



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 27–28, 2016

Title

Family Law: Child Support and Uniform
Interstate Family Support Act

Agenda Item Type

Action Required

Effective Date

January 1, 2017

Rules, Forms, Standards, or Statutes Affected

Amend Cal. Rules of Court, rule 5.324; adopt
forms FL-590(A), FL-592, and FL-594; revise
forms FL-510, FL-520, FL-560, FL-570,
FL-575; revoke forms FL-511 and FL-515

Date of Report

September 15, 2016

Recommended by

Family and Juvenile Law Advisory
Committee

Hon. Jerilyn L. Borack, Cochair

Hon. Mark A. Juhas, Cochair

Contact

Gary Slossberg, 916-263-0660

gary.slossberg@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends amending one rule and revising five Judicial Council forms to accurately reflect updated code references, adopting three new Judicial Council forms, and revoking two forms in their entirety. These changes are required by modifications to the Uniform Interstate Family Support Act (Sen. Bill 646 [Jackson]; Stats. 215, ch. 493, § 5), which was chaptered as Family Code sections 5700.101–5700.905.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2017:

1. Amend rule 5.324 to replace the reference to Family Code section 4930 with section 5700.316;

2. Adopt *UIFSA Child Support Order Jurisdictional Attachment* (form FL-590(A)) to make assumption or loss of continuing exclusive jurisdiction a standard order in California;
3. Adopt *Notice of Registration of an International Hague Convention Support Order* (form FL-592) which clearly delineates the time frames within which one may contest the validity or enforcement of a registered Hague Convention support order and provide the necessary next steps toward contesting the Convention support order;
4. Adopt *Request for Hearing Regarding Registration of an International Hague Convention Support Order* (form FL-594), which lists the appropriate defenses for the Convention support order;
5. Revise form FL-510 to replace the reference to Family Code section 4925 with section 5700.311 and change the layout of the form to conform to the layout of other existing family law summons forms;
6. Revise form FL-520 to replace the reference to Family Code section 4925 with section 5700.311 and to make a request for genetic testing mandatory for all children to which an alleged parent denies parentage;
7. Revise form FL-560 to replace the reference to Family Code section 5001 with section 17404.2;
8. Revise form FL-570 to replace the references to Family Code sections 4952 and 4954 with sections 5700.603 and 5700.605, respectively, and to correct the notice regarding the deadline for a responding party to request a hearing;
9. Revise form FL-575 to replace the references to Family Code sections 4955 and 4956 with sections 5700.606 and 5700.607, respectively; and
10. Revoke forms FL-511, *Ex Parte Application for Order for Nondisclosure of Address and Order (UIFSA)* and FL-515, *Order to Show Cause (UIFSA)*.

The text of amended rule 5.324 is attached at page 10; copies of the forms are attached at pages 11–30.

Previous Council Action

Rule 5.324 was originally adopted by the Judicial Council effective July 1, 2005. It was amended, effective January 1, 2008, to allow local child support agencies to request phone appearances on behalf of parties, and later amended along with the amendments to rule 3.670 to correct references to that rule, effective July 1, 2011, and once again effective January 1, 2014.

The council adopted forms FL-570 and FL-575, effective January 1, 1999; FL-510, FL-511, FL-515, and FL-520, effective July 1, 1999; and FL-560, effective July 1, 2000. The forms originally were numbered as forms 1285.88, 1285.90, 1298.50, 1298.56, 1298.52, 1298.54, and 1298.60, respectively. The council renumbered these forms to their current numbering system effective January 1, 2003. The council revised form FL-575, effective July 1, 2007, for minor technical changes.

Rationale for Recommendation

Updating statutory references

The Uniform Interstate Family Support Act (UIFSA) provides universal and uniform rules for the enforcement of family support orders. UIFSA represents a collaborative effort among the National Conference of Commissioners on Uniform State Laws (also known as ULC), federal and state child support officials, and representatives of national child support organizations.

In 2008, the ULC approved amendments to UIFSA to incorporate the provisions of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (the Convention), concluded at The Hague on November 23, 2007. The Convention contains numerous provisions that establish uniform procedures for the processing of international child support cases. President Obama signed the instrument of ratification for the Hague Convention on August 30, 2016.

In 2014, section 666(f) of title 42 of the United States Code required all states to adopt and have in effect UIFSA, including any amendments officially adopted by the ULC as of September 30, 2008. California adopted these changes in 2015 as Family Code sections 5700.101–5700.905. (See Link A.) These new code sections replaced prior code sections that were referenced in rule 5.324 and in several forms. (See Attachment B for UIFSA Conversion Chart.) The recommended changes to rule 5.324 and forms FL-510, FL-520, FL-560, FL-570, FL-575 are required to conform to these statutory changes.

Adopting New *UIFSA Child Support Order Jurisdictional Attachment* (form FL-590(A))

UIFSA is built on the principle of continuing, exclusive jurisdiction, where the state issuing the order retains jurisdiction to modify a child support order unless and until a certain set of conditions applies. It also requires a state assuming jurisdiction to provide notice and a copy of the resulting order to the original issuing state. The committee recommends adoption of new form FL-590(A) to facilitate compliance with these requirements by making assumption or loss of continuing exclusive jurisdiction under UIFSA a standard order in California. This new form lays out each of the conditions established by UIFSA to allow courts to identify when jurisdiction is shifting or being retained, thereby improving usability for private litigants seeking to modify their orders and also making California orders easier to read by other states.

Adopting new *Notice of Registration of an International Hague Convention Support Order* (form FL-592) and *Request for Hearing Regarding Registration of an International Hague Convention Support Order* (form FL-594)

The committee also recommends adopting new forms FL-592 and FL-594 to implement the process to register a Convention support order under new Family Code sections 5700.706–5700.708. This process is distinct from the process to register an out-of-state or non-Convention foreign support order under Family Code sections 5700.605–5700.608. The defenses to registration and time frame to file a contest are expanded for those cases under the Convention. (See Attachment C for Family Code sections 5700.707 and 5700.708, which identify the contest process.) The committee recommends adopting separate forms FL-592 and FL-594 for this registration and contest process to reduce confusion for parties regarding the available defenses to and time frames for each kind of order.

Revoking form FL-511, *Ex Parte Application for Order for Nondisclosure of Address and Order* (UIFSA)

Form FL-511 was needed under former Family Code sections 4926 and 4977 to facilitate a court process for sealing certain identifying information in UIFSA cases. Section 4926 has been recodified as section 5700.312 and now provides for a nonjudicial nondisclosure process, thus removing the need for form FL-511. The committee therefore recommends revoking this form.

Revoking form FL-515, *Order to Show Cause* (UIFSA)

After the comment period ended, it came to the committee’s attention that form FL-515, *Order to Show Cause* (UIFSA), duplicated other existing family law motion forms that served the same purpose (see discussion in Comments, Alternatives Considered, and Policy Implications below). The form also was not widely in use, with most litigants electing to use other motion forms to request to establish or modify support, establish paternity, and so forth. Because Local Child Support Agencies (LCSAs) are the main users of these forms, the committee reached out to the Legal Practices Committee of the Child Support Directors Association of California, which in turn sent out an inquiry to its members to assess whether this form is widely used and whether revoking it would present an issue to the operations of LCSAs. No response was received. Additionally, the committee contacted the Department of Child Support Services and confirmed that the form is not widely used by the LCSAs. The committee spoke with the LCSA who made the most use of the form in 2015 (about 80 percent of all uses), whose chief attorney indicated that although a revocation of the form would require a change in practice, its revocation would not hinder the operations of the LCSA in any substantial way. Therefore, the committee determined that form FL-515 should be revoked to prevent confusion and simplify the law and motion process as it relates to child support cases. Revoking the form is a minor substantive change that is unlikely to create controversy and therefore within the Judicial Council’s purview to revoke without circulation (see Cal. Rules of Court, rule 10.22(d)(2)).

Comments, Alternatives Considered, and Policy Implications

This proposal circulated for comment as part of the spring 2016 invitation-to-comment cycle, from April 15 to June 14, 2016, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, court administrators and clerks, attorneys, family law facilitators and self-help center staff, legal services attorneys, social workers, probation officers, Court Appointed Special Advocate (CASA) programs, and other juvenile and family law professionals. The proposal also went to the Department of Child Support Services, the Child Support Directors Association of California's Legal Practices Committee chair and Judicial Council Forms Subcommittee chair, and child support commissioners. Nine organizations provided comment: two agreed with the proposal, three agreed with the proposal if modified, and four did not indicate a position but provided comments. A chart with the full text of the comments received and the committee's responses is attached at pages 31–44.

Technical changes

The majority of commentators offered technical changes to improve consistency throughout the forms, to ensure that the forms better conform to the language and intent of the underlying Family Code, to provide greater guidance to clerks in executing court orders, and to provide for plain language to improve litigants' understanding of the process. The committee agreed with the majority of these suggestions and modified the proposal to incorporate them. The committee also considered, but ultimately declined to adopt one proposed technical change in its recommendation. One commentator suggested adding an item for the process server registration number; however, given that the majority of family law proof of service forms—and particularly the proof of services incorporated within other family law governmental forms—do not contain such an item, to maintain consistency, the committee declined to recommend this change. Additionally, the committee was concerned that unrepresented litigants might see an item for a process server registration number and mistakenly believe that a registered process server is required.

