

REGISTERING A SUPPORT ORDER IN ALASKA THAT WAS ISSUED BY ANOTHER STATE, U.S. TERRITORY, OR TRIBE

INSTRUCTIONS	
What are these instructions for?	These instructions explain how to register a child support or other support order from another state, U.S. territory, or Indian tribe. These instructions do not address registration of support orders from other countries. For information about modifying another state’s child support order after registration, see page 6 .
What is the law?	A support order issued by another state can be registered in Alaska and then enforced as if it had been issued by an Alaska court. The statutes that describe the registration procedure are AS 25.25.601 - .614 . ¹
Where are the forms?	The forms in these instructions are all available on the Alaska Court System website at http://courts.alaska.gov/forms/index.htm#dr .
Alaska Child Support Services Division (CSSD) can help you.	If you just want to enforce another state’s child support order in Alaska, consider contacting your state’s child support services agency or Alaska’s CSSD for help. See Application for Services of CSSD . Phone: (907) 269-6900. CSSD can also help modify another state’s child support order if it was an administrative order issued by another state’s child support services agency and, in a few circumstances, if it was issued by a court in another state. ² However, in most cases, if you want to modify a child support order issued by a court in another state, you must register the order first and then file a motion to modify the order as explained on page 6 .
Hiring a lawyer?	If you are unsure whether to hire a lawyer to register or modify your order, you may want to talk to one before you decide whether you can handle it alone. If you do not know a lawyer, you can call or write: <div style="padding-left: 40px;"> Lawyer Referral Service of the Alaska Bar Association P.O. Box 100279, Anchorage, AK 99510-0279 Phone: 272-0352 or 800-770-9999 outside Anchorage (toll free in Alaska) </div> Also, the Alaska Bar Association keeps a list of lawyers who offer “unbundled legal services” in the family law area (support, custody, divorce, etc.) at www.alaskabar.org under the “For the Public” tab. Unbundling (sometimes called “discrete task representation”) offers clients a middle ground between having no lawyer at all and paying a lawyer for the full service package. A lawyer offering unbundled services would only handle part of a case, such as drafting a motion, reviewing an agreement, or attending one specific hearing, rather than the entire matter.

¹ [AS 25.25.601](#) - .614. These statutes are part of Alaska's version of the *Uniform Interstate Family Support Act* (UIFSA). The UIFSA has been adopted by all the states in the United States. It establishes which state has the authority to issue a support order in a particular case and the procedure for enforcing and modifying orders issued by other states.

² 15 AAC 125.316

Cost of the proceedings	There is no filing fee for petitioning to register a support order from another state or filing a motion to modify it. ³ However, there may be costs for notifying the other party about your petition. The court will serve the notice on the other party but if you want the court to use a method other than first class mail, you will have to pay for that. (See page 4 .)
Definitions	<p>Here are definitions of some key words used a lot in this process:</p> <ul style="list-style-type: none"> • Obligee is the person to whom support payments are owed. This is the person who is to receive child support. • Obligor is the person required to pay child support. • Petitioner is the person asking to register the order. • Respondent is the person to whom the notice of registration must be sent, usually the person who owes the support. • State means a state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States; the term "state" also includes an Indian nation or tribe.⁴ • Support order means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a current spouse, or an ex-spouse, that provides for money support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an individual obligee in place of child support. A "support order" may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney fees, and other relief.⁵

Instructions continue on the next page.

³ [AS 25.25.301](#) & [.313](#); [Administrative Rule 9\(b\)\(8\)](#)

⁴ AS 25.25.101(26)

⁵ AS 25.25.101(28)

REGISTRATION PROCEDURE

Step 1
Fill out 4 forms.

Fill out the 4 forms included with these instructions:

1) *Petition to Register Another State's Support Order (DR-342).*

Fill in the top of the form as shown in this example:

You must use black ink to fill out this form. Print neatly.

Person Filing Petition: Full Name Martha G. Allen Daytime Telephone 907-555-1212
 Mailing Address: 1776 Independence Ave. Anchorage AK 99504 Email: Martha@gmail.com
NOTE: If for any reason you do not wish the other parent to know your physical address, you still must provide a mailing address so the court and the other parent can serve you by mail.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT City Where Court is Located

<u>Martha G. Allen</u>)	
Petitioner (parent filing this petition),)	
)	
vs.)	
)	
<u>Benjamin F. Allen</u>)	CASE NO. _____ CI
Respondent (other parent's full name))	(Court will assign number)
)	
)	PETITION TO REGISTER A SUPPORT ORDER FROM ANOTHER STATE¹ (AS 25.25.601-.609)

To decide what to put on the line that says "City Where Court is Located," use the list of superior court locations on [page 7](#).

Sign the petition in front of a notary. An Alaska court clerk can provide this notary service for you at no cost if you bring the petition to the court. You must bring a valid photo ID with you for the notarization.

