

# INSTRUCTIONS FOR REGISTRATION OF FOREIGN CHILD CUSTODY ORDER

**NOTE: A foreign child custody order IS NOT required to be registered before it can be enforced in North Carolina. If you are seeking immediate enforcement of a foreign child custody order, see Instructions For Expedited Enforcement Of Foreign Child Custody Order.**

**To register a foreign child custody order, you need to fill out the following forms:**

**I. Petition For Registration Of Foreign Child Custody Order (AOC-CV-660).**

1. You will need three (3) copies of this form, plus one (1) additional form for each person other than the defendant who is listed in paragraph three (3) of the Petition For Registration Of Foreign Child Custody Order.
2. Fill in:
  - (a) Name of county where registration is being filed.
  - (b) Plaintiff's name - you are the plaintiff.
  - (c) Defendant's name and address.
  - (d) The name of the state or country in which the foreign child custody order was entered.
  - (e) The date the foreign child custody order was entered.
  - (f) List the name(s) and address(es) of any person or parent who has been awarded custody or visitation in the foreign child custody order (you do NOT need to list yourself).
  - (g) Date and sign the verification of the petition. The verification must be signed before a clerk or a notary public.
  - (h) Attach two (2) copies, including one (1) certified copy, of the foreign child custody order.

**II. Notice Of Registration Of Foreign Child Custody Order (AOC-CV-661).**

1. You will need three (3) copies of this form, plus one (1) additional form for each person other than the defendant who is listed in paragraph three (3) of the Petition For Registration Of Foreign Child Custody Order.
2. Fill in:
  - (a) Name of county where registration is being filed.
  - (b) Plaintiff's name - you are the plaintiff.
  - (c) Defendant's name and address.
  - (d) The name of the state or country in which the foreign child custody order was entered.
  - (e) The date the foreign child custody order was entered.
  - (f) List the name(s) and address(es) of any person listed in paragraph 3 of the Petition For Registration Of Foreign Child Custody Order, AOC-CV-660.
3. One (1) copy of the Petition For Registration Of Foreign Child Custody Order (AOC-CV-660) and one (1) copy of the Notice Of Registration Of Foreign Child Custody Order must be served upon the defendant and any other person listed in paragraph 3 of the Petition For Registration Of Foreign Child Custody Order. Instructions regarding service are found in the "Notice To Plaintiff" section of the Notice Of Registration, AOC-CV-661.

**NOTICE: If one of the parties served with the Petition For Registration Of Foreign Child Custody Order and Notice Of Registration files a motion to contest the validity of the foreign child custody order, you will receive a copy of the motion and a notice of hearing informing you of the date and time the court will hear the matter.**

**If no one files a motion to contest the validity of the foreign child custody order, the clerk of court will mail you a copy of the Order Confirming Registration Or Denying Confirmation Of Registration Of Foreign Child Custody Order.**

**Take all forms to the Clerk of Superior Court for further direction and instruction.**

(See Side Two for Instructions For Expedited Enforcement Of Foreign Child Custody Order)

**STATE OF NORTH CAROLINA**

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

Name And Address Of Plaintiff 1

Name And Address Of Plaintiff 2

**DOMESTIC  
CIVIL ACTION COVER SHEET**

INITIAL FILING     SUBSEQUENT FILING

Rule 5(b), Rules of Practice For Superior and District Courts

**VERSUS**

Jury Demanded In Pleading?     No     Yes

Name Of Defendant 1

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

Summons Submitted     Yes     No

Telephone No.

Cell Telephone No.

Name Of Defendant 2

NC Attorney Bar No.

Attorney E-Mail Address

Initial Appearance in Case

Change of Address

Summons Submitted     Yes     No

Name Of Firm

Counsel for

All Plaintiffs     All Defendants     Only (List party(ies) represented)

FAX No.