Changing the layout of form FL-510

One commentator suggested placing the Spanish translation of the text of form FL-510, *Summons (UIFSA)*, on the back of the form. The commentator was concerned that the current layout of the translated text was confusing. The committee agreed that a more user-friendly display of information was appropriate, but to avoid adding an additional page to the form, the committee instead recommends a change in layout to conform to the layout of existing family law summons forms (e.g., FL-110 and FL-210), which display the English text and translated Spanish text side by side.

Titling form FL-515 as Request for Order

Two commentators raised the issue of titling form FL-515 as an *Order to Show Cause* rather than a *Request for Order*. The general family law motion form (FL-300) is titled *Request for Order*,

intending to avoid the prior confusion of having two motion forms (i.e., *Notice of Motion* and *Order to Show Cause*), which largely served the same purpose. The committee—recognizing the abundance of family law motion forms already in existence that can adequately meet the needs of both local child support agencies and private parties in filing motions to establish or modify support, to determine paternity, and so forth—recommends that form FL-515 be revoked. (See discussion in Rationale for Recommendation above.) This resolution seems more appropriate than merely changing the name of form FL-515 to *Request for Order*, thereby creating yet another family law motion form that would serve the same function as many others. Removing this redundancy in forms should serve to lessen the potential confusion of the unrepresented litigants seeking relief from the court.

As an alternative to revoking form FL-515, the committee considered but decided against the option of retitling form FL-515 as *Request for Order*. Such a change would have also required minor technical changes to the form so that its language would conform to the standard *Request for Order* (form FL-300), rather than to the language of an *Order to Show Cause*. Furthermore, after the comment period ended, the committee learned that maintaining form FL-515 would require two additional changes: (1) the notice regarding the service deadline would need to be changed from 10 calendar days before the hearing to 9 court days before the hearing, consistent with the 2004 amendments to Code of Civil Procedure section 1005, and (2) references to the now-obsolete forms FL-500 and FL-525 would need to be removed and replaced with the federal UIFSA form numbers, because these forms were revoked by the council in 2007 in favor of using the mandatory federal forms.

Confusion regarding the appropriate use of form FL-575 versus form FL-594

Three commentators raised concerns about possible confusion among parties deciding which form to use to request a hearing to challenge the registration of a support order. One commentator suggested that the two hearing request forms, forms FL-575 and FL-594, should cross-reference one another to add more clarity regarding each's intended use. To address this concern, the committee recommends a minor modification to the information sheets of each form to cross-reference one another.

The other two commentators suggested that the titles of new form FL-594 and its accompanying notice of registration, new form FL-592, be changed from the proposed names to specifically note that the forms are for “International Hague Convention” support orders, rather than just “Convention” support orders. A “Convention Support Order” is a term of art within the Family Code. Although the original version of the proposed form included an explanation of the term in its instructions, which may have been sufficient, the commentators' concerns presumably are that unrepresented litigants (and possibly even attorneys) unfamiliar with the term may use the wrong form (e.g., the hearing request form for an out-of-state, but not Convention, support order) and likewise may be unaware of the appropriate defenses to the registration of a Convention order. Forms FL-575 and FL-594, although similar in their purpose, lay out distinct defenses to registration, so providing the additional direction as to when each form should be used increases the chances that the parties will be aware of their legal rights. Consequently, the committee

recommends retitling forms FL-592 and FL-594 to replace “Convention Support Order” with “International Hague Convention Support Order.” To maintain consistency, the committee further recommends the use of “International Hague Convention Support Order” rather than “Convention Support Order” wherever the term appears on both forms FL-592 and FL-594.

Suggestion to make form FL-590(A) an optional form

One commentator suggested making form FL-590(A), on which the court makes the appropriate jurisdictional findings under UIFSA, optional. Although the committee appreciates the desire of local courts and child support agencies to develop their own practices and forms for making such findings, the committee is concerned with uniformity between courts in ensuring that all judicial officers consider all the requisite findings in deciding to accept or decline to take jurisdiction and that the parties as well are aware of the elements that go into this determination. Requiring this form in all UIFSA cases promotes this uniformity and the increased understanding of the parties. The committee therefore recommends that it be a mandatory form.

Minor technical changes on forms FL-570 and FL-592

Two commentators recommended changing the language on items 5 and 6 of form FL-570, which refers to the deadline to request a hearing. The current language indicates a deadline of “within 25 days of the date” that the notice was mailed. The statute requires the filing of a request for a hearing within 20 days after notice, a date that is extended by Code of Civil Procedure section 1013 if service is by mail by 5, 10, or 20 days, depending upon whether the service is to an address in the state of California, out of state, or out of country, respectively. Although the current language indicates the correct deadline if the notice is mailed by the clerk to an address in California, it is incorrect if the notice is mailed to an address outside California. One of the commentators noted that this discrepancy has led to confusion among the parties and the courts. The committee recommends replacing this language with the language from Family Code section 5700.605, “within 20 days after notice.”

Another commentator recommended adding language to item 3 of forms FL-570 and FL-592 to provide a space to include the current value of the arrears originating from an international order converted into U.S. dollars, consistent with Family Code section 5700.305(f). The committee recommends this additional language.

Alternatives considered

Not making these changes is not a feasible alternative. Failure to make the modifications to the forms would result in California’s being out of compliance with the federal mandates and suffering adverse fiscal impacts. Moreover, without the updated code references, litigants using the forms could be confused by the obsolete citations. Failure to adopt the new forms would result in litigants’ not providing all the information they are required to report to the court.

As discussed above, the committee considered maintaining form FL-515, rather than recommending that it be revoked. Maintaining the form would require changes to remove obsolete form references and code references and to correct language regarding the service and

filing deadline for a responsive declaration. As discussed above, it also would be advisable to change the form's title to *Request for Order* to be consistent with other family law motion forms, which, in turn, would require additional changes to match the standard format of a *Request for Order*. The committee, however, decided that simplifying the process by reducing the number of forms that serve the same purpose and therefore may lead to confusion, particularly among unrepresented litigants, was the best course of action.

The committee also considered whether any additional amendments to rule 5.324, the current rule regarding telephonic and other remote appearances, were needed in light of new Family Code section 17404.3, which replaced Family Code section 5003 regarding telephonic and other remote appearances.

Because, the language of Family Code section 4930(f) was simply moved into new Family Code section 5700.316, the committee concluded that rule 5.324 is sufficient if amended to reflect the new code section reference. Although rule 5.324 does not allow telephonic or other remote appearances in all cases, it provides substantial due process protections and presumably meets the previous code requirements. Thus, the committee recommends that only the required technical changes be made to rule 5.324 at this time. The committee will consider substantive changes to the rule as part of a future proposal that would address remote appearances in all family law matters.

Implementation Requirements, Costs, and Operational Impacts

The committee does not anticipate that these recommendations will result in any costs to the branch other than the one-time cost of implementing the forms, nor does the committee anticipate any requirements for implementation—or fiscal or operational impacts on the courts. Courts do not commonly make multiple copies of these forms. Providing the guidance in the forms regarding the interstate requirements is intended to save time.

Relevant Strategic Plan Goals and Operational Plan Objectives

Because these recommendations improve litigants' access to child support enforcement and understanding of their rights regarding the registration of out-of-state cases, they support Goal I, Access, Fairness, and Diversity. Because they also amend, revise, and create rules and forms to allow courts to implement statutory requirements, they support Goal III, Modernization of Management and Administration (Goal III.A).

Attachments and Links

1. Cal. Rules of Court, rule 5.324, at page 10
2. Forms FL-510, FL-511, FL-515, FL-520, FL-560, FL-570, FL-575, FL-590(A), FL-592, and FL-594, at pages 11–30
3. Chart of comments, at pages 31–44
4. Link A: Senate Bill 646,
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB646

5. Attachment B: UIFSA Conversion Chart
6. Attachment C: Family Code sections 5700.707 and 5700.708

Rule 5.324 of the California Rules of Court is amended, effective January 1, 2017, to read:

Rule 5.324. Telephone appearance in title IV-D hearings and conferences

(a)–(c) * * *

(d) Exceptions

A telephone appearance is not permitted for any of the following except as permitted by Family Code section 5700.316~~4930~~:

- (1) Contested trials, contempt hearings, orders of examination, and any matters in which the party or witness has been subpoenaed to appear in person; and
- (2) Any hearing or conference for which the court, in its discretion on a case-by-case basis, decides that a personal appearance would materially assist in a determination of the proceeding or in resolution of the case.