Attach the following copies of the order to be registered and any modification:

- One certified copy; and
- One regular copy; and
- If the order includes any social security numbers, a copy of the documents with all social security numbers blacked-out so they cannot be read.⁶

2) *Confidential Information Sheet –Support Order from Another State (DR-343).* Fill out the whole form and sign it.

3) *Notice of Registration (DR-344).*
Fill out the whole form **except** the clerk of court's signature.

4) *Request for Hearing About Registered Support Order (DR-345).*
Fill in the court location and the names of the petitioner and respondent.

⁶ Civil Rule 5.2(c)

<p>Step 2 Decide how you want the court to give notice to the other party.</p>	<p>Decide how you want the <i>Notice of Registration</i> given to the other party. The court must give the other party notice of your request to register a support order from another state. You can ask the court to give the notice in one of the following ways (called "service"):</p> <ul style="list-style-type: none"> • First class mail, or • Certified mail, or • Personal delivery by a process server or peace officer. <p>If you want proof that the other party received the notice, you must select service by either certified mail or process server, and you must pay the cost. There is no charge for delivery by first class mail.</p> <p>a) <i>First Class Mail.</i> If you pick first class mail, you must prepare a 9 x 12 envelope addressed to the respondent. Do not put a return address on the envelope.</p> <p>b) <i>Certified Mail.</i> If you pick certified mail, you must go to the Post Office and get the forms for certified mail (the certified mail receipt and the green card) and enough stamps to pay for:</p> <ul style="list-style-type: none"> • Certified mail, and • Restricted delivery, and • Return receipt requested <p>On the green card, put your return address in the "Sender" box. Write the court case number below the "Sender" box. Put the stamps on the envelope and bring it to court with the completed certified mail forms.</p> <p>Important: If you don't provide the correct stamped envelope or the completed certified mail forms, your paperwork will be rejected.</p> <p>You must also pay the court a \$5.00 certified mail processing fee.⁷ For more instructions about certified mail, see page 3 in the booklet <i>How to Serve a Summons in a Civil Lawsuit (CIV-106)</i> on the Alaska Court System website.</p> <p>c) <i>Process Server.</i> If you pick delivery by a process server, read the instructions on page 1 of the booklet, <i>How to Serve a Summons in a Civil Lawsuit (CIV-106)</i>, on the Alaska Court System website. Pick a process server. Fill out the <i>Service Instructions (CIV-615)</i> form. Pay the process server's fee directly to the process server.</p>
<p>Step 3 Address an envelope to yourself.</p>	<p>Prepare a letter-size envelope with postage affixed, addressed to yourself. The court will use this envelope to mail a copy of the notice (but not the attachments) to you.</p>
<p>Step 4 Keep a copy.</p>	<p>Make a copy of the <i>Petition</i> and the order for yourself.</p>

⁷ Administrative Rule 9(e)(6)

<p>Step 5 File documents with court.</p>	<p>File the following at the superior court filing location you wrote on the forms:</p> <ul style="list-style-type: none"> a) original <i>Petition</i>; and b) copies of the order; and c) other documents listed in Step 1; and d) the envelope or service instructions described in Step 2; and e) the envelope described in Step 3. <p>You can deliver these documents to the court in person or by mail. There is no filing fee.⁸</p>
<p>Step 6 Wait to see if a hearing is requested.</p>	<p>The court will send the <i>Notice of Registration</i> and other documents to the other party (the respondent) using the method you chose. The other party has 20 days to request a hearing to contest the registration. The 20 days begin on either the date the court mailed the notice or the date the notice was personally served on the other party.</p>
<p>Step 7 What if a hearing is requested?</p>	<p>If the other party asks for a hearing, the court will schedule a hearing and notify both of you.⁹</p> <p>At the hearing, the other party must prove at least one of these defenses:</p> <ul style="list-style-type: none"> a) the court or agency that issued the order did not have personal jurisdiction¹⁰ over him or her; b) the order was obtained by fraud; c) the order was vacated, suspended, or modified by a later order; d) the court or agency that issued the support order stopped (“stayed”) the order pending appeal; e) there is a defense under the laws of Alaska to the remedy sought; f) the stated arrearage amount is wrong because he or she made full or partial payment; or g) a statute of limitation of Alaska or the issuing state precludes enforcement of some or all of the arrearages; h) the alleged controlling order is not the controlling order. <p>You can testify, call witnesses to testify, and give the court documents to support your position.</p> <p>If the other party cannot prove at least one of the defenses listed above, the court will issue an order confirming registration of the support order.¹¹</p>

⁸ AS 25.25.301 & .313; Administrative Rule 9(b)(8)

⁹ AS 25.25.606(c)

¹⁰ In general, a state court has “personal jurisdiction” over a person if the person is (a) present in the state when served notice of the case, (b) domiciled in the state, or (c) engaged in substantial activities in the state. Generally, “domicile” means a person’s primary residence to which the person intends to return whenever the person is away.

