



Registering an Out-of-State Court or Tribal Court Custody or Visitation Order

An Informational Guide to a North Dakota Civil Court Process

The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in North Dakota state courts. The information provided in this informational guide **isn't** intended for legal advice but only as a general guide to a civil court process.

If you decide to represent yourself, you need to do additional research to prepare.

If you're unsure how to proceed, don't know if this informational guide suits your needs, or need legal advice or representation, consult a lawyer licensed to practice in North Dakota. For information about how to find a lawyer, go to ndcourts.gov/legal-self-help/finding-a-lawyer.

As a self-represented individual, you're expected to know and follow the law, including:

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
 - North Dakota Rules of Civil Procedure;
 - North Dakota Rules of Court;
 - North Dakota Rules of Evidence;
 - North Dakota Administrative Rules and Orders;
 - Any local court rules.

Links to the laws, case law, and court rules are available at ndcourts.gov.

A glossary with definitions of legal terms is available at ndcourts.gov/legal-self-help.

When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures.

This information isn't a complete statement of the law.** This covers basic information about the process of registering an out-of-state court or tribal court custody or visitation order in a North Dakota state district court. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice a lawyer licensed to practice in North Dakota. **Use at your own risk.

Important! Registration alone Doesn't transfer the entire case to North Dakota.

Steps to Register an Out-of-State Court or Tribal Court Custody or Visitation Order

Step One: The Petitioner Creates the Registration Documents; Gets Two Copies of the Out-of-State Court or Tribal Court Custody Order

1) Letter, petition, or other document requesting registration; 2) Declaration with required information; 3) Two copies of the out-of-state court or tribal court custody or visitation order, one **Must** be a certified copy; and 4) Declaration of Identification of all persons awarded custody or visitation in the order.

Step Two: The Petitioner Files the Registration Documents with the Clerk of District Court; Pays the Filing Fee

The filing fee is \$20.00.

Step Three: Notice of Registration is Given by the Clerk of District Court

Written Notice of Registration is served (given) to all persons awarded custody or visitation in the order.

Step Four: Within 20 Days of Notice, Any Person Awarded Custody or Visitation (Respondents) May Challenge the Registration by Requesting a Hearing

The request for hearing must be made in writing and within 20 days of service of the Notice of Registration.

Challenges are limited to 1) the court that issued the order didn't have jurisdiction; 2) The order to be registered has been vacated, stayed, or modified; and 3) the person challenging registration received incorrect notice of the court proceeding that resulted in the out-of-state court or tribal court order.

Step Five(A): If a Hearing was Requested and Scheduled in Step Four, Attend the Hearing

The North Dakota State District Court shall confirm the registered order **unless** the person challenging registration proves one or more of the three challenges listed in Step Four.

Step Five(B): If a Hearing WASN'T Requested and Scheduled in Step Four, Registration is Confirmed.

A registered custody or visitation order is enforceable as of the date of the registration in the same manner as a custody or visitation order issued by a North Dakota state district court.

Section One:

Information About Registering an Out-of-State Court or Tribal Court Custody or Visitation Order

What is Registration of an Out-of-State Court or Tribal Court Custody or Visitation Order?

An out-of-state court or tribal court custody or visitation order is an order issued by an out-of-state court or a tribal court that governs the legal custody, physical custody, or visitation of a minor child.

If an out-of-state court or tribal court issued an order governing the legal custody, physical custody, or visitation of a minor child, **and the order granted you custody or visitation**, you may ask a North Dakota state district court to register your out-of-state court or tribal court order for recognition in North Dakota.

Registration allows the North Dakota state district court to:

- 1) Recognize your out-of-state court or tribal court custody or visitation order exists;
- 2) Recognize the order is currently in effect; and
- 3) Recognize the order is the most current version.

