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2024 Edition

Foreign Matrimonial, Custody, and Support Judgments in Connecticut

A Guide to Resources in the Law Library

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*Prepared by Connecticut Judicial Branch, Superior Court Operations,
Judge Support Services, Law Library Services Unit*

lawlibrarians@jud.ct.gov

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<https://jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar and Harvard's Case Law Access Project. The online versions are for informational purposes only.

References to online legal research databases refer to in-library use of these databases. Remote access is not available.

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<https://www.jud.ct.gov/policies.htm>

Introduction

A Guide to Resources in the Law Library

- **"As background, UIFSA** is one of numerous uniform acts drafted by the National Conference of Commissioners on Uniform State Laws in the United States. 'UIFSA, which has been adopted by all states, including Connecticut, governs the procedures for establishing, enforcing and modifying child and spousal support, or alimony, orders, as well as for determining parentage when more than one state is involved in such proceedings.' (Footnote added; footnote omitted.) *Hornblower v. Hornblower*, supra, 151 Conn. App. at 333, 94 A.3d 1218; see also General Statutes § 46b-301 et seq.; *Studer v. Studer*, 320 Conn. 483, 487, 131 A.3d 240 (2016)." [Olson v. Olson](#), 214 Conn. App. 4, 12-13, 279 A.3d 230, cert. denied, 345 Conn. 916 (2022).
- **"The purpose of General Statutes 46b-70 et seq.** is to enforce matrimonial judgments in order to achieve a uniformity of law, without having that purpose frustrated by the courts. See *Walzer v. Walzer*, 173 Conn. 62, 376 A.2d 414 (1977). A mobile interstate populace is a societal fact of life in every state. Stability in the status of children as beneficiaries of support agreements should be preserved when consistent with the varying laws of our states." [Van Wagner v. Van Wagner](#), 1 Conn. App. 578, 582-583, 474 A.2d 110 (1984).
- **Comity:** "We begin our analysis with a review of the doctrine of comity applied by the trial court. '[C]omity is a flexible doctrine, the application of which rests in the discretion of the state where enforcement of a foreign order is sought.' [Walzer v. Walzer](#), 173 Conn. 62, 70, 376 A.2d 414 (1977). The doctrine traces its roots to the decision of the United States Supreme Court in [Hilton v. Guyot](#), 159 U.S. 113, 16 S. Ct. 139, 40 L. Ed. 95 (1895), which observed that "'[c]omity," in the legal sense, is neither a matter of absolute obligation, on the one hand, nor of mere courtesy and good will, upon the other. But it is the recognition which one nation allows within its territory to the legislative, executive or judicial acts of another nation, having due regard both to international duty and convenience, and to the rights of its own citizens or of other persons who are under the protection of its laws.' Id., at 163-64. '[W]here there has been opportunity for a full and fair trial abroad before a court of competent jurisdiction, conducting the trial upon regular proceedings, after due citation or voluntary appearance of the defendant, and under a system of jurisprudence likely to secure an impartial administration of justice between the citizens of its own country and those of other countries, and there is nothing to show either prejudice in the court, or in the system of laws under which it was sitting, or fraud in procuring the judgment, or any other special reason why the comity of this nation should not allow it full effect, the merits of the case should not, in an action brought in this country upon the judgment, be tried afresh, as on a new trial or an appeal, upon the mere assertion of the party that the judgment was erroneous in law or in fact.' Id., at 202-203." [Zitkene v. Zitkus](#), 140 Conn. App. 856, 865, 60 A.3d 322 (2013).

Section 1: Foreign Support Judgments in Connecticut under UIFSA

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to the filing and enforcement in Connecticut of matrimonial judgments from other jurisdictions under the Uniform Interstate Family Support Act (UIFSA), effective July 1, 2015. Some of the case law cited may discuss previous versions of UIFSA.

SEE ALSO:

- Foreign Matrimonial Judgments in Connecticut under RURESA ([Section 2](#))

DEFINITIONS:

- **UIFSA Definitions:** Conn. Gen. Stat. § [46b-302](#) (2023)
- **Remedies cumulative.** "(a) Remedies provided by sections 46b-301 to 46b-425, inclusive, are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.
(b) Sections 46b-301 to 46b-425, inclusive, do not (1) provide the exclusive method of establishing or enforcing a support order under the law of this state; or (2) grant a tribunal of this state jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under sections 46b-301 to 46b-425, inclusive." Conn. Gen. Stat. § [46b-304](#) (2023)
- **Registration of Support Orders:** "A support order or income-withholding order issued in another state or a foreign support order may be registered in this state for enforcement." Conn. Gen. Stat. § [46b-370](#) (2023)

