



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov/policyadmin-invitationstocomment.htm](http://www.courts.ca.gov/policyadmin-invitationstocomment.htm)

---

## INVITATION TO COMMENT

### SPR24-36

---

**Title**

Family and Juvenile Law: Recognition and Enforcement of Tribal Court Child Custody Orders

**Proposed Rules, Forms, Standards, or Statutes**

Approve forms FL-580-INFO and FL-581; revise forms FL-105/GC-120, FL-105(A)/GC-120(A), FL-580, and FL-585

**Proposed by**

Tribal Court–State Court Forum  
Hon. Abby Abinanti, Cochair  
Hon. Joyce D. Hinrichs, Cochair

Family and Juvenile Law Advisory  
Committee  
Hon. Stephanie E. Hulse, Chair

**Action Requested**

Review and submit comments by May 3, 2024

**Proposed Effective Date**

January 1, 2025

**Contact**

Ann Gilmour, 415-865-4207  
[ann.gilmour@jud.ca.gov](mailto:ann.gilmour@jud.ca.gov)

---

### Executive Summary and Origin

The Tribal Court–State Court Forum and the Family and Juvenile Law Advisory Committee propose that, effective January 1, 2025, the Judicial Council approve two new forms and revise four existing forms to clarify that the requirement to recognize and enforce child custody orders under the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (found in sections 3400–3465 of the Family Code) applies to custody orders issued by a tribal court. Tribal court judges report that they have experienced problems having their child custody orders registered and enforced because the existing form refers only to out-of-state custody orders and does not reference tribal court orders.

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

## Background

Tribal courts have authority to issue child custody orders in cases under their jurisdiction. These custody orders may be issued in cases that are akin to California juvenile, family, or probate guardianship proceedings. State and federal law mandate recognition of these orders. The Indian Child Welfare Act<sup>1</sup> provides at section 1911:

(d) Full faith and credit to public acts, records, and judicial proceedings of Indian tribes

The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.

The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)<sup>2</sup> is promulgated by the Uniform Law Commission to encourage states to adopt laws consistent with the federal Parental Kidnapping Prevention Act that discourages individuals from forum shopping when they are involved in child custody disputes. The law sets forth common principles for establishing court jurisdiction over child custody matters and provides for interjurisdictional enforcement of these orders.

Courts in jurisdictions that have adopted the UCCJEA must comply with the statute when custody and visitation issues arise in proceedings for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence.<sup>3</sup>

The UCCJEA, implemented in California at Family Code sections 3400–3465<sup>4</sup> and *Registration of Out-of-State Custody Order* (form FL-580), provides for the recognition and enforcement of

---

<sup>1</sup> 25 U.S.C. § 1911(d), available at [https://uscode.house.gov/view.xhtml?req=\(title:25%20section:1911](https://uscode.house.gov/view.xhtml?req=(title:25%20section:1911)

<sup>2</sup> For full description, see [www.uniformlaws.org/committees/community-home?CommunityKey=4cc1b0be-d6c5-4bc2-b157-16b0baf2c56d](http://www.uniformlaws.org/committees/community-home?CommunityKey=4cc1b0be-d6c5-4bc2-b157-16b0baf2c56d).

<sup>3</sup> See “The Uniform Child-Custody Jurisdiction and Enforcement Act”, U.S. Department of Justice, Office of Justice Programs, Juvenile Justice Bulletin December 2001 (Available at: <https://www.ojp.gov/pdffiles1/ojdp/189181.pdf>) and section 3402(d) of the Family Code (available at: [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=FAM&sectionNum=3402](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM&sectionNum=3402)), which defines the proceedings to which it applies: “Child custody proceeding” means a proceeding in which legal custody, physical custody, or visitation with respect to a child is an issue. The term includes a proceeding for dissolution of marriage, legal separation of the parties, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear. The term does not include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under chapter 3 (commencing with section 3441).