¹¹ AS 25.25.607(c)

<p>Do you want to attend the hearing by telephone?</p>	<p>If you do not live near the city where the court is located or circumstances make it impossible for you to attend the hearing in person, you may ask to participate in the hearing by telephone. Fill out form TF-710, Request to Appear by Telephone, and send it to the court. Fill out the box to the left of the case number with the same information as is in your petition to register. Send a copy of your request to the other party and indicate that you have done this in the "I certify..." section under your email address.</p>
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<p>Step 8 No hearing requested?</p>	<p>If the other party does not request a hearing, the court will issue an order confirming registration of the support order.</p>
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ENFORCING A REGISTERED ORDER

<p>Enforcing an order after it is registered</p>	<p>If the obligor (person required to pay support) does not pay the support after the order is registered:</p> <p>a) With CSSD’s Help. If the order you registered is for child support, you can ask the Alaska Child Support Services Division (CSSD) to enforce the order. CSSD can also enforce a spousal support order if CSSD is enforcing a child support order.¹² Find an application for CSSD services online at: www.childsupport.alaska.gov. Click on "CSSD Forms." If you do not live in Alaska, you can also contact your local child support agency.</p> <p>b) Without CSSD’s Help. You can ask the court to issue a judgment for <i>past-due</i> child support and then request a writ of execution to collect the judgment. To get the judgment for past-due support, file a motion in your registration case, serve a copy on the obligor, and respond to any opposition the obligor files. For help with this, you can contact Alaska’s Family Law Self-Help Center. For contact information and hours, see http://courts.alaska.gov/shc/family/shcabout.htm#1b.</p>
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MODIFYING A REGISTERED ORDER

<p>I want to register an order because I want to change it.</p>	<p>If you are registering the support order with the court so you can ask the court to modify it (or both enforce and modify it), you need to file a motion with the court. You can file this motion when you file your petition to register or later. You can use the DR-361, Motion to Modify Another State’s Child Support Order. Instructions about how to fill out and file the form are included in the form. The DR-360, Motion to Modify Packet, is available on the court system’s website.</p>
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¹² AS 25.27.020(8) and AS 25.27.045.

SUPERIOR COURT LOCATIONS

Alphabetical list of locations where superior court cases may be filed

ANIAK: Box 147, Aniak, AK 99557-0147
ANCHORAGE: 825 West 4th Avenue, Anchorage, AK 99501-2004
BARROW: (see Utqiagvik below)
BETHEL: Box 130, Bethel, AK 99559-0130
CHEVAK: Box 238, Chevak, AK 99563-0238
CORDOVA: Box 898, Cordova, AK 99574-0898
CRAIG: Box 646, Craig, AK 99921-0646
DELTA JUNCTION: Box 401, Delta Junction, AK 99737-0401
DILLINGHAM: Box 909, Dillingham, AK 99576-0909
EMMONAK: Box 176, Emmonak, AK 99581-0176
FAIRBANKS: 101 Lacey Street, Fairbanks, AK 99701-4765
FT. YUKON: Box 211, Ft. Yukon, AK 99740-0211
GALENA: Box 167, Galena, AK 99741-0167
GLENNALLEN: Box 86, Glennallen, AK 99588-0086
HOMER: 3670 Lake St., Building A, Homer, AK 99603-7686
JUNEAU: Box 114100, Juneau, AK 99811-4100
KENAI: 125 Trading Bay Drive, Suite 100, Kenai, AK 99611-7717
KETCHIKAN: 415 Main St., Rm 400, Ketchikan, AK 99901-6399
KODIAK: 204 Mission Road, Rm 10, Kodiak, AK 99615-7312
KOTZEBUE: Box 317, Kotzebue, AK 99752-0317
NAKNEK: Box 229, Naknek, AK 99633-0229
NOME: Box 1110, Nome, AK 99762-1110
PALMER: 435 S. Denali, Palmer, AK 99645-6437
PETERSBURG: Box 1009, Petersburg, AK 99833-1009
SEWARD: Box 1929, Seward, AK 99664-1929
SITKA: 304 Lake St., Rm 203, Sitka, AK 99835-7759
ST. MARY'S: Box 269, St. Mary's, AK 99658-0269
TOK: Box 187, Tok, AK 99780-0187
UNALASKA Box 245, Unalaska, AK 99685-0245
UTQIAGVIK (formerly Barrow): Box 270, Utqiagvik, AK 99723-0270
VALDEZ: Box 127, Valdez, AK 99686-0127
WRANGELL: Box 869, Wrangell, AK 99929-0869

If you are in Alaska and the court closest to you is not on this list, check with that court to find out if a support order from another state can be registered there. You can also find a list of courts here:

<http://www.courts.alaska.gov/court/dir/index.htm>.