A person (Respondent) awarded legal custody, physical custody, or visitation in the order is allowed to **challenge the registration for any of the following limited reasons:**

- 1) The court that issued (signed) the order didn't have jurisdiction (authority) to issue the order;
- 2) The order has been vacated (cancelled), stayed (put on hold), or modified (updated); or
- 3) The person challenging registration didn't get the required notice of the court case that resulted in the order.

Registration is the first step **Before asking a North Dakota state district court to enforce your out-of-state court or tribal court custody or visitation order.**

Does Registering an Out-of-State Court or Tribal Court Custody or Visitation Order Transfer the Entire Case to North Dakota?

No. Registration alone **Doesn't** transfer the entire case to North Dakota.

The entire case remains with the out-of-state court or tribal court until a North Dakota state district court says they take over authority (jurisdiction).

Transferring an out-of-state court or tribal court custody case to a North Dakota state district court is a complicated and confusing process. The NORTH DAKOTA Legal Self Help Center doesn't have information or resources available. Consult a lawyer licensed to practice in North Dakota for assistance.

Does the North Dakota Legal Self Help Center Have Forms to Register an Out-of-State Court or Tribal Court Custody or Visitation Order, or to Challenge Registration of the Order?

Yes. This Informational Guide includes forms you may use to register your out-of-state court or tribal court custody or visitation order, and to challenge registration of the order. There's no guarantee that all judges and courts will accept forms available through the North Dakota Legal Self Help Center.

If a form isn't available through the North Dakota Legal Self Help Center and you need to create your own legal document, a variety of General-Use template forms are available at ndcourts.gov/legal-self-help/general-use-forms.

You may find the General-Use template forms of interest as a starting point for creating your own legal documents.

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Out-of-State Court or Tribal Court Custody or Visitation Order That May Be Registered

The following types of cases, also called child custody proceedings, which result in an out-of-state court or tribal court custody or visitation order, or determination, may be registered using the process in this Informational Guide:

- Abuse;
- Dependency;
- Divorce;
- Guardianship;
- Legal Separation;
- Neglect;
- Paternity;
- Protection from Domestic Violence; and
- Termination of Parental Rights;

The order, or determination, may be a permanent, temporary, initial, or modification order.

The order, or determination, must include provisions for legal custody, physical custody, or visitation.

Out-of-State Court or Tribal Court Orders That **Can't Be Registered**

If your judgment, decree, or other order resulted from either of the following three types of cases, **you can't register or enforce the order using the process in this Informational Guide:**

- Child Support;
- Juvenile Delinquency;
- Emancipation.

Important! Non-North Dakota child support orders **Can't be registered using the process in this Informational Guide.** Non-North Dakota child support orders are registered using the process in the [Uniform Interstate Family Support Act](#). The North Dakota Legal Self Help Center doesn't have forms available to register Non-North Dakota child support orders.

Courts Whose Custody or Visitation Orders May Be Registered

Custody orders issued by a court of the following may be registered:

- A state of the United States;
- The District of Columbia;
- Puerto Rico;
- United States Virgin Islands;
- Any territory or insular possession of the United States;
- An Indian tribe or band, or Alaskan native village, which is recognized by federal law or formally acknowledged by a state of the United States; and
- A foreign country, if certain requirements are met. (See [Chapter 14-14.1](#).)

What if I Need North Dakota to Enforce My Out-of-State Court or Tribal Court Custody or Visitation Order?

For information about enforcement, see “Enforcing an Out-of-State Court or Tribal Court Custody Order: An Informational Guide to a North Dakota Civil Court Process” at ndcourts.gov/legal-self-help/foreign-custody-and-visitation.

This informational guide **Doesn't** include information on enforcement.

Asking a North Dakota state district court to enforce the provisions of an out-of-state court or tribal court custody or visitation order is a two-step process.

Step One: Registration is the first step to requesting that a North Dakota state district court enforce your out-of-state court or tribal court custody or visitation order.

Step Two: Petitioning for expedited enforcement is the second step to requesting that a North Dakota state district court enforce the terms of your registered out-of-state court or tribal court custody or visitation order.