<sup>4</sup> Available at: [https://leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=FAM&division=8.&title=&part=3.&chapter=&article=](https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=FAM&division=8.&title=&part=3.&chapter=&article=)

out-of-state child custody orders. Although the UCCJEA is implemented in the Family Code, it is not limited to out-of-state child custody cases arising in what would be family law cases in California. As discussed in the legislative analysis when the UCCJEA was adopted in California, the legislation has "...a broad definition of coverage that, with the exception of adoption, includes virtually all cases that can involve custody of or visitation with a child as a custody determination."<sup>5</sup> With respect to child custody orders issued by tribes, section 3404<sup>6</sup> provides that "[a] child custody determination made by a tribe under factual circumstances in substantial conformity with the jurisdictional standards of this part must be recognized and enforced ..."

Although Family Code section 3404 also provides, in subdivision (b), that "[a] court of this state shall treat a tribe as if it were a state of the United States," tribal court judges and personnel report that they are experiencing problems having their custody orders (in all case types) recognized and enforced because of confusion around the use of form FL-580 for tribal court orders and in case types that would not be defined as "family law" cases under California law. In several instances state court clerks have refused to accept tribal court orders for filing.

Further, tribal court personnel report instances in which district attorneys and law enforcement have declined to act under section 3131<sup>7</sup> of the Family Code, in relation to a tribal court order that is not registered with the state court. Section 3131 of the Family Code requires the district attorney to take all actions necessary to locate and return a child when the child has been taken in violation of a custody order. Failure to act on tribal court orders has resulted in children being left in dangerous situations.

## The Proposal

The proposal would:

- Revise *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL105/GC-120) and *Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105(A)/GC-120(A)) to include tribal orders and accommodate use in juvenile proceedings by revising the language in the caption box from "This section applies to family law cases" to "This section applies to cases other than probate guardianships," adding a check box in item one for the authorized representative of an agency that is party to the proceedings, and adding tribe as an option for the jurisdiction in which another proceeding for custody of the child could be taking place. It also would remove the column asking for the sex of the child as this is not required by statute;

---

<sup>5</sup> See Sen. Floor Analysis, May 12, 1999, for SB 668, Uniform Child Custody Jurisdiction and Enforcement Act (Stats. 1999, ch. 867) at [http://www.leginfo.ca.gov/pub/99-00/bill/sen/sb\\_0651-0700/sb\\_668\\_cfa\\_19990512\\_195713\\_sen\\_floor.html](http://www.leginfo.ca.gov/pub/99-00/bill/sen/sb_0651-0700/sb_668_cfa_19990512_195713_sen_floor.html), p. 4.

<sup>6</sup> Available at: [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=FAM&sectionNum=3404](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM&sectionNum=3404).

<sup>7</sup> Available at: [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=FAM&sectionNum=3131](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM&sectionNum=3131).

- Revise *Registration of Out-of-State or Tribal Custody Order and Notice of Registration* (form FL-580) to (1) include reference to tribal orders in the title and throughout the body of the form; (2) accommodate use in family law, guardianship, or juvenile proceedings in which a child custody order is made by adding language in items three and four to reference removal of physical or legal custody of a child by an agency; (3) clarify the information on the date upon which the registered order can be enforced by adding language to item two on page three of the form and adding a new item six; and (4) change the title to include reference to the notice of registration contained at page three of the form;
- Revise *Request for Hearing Regarding Registration of Out-Of-State or Tribal Custody Decree Order* (form FL-585) to include tribal orders and change the language in the title from decree to order to be consistent with language used in other forms and the statute;
- Approve new *How to Register and Request Enforcement of Your Out-Of-State or Tribal Custody Order* (form FL-580-INFO) to set out the process and requirements for registration and enforcement of these orders; and
- Approve new *Petition for Enforcement of Out-of-State or Tribal Custody Order and Application for Warrant to Take Physical Custody of Child* (form FL-581) for optional use when there has been a breach of a registered out-of-state or tribal child custody order.

The proposal is urgently needed to remedy a problem that is causing significant public safety concerns when tribal child custody orders are ignored and not enforced and responds to the concerns that have been identified by tribal court judges, administrators, and advocates.

