

**REQUEST FOR ENFORCEMENT OF A
FOREIGN CHILD CUSTODY DETERMINATION
INSTRUCTIONS FOR COMPLETING DOM REL 78**

If a court outside Maryland has issued an order governing the custody and/or visitation of a minor child, and if that order has been violated and you would like the Maryland court's assistance in enforcing that order you may use this form to ask a Maryland court to enforce your foreign (non-Maryland) court order. You may need to enforce your order in Maryland if the child or one or more of the parties now resides in Maryland.

Enforcing an out-of-state custody or visitation order in Maryland is a two-step process:

- a. You must first **register** your order by completing DR 79 and submitting it with two copies of the foreign order, one of which must be certified. You do *not* need to send a copy of DR 79 to the other parent or party in the case. The court will do that for you, by sending a required notice. **You may register a foreign order at any time, with or without a simultaneous petition to enforce.**
- b. You must then file a **petition to enforce** the order if the current custody order has been or is being violated. Use DR 78. This document must be filed with the court and then properly served on the opposing party. See the General Instructions, DR0-1 for information on filing a petition and service of process. **When filing a petition to enforce you must have already registered your order. You may file a request to register the order and the petition to enforce at the same time.**

DOM REL forms were developed to assist persons deciding to proceed alone, but you are urged to consider carefully the importance of getting an attorney to help you.

The following instructions refer only to ENFORCEMENT of the foreign order. See DRIN 79 for instructions on registering foreign order.

>STEP 1 - Completion of Form DOM REL 78.

Court: Fill in the name of the County (or Baltimore City) where you want to register your order. See **General Instructions**.

Case No.: **DO NOT** write anything where it says "Case No." The Clerk of Court will fill in this blank and, at that time, you should make note of the number for future reference.

Petitioner: Fill in your name, as "Petitioner", and your current address and telephone number. **You do not need to disclose your address or the address of children who are the subject of the case if to do so would place them at risk. If this is the case, please contact the Office of the Clerk before filing the request.**

Respondent: Fill in the name of the other parent or party.

Print your name in the space provided and state your relationship to the child(ren) by checking "mother" or "father" or naming your relationship in the blank.

List the child(ren)'s full name(s) and date(s) of birth.

Item 1. List the date of the order you are seeking to register, and the name of the court that issued it. Include the name of the state or foreign jurisdiction of that court. List the case number of the original foreign (non-Maryland) case.

Item 2. Check off any appropriate boxes, indicating whether or not the court that issued the original order considered the matter of jurisdiction.

Item 3. If appropriate, check the box to indicate whether the order you are seeking to enforce has been vacated, stayed or modified since it was issued. **NOTE: You can only seek to enforce an order that is currently valid. If the order has been vacated, stayed or modified, you may not be able to enforce it. Be sure to submit the most current court order with your request for enforcement.**

Item 4. If you know of any other court cases, hearings or legal proceedings in a Maryland court or in the court of another state or jurisdiction, list that information in this section.

Item 5. Indicate the location where the child(ren) is/are living or staying right now.

Item 6. Indicate the location where the respondent is living right now.

Item 7. Check the appropriate box to indicate whether you have previously submitted the foreign order for registration, or whether you are registering it at the same time as you are filing this petition.

Item 8. Provide a description of how the foreign custody order is not being followed.

Complete the section that begins "FOR THE FOLLOWING REASONS." Check off the appropriate boxes to ask the court for what you want.

Read the affidavit and then date and sign form DOM REL 78.

NOTE -OPTIONAL DR80. If you believe the child(ren) may be at risk of serious physical harm or may be imminently removed from the State of Maryland, you may ask that the court issue a warrant to take the children into immediate custody. If so, complete DR80 - *Application for Issuance of a Warrant*. Check the appropriate box(es) and sign and date the application and submit it with the petition. Note that it is up to the court to decide whether or not to issue the warrant.

>STEP 2 - Attach copies of the foreign order and confirmation of registration.

Attach **one certified copy** of the foreign order. **If you do not have an original certified copy, you can use a copy of the certified copy.**

NOTE: When submitting documents for *registration*, you must have two copies one of which must be an actual certified copy. See Instructions DRIN 79.

If you have previously registered the foreign order in a Maryland court, attach a copy of any **Maryland order confirming that the original order was properly registered.**

>STEP 3 - Filing Fee.

Payment of a filing fee is generally required. See *General Instruction, DR0-1.*

>STEP 4 - Filing Your Forms.

Take your completed form and attachments, with the filing fee to the Clerk of the Court.

>STEP 5 - Service.

Unless you have requested a warrant, you will need to have the other party properly served with a copy of all the papers you are filing AND with an order directing the respondent to appear which is provided by the Clerk of the Court. See *General Instructions, DR0-1.*

NOTE: If you are requesting a warrant to take physical custody of the child (DR80), DO NOT SERVE THE RESPONDENT WITH THE PETITION. In that instance, the respondent will be served by law enforcement once the child(ren) is/are taken into custody.

>STEP 6 - Hearing.

The court will hold a hearing on the petition. See the section "What Happens In Court" in the *General Instructions, DR0-1.*