



REGISTERING AN OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP ORDER (A minor is less than 18 years old)

An Informational Guide to a North Dakota Juvenile Court Process

The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the 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 juvenile court process.

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

When you represent yourself, 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 Juvenile Procedure;
 - North Dakota Rules of Civil Procedure;
 - North Dakota Rules of Court;
 - North Dakota Rules of Evidence;
 - Any local court rules.

Links to the laws, case law, and court rules can be found 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. If you're unsure if this information suits your circumstances, consult a lawyer.

- For more information about finding a lawyer, go to ndcourts.gov/legal-self-help/finding-a-lawyer.

This information isn't a complete statement of the law. This covers basic information about the process of registering an out-of-state or tribal court minor guardianship order with a North Dakota juvenile court. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice of competent legal counsel licensed in the state of North Dakota. Use at your own risk.

IMPORTANT! Registration alone DOESN'T transfer the entire case to North Dakota.

SECTION ONE: INFORMATION ABOUT REGISTERING AN OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP ORDER

WHAT IS REGISTERING AN OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP ORDER?

An out-of-state court or tribal court minor guardianship 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. The [Uniform Child Custody Jurisdiction and Enforcement Act \(UCCJEA\)](#) has the requirements.

Out-of-state court or tribal court minor guardianship cases are called [child custody proceedings](#).

When these minor guardianship cases result in orders governing legal custody, physical custody, or visitation, the orders are called [child custody determinations](#).

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

If an out-of-state court or tribal court issued a minor guardianship order granting you legal custody, physical custody, or visitation, you may ask a North Dakota juvenile court to register your out-of-state court or tribal court order for recognition in North Dakota.

Any person awarded legal custody, physical custody, or visitation in the minor guardianship order may contest, or challenge, the registration for limited reasons.

The effect of registering an order is the North Dakota juvenile court recognizes the following:

1. The out-of-state court or tribal court minor guardianship order exists;
2. The order is currently in effect; and
3. The order is the most current order in the out-of-state court or tribal court case.

Registration is the first step BEFORE making other requests, such as enforcing the out-of-state court or tribal court minor guardianship order.

IMPORTANT! Registration alone DOESN'T transfer the entire case to North Dakota. The entire minor guardianship case remains with the out-of-state court or tribal court until the out-of-state court or tribal court says they give up their authority (jurisdiction), AND a North Dakota juvenile court says they'll take over authority (jurisdiction).

CAN OTHER TYPES OF OUT-OF-STATE COURT OR TRIBAL COURT CUSTODY OR VISITATION ORDERS BE REGISTERED?

Yes, but you can't use this Informational Guide to do so.

The ND Legal Self Help Center has an Informational Guide for registering custody or visitation order for non-guardianship cases at ndcourts.gov/legal-self-help/foreign-custody-and-visitacion. Scroll to the "Informational Guides" section.

COURTS WHOSE MINOR GUARDIANSHIP ORDERS MAY BE REGISTERED

Minor guardianship orders issued by a court of the following may be registered using the process in this Informational Guide:

- 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 MINOR GUARDIANSHIP ORDER?

Enforcing an out-of-state court or tribal court minor guardianship order is a two-step process.

Step One: **Registration is the first step** to request that a North Dakota juvenile court enforce your out-of-state court or tribal court minor guardianship order.

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

However, the two steps may be combined when you need to petition a North Dakota juvenile court for expedited (sped up) enforcement, but haven't yet registered the out-of-state court or tribal court minor guardianship order.

The ND Legal Self Help Center has an Informational Guide for asking a North Dakota state court to enforce an out-of-state court or tribal court custody or visitation order at ndcourts.gov/legal-self-help/foreign-custody-and-visitation. Scroll to the “Informational Guides” section.

WHAT IF I NEED TO TRANSFER THE ENTIRE OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP CASE TO NORTH DAKOTA?

In order for a North Dakota juvenile court to allow the transfer of an entire out-of-state court or tribal court minor guardianship case to North Dakota, both the North Dakota juvenile court and the out-of-state court or tribal court need to agree that North Dakota should take over authority (jurisdiction) of the entire case.

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

WHAT IF I NEED NORTH DAKOTA TO MODIFY MY OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP ORDER?

In order for a North Dakota juvenile court to modify the custody or visitation terms of an out-of-state or tribal court guardianship of minor order, the entire case must be transferred to North Dakota.