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2023).
[Chapter 817](#). Uniform Interstate Family Support Act (§§ 46b-301-46b-425)
 - § 46b-302. Definitions
 - § 46b-303. State tribunal and support enforcement agency
 - § 46b-311. Bases for jurisdiction over nonresident
 - § 46b-312. Duration of personal jurisdiction
 - § 46b-314. Simultaneous proceedings
 - § 46b-315. Continuing, exclusive jurisdiction to modify child support order
 - § 46b-316. Continuing jurisdiction to enforce child support order
 - § 46b-317. Determination of controlling child support order
 - § 46b-329. Application of law of State of CT Judicial Branch
 - § 46b-370. Registration of order for enforcement

- § 46b-371. Procedure to register order for enforcement
- § 46b-377. Notice of registration of order
- § 46b-378. Procedure to contest validity or enforcement of registered support order
- § 46b-384. Procedure to register child support order of another state for modification
- § 46b-388. Jurisdiction to modify child support order of another state when individual parties reside in this state.
- § 46b-393. Jurisdiction to modify child support order of foreign country
- § 46b-394. Procedure to register child support order of foreign country for modification

[Chapter 818.](#) Connecticut Parentage Act

- § 46b-484. Full faith and credit.
- § 46b-576. (Formerly Sec. 46b-179). Foreign parentage judgments.
- § 46b-577. (Formerly Sec. 46b-179a). Registry of foreign parentage judgments. Filing of certified copy and certification of final judgment.
- § 46b-578. (Formerly Sec. 46b-179b). Enforcement of foreign parentage judgment.
- § 46b-579. (Formerly Sec. 46b-179c). Notification of filing judgment. Proof of service to be filed with court.
- § 46b-580. (Formerly Sec. 46b-179d). Enforcement of foreign parentage judgment stayed by other pending actions.

United States Code

- 28 U.S.C. (2024)
[§ 1738B](#) Full faith and credit for child support orders

PUBLIC ACTS:

- [Public Act 16-13](#) *An Act Renaming The Bureau Of Child Support Enforcement To The Office Of Child Support Services.* (Effective from passage.)
- [Public Act 15-71](#) *An Act Adopting the Uniform Interstate Family Support Act Of 2008.* (Effective 7/1/2015.)

REGULATIONS:

You can browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation has been updated.

- Conn. Agencies Regs.
 Title IV-D Child Support Enforcement Program
 - § [17b-179\(m\)-5](#). Establishment of support orders
 - § [17b-179\(m\)-10](#). Provision of services in interstate IV-D cases
 - (a) Central registry

- (b) Responding state functions
- (c) Initiating state functions

CASES:

- [Olson v. Olson](#), 214 Conn. App. 4, 279 A.3d 230, 13–14, cert denied, 345 Conn. 916 (2022). "...it is clear that, although Connecticut courts do not have subject matter jurisdiction over a spousal support order issued by a court of another state or a foreign country having *continuing, exclusive jurisdiction* over that order, a Connecticut court *does* have subject matter jurisdiction to modify a spousal support order issued in another state or a foreign country if that state or foreign country does not, by the terms of its laws, maintain continuing, *exclusive jurisdiction* over the spousal support order at issue. Accordingly, we must determine whether the United Kingdom, under its laws, has continuing, *exclusive jurisdiction* to modify the spousal support order in question."
- [Dillon v. Scholz](#), No. FSTFA094017502S, Superior Court, Judicial District of Stamford-Norwalk at Stamford (Jan. 10, 2019) (2019 WL 423177). "In view of the fact that the parties and the child no longer reside in Connecticut, however, this court will not have continuing *exclusive jurisdiction* under UIFSA unless 'the parties consent in a record or in open court that the tribunal of this state may continue to exercise jurisdiction to modify its order.' General Statutes § 46b-315(a)(2). In addition, nothing in this order shall preclude either party from registering the Connecticut dissolution judgment in the state in which he or she is currently residing."
- [Studer v. Studer](#), 320 Conn. 483, 491-492, 131 A.3d 240 (2016). "Our examination of the plain language of the statute and related statutes indicates that § 46b-213q (d) vests the first state to issue a child support order with control over the duration of the child support obligation, notwithstanding any subsequent modifications of the child support order by a tribunal of another state. Furthermore, our review of the case law of other states that have enacted or considered analogous statutes also supports this understanding. Accordingly, because it is undisputed that the Florida judgment was rendered before any of the Connecticut orders, the initial controlling order in the present case is the Florida judgment and, therefore, Florida law governs the duration of the defendant's child support obligation."
- [Testa v. Geressy](#), 286 Conn. 291, 310-311, 943 A.2d 1075, 1086-1087 (2008). "We conclude that the unambiguous text of both §§ 46b-212t (a) and 46b-231 (t) (2) gives the state express statutory authority to provide legal services on behalf of support enforcement services in assisting the defendant in this action. Indeed,

