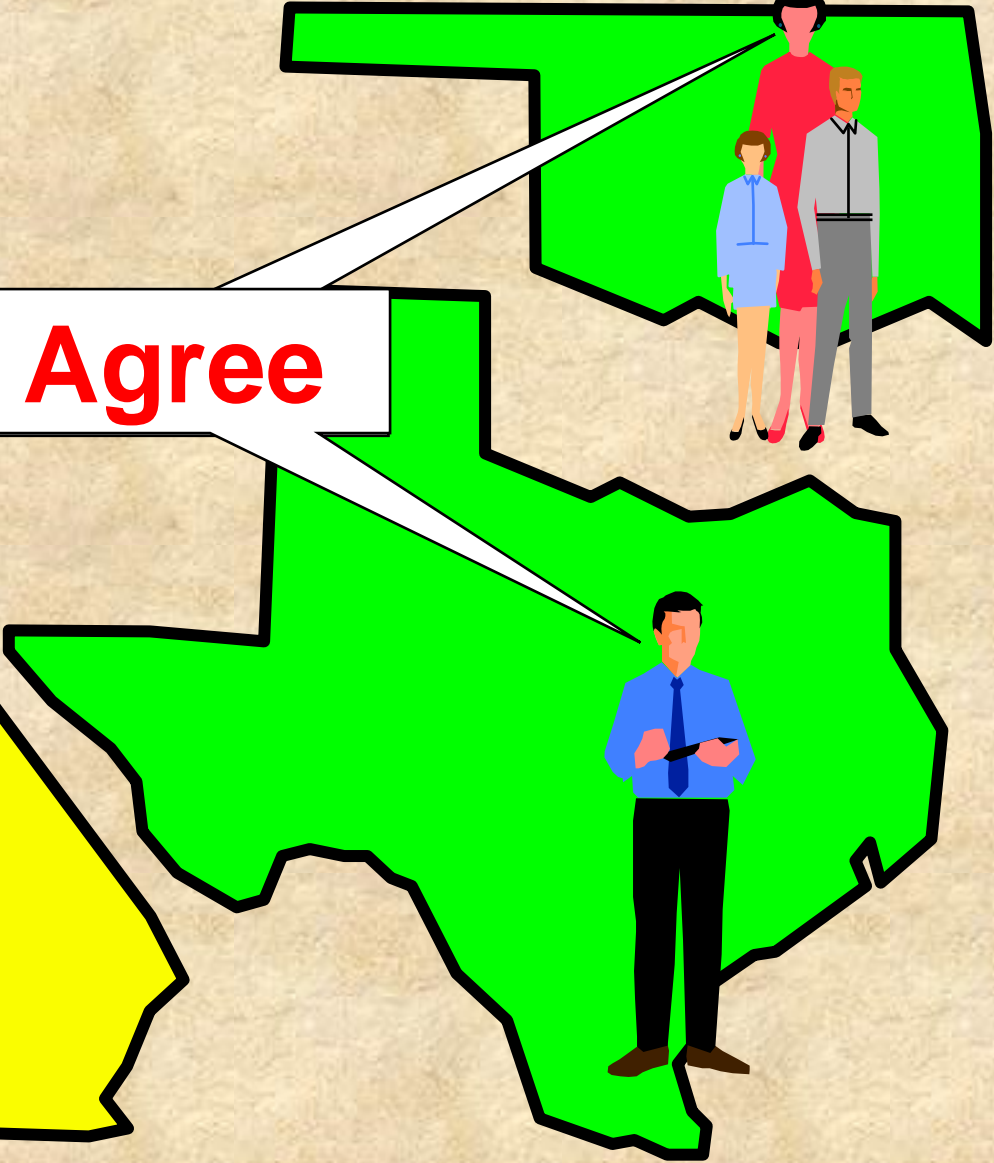


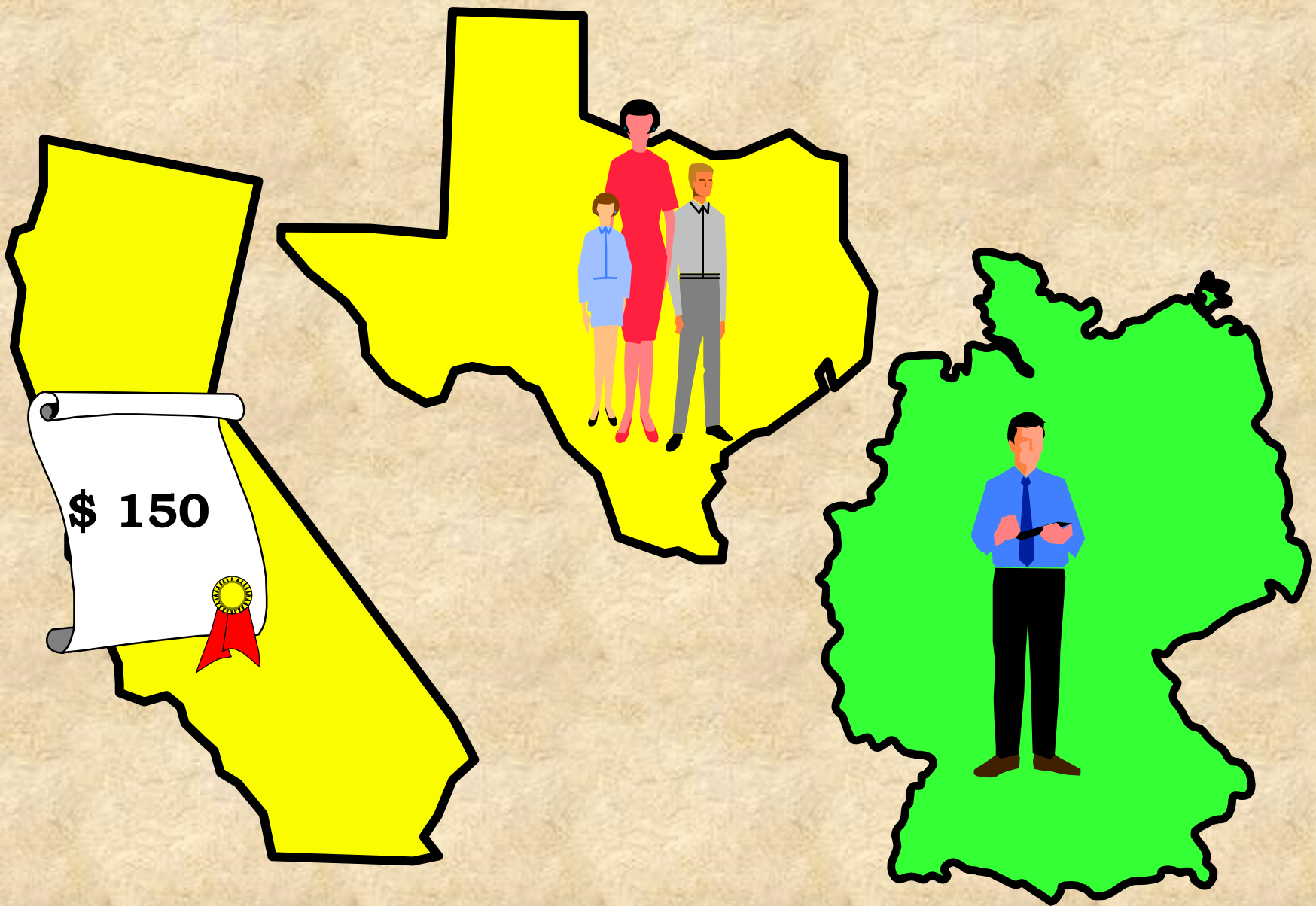
\$ 200



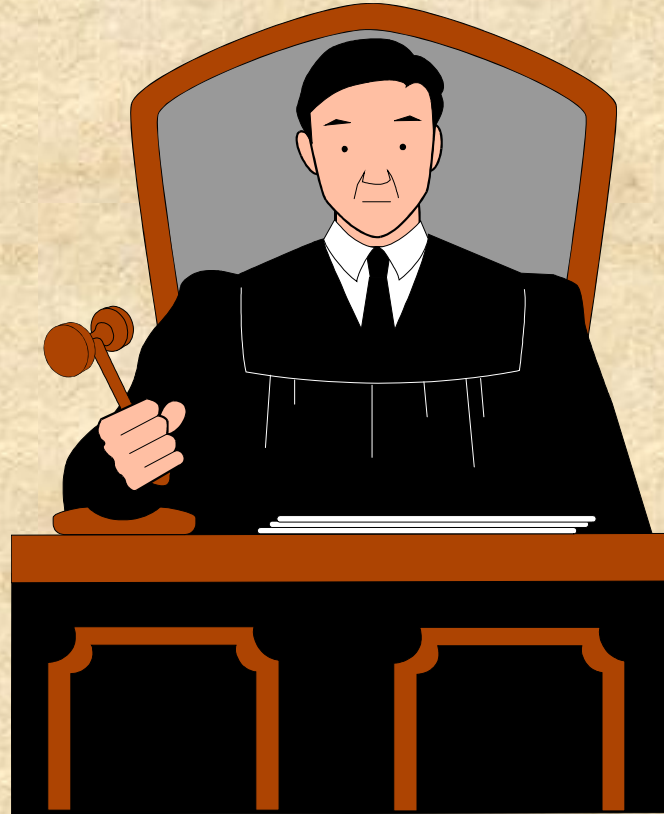


Agree





\$ 150



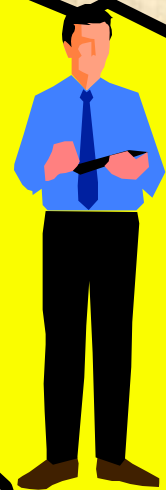
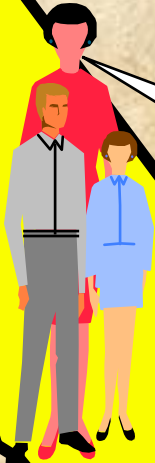
YOU be the Judge Case #1



**Child Custody
Child Visitation
Child Support
Spousal Support
Pet Custody
Pet Visitation