### **Alternatives Considered**

The committees considered whether the issues could be addressed through training, informational materials, or other guidance but concluded that the existing forms caused confusion and needed to be revised to accommodate use for orders coming out of tribal courts.

### **Fiscal and Operational Impacts**

Other than the initial costs associated with updating system forms, we do not anticipate any additional costs to the judicial branch. We anticipate that by clarifying an area where there is considerable existing confusion, the proposal will provide cost savings to litigants seeking to enforce tribal court child custody orders.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committees are interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committees also seek comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Forms FL-105/GC-120, FL-105(A)/GC-120(A), FL-580, FL-580-INFO, FL-581, and FL-585, at pages 6–19

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ EMAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> Not Approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: _____ RESPONDENT: _____  OTHER PARTY: _____	
GUARDIANSHIP OF (Name): _____ Minor	CASE NUMBER: _____
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	

1. I am (check one):  a party to this proceeding to determine custody of a child  the authorized representative of the: \_\_\_\_\_ agency, which is party to this proceeding to determine custody of a child.
2. My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): \_\_\_\_\_ minor children who are subject to this proceeding, as follows:  
**(Insert the information requested below. The residence information must be given for the last FIVE years.)**

a. Child's name	Place of birth	Date of birth
Period of residence _____  to present	Present address  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	Person child lived with (name and complete current address)  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.
_____  to	Child's residence (City, State)	Person child lived with (name and complete current address)  Relationship
_____  to	Child's residence (City, State)	Person child lived with (name and complete current address)  Relationship
_____  to	Child's residence (City, State)	Person child lived with (name and complete current address)  Relationship

SHORT TITLE:	CASE NUMBER:
--------------	--------------

b. Child's name		Place of birth	Date of birth
Period of residence	Present address	Person child lived with ( <i>name and complete current address</i> )	Relationship
to present	<input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	<input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	
to	Child's residence ( <i>City, State</i> )	Person child lived with ( <i>name and complete current address</i> )	Relationship
to	Child's residence ( <i>City, State</i> )	Person child lived with ( <i>name and complete current address</i> )	Relationship
to	Child's residence ( <i>City, State</i> )	Person child lived with ( <i>name and complete current address</i> )	Relationship

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c. (Form MC-020 may be used for this purpose.)
- d.  Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)
4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?  
 Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court ( <i>name, state or tribe, location</i> )	Court order or judgment ( <i>date</i> )	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court ( <i>name, state or tribe, location</i> )
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

SHORT TITLE:	CASE NUMBER:
--------------	--------------

5.  One or more domestic violence restraining/protective orders are now in effect. *(Attach a copy of the orders if you have one and provide the following information):*

Court	County	State or Tribe	Case Number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No *(If yes, provide the following information):*

a. Name and address of person

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child

b. Name and address of person

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child

c. Name and address of person

- Has physical custody
- Claims custody rights
- Claims visitation rights

Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

CASE NAME:	CASE NUMBER:
------------	--------------

**ATTACHMENT TO  
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

<input type="text"/> Child's name <input type="checkbox"/> Residence information is the same as given on form FL-105/GC-120 for child a. (If NOT the same, provide the information below.)	Place of birth	Date of birth	
Period of residence  to present	Present address  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	Person child lived with (name and complete current address)  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship

<input type="text"/> Child's name <input type="checkbox"/> Residence information is the same as given on form FL-105/GC-120 for child a. (If NOT the same, provide the information below.)	Place of birth	Date of birth	
Period of residence  to present	Present address  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	Person child lived with (name and complete current address)  <input type="checkbox"/> Check if the address is confidential under Family Code section 3429 and only put in the state.	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	Relationship

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ EMAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> Not approved by the Judicial Council FL-580-03.07.2024-am
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
<b>REGISTRATION OF OUT-OF-STATE OR TRIBAL CUSTODY ORDER          AND NOTICE OF REGISTRATION</b>	CASE NUMBER:

