

Register an out-of-state custody order in Washington

Author

Northwest Justice Project

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If you have a custody order or parenting plan from another state, and you, the other parent, or the children live in Washington State, learn how you might have to register the order here to make sure the order is followed in Washington.

1. Fast facts

Why should I register my out-of-state custody order in Washington?

You must register it to be able to enforce it in Washington. **Enforcing** a court order means making sure that the person required to do something (or stop doing something in a court order does in fact do (or stop doing) it.

Example: Tai and Jo were divorced in Oregon. The Oregon court gave Tai custody of their young child and Tai visitation on Saturday mornings. Tai and the child have moved to Washington. Jo routinely returns the child a few hours late, which violates the custody order and is disruptive for the child.

Tai has talked to Jo and written emails about returning the child when the order says to, but Jo refuses. If Tai wants to take further legal action, like filing for contempt, to get Jo to follow the Oregon custody

and visitation order, Tai must first register the Oregon order in Washington.

What will it cost me to register an out-of-state custody order in Washington?

There might be a filing fee to register this order. If you think you can't afford it, you can file a Motion for Filing Fee Waiver.

You must file 2 copies of your out-of-state custody order. One must be certified. You can get a certified copy from the clerk of the court where the order came from. You'll probably have to pay for this.

Do I have to let the other party know I'm doing this?

Under state law, the court (Court Administration) must notify the other party. We explain how to give Court Administration your papers and have them notify the other party.

(I got my Order registered. Do I need to do anything else to enforce it?

If the other party still doesn't follow the Order, you may need to file a motion for contempt.

Answer a few questions on Get Family and Safety Forms to get the right forms for your situation.

2. Register your out-of-state order

1. Fill out the forms.
2. Make 3 extra copies of each document:

- One copy for you
- One for the other party's lawyer (or the other party if they don't have a lawyer)
- One for copy for Court Administration

3. File your originals with the clerk and deliver copies.

4. Ask the clerk where to find Court Administration. This is a different office than the clerk's office.

Take 2 sets of copies of your forms to Court Administration. Leave one set with that office. Have them date-stamp the other set. This will be your copy.

3. Forms

Form attached:

Request to Register Out-of-State Custody Order (FL UCCJEA 801)

Form attached:

Notice of Registration of Out-of-State Custody Order (FL UCCJEA 802)

Form attached:

Court's Proof of Mailing (Out-of-State Custody Order Registration) (FL UCCJEA 803)

Form attached:

Order About Registering Out-of-State Custody Order (FL UCCJEA 805)

Form attached:

Notice: Out-of-State Custody Order Confirmed Without Hearing (FL UCCJEA 806)

Follow the general rules to format and fill out court documents.

For the caption of each form you fill out, look at the top of the first page of the custody order you want to register. Copy its caption, except for the county and

state. You'll substitute the county where you're registering this custody order and put Washington.

Tips for filling out Request to Register Out-of-State Order, FL UCCJEA 801

If you don't want the other party to know where you live, put a P.O. box number if you have one, or put the address of a friend or relative you trust to tell you immediately if you receive any legal papers.

Tips for filling out Notice of Registration of Out-of-State Custody Order, FL UCCJEA 802

Just fill out the caption. Don't make any other changes to this form.

Tips for filling out Court's Proof of Mailing, FL UCCJEA 803

Put the last known mailing address you have for the other party.

Court Administration will fill out the rest after you've filed your completed forms with the Clerk's Office. Under state law, the Court, not you, must send the other party this notice. You can call Court Administration (https://www.courts.wa.gov/court_dir/?fa=court_dir.county) to make sure they've sent the other party this form.

Tips for filling out Notice: Out-of-State Custody Order Confirmed without Hearing, FL UCCJEA 806

Court Administration will file this form **only** if the other party doesn't object and schedule a hearing by the deadline. After filing this form, you're done. You can enforce your order in Washington State.