HDTV**



**Modify
It
ALL**





Absent an Agreement, who can **MODIFY**:

Custody & Visitation?

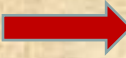
Child Support?

Spousal Support?



Absent an Agreement, who can **MODIFY**: Custody & Visitation?

Click the link in the chat

Scan the QR code 
with your phone's camera

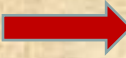
Go to www.menti.com and use the code
7034 1328





Absent an Agreement, who can **MODIFY**: Child Support?

Click the link in the chat

Scan the QR code 
with your phone's camera

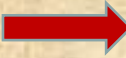
Go to www.menti.com and use the code
4294 4215





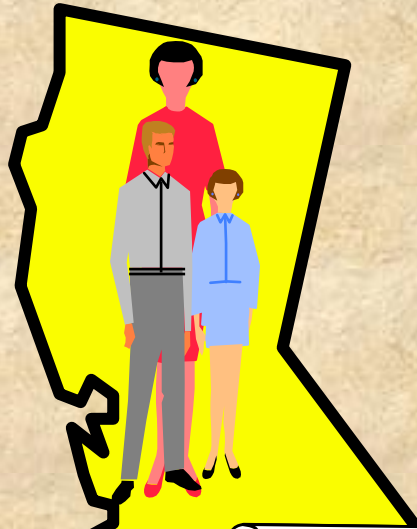
Absent an Agreement, who can **MODIFY**: Spousal Support?