our conclusion is buttressed by the relevant state regulations, as § 17b-179(m)-10 (b) of the Regulations of Connecticut State Agencies provides in relevant part: 'When Connecticut is the responding state, [support enforcement division, now known as support enforcement services] shall: (1) serve as the *support enforcement agency* under [the Uniform Interstate Family Support Act] and provide *any necessary services* within the applicable timeframes for the given services which shall include paternity and support obligation establishment, *in conjunction with the [attorney general's office], enforcement of court orders*, and collection and monitoring of support payments' (Emphasis added.)."

**WEST KEY
NUMBERS:**

- *Child Support*
 - X. *Interstate issues, #500-510*
 - #502. *What law governs*
 - #503. *Preemption*
 - #506. *Foreign decree or proceeding*
 - #507. *Jurisdiction of forum court to act*
 - #508. *Enforcement of foreign judgments*
 - #509. *Modification of foreign judgments*
 - #510. *Stipulations and agreements*
 - XI. *International issues, #525-531*

- *Divorce*
 - #1400-1476. Foreign divorces.

ENCYCLOPEDIAS:

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 90 ALR5th 1, *Construction and Application of Uniform Interstate Family Support Act*, by Kurtis A. Kemper, Thomson West, 2001.
- 23 Am. Jur. 2d *Desertion and Nonsupport*, Thomson West, 2024 (Also available on Westlaw).
 - II. Uniform Acts
 - § 74. Uniform Interstate Family Support Act
 - §§ 75-84. Interstate enforcement of support orders under uniform acts
- 24A Am. Jur. 2d *Divorce and Separation*, Thomson West, 2018 (Also available on Westlaw).
 - VI. Foreign Divorces
 - Decrees Concerning Alimony, Child Support, Child Custody, and Visitation
 - §§ 1046-1056. Alimony—Under the Uniform Interstate Family Support Act
 - § 1061. Child Support—Uniform Interstate Family Support Act

**TEXTS &
TREATISES:**

- *Connecticut Family Law Citations: A Reference Guide to Connecticut Family Law Decisions*, by Monika D. Young, LexisNexis, 2024.
 - Chapter 10. Child Support

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

§ 10.01. Uniform Interstate Family Support Act (UIFSA)

- *LexisNexis Practice Guide: Connecticut Family Law*, Louise Truax, editor, 2024 ed., LexisNexis.

Chapter 2. Jurisdiction

Part X: Applying the Uniform Interstate Family Support Act

§ 2.51. CHECKLIST: Applying the Uniform Interstate Family Support Act

§ 2.52. Asserting jurisdiction over nonresidents

§ 2.53. Establishing support orders when there are simultaneous proceedings in another state

§ 2.54. Continuing exclusive jurisdiction

Chapter 7. Child Support.

Part II: Asserting Jurisdiction for Child Support and UIFSA.

- *8 Connecticut Practice Series: Family Law and Practice with Forms*, 3rd ed., by Arnold H. Rutkin et al., 2010, Thomson West, with 2022-2023 supplement (also available on Westlaw).

Chapter 31. Jurisdiction to Award Alimony

§ 31:7. Continuing jurisdiction

Chapter 34. Enforcement of Alimony and Child Support Provisions of Judgment

§ 34:3. Jurisdiction for enforcement

§ 34:28. Limitations on income withholding

Chapter 36. Jurisdiction to Award Child Support

§ 36:7. Continuing jurisdiction

- *8A Connecticut Practice Series: Family Law and Practice with Forms*, 3rd ed., by Arnold H. Rutkin et al., 2010, Thomson West, with 2022-2023 supplement (also available on Westlaw).

Chapter 55. Foreign Divorce

§ 55:2. Principles governing recognition of orders of other states

§ 55:5. Necessity that both parties appeared in foreign action

§ 55:11. Enforcement of foreign judgments—Filing of judgment in Connecticut

§ 55:12. Enforcement of foreign judgments—Stays or modification

- *5 Family Law and Practice*, by Arnold H. Rutkin, Matthew Bender, 2024 (also available on Lexis).