However, the two steps may be combined when you need to petition a North Dakota state district court for expedited enforcement, but haven't yet registered the out-of-state court or tribal court custody or visitation order.

What if I Need North Dakota to Modify My Out-of-State Court or Tribal Court Custody or Visitation Order?

In order for a North Dakota state district court to modify an out-of-state or tribal court custody or visitation order, the North Dakota state district court judge **must** decide North Dakota meets the requirements of [N.D.C.C. Chapter 14-14.1](#) to take over authority (jurisdiction) of the entire case.

The out-of-state or tribal court that currently has authority (jurisdiction) over the case also needs to be contacted, and may be required to agree that North Dakota should take over authority (jurisdiction) of the entire case.

Modifying the order may only happen **after** a North Dakota state district court takes over authority (jurisdiction) of the entire case.

Asking a North Dakota state district court to modify an out-of-state court or tribal court custody or visitation order is a complicated and confusing process. The North Dakota Legal Self Help Center doesn't have information or resources available. Consult a lawyer licensed to practice in North Dakota for assistance.

Definitions of Some Commonly Used Terms

(In North Dakota "residential responsibility" means "custody" and "parenting time" means "visitation".)

Child custody determination: An out-of-state court or tribal court judgment, decree, or other order of a court providing for the legal custody, physical custody, or visitation of a minor child. The term includes a permanent, temporary, initial, and modification order. The term **doesn't include** an order relating to child support or other monetary obligation of an individual.

Child custody proceeding: See the "Out-of-State Court or Tribal Court Custody or Visitation Orders that May be Registered" section on Page 5.

Initial determination: The first child custody determination concerning a particular minor child.

Issuing court: The out-of-state court or tribal court that made the child custody determination for which registration is sought.

Jurisdiction: Jurisdiction is the power of a court to inquire into the facts, apply the law, and determine and pronounce judgment. Generally speaking, there are two types of jurisdiction, subject matter and personal.

- **Subject Matter Jurisdiction:** A court's power to hear and determine the type of case or controversy. Comes from the constitution and statutes (laws enacted by a legislature). Subject matter jurisdiction **can't** be agreed to, consented to, or waived.
- **Personal Jurisdiction:** A court's power over the parties. A party **can** voluntarily submit to the personal jurisdiction of a court.

Modified determination: Changes, replaces, supersedes, or is otherwise made after a previous child custody determination concerning the same child, whether or not it's made by the court that made the previous determination.

Person acting as a parent: A person, **other than a parent**, who is awarded legal custody by an out-of-state court or tribal court whose custody order may be registered.

Stayed determination: Temporary suspension of a custody determination. The decision to stay a determination is made by a court.

Vacated determination: Set aside or void a custody determination. The decision to vacate a determination is made by a court.

Venue: The location (North Dakota county) in which the North Dakota State District Court will hear and decide the case. Venue isn't the same as jurisdiction. Venue is determined **only after** jurisdiction is determined.

Laws Related to Registering an Out-of-State Court or Tribal Court Custody or Visitation Order

[Chapter 14-14.1 of the North Dakota Century Code](#) is known as the **Uniform Child Custody Jurisdiction and Enforcement Act, or UCCJEA**. The UCCJEA governs registration and enforcement of an out-of-state court or tribal court custody or visitation order in North Dakota.

See [Section 14-14.1-25](#) of Chapter 14-14.1 for the requirements for registering a custody or visitation order.

Laws constantly change through legislation and case law (court decisions). To determine how a law applies to your situation, review the applicable law or laws and case law.

Lawyer Resources and Limited Legal Representation

You're not required to hire a lawyer to access the state court system. If you decide to represent yourself, you must follow all of the rules, laws and procedures a lawyer is required to follow.

Lawyer Resources

If you decide to find a lawyer to represent you, you may find the following options of interest.