If the other party **does** object, skip this form. You must fill out and file the FL UCCJEA 805.

Tips for filling out Order about Registering Out-of-State Custody Order, FL UCCJEA 805

If the other parent has filed a Motion to Dismiss and scheduled a hearing by the deadline, you should fill this out as a proposed order to ask the judge to sign at the close of the hearing.

4. Hearing

If the other party has scheduled a hearing, you must get ready for it and then go to it, even if you don't think there's any reason to stop you from registering your court order in Washington.

Need an interpreter? You have the right to interpreter services in court at no cost to you. Each court should have a contact person for interpreter requests. As soon as you find out about a court date, contact the court to ask for an interpreter.

Need accommodations? Ask for accommodation for a disability that limits your ability to take part in a court hearing or trial. Each court should have a contact person for ADA requests. You can use the state's Request for Accommodation form (<https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=71>). As soon as you find out about a court date, contact the court to make this request.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

Superior Court of Washington, County of _____

In re:

Petitioner/s (as listed on the out-of-state order):

And Respondent/s (as listed on the out-of-state order):

No. _____

Request to Register Out-of-State
Custody Order
(RQCUSDR)

Clerk's action required: 7

Request to Register Out-of-State Custody Order

1. Registration

I ask the Court to register the current out-of-state custody order/s. I will file any request to enforce the out-of-state order/s using this case number.

2. Confirmation that order is valid

The out-of-state custody order/s I am asking the court to register is/are currently in effect and have not been changed (modified).

3. Person requesting registration

I am a parent or person acting as a parent who has custody or visitation with the children under the order being registered.

4. Other parties

The other parties are every other parent or person acting as a parent who has custody or visitation with the children under the order/s being registered.

5. Confidential Information

I am filing the *Confidential Information* form (FL All Family 001) separately to provide mailing addresses and other information about the parties.

6. Attachments

I am attaching the following documents to this *Request*:

- Two copies of the out-of-state custody order/s currently in effect (one copy must be certified); and
- A *Notice of Registration of Out-of-State Custody Order* (form FL UCCJEA 802).

7. Notice

I ask the court to notify the other parties of this registration as required by RCW 26.27.441.

Clerk's action: Deliver **copies** of this *Request* and all attachments to the Court Administrator or other appropriate court personnel to send to all other parties.

Person requesting registration fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Person requesting registration signs here _____ *Print name here* _____

I agree to accept legal papers for this case at (*check one*):

my lawyer's address, listed below.

the following address (*this does not have to be your home address*):

_____ city _____ state _____ zip

(Optional) email: _____

(If this address changes before the case ends, you must notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:



Lawyer signs here _____ *Print name and WSBA No.* _____ *Date* _____

_____ city _____ state _____ zip

Email (if applicable): _____

Superior Court of Washington, County of _____

In re:

Petitioner/s (*as listed on the out-of-state order*):

No. _____

And Respondent/s (*as listed on the out-of-state order*):

Notice of Registration of Out-of-State
Custody Order
(NTCUSDR)

Notice of Registration of Out-of-State Custody Order

The attached out-of-state custody order has been registered in Washington State. Now that it has been registered, it can be enforced the same as a Washington custody order.

If you believe this custody order is **not** valid, you can ask the court for a hearing. To do that, fill out and file a *Motion to Dismiss Registration of Out-of-State Custody Order and Notice of Hearing* (FL UCCJEA 804).

You can get this form and other forms you may need at:

- The Washington State Courts' website: www.courts.wa.gov/forms
- Washington Law Help: www.washingtonlawhelp.org, or
- The Superior Court Clerk's office or county law library (for a fee).

Deadline! You have **20 days** after you are served this *Notice* to file your *Motion*.

If you miss the deadline to file a *Motion*:

- The registration of the custody order will be confirmed, and
- You will not be able to challenge its validity in the future.

Superior Court of Washington, County of _____

In re:

Petitioner/s (as listed on the out-of-state order):

And Respondent/s (*as listed on the out-of-state order*):

No.