1. The minor children covered by the out-of-state **or tribal custody** order are (name each):
 

<u>Child's name</u>	<u>Date of birth</u>	<u>Age</u>
---------------------	----------------------	------------
  
  2. a. Petitioner has been awarded  custody  visitation of those minor children.  
 b. Petitioner is the  **Parent**  Other (specify): \_\_\_\_\_ of those minor children.  
 c. Petitioner's address is:\*
  
  3. a. Please select one:
    1.  The  physical  legal custody of the children has been removed from \_\_\_\_\_ (list names) \_\_\_\_\_ ; or
    2.  Respondent has been awarded  custody  visitation of these minor children.
 b. Respondent: \_\_\_\_\_ is a parent of the children.  
 Respondent: \_\_\_\_\_ is a parent of the children.  
 Respondent: \_\_\_\_\_ is (specify): \_\_\_\_\_ of those minor children.  
 c. Respondent's address (state for each):\*
  
  4.  a. Another person **or agency** (specify name): \_\_\_\_\_ has been awarded  
 custody  visitation of those minor children.  
 b. That person **or agency** is the  **parent**  other (specify): \_\_\_\_\_ of these minor children.  
 c. That person **or agency's** address is:\*
- \* If there are issues of domestic violence or child abuse, you may give a mailing address instead.
5. A completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) is attached to this registration.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

6. I request that the attached out-of-state or tribal custody order be registered in this court.

- a. The court, county, and state where order was made are *(specify)*:
- b. The date when the most recent order for child custody/visitation was made in that case *(specify)*:
- c. Two copies, including one certified copy of that out-of-state or tribal order, are attached to this 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 is true and correct.

\_\_\_\_\_  \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE )

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

**NOTICE OF REGISTRATION OF OUT-OF-STATE OR TRIBAL CUSTODY ORDER**

1. To:
  - a. Petitioner at address on 2 c on page 1
  - b. Respondent at address on 3 c on page 1
  - c.  Other person who has been awarded custody or visitation in this custody order at address on 4(c) on page 1

2. The attached out-of-state or tribal custody order can be enforced as of the date of registration in the same manner as an order issued by a California court. **This means the attached order can be enforced today.**

3. If you want to contest the validity of this registered out-of-state or tribal custody order, you must request a hearing date that is within 20 days of the date that this notice was mailed to you (see clerk's date of mailing below). A request for a hearing must be in writing and filed in this case using *Request for Hearing of Out-of-State or Tribal Custody Order (form FL-585)*.

4. If you do not request this hearing, the out-of-state or tribal order will be confirmed in California and you will not be able to challenge its validity in the future.

5. At the hearing, the court will confirm the out-of-state or tribal order unless you can prove one of the following:
  - a. The issuing court did not have jurisdiction under chapter 2 of the California Family Code (commencing with section 3421).
  - b. The child custody determination sought to be registered has been vacated, stayed, or modified by a court having jurisdiction to do so under chapter 2 of the California Family Code (commencing with section 3421).
  - c. You were entitled to notice of the original order, but did not receive that notice in accordance with the standards of California Family Code section 3408 in the proceedings before the court that issued the order for which registration is sought.

6. **If you request a hearing, the attached order remains enforceable while you await the hearing.**

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this case and that a copy of this Registration of Out-of-State or Tribal Custody Order and all attachments were sent to each person named in item 1 above by first-class mail. The copies were enclosed in envelopes with postage fully prepaid. The envelopes were addressed to the persons named in item 1 at the addresses listed above, sealed, and deposited with the United States Postal Service.

At (place):

On (date):

Date: Clerk by: \_\_\_\_\_, Deputy

## FL-580-INFO

# How to Register and Request Enforcement of Your Out-Of-State or Tribal Custody Order

This form explains what to do if you want to register and enforce a child custody order made by the court of another state, an Indian tribe, or another country.

### 1. Where do I register the order?

You can register a child custody order from the court of another state, country, or tribal court with any superior court in California. You can find a listing of California courts here: [www.courts.ca.gov/find-my-court.htm?query=browse\\_courts](http://www.courts.ca.gov/find-my-court.htm?query=browse_courts).

