

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Marieke Randoy 668 Citadel Parade #2006 Vancouver, British Columbia V6B1W6 CANADA Respondent, In Pro Per TELEPHONE NO 7787880660 FAX NO. (Optional) E-MAIL ADDRESS (Optional): writetomarika@icloud.com ATTORNEY FOR (Name):		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles JUL 13 2015 Sherri R. Carter, Executive Officer/Clerk By <u>Mark Goode</u> , Deputy CASE NUMBER BD621137
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: 111 N. Hill St. CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Central District		
PETITIONER/PLAINTIFF: Reed Randoy RESPONDENT/DEFENDANT: Marieke Randoy OTHER PARENT/PARTY:		
REQUEST FOR ORDER <input checked="" type="checkbox"/> MODIFICATION <input type="checkbox"/> Temporary Emergency Court Order <input checked="" type="checkbox"/> Child Custody <input type="checkbox"/> Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Spousal Support <input checked="" type="checkbox"/> Other (specify): <input type="checkbox"/> Attorney Fees and Costs Ex Parte, See #8		

1. TO (name): Petitioner, Reed Randoy

2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

a. Date:	Time:	<input checked="" type="checkbox"/> Dept.:	<input checked="" type="checkbox"/> Room.:
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b. Address of court ☒ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:

a. A blank Responsive Declaration (form FL-320)	c. <input type="checkbox"/> Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified)
b. <input type="checkbox"/> Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration	d. <input checked="" type="checkbox"/> Points and authorities
	e. <input checked="" type="checkbox"/> Other (specify): Respondent's Declaration

Date: 07/10/2015
Marieke Randoy
(TYPE OR PRINT NAME)

Marieke Randoy
(SIGNATURE)

☐ COURT ORDER

4. ☐ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.

5. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):

6. Any responsive declaration must be served on or before (date):

7. The parties are ordered to attend mandatory custody services as follows:

8. ☐ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.

9. ☒ Other (specify): Marika takes Court must define jurisdiction; R's Removal

Date: 7.13.15 of child in violation of Atroz.

CIT/CRSE: BD621137
LEA/DEF#:

RECEIVED:
DATE PAID: 07/13/15
PAYMENT: \$60.00
CHECK:
CASH:
CHANGE:
CARD:

JUDICIAL OFFICER: REL

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

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Family Code, §§ 2045, 2107, 6224, 6226, 6320-6326, 6380-6383
Government Code, § 26826
www.courts.ca.gov

PETITIONER/PLAINTIFF: Reed Randoy RESPONDENT/DEFENDANT: Marieke Randoy OTHER PARENT/PARTY:	CASE NUMBER BD621137
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REQUEST FOR ORDER AND SUPPORTING DECLARATION

☐ Petitioner
 ☒ Respondent
 ☐ Other Parent/Party
 requests the following orders:

1. ☒ **CHILD CUSTODY** ☒ **To be ordered pending the hearing**
- | | | |
|--|--|---|
| a. <u>Child's name and age</u>
Hunter Randoy 3 year old | b. Legal custody to (name of person who makes decisions about health, education, etc.)
Respondent, Marieke Randoy | c. Physical custody to (name of person with whom child will live)
Respondent, Marieke Randoy |
|--|--|---|

- d. ☒ As requested in form
- | |
|---|
| <input checked="" type="checkbox"/> <i>Child Custody and Visitation Application Attachment</i> (form FL-311) |
| <input type="checkbox"/> <i>Request for Child Abduction Prevention Orders</i> (form FL-312) |
| <input type="checkbox"/> <i>Children's Holiday Schedule Attachment</i> (form FL-341(C)) |
| <input checked="" type="checkbox"/> <i>Additional Provisions—Physical Custody Attachment</i> (form FL-341(D)) |
| <input type="checkbox"/> <i>Joint Legal Custody Attachment</i> (form FL-341(E)) |
| <input type="checkbox"/> Other (Attachment 1d) |

- e. ☒ Modify existing order
- (1) filed on (date): June 26, 2015 -remove July 1, 2015 -retain
- (2) ordering (specify):
 Petitioner granted permission to remove and retain child from his habitual residence in Canada.

2. ☒ **CHILD VISITATION (PARENTING TIME)** ☐ **To be ordered pending the hearing**
- a. As requested in: (1) ☐ Attachment 2a (2) ☒ *Child Custody and Visitation Application Attachment* (form FL-311)
 (3) ☐ Other (specify):

- b. ☒ Modify existing order
- (1) filed on (date): June 26, 2015, July 1, 2015
- (2) ordering (specify):
 6/26/15 Remove from habitual residence, 7/1/15 retained from habitual residence

- c. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):
- | | |
|--|--|
| (1) <input type="checkbox"/> Criminal: County/state:
Case No. (if known): | (3) <input type="checkbox"/> Juvenile: County/state:
Case No. (if known): |
| (2) <input type="checkbox"/> Family: County/state:
Case No. (if known): | (4) <input type="checkbox"/> Other: County/state:
Case No. (if known): |

3. ☐ **CHILD SUPPORT** (An earnings assignment order may be issued.)

- | | | |
|--------------------------------|---|--|
| a. <u>Child's name and age</u> | b. <input type="checkbox"/> I request support based on the child support guidelines | c. <u>Monthly amount requested</u> (if not by guideline)
\$ |
|--------------------------------|---|--|

- d. ☐ Modify existing order
- (1) filed on (date):
- (2) ordering (specify):

Notice: The court is required to order child support based on the income of both parents. It normally continues until the child is 18. You must supply the court with information about your finances by filing an *Income and Expense Declaration* (form FL-150) or a *Financial Statement (Simplified)* (form FL-155). Otherwise, the child support order will be based on information about your income that the court receives from other sources, including the other parent.

PETITIONER/PLAINTIFF: Reed Randoy RESPONDENT/DEFENDANT: Marieke Randoy OTHER PARENT/PARTY:	CASE NUMBER: BD621137
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4. ☐ SPOUSAL OR PARTNER SUPPORT (*An earnings assignment order may be issued.*)
- a. ☐ Amount requested (*monthly*): \$
- b. ☐ Terminate existing order
(1) filed on (*date*):
(2) ordering (*specify*):
- c. ☐ Modify existing order
(1) filed on (*date*):
(2) ordering (*specify*):
- d. ☐ The *Spousal or Partner Support Declaration Attachment* (form FL-157) is attached (*for modification of spousal or partner support after judgment only*)
- e. An *Income and Expense Declaration* (form FL-150) must be attached
5. ☐ ATTORNEY FEES AND COSTS are requested on *Request for Attorney Fees and Costs Order Attachment* (form FL-319) or a declaration that addresses the factors covered in that form. An *Income and Expense Declaration* (form FL-150) must be attached. A *Supporting Declaration for Attorney Fees and Costs Order Attachment* (form FL-158) or a declaration that addresses the factors covered in that form must also be attached.
6. ☒ PROPERTY RESTRAINT ☒ To be ordered pending the hearing
- a. The ☒ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- ☒ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. ☒ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.
- c. ☒ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. ☒ PROPERTY CONTROL ☒ To be ordered pending the hearing
- a. ☐ The petitioner ☒ respondent is given the exclusive temporary use, possession, and control of the following property that we own or are buying (*specify*):
2002 Toyota Prius. Petitioner is the registered owner of the vehicle, that he be ordered to complete the transfer of registration and car insurance to British Columbia. Right now the car would get impounded if I were to drive it out of the garage and it costs me \$100 a month to park it.
- b. ☒ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|---------------|--------------------------|---------------|
| Prius payment | \$400/month | Loan |
8. ☒ OTHER RELIEF (*specify*):
See attached "OTHER RELIEF"

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100), *Temporary Restraining Order (Domestic Violence)* (form DV-110), and *Notice of Court Hearing (Domestic Violence)* (form DV-109).

PETITIONER/PLAINTIFF: Reed Randoy	CASE NUMBER
RESPONDENT/DEFENDANT: Marieke Randoy	BD621137
OTHER PARENT/PARTY:	

9. ☒ I request that time for service of the *Request for Order* and accompanying papers be shortened so that these documents may be served no less than (*specify number*): ¹ days before the time set for the hearing. I need to have this order shortening time because of the facts specified in item 10 or the attached declaration.

10. ☒ FACTS IN SUPPORT of orders requested and change of circumstances for any modification are (*specify*):
☒ Contained in the attached declaration. (*You may use Attached Declaration (form MC-031) for this purpose. The attached declaration must not exceed 10 pages in length unless permission to file a longer declaration has been obtained from the court.*)
 Declaration of Marieke Randoy
 Memorandum of Points and Authorities

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Marieke Randoy

(TYPE OR PRINT NAME)


 (SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)

"OTHER RELIEF"

Respondent requests:

1. The order for the immediate return of Hunter Randoy (3 years old) to his habitual residence of Vancouver, Canada
2. Full custody of the Minor Child, Hunter Randoy, given to Respondent.
3. Allow custody dispute to be resolved in the court of the child's habitual residence after the child has been returned.
4. The immediate return of Hunter Randoy's U.S. passport to Respondent
5. Immediate financial relief from Petitioner in the amount of \$15,000 .

TO ☒ Petition, Response, Application for Order or Responsive Declaration ☐ Other (specify):
☐ To be ordered now and effective until the hearing

- | <u>Child's Name</u> | <u>Date of Birth</u> | <u>Legal Custody to</u>
(person who makes decisions about health, education, etc.) | <u>Physical Custody to</u>
(person with whom the child lives) |
|---------------------|----------------------|---|--|
| ter Randoy | 04/10/2012 | Marieke Randoy | Marieke Randoy |

a. ☐ Reasonable right of visitation to the party without physical custody (not appropriate in cases involving domestic violence)

b. ☐ See the attached _____-page document dated (specify date):

c. ☐ The parties will go to mediation at (specify location):

d. ☐ No visitation

e. ☐ Visitation for the ☐ petitioner ☐ respondent will be as follows:

- (b) ☐ The petitioner will have fifth weekends in ☐ odd ☐ even months.

- (4) ☒ Other (specify days and times as well as any additional restrictions):
TBD during the Vancouver Canada Custody Proceedings

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PETITIONER: Reed Randoy

RESPONDENT: Marieke Randoy

CASE NUMBER:

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3. ☐ **Supervised visitation.**

I request that (name): _____ have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by (name): _____ who is a ☐ professional ☐ nonprofessional supervisor. The supervisor's phone number is (specify): _____

I request that the costs of supervision be paid as follows: petitioner: _____ percent; respondent: _____ percent.

If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.

4. ☐ **Transportation for visitation and place of exchange.**

- a. ☐ Transportation to the visits will be provided by (name): _____
- b. ☐ Transportation from the visits will be provided by (name): _____
- c. ☐ Drop-off of the children will be at (address): _____
- d. ☐ Pick-up of the children will be at (address): _____
- e. ☐ The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
- f. ☐ During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
- g. ☐ Other (specify): _____

5. ☐ **Travel with children.** The ☐ petitioner ☐ respondent ☐ other (name): _____ must have written permission from the other parent or a court order to take the children out of

- a. ☐ the state of California.
- b. ☐ the following counties (specify): _____
- c. ☐ other places (specify): _____

6. ☐ **Child abduction prevention.** There is a risk that one of the parents will take the children out of California without the other parent's permission. I request the orders set out on attached form FL-312.

7. ☐ **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached ☐ form FL-341(C) ☐ other (specify): _____

8. ☐ **Additional custody provisions.** I request the additional orders regarding custody set out on the attached ☐ form FL-341(D) ☐ other (specify): _____

9. ☐ **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached ☐ form FL-341(E) ☐ other (specify): _____

10. ☒ **Other.** I request the following additional orders (specify):
- 1. The court reiterate/clarify whether or not Petitioner was ordered not to stay with his friend James Campbell in a one-bedroom, keeping in mind that James Campbell does not permit Respondent anywhere near his property, and gave false testimony, with Petitioner and Petitioner's mother, alleging Respondent committed the felony of international child abduction.
 - 2. The court reiterate/clarify whether or not the Petitioner was ordered not to bring Hunter Randoy on a boat.
 - 3. Reiterate/Clarify whether or Respondent committed the felony of international child abduction as alleged in Ex Parte.

PETITIONER: Reed Randoy

CASE NUMBER.

BD621137

RESPONDENT: Marieke Randoy

ADDITIONAL PROVISIONS—PHYSICAL CUSTODY ATTACHMENT

- TO ☐ Petition or Application for Order ☐ Findings and Order After Hearing or Judgment
☒ Stipulation and Order for Custody and/or Visitation of Children

1. ☒ **Notification of parent's current address.** Each parent must notify the other parent of his or her current address and telephone number within (specify number): _____ days of any change in his or her
 - a. address for ☒ residence ☐ mailing ☒ work.
 - b. telephone/message number at ☒ home ☒ work ☐ the children's schools.

Neither parent may use such information for the purpose of harassing, annoying, or disturbing the peace of the other or invading the other's privacy. If a parent has an address with the State of California's Safe at Home confidential address program, no residence or work address is needed.
2. ☐ **Notification of proposed move of child.** Each parent must notify the other parent (specify number): _____ days prior to any planned change in residence of the children. The notification must state, to the extent known, the planned address of the children, including the county and state of the new residence. The notification must be sent by certified mail, return receipt requested.
3. ☒ **Child care**
 - a. ☒ The children must not be left alone without age-appropriate supervision.
 - b. ☒ The parents must let each other know the name, address, and phone number of the children's regular child-care providers.
4. ☐ **Right of first option of child care.** In the event either parent requires child care for (specify number): _____ hours or more while the children are in his or her custody, the other parent must be given first opportunity, with as much prior notice as possible, to care for the children before other arrangements are made. Unless specifically agreed or ordered by the court, this order does not include regular child care needed when a parent is working.
5. ☒ **Canceled parenting time**
 - a. ☒ If the noncustodial parent fails to arrive at the appointed time and fails to notify the custodial parent that he or she will be late, then the custodial parent need wait for only (specify number): 15 minutes before considering the visitation canceled.
 - b. ☒ In the event a noncustodial parent is unable to exercise visitation on a given occasion, he or she must notify the custodial parent at the earliest possible opportunity.
 - c. ☐ The custodial parent must give the noncustodial parent as much notice as possible if the children are ill and unable to participate in scheduled time with the other parent. ☐ A doctor's excuse is required.
6. ☒ **Phone contact between parents and children**
 - a. ☐ The children may have telephone access to the parents ☐ and the parents may have telephone access to the children at reasonable times, for reasonable durations.
 - b. ☒ The scheduled phone contact between parents and the children is (specify): 10am, 2 pm and 7:30pm text in advance if planning to call at any of those times. 1-3 calls per day
 - c. ☐ Neither parent nor any other third party may listen to or monitor the calls.
7. ☒ **No negative comments.** Neither parent will make or allow others to make negative comments about the other parent or the other parent's past or present relationships, family, or friends within hearing distance of the children.
8. ☒ **No use of children as messengers.** The parents will communicate directly with each other on matters concerning the children and may not use the children as messengers between them.
9. ☒ **Alcohol or substance abuse.** The ☒ petitioner ☒ respondent may not consume alcoholic beverages, narcotics, or restricted dangerous drugs (except by prescription) within (specify number): 24 hours prior to or during periods of time with the children ☒ and may not permit any third party to do so in the presence of the children.
10. ☒ **No exposure to cigarette smoke.** The children will not be exposed to secondhand cigarette smoke while in the home or car of either parent.