- **Legal Services of North Dakota** is a non-profit organization, providing free legal assistance to North Dakota residents based on income. Legal Services of North Dakota can also determine whether an applicant meets the income requirements for the Volunteer Lawyers program that offers low-cost legal assistance based on income. The phone number is (800) 634-5263 and the website is lsnd.org.
- **Dakota Plains Legal Services** is a non-profit legal services organization that provides free legal assistance to low-income individuals, older Americans and veterans. Dakota Plains Legal Services (DPLS) has eight offices and serves communities across South Dakota and North Dakota, including nine tribal nations. DPLS is committed to increasing access to justice with quality legal assistance. Contact information is available on the DPLS webpage of dpls.org.
- **The State Bar Association of North Dakota** provides a lawyer referral service to match paying clients in need of legal services with lawyers. The phone number is (866) 450-9579 and the website is sband.org. The cost is \$30.00 for a 30 minute consultation with a lawyer.
- **For a list of all lawyers who are licensed to practice in North Dakota**, go to the North Dakota Supreme Court website at ndcourts.gov/Lawyers.

Limited Legal Representation

Lawyers licensed to practice in North Dakota may provide Limited Legal Representation in civil actions. Limited Legal Representation (sometimes called "unbundling") is a way that a lawyer can help you with part of your case while you do the rest of your case. You pay for the part of the case the lawyer handled. For example:

- You may want an attorney to give you an expert opinion about your options, or your legal rights and responsibilities;
- You can consult with an attorney to prepare or review your legal documents, but attend hearings yourself;

- You can represent yourself through the whole case, and periodically consult with an attorney who can coach you on the law, procedures and strategy;
- You can do the preparation yourself and hire an attorney just to make the court appearance for you.

You and the lawyer must agree in writing to Limited Legal Representation.

North Dakota Free Legal Answers

This civil legal program is a partnership of the American Bar Association and the State Bar Association of North Dakota.

The purpose of the program is to provide free answers to **specific** civil legal question to low-moderate income North Dakotans who submit their questions online. Anonymous volunteer lawyers answer the question, but can't represent the individual asking the question.

The self-represented individual can go to nd.freelegalanswers.org for information about the program, the online application, and, if the individual qualifies, ask their civil legal question.

Please note that this program **doesn't** provide any assistance with criminal legal questions.

Section Two:

The Process to Register an Out-of-State Court or Tribal Court Custody or Visitation Order

Step One: The Petitioner Creates the Registration Documents; and Gets Two Copies of the Out-of-State Court or Tribal Court Custody or Visitation Order

The person making the request is called the Petitioner.

You, the Petitioner, must be granted custody or visitation in the out-of-state court or tribal court custody or visitation order you want to register with a North Dakota state district court.

All other persons granted custody or visitation are called the Respondents.

All persons who are granted custody or visitation in the out-of-state court or tribal court custody or visitation order you, the Petitioner, want to register **Must** be listed as Respondents in the registration documents you create.

In general, the following documents are required for registration:

1. A letter, petition, or other document requesting registration of the out-of-state court or tribal court custody or visitation order;
2. The Petitioner's declaration containing statements about the out-of-state court or tribal court custody or visitation order, and information about the persons awarded custody or visitation;
3. The Petitioner's declaration of identification of all persons awarded custody or visitation in the order; and
4. Two copies of the out-of-state court or tribal court custody or visitation order you, the Petitioner, want to register.
 - **One of the copies **Must** be a certified copy**

You, the Petitioner, create the letter, petition, or other document requesting registration of the out-of-state court or tribal court custody or visitation order:

A form for a petition requesting registration of an out-of-state court or tribal court custody or visitation order is available at the end of this Informational Guide.

Make a copy of your completed petition for your records. You file the original with the Clerk of District Court in Step Two.

You, the Petitioner, create your declaration for registration of the out-of-state court or tribal court custody or visitation order:

A form for a declaration to register an out-of-state court or tribal court custody or visitation order is available at the end of this Informational Guide.

Your declaration must contain the following:

- A statement under penalty of perjury that to the best of your knowledge and belief the custody or visitation order you want to register **hasn't** been modified.