**TYPE OF PLEADING**

**CLAIMS FOR RELIEF FOR:**

(check all that apply)

- Amended Answer/Reply (AMND-Response)
- Amended Complaint (AMND)
- Answer/Reply (ANSW-Response)
- Complaint (COMP)
- Confession Of Judgment (CNFJ)
- Contemp (CNTP) Assess Motions Fee
- Continue (CNTN) Assess Motions Fee
- Compel (CMPL) Assess Motions Fee
- Counterclaim vs. (CTCL) Assess Counterclaim Costs
- Extend Time For An Answer (MEOT-Response) Assess Motion Fee
- Modification Of Alimony (MALI) Assess Motions Fee
- Modification Of Custody (MCUS) Assess Motions Fee
- Modification Of Support in non-IV-D cases (MSUP) Assess Motions Fee
- Modification Of Visitation (MVIS) Assess Motions Fee
- Rule 12 Motion In Lieu Of Answer (MDLA) Assess Motions Fee
- Sanctions (SANC) Assess Motions Fee
- Show Cause (SHOW) Assess Motions Fee
- Transfer (TRFR) Assess Motion Fee
- Vacate/Modify Judgment or Order (VCMD) Assess Motions Fee
- Other (OTHR): (Use codes from Motions Coversheet AOC-CV-752 or specify)

(check all that apply)

- Alimony (ALIM)
- Annulment (ANUL)
- Child Support (CSUP)
- Custody (CUST)
- Divorce (DIVR)
- Divorce From Bed And Board (DIVB)
- Domestic Violence (DOME)
- Equitable Distribution (EQU)
- Medical Coverage (MEDC)
- Paternity (PATR)
- Possession Of Personal Property (POPP)
- Post Separation Support (PSSU)
- Reimbursement For Public Assistance (RPPA)
- Visitation (VIST)
- Other: (specify and list separately)

Date

Signature Of Attorney/Party

**NOTE:** All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750) Motions (AOC-CV-752) or Court Action (AOC-CV-753) cover sheet.

\_\_\_\_\_ County

Name And Address Of Plaintiff

VERSUS

Name And Address Of Defendant

**PETITION FOR REGISTRATION OF  
FOREIGN CHILD CUSTODY ORDER**

G.S. 50A-305

State Or Country In Which Foreign Child Custody Order Entered

Date Foreign Child Custody Order Entered In Other State Or Country

Pursuant to G.S. 50A-305(a), the undersigned states that:

1. I request registration of a child custody order entered in another state or country;
2. I have attached two (2) copies, including one (1) certified copy, of the foreign custody order;
3. The following is the name and address of any parent or person acting as a parent who has been awarded custody or visitation in the attached foreign custody order:

**NOTE:** Each person listed must be served with a Notice Of Registration Of Foreign Child Custody Order, AOC-CV-661.

Name Of Parent/Person Awarded Custody/Visitation	Address Of Parent/Person Awarded Custody/Visitation

4. Under penalty of perjury, I state that to the best of my knowledge and belief, the attached custody order has not been modified.

Date	Name Of Plaintiff (type or print)	Signature Of Plaintiff
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**NOTICE TO CLERK OF SUPERIOR COURT:**

Upon receipt of this completed petition and attached documents, the foreign child custody order must be filed as a foreign judgment, together with one copy of any accompanying documents and information, regardless of their form.

In addition, the clerk must direct the plaintiff to serve a **Notice Of Registration Of Foreign Child Custody Order** (AOC-CV-661) upon all of the persons listed in Paragraph 3 of this Petition and upon defendant, if different.

**IMPORTANT:** The Notice Of Registration Of Foreign Child Custody Order will inform the recipient of his or her right to contest the validity of the foreign order. If a timely request for hearing to contest the validity of the foreign order is not filed, the registration is confirmed as a matter of law, and the person requesting registration and all persons served with the Notice Of Registration Of Foreign Child Custody Order **MUST BE NOTIFIED BY THE COURT** of the confirmation. Form AOC-CV-664 **Order Confirming Registration Or Denying Confirmation Of Registration Of Foreign Child Custody Order** is available for a judge to sign. The clerk must notify all persons who received Notice Of Registration Of Foreign Child Custody Order and the plaintiff that the foreign child custody order has been confirmed.

# STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

Name Of Plaintiff

**VERSUS**

Name And Address of Defendant

State Or Country In Which Foreign Child Custody Order Entered

Name And Address Of Person Receiving Notice, If Different Than Defendant

## NOTICE OF REGISTRATION OF FOREIGN CHILD CUSTODY ORDER

G.S. 50A-105, -305

Date Foreign Child Custody Order Entered In Other State Or Country

### TO THE DEFENDANT OR OTHER PERSON NAMED ABOVE:

Pursuant to G.S. 50A-305, take notice that the Foreign Child Custody Order, referenced in the caption above, was registered in the office of the Clerk of Superior Court in the above named county on \_\_\_\_\_ (date). The foreign child custody order is enforceable as of the date of registration in the same manner as a child-custody determination issued by a court of this State.

If you want to contest the validity of the registered foreign child custody order, you must file a written request for a hearing to contest the confirmation of the registered order. See Form AOC-CV-663, **Motion To Contest Validity Of A Registered Foreign Child Custody Order And Notice Of Hearing**. Your request for a hearing must be filed with the Clerk of Superior Court in the above named county within **20 DAYS after you are served with this Notice**. Failure to contest the validity of the foreign child custody order will result in the confirmation of the order and preclude further contest of the order with respect to any matter that could have been asserted.

Date

Signature

 Deputy CSC Clerk Of Superior Court Assistant CSC

### NOTICE TO PLAINTIFF:

This Notice Of Registration Of Foreign Child Custody Order must be served upon the defendant and upon any other person entitled to receive notice of the **Petition For Registration Of Foreign Child Custody Order**. Service can be accomplished by the Sheriff of the County wherein this action is filed. Or, service can be accomplished by mailing a copy of this Notice by registered, certified mail, return receipt requested, or by designated delivery service. If you use registered or certified mail, you must complete and file with the court an **Affidavit Of Service By Registered Mail, Certified Mail, Or Designated Delivery Service**, AOC-CV-662.

**NOTE TO CLERK:** If a **foreign country** issued the child-custody determination, see G.S. 50A-105 for the authorization to register the order.

(Over)

**RETURN OF SERVICE**

I certify that I served the person(s) listed below with a copy of the Notice Of Registration Of Foreign Child Custody Order as follows:

**DEFENDANT**

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Defendant</i>
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- By personally delivering the same to the defendant named above.
- By leaving the same at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein. *(name of person with whom papers were left)* \_\_\_\_\_.
- The defendant was NOT served for the following reason: \_\_\_\_\_.

**OTHER PERSON 1**

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Other Person</i>
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- By personally delivering the same to the person named above.
- By leaving the same at the dwelling house or usual place of abode of the person named above with a person of suitable age and discretion then residing therein. *(name of person with whom papers were left)* \_\_\_\_\_.
- The person was NOT served for the following reason: \_\_\_\_\_.

**OTHER PERSON 2**

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Other Person</i>
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- By personally delivering the same to the person named above.
- By leaving the same at the dwelling house or usual place of abode of the person named above with a person of suitable age and discretion then residing therein. *(name of person with whom papers were left)* \_\_\_\_\_.
- The person was NOT served for the following reason: \_\_\_\_\_.

<i>Date Received</i>	<i>Name Of Deputy Sheriff Making Return (type or print)</i>
<i>Date Of Return</i>	<i>Signature Of Deputy Sheriff Making Return</i>
	<i>County Of Deputy Sheriff Making Return</i>

NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO. \_\_\_\_\_

Assigned Judge: \_\_\_\_\_

_____, Plaintiff,
v.
_____, Defendant.

**AFFIDAVIT FOR JUDICIAL  
ASSIGNMENT AND  
NOTICE OF HEARING**

The undersigned certifies the following:

1. That I am the  Plaintiff/Plaintiff's attorney  Defendant/Defendant's attorney in this matter.
2. That the attached  Complaint  Answer/Counterclaim  Motion in the Cause  Motion for Order to Show Cause is:
  - A newly filed action/matter.
  - A filing in which there is a pending action involving the same parties or family in this District.
  - A filing in which there is a resolved action involving the same parties or family in this District.
  - A filing in which there is a pending or resolved action involving the same parties or family in other districts in North Carolina or another state.
  - A Motion for Order to Show Cause for violation of a Domestic Violence Protective Order.
3. Wake County District Court Judge \_\_\_\_\_ is or was the assigned judge in a pending or prior civil action in this District involving the same parties and/or family members (including either parties' children) and/or related family issues.
4. That the issue(s) in this Complaint/Answer/Counterclaim/Motion in the Cause/Motion to Show Cause is/are: *(check all that apply)*