PETITIONER: Reed Randoy

CASE NUMBER:

BD621137

RESPONDENT: Marieke Randoy

11. ☐ **No interference with schedule of other parent without that parent's consent.** Neither parent will schedule activities for the children during the other parent's scheduled parenting time without the other parent's prior agreement.
12. ☒ **Third-party contact**
- a. ☐ The children will have no contact with (*specify name*):
- b. ☒ The children must not be left alone in the presence of (*specify name*): Elaine Dotts, Ann and Jim Campbell
13. ☒ **Children's clothing and belongings**
- a. ☐ Each parent will maintain clothing for the children so that the children do not have to make the exchanges with additional clothing.
- b. ☒ The children will be returned to the other parent with the clothing and other belongings they had when they arrived.
14. ☒ **Log book.** The parents will maintain a "log book" and make sure that the book is sent with the children between their two homes. Using businesslike notes (no personal comments), parents will record information related to the health, education, and welfare issues that arise during the time the children are with them.
15. ☒ **Terms and conditions of order may be changed.** The terms and conditions of this order may be added to or changed as the needs of the children and parents change. Such changes will be in writing, dated and signed by both parents; each parent will retain a copy. If the parents want a change to be a court order, it must be filed with the court in the form of a court document.
16. ☒ **Other (*specify*):**

Petitioner will not smoke cigars or allow anyone else to smoke cigars around the child. Petitioner will not go on any boat, or near any marina with the child, and Petitioner will not have any pocket or utility knives on his person or anywhere near the child in his home or automobiles. Petitioner will not use foul language in front of the child and will not coach the child to say things like "I don't like you mommy, I like daddy, I want to live with daddy, daddy is my best friend" at the beginning of Skype calls. Petitioner will not alter or allow anyone else to alter child's appearance in any way without Respondent's express written consent, specifically do not cut his hair. Petitioner will not hire live in care-giver's in his one bedroom apartment or any apartment, without Respondent's knowledge or consent. Petitioner will not withhold the Identification of childcare providers, their phone numbers, and addresses, and must provide Respondent with a copy of their valid Drivers license, social security number and passport. Petitioner may not keep child care providers for shifts longer than 8 hours straight. Petitioner may not have Jim or Ann Campbell or Elaine Dotts babysit because these people continue to harass Respondent, and do not allow her near the one bedroom home and they accused her of felony international child abduction, they are incredibly hostile and do not allow Respondent to have any access to her child. Petitioner may not stay at the home or guest house of Ann or James Campbell for the same reason. Petitioner may not withhold the location of the child or caregiver or refuse Respondent access to the child at any time, or make threats to call the police should Respondent try to access the child. Petitioner may not continue to insist that Respondent committed felony international child abduction or use the word kidnapping or talk about any of the allegations he made in his Ex Parte application, especially in front of the child.

If Petitioner is not going to be caring for the child, he must hire a child care professional and notify Respondent at the time he notifies/hires the child care professional for their next shift, and Petitioner must tell Respondent how long the child care provider will be caring for the child, and if the length of time that child care is required exceeds 8 hours, who will be taking over the second and third shift and so on. During a 3 day job, Petitioner will need 96 hours of continuous childcare, so Respondent wants to know who will be caring for her child during that time and at what intervals, how much they are getting paid, copies of their ID's and resumes, phone numbers, addresses, valid work permits, passports, social security numbers, and criminal back-ground checks, where they will be sleeping, or if they sleep on the night shifts, etc.

1 Marieke Randoy
2 668 Citadel Parade #2006
3 Vancouver, British Columbia V6B1W6

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RESPONDENT – IN PRO PER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

REED RANDOY,

Petitioner,

v.

MARIEKE RANDOY,

Respondent

) CASE NO. BD621137

) EX PARTE

) Request for Order:

) 1. Immediate Return of Minor Child Hunter
) Randoy (3 years old) to Habitual residence
) in Vancouver, Canada

) 2. Full custody of the Minor Child, Hunter
) Randoy, given to Respondent.

3. Allow custody dispute to be resolved in
the court of the child's habitual residence
after the child has been returned.

**DECLARATION, MEMORANDUM OF
POINTS AND AUTHORITIES OF RE-
SPONDENT MARIEKE RANDOY**

**Date:
Dept.:
Time:**

Introduction

Marieke Randoy/Respondent is the biological mother and custodial parent of Hunter Randoy who is 3 years old. Respondent is requesting an order for the **immediate return** of Hunter Randoy to his **habitual residence in Vancouver, Canada and sole custody to Respondent so she may safely return home to Vancouver pending custody proceedings in the home state of the child, which is Vancouver Canada.**

Hunter Randoy is a toddler, and the **abrupt separation from his mother has been incredibly traumatic.** Reed Randoy/Petitioner is **maliciously depriving Respondent of her rights of custody by detaining Hunter Randoy in a one bedroom apartment on private property surrounded by a wooden fence that is over 7 feet high with the help of three of his "friends".** Please see **EXHIBIT N.** Respondent is not permitted to set foot or come anywhere near the property because the tenants, James and Ann Campbell have threatened to call the police if Respondent would attempt to see her son at their home. **James Campbell** along with **Petitioner**, Petitioner's attorney **Nicholas A Salick**, and Petitioner's mother, **Elaine Dotts**, conspired to assist Petitioner in his efforts to gain an advantage in this a civil dispute by **falsely accusing Respondent of international Child abduction in a Declaration that was presented at an Exparte Hearing on June 5, 2015, and the hostility continues.** James and Ann Campbell have **detained** Hunter Randoy at their residence since July 1st 2015 and allowed another woman unknown to Respondent, named **Heidi Halvardsson** to assist them in **detaining Hunter Randoy** while Petitioner worked 5 days straight **from approximately Monday July 7th at mid-**

1 **night until Saturday July 11th at midnight.** This woman, Heidi Halvardsson has re-
2 fused to provide Respondent with any of her information, qualifications etc., copy of her
3 identification and work permit, back ground check, valid drivers license, and completely
4 deprives Respondent of her Custodial rights. Ms. Halvardsson has now gone further to
5 harass and distress Respondent, by blocking Respondent from calling her and **deprived**
6 **Respondent** of the ability to Skype with her son Hunter Randoy and to know his where-
7 abouts. **All of these actions by Petitioner's "friends" have been permitted and were**
8 **requested by Reed Randoy/ Petitioner.** Petitioner has ignored the court order NOT to
9 take the child on the boat. He has taken the child on the boat and even slept on the boat
10 overnight on the July 4th holiday because he had been drinking and partying with his
11 friends including the Campbells and Ms. Halvardsson. He has ignored the court order to
12 get a 2 bedroom apartment.

13 Hunter Randoy has never been apart from his mother for this length of time, and never
14 been cared for by a complete stranger. **Hunter doesn't understand why he cannot be**
15 **with his mother indefinitely and this is causing Hunter terrible confusion, anger and**
16 **unhappiness.** On July 8th and 9th when Ms. Halvardsson permitted a Skype call with
17 Respondent, Hunter got so angry, screamed in a high pitch and was so distressed he
18 threw the phone on the ground. When Respondent asks if Hunter is angry at he respond-
19 ed "Yes I am very angry mommy!" Respondent has been trying to explain to her son
20 that he will come home soon but he doesn't believe her and is incredibly frustrated and
21 depressed. He was visibly distressed and went from crying to being listless to getting
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1 very angry. He repeatedly tells Respondent that he wants to go home. This 30-day separation
2 ration pending the July 31, 2015 hearing is causing tremendous anxiety and emotional
3 trauma for both the 3 year old child and Respondent *who have never spent this much*
4 *time away from each other*, and it is becoming unbearable.

5
6 Respondent hopes that the Court will see the following Points and Authorities and rule
7 that the child may return to his mother immediately, allow the Vancouver courts to
8 proceed with initial custody decisions, and allow Respondent to continue with the divorce,
9 support orders etc., in California, where Petitioner lives and works. The courts decision
10 to order the prompt return of Hunter Randoy to his mother the Respondent, and
11 allow them to return to their habitual residence in Vancouver, Canada will be in keeping
12 with The Hague Convention on the Civil Aspects of International Child Abduction,
13 whose opening statement and first 5 Articles read as follows:
14
15
16

17 The States signatory to the present Convention,
18 Firmly convinced that the interests of children are of paramount importance in
19 matters relating to their custody,
20 Desiring to protect children internationally from the harmful effects of their wrongful
21 removal or retention and to establish procedures to ensure their prompt return
22 to the State of their habitual residence, as well as to secure protection for rights
23 of access,
24 Have resolved to conclude a Convention to this effect, and have agreed upon
25 the following provisions –

26 **Article 1**

27 The objects of the present Convention are –

- 28
- a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State;
 - and

b) to ensure that rights of custody and of access under the law of one Contracting State are effectively respected in the other Contracting States.

Article 1 pertains to Respondents right to the prompt return of her child and to once again be able to exercise her custodial rights to take care of and be with her child.

Article 2

Contracting States shall take all appropriate measures to secure within their territories the implementation of the objects of the Convention. For this purpose they shall use the most **expeditious** procedures available.

Article 2 pertains to Respondents right to have her child returned to her and returned to the child's home state without delay and unnecessary and time consuming formalities.

Article 3

The removal or the retention of a child is to be considered wrongful where

—

a) **it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and**

b) **at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been so exercised but for the removal or retention.**

The rights of custody mentioned in sub-paragraph a) above, may arise in particular by operation of law or by reason of a judicial or administrative decision, or by reason of an agreement having legal effect under the law of that State.

1 ¹ This Convention, including related materials, is accessible on the website of the
2 Hague Conference on Private International Law (www.hcch.net), under "Conventions"
3 or under the "Child Abduction Section". For the full history of the Convention, see
4 Hague Conference on Private International Law, Actes et documents de la Quatorzième
5 session (1980), Tome III, Child abduction (ISBN 90 12 03616 X, 481 pp.).

6
7 *Article 3 pertains the Respondents Custodial rights as a habitual resident of Vancouver,*
8 *Canada, as the biological mother of the child and as the custodial parent of Hunter Ran-*
9 *doy, and that Respondent was exercising her rights to care for her child and live where*
10 *she wants to live, up until Respondent was ordered to remove her child from his habit-*
11 *ual residence, and forced to relinquish her custodial rights when she was ordered not*
12 *to return her son to his habitual residence. This unfortunately gave Petitioner full and*
13 *complete control of the situation and the ability to take advantage of the unfortunate sit-*
14 *uation, and he has since completely deprived Respondent of her custodial rights.*

15 16 **Article 4**

17 **The Convention shall apply to any child who was habitually resident in a**
18 **Contracting State immediately before any breach of custody or access**
19 **rights. The Convention shall cease to apply when the child attains the age of 16**
20 **years.**

21 *Article 4 pertains to Hunter Randoy who is a **habitual resident of Vancouver** was resid-*
22 *ing in Vancouver **immediately before Respondent was deprived of her rights of custody***
23 ***and access.***

24 25 **Article 5**

26 **For the purposes of this Convention –**

- 27 . a) **"rights of custody"** shall include **rights relating to the care of the**
28 **person of the child and, in**

particular, the right to determine the child's place of residence;

b) "rights of access" shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.

Article 5 a) pertains to Respondents right to care for her child and decide where they live.

Article 5 b) pertains to Respondents right to visit Petitioner and friends in California with their child.

Article 16 reads as follows:

Article 16

After receiving notice of a wrongful removal or retention of a child in the sense of Article 3, the judicial or administrative authorities of the Contracting State to which the child has been removed or in which it has been retained shall not decide on the merits of rights of custody until it has been determined that the child is not to be returned under this Convention or unless an application under this Convention is not lodged within a reasonable time following receipt of the notice.

Article 16 pertains to Respondents right to return home to the child's habitual residence once she has proven to the court that Vancouver, Canada has the jurisdiction, over initial custody determinations and that the court may leave the decisions regarding the rights of custody to the Vancouver courts.

At the July 1st, 2015 Hearing, the Court asked both parties to argue as to who has jurisdiction. The court asked Respondent for the name and contact information of the judge in Vancouver who would be presiding over the custody proceedings there. Respondent hopes this Declaration and Memorandum of Points and Authorities will satisfy the Courts request to prove that Vancouver has jurisdiction and that once the jurisdiction has been proven to belong in Vancouver, Respondent respectfully requests, that there be no further delay in allowing Respondent to return with her son, Hunter Randoy, to their habitual residence in Vancouver, Canada.

Respondent also requests a court order for the following Immediate Relief:

1. The immediate return of Hunter Randoy's U.S. passport to Respondent
2. Immediate financial relief from Petitioner in the amount of \$15,000 .