Make a copy of your completed declaration for your records. You file the original with the Clerk of District Court in Step Two.

You, the Petitioner, create your declaration of identification of **All the persons, including you, awarded custody or visitation in the out-of-state court or tribal court custody or visitation order:**

A form for a declaration of identification is available at the end of this Informational Guide.

You **Must** include the name, address, and active military status of each person awarded custody or visitation in the out-of-state court or tribal court custody or visitation order you want to register.

If you don't know the address, occupation, or military status, you **Must** make reasonable attempts to find out.

The Servicemembers Civil Relief Act (SCRA) Website, scra.dmdc.osd.mil/scra, is a website affiliated with the United States Department of Defense. The SCRA Website allows people to search for active duty service members. The SCRA Website is free to use, however, website users are required to create a user account.

You, the Petitioner, get **Two copies of the out-of-state court or tribal court custody or visitation order for registration:**

Two copies of the out-of-state court or tribal court custody or visitation order you want to register must be filed with your registration documents.

One of the copies **Must be a certified copy.** Contact the court that issued the out-of-state court or tribal court custody or visitation order to find out how to get a certified copy.

General-Use forms available at the North Dakota Legal Self Help Center website:

If the forms available at the end of this Informational Guide don't suit your circumstances, you create your own registration documents to suit your circumstances. Go to ndcourts.gov/legal-self-help/general-use-forms.

Step Two: The Petitioner Files Their Registration Documents with the Clerk of District Court; and Pays the Filing Fee

Decide the venue (North Dakota county) to file your registration documents:

You, the Petitioner, decide the venue (North Dakota county) of the North Dakota State District Court to file your registration documents.

North Dakota's Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) doesn't specifically state how to decide venue for registration.

Review [Chapter 28-04 of the North Dakota Century Code](#) to decide where to file.

File your registration documents:

You, the Petitioner, file following documents with the Clerk of District Court:

1. The original letter, petition, or other document requesting registration of the out-of-state court or tribal court custody or visitation order;
2. The original declaration to request registration of the out-of-state court or tribal court custody or visitation order;
3. The original declaration of identification listing each person awarded custody or visitation in the out-of-state court or tribal court custody or visitation order;
4. One **certified** copy of the out-of-state court or tribal court custody or visitation order you want to register; and
5. One additional copy of the out-of-state court or tribal court custody or visitation order you want to register (doesn't need to be certified).

If the Clerk of District Court accepts your documents for filing, the Clerk assigns a case number.

You're required to pay a \$20.00 filing fee.

If you're unable to pay the filing fee due to financial hardship, the Filing Fee Waiver Request form set is available at ndcourts.gov/legal-self-help/fee-waiver. File the completed forms at the same time as your registration documents.

If you have questions about how you may submit your documents for filing, or how the filing fee may be paid, contact information for Clerks of District Court by North Dakota county is available at ndcourts.gov/court-locations.

Step Three: Notice of Registration is Given by the Clerk of District Court

After the Petitioner's registration documents are accepted for filing in Step Two, the Clerk of District Court serves (gives) written notice of the registration to the other persons awarded custody or visitation in the out-of-state court or tribal court custody or visitation order.

Commonly, the notice of registration is served (given) by mailing the written notice.

The following information is included in the notice of registration:

- The registered out-of-state court or tribal court custody or visitation order is enforceable as of the date of registration in the same way a North Dakota custody or visitation order may be enforced;

- A hearing to contest or challenge the validity of the registered out-of-state court or tribal court custody or visitation order must be requested within twenty days after service of the notice of registration; and
- Failure to contest or challenge the registration will result in confirmation of the out-of-state court or tribal court custody or visitation order and preclude further contest of that order with respect to any matter that could have been asserted.

An example of a notice of registration that was served by a Clerk of District Court as part of the registration process is available at the end of this Informational Guide.