Chapter 48. Interstate Support Proceedings

§ 48.03. Uniform Interstate Family Support Act

[8] Enforcement and modification of child support orders after registration

Table 1: Jurisdiction over Nonresident Party for Child Support and Related Proceedings

Jurisdiction over Nonresident Party for Child Support and Related Proceedings	
<p>§ 46b-311 <i>Bases for jurisdiction over nonresident</i></p> <p>Chapter 817: Uniform Interstate Family Support Act</p>	<p>"In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if (1) the individual is personally served with process within this state; (2) the individual submits to the jurisdiction of this state by consent in a record, by entering a general appearance or by filing a responsive document having the effect of waiving any contest to personal jurisdiction; (3) the individual resided with the child in this state; (4) the individual resided in this state and provided prenatal expenses or support for the child; (5) the child resides in this state as a result of the acts or directives of the individual; (6) the individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse; or (7) there is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction."</p>
<p>§ 46b-560</p> <p>Chapter 818: Connecticut Parentage Act and Parentage-Related Provisions</p>	<p>"(b) If the alleged parent resides out of or is absent from the state, notice required for the exercise of jurisdiction over such alleged parent shall be actual notice, and shall be in the manner prescribed for personal service of process by the law of the place in which service is made.</p> <p>(c) In any proceeding to establish parentage, the court or family support magistrate may exercise personal jurisdiction over a nonresident alleged parent if the court or magistrate finds that the alleged parent was personally served in this state or that the alleged parent resided in this state and while residing in this state (1) paid prenatal expenses for the birth parent and support for the child, (2) resided with the child and held himself or herself out as the parent of the child, or (3) paid support for the child and held himself or herself out as the parent of the child, provided the nonresident alleged parent has received actual notice of the pending petition for parentage pursuant to this subsection."</p>

<p>§ 46b-46</p> <p>Chapter 815: Dissolution of Marriage, Legal Separation and Annulment</p>	<p>"(b) The court may exercise personal jurisdiction over the nonresident party as to all matters concerning temporary or permanent alimony or support of children, only if: (1) The nonresident party has received actual notice under subsection (a) of this section; and (2) the party requesting alimony meets the residency requirement of section 46b-44."</p>
<p>§ 46b-44</p> <p>Chapter 815: Dissolution of Marriage, Legal Separation and Annulment</p>	<p>"(c) A decree dissolving a marriage or granting a legal separation may be entered if: (1) One of the parties to the marriage has been a resident of this state for at least the twelve months next preceding the date of the filing of the complaint or next preceding the date of the decree; or (2) one of the parties was domiciled in this state at the time of the marriage and returned to this state with the intention of permanently remaining before the filing of the complaint; or (3) the cause for the dissolution of the marriage arose after either party moved into this state."</p>
<p>You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website.</p>	

Section 2: Foreign Matrimonial Judgments in Connecticut Under RURESA

A Guide to Resources in the Law Library

SCOPE:

Bibliographic resources relating to the filing and enforcement in Connecticut of matrimonial judgments from other jurisdictions under the Revised Uniform Reciprocal Enforcement of Support Act (RURESA) as well as matrimonial judgments from foreign countries.

SEE ALSO:

- Foreign Matrimonial Judgments in Connecticut under UIFSA ([Section 1](#))

DEFINITIONS:

- “. . . ‘foreign matrimonial judgment’ means any judgment, decree or order of a court of any state in the United States in an action for divorce, legal separation, annulment or dissolution of marriage, for the custody, care, education, visitation, maintenance or support of children or for alimony, support or the disposition of property of the parties to an existing or terminated marriage, in which both parties have entered an appearance.” Conn. Gen. Stat. § [46b-70](#) (2023).
- “. . . in modifying, altering, amending, setting aside, vacating, staying or suspending any such foreign matrimonial judgment in this state the substantive law of the foreign jurisdiction shall be controlling.” Conn. Gen. Stat. § [46b-71](#) (2023).
- “The purpose of General Statutes 46b-70 et seq. is to enforce matrimonial judgments in order to achieve a uniformity of law, without having that purpose frustrated by the courts. See *Walzer v. Walzer*, 173 Conn. 62, 376 A.2d 414 (1977). A mobile interstate populace is a societal fact of life in every state. Stability in the status of children as beneficiaries of support agreements should be preserved when consistent with the varying laws of our states.” [Van Wagner v. Van Wagner](#), 1 Conn. App. 578, 582-583, 474 A.2d 110, 112 (1984).
- “In addressing the purposes of this statute the court in *Rule v. Rule*, 6 Conn. App. 541, 545, 506 A.2d 1061, cert. denied, 201 Conn. 801, 513 A.2d 697 (1986), held that ‘[the purpose of General Statutes § 46b-70 and [§ 46b-71] is to prevent a defendant from avoiding the execution of a valid and enforceable judgment by fleeing the jurisdiction. See 20 S. Proc., Pt. 7, 1977 Sess., pp. 2907-2911; 20 H.R. Proc., Pt. 7, 1977 Sess., pp. 2942-44.’ Section 46b-71 allows a party to follow a person who has fled the original decree rendering forum.” [St. Hilaire v. St. Hilaire](#), 41 Conn. Supp. 429, 434-435, 581 A.2d 752, 755