Respondent reserves the right to request more financial relief at a later hearing when determining support orders and the full cost of defending herself during Ex Parte hearings against nuisance, and malicious felony allegations. Petitioner cut Respondent off COMPLETELY, financially, at the beginning of June 2015. Prior to that Petitioner was supporting Respondent with \$5000/ month. Respondent has already borrowed over \$20,000 from friends and family to pay bills, comply with court orders, defend herself, represent herself and care for their son Hunter on her own. Respondent would like the ability to retain a competent, ethical attorney immediately and begin divorce proceedings. Up until this point Respondent has not been able to retain an attorney in California and has been scrambling to make ends meet and survive the whirlwind created by her "out of control"

1 spiteful and incredibly abusive soon to be ex-husband/Petitioner. Respondent requests
2 that the court see fit to order the immediate financial relief requested because Petitioner
3 is using community property to pay for his attorney and has completely wasted their
4 money on Exparte hearings and unnecessary drama and completely violated the restrain-
5 ing order on the California summons that prohibits this type of behavior. Ironically, Peti-
6 tioner used the court and the restraining order that is supposed to protect both parties
7 from harassment, financial inequality, and from one party uprooting the child(ren) from
8 their habitual residence (family home), to accomplish every one of those things.
9
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12

13 Points and Authorities

14 Arguments

15
16 Respondent's Request for Order for the **immediate return** of Hunter Randoy to his ha-
17 bitual residence of **Vancouver British Columbia Canada, and full custody on**
18 **Hunter Randoy to Respondent** pending custody proceedings that will take place in the
19 Vancouver Law Courts, after the child has been returned to his habitual residence, is
20 warranted for the following reasons:
21
22

23 ONE

- 24 1. The immediate return of Hunter Randoy to his habitual residence of Vancouver,
25 Canada is in keeping with the U.S. Department of State Foreign Affairs Policy in
26 regards to EXHIBIT A: the Safety and Protection of Minors and International
27 Parental Child Abduction, 7 FAM 1711.1
28

1 a. The policy of the United States is that a child who is habitually resident in one
2 country and wrongfully removed from or retained outside of that country shall
3 be promptly returned to that country. Once the child has been returned, any cus-
4 tody dispute can be resolved, if necessary in the competent court of the country
5 of habitual residence. This policy does not address who should have custody of the
6 child; it addresses where the custody case should be heard.
7

8
9 c. The U.S. State Department Office of Children's Issues is also responsible and the
10 "Central Authority" for the implementation of the Hague Abduction Convention
11 within the United States where:
12

13 7 FAM 1712.2

14 c. The Department's objective to return children to their country of habitual residence
15 derives from the basic premise that the appropriate venue for a custody determina-
16 tion is the court in the child's habitual residence.
17

18 TWO

19
20
21 2. According to EXHIBIT B, "The Ministry of Justice" which is the "Central Au-
22 thority" responsible for the implementation of the Hague Abduction Convention in
23 Canada:
24

25 The Convention is based on the **assumption that it is harmful to children to be unilat-**
26 **erally taken from their country of habitual residence**, and seeks to deter such actions.

27 It also assumes that **guardianship and custody decisions are best made in the coun-**
28

try of the child's habitual residence, as this is where most evidence about the child's life can be found.

THREE

3. The court asked that Respondent to provide the contact information for the judge that will be taking the Custody case in Vancouver. Please see **EXHIBIT C** which is the letter from the Respondents Attorney explaining that a judge will not be assigned to the case until a hearing date has been set, and Petitioner must first respond to the Summons. The Attorney also explains that there won't be a single judge assigned to the Custody Case. The judge could be different every time we go back to court. However, Please see **page 2** of **EXHIBIT B** which lists the direct contact information for the "Central Authority" for British Columbia who carries out the duties of the **Hague Abduction Convention**. Penny Lipsack is a lawyer with the Ministry of Justice in Victoria. Her direct contact: 1 250 356-8433 or **Penelope.Lipsack@gov.bc.ca**.

FOUR

4. Please see **EXHIBIT D** which is the amended "Notice of Family Claim" along with the notarized "Proof of Service" to the Petitioner. In this amended court document, Respondent now only asks for "Custody and Access" matters to be handled in Vancouver, Canada, because that is where the child lives. Respondent will leave all other divorce matters to be resolved in California for the convenience of the Petition-

er who lives and works in California . Logistically, Respondent believes that with Petitioner's work schedule, it will be a lot easier for him to call in to the custody hearings in Vancouver if necessary, and that should support orders need to be enforced, that it will be much easier to do that by keeping the rest of the divorce in California.

FIVE

5. Hunter Randoy has lived in Vancouver, British Columbia Canada with his custodial parent/mother/Respondent/ Marieke Randoy for over a year. He moved to Vancouver in April 2014 and has established Vancouver, BC as his **habitual residence** with the knowledge and prior written consent of his father, Reed Randoy/Petitioner. Please see **EXHIBIT E** where Petitioner lists **Vancouver, as our family home for over a year on his initial divorce petition.** and **EXHIBIT F** which is the one year lease Petitioner signed for Hunter Randoy's habitual residence in Vancouver, Canada.

SIX

6. According to **Articles 1- 5 of the Hague Convention on the Civil Aspects of International Child abduction**, Respondent Marieke Randoy **has custodial rights** attributed to her under the law of the State (in this case Vancouver Canada) in which the **child was habitually resident immediately before the removal or retention**, and that at the time of the removal or retention **those rights were actually exercised BUT for the removal or retention.** The "rights of custody" Respondent has include

rights relating to *the care of the person of the child* and in particular, the right to de-
termine the child's place of residence. The "rights of access" Respondent has in-
clude the right to take a child for a limited period of time to a place other than the
child's habitual residence.

Article 5 reads as follows:

Article 5

For the purposes of this Convention –

- a) "rights of custody" shall include rights relating to the care of the person of the child and, in particular, the right to determine the child's place of residence;
- b) "rights of access" shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.

SEVEN

7. Please see **EXHIBIT G** for the complete **Hague Convention on the Civil Aspects of International Child Abduction**

EIGHT

8. California can only have jurisdiction over initial child custody proceedings if the child had lived in the State at least 6 months prior to divorce proceedings. Since Hunter Randoy did not live in California at least 6 months prior to divorce proceedings, California does not have jurisdiction. Please see Sec. 152.201 of the

Uniform Child Custody Jurisdiction and Enforcement Act (1997)

SUBCHAPTER C. JURISDICTION

Sec. 152.201. INITIAL CHILD CUSTODY JURISDICTION. (a) Except as otherwise provided in Section 152.204, a court of this state has jurisdiction to make an initial child custody determination only if:

(1) **this state is the home state of the child** on the date of the commencement of the proceeding, or was the home state of the child **within six months before the commencement of the proceeding** and the child is absent from this state but a parent or person acting as a parent continues to live in this state;

(2) a court of another state does not have jurisdiction under Subdivision (1), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under Section 152.207 or 152.208, and:

(A) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and

(B) substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships;

(3) all courts having jurisdiction under Subdivision (1) or (2) have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under Section 152.207 or 152.208; or

(4) no court of any other state would have jurisdiction under the criteria specified in Subdivision (1), (2), or (3).

(b) Subsection (a) is the exclusive jurisdictional basis for making a child custody determination by a court of this state.

(c) Physical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child custody determination

NINE

9. Please note Section 105 of the Uniform Child Custody Jurisdiction and Enforcement Act where it outlines the legal interpretation and international application of the word "State":

SECTION 105. INTERNATIONAL APPLICATION OF [ACT].

(a) A court of this State shall treat a foreign country as if it were a State of the United States for the purpose of applying [Articles] 1 and 2.

(b) Except as otherwise provided in subsection (c), a child-custody determination made in a foreign country under factual circumstances in substantial conformity with the jurisdictional standards of this [Act] must be recognized and enforced under [Article] 3.13(c) A court of this State need not apply this [Act] if the child custody law of a foreign country violates fundamental principles of human rights.

TEN

10. Please see EXHIBIT H where Petitioner lists Vancouver British Columbia as being Hunter Randoy's residence since April 2014 on Petitioner's FL-105/GC-120 Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act. On page 2 and 3 of EXHIBIT H

Please note that the second address Petitioner lists as the California residence for Hunter Randoy since April 2014 is **Petitioner's attempt at misleading the court about Hunter Randoy's habitual residence**. The second address listed on the form is actually a UPS Mailbox in Marina Del Rey, and the truth is that **Hunter Randoy had not been back to**

1 California in over a year since we had moved from the third address listed on the
2 form (5359 San Vicente Blvd.) to Vancouver, Canada in April 2014.

3
4 ELEVEN

5 11. The only exception to the 6 month residence rule for California jurisdiction for ini-
6 tial custody proceedings is if the child is in some kind of danger. Please note the follow-
7 ing applicable Section of the The Hague Abduction Convention, that can be found on
8 page 18 of EXHIBIT A and the fact that Petitioner's elaborate Ex Parte hearing was his
9 failed attempt to threaten criminal action in order to gain an advantage in a civil case.
10
11

12
13 7 FAM 1713.3-3 Reasons a Return Application May Be Denied

14 (CT:CON-395; 02-09-2012)

15 A court or other competent authority may (but is not required to)
16 refuse to order a child returned under the Convention if it determines
17 that one or more of the following defences to an application for return
18 apply:

- 19 . (1) There is a grave risk that the child would be exposed to
20 physical or psychological harm or otherwise placed in an intolerable situation;
- 21 . (2) The left-behind parent consented to or acquiesced in the
22 child's removal or retention;
- 23 . (3) The child objects to being returned and has reached an age
24 and degree of maturity at which the court can take account of
25 the child's views;
- 26 . (4) The application was filed more than one year after the ab-
27 duction or wrongful retention AND the person resisting return
28

demonstrates that the child is well settled in the new environment; and/or

(5) The return of the child would violate the fundamental principles of human rights and freedoms of the country where the child is located.

TWELVE

12. Petitioner continues to maintain that Respondent left the "home state" without his prior written consent, and that Respondent was therefore in violation of the restraining order on the divorce Summons.

However, Respondent was actually exercising her legal right and obligation to return to the "home state" which is the habitual residence of their child Hunter Randoy. The word "state" on the summons refers to the home state and the habitual residence of the child. It does not refer to the State of California. Certainly many couples that marry in California remain in California and have children there and do not move. However, many families do move. The purpose of the restraining order is to restrain both parties from uprooting the children from their habitual residence. Unfortunately, Petitioner has used the restraining order and the misinterpretation of the word "STATE" as a weapon against the Respondent and has managed to successfully harass her, intimidate her, separate her from her child, deprive her of access to the child, leave her penniless and forced to defend herself in court against accusations of felony international child abduction.

Below please find the definition of “Home State” under the Uniform Child Custody Jurisdiction and Enforcement Act Sec. 102 “Definitions”:

(7) “Home State” means the State in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child-custody proceeding. In the case of a child less than six months of age, the term means the State in which the child lived from birth with any of the persons mentioned. A period of temporary absence of any of the mentioned persons is part of the period.

THIRTEEN

13. To add to the confusion and mislead the court, Petitioner maintains that serving the Summons in California somehow correlates to California having jurisdiction over Child custody by some kind of default. Where on planet earth a person is served a California Summons, does nothing to influence or change the fact that the divorce will take place in California, and does nothing to influence or change the fact that the jurisdiction over initial child custody proceedings will automatically take place in the appropriate courts where the children are habitual residents.

Next, please find the Section on page 18 of EXHIBIT A U.S. State Department Foreign Affairs 7 FAM 1713.3-2 that shows that the United States is obligated to return a U.S. Citizen to his or her habitual residence regardless of where that habitual residence is, and regardless of the nationality of the child or either parent:

7 FAM 1713.3-2 The Hague Convention Is Nationality-Neutral

(CT:CON-395; 02-09-2012)

If a child habitually resident in one Convention country is abducted to or wrongfully retained in another, the Convention's return and other remedies are available regardless of the child's nationality or the nationality of either parent.

- . (1) For example, the United States is obligated to return to Italy a U.S. citizen child habitually resident in Italy, even if the taking parent is a U.S. citizen and the applying LBP is a citizen of Russia (which does not have a treaty relationship with the United States under the Convention).
- . (2) The Convention also applies in cases where the child is not a U.S. citizen but was habitually resident in the United States prior to an abduction or wrongful retention.

THIRTEEN

13. Please see **EXHIBIT I** for photos of the custom treehouse/playroom I made for him.

FOURTEEN

14. Please see **EXHIBIT J** which is Petitioners email to friends and family when we first moved up to Vancouver as a family in April 2014. He mentions our plan to **focus on our acting careers in Vancouver and includes photos of our Vancouver home**, which has become **Hunter Randoy's habitual residence in his "home state", Vancouver, British Columbia Canada.**

FIFTEEN

15. Please see **EXHIBIT K** which shows my bank account balance which was almost at ZERO before the Ex Parte court hearing on June 5th. Since then Petitioner has only given me \$200.

That's it. I have had to rely on family and friends to pay my bills and enlist the aid of a non-profit to prepare my case here in California to defend myself against the serious allegations that I committed a felony. I have also managed to retain an attorney in Vancouver and I have filed for custody proceedings in Canada because that is where I live and the only place I believe my son is safe and where I can get through this custody dispute and still be able to see my son every day and keep his life as normal and happy as possible.

SIXTEEN

16. Finally please see **EXHIBITS L and M** that show the bruises Respondent sustained on February 28th, the last time Petitioner came to visit Respondent and their son in Vancouver. During that incident Petitioner choked Respondent, and slammed her against a wall while pushing her towards the door to the balcony. Respondent was flailing and trying to get Petitioner to stop choking her because she couldn't breathe. Respondent was unaware that she had scratched Petitioner's forehead until after the fact because it was unintentional. Respondent had just been frightened and struggling to get free from Petitioner. Petitioner was holding Hunter Randoy (3 years old) and pushing Respondent toward the balcony, and the previous time Petitioner visited he said during an argument that he wanted to throw Respondent off that same balcony. Their apartment are on the 20th floor of a high-rise.