Click the link in the chat

Scan the QR code 
with your phone's camera

Go to www.menti.com and use the code
8889 6385

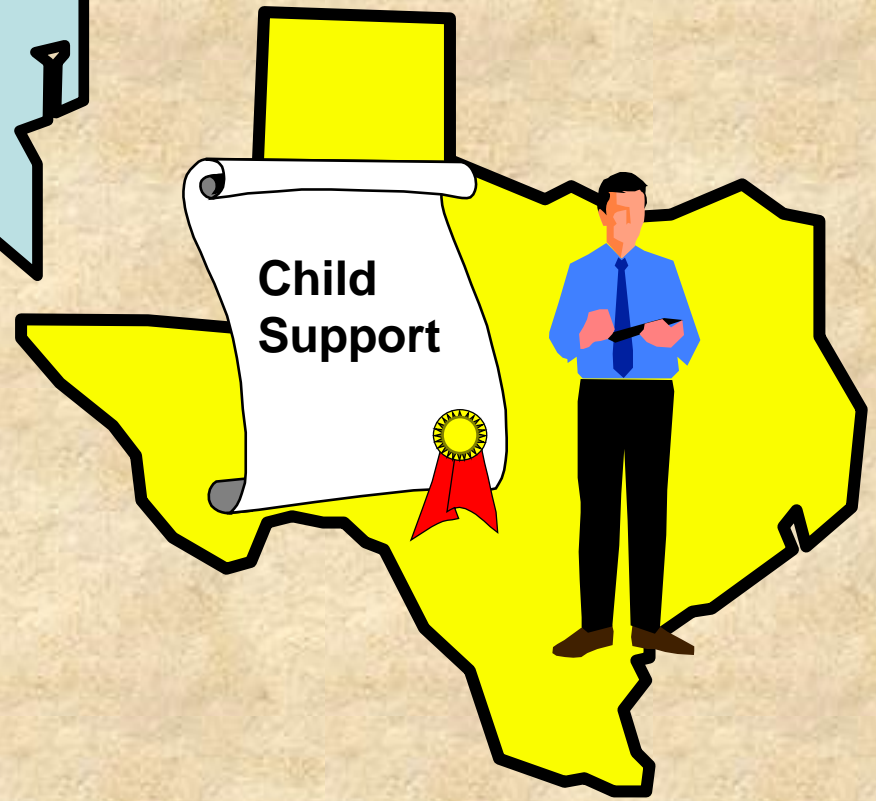




**Spousal Support
Pet Custody
Pet Visitation
HDTV**



**Child
Custody
and
Visitation**



**Child
Support**



Enforcement

UIFSA

- Issuing State Law
 - Nature, Extent, Amount
 - Computation of Arrears
 - Interest Rate and Method
 - Defenses to Judgment

Enforcement

UIFSA

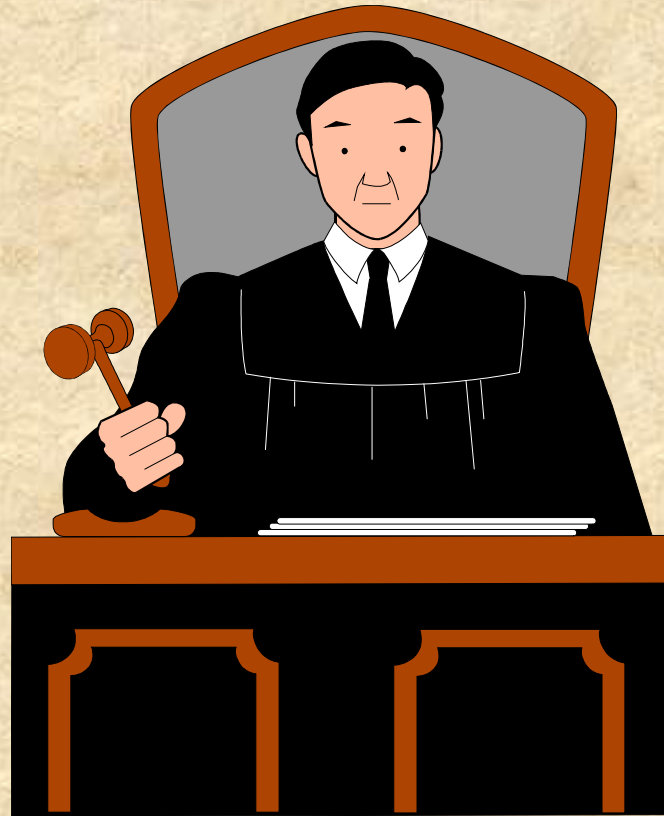
- Enforcing State Law
 - Defenses to Remedy
- Statute of Limitation
 - Longer of Issuing or Enforcing