Step Four: Within 20 Days of Notice of Registration, Any Person Awarded Custody or Visitation (Respondent) May Challenge the Registration by Requesting a Hearing in Writing

After service of the notice of registration, other persons awarded custody or visitation in the out-of-state court or tribal court custody or visitation order, also called Respondents, have 20 days to request a hearing **in writing** to contest or challenge the registration.

Challenges to the out-of-state court or tribal court custody or visitation order are limited:

A Respondent's contests, or challenges, to registration of the out-of-state court or tribal court custody or visitation order are limited to the following:

1. The court that issued the out-of-state court or tribal court custody or visitation order didn't have jurisdiction (authority) to issue the order.
 - See [North Dakota Century Code Sections 14-14.1-12 through 14-14.1-21](#) for jurisdiction requirements that apply to this challenge.
2. The out-of-state court or tribal court custody or visitation order the Petitioner wants to register has been vacated, stayed, or modified by a court that had jurisdiction (authority) to do so.
3. The person contesting registration was entitled to notice before the out-of-state court or tribal court custody or visitation order was made by the court that issued the order, but notice wasn't given according to the standards of North Dakota Century Code Section 14-14.1-07.
 - See [North Dakota Century Code Section 14-14.1-07](#) for the notice standards that apply to this challenge.

You, the Respondent, create the written request for hearing to contest, or challenge, registration of the out-of-state court or tribal court custody or visitation order:

The Respondent contesting, or challenging, registration **Must** be awarded custody or visitation in the out-of-state court or tribal court custody or visitation order.

A form to request a hearing to contest registration of an out-of-state court or tribal court custody or visitation order is available at the end of this Informational Guide.

- Fill out the caption (top) of the form **Exactly** the same as the caption of the petition to register the out-of-state court or tribal court custody or visitation order.

Make a copy of your completed request for your records.

You, the Respondent, file the written request for hearing with the Clerk of District Court:

The person requesting the hearing files their original written request for hearing document with the Clerk of District Court in the North Dakota county where the order was registered.

Contact information for clerks of court by county is available online at ndcourts.gov/court-locations.

Step Five (A): Attend the Hearing (If Requested and Scheduled)

If a Respondent requested a hearing within 20 days of notice of registration and the hearing was scheduled, Attend the Hearing:

The Respondent contesting or challenging registration of the out-of-state court or tribal court custody or visitation order is required to prove their reason or reasons at the hearing. The Respondent's challenge is limited to:

1. The court that issued the out-of-state court or tribal court custody or visitation order didn't have jurisdiction (authority) to issue the order.
 - See [North Dakota Century Code Sections 14-14.1-12 through 14-14.1-21](#) for jurisdiction requirements that apply to this challenge.
2. The out-of-state court or tribal court custody or visitation order the Petitioner wants to register has been vacated, stayed, or modified by a court that had jurisdiction (authority) to do so.

3. The person contesting registration was entitled to notice before the out-of-state court or tribal court custody or visitation order was made by the court that issued the order, but notice wasn't given according to the standards of North Dakota Century Code Section 14-14.1-07.
 - See [North Dakota Century Code Section 14-14.1-07](#) for the notice standards that apply to this challenge.

The Petitioner who registered the out-of-state court or tribal court custody or visitation order may challenge the proof the Respondent presents at the hearing.

If the Respondent who contested, or challenged, registration doesn't prove their reason(s) for their challenge, the North Dakota State District Court judge or judicial referee **confirms the registered order**.

Step Five (B): If a Hearing Isn't Requested Within 20 Days of Notice of Registration, Registration is Confirmed

If a Respondent Doesn't request a hearing to contest or challenge registration within 20 days of notice of registration:

If a hearing isn't requested within 20 days after the service of the notice of registration, registration is confirmed. The registered custody or visitation order is enforceable as of the date of the registration in the same manner as a custody or visitation order issued by a North Dakota state district court.

The effect of a confirmed registration is the North Dakota State District Court recognizes the out-of-state court or tribal court custody or visitation order exists, the order is in effect, and the order is the most current version.