This violent incident was the catalyst for this divorce, among other things. Petitioner never once apologized for choking Respondent and does not believe he did anything wrong. Instead of being ashamed and remorseful that he did what he did in front of their son, Petitioner claims he was defending his child. However Respondent would never do anything to hurt her child and has never done anything to hurt her child. Respondent is doing everything she can to shield her child from the abuse, harassment and scare tactics Petitioner continues to use to control her. Respondent does not want her child to witness any more fighting and will not permit Petitioner to use

1 their child as a pawn. Petitioner is exercising enormous restraint to achieve the aim of protecting
2 her child from having to witness high drama and has complied with every one of the courts
3 orders despite the fact that meant handing her son and his passport to her controlling and abu-
4 sive ex-husband.

5 CONCLUSION

6
7
8 During Skype calls the first few days away from his mother, Hunter Randoy first told Respon-
9 dent that he “wants to get out” is “angry for daddy for hitting mommy, that’s not very nice”,
10 “I’m sad for mommy”, “I want to get out the door and daddy won’t let me”. But then the next
11 day after obviously being coached by Petitioner, as soon as the camera started rolling Hunter
12 Randoy said “I don't like you mommy, I like daddy, I want to live with daddy, daddy is my best
13 friend”. Respondent didn't react and just said “Baby I’m glad you like daddy and that he is your
14 friend” and continued the Skype call where Hunter Randoy talked to Respondent normally again
15 and gave her kisses when they said good bye.
16

17
18 Hunter Randoy is accustomed to his habitual residence in Vancouver, his room, his toys, and
19 having his mother as his primary care-giver since birth. He is too young to be caught in the mid-
20 dle of a vicious custody battle between his parents. Petitioner is domineering and controlling and
21 will stop at nothing to “win”. Petitioner lied under oath and accused Respondent of committing
22 a felony and demanded she post bond and only get “supervised visitation” with her son. Peti-
23 tioner flew to Vancouver and tried to get the Vancouver Police involved in his plan to have uni-
24 formed law enforcement present to assist him in physically removing Hunter from his habitual
25 residence. Petitioner knows that Respondent experienced this countless times as a child when
26 she was taken away from her mother by police and put into foster care. This is psychological
27
28

abuse and not at all motivated by what is in the best interest of the child, Hunter Randoy.

The custody dispute belongs in Vancouver Canada, because that is where Hunter Randoy lives with his mother. It is not in the child's best interest to be uprooted from his habitual residence and suddenly taken away from his mother, to go live with his father for an indefinite period of time, who has never cared for and is ill prepared to care for a child. It is not in the child's best interest to be retained in California and forced to stay with Petitioner who is so angry and vengeful that he is prepared to do whatever it takes to force Respondent to return to California. Petitioner has already lied under oath and falsely accused the mother of his child, the Respondent of felony international child abduction, which carries a hefty prison sentence if found guilty, just to try to force Respondent to return to California. Petitioner is apparently doing this to share physical custody and joint custody (Petitioner goes back and forth on this) with the woman he claimed was unfit and bipolar and had committed a felony, only a few short weeks ago at an Ex Parte hearing. Petitioner ignored court orders on June 26th when he was ordered to take Hunter the next day, and then every weekend from Friday 3pm until Monday 8pm. Those specific custody orders were dropped at the July 1st hearing, but the court made other specific orders that Petitioner simply ignores. Petitioner has already ignored court orders not to stay with Hunter Randoy at his friend James Campbell's house, and Petitioner has not gotten a two bedroom apartment. Petitioner has also completely ignored the courts order not to take Hunter Randoy on a boat. Despite Respondents pleas for him to obey court orders and not take Hunter out on the boat on July 4th for the fireworks, Petitioner did so anyway and stayed overnight on the boat with the child because he had been drinking. Petitioner thinks that court orders don't apply to him. Petitioner has hired a live in nanny in the one bedroom, but refuses to give Respondent any information

about her, refuses to allow Respondent to see her child when he is with this woman, and refuses to allow Respondent to meet this "nanny" who continuously along with James Campbell where he is staying, refuses to allow Respondent to have access to her son.

Petitioner does not have full physical custody of their minor child, yet he believes he does and that he doesn't have to comply with court orders, cooperate with Respondent in any way or allow her full access to their child.

On the basis of these **Points and Authorities**, included in this Request for Order, Respondent is requesting the courts assistance in facilitating the safe and **immediate return of Hunter Randoy to his habitual residence**. The Court Order for the immediate return of Hunter Randoy to his habitual residence, will allow Hunter Randoy to return to his happy stable life with his mother who he has been accustomed to living with since birth, and will put an end to the emotional trauma Hunter is experiencing as a result of being removed from his home and retained by Petitioner during this custody dispute, and deprived of the ability to see his mother/Respondent. All further custody issues will be resolved in Vancouver, Canada where Hunter Randoy habitually resides, and Hunter Randoy will be able to go back to his regular life, his toys his special bedroom/playroom, playing with his friends and will start preschool in September.

I declare under penalty of perjury that the foregoing is true and correct to best of my knowledge. Executed on the 12th day of July 2015 in Vancouver, British Columbia Canada.

By: Marieke Randoy

MARIEKE RANDOY, RESPONDENT

C

C

EXHIBIT A

7 FAM 1700

SAFETY AND PROTECTION OF MINORS

7 FAM 1710

INTERNATIONAL PARENTAL CHILD ABDUCTION

(CT:CON-558; 01-09-2015)
(Office of Origin: CA/OCS/L)

7 FAM 1711 INTRODUCTION, AUTHORITIES, DEFINITIONS

7 FAM 1711.1 Policy

(CT:CON-395; 02-09-2012)

- a. The policy of the United States is that a child who is habitually resident in one country and wrongfully removed from or retained outside of that country shall be promptly returned to that country. Once the child has been returned, any custody dispute can be resolved, if necessary, in the competent court of the country of habitual residence. This policy does not address who should have custody of the child; it addresses where the custody case should be heard (venue).
- b. International parental child abduction is a serious problem worldwide. International parental child abduction has received much attention from the Congress, the media, state and federal governments, and the legal and law enforcement communities. Individual cases of international parental child abduction can become highly visible, attracting attention at the highest levels of government and affecting bilateral relationships. You must approach each case carefully and professionally, recognizing the Department's overarching interest in the protection of minor U.S. citizens/nationals abroad and promoting the principles and compliance with the obligations found in The Hague Convention on the Civil Aspects of International Child Abduction (Hague Abduction Convention). It is also important to consider the potential public and diplomatic ramifications of any action a consular officer takes to assist in returning children to their habitual residences.
- c. The Department is also responsible for implementation of the Hague Abduction

Convention within the United States, The Office of Children's Issues, acting as U.S. Central Authority (USCA) for the Hague Abduction Convention, cooperates with foreign central authorities to facilitate return of children abducted from a foreign country and believed to be in the United States. Consular authority for carrying out these duties in the United States comes from the Hague Abduction Convention and its implementing legislation, the International Child Abduction Remedies Act, 42 U.S.C. 11601 et. Seq., and Title 22, Section 94 of the Code of Federal Regulations.

Related Topics:

- For a full discussion of how to respond to requests from U.S. citizens/nationals for temporary emergency protection/emergency refuge at post, see 7 FAM 180.
- 7 FAM 1700 includes subchapters on related topics which may also be useful in child abduction matters. These include:
- 7 FAM 1720 Child Abuse or Neglect;
- 7 FAM 1730 Child Exploitation. This includes a discussion of the Protect Act and reporting requirements;
- 7 FAM 1740 Forced Marriage of Minors;
- 7 FAM 1750 International Child Support Enforcement;
- 7 FAM 1760 Runaways, Abandoned Children and Unaccompanied Minors;
- 7 FAM 1770 Return of Children; and
- 7 FAM 1780 Behavior Modification Facilities.
- Questions about Passports for Minors are addressed in 7 FAM 1350 and 7 FAM 1300 Appendix Q Children's Passport Issuance Alert Program (under development).

7 FAM 1711.2 Authorities

(CT:CON-558; 01-09-2015)

- a. Authority to provide consular services in international parental child abduction cases derives from a variety of treaties, laws, regulations, and Executive Orders.
- b. **Treaties:** You should be aware of which treaties apply in the host country. See Treaties in Force on the Department of State Internet site.
 - (1) The Vienna Convention on Consular Relations (VCCR) provides the basic authority for consular protection of nationals. The United States and over 150 other nations are parties to the VCCR, which is among the basic sources of international legal authority for the consular officer's

engagement on behalf of U.S. citizen/national children abroad. If the VCCR is in force in the host country, you should be familiar with the provisions of the treaty related to consular protection of nationals. See Treaties in Force on the Department of State Internet home page to confirm whether or not the host country is a party to the VCCR. While consular officers perform functions relating to the welfare of all U.S. citizens/nationals, the VCCR accords special recognition to the protection of minors because of their vulnerability. You have a special obligation to be proactive and creative when dealing with children's issues in general, and with abduction and custody issues in particular. Your authority under the VCCR is particularly important in international parental child abduction cases to countries not party to the Hague Abduction Convention.

Article 5 of the VCCR provides that consular functions include:

"(h) **Safeguarding** within the limits imposed by the laws and regulations of the receiving State [host country], **the interests of minors** and other persons lacking full capacity who are nationals of the sending State [the United States], particularly where any guardianship or trusteeship is required with respect to such persons"

- The VCCR addresses not only your authority as consular officers, but also the responsibilities of the host country. Article 37 of the VCCR concerns host country responsibilities when it is apparent that a minor may be subject to appointment of a guardian or trustee.

Article 37 VCCR provides: ...

"If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

(b) to inform the competent consular post without delay of any case where the appointment of a guardian or trustee appears to be in the interests of a minor or other person lacking full capacity who is a national of the sending State. The giving of this information shall, however, be without prejudice to the operation of the laws and regulations of the receiving State concerning such appointments."

- Even if the VCCR is not in force between the United States and the receiving country, consular officers would still be able to provide welfare services under customary international law.
 - Bilateral Consular Conventions: See the CA/OCS Internet bilateral consular conventions section. Check Treaties in Force on the Department of State Internet page to confirm the status of a particular treaty.
- (2) **The Hague Convention on the Civil Aspects of International Child Abduction:** This treaty entered into force for the United States in 1988. The Hague Abduction Convention is a useful tool in resolving those parental abduction cases in treaty partner countries and provides a conceptual

framework for addressing non-Hague cases as well. In general, the purpose of the Hague Abduction Convention is to secure the prompt return of children wrongfully removed to or retained in one contracting state to the contracting state in which the child is habitually resident.

- c. **U.S. Laws, Regulations And Executive Orders:** Several laws have been enacted to combat international parental child abduction in the United States in addition to many more relevant state laws. While these laws are often enforceable only within the United States, they may have impact on the status of a child and a taking parent outside the United States.

(1) General:

- 22 U.S.C. 1731 Protection of Naturalized Citizens
- 22 U.S.C. 3904(1) Functions of Service
- 22 CFR 71.1 Protection of Americans Abroad

(2) Uniform Laws on Child Custody:

What are Uniform Laws?

The phrase "Uniform Laws" can be misleading. Upon approval by the Uniform Law Commission (ULC) a Uniform Law is not law anywhere in the United States. The Uniform Law Commission drafts model laws with the intent of proposing their adoption by state legislatures. Many states adopt the model law and others pass an amended version of the law while others may not adopt it at all. The purpose of creating model laws is to increase consistency in the law among the states.

- The Uniform Child Custody Jurisdiction Act (UCCJA) facilitates the mutual recognition and adjudication of child custody determinations by state courts. NCCUSL proposed the UCCJA in 1968 and all 50 States have adopted the UCCJA in some form. See also Uniform Matrimonial and Family Laws Locator.
- The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) enhances the UCCJA by granting exclusive continuing jurisdiction to the state making the original custody determination (child's "home state"), clarifying the limits of emergency jurisdiction, and providing for direct enforcement of custody orders as well as Hague Abduction Convention return orders. The UCCJEA also provides for recognition of custody orders issued by courts outside the United States. To date, 49 states, the District of Columbia, and the U.S. Virgin Islands have adopted the UCCJEA model.

NOTE: As of July 25, 2011 the only U.S. state that has not adopted the UCCJEA is Massachusetts, although a bill to enact it is presently pending in its Legislature. Puerto Rico has also not adopted the Act, although a bill to enact it is pending in its Legislature.

- (3) **U.S. Federal Law and Parental Child Abduction International Parental Kidnapping Crime Act (IPKCA)**, (18 U.S.C. 1204) makes it a

felony to remove or attempt to remove a child younger than 16 from the United States, or to retain the child outside the United States, with the intent to obstruct the lawful exercise of parental rights.

- **National Child Search Assistance Act of 1990 (NCSA)** (42 U.S.C. 5779 (Reporting Requirement) and 42 U.S.C. 5780 (State Requirements): The NCSA requires local, state and federal law enforcement agencies, when informed of an abduction of a child, to immediately enter the appropriate data into the National Crime Information Center (NCIC) database without requiring a waiting period.
- **Parental Kidnapping Prevention Act (PKPA)** (1980), 18 U.S.C. 1073, authorizes the issuance of Federal Fugitive Felony Warrants (i.e.: Unlawful Flight to Avoid Prosecution (UFAP)) in parental kidnapping cases when the abductor has fled the state or the United States to avoid prosecution. It also authorizes the use of the Federal Parent Locator Service of the Department of Health and Human Services to locate abducted children and abducting parents.
- **International Child Abduction Remedies Act (ICARA)** (1988), 42 U.S.C. 11601 implements the Hague Abduction Convention in the United States in accordance with federal regulations found at 22 CFR 94, International Child Abduction.
- **The Reid Amendment ("Two Parent Signature Law")** Section 236 of The Admiral James W. Nance And Meg Donovan Foreign Relations Authorization Act, Public Law 106-113, 113 STAT. 1501A-420 (22 U.S.C. 213 and 22 U.S.C. 213 Notes). This law originally required that both parents or legal guardians execute the U.S. passport application for a child under the age of 14. 22 CFR 51.28(a) now requires two parent consent for minors under the age of 16. There are, however, exceptions to this requirement. See 7 FAM 1300 Passport Services, specifically 7 FAM 1350 Passports for Minors.