(e)–(k) * * *

SUMMONS

NOTICE AND WARNING TO RESPONDENT:
AVISO Y ADVERTENCIA AL ACUSADO O A LA ACUSADA:

CASE NUMBER (Número del Caso):

FOR COURT USE ONLY**DRAFT**

**NOT APPROVED BY THE
JUDICIAL COUNCIL**

**IF YOU WANT LEGAL ADVICE, CONTACT A LAWYER
IMMEDIATELY.**

**SI DESIA CONSEJOS LEGALES, CONSULTE A UN
ABOGADO DE INMEDIATO.**

**YOU ARE BEING SUED. THE LAWSUIT CLAIMS YOU
ARE THE PARENT OF CHILDREN NAMED IN THE
UNIFORM SUPPORT PETITION. THE LAWSUIT ALSO
SAYS YOU MUST PAY CHILD SUPPORT.**

**SE HA PRESENTADO UNA DEMANDA JUDICIAL EN
SU CONTRA. EN LA DEMANDA SE ALEGA QUE
USTED ES EL PADRE/LA MADRE DEL (DE LOS)
HIJO(S) NOMBRADO(S) EN LA PETICIÓN UNIFORME
DE SUSTENTO (UNIFORM SUPPORT PETITION). LA
DEMANDA INDICA TAMBIÉN QUE USTED DEBE
PAGAR POR EL SUSTENTO DE DICHO(S) HIJO(S).**

**YOU CAN OPPOSE THE LAWSUIT. IF YOU DON'T,
THE COURT MAY FIND THAT YOU ARE THE PARENT
AND ORDER YOU TO PAY CHILD SUPPORT, WHICH
MAY BE TAKEN FROM YOUR PAY OR YOUR
PROPERTY.**

**USTED PUEDE Oponerse A LA DEMANDA. SI NO
LO HACE, LA CORTE PODRÁ DETERMINAR QUE
USTED ES EL PADRE/LA MADRE Y ORDENARLE
QUE HAGA PAGOS DE SUSTENTO, LOS CUALES
PODRÁN DEDUCIRSE DE SU SUELDO O DE OTROS
BIENES DE SU PROPIEDAD.**

**YOU CAN OPPOSE THE LAWSUIT BY DOING ALL OF
THE FOLLOWING WITHIN 30 CALENDAR DAYS
AFTER BEING SERVED WITH THIS SUMMONS AND
UNIFORM SUPPORT PETITION:**

**USTED PUEDE Oponerse A LA DEMANDA AL
TOMAR TODOS LOS PASOS SIGUIENTES DENTRO
DE LOS 30 DÍAS CALENDARIOS CONTADOS A
PARTIR DE LA FECHA EN QUE SE LE ENTREGUE
ESTA CITACIÓN JUDICIAL Y PETICIÓN UNIFORME
DE SUSTENTO:**

1. If you did not receive the *Response to Uniform Support Petition* (form FL-520) with the summons, you can get one from the court's family law facilitator's office or from the California Courts website at www.courts.ca.gov. Fill out, sign, and date the form.
Si no recibió, junto con la citación judicial, el formulario de respuesta (formulario FL-520), titulado en inglés Response to Uniform Support Petition (form FL-520), obtenga uno en la oficina del asistente de derecho familiar de la corte o en el sitio web de las Cortes de California en www.sucorte.ca.gov. Complete, firme y feche el formulario.
2. Have an adult other than yourself mail a copy of the response to the Petitioner, or Petitioner's attorney, and/or local child support agency at the following address(es):
Haga que otra persona adulta (que no sea usted), envíe por correo una copia de este formulario a la parte demandante, o al abogado de la parte demandante, y/o a la oficina de la agencia local de mantenimiento de hijos (local child support agency) en la dirección o direcciones siguiente(s):

[SEAL]

3. The person who mailed the form must complete the proof of service on the back of the response.
La persona que envía el formulario por correo debe completar el comprobante de notificación (proof of service) impreso al dorso del formulario de respuesta.
4. File the response with the court at the following address:
Presente el formulario de respuesta ante la corte en la siguiente dirección:

<p>GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) or ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): (Party appearing without an attorney should enter in this space the same address listed in item 3, below.)</p> <p>TELEPHONE NO.: _____ FAX NO.: _____</p> <p>ATTORNEY FOR (Name): _____</p>	<p><i>FOR COURT USE ONLY</i></p> <p>DRAFT</p> <p>NOT APPROVED BY THE JUDICIAL COUNCIL</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</p> <p>STREET ADDRESS: _____</p> <p>MAILING ADDRESS: _____</p> <p>CITY AND ZIP CODE: _____</p> <p>BRANCH NAME: _____</p>	<p>CASE NUMBER: _____</p>
<p>PETITIONER: _____</p> <p>RESPONDENT: _____</p> <p>OTHER: _____</p>	
<p>EX PARTE APPLICATION FOR ORDER FOR NONDISCLOSURE OF ADDRESS AND ORDER</p>	

1. ☐ (Name): _____ applies for an order for nondisclosure of the address or other identifying information of (name): _____ in the pleadings and other documents to be filed in this action.

2. ☐ The local child support agency acting on behalf of (name): _____ applies for an order for nondisclosure of the address or other identifying information of (name): _____ in the pleadings and other documents to be filed in the UIFSA action.

3. The following is the mailing address for service of process on (name): _____

4. Facts in support of this application (*state facts that demonstrate that the health, safety, freedom of movement, or physical or emotional well-being of the applicant or the applicant's child may be unreasonably put at risk by the disclosure of the applicant's address or other identifying information*):
☐ contained in the attached declaration

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

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER:	CASE NUMBER:
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THE COURT FINDS:

5. ☐ The health, safety, or liberty of *(name)*: _____ would be unreasonably put at risk by the disclosure of his or her address or other identifying information that may lead to his or her whereabouts.
6. ☐ The application is not sufficient to grant the requested relief.

THE COURT ORDERS:

7. ☐ The address or other identifying information that may lead to the whereabouts of *(name)*: _____ shall not be disclosed in the pleadings or documents filed in this action.
8. ☐ The application is denied.
9. ☐ Other *(specify)*:

Date:

 JUDICIAL OFFICER

NOTE: Use of this ex parte application and order will require that the UIFSA petition in this matter be initiated in the California court in which this application is submitted pursuant to Family Code sections 4907 and 4918.

GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) or ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY <div style="font-size: 1.2em; font-weight: bold; margin: 10px 0;">DRAFT</div> <div style="font-weight: bold; margin: 10px 0;">NOT APPROVED BY THE JUDICIAL COUNCIL</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
PETITIONER: RESPONDENT: OTHER:	
ORDER TO SHOW CAUSE (UIFSA) FOR <input type="checkbox"/> MODIFICATION <input type="checkbox"/> Child Support <input type="checkbox"/> Spousal Support <input type="checkbox"/> Parentage <input type="checkbox"/> Other (specify):	

1. TO (name):
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE ORDERS ASKED FOR IN THE ATTACHED DOCUMENTS SHOULD NOT BE GRANTED.

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Rm.:
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b. Address of court ☐ same as noted above ☐ other (specify):

3. IT IS FURTHER ORDERED that a blank ☐ *Responsive Declaration* (FL-320) ☐ *Response to Uniform Support Petition* (FL-520) and the following documents must be served with this order:
 - a. ☐ *Uniform Support Petition and General Testimony* (FL-500)
 - b. ☐ A blank *Income and Expense Declaration* (FL-150) or *Financial Statement (Simplified)* (FL-155)
 - c. ☐ *Affidavit in Support of Establishing Paternity* (FL-525/OMB 0970-0085)
 - d. ☐ Copy of existing support order from (specify):
 - e. ☐ Other (specify):

4. a. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):
Any responsive declaration must be served on or before (date):
- b. ☐ You are ordered to comply with the temporary orders attached.
- c. ☐ Other (specify):

Date:

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the income of both parents. You should supply the court with information about your income. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file responsive declarations in response to this *Order to Show Cause (UIFSA)*, including a completed *Income and Expense Declaration* (FL-150) or *Financial Statement (Simplified)* (FL-155) that will show your income. In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least ten calendar days before the hearing date.

<p>PARTY WITHOUT ATTORNEY OR ATTORNEY (name, state bar number, and address):</p> <p>NAME: STATE BAR NO.:</p> <p>FIRM NAME:</p> <p>STREET ADDRESS:</p> <p>CITY: STATE: ZIP CODE:</p> <p>TELEPHONE NO.: FAX NO.:</p> <p>E-MAIL ADDRESS:</p> <p>ATTORNEY FOR (name):</p>		<p>FOR COURT USE ONLY</p> <p>DRAFT</p> <p>NOT APPROVED BY THE JUDICIAL COUNCIL</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p>		
<p>PETITIONER:</p> <p>RESPONDENT:</p> <p>OTHER:</p>		
<p>RESPONSE TO UNIFORM SUPPORT PETITION</p>		<p>CASE NUMBER:</p>

YOU MUST FILE THIS RESPONSE WITH THE COURT IF YOU WISH TO OPPOSE THE LAWSUIT.

1. ☐ PARENTAGE

a. I am the parent of the following children (specify all children listed in the petition):

Child's name

Date of birth

- (1) ☐ Yes ☐ No
- (2) ☐ Yes ☐ No
- (3) ☐ Yes ☐ No
- (4) ☐ Yes ☐ No
- (5) ☐ Yes ☐ No

(6) ☐ Additional children are listed on a page attached to this response.

b. ☐ A voluntary declaration of paternity has been signed by the parents and is attached.

2. I request that a genetic test to determine parentage be done for all children for whom I have checked a “No” box above.

3. CHILD SUPPORT

- a. ☐ I agree to pay support as requested in this action.
- b. ☐ I disagree with the support requested. ☐ Attached is my completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155). (NOTE: You can file this response without either of these forms.)

4. OTHER ORDERS

- a. ☐ I agree to the other orders requested.
- b. ☐ I disagree with the other requested orders as follows (*specify*):

5. ☐ I request a court hearing.

PETITIONER: RESPONDENT: OTHER:	CASE NUMBER:
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6. My address and telephone number for receipt of all notices and court dates until I file a change of address with the court and with the petitioner or petitioner's attorney and/or the local child support agency are as follows:

Address:

City and zip code:

Home telephone:

Work telephone:

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

Date:



(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

An adult *other than you* must complete the Proof of Service below and provide a copy of this response to the petitioner or petitioner's attorney and/or the local child support agency at the address listed on the summons.