Registration is the first step Before requesting enforcement of the provisions of your out-of-state court or tribal court custody or visitation order.

For information about enforcement, see "Enforcing an Out-of-State Court or Tribal Court Custody Order: An Informational Guide to a North Dakota Civil Court Process" at ndcourts.gov/legal-self-help/foreign-custody-and-visitation.

For information about transferring the entire case to North Dakota, or modifying the out-of-state court or tribal court custody or visitation order, consult a lawyer licensed to practice in North Dakota.

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____
(*ndcourts.gov/court-locations*)

_____ JUDICIAL DISTRICT
(*leave blank if unknown*)

PETITIONER,)

Vs)

RESPONDENT(S).)

Case No. _____
(*filled in by Clerk of Court*)

**PETITION TO REGISTER OUT-OF-STATE OR
TRIBAL COURT CHILD CUSTODY
DETERMINATION PURSUANT TO
N.D.C.C. § 14-14.1-25**

1. Petitioner, _____ (*your full name*),
pursuant to North Dakota Century Code Section 14-14.1-25, requests registration of an out-of-
state court or tribal court custody determination.

2. Information about the out-of-state court or tribal court child custody determination is as
follows:

- a. Title of Child Custody Determination: _____

(*For example: Divorce Judgment; Order for Guardianship*)
- b. Parties: _____

- c. Case Number: _____
- d. State and County where Issued: _____

- e. Court that Issued the Child Custody Determination: _____

(*For example: Polk County District Court, Ninth Judicial District; Spirit Lake Tribal
Court, Spirit Lake Nation*)

3. The following are filed in support of Petitioner's request:
- a. Two copies of the child custody determination listed above. One of the copies is a certified copy;
 - b. Petitioner's Declaration containing the information required by North Dakota Century Code Section 14-14.1-25(1)(b); and
 - c. Petitioner's Declaration of Identification and Military Status containing the information required by North Dakota Century Code Section 14-14.1-25(1)(c).

WHEREFORE, Petitioner prays as follows:

4. The Court, pursuant to North Dakota Century Code Section 14-14.1-25, issue an Order for Registration of the above described out-of-state court or tribal court child custody determination.

Dated _____.

(Signature of Petitioner)

(Printed Name of Petitioner)

(Address)

(City, State, Zip Code)

(Telephone Number(s))

(Email Address)

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____
(*ndcourts.gov-court-locations*)

_____ JUDICIAL DISTRICT
(*leave blank if unknown*)

PETITIONER,)

Case No. _____
(*filled in by Clerk of Court*)

Vs)

**DECLARATION TO REGISTER AN
OUT-OF-STATE OR TRIBAL COURT
CUSTODY DETERMINATION
PURSUANT TO N.D.C.C. § 14-14.1-25**

RESPONDENT(S).)

I, _____ (your full name),
state as follows:

1. Information about the out-of-state court or tribal court child custody determination:

State or tribe that issued the child custody determination: _____

Court that issued the child custody determination: _____

Court case number: _____

2. The names and addresses of all parents and persons acting as a parent who have been awarded custody or visitation in the child custody determination sought to be registered is provided in the Declaration of Identification and Military Status filed with the Petition and this Declaration.

3. Two copies of the out-of-state court or tribal court child custody determination, including one certified copy, are filed with this request for registration.

4. I declare, under penalty of perjury under the laws of North Dakota, that to the best of my knowledge and belief, the out-of-state court or tribal court child custody determination for which I am requesting registration is current and has not been modified.

5. I further declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

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

(Signature of Petitioner)

(Printed Name of Petitioner)

(Address)

(City, State, Zip Code)

(Telephone Number(s))

(Email Address)

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____
(ndcourts.gov/court-locations)

_____ JUDICIAL DISTRICT
(leave blank if unknown)

PETITIONER,)

Case No. _____
(filled in by Clerk of Court)

Vs)

**DECLARATION OF IDENTIFICATION
AND MILITARY STATUS PURSUANT TO
N.D.C.C. § 14-14.1-25**

_____)

_____)

_____)

_____)

RESPONDENT(S).)

