



Jurisdiction to Modify a Support Order under the Hague Convention

- I. A support order from a Convention country may be modified when an application is received from a Convention country if the order is issued by:
 - A. The requesting jurisdiction
 - B. A Convention country
 - C. A Non-Convention country
- II. An application to modify a support order is available to both the Support Recipient (SR's) and the Support Payor (SP's).
- III. When the SR lives in Arizona and the order was issued by a state within the United States (U.S.), seek modification within the U.S. If the order is from:
 - A. Arizona - modify the order through the Arizona court.
 - B. A different state - register the order, following the Registration of Foreign Support Orders (ROFO) Procedures.
- IV. When the SR resides in the country that entered the order, the SP must request a modification in that country unless:
 - A. Their tribunal does not recognize the order
 - B. The country lacks jurisdiction or refuses to assume jurisdiction to modify their own order.
- V. When the applicant in another country requests a modification of a U.S. order:
 - A. Send the application packet to the state that issued the order if:
 1. The issuing state has Continuing Exclusive Jurisdiction (CEJ) to modify the order (a SR, SP or child resides in the state, or the parties file a consent in a record with the tribunal to that state's continued jurisdiction); or
 2. One party lives outside of the U.S., but the other party still lives in a U.S. state. The tribunal that issued the order retains jurisdiction to modify its own order.
 - B. Send the application to a U.S. state with personal jurisdiction over the other party when:
 1. There is no state with CEJ and the applicant chooses to submit to the jurisdiction of the state of the other party: **or**
 2. The parties file a consent in a record with the tribunal of the issuing state indicating the parties request a state that does not have CEJ to assume jurisdiction to modify the order.
- VI. When the SR in a Convention country requests modification of a non-Convention country order, the order does not have to be recognized. If the order was from a Foreign Reciprocating Country (FRC), register the order under the ROFO Procedures.