PROOF OF SERVICE

- At the time of service I was at least 18 years of age and not a party to the legal action.
- I served this response and any other forms filed with the response as follows (*check a. or b. below for each person served*):

- a. ☐ **Personal service.** I personally delivered a copy of this response as follows:

☐ (1) Name of party or attorney served:

☐ (2) Name of local child support agency served:

(a) Address where delivered:

(a) Address where delivered:

(b) Date of delivery:

(b) Date of delivery:

(c) Time of delivery:

(c) Time of delivery:

- b. ☐ **Mail.** I deposited this response in the United States mail, in a sealed envelope with first-class postage fully prepaid, addressed as follows:

☐ (1) Name of party or attorney served:

☐ (2) Name of local child support agency served:

(a) Address:

(a) Address:

(b) Date of mailing:

(b) Date of mailing:

(c) Time of mailing:

(c) Time of mailing:

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

Date:



(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON WHO SERVED RESPONSE)

This case may be referred to a court commissioner for hearing. By law, court commissioners do not have the authority to issue final orders and judgments in contested cases unless they are acting as temporary judges. The court commissioner in your case will act as a temporary judge unless, *before the hearing*, you or any other party object to the commissioner acting as a temporary judge. The court commissioner may still hear your case to make findings and recommendations to a judge. However, if you object to the commissioner acting as a temporary judge, an order will not be made until a judge reviews your case.

INFORMATION SHEET FOR RESPONSE TO UNIFORM SUPPORT PETITION

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Response to Uniform Support Petition* (form FL-520) if you do not have an attorney to represent you. Your attorney, if you have one, should complete this form.

You must file the completed response and attachments with the court clerk within 30 days of the date you received the *Uniform Support Petition* (form OMB 0970-0085). The address of the court clerk is the same as the one shown for the superior court on the summons. You may have to pay a filing fee. If you cannot afford to pay the filing fee, contact the court clerk. **Keep two copies of the filed response form and its attachments. Serve one copy on the petitioner or petitioner's attorney and/or the local child support agency and keep the other copy for your records. (See *Information Sheet for Service of Process*, form FL-611.)**

INSTRUCTIONS FOR COMPLETING THE RESPONSE FORM (YOU CAN COMPLETE THE FORM ON A COMPUTER, BY TYPING, OR BY PRINTING IN INK):

Front page, first box, top of form, left side: Print your name, address, and telephone number in this box if it is not already there.

Item 1: If you are responding to a question of paternity, check the “parentage” box.

- a. For each child listed on the response form, you must check the “yes” box if you agree that you are that child's parent or check the “no” box if you do not think or you are not sure whether you are that child's parent. You must write in the name of each child listed in the *Uniform Support Petition* if your response form does not include the names of any children.
- b. If you and the other parent have signed a voluntary declaration of paternity you should attach it to this form and check this box.

Item 2: If the local child support agency filed the *Uniform Support Petition*, the local child support agency will tell you when and where to go for the genetic test. The local child support agency's office will pay for the cost of the test, but if the court decides that you are the parent, you may have to repay this cost to the local child support agency.

Item 3: a. Check this box if you agree to pay the support asked for in the *Uniform Support Petition* that you received.
b. If you disagree with the support asked for in the *Uniform Support Petition*, you should check this box. If you have documents that prove your reasons for disagreeing with the request in the *Uniform Support Petition*, you should attach documents to this form.

Item 4: a. Check this box if you agree to the other orders requested in the *Uniform Support Petition* that you received.
b. If you disagree with the orders requested in the *Uniform Support Petition*, you should check this box.

Item 5: Check this box if you want a court hearing. The petitioner or the local child support agency may also schedule a hearing whether or not you have checked this box.

Item 6: You must list your address and phone numbers where you can receive all notices and court dates. You must let the court know whenever your address changes. You may not receive important notices that affect you if the court does not have your current address.

You must date the response form, print your name, and sign the form under a penalty of perjury. When you sign the response form, you are stating that the information you have provided is true and correct.

Instructions for how to complete the Proof of Service section of the response form are in the *Information Sheet for Service of Process* (form FL-611). The person who serves the response and its attachments must fill out this section of the form.

You cannot serve your own response.

If you need assistance with this form, contact an attorney or the family law facilitator in your county. The family law facilitator can give you free help with this form.

1. a. ☐ I am employed by the _____ County local child support agency and have examined records kept by _____ that office concerning *(name of respondent/petitioner)*:
b. ☐ I am the Petitioner in this case.
2. a. ☐ A petition in this case has been filed in this court, but no order has been entered.
b. ☐ An order has been entered in this case.
c. ☐ An order of another state has been registered in this court.
3. ☐ Respondent does not reside in this county.
☐ Petitioner does not reside in this county.
4. ☐ Respondent currently resides in *(specify county of residence)*:
☐ Petitioner currently resides in *(specify county of residence)*:
5. Therefore, I request that the court transfer this case—including all pleadings, orders, and other documents in the case file——to *(specify name and address of tribunal)*:

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

IT IS ORDERED that the clerk of the court transfer this **case**—including all pleadings, orders, and other documents in the case file—to the tribunal specified in item 5, without payment of any fee.

Date:

JUDICIAL OFFICER

PETITIONER: RESPONDENT:	CASE NUMBER:
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NOTICE OF TRANSFER

You are notified that all pleadings, orders, and other documents filed in this case have been transferred to the tribunal specified in item 5 on page 1.

CLERK'S CERTIFICATE OF MAILING

6. I certify that I am not a party to this cause and that a copy of this *Ex Parte Application for Transfer and Order (UIFSA)* was sent to Petitioner, Respondent, the California Central Registry, and the child support agency of the transferring and receiving jurisdictions by first-class mail. The copies were enclosed in an envelope with postage fully prepaid. The envelope was addressed to the appropriate person or agency, sealed, and deposited with the U.S. Postal Service

at *(place)*:

on *(date)*:

Date: Clerk, by _____, Deputy

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<div></div>	<div></div>	<div></div>	<div></div>

1. To (name):
2. You are notified that an ☐ Out-of-State Support Order ☐ Out-of-State Order for Income Withholding has been registered with this court. A copy of the order and the Letter of Transmittal Requesting Registration are attached.
3. The amount of arrears is specified in item 1 on the attached Letter of Transmittal Requesting Registration.
☐ The amount of the alleged arrears is: _____ as of _____, having a U.S. dollar
equivalence of _____ as of _____.
4. The registered order is enforceable in the same manner as a support order made by a California court as of the date that the Letter of Transmittal Requesting Registration is filed.
5. If you want to contest the validity or enforcement of the registered order, you must request a hearing within 20 days after notice. You can request a hearing by completing and filing a Request for Hearing Regarding Registration of Support Order (form FL-575).
6. If you fail to contest the validity or enforcement of the attached order within 20 days after notice, the order will be confirmed by the court and you will be unable to contest any portion of the order including the amount of arrears as specified in item 1 of the Letter of Transmittal Requesting Registration.

7. I certify that I am not a party to this cause and that a copy of the registration statement with a copy of the out-of-state order were sent to the person named in item 1 by first-class mail. The copies were enclosed in an envelope with postage fully prepaid. The envelope was addressed to the person named in item 1 only at the address in the registration statement, sealed, and deposited with the U.S. Postal Service

at *(place)*:

on *(date)*:

8. A copy was sent to the local child support agency on *(date)*:

Date: _____ Clerk, by _____, Deputy

1. A hearing on this application will be held as follows (*see instructions on how to get a hearing date*):

a. Date:	Time:	Dept:	Div:	Room:
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- b. The address of the court is ☐ same as noted above ☐ other (specify):

2. I request that service of the registration of support be vacated (canceled) because

- a. ☐ I am not the Obligor named in the **Letter of Transmittal Requesting Registration**.
- b. ☐ the court or tribunal that issued the order did not have personal jurisdiction over me.
- c. ☐ the support order was obtained by fraud.
- d. ☐ the support order has been vacated, suspended, or modified by a later order. *(Please attach a copy of the later order.)*
- e. ☐ the order has been stayed pending appeal.
- f. ☐ the amount of arrears in section 1 of the **Letter of Transmittal Requesting Registration** is incorrect. The correct amount of arrears is *(specify amount)*: \$ Supporting documents attached.
- g. ☐ some or all of the arrears are not enforceable.
- h. ☐ other *(specify)*:

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

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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CLERK'S CERTIFICATE OF MAILING

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

Date: _____ Clerk, by _____, Deputy

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INFORMATION SHEET FOR REQUEST FOR HEARING REGARDING REGISTRATION OF CALIFORNIA SUPPORT ORDER/ OUT-OF-STATE SUPPORT ORDER

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Request for Hearing Regarding Registration of Support Order* (form FL-575) if you do not have an attorney representing you. Your attorney, if you have one, should complete this form. **You can get free help with this form from the family law facilitator in your county.**

This form should be used if you received a notice or statement of registration telling you that a support order is being registered in a California court but you do not want that support order registered. To request a hearing regarding an International Hague Convention Support Order, use form FL-594.

You must file your completed request for hearing with the court clerk. You must also give the court clerk addressed envelopes with postage paid to mail copies of your request for hearing to the other parties. The address of the court clerk is the same as the one shown for the superior court on the notice or statement of registration you received. You may have to pay a filing fee to request a hearing. If you cannot afford to pay the filing fee, you must file an *Application for Waiver of Court Fees and Costs* (form FW-001). **You can get this form from the court clerk, family law facilitator, or California Courts website at www.courts.ca.gov.**

INSTRUCTIONS FOR COMPLETING THE REQUEST FOR HEARING REGARDING REGISTRATION FORM (YOU CAN COMPLETE THE FORM ON A COMPUTER, BY TYPING, OR BY PRINTING IN INK):

Page 1, first box, top of form, left side: Print your name, address, and phone number in this box.