1. I, _____ (your full name),

declare that I am the Petitioner in the above entitled action and state the following as required

by North Dakota Century Code Section 14-14.1-25(1)(c):

2. My identifying information is:

Name	
Address	
Phone and Email Address	
Relationship to child(ren)	<input type="checkbox"/> Parent <input type="checkbox"/> Person acting as parent
Military Status	<input type="checkbox"/> Active military service <input type="checkbox"/> Not in active military service, OR not in the military

3. The first Respondent's identifying information is (*Paragraph 3 continues on Page 2*):

Name	
Address	
Phone and Email Address	
Relationship to child(ren)	<input type="checkbox"/> Parent <input type="checkbox"/> Person acting as parent

Military Status	<input type="checkbox"/> The first Respondent IS in active military service. <input type="checkbox"/> The first Respondent ISN'T in active military service. I know this because (<i>select all that apply</i>): <ul style="list-style-type: none"> <input type="checkbox"/> I contacted the military services of the United States and obtained documentation showing the Respondent isn't on active duty status. The documentation is attached. <input type="checkbox"/> I have personal knowledge of the Respondent's military status (<i>explain</i>): <input type="checkbox"/> I DON'T KNOW whether the Respondent is in active military service. I did the following to try to find out (<i>explain</i>):
------------------------	--

4. (Choose one)

☐ There are NO OTHER Respondents.

☐ The second Respondent's identifying information is (*Paragraph 3 continues on Page 3*):

Name	
Address	
Phone and Email Address	
Relationship to child(ren)	<input type="checkbox"/> Parent <input type="checkbox"/> Person acting as parent
Military Status	<input type="checkbox"/> The second Respondent IS in active military service. <input type="checkbox"/> The second Respondent ISN'T in active military service. I know this because (<i>select all that apply</i>): <ul style="list-style-type: none"> <input type="checkbox"/> I contacted the military services of the United States and obtained documentation showing the Respondent isn't on active duty status. The documentation is attached. <input type="checkbox"/> I have personal knowledge of the Respondent's military status (<i>explain</i>):

Melinda [REDACTED]
[REDACTED]
[REDACTED] ND 58 [REDACTED]

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

PETITIONER,)
_____)
Vs _____)
_____)
_____)
RESPONDENT(S).)

Case No. _____

**REQUEST FOR HEARING TO CONTEST
REGISTRATION OF AN OUT-OF-STATE OR
TRIBAL COURT CHILD CUSTODY
DETERMINATION (N.D.C.C. § 14-14.1-25)**

1. I request a hearing to contest the registration of the out-of-state court or tribal court child custody determination in the above-listed case number pursuant to North Dakota Century Code Section 14-14.1-25(4).

2. My name is _____ and I am a
(choose one) ☐ parent ☐ person acting as a parent who is granted custody or visitation in the
child custody determination sought to be registered.

3. I contest the validity of the child custody determination sought to be registered because
(select all boxes that apply):

- ☐ The court that issued the child custody determination did not have jurisdiction to issue the determination.
- ☐ The child custody determination sought to be registered has been vacated, stayed, or modified by a court having jurisdiction. A certified copy of the court order vacating, staying, or modifying the child custody determination is filed with this request.
- ☐ I was entitled to notice, but notice was not given according to the requirements of North Dakota Century Code Section 14-14.1-07 in the proceedings before the court that issued the child custody determination sought to be registered.

4. My address, as shown on the letter, petition, or other document requesting registration, and on the Notice of Registration is (*choose one*):

☐ Correct.

☐ Incorrect. My correct address is:

Dated _____.

(*Signature of Respondent*)

(*Printed Name of Respondent*)

(*Address*)

(*City, State, Zip Code*)

(*Telephone Number(s)*)

(*Email Address*)