Modifying the order may only happen AFTER a North Dakota juvenile court accepts the transfer of the entire minor guardianship case and takes over authority (jurisdiction) for the case.

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

DOES THE ND LEGAL SELF HELP CENTER HAVE FORMS TO REGISTER AN OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP 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 minor guardianship order, and to challenge registration of the order. There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center.

If the form you need isn't included in this guide, the form isn't available through the ND Legal Self Help Center. You may need to create some of your own legal documents.

If a form isn't available and you need to create your own legal document, a variety of General-Use template forms for juvenile court are available at ndcourts.gov/legal-self-help/juvenile-general-use-forms.

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

DEFINITIONS OF SOME COMMONLY USED TERMS

(In 2009, the North Dakota State Legislature changed the term "custody" to "residential responsibility" and changed the term "visitation" to "parenting time.")

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: An out-of-state court or tribal court proceeding in which legal custody, physical custody, or visitation with respect to a minor child is an issue. The term includes a proceeding for divorce, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence, in which the issue may appear. The term doesn't include a proceeding involving juvenile delinquency, contractual emancipation, or enforcement under [North Dakota Century Code Sections 14-14.1-22 through 14-14.1-37](#).

District Court: The state trial courts of general jurisdiction with service in all 53 counties.

District Court Judge: An elected judicial officer who has the authority to hear and decide North Dakota State District Court proceedings, including Juvenile Court proceedings.

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

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

Judicial Referee: A judicial officer, appointed by the presiding District Court judge, who has the authority to hear and decide Juvenile Court proceedings. The findings and order of the judicial referee have the effect of the findings and order of a District Court judge until superseded by a written order of a District Court judge.

Juvenile Court: North Dakota juvenile courts are a subset of North Dakota state district courts. Juvenile courts have jurisdiction over guardianships of children who are under the age of 18. Juvenile courts protect the best interests of children and address the unique characteristics and needs of children in guardianship matters.

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.

Minor child: An individual under 18 years of age.

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

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

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

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

Venue: The location (North Dakota county) in which the North Dakota Juvenile Court will hear the case. Venue is determined only after jurisdiction is determined.

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LAWYER RESOURCES AND LIMITED LEGAL REPRESENTATION

You're not required to hire a lawyer to bring a civil action in North Dakota Juvenile Court. If you decide to represent yourself, you must follow all of the rules, laws and procedures that 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 legalassist.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. You can narrow your search by name or location.

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.

SECTION TWO:
**THE PROCESS TO REGISTER AN OUT-OF-STATE COURT OR TRIBAL
COURT MINOR GUARDIANSHIP ORDER**

See [Section 14-14.1-25](#) of [Chapter 14-14.1 of the North Dakota Century Code](#) for the requirements for registering a custody or visitation order, which includes a minor guardianship order.

**OVERVIEW OF THE PROCESS TO REGISTER AN OUT-OF-STATE COURT
OR TRIBAL COURT MINOR GUARDIANSHIP ORDER**

(See the following pages for detailed information for each step.)

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

Step Two: The Petitioner Files the Registration Documents with the Clerk of Court

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

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

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

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

STEP ONE: THE PETITIONER CREATES THE REGISTRATION DOCUMENTS; GETS TWO COPIES OF THE OUT-OF-STATE COURT OR TRIBAL COURT MINOR GUARDIANSHIP ORDER

The person making the request is the Petitioner.

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

You, the Petitioner, must list all persons granted legal custody, physical custody, or visitation on the registration documents.

All persons who are granted legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship order that you, the Petitioner, want to register **MUST** be listed on 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 minor guardianship order;
2. The Petitioner's declaration containing statements about the out-of-state court or tribal court minor guardianship order, and information about all persons awarded legal custody, physical custody, or visitation in the order;
3. The Petitioner's declaration of identification of all persons awarded legal custody, physical custody, or visitation in the minor guardianship order; and
4. Two copies of the out-of-state court or tribal court minor guardianship order sought to be registered.
 - **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 minor guardianship order:

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

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

Contact information for Clerks of Court by North Dakota county is available at ndcourts.gov/court-locations.

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

A form for a declaration to register an out-of-state court or tribal court minor guardianship order is found 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 minor guardianship order you want to register hasn't been modified.
 - This means that the order you're trying to register is the most recent order of which the parties are aware, whether it's the first order or an amended order.