Page 1, second box, left side: Print the name of your county and the court's address in this box. Use the same address for the court that is on the notice or statement of registration form you received.

Page 1, third box, left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as listed on the notice or statement of registration you received.

Page 1, fourth box, left side: Check the box by "California Support Order" if the order being registered was established in California, or check the box by "Out-of-State Order" if the order being registered was **NOT** established in California.

Page 1, first box, top of form, right side: Leave this box blank for the court's use.

Page 1, second box, right side: Print your case number in this box. This number is also shown on the notice or statement of registration you received.

1. Before you file your request for hearing with the court clerk you must ask the court clerk to set a hearing date for you. The court clerk will give you the information you need to complete this section.
2. In this section you are telling the court why you do not want the support order to be registered. You must check the ☐ box by your reason.
 - a. Check this box if you are not a person named in the notice or statement of registration you received.
 - b. You should check this box if the court that issued the support order did not have jurisdiction over you to issue the order. You may need legal advice to find out if this is a valid reason in your case.
 - c. Check this box if your support order was obtained by fraud. You may need legal advice to find out if this is a valid reason in your case.
 - d. You should check this box if a court has suspended or vacated your support order. You should also check this box ☐ if your support order was modified by a later order. **If the order was modified, you must attach a copy of your most recent support order to your request for hearing.**
 - e. Check this box if you have already filed an appeal to your support order and a court has stopped the order until the appeal is decided.

**Information Sheet for Request for Hearing Regarding Registration of
Support Order (continued)**

- 2f. You should check this box if you disagree with the amount of arrearage shown on the registration statement. You must write in the correct amount of the arrearage in the space provided.
- 9. Check this box only if your support order was made by a court outside California and cannot be enforced due to the statute of limitations in that jurisdiction.
- h. Check this box if you have another reason to object to the registration of the support order.

You must date the form, print your name, and sign the form under penalty of perjury. When you sign the form, you are stating that the information you have provided is true and correct.

Page 2, box on left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as on the front page.

Page 2, box on right side: Print your case number in this box. Use the same number as on the front page.

The court clerk will sign and date the request for hearing form before mailing it to the Petitioner/ Plaintiff, Respondent/Defendant, and Other Parent.

You must print the name and address of the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in the brackets. The names are the same as those at the top of the page. You also must provide the court clerk with stamped envelopes addressed to each of the other parties.

If you need assistance with this form, contact an attorney or the family law facilitator in your county.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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UIFSA CHILD SUPPORT ORDER JURISDICTIONAL ATTACHMENT

- TO ☐ **Order After Hearing** (form FL-687)
☐ **Stipulation and Order** (form FL-625)
☐ **Other** (specify):

THE COURT FINDS THE FOLLOWING:

- ☐ All parties have left (*issuing state or foreign country*): ☐ Petitioner ☐ Respondent
☐ Other Parent is the party requesting modification and resides in (*state or foreign country*):
☐ Petitioner ☐ Respondent ☐ Other Parent is the nonrequesting party and resides in California. This court assumes continuing, exclusive jurisdiction under Family Code section 5700.611 and modifies the order.
- ☐ (*State*): is the issuing state of the support order. ☐ Petitioner ☐ Respondent
☐ Other Parent resides in the issuing state. ☐ Petitioner ☐ Respondent ☐ Other Parent resides in California. Under Family Code section 5700.611(a)(2), the court finds that the parties consented in the issuing state for California to assume continuing, exclusive jurisdiction over support. This court assumes jurisdiction and modifies the order accordingly.
- ☐ California is the issuing state of the support order. ☐ Petitioner ☐ Respondent ☐ Other Parent is the party requesting modification and resides in (*state or foreign country*):
☐ Respondent ☐ Other Parent resides outside the United States, in (*country*):
Under Family Code section 5700.611(f), California retains jurisdiction to modify the order.
- ☐ All parties have left (*issuing state*): and reside in California. This court assumes jurisdiction under Family Code section 5700.613 to modify support and domesticates the support issues.
- ☐ Under Family Code section 5700.615, this court finds that the foreign country that issued the foreign support order (*country*): , cannot or will not modify its order. This court assumes jurisdiction and modifies the order accordingly.
- ☐ The parties have agreed that neither of them currently reside in California, which is the state that issued the support order.
☐ Petitioner ☐ Respondent ☐ Other Parent resides in (*state or foreign country*):
☐ Petitioner ☐ Respondent ☐ Other Parent resides in (*state or foreign country*):
Under Family Code section 5700.205(a)(2), the parties consent for California to retain continuing, exclusive jurisdiction to modify the support order.
- ☐ The parties have agreed that California is the state that issued the support order. ☐ Petitioner ☐ Respondent
☐ Other Parent resides in California. ☐ Petitioner ☐ Respondent ☐ Other Parent resides in (*state*): . The parties consent under Family Code section 5700.205(b)(1) for (*state*): to assume continuing, exclusive jurisdiction and modify the order.
- ☐ Other:

THIS IS A COURT ORDER.

Page 1 of 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	
NOTICE OF REGISTRATION OF AN INTERNATIONAL HAGUE CONVENTION SUPPORT ORDER	CASE NUMBER:

- To *(name)*:
- You are notified that an International Hague Convention Support Order has been registered with this court. A copy of the following is attached:
 - ☐ Complete text of the order
 - ☐ Abstract of the order
 - ☐ Record stating the support order is enforceable in the issuing country
 - ☐ Record attesting proper notice and opportunity to be heard, if respondent did not appear and was not represented
 - ☐ Record showing the amount of arrears, if any
 - ☐ Record showing a requirement for automatic adjustment of support, if any
 - ☐ Record showing the extent to which the applicant received free legal assistance, if necessary
- The amount of arrears is specified in item 1 on the attached Transmittal Form under Article 12(2).
 - ☐ The amount of the alleged arrears is: _____ as of _____, having a U.S. dollar equivalence of _____ as of _____.
- The registered order is enforceable in the same manner as a support order made by a California court as of the date the Transmittal Form under article 12(2) is filed.
- If you want to contest the validity or enforcement of the registered order, you must request a hearing within 30 days if you reside in the United States, or within 60 days if residing outside the United States, of the date that the notice was mailed to you (*see below for clerk's date of mailing*). You can request a hearing by completing and filing a *Request for Hearing Regarding Registration of an International Hague Convention Support Order* (form FL-594).
- If you fail to contest the validity or enforcement of the attached order within 30 days, or 60 days if residing outside the United States, of the date this notice was mailed, the order will be confirmed by the court and you will be unable to contest any portion of the order including the amount of arrears as specified in item 1 of the Transmittal Form under article 12(2).

CLERK'S CERTIFICATE OF MAILING

- I certify that I am not a party to this cause and that a copy of the Transmittal Form with a copy of the International Hague Convention Support Order were sent to the person named in item 1 by first-class mail. The copies were enclosed in an envelope with postage fully prepaid. The envelope was addressed to the person named in item 1 only at the address in the Transmittal Form, sealed, and deposited with the U.S. Postal Service

 at *(place)*:
 on *(date)*:
- Copy sent to local child support agency on *(date)*:

Date: _____ Clerk, by _____, Deputy

PARTY WITHOUT ATTORNEY OR ATTORNEY (name, state bar number, and address): NAME: _____ STATE BAR NO.: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT: _____	
REQUEST FOR HEARING REGARDING REGISTRATION OF AN INTERNATIONAL HAGUE CONVENTION SUPPORT ORDER	CASE NUMBER: _____

NOTICE OF HEARING

1. A hearing on this application will be held as follows (see instructions on how to get a hearing date and for more information about what an International Hague Convention Support Order is and how to fill out this form):

a. Date:	Time:	Dept:	Div:	Room:
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- b. The address of the court is: ☐ same as noted above ☐ other (specify): _____

2. I request that the court refuse recognition and enforcement of the International Hague Convention Support Order because:

- a. ☐ recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing court or tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard.
- b. ☐ the court or tribunal that issued the order did not have personal jurisdiction as listed in Family Code section 5700.201.
- c. ☐ the order is not enforceable in the country that issued it.
- d. ☐ the order was obtained by fraud in connection with a matter of procedure.
- e. ☐ a record registering this order as required by Family Code section 5700.706 is not authentic or lacks integrity.
- f. ☐ a case between the same parties and having the same purpose is pending before a court in California, and that case was the first to be filed.
- g. ☐ the order is incompatible with a more recent support order involving the same parties and having the same purpose. The more recent support order is entitled to recognition and enforcement under Family Code sections 5700.101–5700.905.
- h. ☐ the alleged arrears have been paid in whole or in part.
- i. ☐ I did not attend the hearing, nor did I have a lawyer in the country that issued the order. The law of the issuing country provides for prior notice of proceedings, but I did not have proper notice of the proceedings or an opportunity to be heard.
- j. ☐ I did not attend the hearing, nor did I have a lawyer in the country that issued the order. The law of that county **does not** provide for prior notice of the proceedings, and I did not have proper notice of the order or an opportunity to be heard in a challenge or appeal on fact or law before a tribunal.
- k. ☐ the order was made in violation of Family Code section 5700.711.

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

Date: _____



(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Request for Hearing Regarding Registration of an International Hague Convention Support Order* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at *(place)*: _____, California

on *(date)*:

Date: _____ Clerk, by _____, Deputy

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INFORMATION SHEET FOR REQUEST FOR HEARING REGARDING REGISTRATION OF AN INTERNATIONAL HAGUE CONVENTION SUPPORT ORDER

(Do NOT deliver this information sheet to the court clerk.)