### 2. How do I register the order?

You can either bring the required documents to the court clerk's office for registration or you can mail them to the court. Before you mail the documents, you should contact the court to confirm the correct department and address for mailing the documents. (See Family Code, § [3445](#).)

### 3. What documents do I need to give the court?

The documents you need to give the court to register your order are set out in Family Code section [3445\(a\)](#):

- a. A letter or other document requesting registration. You may use form [FL-580](#), *Registration of Out-of-State or Tribal Custody Order and Notice of Registration*.
- b. Two copies of the out-of-state or tribal custody order that you want to register. One of the copies needs to be certified.
- c. A statement or declaration signed under penalty of perjury that, as far as you know, the order you are registering has not been modified or changed. This declaration is contained in item [6\(d\)](#) of the [FL-580](#) form.
- d. Unless there have been allegations of domestic violence or child abuse, you must also include your address and the address of any parent or person acting as a parent who has been awarded custody or visitation of the child.

### 4. Is there a fee?

Unless you qualify for a fee waiver (see Government Code, § [68630](#)) you will need to pay the appropriate filing fee. (Ask the court what the required amount is.)

### 5. What can I ask the court to do?

If you want the assistance of the court and/or law enforcement to enforce the terms of the custody order because someone is violating the order, you can file a form [FL-581](#), *Petition for Enforcement of Out-of-State or Tribal Custody Order*, either at the same time you register your custody order or later. The request must contain all the information set out in section [3448\(b\)](#) of the Family Code and be signed under penalty of perjury. You must attach to your request certified copies of the order you want enforced. At the time you request enforcement, you can also ask the court to order you physical custody of the child, attorney's fees, and assistance from law enforcement. Sometimes law enforcement can help locate the child or execute a warrant to take physical custody of the child. (See Family Code, §§ [3131](#), [3448\(b\)\(5\)](#).)

### 6. What happens after I register my order?

After you send or give your documents to the court, the court will file your order as a foreign judgment and give any other person you named that have, or claim a right to, custody or visitation with the child (or children) notice of the documents you have filed. (This notice is on page three of form [FL-580](#).) The people who get notice have 20 days to ask for a hearing to object to the validity of the registered order. (See Family Code, § [3445\(b\)](#).)



**7. What if another person objects to registration of the order?**

If someone objects to the registration of the custody order, you will get notice of the time and date that the court has set for a hearing. You or your attorney should go to the hearing. At the hearing, the court will consider whether the court that issued the custody order had jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to make the order; whether the order has ever been vacated, stayed, or modified by a court with jurisdiction; and whether the person objecting to the order received notice of the order before it was made. (See Family Code, § [3445\(d\)](#).)

**8. When will my order be confirmed?**

If at a hearing the court finds that the registered order is valid, or if no one contests the order within 20 days, the court will confirm the order and give notice of the confirmation to you and all the other people served with notice of registration of the order. (See Family Code, § [3445\(e\)](#).)

**9. The registered order is enforceable from the date it is registered with the court unless and until the court finds the order is not valid. You do not have to wait for the court's confirmation.** (See Family Code, §§ [3445\(c\)\(1\)](#), [3446](#).)**10. What happens if I ask for help with enforcement?**

If you ask the court for an order enforcing the custody order (see paragraph 5 above) either at the same time you register the order or later, the court will order the person who has the child in violation of the custody order to come to court, and will set a hearing for as soon after the person is served with that order as possible (usually the next court day). (See Family Code, § [3448\(c\)](#).)