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

You, the Petitioner, create your declaration of identification of ALL the persons, including you, awarded legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship order:

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

You MUST include the name, address, and active military status of each person awarded legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship 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 minor guardianship order that you want to register:

Two copies of the out-of-state court or tribal court minor guardianship 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 minor guardianship order to find out how to get a certified copy.

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

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

STEP TWO: THE PETITIONER FILES THEIR REGISTRATION DOCUMENTS WITH THE CLERK OF COURT

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

You, the Petitioner, need to decide the venue (North Dakota county) of the North Dakota Juvenile 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.

Since the answer isn't clear, the answer requires interpreting the law for your situation. This is legal advice, which can't be provided by the ND Legal Self Help Center under any circumstances.

However, the Center can provide the following legal research starting points for you to research where to file your registration documents yourself:

- You may wish to review the venue requirements for guardianships of minors that start in North Dakota juvenile court. Review [Section 27-20.1-04 of the North Dakota Century Code](#) to decide where to file.
- You may also wish to review [Chapter 28-04 of the North Dakota Century Code](#) to decide where to file.

If you would like assistance deciding where to file your registration documents, consult a lawyer licensed to practice in North Dakota.

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File your registration documents:

File the following documents with the Clerk of Court:

1. The original letter, petition, or other document requesting registration of the out-of-state court or tribal court minor guardianship order;
2. The original declaration to request registration of the out-of-state court or tribal court minor guardianship order;
3. The original declaration of identification listing all persons awarded legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship order;
4. One certified copy of the out-of-state court or tribal court minor guardianship order sought to be registered; and
5. One additional copy of the out-of-state court or tribal court minor guardianship order sought to be registered (doesn't need to be certified).

If the Clerk of Court accepts your documents for filing, the Clerk will assign a case number.

Contact the Clerk of Court and ask if you're required to pay a \$10.00 filing fee.

If you're required to pay a \$10.00 filing fee and are unable to pay due to financial hardship, a 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 if you're required to pay the filing fee, contact information for Clerks of Court by county is available at ndcourts.gov/court-locations.

STEP THREE: NOTICE OF REGISTRATION IS GIVEN BY THE CLERK OF COURT

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

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

The following information is included in the notice of registration (*continues on next page*):

- The registered child custody determination is enforceable as of the date of registration in the same way a North Dakota custody determination may be enforced;

- A hearing to contest or challenge the validity of the registered child custody determination 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 child custody determination and preclude further contest of that determination 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 found at the end of this Informational Guide.

STEP FOUR: WITHIN 20 DAYS OF NOTICE OF REGISTRATION, ANY PERSON AWARDED LEGAL CUSTODY, PHYSICAL CUSTODY, OR VISITATION (RESPONDENTS) MAY CHALLENGE THE REGISTRATION BY REQUESTING A HEARING IN WRITING

After service of the notice of registration, other persons awarded legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship order 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:

Contests, or challenges, to registration of the out-of-state court or tribal court minor guardianship order are limited to the following:

1. The court that issued the out-of-state court or tribal court minor guardianship order didn't have jurisdiction 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 minor guardianship order sought to be registered has been vacated, stayed, or modified by a court that had jurisdiction to do so.
3. The person contesting registration was entitled to notice before the out-of-state court or tribal court minor guardianship 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 person contesting registration, create the written request for hearing to contest, or challenge, registration of the out-of-state court or tribal court minor guardianship order:

The person contesting, or challenging, registration must be awarded legal custody, physical custody, or visitation in the out-of-state court or tribal court minor guardianship order.

A form to request a hearing to contest registration of an out-of-state court or tribal court minor guardianship order is found 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 minor guardianship order.

Make a copy of your completed request for your records.

You, the person contesting registration, file the written request for hearing with the Clerk of Court:

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

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

STEP FIVE (A): ATTEND THE HEARING (If Requested and Scheduled)

If a hearing is requested within 20 days of notice of registration AND the hearing was scheduled, ATTEND THE HEARING:

The person contesting or challenging registration of the out-of-state court or tribal court minor guardianship order is required to prove their reason or reasons at the hearing.

The Petitioner who registered the out-of-state court or tribal court minor guardianship order may challenge the proof the person who requested the hearing presents at the hearing.

If the person who contested, or challenged, registration doesn't prove their reason(s), the North Dakota Juvenile Court judge or judicial referee confirms the registered order.