Please follow these instructions to complete the *Request for Hearing Regarding Registration of an International Hague Convention Support Order* (form FL-594) if you do not have an attorney representing you. Your attorney, if you have one, should complete this form.

This form should be used if you received a notice or statement of registration telling you that a support order made in another country is being registered in a California court but you do not want that support order registered. To request a hearing regarding an out-of-state or foreign order, which is not an International Hague Convention Support Order, use form FL-575.

An International Hague Convention Support Order is one that was made under the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007. The Convention is now part of Family Code sections 5700.101–5700.905.

You must file your completed request for hearing with the court clerk. You must also give the court clerk addressed envelopes with postage paid to mail copies of your request for hearing to the other parties. The address of the court clerk is the same as the one shown for the superior court on the notice or statement of registration you received. You may have to pay a filing fee to request a hearing. If you cannot afford to pay the filing fee, you must file a *Request to Waive Court Fees* (form FW-001). You can get this form from the court clerk, family law facilitator, or California Courts website at www.courts.ca.gov.

INSTRUCTIONS FOR COMPLETING THE REQUEST FOR HEARING REGARDING REGISTRATION FORM (YOU CAN COMPLETE THE FORM ON A COMPUTER, BY TYPING, OR BY PRINTING IN INK):

Page 1, first box, top of form, left side: Print your name, address, and phone number in this box.

Page 1, second box, left side: Print the court's address in this box. Use the same address for the court that is on the notice or statement of registration form you received.

Page 1, third box, left side: Print the names of the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as listed on the notice or statement of registration form you received.

Page 1, first box, top of form, right side: Leave this box blank for the court's use.

Page 1, second box, right side: Print your case number in this box. This number is also shown on the notice or statement of registration you received.

1. Before you file your request for hearing with the court clerk, ask the court clerk to set a hearing date for you. The court clerk will give you the information you need to complete this section.
2. In this section you are telling the court why you do not want the support order to be recognized or enforced in California. Check the box by your reason(s). Check the corresponding box, a–k, if
 - a. recognition and enforcement of the order conflicts with public policy. This includes the failure of the court or tribunal issuing the order to provide you with an opportunity to be heard through notice and due process.
 - b. the court or tribunal that issued the support order did not have jurisdiction over you to issue the order.
 - c. the order cannot be enforced in the country that issued it.
 - d. your support order was obtained by fraud.
 - e. the required document(s) accompanying this order is not authentic or lacks integrity.
 - f. if there is a case between the same parties and having the same purpose awaiting a decision before a court in California, and that case was filed first.
 - g. the order is conflicting with a more recent support order between the same parties and having the same purpose.
 - h. you have paid all of the alleged arrears or some of the alleged arrears.
 - i. the country issuing the order requires prior notice of a hearing, but you did not receive notice of the hearing and you did not attend the hearing, and you did not have an attorney representing you in the hearing.
 - j. the country issuing the order **does not** require prior notice of proceedings, you did not receive notice of the hearing and you did not have the opportunity to be heard in the proceeding.
 - k. the order was made in violation of Family Code section 5700.711 because it was changed when you were a resident of the country where the support order was issued, and you did not agree to the case being heard in California either expressly or by defending yourself without objecting to the case being heard in California as soon as possible. If the country where your order was issued will not or cannot change the support order or make a new one, the case may be heard in California.

**INFORMATION SHEET FOR REQUEST FOR HEARING REGARDING
REGISTRATION OF AN INTERNATIONAL HAGUE CONVENTION SUPPORT ORDER
(continued)**

You must date the form, print your name, and sign the form under penalty of perjury. When you sign the form, you are stating that the information you have provided is true and correct.

Top of page 2, box on left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as on the front page.

Top of page 2, box on right side: Print your case number in this box. Use the same number as on the front page.

The court clerk will sign and date the request for hearing form before mailing it to the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent.

You must print the name and address of the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in the brackets. The names are the same as those at the top of the page. You also must provide the court clerk with stamped envelopes addressed to each of the other parties.

If you need assistance with this form, contact an attorney or the family law facilitator in your county. The family law facilitator can help you with this form for free.

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
1.	California Department of Child Support Services by Alisha A. Griffin, Director	NI	<p>The proposal addresses the stated purpose well. Changes to the forms are necessary to address the statutory changes due to enactment in California of the 2008 version of the Uniform Interstate Family Support Act (UIFSA). The Judicial Council proposal to add forms specific to registration of support orders from countries who are party to the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance will lessen confusion for litigants and practitioners, as the Convention provides for alternate timeframes and defenses to registration. Likewise, the proposal to adopt a standard jurisdictional orders attachment form will ensure that orders produced in California clearly delineate the basis upon which our courts exercise jurisdiction under UIFSA.</p> <p>With regard to the specific changes, DCSS recommends several minor changes:</p> <p>Notice of Registration of Out-of-State Support Order (FL-570):</p> <ul style="list-style-type: none">• Change the title “Registration Statement” to “Letter of Transmittal Requesting Registration.” The Federal Office of Child Support Enforcement is in the final stages of updating their mandatory use forms. The current “Registration Statement” form, OMB 0970-0085, will be renamed the “Letter of Transmittal Requesting Registration,” to correspond with the	The committee agrees with these suggestions and have incorporated them, with minor alterations, into the amendments that it is recommending for adoption.

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>language utilized in UIFSA. If this change cannot be made at this time, the Department will notify Judicial Council upon final release of the updated forms.</p> <ul style="list-style-type: none">• Add check box to Item 3, which currently reads “The amount of arrears is specified in item 1 on the attached Registration Statement.” Check box should include language to the effect that, when checked, the order being registered is denominated in foreign currency, and providing space to list the current U.S. dollar equivalency, as of a specified date. Conversion to U.S. dollars does not modify the underlying out-of-state support order, but merely apprises the obligor of the current amount of the arrears that the registering party will enforce. Under Family Code section 5700.305(f), if a responding tribunal is requested to enforce or modify an order stated in a foreign currency, the tribunal shall convert the amount to the equivalent amount in dollars.• Alter Items 5 and 6 to reflect that UIFSA provides for a notice period of 20 days, rather than 25. The current form incorporated the standard 5 days’ additional time pursuant to Code of Civil Procedure (CCP) section 1013 for mailing within California. However, the addition of this time has led to confusion for courts and parties. The Department believes that it is more appropriate to cite the statutory 20 day period, as the notice date includes the CCP	

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>mailing time as appropriate.</p> <p>UIFSA Child Support Order Jurisdictional Attachment (FL-590A):</p> <ul style="list-style-type: none">• Add to Item 1, Line 1, “(state or foreign country)” before the check boxes to indicate which party is the party requesting modification, to conform style throughout the form.• Alter Item 2, Line 3, to read “...the court finds that the parties consented in the issuing state...” to clarify that consent may be made in writing or on the record.• Add to Item 4, Line 1, “(state)” after the blank space for entry of the issuing state, to conform style throughout the form.• Add Item 8, “Other” to ensure that parties have an option on the proposed mandatory use form that may be contemplated by the Determination of Controlling Order process under Family Code section 5700.207. <p>Notice of Registration of a Convention Support Order (FL-594):</p> <ul style="list-style-type: none">• Add check box to Item 3, which currently reads “The amount of arrears is specified in item 1 on the attached Transmittal Form under Article 12(2).” Check box should include language to the effect that, when checked, the order being registered is denominated in foreign currency, and providing space to list the current U.S.	

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			dollar equivalency, as of a specified date. Conversion to U.S. dollars does not modify the underlying out-of-state support order, but merely apprises the obligor of the current amount of the arrears that the registering party will enforce. Under Family Code section 5700.305(f), if a responding tribunal is requested to enforce or modify an order stated in a foreign currency, the tribunal shall convert the amount to the equivalent amount in dollars.	
2.	Child Support Directors' Association of California by Ronald Ladage Chair, CSDA Judicial Council Forms Committee Principal Attorney, Sacramento County Department of Child Support Services	NI	a. <u>Form FL-590, UIFSA Child Support Order Jurisdictional Attachment</u> We recommend that this form be optional, not mandatory. We suggest making Item 1 and Item 4 consistent by inserting the same guidance "(state or county or foreign country)" in Item 4. We suggest Item 2. state "consented" in place of "filed consent." We suggest adding "8. Other (specify):" b. <u>FL-592, Request for Hearing Regarding Registration of a Convention Support Order</u>	a. The committee discussed the suggestion to make this form optional; however, to ensure that the proper requisite findings are made in determining jurisdiction in all UIFSA cases, the committee recommends that this form be mandatory. Further, the committee believes that unrepresented litigants, generally unaware of the required jurisdictional findings, will benefit from a mandatory form, which details scenarios in which a court can or cannot assume jurisdiction. The committee agrees with the suggested changes in language for items 1, 2, and 4 and with the addition of an item 8 and has incorporated these suggestions, with minor alterations, into the amendments that it is recommending for adoption. b. No response required.