(1990).

STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- Conn. Gen. Stat. (2023).
[Chapter 815j](#). Dissolution of Marriage, Legal Separation and Annulment
§ [46b-70](#). Foreign matrimonial judgment defined
§ [46b-71](#). Filing of foreign matrimonial judgment; enforcement in this state
§ [46b-72](#). Notification of filing
§ [46b-73](#). Stay of enforcement; modifications; hearing
§ [46b-74](#). Right to action on judgment unimpaired
§ [46b-75](#). Uniformity of interpretation

United States Code

- 28 U.S.C. (2024)
§ [1738B](#) Full faith and credit for child support orders

FORMS:

- *Library of Connecticut Family Law Forms*, 2d ed., by MacNamara, Welsh, and George, editors, Connecticut Law Tribune, 2014.
Form 17-001. Notification of filing of petition registering foreign matrimonial judgment
Form 17-002. Petition registering foreign matrimonial judgment
- 15A *Am. Jur. Pleading and Practice Forms* Judgments (2016 rev.).
§ 526. Judgment—Establishing judgment of divorce secured in foreign jurisdiction

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Gershon v. Back](#), 346 Conn. 181, 194–95, 288 A.3d 602 (2023). “To determine whether New York or Connecticut law governs a motion to open and vacate a New York judgment of divorce registered pursuant to § 46b-71, we apply Connecticut’s conflict of law rules. See *id.* Subsection (b) of § 46b-71 codifies the conflict of law rules governing a foreign matrimonial judgment registered in this state and provides in relevant part that such a judgment ‘shall have the same effect and may be enforced or satisfied in the same manner as any like judgment of a court of this state and is subject to the same procedures for modifying, altering, amending, vacating, setting aside, staying or suspending said judgment as a judgment of a court of this state; provided, in modifying, altering, amending, setting aside, vacating, staying or suspending any such foreign matrimonial judgment in this state the substantive law of the foreign jurisdiction shall be controlling.’ The plaintiff’s motion to open and set aside the judgment is governed by New York substantive law and Connecticut procedural law.”

- Koch v. Lee, No. FST-FA-19-4031351-S, Superior Court, Judicial District of Stamford-Norwalk at Stamford (June 29, 2023) (2023 Conn. Super. LEXIS 1849). "General Statutes §46b-71(b). '[W]hen modifying a foreign matrimonial judgment, the courts of this state must apply the substantive law of the foreign jurisdiction, and failure to do so constitutes plain error.' *Vitale v. Krieger*, 47 Conn. App. 146, 149, 702 A.2d 148 (1997) (citing *Colby v. Colby*, 33 Conn. App. 417, 421, 635 A.2d 1241 (1994))."

"Superior Court judges that have considered this issue have found that child support guidelines are substantive in nature, and, therefore, the guidelines of the foreign jurisdiction must be applied. See, e.g., *McGrane v. McGrane*, Superior Court, judicial district of Hartford, No. HHD-FA-18-4087052-S (Sept. 17, 2018, *Nguyen-O'Dowd, J.* (child support guidelines are substantive and not procedural in nature)); *Symolon v. Han*, Superior Court, judicial district of Waterbury, Docket No. FA-13-4029250-S (May 16, 2013, *Bozzuto, J.*) (56 Conn. L. Rptr. 148, 2013 Conn. Super. LEXIS 1160) (child support guidelines are substantive in nature, and thus child support guidelines of foreign jurisdiction apply to motion to modify child support); *Bonthu v. Bonthu*, Superior Court, judicial district of New London at Norwich, Docket No. FA-06-4104170 (April 4, 2007, *Sweinton, J.*) (43 Conn. L. Rptr. 230, 2007 Conn. Super. LEXIS 859) (child support guidelines are substantive in nature, and therefore the guidelines from the foreign jurisdiction are to be followed in determining a child support amount)."