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STEP FIVE (B): IF A HEARING ISN'T REQUESTED WITHIN 20 DAYS OF NOTICE OF REGISTRATON, REGISTRATION IS CONFIRMED.

If a hearing ISN'T requested 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 and the parties are notified of the confirmation.

The effect of a confirmed registration is that the North Dakota Juvenile Court recognizes the following:

1. The out-of-state court or tribal court minor guardianship order exists;
2. The order is currently in effect; and
3. The order is the most current order in the out-of-state court or tribal court minor guardianship case.

Registration is the first step BEFORE making other requests, such as enforcing your out-of-state court or tribal court minor guardianship order.

STATE OF NORTH DAKOTA

IN JUVENILE COURT

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

_____ JUDICIAL DISTRICT
(leave blank if unknown)

IN THE INTEREST OF _____, DOB _____, A CHILD.

_____)
)
)
)
)

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

PETITION TO REGISTER OUT-OF-STATE OR TRIBAL COURT GUARDIANSHIP 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 guardianship child custody determination.

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

a. Title of Child Custody Determination: _____

(For example: Order for Guardianship of a Minor)

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).

PETITIONER requests the following:

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 guardianship 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 JUVENILE COURT

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

_____ JUDICIAL DISTRICT
(leave blank if unknown)

IN THE INTEREST OF _____, DOB _____, A CHILD.

_____)
_____)
_____)
_____)
_____)

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

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

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 legal custody, physical custody, or visitation in the guardianship 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 guardianship 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 guardianship 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 JUVENILE COURT

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

_____ JUDICIAL DISTRICT
(leave blank if unknown)

IN THE INTEREST OF _____, DOB _____, A CHILD.

_____)
_____)
_____)
_____)
_____)

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

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

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 identifying information of the first person with legal custody, physical custody, or visitation in the order I wish to register 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 persons with legal custody, physical custody, or visitation.
- The identifying information of the first person with legal custody, physical custody, or visitation in the order I wish to register is *(Paragraph 4 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> <input type="checkbox"/> I DON’T KNOW whether the second Respondent is in active military service. I did the following to try to find out <i>(explain):</i>
--	---

5. I 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)

**Example of a Notice of Registration Served by a Clerk of District Court,
AFTER an Out-of-State or Tribal Court Custody Order was Filed.**

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF [REDACTED]

[REDACTED] JUDICIAL DISTRICT

MELINDA [REDACTED]

Plaintiff,

vs.

TRUWID [REDACTED],

Defendant.

)
)
)
)
)
)
)
)
)
)
)
)
)

NOTICE OF FILING FOREIGN JUDGMENT

CASE NO. [REDACTED]-20[REDACTED]-DM-00[REDACTED]

Pursuant to N.D.C.C. 14-14.1-25 you are notified that the Custody Order from the State of [REDACTED] [REDACTED] has been registered in [REDACTED] County, North Dakota on 23rd day of October, 20[REDACTED] and that action will be taken in the State of North Dakota to enforce that order.

A hearing to contest the validity or enforcement of the order must be requested, in writing, within 20 days after the date of mailing or service of the notice.

Failure to contest will result in confirmation and enforcement of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted

Dated 10/23/20[REDACTED]

Michele [REDACTED]
Clerk of District Court

By: [REDACTED]
Lori [REDACTED]
Deputy Clerk

Cc:

Truwid [REDACTED]
P O Box [REDACTED]
[REDACTED] ND 58 [REDACTED]

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

STATE OF NORTH DAKOTA
COUNTY OF _____

IN JUVENILE COURT
_____ JUDICIAL DISTRICT

IN THE INTEREST OF _____, DOB _____, A CHILD.

_____))
_____))
_____) Case No. _____
_____))
_____))

**REQUEST FOR HEARING TO CONTEST REGISTRATION OF AN OUT-OF-STATE OR TRIBAL COURT
GUARDIANSHIP CHILD CUSTODY DETERMINATION PURSUANT TO 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 guardianship 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 legal custody, physical custody, or visitation in the guardianship child custody determination sought to be registered.

3. I contest the validity of the guardianship child custody determination sought to be registered because (select all boxes that apply; continues on next page):

- The court that issued the guardianship child custody determination did not have jurisdiction to issue the determination.
- The guardianship 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 guardianship 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 person contesting registration)

(Printed name of person contesting registration)

(Address)

(City, State, Zip Code)

(Telephone Number(s))

(Email Address)