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>We have no comments.</p> <p>c. <u>FL-570, Notice of Registration of Out-of-State Support Order</u> For Items 5 and 6, we suggest stating the hearing must be requested “within 20 days of the date of this notice” since the number of additional days required for service depends on how and where service is effected or received. Therefore, use of the statutorily required days after notice is given would be more accurate.</p>	<p>c. The committee agrees with this suggestion and has incorporated it, with minor alterations, into the amendments that it is recommending for adoption.</p>
3.	Orange County Bar Association by Todd G. Friedland, President	A	<p>Are there specific changes that would improve the forms in this proposal? AN INFORMATION FORM THAT SHOWS WHICH FORMER CODE SECTIONS (FAMILY CODE SECTIONS 4900, et seq.) COMPARE TO THE NEW CODE SECTIONS (FAMILY CODE SECTIONS 5700, et seq.)</p> <p>Does the proposal appropriately address the stated purpose? YES</p> <p>What is the impact of this proposal on low- and moderate-income persons? THERE WILL BE SOME CONFUSION ON HOW THE OLD CODE SECTIONS APPLY TO CURRENT AND FUTURE INTER-STATE ENFORCEMENT AND MODIFICATION ACTIONS.</p>	<p>The committee appreciates the suggestion regarding an informational form and will recommend the posting of the UIFSA Conversion Chart (pages 27-30 of the Invitation To Comment) to the Judicial Council website as well as dissemination of this informational to local courts, child support commissioners, family law facilitators, local child support agencies, and local bar associations.</p>
4.	State Bar of California Executive Committee of the Family Law Section	AM	<p>The Executive Committee of the Family Law Section of the State Bar (FLEXCOM) supports the changes to Judicial Council forms and</p>	<p>The committee agrees with the suggestion regarding the placement of the Spanish translation and has incorporated it, with minor alterations,</p>

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
	by Fariba R. Soroosh and Saul Bercovitch		<p>California Rules of Court set out in this proposal required by last year's modifications to the Uniform Interstate Family Support Act (SB 646). With respect to the specific request for comments, FLEXCOM responds as follows:</p> <p>1. Are there specific changes that would improve the forms in this proposal? (If so, please specify the individual form and the particular recommended changes.)</p> <p>Yes. Form FL-510 would be simpler to read if the Spanish translation was on the back of the page rather than underneath the English text.</p> <p>2. Does the proposal appropriately address the stated purpose?</p> <p>Yes.</p> <p>3. What is the impact of this proposal on low- and moderate-income persons?</p> <p>These forms should positively impact low and moderate income persons because the forms have highlighted the availability of free assistance from the Family Law Facilitator's Office.</p>	into the amendments that it is recommending for adoption. Specifically, rather than place the Spanish translation on the back of the form, the committee recommends placing the translation side-by-side with the English text to be consistent with the format of other existing family law summons forms.
5.	State Bar of California Standing Comm. On the Delivery of Legal Services by Phong S. Wong Chair, Standing Committee on the	A	<ul style="list-style-type: none">Are there any specific changes that would improve the forms in this proposal? (If so, please specify the individual form and the particular recommended changes.) No. FL-510 is improved by providing language guiding a	No response required.

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
	Delivery of Legal Services		<p>litigant on how to obtain assistance. FL-520 is improved by automatically allowing for genetic testing when a parent states that the child named in the Petition is not theirs; FL-520 and FL-575 now contain specific guidance to litigants as to where they can find help.</p> <ul style="list-style-type: none">• Does the proposal appropriately address the stated purpose? Yes.• What is the impact of this proposal on low- and moderate-income persons? The new forms and changes to existing forms can only improve things for low and moderate-income persons. In particular, FL-520 and FL-575 provide guidance on how to obtain forms, and also mention a free legal resource, the family law facilitator. The new forms FL-590, FL-592 and FL-594 are important because they standardize findings under UIFSA; provide a Notice of Registration of Convention Support Order; and provide a form for requesting a hearing on the Registered Convention order. These items have not previously existed, and this often can lead to a low or moderate-income litigant getting frustrated and not pursuing the legal process. <p>Additional Comments</p> <p>This proposal provides vital forms and guidance for self-represented litigants and the court regarding Interstate and Hague Convention registration/modification of child support</p>	

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			orders. Also, this proposal can only be a positive change in the realm of low and moderate-income litigants who previously have not had readily available tools, in terms of forms and findings, that would allow them access to meaningful participation in UIFSA/Hague matters.	
6.	Superior Court of Los Angeles County (no name provided)	AM	<p>Suggested modifications: Page 10, Title of Document: Order to Show Cause (UIFSA) For consistency with other Family Law forms, it is recommended that the form be titled, Request for Order.</p> <p>Page 12, 2a.: Allow for process server registration number for consistency with other proof of service forms.</p> <p>Page 14, ORDER at bottom of page: It is</p>	<p>The committee considered the suggestion regarding the title of form FL-515 and, given the abundance of motion forms already in existence which could adequately address a request of either an LCSA or a private litigant to establish or modify support and the potential confusion that may arise among unrepresented litigants with so many motion forms from which to choose, the committee recommends that form FL-515 be revoked.</p> <p>The committee considered the suggestion to add an item for a process server registration number on page 2 of FL-520, but has declined to make that change to maintain consistency with the proof of services incorporated into other governmental response forms (e.g., forms FL-662 and FL-685). Additionally, the committee was concerned that included such an item may inaccurately convey to unrepresented litigants that a registered process server is necessary for the service of process, whereas one should expect little confusion for process servers, who should be more familiar with completion of proof of service forms.</p> <p>The committee agrees with the suggestions</p>

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

Commentator	Position	Comment	Committee Response
		<p>ordered that the clerk of the court transfer this Order and all other documents filed in this case....to the tribunal specified in item 5 without payment of any fee. Recommended that name as well as details necessary for transfer to tribunal be required in item 5 to allow clerk to fully comply with order without delay.</p> <p>Page 22, Title of Document: Request for Hearing regarding Registration of a Convention Support Order. Recommend that “Convention” be modified to “International” for clarity.</p> <p>Page 22, 2(a): including the failure of the issuing court or tribunal to observe minimum...(Add “court” for clarity.)</p> <p>Page 24, 2e: Check this box if the required document(s) accompany this order is not authentic or lacks integrity. (Change “whole” to “lacks integrity” so that verbiage is consistent with <i>Request for Hearing Regarding Registration of a Convention Support Order</i> form, page 22, e.)</p> <p>Page 26, 6: If you fail to contest the validity... (Correct word from contents to contest.)</p> <p>Request for Specific Comments: Are there specific changes that would improve the forms in this proposal? (If so, please specify the individual form and the</p>	<p>regarding pages 14, 22, 24, and 26 and have incorporated them, with minor alterations, into the amendments that it is recommending for adoption.</p>

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

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Commentator	Position	Comment	Committee Response
		<p>particular recommended changes.) Modifications recommended as noted on next page.</p> <p>Does the proposal appropriately address the stated purpose? Yes.</p> <p>What is the impact of this proposal on low- and moderate-income persons? Self-represented litigants may require the assistance of an attorney or the assistance of the facilitator.</p> <p>Would the proposal provide cost savings? If so please quantify. No.</p> <p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? Training would have to be provided by those with a higher level of UIFSA expertise. There is concern regarding the logistics of telephone appearances for out-of-country litigants. Our Court will need to revise its current telephonic appearance procedure because our current service does not provide for international calls. The cost of service for an outside vendor for any persons above the federal low income guideline is undetermined.</p>	

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes. However, due to the current environment our Computer Technology Services Department is over committed. How well would this proposal work in courts of different sizes? No difference for Courts of different size.	
7.	Superior Court of Orange County Family and Juvenile Court Managers by Michelle Wang Program Coordinator Specialist	NI	What happens when the incorrect form is used? Should we reject these forms? We request feedback from JCC to clarify this in the informational section and to give the courts clarity so all of the courts may have a uniformed process. The FL-590 and FL-575 forms should cross-reference each other so the public know exactly when to use one form or the other.	Regarding the use of an improper form, the committee encourages courts to seek the guidance of their administration regarding when a clerk can or cannot reject a filing, recognizing in some circumstances it may be most appropriate to accept the filing and defer to the judicial officer assigned to the case to determine how to proceed. The committee agrees with the suggestion to have forms FL-575 and FL-592 cross-reference one another and has incorporated it into the amendments that it is recommending for adoption. (note: the committee assumed that form FL-592 was the intended form to cross-reference and the reference to form FL-590 was a typographic error).
8.	Superior Court of Riverside County by Marita Ford Sr. Management Analyst	NI	Rename the proposed stand-alone forms for the registration of International support orders as follows: 1. Rename FL-592 to: “Request for Hearing Regarding Registration of an International Hague Convention Support Order – Family” ; and	The committee agrees with the suggestions regarding the renaming of form FL-592 and FL-594 and regarding the typographic error on form FL-594 and has incorporated them into the amendments that it is recommending for adoption.