(4) Delegations of Authority:

- Delegation of Authority No. 172: Delegation of Authority with Respect to Performance of the Functions of Central Authority under the Hague Convention on the Civil Aspects of International Child Abduction. (From the Secretary to CA)
- Delegation of Authority No. 173: Delegation to the Director of the Office of Citizens Consular Services - Hague Convention on the Civil Aspects of International Child Abduction and the International Child Abduction Remedies Act. (From CA to CA/OCS)

(5) Memorandum of Understanding: U.S. Department of Health and Human Services, Office of Child Support Enforcement and U.S. Department of State, Bureau of Consular Affairs – Requests for Information From the Federal Parent Locator Service in International Child Abduction Cases for

children abducted to the United States (incoming cases) (November 2011).

7 FAM 1711.3 Definitions

(CT:CON-558; 01-09-2015)

The following definitions may be useful in implementing the procedures in this subchapter:

Child: In general, this means an unmarried person under the age of 18. For purposes of providing consular services in the context of international parental child abduction, other factors may affect a child's status.

- (1) **Hague Abduction Convention:** The remedies created by the Hague Abduction Convention are only available with respect to children under the age of 16.
- (2) *Non-Hague Convention international parental abduction or access cases:* A child is an individual who has not attained the age of 16.
- (3) **The Reid Amendment ("Two Parent Signature Law"):** Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Public Law 106-113, 113 STAT. 1501A-420 (22 U.S.C. 213 and 22 U.S.C. 213 Notes). This law requires that both parents or legal guardians execute the U.S. passport application for a child under the age of 14, but the Department applies it to children under the age of 16 in accordance with 22 CFR 51.28. There are, however, exceptions to this requirement (see 7 FAM 1350).
- (4) **Foreign Military Service:** Some countries treat a child serving in the armed forces of that country, whether enlistee or inductee, as an adult. In general, the U.S. does not consider such persons to be adults. We must, however, recognize it as a fact, and as a possible hindrance to providing certain consular services to or on behalf of a child. See also the ~~Optional Protocol Children in Armed Conflict to the U.N. Convention on the Rights of the Child~~. The United States is a party to this optional protocol, but is not party to the U.N. Convention on the Rights of the Child. See *Treaties in Force* on the Department of State Internet page.
- (5) **Marriage:** Although a married person is generally considered an adult, regardless of age, the Department is aware of cases involving abducted children whose taking parents have arranged marriages for them in the foreign country while the children are still very young. In such circumstances, we generally treat them as children for the purposes of this chapter. See 7 FAM 1740 Forced Marriage of Minors.

Children's Passport Issuance Alert Program (CPIAP): Through the CPIAP program, a parent or legal guardian (other than a parent whose parental rights have been terminated by a court order) may request that his or her minor child's or ward's name be placed in the Department's Consular Lookout and

Support System (CLASS), so that the parent or legal guardian will be notified if a passport application is received for the child. Additionally, any child who is reported to the Department as an alleged victim of international parental child abduction must be entered into CLASS via CPIAP. The hold remains in place until the child reaches age 18. (22 CFR (c)). See 7 FAM 1300 Appendix Q (under development). The hold can be overcome if a parent presents evidence that justifies issuance of a passport without the other parent's consent.

Parent: For the purposes of this chapter, the term "parent" refers to a biological parent, adoptive parent, stepparent, foster parent or other person acting "in loco parentis" or any person or competent authority who has legal right of custody to a child.

- (1) **Left Behind Parent (LBP):** The person fitting the definition of "Parent" who is not able to exercise custodial rights (real or alleged) as a result of the other parent's alleged wrongful removal or retention of the child outside the child's habitual residence.

NOTE: Under the Hague Convention, an institution, such as a child welfare authority, may be the applicant for return of a child.

- (2) **Alleged Taking Parent (TP):** The person fitting the definition of "Parent" who has wrongfully removed/retained, or plans to remove, a child from the country of habitual residence resulting in the interference with the other parent's rights of custody. This definition also applies to a parent who may have taken the child with the other parent's consent, but who then retains the child outside his/her habitual residence in violation of the other parent's rights of custody ("wrongful retention").

Central Authority: Each state party to the Hague Abduction Convention designates an entity to be responsible for coordinating the implementation of the Hague Abduction Convention in that country and to serve as the primary point of contact for communication with foreign Central Authorities. The Department of State is the U.S. Central Authority. The Office of Children's Issues in the Consular Affairs Bureau (CA/OCS/CI) has been designated as the action office, and performs the functions required of the Central Authority under the Hague Abduction Convention.

Hague Abduction Convention: For the purposes of this chapter, this term, or simply the word "Convention", is shorthand for the Hague Convention on the Civil Aspects of International Child Abduction.

IPCA Database: The International Parental Child Abduction computer application (IPCA) is the database that the Office of Children's Issues (CA/OCS/CI) uses to record and monitor child abduction, access, and prevention cases. Posts currently have read-only access to IPCA through the Consular Consolidated Database (CCD).

National Center for Missing and Exploited Children: NCMEC is a private, nonprofit 501(c)(3) organization that provides services nationwide for families and

professionals in the protection of abducted, endangered, and sexually exploited children. NCMEC is an important resource to children and families, providing a wide range of services including:

- Producing and distributing missing children posters. NCMEC has agreed to produce posters for those children that CA/OCS/CI has not been able to locate through its own searches. Contact the appropriate CA/OCS/CI country officer if you think a missing children poster should be created for a particular case;
- Providing a Web site with valuable resources for families, law enforcement, attorneys, and other child welfare professions;
- Counseling parents and referring the LBP to other mental health services;
- Overseeing and distributing funds to LBPs for travel to participate in hearings abroad or to arrange return of their children, with funding from the U.S. Department of Justice Office for Victims of Crime;.
- Assisting with identifying and retaining counsel for parents; and.
- Assisting parents with interactions with local and federal law enforcement officers.

7 FAM 1712 CONSULAR ROLES AND RESPONSIBILITIES IN CHILD ABDUCTION MATTERS

7 FAM 1712.1 Role of the Bureau of Consular Affairs (CA)

(CT:CON-407; 06-29-2012)

- a. The Office of Children's Issues, Directorate of Overseas Citizens Services, Bureau of Consular Affairs (CA/OCS/CI) is the U.S. Central Authority for the Hague Abduction Convention. CA/OCS/CI also handles international parental child abduction cases to and from non-Convention countries. The Office's duties are summarized at 1 FAM 255.1-2. CA/OCS/CI works to strengthen treaty compliance in the United States and abroad and to expand participation in the Hague Abduction Convention. CA/OCS/CI provides information to left-behind parents on their options and in non-Hague Convention countries collaborates with consular officers on strategies to return abducted children to the United States. CA/OCS/CI also administers the Children's Passport Issuance Alert Program (see 7 FAM 1300 Appendix Q (under development)).
- b. On May 25, 2010, the Secretary of State appointed a Special Advisor for Children's Issues to address intercountry adoption and international parental child abduction. The Special Adviser engages with foreign government officials

to support the Department's policy goals on international parental child abduction and international adoption.

- c. CA/OCS/CI chairs the Inter-Agency Coordinating Group authorized by 42 U.S.C. 11609. The Inter-Agency Coordinating Group monitors the operation of the Convention and provides advice on its implementation to the United States Central Authority and other Federal agencies.
- d. The Office of Legal Affairs, Directorate of Overseas Citizens Services Bureau of Consular Affairs (CA/OCS/L) (ASK-OCS-L@state.gov), provides law and policy guidance on international parental child abduction related matters to CA/OCS/CI, CA/OCS/ACS and posts abroad. CA/OCS/L provides treaty interpretation, in coordination with the Office of the Legal Adviser for Consular Affairs (L/CA). CA/OCS/L also provides guidance on law and policy for child abuse, neglect, exploitation and international child support enforcement and two parent consent issues regarding passports for minors.
- e. The Office of American Citizen Services and Crisis Management, Directorate of Overseas Citizens Services, Bureau of Consular Affairs (CA/OCS/ACS) is responsible for American Citizen Services (ACS) functions attendant to international parental child abduction cases such as repatriation, child abuse and neglect, and refuge, as well as custody cases related to children who are not involved in international parental child abduction.

7 FAM 1712.2 Role of Posts Abroad

(CT:CON-447; 03-01-2013)

- a. It is both important and instructive to understand that the role of consular officers in international parental child abduction cases when the child is located abroad is drawn from the broader function of protecting U.S. citizens abroad, with additional emphasis on the protection of a child. Your goal in most abduction cases is facilitating the return of the child through lawful means to his or her country of habitual residence. Even in those countries that do not have a treaty relationship with the United States under the Hague Abduction Convention, your actions should be in keeping with the principles behind the Convention.
- b. When the child is allegedly abducted to the United States, the role of the consular officer is drawn either: 1) from the Hague Abduction Convention, if the child was removed from a country that is a partner with the United States under the Hague Abduction Convention; or 2) from CA's policy approving the use of resources to assist in cases where the child is removed from a country with which the United States is not/not a partner under the Hague Abduction Convention. Consular officers may exchange information as necessary and appropriate with the relevant foreign Central authority, foreign governments, or INTERPOL, in coordination with CA/OCS/CI.
- c. The Department's objective to return children to their country of habitual

residence derives from the basic premise of the Hague Abduction Convention, which states the appropriate venue for a custody determination is the court in the child's habitual residence. The consular officer's role is to facilitate communication with the alleged taking parent, the alleged taking parent's family, and the host government. The consular officer's role is not to insert him/herself in the family dynamic by making judgments about how the parent and child should interact, in the absence of indications of danger to the child.

- d. The basic principle of international law--that a person residing or traveling abroad is subject to the laws of the host country and the jurisdiction of its courts--applies to children as well as to adults. The laws of the country where the child is present physically, even though perhaps temporarily, are normally controlling. As a consular officer you may not violate, or assist others in violating, the host country's law. Nonetheless, it is usually possible for you to provide significant assistance to parents and others seeking the lawful return of an abducted or wrongfully retained child to the United States. To do so effectively and within the law, you should:
- (1) Learn and understand the implications of local law in abduction, wrongful retention, custody, and access matters;
 - (2) Develop contacts with resource personnel in the host country who can provide direct assistance, suggest guidance, or provide detailed information in specific cases;
 - (3) Be able to outline the steps in the relevant local judicial, immigration and social welfare processes for parents; and
 - (4) If the host country has a treaty relationship with the United States under the Hague Abduction Convention, be familiar with the provisions of the Convention, understand the process by which the host government fulfills its obligations under the Convention, and be aware of any problems with host government compliance with the Convention.

NOTE: Always keep in mind, and stress whenever appropriate, that an abducted or wrongfully retained child may be present in the foreign country as the result of an act that could be a **criminal offense** in the United States.

- e. Consular officers have no legal authority to obtain physical custody of children or to return them to requesting parents. See 7 FAM 1772. Where a foreign court has ordered a child returned to the United States under the Hague Abduction Convention, consular officers should monitor the child's welfare and assist with return arrangements if necessary. Consular officers may issue new passports without two parent signature based upon the court return order, with specific guidance from CA/OCS/L (Ask-OCS-L@state.gov). See 7 FAM 1350 Passports for Minors and 22 CFR 51.28. In addition, you may be asked to assist in obtaining a significant benefit parole visa for the taking or left behind parent, in coordination with CA/OCS/CI, to permit that parent's participation in

Hague Abduction Convention proceedings in the United States. Consular officers are encouraged to use their discretion and knowledge of the sensitivities of the case to issue a visa when legal and appropriate. Awareness of IPCA should generate consideration of assessing 214(b) in the proper context. See 9 FAM 42.1 N4, Parole. For detailed instructions on return of a child to the United States, especially those abducted in non-Hague countries, see 7 FAM 1770 Return of Children. 7 FAM 180 provides guidance on the granting of temporary emergency protection.

- f. Consular officers may not offer legal advice to parents or others. However, you may (and should) provide a range of information and procedural guidance, and direct parents to those who can provide assistance and more specific advice, including legal counsel. Consular officers should also have country specific information about international parental child abduction available for parents. This information is posted on the CA Internet Child Abduction page – child abduction country information.
- g. Lists of Attorneys: See 7 FAM 900 for general guidance on development of triennial lists of attorneys. Note: In many Hague Abduction Convention countries, the Central Authority provides legal assistance for the Hague proceedings. It is therefore important to refer parents to CA/OCS/CI and notify CA/OCS/CI as soon as possible if the post is the first to learn of an abduction case.
- h. Conversations with parents in international parental child abduction cases can be highly emotional and frustrating for parents. Whether the parent contacts CA/OCS/CI or a post initially, consular officers must clearly explain what the post and the Department can and cannot do to assist in returning a child to the United States. See the CA Internet Abduction page for more information and resources. CA/OCS/CI and CA/OCS/L stand ready to assist posts to ensure discussions with parents productive and informative.
- i. Posts must maintain contacts with foreign authorities responsible for international parental child abduction matters. In countries party to the Hague Abduction Convention, this would be the host country's central authority. In countries not party to the Hague Abduction Convention or countries with which the United States does not have a treaty relationship, these contacts may be in the Ministry of Foreign Affairs, Ministry of Justice or other appropriate entity. These contacts facilitate cooperation in abduction cases. Where countries have not yet joined the Convention, consular officers can play an important part in reporting on existing laws and infrastructure to facilitate the Department's country-specific strategy for working bilaterally to encourage accession to this important and effective Convention. CA/OCS/CI is specifically charged with central authority to central authority communication, and welcomes post involvement in dialogues with the host country provided they do not exclude CA/OCS/CI.
- j. When necessary and appropriate, help convey U.S. Government interest in

cases by attending or monitoring custody or related court proceedings for both Hague and non-Hague Convention cases when a U.S. citizen child is involved. If a Hague Abduction Convention return application is pending in a host country, custody proceedings should be stayed until the Hague petition has been judicially reviewed and it is clear that the child will not be returning to the United States under the Convention. CA/OCS/CI routinely notifies the foreign Central Authority when a new application has been filed and requests notification to the court in order to stay any active custody proceedings. If a Hague Abduction Convention application is pending in the United States, and CA/OCS/CI learns of a custody proceeding in a U.S. state court, CA/OCS/CI will send a letter to the court reminding the court of its obligations under Article 16 of the Hague Abduction Convention.