<input type="checkbox"/> Custody	<input type="checkbox"/> Child Support	<input type="checkbox"/> Divorce from Bed & Board
<input type="checkbox"/> Post-Separation Support	<input type="checkbox"/> Alimony	<input type="checkbox"/> Divorce
<input type="checkbox"/> Equitable Distribution	<input type="checkbox"/> Interim Distribution	<input type="checkbox"/> Attorneys' Fees
<input type="checkbox"/> Other: _____		
5. An interpreter is needed to be present for court proceedings.  
 YES  NO  
*If yes, what language(s) does the party speak?* \_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant
<input type="checkbox"/> Attorney for Plaintiff	<input type="checkbox"/> Attorney for Defendant

Daytime Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

\_\_\_\_\_ County

Name And Address Of Plaintiff

**ORDER CONFIRMING REGISTRATION  
OR DENYING CONFIRMATION OF  
REGISTRATION OF FOREIGN CHILD  
CUSTODY ORDER**

**VERSUS**

Name And Address Of Defendant

G.S. 50A-305(d), (e)

**FINDINGS OF FACT**

This matter coming on before the undersigned judge, the court makes the following Findings of Fact:

1. A foreign child custody order was entered in the State or Country of \_\_\_\_\_, on (date) \_\_\_\_\_, in an action captioned \_\_\_\_\_.
2. That foreign child custody order was registered in North Carolina in the above-captioned action by plaintiff on (date) \_\_\_\_\_.
3. A Notice Of Registration Of Foreign Custody Order was properly served on the defendant on (date) \_\_\_\_\_,  and on (name of any other person(s) served with the Notice) \_\_\_\_\_, on (date) \_\_\_\_\_. The Notice informed the recipient that the foreign child custody order had been registered and that he/she had twenty (20) days from service to request a hearing to contest the validity of the foreign child custody order.
4. A request for hearing to contest the validity of the foreign child custody order **WAS NOT** filed within the required time.
5. A request for hearing to contest the validity of the foreign child custody order **WAS** filed on (date) \_\_\_\_\_, by (name of person filing request for hearing) \_\_\_\_\_.
6. Plaintiff,  and (other person(s) entitled to notice) \_\_\_\_\_ was/were properly served with the **Motion To Contest Validity Of A Registered Foreign Child Custody Order And Notice Of Hearing**.
7. The hearing was held before the undersigned judge on (date) \_\_\_\_\_.
8. No person at the hearing established grounds to deny registration and confirmation of the foreign child custody order.
9. The foreign child custody order should not be registered and confirmed because:
  - a. The state or country that issued the order did not have jurisdiction to enter the order, in that \_\_\_\_\_
  - b. The foreign child custody order has been  vacated  stayed  modified by a court with appropriate jurisdiction, (name of state or country) \_\_\_\_\_.
  - c. The person contesting the validity of the foreign child custody order was entitled to notice but was not given appropriate notice in the proceedings when the order was entered.
  - d. In addition, the Court makes the following Findings Of Fact:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Over)

**CONCLUSIONS**

Therefore, the Court concludes as a matter of law:

- 1. That the foreign child custody order should be confirmed.
- 2. That the foreign child custody order should NOT be confirmed.
- 3. The Court also concludes:

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**ORDER**

It is therefore ordered, adjudged, and decreed as follows:

- 1. The foreign child custody order filed in this matter is confirmed.
- 2. The foreign child custody order filed in this matter is not confirmed and is no longer registered in the State of North Carolina.
- 3. *(additional decrees)*:

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- 4. The Clerk of Superior Court shall serve a copy of this order on all parties,  and on the following additional person(s):

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Date	Name Of District Court Judge (Type Or Print)	Signature Of District Court Judge
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**CERTIFICATION**

I certify this date, that a copy of this **Order Confirming Registration Or Denying Confirmation Of Registration Of Foreign Child Custody Order** was sent by first class mail to plaintiff and defendant,  and other persons named above.

Date	Signature	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC	<input type="checkbox"/> Clerk Of Superior Court
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