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>2. Rename FL-594 to: “Notice of Registration of an International Hague Convention Support Order- Family”.</p> <p>3. Also FL-594, item 6 should be modified as follows: “If you fail to contents <u>contest</u> the validity or enforcement of the attached order . . .”</p> <p>This change would make clear the forms are specifically for use with International foreign support orders.</p> <p>Also the proposal is vague regarding the use and application of the mandatory Hague Convention forms upon ratification of the Convention by the U.S. It is unclear whether the stand alone forms will be used in conjunction with the mandatory forms.</p>	<p>The committee appreciates the comment regarding the vagueness of the proposal as to the use of the mandatory Convention forms and, as recommended by another commentator, will cross-reference forms FL-575 and FL-592 to one another in each’s informational sheet in hopes of providing better clarity regarding their appropriate use. The instrument of ratification has been signed by the President and deposited with the Hague; thus the Hague Convention will be ratified on January 1, 2017, the effective date of the forms, which hopefully will reduce some confusion.</p>
9.	Superior Court of San Diego County Michael M. Roddy, Executive Officer	AM	<p>Q: Are there specific changes that would improve the forms in this proposal?</p> <p>FL-515: Why is this form titled Order to Show Cause and not Request for Order? Is it anticipated this form will be served with the Summons and Uniform Support Petition and must be personally served? If so, there should</p>	<p>The committee considered the comment regarding the title of form FL-515 and, given the abundance of motion forms already in existence which could adequately address a request of either an LCSA or a private litigant to establish or modify support</p>

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

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Commentator	Position	Comment	Committee Response
		<p>be some information about this form having to be personally served.</p> <p>FL-560: The wording on this (old) form stating “IT IS ORDERED that the clerk of the court transfer this Order and all other documents filed in this case, including all pleadings and orders, to the tribunal specified in item 5, without payment of any fee.” sounds very odd. Suggested wording: “IT IS ORDERED that the clerk of the court transfer this case, including all pleadings, orders, and other documents in the case file, to the tribunal specified in Item 5.” The suggested language follows the language in the request made in Item 5</p> <p>FL-575: Item 2g on page 4: the word “order” should be inserted between “support” and “was”</p> <p>Q: Does the proposal appropriately address the stated purpose? Yes</p> <p>Q: What is the impact of this proposal on low and moderate income persons? Unable to determine.</p> <p>Q: Would the proposal provide cost savings? No</p> <p>Q: What are implementations requirements for</p>	<p>and the potential confusion that may arise among unrepresented litigants with so many motion forms from which to choose, the committee recommends that form FL-515 be revoked.</p> <p>The committee agrees with the suggestion regarding a change in language on form FL-560 and regarding the typographic error on form FL-575 and have incorporated them into the amendments that it is recommending for adoption.</p>

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Family Law: Child Support Forms; Uniform Interstate Family Support Act (amend Cal. Rules of Court, rule 5.324; adopt forms FL-590, FL-592, and FL-594; revise forms FL-510, FL-520, FL-560, FL-570, and FL-575; revoke forms FL-511 and FL-515)

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	Commentator	Position	Comment	Committee Response
			<p>courts? Updating training materials and training affected staff.</p> <p>Q: Would two months from JC approval of this proposal until its effective date provide sufficient time for implementation? Yes</p> <p>The new forms aid litigants in understanding rights and responsibilities under the new law.</p>	

UIFSA Conversion Chart (California Statutes)

Current Family Code	Future Family Code	Title
Article I – General Provisions		
4900	5700.101	Short Title
4901	5700.102	Definitions
4902	5700.103	State Tribunal and Support Enforcement Agency
4903	5700.104	Remedies Cumulative
n/a	5700.105	Application of UIFSA to Resident of Foreign Country and Foreign Support Proceeding
Article II – Jurisdiction		
4905	5700.201	Bases for Jurisdiction over Nonresident
4906	5700.202	Duration of Personal Jurisdiction
4907	5700.203	Initiating and Responding Tribunal of State
4908	5700.204	Simultaneous Proceedings
4909	5700.205	Continuing, Exclusive Jurisdiction to Modify Child Support Order
4910	5700.206	Continuing, Exclusive Jurisdiction to Enforce Child Support Order
4911	5700.207	Determination of Controlling Child Support Order
4912	5700.208	Child Support Orders for Two or More Obligees
4913	5700.209	Credit for Payments
4913.5*	5700.210	Application of UIFSA to Nonresident Subject to Personal Jurisdiction
4914*	5700.211	Continuing, Exclusive Jurisdiction to Modify Spousal Support Order
Article III – Civil Provisions of General Application		
4915	5700.301	Proceedings under UIFSA
4916	5700.302	Proceedings by Minor Parent
4917	5700.303	Application of Law of State
4918	5700.304	Duties of Initiating Tribunal
4919	5700.305	Duties and Powers of Responding Tribunal
4920	5700.306	Inappropriate Tribunal
4921	5700.307	Duties of Support Enforcement Agency
4922	5700.308	Duty of Attorney General
4923	5700.309	Private Counsel
4924	5700.310	Duties of State Information Agency
4925	5700.311	Pleadings and Accompanying Documents
4926	5700.312	Nondisclosure of Information in Exceptional Circumstances

4927	5700.313	Costs and Fees
4928	5700.314	Limited Immunity of Petitioner
4929	5700.315	Nonparentage as Defense
4930	5700.316	Special Rules of Evidence and Procedure
4931	5700.317	Communications Between Tribunals
4932	5700.318	Assistance with Discovery
4933	5700.319	Receipt and Disbursement of Payments
Article IV – Establishment of Support Order or Determination of Parentage		
4935	5700.401	Establishment of Support Order
n/a	5700.402	Proceeding to Determine Parentage
Article V – Enforcement of Support Order Without Registration		
4940	5700.501	Employer's Receipt of Income Withholding Order of Another State
4941	5700.502	Employer's Compliance with Income Withholding Order of Another State
4942	5700.503	Employer's Compliance with Two or More Income Withholding Orders
4943	5700.504	Immunity from Civil Liability
4944	5700.505	Penalties for Noncompliance
4945	5700.506	Contest by Obligor
4946	5700.507	Administrative Enforcement of Orders
Article VI – Registration, Enforcement, and Modification of Support Order		
Part 1 – Registration for Enforcement of Support Order		
4950	5700.601	Registration of Order for Enforcement
4951	5700.602	Procedure to Register Order for Enforcement
4952	5700.603	Effect of Registration for Enforcement
4953	5700.604	Choice of Law
Part 2 – Contest of Validity or Enforcement		
4954	5700.605	Notice of Registration of Order
4955	5700.606	Procedure to Contest Validity or Enforcement of Registered Support Order
4956	5700.607	Contest of Registration or Enforcement
4957	5700.608	Confirmed Order
Part 3 – Registration and Modification of Child Support Order of Another State		
4958	5700.609	Procedure to Register Child Support Order of Another State for Modification
4959	5700.610	Effect of Registration for Modification
4960	5700.611	Modification of Child Support Order of Another State
4961	5700.612	Recognition of Order Modified in Another State
4962	5700.613	Jurisdiction to Modify Child Support Order of Another State when Individual Parties Reside in this State
4963	5700.614	Notice to Issuing Tribunal of Modification
Part 4 – Registration and Modification of Foreign Child Support Order		

4964*	5700.615	Jurisdiction to Modify Child Support Order of Foreign Country
n/a	5700.616	Procedure to Register Child Support Order of Foreign Country for Modification
Article VII – Support Proceeding Under Convention		
n/a	5700.701	Definitions
n/a	5700.702	Applicability
n/a	5700.703	Relationship of Department to United States Central Authority
n/a	5700.704	Initiation by Department of Support Proceeding Under Convention
n/a	5700.705	Direct Request
n/a	5700.706	Registration of Convention Support Order
n/a	5700.707	Contest of Registered Convention Support Order
n/a	5700.708	Recognition and Enforcement of Registered Convention Support Order
n/a	5700.709	Partial Enforcement
n/a	5700.710	Foreign Support Agreement
n/a	5700.711	Modification of Convention Child Support Order
n/a	5700.712	Personal Information; Limit on Use
n/a	5700.713	Record in Original Language; English Translation
Article VIII – Interstate Rendition		
4970	5700.801	Grounds for Rendition
4971	5700.802	Conditions of Rendition
Article IX – Miscellaneous Provisions		
4975	5700.901	Uniformity of Application and Construction
n/a	5700.902	Transitional Provision
4976	5700.903	Severability Clause
n/a	5700.905	Emergency regulations
Additional Provisions		
4977	REPEAL	Repealed; not part of uniform law
4978	REPEAL	Repealed; not part of uniform law
5000	17404.1	Relocated within Family Code; not part of UIFSA
5001	17404.2	Relocated within Family Code; not part of UIFSA
5002	17404.1	Relocated within Family Code; not part of UIFSA
5003	17404.3	Relocated within Family Code; not part of UIFSA
5005	17407.5	Specific authority relocated within Family Code; not part of UIFSA; see this section regarding

		validity and revocation of State Reciprocal agreements
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*Section exists in UIFSA 2001, but not UIFSA 1996. California codified UIFSA 2001, but with contingent operation. UIFSA 2001 never became operative under those terms, but is mentioned here as many are familiar with those sections.

Convention Support Order Contest

SECTION 707. CONTEST OF REGISTERED CONVENTION SUPPORT ORDER.

5700.707

(a) Except as otherwise provided in this [article], Sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b), the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in Section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of this state:

(1) is bound by the findings of fact on which the foreign tribunal based its jurisdiction;

and

(2) may not review the merits of the order.

(f) A tribunal of this state deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

**SECTION 708. RECOGNITION AND ENFORCEMENT OF REGISTERED
CONVENTION SUPPORT ORDER.**

5700.708

(a) Except as otherwise provided in subsection (b), a tribunal of this state shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of this state may refuse recognition and enforcement of a registered Convention support order:

(1) recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) the issuing tribunal lacked personal jurisdiction consistent with Section 201;

(3) the order is not enforceable in the issuing country;

(4) the order was obtained by fraud in connection with a matter of procedure;

(5) a record transmitted in accordance with Section 706 lacks authenticity or integrity;

(6) a proceeding between the same parties and having the same purpose is pending before a tribunal of this state and that proceeding was the first to be filed;

(7) the order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this [act] in this state;

(8) payment, to the extent alleged arrears have been paid in whole or in part;

(9) in a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) if the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) if the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) the order was made in violation of Section 711.

(c) If a tribunal of this state does not recognize a Convention support order under subsection (b)(2), (4), or (9):

(1) the tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) the [governmental entity] shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under Section 704.