- k. **Encourage Dialogue:** Consular officers at post and in CA/OCS/CI should encourage communication between the parents when possible to encourage a voluntary return of a child. CA/OCS/CI can provide guidance on how to facilitate voluntary return of a child. While Article 7 of the Hague Abduction Convention authorizes the central authority to take all appropriate measures to encourage a voluntary resolution in international parental child abduction cases, it is important to remember that consular officers are not professional social workers, counselors, mediators or family law experts. Consular officers may not facilitate efforts by the left behind parent to physically recover the child through surreptitious means, or in violation of local law. Consular officers may suggest or arrange a neutral meeting place where parents involved in a custody or abduction-related dispute can attempt to resolve their differences. Be careful to maintain impartiality in arranging meetings and facilitating communications, regardless of the perceived relative merits of the case. Avoid influencing the decisions or actions of either parent.
- l. **Questionable Family Messages and Letters:** Consular officers are often asked to pass a message to the child from the left behind parent and should generally refrain from judging whether or not it is a good message. Consular officers should never deliver a message without reading it. Additionally, where a consular officer, based on objective facts and conditions, and subject to the concurrence by the supervising consular officer, believes that a statement in the message could put the U.S. citizen child in harm, for example by triggering ill treatment or a breakdown in consular access, the officer must consult CA/OCS/CI and CA/OCS/L for guidance.
- m. **Professional Mediation:**
 - (1) Mediation of international family disputes is a relatively new field that is largely unregulated in some countries, like the United States, but in which there is much interest. Mediation may be very effective for facilitating access to an abducted child. If a parent or government official expresses an interest in mediating after an international parental child abduction, you can refer them to the Bureau of Consular Affairs' web page or check with the CA/OCS/CI country officer to see if s/he knows of any resources that

may be available.

Note: CA/OCS/CI and CA/OCS/L (ASK-OCS-L@state.gov) are members of a working group of the Hague Conference on Private International Law regarding mediation and international parental child abduction. Information about the progress of the working group is available on the Hague Conference Web page.

- (2) Provide information on any available mediation resources or organizations that parents might use to help resolve their differences. This could be prepared as a resource on post's home page similar to the list of attorneys and list of doctors provided it includes the required disclaimer. Posts should also discuss with CA/OCS/CI options for mediation in the United States.

DISCLAIMER: The U.S. Embassy (Consulate) (City, Country) assumes no responsibility or liability for the professional ability or reputation of, or the quality of services provided by, the following persons or firms. Inclusion on this list is in no way an endorsement by the Department of State or the U.S. Embassy/Consulate. Names are listed alphabetically, and the order in which they appear has no other significance. The information in the list on professional credentials, areas of expertise and language ability are provided directly by the mediators; the Embassy is not in a position to confirm such information. You may receive additional information about the individuals on the list by contacting the local licensing authorities.

- n. Force and Deception: Consular officers and staff may **not** assist a parent to gain physical custody of a child by force or deception or otherwise in violation of a host country's law. You should:
 - (1) Inform a parent contemplating such action of the dangers involved, including the possibility of criminal prosecution and/or civil consequences such as those available under the Hague Abduction Convention; and
 - (2) Explain that obtaining the services of professional "recovery experts" might involve risk to the child and others, including the left-behind parent.

Note: Normally, you are under no obligation to report a parent's possible plans to gain physical custody of a child in violation of host country laws to either local authorities or the other parent. However, if a parent has threatened violence or appears to pose a threat to the safety of the child or the other parent, you should inform the other parent or local authorities.. You should also inform the CA/OCS/CI case officer for the relevant country. Threats to consular officers must be reported to the regional security officer.

- o. Working with Parents: Interacting with parents in an international parental child abduction can be challenging and complex, and requires considerable tact, diplomacy and strong interpersonal skills.
 - (1) Custody disputes are often bitter and international parental child abduction

is often an extreme response in a custody dispute. The parents often accuse each other of behavior harmful to the child or to the other parent. They may allege, for example, that the other parent is an alcoholic, drug addict, criminal, sexual deviate, or child abuser.

- (2) You should never disregard such statements, or any claims that the child may suffer from serious diseases or health conditions, but you should always be mindful that mutual recriminations may be rooted in a bitter parental dispute and may not be supported by the facts. See 7 FAM 1720 – Child Abuse and Neglect.
- (3) Be mindful of each parent's citizenship status and be cautious about potential privacy violation. 7 FAM 060 provides guidance about the Privacy Act. CA/OCS/L (Ask-OCS-L@state.gov) is available to provide posts with case specific privacy guidance. Posts must protect a U.S. citizen or LPR's or LPR parent's personally identifiable information, address and contact information.

p. General Guidelines:

- (1) Review each active case thoroughly to ensure you are familiar and current with all the relevant facts.
- (2) When speaking to either parent, personalize the case by using the child's name as much as possible.
- (3) Pull the case up in the IPCA Database immediately so you can refer to people by name, as well as take detailed notes of each conversation. Posts can always ask CI to provide an updated summary of the case. Posts currently have read-only access through the Consular Consolidated Database (CCD).
- (4) Be polite and try very hard not to seem rushed. Bring your most compassionate and professional demeanor to bear.
- (5) Try to treat each parent as if this is the only case you have to work on. If you are in the middle of an urgent task, ask if you can call back or meet again when you have time to give the parent your full attention.
- (6) Return telephone calls and e-mails promptly.
- (7) If you sense that the parent needs more emotional support than you should or are qualified to provide, explain that there may be resources available where she/he lives to share expertise and provide support. Among them are:
 - (a) **State Victims of Crime programs:** CA/OCS can assist in locating local points of contact. (see 7 FAM 1900); and
 - (b) **NCMEC:** Particularly when the LBP is calling you from the United States, you may refer them to the NCMEC counseling services at 703-837-6304.

- (8) Avoid inaccurate use of the term "child custody case." You should always refer to the case as "your child's case" using the child's name.
- (9) Do not provide your personal contact information or details about your own life. Be clear about the limits of your role and authority. Posts can also ask CA/OCS/CI for support as needed.
- (10) Avoid using acronyms as much as possible. Not only can they be confusing to the listener, but also they can be misinterpreted.

Note: The parent will form his or her impression of you -- and the Department -- based on his or her initial contact with you, often over the telephone. Even though you may be under significant pressure from other work, interacting with the parent with courtesy and compassion will help you build a relationship of trust, which will aid you as you work with him/her.

7 FAM 1712.3 Child Abduction and Criminal Law

(CT:CON-407; 06-29-2012)

Consular officers should not speculate or engage in dialogue with the host country officials, parents or their representatives regarding child abduction and extradition, mutual legal assistance treaties or prosecution in general absent specific guidance from the Department (CA/OCS/L and the Office of the Legal Adviser for Law Enforcement and Intelligence (L/LEI), and/or L/CA. Parental child abduction is a felony in every U.S. state and a federal crime under the International Parental Kidnapping Act, 18 U.S.C. 1204, (IPKA). Nevertheless, a perpetrator must be charged with a crime and a warrant issued before any action by U.S. law enforcement will be taken against him/her. Therefore, absent a conviction, you should not say, "the taking parent is a criminal", since there has been no criminal finding by a court of competent jurisdiction. Rather, you may say, parental child abduction is a crime in the United States, citing 18 U.S.C. 1204 and/or state felony laws. See also Using the Criminal Justice System on the Consular Affairs Internet page and 7 FAM 1647 Extradition and Parental Child Abduction.

7 FAM 1713 THE HAGUE CHILD ABDUCTION CONVENTION

7 FAM 1713.1 Background

(CT:CON-395; 02-09-2012)

Twenty-three nations, meeting at the Hague Conference on Private International Law in 1976, agreed to negotiate a treaty aimed at deterring international child abduction. Between 1976 and 1980, the United States was a major force in preparing and negotiating the 1980 Hague Convention on the Civil Aspects of

International Child Abduction. The Convention came into force for the United States on July 1, 1988, and applies to abductions or wrongful retentions that occurred on or after that date, or to requests for access to a child filed after that date. See the Hague Conference Child Abduction Home Page on the Internet.

7 FAM 1713.2 Purpose

(CT:CON-395; 02-09-2012)

Countries party to the Convention have agreed (subject to certain limited exceptions) that a child wrongfully removed to or retained in one country shall promptly be returned to the other member country where the child was habitually resident before the abduction or wrongful retention. The Convention also calls on partner countries to facilitate the exercise of visitation ("access") rights between party countries.

7 FAM 1713.3 General Provisions

7 FAM 1713.3-1 Return Of Child

(CT:CON-447; 03-01-2013)

- a. The Office of Children's Issues (CA/OCS/CI) is responsible for forwarding outgoing return and access applications to the relevant foreign Central Authority. CA/OCS/CI screens outgoing applications only for the most basic criteria before accepting and submitting to the foreign central authority an applicant's request under The Hague Abduction Convention for return of or access to an abducted or wrongfully retained child. Under the premise that the Department should not decline to provide requested assistance to U.S. citizens and should instead defer to the foreign central authority to accept or reject a Convention application, the U.S. Central Authority (USCA) will forward petitions that involve:
 - (1) A child under the age of 16;
 - (2) Abducted from or retained outside of the United States;
 - (3) In a country that ratified or acceded to the Convention prior to the date of the alleged abduction or the beginning of the retention and, for an acceding state, the United States accepted the accession and such acceptance took effect before the application was submitted to the USCA; and
 - (4) A person or competent authority gives a reasonable assertion that he/she/it has custodial rights.
- b. CA/OCS/CI does not forward "in utero" cases, which are defined as cases in which the child was in utero at the time of the alleged wrongful removal or beginning of the alleged unlawful retention.

- c. Some other central authorities apply higher levels of discretion in reviewing Hague petitions to determine whether or not they meet the criteria of the Convention sufficiently to warrant invocation of the treaty. Some of our Convention partners have complained that the USCA too often forwards petitions that are, in their view, clearly insufficient, thus wasting valuable time and resources of our foreign counterparts.
- d. Outgoing country officers will refer to the outgoing Branch and Division Chiefs any petition that fits into the following categories. In concurrence with CA/OCS/CI management and CA/OCS/L attorney advisors, consulting with L/CA as appropriate, cases falling into one of the following categories may be considered for possible rejection under Article 27:
 - (1) An outgoing application that does not meet the requirements for completion under Article 8 of the Convention, where the applicant does not cure the deficiencies within six months of submitting the application to the USCA after being notified of such deficiencies by the USCA, unless the receiving foreign central authority has agreed to accept the case with pending documentation; or
 - (2) An outgoing application where the child who is the subject of the application was previously the subject of an incoming Hague case before a court in the United States, and a court in the United States has ruled on the question of the child's habitual residence during an action filed pursuant to the Hague Abduction Convention.
 - (3) In concurrence with the OCS Managing Director, the CA/OCS/L Director, CA/OCS/CI management, and L/CA, any other case that raises significant policy concerns may be considered for possible rejection under Article 27. This criterion should be used sparingly, and only in the most egregious cases.

See the Hague Conference on Private International Law acceptance of accessions page for the list of countries with which the United States has a treaty relationship under the Hague Abduction Convention.

- b. Under the Hague Abduction Convention the competent authority in a member nation must return an abducted or wrongfully retained child if:
 - (1) The child is below the age of 16;
 - (2) The child was "habitually resident" in a Convention country prior to the wrongful removal or retention;
 - (3) The applicant had and was exercising rights of custody under the law of the child's country of habitual residence at the time of the wrongful removal or retention, or would have been exercising those rights but for the removal or retention; and

FYI: After one year, a court or other competent authority is still obligated to order the child returned **unless** the person resisting return

successfully demonstrates that the child is settled in the new environment.

- c. There are, however, several important exceptions to the requirement to return a child under the Convention. See below at 7 FAM 1713.3-3.

7 FAM 1713.3-2 The Hague Convention Is Nationality-Neutral

(CT:CON-395; 02-09-2012)

If a child habitually resident in one Convention country is abducted to or wrongfully retained in another, the Convention's return and other remedies are available regardless of the child's nationality or the nationality of either parent.

- (1) For example, the United States is obligated to return to Italy a U.S. citizen child habitually resident in Italy, even if the taking parent is a U.S. citizen and the applying LBP is a citizen of Russia (which does not have a treaty relationship with the United States under the Convention).
- (2) The Convention also applies in cases where the child is not a U.S. citizen but was habitually resident in the United States prior to an abduction or wrongful retention.

7 FAM 1713.3-3 Reasons a Return Application May Be Denied

(CT:CON-395; 02-09-2012)

A court or other competent authority may (but is not required to) refuse to order a child returned under the Convention if it determines that one or more of the following defenses to an application for return apply:

- (1) There is a grave risk that the child would be exposed to physical or psychological harm or otherwise placed in an intolerable situation;
- (2) The left-behind parent consented to or acquiesced in the child's removal or retention;
- (3) The child objects to being returned and has reached an age and degree of maturity at which the court can take account of the child's views;
- (4) The application was filed more than one year after the abduction or wrongful retention AND the person resisting return demonstrates that the child is well settled in the new environment; and/or
- (5) The return of the child would violate the fundamental principles of human rights and freedoms of the country where the child is located.

7 FAM 1713.3-4 Access

(CT:CON-447; 03-01-2013)

- a. Article 21 of the Hague Abduction Convention calls on states party to make

arrangements for organizing or securing the effective exercise of rights of access, and to "remove all obstacles" to the exercise of access rights. The Convention does not specify how this is to be achieved. See 7 FAM 1713.4.

Note: Parents seeking **ACCESS** under the Convention, as opposed to **RETURN** of the child, may invoke the Convention even if the child's removal predates the Convention's entry into force between the U.S. and the host country.