- Barber v. Barber, 193 Conn. App. 190, 219 A.3d 378 (2019). "On 'February 5, 2015, pursuant to General Statutes § 46b-71, the defendant registered the New York judgment of dissolution in the Superior Court.' (p. 194)

'The law of judgments ... is well settled. The construction of a judgment is a question of law with the determinative factor being the intent of the court as gathered from all parts of the judgment.... As a general rule, the court should construe [a] judgment as it would construe any document or written contract in evidence before it.... Effect must be given to that which is clearly implied as well as to that which is expressed.... If faced with ... an ambiguity, we construe the court's decision to support, rather than to undermine, its judgment.... The judgment should admit of a consistent construction as a whole.... To determine the meaning of a judgment, we must ascertain the intent of the court from the language used and, if necessary, the surrounding circumstances....' (Citations omitted; internal quotation marks omitted.) *Rogan v. Rungee*, 165 Conn. App. 209, 223, 140 A.3d 979 (2016)."

(p. 200-201)

- [St. Denis-Lima v. St. Denis](#), 190 Conn. App. 296, 310, 212 A.3d 242, cert denied, 333 Conn. 910 (2019). "We next address the plaintiff's argument that the Brazilian judgment of dissolution should not be recognized as a matter of public policy. The court recognized the Brazilian dissolution decree under the principle of comity...."
- [Baugher v. Baugher](#), 63 Conn. App. 59, 61, 774 A.2d 1089, 1090-1091 (2001). "There ensued a flurry of litigation in New York that ended when the New York court decided that, although it had continuing jurisdiction, it would decline to exercise that jurisdiction if the parties filed an appropriate action in Connecticut, where the parties were then residing or planning to reside."
- [Lindo v. Lindo](#), 48 Conn. App. 645, 649-50, 710 A.2d 1387, 1390 (1998). "When modifying a foreign matrimonial judgment, a Connecticut court must apply the substantive law of the foreign jurisdiction. General Statutes § 46b-71 (b). Under the particular circumstances of this matter, however, whether the Michigan judgment is a 'foreign matrimonial judgment' that may be modified by a Connecticut court depends on whether it falls within the purview of § 46b-70. It is clear that the defendant never filed an appearance in the proceedings leading to the February 24, 1986 judgment modifying the New York decree. The defendant argues, however, that his appearances in the Michigan court, subsequent to its February 24, 1986 modification order, are sufficient, as a matter of law, to satisfy the requirements of § 46b-70. We do not agree."
- [Colby v. Colby](#), 33 Conn. App. 417, 421, 635 A.2d 1241 (1994). "While this court has the authority to determine jurisdiction; . . . we are unable to determine from the record whether the plaintiff here ever filed an appearance in the divorce proceedings in accordance with the Massachusetts rules of civil procedure. The threshold requirement for enforcement of the foreign matrimonial judgment not having been satisfied leaves unresolved the question of the jurisdiction of the trial court. This court is not in a position to hold a hearing to determine this fact and thus remands the case to the trial court for a hearing to determine whether the threshold issue has been met."
- [Mirabal v. Mirabal](#), 30 Conn. App. 821, 825-826, 622 A.2d 1037 (1993). "General Statutes § 46b-71(b) consigns to the courts of this state the power to enforce, satisfy, modify, alter, amend vacate, set aside or suspend a foreign matrimonial judgment that has been properly filed in a Connecticut court. This subject-matter jurisdiction is

circumscribed, however, by General Statutes § 46b-70, which defines a foreign matrimonial judgment as 'any judgment, decree or order of a court of any state in the United States in an action for ... divorce ... or dissolution of marriage, for the custody ... or support of children ... *in which both parties have entered an appearance.*' (Emphasis added.) The requirement of the entry of an appearance by both parties is a 'threshold requirement for enforcement' of a foreign matrimonial judgment. *Morabito v. Wachsmann*, 191 Conn. 92, 101, 463 A.2d 593 (1983). The language of § 46b-70 differs from that of other uniform enforcement of judgment acts; it 'reflects the intent of the legislature to ensure that both parties have actual notice of an out-of-state proceeding, *and to preclude adoption of foreign judgments obtained by a default in appearance.*' *Rule v. Rule*, 6 Conn.App. 541, 544, 506 A.2d 1061, cert. denied, 201 Conn. 801, 513 A.2d 697 (1986); *Morabito v. Wachsmann*, supra, 191 Conn. at 101 n. 9, 463 A.2d 593. A trial court has no competency to exercise power over an out-of-state matrimonial judgment that does not satisfy the requirements of § 46b-70."