Court's Proof of Mailing (Out-of-State Custody Order Registration) (AFML)

Court's Proof of Mailing (Out-of-State Custody Order Registration)

I declare:

1. I am a court employee (*job title*): _____
2. On (*date*): _____, I personally mailed copies of the:
 - Request to Register Out-of-State Custody Order
 - Out-of-State Custody Order
 - Notice of Registration of Out-of-State Custody Order

Other: _____

To the following party/parties:

(Name):

(Name):

street number or P.O. box city state zip

3. I mailed the documents by *(check all that apply)*:

- certified mail with return receipt requested.
- first class mail.

4. Other information (if any): _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signature of server *Print or type name of server*

Tape return receipt below, if any:

Superior Court of Washington, County of _____

In re:

Petitioner/s (as listed on the out-of-state order): _____

No. _____

And Respondent/s (as listed on the out-of-state order): _____

Order About Registering Out-of-State Custody Order
(ORCCUSD)

Clerk's action required: 3

Order About Registering Out-of-State Custody Order

1. The Court held a hearing on (date): _____ to consider a *Motion to Dismiss Registration of Out-of-State Custody Order*.
2. The following people were at the hearing (check all that apply):
 Petitioner (name): _____ This person's lawyer
 Respondent (name): _____ This person's lawyer
 Other Respondent (name): _____ This person's lawyer
 Other (specify): _____
3. After considering the arguments and records for this case, the Court **finds** and **orders**:
 The Court confirms the registration of the out-of-state order custody order because the person who asked to dismiss the registration (check all that apply):
 - did not file the *Motion to Dismiss Registration of Out-of-State Custody Order and Notice of Hearing* by the deadline.
 - did not prove a defense to confirming the order under RCW 26.27.441(4).The out-of-state custody order registered under this case number will be **enforced** the same as a Washington custody order.
 The Court does not confirm the out-of-state custody order because the person who asked to dismiss the registration proved (check all that apply):
 - the custody order that was registered is not valid because a court with proper jurisdiction has cancelled (vacated), suspended (stayed), or changed (modified) it.
 - the court that issued the custody order did not have proper jurisdiction.

they did not receive proper notice before the out-of-state custody order was issued.
The registration of the out-of-state custody order is **dismissed**.

Other findings or orders (*specify*): _____

Ordered.

Date

Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below:

This document (*check any that apply*):

is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

This document (*check any that apply*):

is an agreement of the parties
 is presented by me
 may be signed by the court without notice to me

Petitioner signs here or lawyer signs here + WSBA #

Date

Respondent signs here or lawyer signs here + WSBA #

Date

Superior Court of Washington, County of _____

In re:

Petitioner/s (as listed on the out-of-state order):

No. _____

And Respondent/s (as listed on the out-of-state order):

Notice: Out-of-State Custody Order
Confirmed Without Hearing
(NTCCR)

**Notice: Out-of-State Custody Order
Confirmed Without Hearing**

1. A *Request to Register Out-of-State Custody Order* was filed by (name): _____.
2. The Court notified the other parties of the registration and their right to ask the court to dismiss the registration under RCW 26.27.441(4).
3. The other parties (name/s): _____
were served with copies of the:
 - *Request to Register Out-of-State Custody Order*
 - Out-of-state custody order
 - *Notice of Registration of Out-of-State Custody Order*Proof is filed showing service on (date/s): _____.
4. No one filed a *Motion to Dismiss Registration of Out-of-State Custody Order and Notice of Hearing* within 20 days of being served.
5. The Court confirms the registration of the out-of-state custody order as a matter of law.
 - The out-of-state custody order registered under this case number will be enforced the same as a Washington custody order.
 - You will not be able to challenge its validity in the future.

Court action: This *Notice* must be sent to the person who asked for registration and all other parties who were notified about the registration. RCW 26.27.441(5).