- b. Before accepting a Hague application and opening a Hague access case in our IPCA database, CA/OCS/CI country desk officers must confirm that all of the following requirements have been met:
- (1) The case involves a child under the age of 16;
 - (2) The requesting party has proof of a parental relationship and/or access rights to the child. Such proof may include but is not limited to:
 - (a) The applicant's name listed on the child's birth certificate; or
 - (b) An order of a competent court granting the applicant access and/or custodial rights to the child; or
 - (c) An order of a competent court acknowledging the paternity or maternity of the applicant.
 - (3) The requesting party has a U.S. or foreign court order granting him or her access rights to the child or submits a detailed outline of the type of access he or she would like to exercise in the foreign country and/or the United States;
 - (4) The requesting party is not residing in the same country as the child; and
 - (5) The child is residing in a country that is a Hague Convention partner with the country where the requesting party is residing.
- c. An applicant does not have to allege that a wrongful removal or retention occurred in order to apply for access under the Convention. If the requesting party is not residing in the United States, the CA/OCS/CI country desk officer should provide information on how to file the Hague application with the appropriate Central Authority, open a case in our IPCA database, and monitor the case proceedings.
- d. If an access request does not meet the above requirements, and the child and/or parent is a U.S. citizen, the CA/OCS/CI country desk officer should refer the parent to the appropriate U.S. embassy or consulate, which would provide the same support given to any U.S. citizen involved in legal proceedings overseas. The CA/OCS/CI country desk officer should notify the American Citizens Services (ACS) Unit Chief in the U.S. Embassy or Consulate and the appropriate CA/OCS/ACS desk officer about the case. If the child and/or the parent are not U.S. citizens, the CA/OCS/CI country desk officer should refer the parent to the appropriate foreign embassy or consulate.

7 FAM 1713.3-5 Central Authority

(CT:CON-395; 02-09-2012)

- a. Each country with which the United States has a treaty relationship under the Convention has designated a Central Authority to carry out specific duties under the Convention.
- b. A person seeking the return of a child to the United States under the Convention may submit an application to the U.S. Central Authority, directly to the Central Authority of the country where the child is believed to be located, or (in many countries including the United States) directly to the appropriate court or other adjudicative authority.
- c. The Central Authority for the United States is the Department of State, specifically:

**Office of Children's Issues
Overseas Citizens Services (CA/OCS/CI)
Department of State
Washington, D.C. 20520-2818**

You can also call 1-888-407-4747 toll-free within the United States and Canada, or by calling a regular toll line, 1-202-501-4444, from other countries. These numbers are available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. Federal holidays).

Posts abroad can reach the CA/OCS Child Abduction Duty Officer after hours through the Department of State Operations Center.

7 FAM 1713.3-6 State Party Countries

(CT:CON-395; 02-09-2012)

The United States has a treaty relationship with only some of the acceding countries. It is important to understand this because the United States does not have a treaty relationship with all countries party to the Convention as listed on the Hague Conference Child Abduction status page. It is also important to understand that just because a country is a "signatory" to the Convention does not mean that the treaty is in force for that country. Signing a Convention is a signal of interest, but does not mean that the country has acceded to or ratified the treaty. In addition, under the terms of the treaty, countries "party" to the Convention may have the right to refrain from entering into a treaty relationship with other countries "party" to the Convention. The U.S. evaluates a country's preparedness for Hague Abduction Convention duties before it accepts that country as a treaty partner. See Treaties in Force on the Department of State Internet page, 11 FAM 744.1 and CA/OCS Intranet treaties feature.

7 FAM 1713.4 Department's Responsibilities In Hague Convention Cases

(CT:CON-395; 02-09-2012)

As the designated U.S. Central Authority, the Department, through CA/OCS/CI, handles inquiries and correspondence from parents, their attorneys, and other interested parties concerning children abducted to or from Hague Convention countries:

- (1) In cases involving abduction from a Hague country **to the United States** ("incoming"), CA/OCS/CI, provides the following services:
 - (a) Accept applications for return or access from Foreign Central Authorities;
 - (b) Assist in locating the children who are the subject of a Hague Abduction Convention Application within the United States;
 - (c) Attempt to facilitate voluntary returns or access where possible;
 - (d) Assist left-behind parents with locating attorneys, including attorneys willing to work on a pro bono or reduced-fee basis for qualified parents; and
 - (e) Facilitate return of children to their habitual residence. See 73 FR 65539, October 30, 2008 which Amended 22 CFR 94.6 to reflect the role of CA/OCS in handling incoming abduction cases.
- (2) In cases involving abduction **from the United States** ("outgoing") to another Hague Abduction Convention country, CA/OCS/CI is responsible for processing applications under the Convention, communications with foreign central authorities, and coordinating with posts.

FYI: For information about processing inquiries, correspondence, and applications concerning children abducted to or from non-Hague Convention countries, see 7 FAM 1714.

7 FAM 1713.5 Consular Officer Responsibility In Hague Convention Cases

(CT:CON-395; 02-09-2012)

Consular officers in countries with which the United States has a treaty relationship under the Hague Abduction Convention are responsible for supporting the Department's efforts to ensure that cases are handled consistently with the Convention. In some Hague Abduction Convention countries with highly developed administrative and legal systems and experience with the Convention, your involvement in individual return and access cases may be relatively limited. It is always important to remember, however, that even in Convention countries, a left-behind parent may choose, generally in consultation with legal counsel, to

pursue remedies alongside or instead of those created by the Convention and that may require significant consular assistance. Furthermore, posts may need to assist parents or foreign governments in facilitating a child's return to the his/her country of habitual residence pursuant to a return order.

7 FAM 1713.5-1 Hague Abduction Convention Cases filed with the Department

(CT:CON-395; 02-09-2012)

The Department will advise posts for information purposes that a Hague case is ongoing in their district, and may call upon a post to conduct a welfare/whereabouts search, attempt to visit the child, make a formal protest, confirm communication, or take other actions on the Department's behalf.

7 FAM 1713.5-2 Cases Originating At Post

(CT:CON-395; 02-09-2012)

On occasion, your post will be the first to learn of an abduction case that may qualify as a Hague case, generally when the LBP contacts the post directly. In such cases, you should take the following actions:

- (1) **Assist parents in making the initial contact with CA/OCS/CI** and/or the host country central authority, after making clear that the parties should deal directly with the central authorities of the United States and the foreign country concerned;
- (2) **If the LBP is located in the United States**, and the case appears to qualify as a Hague case;
 - (a) Enter the facts of the case into the ACS system; and
 - (b) Refer the caller to CA/OCS/CI.
- (3) **If the LBP or other caller is physically located in the consular district**, whether the inquirer is a U.S. citizen parent or a foreign national, you should refer them to the host country central authority and notify CA/OCS/CI; and
- (4) **Explain to the caller** that the appropriate authorities (e.g., the relevant Central Authority or courts) must make the official decision on the applicability of the Hague Abduction Convention to a specific case.

Child abduction, wrongful retention, and access cases arising in countries with which the United States **DOES NOT** have a treaty relationship under the Convention, or cases in which the child's abduction or wrongful retention took place **PRIOR** to the Convention's entry into force between the United States and the host country, should be handled in accordance with 7 FAM 1714.

7 FAM 1714 NON-HAGUE CONVENTION CASES

(CT:CON-395; 02-09-2012)

The Hague Abduction Convention may not apply to a particular case of international parental child abduction/wrongful retention for any one of several reasons. Some of the most common include:

- (1) The host country does not have a treaty relationship with the United States under the Convention;
- (2) The child is age 16 or older;
- (3) The abduction or wrongful retention took place before the date on which the United States accepted the host country's accession to the Hague Convention

7 FAM 1714.1 Department's Actions In Non-Hague Convention Abduction Cases

(CT:CON-395; 02-09-2012)

- a. The Department provides services to U.S. citizen children in cases of international child abduction or wrongful retention to which The Hague Abduction Convention is not applicable on the basis of its general responsibility for the welfare of private U.S. citizens abroad (for outgoing cases), and as a senior-level policy decision involving, among other issues, concerns for reciprocity (incoming cases).

Note: For outgoing cases, unlike in Hague Abduction Convention cases, the child **MUST** be a U.S. citizen/national, or the child of a U.S. citizen/national, in order for the Department or the consular officer to provide consular services in a non-Hague case.

For incoming cases, CA/OCS/CI opens a case if the LBP has either a 1) custody order granting him/her custodial rights, or 2) an INTERPOL yellow notice for the child, or CA/OCS/CI believes that accepting the case would further policy objectives to encourage assistance in returning abducted or wrongfully retained children to the United States.

- b. For Outgoing cases, consular officers in CA/OCS/CI collaborate with posts to develop strategies for each case taking into consideration the judicial and administrative practices and cultural norms of the country involved and the wishes of the left-behind parent.
- c. CA/OCS/CI controls the International Parental Child Abduction (IPCA) database, making the entries and creating a variety of management reports, public relations data, and background for congressionally mandated reports. IPCA is available at post on a read-only basis through the Consular Consolidated Database (CCD). When working with a possible abduction cases, please run a check of IPCA as well as a check of ACS to view the current case history.

- d. Recognizing the strong media and public attention these cases can generate, CA/OCS/CI works closely with the geographic bureaus, Public Affairs, and Congressional Relations, to generate press guidance, briefing papers, talking points and recommendations for political and diplomatic approaches to specific cases.

7 FAM 1714.2 Consular Officer Role In (Outgoing) Non-Hague Abduction Cases

(CT:CON-395; 02-09-2012)

Non-Hague abduction cases tend to be particularly complex and difficult, and require considerable effort, expertise, and creativity on the part of consular officers both in the Department and at post in a coordinated effort to achieve the return of an abducted or wrongfully retained child to the United States. In such cases, simultaneously pursuing consular and parental access to the child is a related goal. It is important to understand the left-behind parent's specific goals and request for assistance. Occasionally, left-behind parents may only want the Department to help the parent gain access, not the child's return.

Note: CA normally relies more heavily on the consular officers in the field in outgoing non-Hague cases, both as experienced sources of information and as action officers.

7 FAM 1714.2-1 Locate Child And Ascertain Welfare

(CT:CON-558; 01-09-2015)

- a. Often the first step in responding to an abduction/wrongful retention case is to confirm the child's welfare and whereabouts. In situations where the taking parent is uncooperative, this may require host government assistance (see 7 FAM 1716).
- b. Before opening a non-Hague international parental child abduction (IPCA) case, CA/OCS/CI country desk officers must confirm that all of the following requirements are met:
- (1) The case involves a U.S. citizen child or child of a U.S. citizen;
 - (2) The child is under the age of 16;
 - (3) The child was habitually resident in the United States or a third country immediately prior to the removal or wrongful retention across an international border;
 - (4) The child was abducted to, or wrongfully retained in a foreign country that is not a U.S. partner or a partner with the country of the child's habitual residence under The Hague Abduction Convention;
 - (5) The "taking parent" is a person with parental or custodial rights, or

someone acting on that person's behalf; and

- (6) The "left-behind parent" has parental or custodial rights, either by court order or operation of law.
- c. CA/OCS/CI will open and manage an outgoing access case only in the following circumstances:
 - (1) The U.S. citizen child meets the 7 FAM 1714.2-1 b criteria for an IPCA case, is located in a country that is not a Hague Abduction Convention partner with the United States, and a person with custodial rights is seeking access to the child rather than a return; or
 - (2) The child is located in a country that is a Hague Abduction Convention partner with the United States and the parent files a request for access under article 21 of The Hague Abduction Convention.
- d. If a case does not meet these requirements or the requirements for a Hague Convention application for either return or access, the CA/OCS/CI country desk officer will refer the parent to the appropriate U.S. embassy or consulate, which would provide the same support given to any U.S. citizen involved in legal proceedings overseas. The CA/OCS/CI country desk officer must notify the American Citizen Services (ACS) chief in the U.S. embassy or consulate and the appropriate CA/OCS/ACS desk officer about the inquiry and any facts discussed so they are prepared when the parent follows up.

7 FAM 1714.2-2 Coordinate With Host Government And Department

(CT:CON-395; 02-09-2012)

Responding to abduction/wrongful retention cases often requires the involvement of host government authorities. Some posts have found it useful to establish regular meetings with key host government officials to review outstanding cases and identify potential remedies. Posts can also formally request assistance from the host government via diplomatic note.

7 FAM 1714.2-3 Information On Options And Resources

(CT:CON-395; 02-09-2012)

As a consular officer at a U.S. embassy or consulate abroad, you are a source of information and experience for the Department and for the individuals involved in the dispute concerning the child. As such, it is vital that you develop a core of information and contacts that includes:

- (1) Background on the judicial system of the host country, with emphasis on the law (including judicial opinions), regulations, and law enforcement and administrative practices relevant to custody and related disputes;
- (2) An understanding of any laws, traditions or cultural mores that might affect

the parents or the child on the basis of gender, age, nationality, or religion;

- (3) A working knowledge of local nationality laws, particularly as they might affect a United States citizen spouse or child;
- (4) Information on social welfare services and benefits available to children and parents, including access to free or reduced fee legal aid;
- (5) Information on any domestic violence shelters or similar social service organizations or facilities that might assist a parent and/or child;
- (6) A list of other private or quasi-government organizations that may be able to provide support and assistance; and
- (7) A range of contacts within the public and private sector that you can call upon for assistance and information in specific cases.

7 FAM 1714.3 Cases Originating At Post

(CT:CON-395; 02-09-2012)

Normally, inquiries from the LPB or their representative will be directed to the Office of Children's Issues (CA/OCS/CI). Some inquirers may contact the post directly, either because they are unaware of the existence of the Office of Children's Issues and their role, or because they are already in country. Whenever the post is contacted directly, the consular officer should:

- (1) Obtain all available information from the requesting party;
- (2) Request that CA/OCS/CI initiate a new case in the IPCA database;
- (3) Notify the appropriate case officer in CA/OCS/CI of the case immediately by email, telephone, or cable. A list of case officers and their portfolios is available to posts on the CA/OCS/CI Intranet website or post can send an email to AbductionUSCA@state.gov; and
- (4) Advise the caller, particularly if in the United States, to contact CA/OCS/CI directly.

1-888-407-4747 toll-free within the United States and Canada, or by calling a regular toll line, 1-202-501-4444, from other countries. These numbers are available from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday through Friday (except U.S. Federal holidays).

