The Family Court of the State of Delaware

In and For  New Castle County  Kent County  Sussex County

## AFFIDAVIT AND REQUEST TO CONTEST THE VALIDITY OF A FOREIGN CUSTODY ORDER

## Petitioner v. Respondent

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| --- | --- | --- | --- | --- |
| Name |  | Name |  | File Number |
|  |  |  |  |  |
| D.O.B. |  | D.O.B. |  |  |
|  |  |  |  |  |
| Street Address |  | Street Address |  | Petition Number |
|  |  |  |  |  |
| Apt. or P.O. Box Number |  | Apt. or P.O. Box Number |  |  |
|  |  |  |  |  |
| City State Zip Code |  | City State Zip Code |  | |
|  |  |  |  | |
| Attorney Name and Phone Number |  | Attorney Name and Phone Number |  | |
|  |  |  |  | |

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| --- | --- |
| BE IT REMEMBERED ON THIS DATE, |  |
|  | (Respondent), who, being duly sworn by me according to the law |
| personally appeared before me, a Notary Public for the State and County declared above, did depose and say: | |

1. I hereby contest the order dated       from the State of
2. My basis for contesting the order is as follows:

The issuing court did not have jurisdiction under subchapter II of Title 13, Chapter 19.

The child custody determination sought to be registered has been vacated, stayed or modified by a court having jurisdiction to do so under subchapter II of Title 13, Chapter 19.

The person contesting registration was entitled to notice, but notice was not given in accordance with the standards of Title 13, section 1908 of this title, in the proceedings before the court that issued the order for which registration is sought.

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1. I request a hearing on this matter.

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| --- | --- | --- | --- |
| Sworn to subscribed before me: | Respondent |  | Date |
|  | Mediator/Notary Public | Date |

# **AFFIDAVIT OF MAILING**

I affirm that a true and correct copy of this Affidavit and Request to Contest the Validity of a Foreign custody order was placed in the U.S. Mail on this date  and sent to the Petitioner or the attorney address listed on the petition, being  , first class postage pre-paid.

     

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| Sworn to subscribed before me: | Respondent |  | Date |
|  | Mediator/Notary Public | Date |