Enforcement

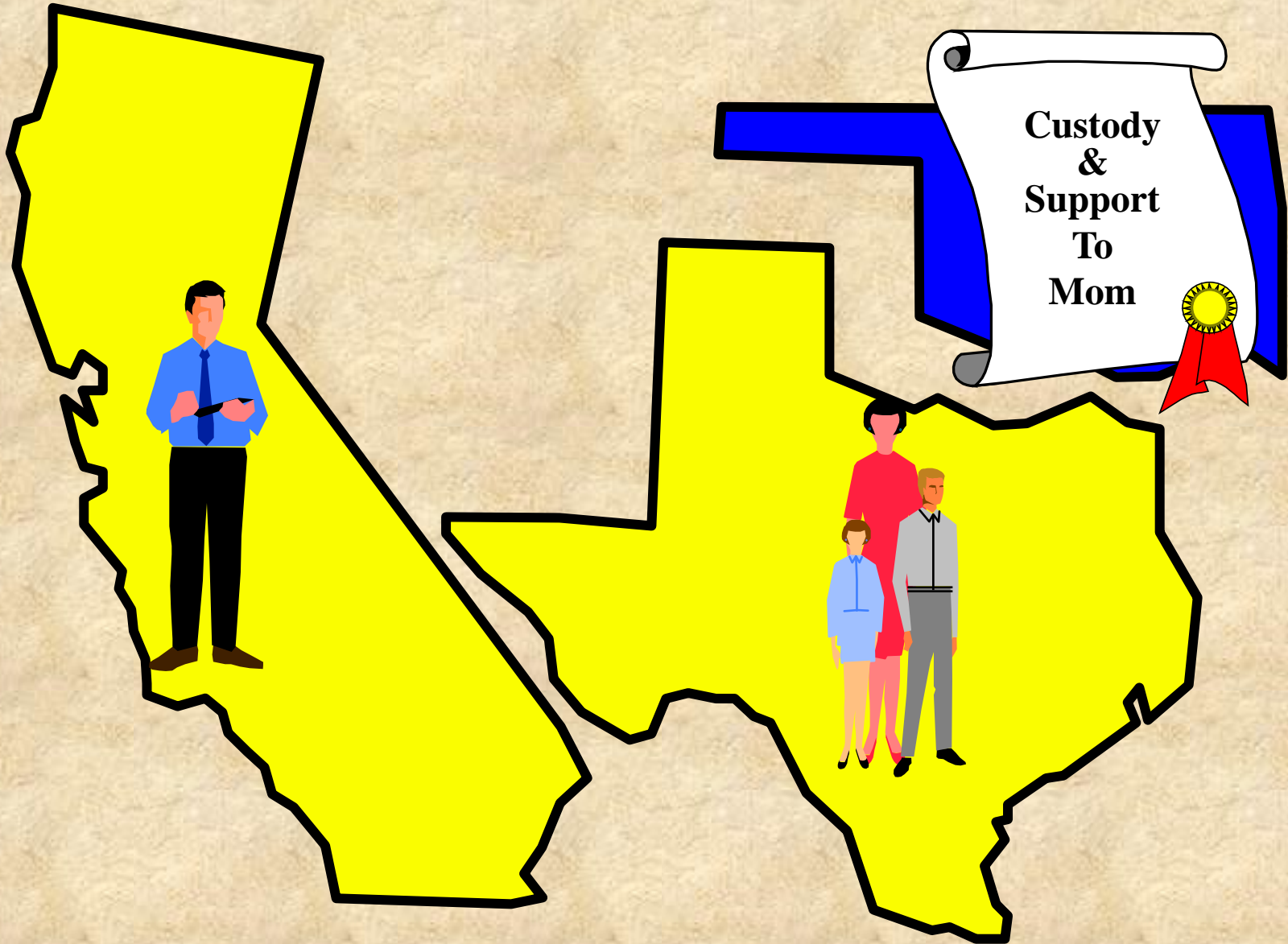
AND

Modification

- Law of the new CEJ state
 - Interest on other state's arrears
 - Interest on future arrears