- [Rule v. Rule](#), 6 Conn. App. 541, 545, 506 A.2d 1061 (1986). "The purpose of General Statutes § 46b-70 and § 46b-71 is to prevent a defendant from avoiding the execution of a valid and enforceable judgment by fleeing the jurisdiction."

WEST KEY NUMBERS:

- *Divorce*
1400-1476. Foreign divorces.
- *Judgment*
946. Judgment and enforcement thereof.

ENCYCLOPEDIAS:

Encyclopedias are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- *23 Am. Jur. 2d Desertion and Nonsupport*, Thomson West, 2024 (Also available on Westlaw).
II. Uniform Acts
§ 73. Uniform Reciprocal Enforcement of Support Acts
- *82 C.J.S. Statutes*, Thomson West, 2022 (Also available on Westlaw)
I. Definitions, Distinctions, Nature, and Source of Statutes
§ 2. Classifications or characterizations of statutes

TEXTS & TREATISES:

- *LexisNexis Practice Guide: Connecticut Family Law*, Louise Truax, editor, 2024 ed., LexisNexis.
Chapter 2. Jurisdiction
Part XI: Domesticating and Enforcing Foreign Matrimonial Judgments
§ 2.55. CHECKLIST: Domesticating and enforcing foreign matrimonial judgments

§ 2.56. Domesticating a foreign judgment
§ 2.57. Asserting comity for judgments of foreign countries

- 8 Connecticut Practice Series, *Family Law and Practice with Forms*, 3d ed., by Arnold H. Rutkin, et al., Thomson West, 2010, with 2022-2023 supplement (also available on Westlaw).
 - Chapter 55. Foreign Divorce
 - § 55:9. Effect to be given to foreign judgment
 - § 55:10. Enforcement of foreign judgments—Generally
 - § 55:11. —Filing of judgment in Connecticut
 - § 55:12. —Stays or modification
 - § 55:13. —Hearing
 - § 55:14. —Public-policy considerations
- 3 Connecticut Practice Series, *Connecticut Civil Practice Forms*, 5th ed., by Daniel A. Morris et al., 2023-2024 ed., Thomson West (also available on Westlaw).
 - Authors' Commentary for § 50.10.
- 5 *Family Law and Practice*, by Arnold H. Rutkin, Matthew Bender, 2024 (also available on Lexis).
 - Chapter 48. Interstate Support Proceedings
 - § 48.10. Suit to reduce a sister-state order to a local order
 - [5] Procedure to reduce a foreign order to an order of the forum state
 - [c] Action under the general provisions of (R)URESA
 - [d] Registration under (R)URESA

Table 2: Filing and Enforcement of Foreign Matrimonial Judgment

Filing and Enforcement of Foreign Matrimonial Judgments	
<p>§ 46b-71 <i>Filing of foreign matrimonial judgment.</i></p>	<p>(a) "Any party to an action in which a foreign matrimonial judgment has been rendered, shall file, with a certified copy of the foreign matrimonial judgment, in the court in this state in which enforcement of such judgment is sought, a certification that such judgment is final, has not been modified, altered, amended, set aside or vacated and that the enforcement of such judgment has not been stayed or suspended, and such certificate shall set forth the full name and last-known address of the other party to such judgment and the name and address of the court in the foreign state which rendered such judgment."</p>
<p>§ 46b-72 <i>Notification of filing.</i></p>	<p>"Within five days after the filing of such judgment and certificate, the party filing such judgment shall notify the other party of the filing of such foreign matrimonial judgment by registered mail at his last-known address or by personal service. Execution shall not issue on any such foreign matrimonial judgment for a period of twenty days from the filing thereof and no steps shall be taken to enforce such judgment until proof of service has been filed with the court."</p>
<p>§ 46b-71 <i>Enforcement in this state.</i></p>	<p>"(b) Such foreign matrimonial judgment shall become a judgment of the court of this state where it is filed and shall be enforced and otherwise treated in the same manner as a judgment of a court in this state; provided such foreign matrimonial judgment does not contravene the public policy of the state of Connecticut. A foreign matrimonial judgment so filed shall have the same effect and may be enforced or satisfied in the same manner as any like judgment of a court of this state and is subject to the same procedures for modifying, altering, amending, vacating, setting aside, staying or suspending said judgment as a judgment of a court of this state; provided, in modifying, altering, amending, setting aside, vacating, staying or suspending any such foreign matrimonial judgment in this state the substantive law of the foreign jurisdiction shall be controlling."</p>
<p>§ 46b-73 <i>Stay of enforcement; modifications; hearing.</i></p>	<p>"(a) If either party files an affidavit with the court that an appeal from the foreign matrimonial judgment is pending in the foreign state, or will be taken, or that a stay of execution has been granted, the court shall stay enforcement of the foreign matrimonial judgment until the appeal is concluded, the time for appeal expires or the stay of execution expires or is vacated.</p> <p>(b) If a party files an affidavit with the court that such foreign matrimonial judgment has been modified, altered or amended, the court shall enforce such foreign matrimonial judgment as modified, altered or amended.</p>