**11. What happens at the enforcement hearing?**

You or your attorney must attend this hearing. At this hearing, the court will consider whether the child custody order has been registered and confirmed, and whether the order was later vacated, stayed, or modified by a court with jurisdiction. If the original order has not been registered and confirmed, the court will consider whether the court that issued it had jurisdiction under the UCCJEA, and whether the respondent was entitled to notice of the original order issued by the out-of-state or tribal court but did not receive it. (See Family Code, § [3448\(d\)](#).)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  DRAFT Not approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: RESPONDENT:	
<b>PETITION FOR ENFORCEMENT OF OUT-OF-STATE OR TRIBAL CUSTODY ORDER</b> <input type="checkbox"/> <b>AND APPLICATION FOR WARRANT TO TAKE PHYSICAL CUSTODY OF CHILD</b>	CASE NUMBER:

1. A child custody determination was made by the (name of court): \_\_\_\_\_ Court on  
 (insert date of order): \_\_\_\_\_  
 A certified copy (or copy of a certified copy) and one additional copy of that order is attached.
  
2. The child custody determination referred to above (choose one)  is registered simultaneously with this request for enforcement or was  registered  confirmed in California in the Superior Court of (insert name of county): \_\_\_\_\_ on (insert date of registration): \_\_\_\_\_  (Date of confirmation if applicable): \_\_\_\_\_  
 Copies of the filed FL-580 and FL-105/GC-120 forms are attached. A certified copy (or copy of a certified copy) of any order confirming registration is attached.
  
3. The child custody determination referred to above gives  me  (other person specify): \_\_\_\_\_ the right to immediate physical custody of the following child:
 

Child's Name:	Date of Birth:
  
4. The respondent is violating that order because (explain): \_\_\_\_\_
  
5. The physical address where the respondent and the child can be found is (if unknown, write unknown): \_\_\_\_\_
  
6. The court that issued the child custody determination (check one):
  - Did not identify the jurisdictional basis it relied on;
  - Did identify the jurisdictional basis it relied on when it exercised jurisdiction, and that basis was: \_\_\_\_\_

PLAINTIFF: RESPONDENT:	CASE NUMBER:
---------------------------	--------------

7. The out-of-state or tribal child custody determination has not been vacated, stayed, or modified by a court whose decision must be enforced under California law.

8. To the best of my knowledge, there (check one)  is  is not another court case pending that could affect this case, including cases and hearings related to domestic violence, protective orders, termination of parental rights, and adoptions. If so, complete the following:

Name of Court:  
Case Number:  
Type of Case:  
Date of Action:

9.  I ask that the court (check all that apply):

- a.  Order the respondent to bring the child to court at the time and place set for hearing of this petition.
- b.  Issue a warrant to take physical custody of child prior to the hearing on this matter.  
The child is immediately likely to suffer serious physical harm or to be removed from this state because:
- c.  Authorize California law enforcement to help, if necessary, to enforce this court's order;
- d.  Order respondent to pay attorney's fees.
- e.  Other:

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Sign your name*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Sign your name*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Sign your name*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):       TELEPHONE NO.: _____ FAX NO. (Optional): _____ EMAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>   <b>DRAFT</b> Not Approved by the Judicial Council FL-585-01.18.2024-am
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
<b>REQUEST FOR HEARING REGARDING REGISTRATION          OF OUT-OF-STATE OR TRIBAL CUSTODY ORDER</b>	CASE NUMBER:

**NOTICE OF HEARING**

1. A hearing on this application will be held as follows:

a. Date:	Time:	Dept.:	Div.:	Room:
----------	-------	--------	-------	-------

b. The address of court is:  same as noted above  other (specify):

2. I request that the registration of custody be vacated (canceled) because:

- a.  The court or tribunal that issued the order did not have personal jurisdiction over me.
- b.  The custody order has been vacated, stayed, or modified by a later order made by a court having jurisdiction to do so. (Please attach a copy of the later order.)
- c.  I was entitled to notice of the original order, but did not receive that notice in the proceedings before the court that issued the order.
- d.  Other (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this cause and that a true copy of the *Request for Hearing Regarding Registration of Out-of-State or Tribal Custody Order* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed  
 at (place): \_\_\_\_\_, California,  
 on (date): \_\_\_\_\_

Date: \_\_\_\_\_

Clerk, By \_\_\_\_\_, Deputy

┌	┌	┌	┌
└	└	└	└
┌	┌	┌	┌
└	└	└	└