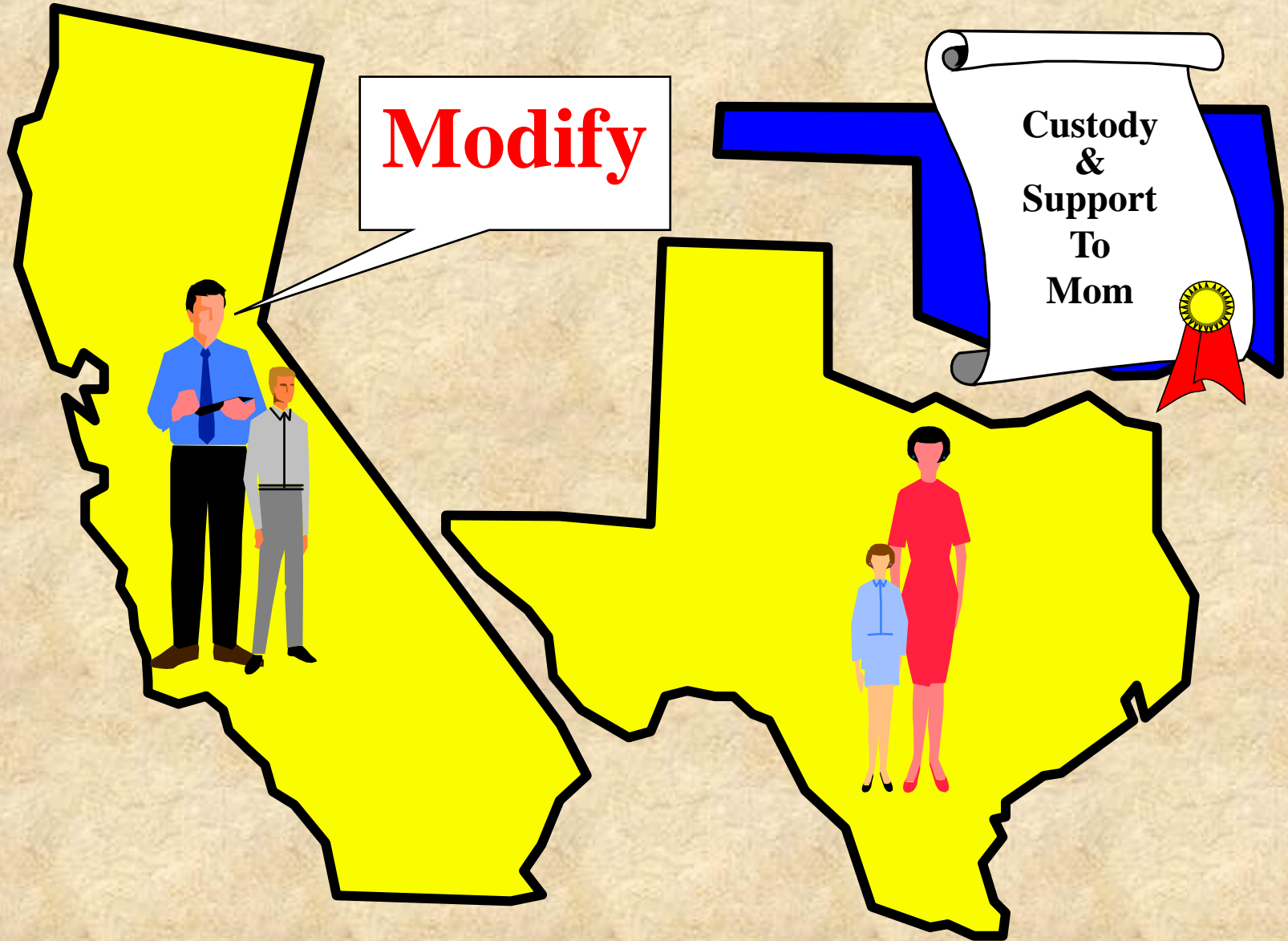
YOU be the Judge Case #2



**Custody
&
Support
To
Mom**

Modify

**Custody
&
Support
To
Mom**





What is the BEST resolution?



What is the **BEST** resolution?

Click the link in the chat

Scan the QR code 
with your phone's camera

Go to www.menti.com and use the code
7806 5323





The Interstate Child

UCCJEA & UIFSA



International

Cases



JUDICIAL COUNCIL
OF CALIFORNIA



WHICH WAY DO WE GO: WHERE ARE YOU?



JUDICIAL COUNCIL
OF CALIFORNIA

RESPONDING – ESTABLISHMENT

Location of
CP

CA Parentage
Laws

CA
Guidelines
and Duration

No Cost of
Living
“Adjustment”



RESPONDING – ENFORCEMENT

Location of
CP

Origin of the
Order

Recognition /
Registration

Defense to
Recognition /
Registration

Denial of
Recognition /
Registration

Remedies



RESPONDING – MODIFICATION

Location of CP
(Participation
and Evidence)

Location of CP
(Jurisdiction)

Convention
vs. Non-
Convention

Miscellaneous
Factors



**WHAT ABOUT:
THE UNIFORM FOREIGN-
COUNTRY MONEY JUDGMENTS
RECOGNITION ACT?**

**Does Not
Apply**



Hague Conventions

www.hcch.net

Instrument # 38



JUDICIAL COUNCIL
OF CALIFORNIA



JUDICIAL COUNCIL
OF CALIFORNIA

Please Complete Surveys/ Evaluations

- Surveys and evaluations will be sent out shortly after completion of conference
- Your input helps presenters hear feedback, helps the conference change/ improve the next year



Contact Information

Barry J. Brooks

bjbrooks@sbcglobal.net



JUDICIAL COUNCIL
OF CALIFORNIA



NCIL O
EUREKA

JUDICIAL
OF CALIFORNIA