	<p>(c) Upon motion made to the court of this state in which the foreign matrimonial judgment has been filed, either party shall be entitled to a hearing on any disputed issue of fact or law concerning the enforceability of said judgment in this state, including any challenge to the jurisdiction of the court which rendered such foreign matrimonial judgment.”</p>
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Table 3: Registration of Child Custody Determination of Another State:
Uniform Child Custody Jurisdiction and Enforcement Act

Registration of Child Custody Determination of Another State: Uniform Child Custody Jurisdiction and Enforcement Act	
<p>§ 46b-115w <i>Registration of child custody determination</i></p>	<p>“(a) A child custody determination issued by a court of another state may be registered in this state, with or without a simultaneous request for enforcement, by sending to the Superior Court in this state: (1) A letter or other document requesting registration; (2) two copies, including one certified copy, of the determination sought to be registered, and a statement under penalty of perjury that to the best of the knowledge and belief of the petitioner the order has not been modified; and (3) except as otherwise provided in section 46b-115s, the name and address of the petitioner and any parent or person acting as parent who has been awarded custody or visitation in the child custody determination sought to be registered.</p>
<p><i>Notify persons named within five days</i></p>	<p>(b) On receipt of the documents required by subsection (a) of this section, the registering court shall cause the determination to be filed as a foreign judgment, together with one copy of any accompanying documents and information, regardless of their form.</p> <p>(c) Within five days after the registering court's receipt of the documents required by subsection (a) of this section, the petitioner shall notify the persons named pursuant to subdivision (3) of subsection (a) of this section of the registration of the documents by certified mail, return receipt requested at their respective last-known addresses or by personal service, and provide them with an opportunity to contest the registration in accordance with this section. The notice required in this subsection shall state that: (1) A registered determination is enforceable as of the date of the registration in the same manner as a determination issued by a court of this state; (2) a hearing to contest the validity of the registered determination must be requested within twenty days after service of notice; and (3) failure to contest the registration will, upon proof of notice, result in confirmation of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted.</p>
<p><i>A hearing to contest the validity of the registered determination must be requested within</i></p>	<p>(d) A hearing to contest the validity of the registered determination shall be requested within twenty days after service of the notice. Such hearing shall be held within twenty days of the receipt of such request. At that hearing, the court shall confirm the registered order unless the respondent establishes that: (1) The issuing court did not</p>

<p><i>twenty days after service of notice</i></p>	<p>have jurisdiction under a provision substantially similar to section 46b-115k, 46b-115l or 46b-115m; (2) the child custody determination sought to be registered has been vacated, stayed or modified by a court having jurisdiction to do so pursuant to a statute substantially similar to sections 46b-115k to 46b-115m, inclusive; or (3) the respondent was entitled to notice of the proceedings before the court that issued the order for which registration is sought, but such notice was not given in a manner reasonably calculated to give actual notice.</p>
<p><i>If timely request for hearing is not made, the registration is confirmed</i></p>	<p>(e) If a timely request for a hearing to contest the validity of the registration is not made, the registration is confirmed as a matter of law with respect to those who have received proper notice and all persons served must be notified of the confirmation by the petitioner.</p>
<p><i>Confirmation precludes further contest of the order</i></p>	<p>(f) Confirmation of a registered order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration."</p>
<p><u>§ 46b-115x</u> <i>Enforcement of child custody determination.</i></p>	<p>"A court of this state shall recognize and enforce, but not modify except in accordance with section 46b-115m, a child custody determination of a court of another state if (1) the court of the other state exercised jurisdiction under a provision substantially similar to section 46b-115k, 46b-115l or 46b-115m, the determination was made under factual circumstances meeting the jurisdictional standards of this chapter and the determination has not been modified in accordance with this chapter, or (2) the child custody determination was registered in this state pursuant to section 46b-115w. A child custody determination which satisfies the criteria in subdivision (1) or (2) of this section shall have the same effect and shall be enforced in the same manner as a child custody determination rendered by the Superior Court."</p>