

Web sites and information

U. S. State Department web site:

General child support information: http://travel.state.gov/family/child_support.html

Service of process: http://travel.state.gov/law/service_general.html

Judicial assistance: http://travel.state.gov/law/judicial_assistance.html

Service treaties:

The Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters (20 U.S.T. 1361; 658 U.N.T.S. 163, T.I.A.S. No.6638; 28 U.S.C.A. (Appendix following Rule 4 FRCvP); 16 Int'l Legal Materials (I.L.M.) 1339 (1977); Martindale-Hubbell Law Directory
<http://www.hcch.net/e/conventions/menu14e.html>

The Inter-American Convention on Letters Rogatory, done at Panama January 30, 1975; and Additional Protocol with Annex [regarding service of process] done at Montevideo, Uruguay on May 8, 1979. Senate Treaty Doc. 98-27; 98th Congress; 2d Session; 14 Int'l Legal Materials (I.L.M.) 339 (March 1975); 18 ILM 1238 (1984); Martindale-Hubbell Law Directory, Law Digest Volume, Selected International Conventions
<http://www.oas.org/JURIDICO/english/Treaties/b-36.html>
<http://www.oas.org/JURIDICO/english/Treaties/b-46.html>

Even when enforcement is not envisioned in the foreign country, **service by registered mail should never be used in China, the Czech Republic, Egypt, Germany, Latvia, Luxembourg, Norway, the Slovak Republic, South Korea, Switzerland, Turkey and Venezuela** which have notified the Hague Conference on Private International Law and the Government of the Netherlands (the depository) on accession, ratification or subsequently that they object to this type of service in all cases. See Memorandum of the Administrative Office of the U.S. Courts (November 6, 1980) at Cumulative Digest of United States Practice in International Law, 1981-1988, Department of State, Office of the Legal Adviser, 1447 (1994) or Ristau, Sec. 3-1-9, p. 70.2 (1995 supp.).

NCSEA web site re: service of process for individual countries:

<http://www.ncsea.org/international/FRC/state/index.php3>

Office of Child Support Enforcement:

<http://www.acf.hhs.gov/programs/cse/>

NCSEA international site:

<http://www.ncsea.org/international/index.php3>

Currency calculators:

<http://www.international.nasdaq.com/asp/GlobalCurrency.asp>

<http://www.bloomberg.com/markets/currency/currcalc.html>

<http://www.oanda.com/converter/classic>

Hague Conference on Private International law

<http://www.hcch.net/e/workprog/maint.html>

European Union

http://ec.europa.eu/civiljustice/maintenance_claim/maintenance_claim_swe_en.htm

This will bring you to the Sweden information site, but click on the flags on the right of the screen for the country you are interested in. Information on the laws pertaining to child support in those countries, including emancipation.

International Case Citations

Declarations:

Kulshrestha v. First Union Commercial Corp., 33 Cal. 4th 601 (specific to California).

Currency conversion:

Aker Verdal A/S v. Neil F. Lampson, Inc., 65 Wash.App. 177, 828 P.2d 610 (Wash.App. Div. 1 Apr 20, 1992)

El Universal, Compania Periodistica Nacional, S.A. de C.V. v. Phoenician Imports, Inc., 802 S.W.2d 799 (Tex.App.-Corpus Christi Dec 06, 1990) (NO. 13-89-383-CV), writ denied (Apr 17, 1991), rehearing of writ of error overruled (May 08, 1991)

Exclusivity of service of process conventions:

Volkswagenwerk AG v. Schlunk, (1989) 486 U.S. 694 (Hague is Exclusive)

Krimerman v. Casa Veerkamp, (1994) 22 F.3d 634 (Inter-American not Exclusive)

State because there is reciprocity

Foreman v. Foreman, 144 N.C.App. 582, 550 S.E.2d 792 (N.C.App., Jul 03, 2001) review denied 354 N.C 68, 553 S.E.2d 38 (N.C. Aug 16, 2001)

Not a state because no reciprocity AND no proof of substantial similarity

Haker-Volkening v. Haker, 143 N.C.App. 688, 547 S.E.2d 127 (N.C.App., Jun 05, 2001) review denied 354 N.C 217, 554 S.E.2d 338 (N.C. Oct 04, 2001)

No enforcement because no reciprocity, no substantial similarity and not recognized under comity because no requirement of personal jurisdiction over Respondent

Country of Luxembourg ex rel. Ribeiro v. Canderas, 338 N.J.Super. 192, 768 A.2d 283 (N.J.Super.Ch., Dec 29, 2000)

Not entitled to recognition under FFCCOA but honored on basis of comity

State ex rel. Anson/Richmond Child Support Enforcement Agency ex rel. Desselberg v. Peele, 136 N.C.App. 206, 523 S.E.2d 125 (N.C.App., Dec 21, 1999) cert. denied 351 N.C. 479, 543 S.E.2d 509 (N.C. Apr 06, 2000)

“State” status of the place from which a CP applies for services is IRRELEVANT in an ESTABLISHMENT CASE FILED UNDER UIFSA

People ex rel. A.K., 72 P.3d 402, 2003 WL 124400 (Colo.App. Jan 16, 2003) (NO. 02CA0554)

UK order modifying MN order not recognized by MN because UK modified order of MN tribunal with CEJ. If UK does not recognize concept of CEJ, then it is not a “state”

Grave v. Shubert, 2000 WL 1221343 (Minn.App. Aug 29, 2000) (NO. C5-00-399), review denied (Nov 15, 2000) **unpublished**