7 FAM 1715 WELFARE AND WHEREABOUTS VISITS TO ABDUCTED OR WRONGFULLY RETAINED CHILDREN IN ABDUCTION CASES

7 FAM 1715.1 Locating An Abducted Or Wrongfully

Retained Child

(CT:CON-395; 02-09-2012)

Whether as a result of a request from CA/OCS/CI, a phone call or a visit from an left behind parent (LBP), often one of your first actions in a specific case will be to locate the child and, in most cases, the taking parent (TP). Possible resources include:

7 FAM 1715.1-1 Available Records

(CT:CON-395; 02-09-2012)

- a. **Post Records:** Check your own records, including the Passport Issuance Electronic Record System (PIERS), for any recent or previous information on the child and/or the TP.
- b. **Immigration Records:** Assuming records are reliable, and that you can gain access to them, often the best and fastest method of locating the child, or at least confirming their entry into the country, is through host government immigration sources.
- c. **School Records:** If the child is school age, school officials may be a useful source.

7 FAM 1715.1-2 Family Members

(CT:CON-395; 02-09-2012)

Often the LBP can provide the names, addresses, and phone numbers of various members of the TP's family. Whether these inquiries can be made by phone or require a personal visit will depend on the circumstances of the case. When contacting the TP's family the consular officer should state clearly that the purpose of the call is to confirm the child's welfare. This will help avoid the family's fear that the U.S. Government is going to "snatch" the child and facilitate consular access.

- (1) You may wish to have an FSN or other individual with language capability at a high proficiency level to make the initial call, if the TP is a national of the host country.
- (2) When making "cold" calls on family members, it is generally best to try and contact every person in quick succession, to minimize the possibility of one family member alerting another that you are looking for the child, which may cause them to help to conceal the child's whereabouts.
- (3) It is often best to simply ask to speak to the taking parent, rather than immediately ask about the child. If he or she does answer, the circumstances of the individual case will dictate whether you should disconnect at that point, or begin a dialogue with the TP.

- (4) Occasionally, the LBP will provide the contact information for an in-law or family friend who may be sympathetic to the LBP, and therefore an excellent source of information for the consular officer.
- (5) It is conceivable that the abducted child might answer the phone. While the circumstances of the case will dictate your actions, in most instances it is probably not best to identify yourself at that point to the child or begin questioning the child. Instead, consider asking for the Taking Parent or simply ending the call.

7 FAM 1715.1-3 Visual Identification

(CT:CON-395; 02-09-2012)

On occasion, the only way to confirm definitively the location of the child or the taking parent may be for the consular officer to see them personally or to enlist the help of others in the community who may have seen the child or TP.

- (1) Whenever possible, CA/OCS/CI will obtain photographs of the child and the TP and provide them to post.
- (2) Consider utilizing the expertise of your anti-fraud investigators to circulate the photos in neighborhoods, shops, schools, churches, synagogues, mosques, etc. where the child or TP may spend time.
- (3) Children who have been abducted or wrongfully retained are often the subjects of Interpol missing persons ("yellow") notices. These are disseminated through law enforcement channels. CA/OCS/CI can assist in confirming that local law enforcement has received copies of "yellow notices" for children in a particular country.
- (4) Once a child is located, the consular officer should make every effort to interview or visit the child personally. If unusual circumstances prohibit a personal visit by the consular officer, post should arrange for an appropriate local official or consular agent to make the visit. See sections 7 FAM 1715.3 through 1715.6 for detailed instructions about how to conduct and report on these "welfare and whereabouts" visits.

7 FAM 1715.2 Objection To Visit By LBP

(CT:CON-395; 02-09-2012)

CA conducts "welfare and whereabouts" visits with abducted or wrongfully retained children when LBPs have no meaningful access to their children in order to provide information about the child, to facilitate communication, and to encourage parents to voluntarily return children to the United States. While most LBPs are eager to have the visit take place and anxious to hear the results, at times an LBP will specifically ask that no visit be made. This is usually out of concern that the TP might be alarmed and take the children to another, more secret, and location. Sometimes, however the LBP believes that the child will soon be back in her/his

physical custody, and does not want to involve U.S. and/or host government officials. In these cases:

Note: Remember that our first concern is for the welfare of the child. While we normally want to respect the wishes of a parent, there are rare circumstances, such as when credible evidence or allegations of abuse exist, in which the visit should take place notwithstanding objections from the LBP. See 7 FAM 100 for guidance about welfare and the whereabouts function and authorities.

- (1) Determine the LBP's reasons for objecting to the visit;
- (2) Assess the child's circumstances;
- (3) If you believe that a visit is necessary, consult with CA/OCS/CI before conducting the visit, if circumstances permit; and
- (4) If the urgency of the circumstances requires it, take action immediately to protect the child and consult with CA/OCS/CI as soon as possible thereafter.

7 FAM 1715.3 Preparation For Visit

(CT:CON-395; 02-09-2012)

You should carefully plan and execute consular welfare visits in abduction cases. These visits are extremely important for a number of reasons:

- (1) To confirm the health and welfare of the child;
- (2) To provide some measure of comfort or reassurance to the LBP, as well as information about the child. (Note, however, that any person with parental rights to a child has the right to information about that child. Therefore, w/w reports can and should be made available to both parents, with 3rd party PII redacted, upon request);
- (3) To assist with direct communications between the LBP and child, if possible and appropriate; and
- (4) To facilitate communication between the LBP and TP to encourage a voluntary return.

7 FAM 1715.3-1 Consent Of The TP Or Other Custodian

(CT:CON-395; 02-09-2012)

While a "cold" visit may be appropriate to locate or confirm the whereabouts of the child, in-depth consular visits normally will be possible and successful only with the cooperation, or at least the consent, of the TP or the other person supervising the child. You should be as persuasive as possible in trying to obtain this

cooperation or permission. Some TPs may only agree to a meeting if held in a neutral or public space.

7 FAM 1715.3-2 List Key Issues

(CT:CON-395; 02-09-2012)

Establish in advance the points you wish to observe and questions you want to ask during the visit.

Note – Child Abuse: An important part of this is to be aware of the signs of CHILD ABUSE, whether or not it has been alleged by the LBP. See 7 FAM 1720 Child Abuse or Neglect for further information.

7 FAM 1715.3-3 Input From Left Behind Parent (LBP)

(CT:CON-395; 02-09-2012)

Make it clear to LBPs that a consular officer may not be able to ask all of their questions. It is not appropriate to use a welfare and whereabouts visit to help either parent with their custody dispute. We conduct welfare and whereabouts visits pursuant to our consular authority under the VCCR. While this is a service we provide to LBPs who have no access to their children, we are not agents of the LBP. Your welfare and whereabouts visit report should include:

- (1) A description of the general appearance of the child(ren) the last time they saw them;
- (2) Photographs of the child(ren), if available;
- (3) Any long term or chronic medical conditions that mandate continued use of medication;
- (4) Any existing learning disabilities or issues, and how they should be addressed in school; and
- (5) Any allegations or history of abuse or mistreatment (see above).

7 FAM 1715.3-4 Equipment

(CT:CON-395; 02-09-2012)

You may find it useful to take along:

- (1) A camera, preferably digital;
- (2) Cellular telephone; and
- (3) Portable audio recording device. Only use if legal in the host country. and if TP does not object

7 FAM 1715.3-5 Items From Left Behind Parent

(CT:CON-558; 01-09-2015)

You may be asked by the LBP to provide certain things to the child, or even to the TP. While you should carry out the LBP's wishes if possible, you should also exercise a reasonable degree of caution:

- (1) **Letters or Messages to the child:** Advise the LBP that you can only pass on open correspondence that you have the opportunity to read in advance. See 7 FAM 1712.2 paragraph I for guidance regarding questionable letters or messages. This also pertains to gifts for the child which may be wrapped.

Note: You do not want to unknowingly aid in an illegal "rescue" plan. Nor do you want to unnecessarily damage any potentially useful relationship between you and the Taking Parent.

- (2) **Photographs** of the LBP and other family members.
- (3) **School Records:** Advise the LBP that you may give them to the TP, or the school authorities, but normally not directly to the child.
- (4) **Medical and Dental Records:** Again, generally you should give these documents to the TP.

7 FAM 1715.4 Conducting The Visit

(CT:CON-395; 02-09-2012)

While the exact logistics and circumstances of the visit will depend on the specific case and your own judgment and experience, there are some standard issues you should try to address:

7 FAM 1715.4-1 Visit the Home

(CT:CON-395; 02-09-2012)

The visit should take place in the home where the child is actually living if at all possible. If the TP brings the child to the consulate, ask if a follow-up home visit can be scheduled.

7 FAM 1715.4-2 Keep It Informal

(CT:CON-395; 02-09-2012)

The information on child abuse at 7 FAM 1720 and 7 FAM 1900 (Crime Victim Assistance) are intended to assist you in organizing the visit. Taking informal notes during the visit is recommended.

Note: Avoid obviously ticking off a paper checklist in front of the child and TP. You may seem overly intrusive and bureaucratic.

7 FAM 1715.4-3 Private Conversation

(CT:CON-395; 02-09-2012)

If the child is old enough to converse, ask if it is possible to meet alone with the child for a portion of the visit.

7 FAM 1715.4-4 Be Observant

(CT:CON-395; 02-09-2012)

- a. Note the abducting parent's demeanor or conduct toward the abducted child, and towards the consular officer. Take care to note details about the child that may seem minor but will likely be of great importance to the LBP. Examples include mannerisms, style of clothing or hair, activity level during the visit, toys or other personal items that the child holds or keeps nearby, and topics discussed. Avoid making subjective and/or vague judgments, such as "the child appeared happy." Instead, state more objective criteria, such as "the child interacted with the consular officer in an animated manner; the child appeared to be clean and appropriately clothed for the weather."
- b. Stick to personal observations. Write down what you saw and heard, but avoid your own conclusions. For example, it is good to note how many bedrooms the house had, whether there were age-appropriate toys, etc. It is not good to say – house looked like good place for a 5 year old.

7 FAM 1715.4-5 Medical Needs

(CT:CON-395; 02-09-2012)

Make a specific inquiry about any special care required by the child, such as the continued use of necessary medication, and whether the child has had any recent illness, injury, or hospitalization. Ask to see any medicine the child is taking and request details about prognosis, plans for ongoing treatment, and long term implications, if any.

7 FAM 1715.4-6 Camera

(CT:CON-395; 02-09-2012)

Offer to take photographs of the child and surroundings to share with the LBP, if the tenor of the visit permits. With younger children, ask if you may take photographs or artwork or writing samples to share with the LBP. If possible, take photographs of outdoor space as well, including parks, shops, sidewalks, or other aspects of the surrounding area that will inform the LBP about the child's living environment.

7 FAM 1715.4-7 Contact With The LBP

(CT:CON-395; 02-09-2012)

Offer to let the child use your cell phone to communicate directly with the LBP if the tenor of the visit permits. If this is not feasible, ask if the child may make a voice recording to be given to the LBP. When age-appropriate, ask if the child would like to communicate with the LBP directly by e-mail, Facebook, Skype or other social media, or telephone, and facilitate the exchange of contact information.

7 FAM 1715.4-8 Arrange Future Communications

(CT:CON-395; 02-09-2012)

Ask if the LBP may communicate directly with the child after the visit by telephone, mail, or the Internet, as appropriate.

7 FAM 1715.4-9 Maintain A Compassionate But Professional Demeanor

(CT:CON-395; 02-09-2012)

As you interact with the TP and the child, keep in mind that feelings between the TP and the LBP often run very high and the TP may seek to influence you by making prejudicial claims against the LBP (and vice versa). Focus on the purpose of the visit—to observe the welfare of the child and make a report. As you interact with the TP over time, it will be important to maintain this professional demeanor and avoid taking sides in the details of the parental conflict.

7 FAM 1715.5 Frequency Of Visits

7 FAM 1715.5-1 Follow-Up Visits

(CT:CON-395; 02-09-2012)

After the initial visit, you may have to make follow-up visits depending on whether there are concerns about the well-being of a child. Circumstances such as serious or prolonged illness of the child or a change of residence may also require follow-up visits.

7 FAM 1715.5-2 Routine Visits

(CT:CON-395; 02-09-2012)

If there is no need for more frequent visits and if the LBP has no meaningful access to a child, consular officers should attempt to visit an abducted/wrongfully retained child every six months.

7 FAM 1715.5-3 Ending Routine Visits

(CT:CON-395; 02-09-2012)

One of the purposes of conducting welfare visits is to encourage meaningful access by the LBP to his or her child. If post believes that an LBP has meaningful access and routine visits are no longer appropriate per 7 FAM 1715.5-2, post should notify CA/OCS/CI. If post believes routine visits are inappropriate for any other reason, post should consult CA/OCS/CI before ending routine visits.

7 FAM 1715.6 Reporting On Child Visits

(CT:CON-395; 02-09-2012)

It is essential that a concise, factual report be made of each visit and submitted to CA/OCS/CI as quickly as possible. You can expect these reports to be of great interest to both parents, and to be scrutinized in great detail. You should also bear in mind that they will often reach a wider audience, including attorneys, congressional offices, courts, the media, and occasionally, courts.

7 FAM 1715.6-1 Transmitting the Report

(CT:CON-411; 07-09-2012)

Send a report of the visit via record email to the CA/OCS/CI country officer in a form that can be directly converted to a letter addressed to the LBP or other requester. A cable may be appropriate for certain sensitive or high-profile cases.

- (1) The report should be informative, but factual. Include your direct observations, without interpretation or comment.
- (2) Avoid direct quotes if possible; if you do choose to include them, however, make certain the quotes are accurate - word for word – and provide the context of the conversation.
- (3) We take no position on the truthfulness or accuracy of statements made by taking parents or others. When reporting the statements made by others during the visit, make sure it is clear who spoke the words. You should not state opinions about other people's statements (such as whether those words are likely true or not). You may, however, include any direct observations you made that may contradict what someone has said.
- (4) Address any specific questions or topics provided by the LBP in advance of the visit if possible.
- (5) Any information gathered during a welfare and whereabouts visit that does not address the welfare of the child but which post believes is important for CA to know is to be reported by a separate email or cable. Post is not to include information in the welfare and whereabouts report that pertains to the underlying custody dispute.

- (6) Do not make prejudicial or judgmental statements that might undermine the report's character as an objective and evenhanded statement of facts and/or observation.

7 FAM 1716 PARENTAL ACCESS TO THE ABDUCTED OR WRONGFULLY RETAINED CHILD

(CT:CON-395; 02-09-2012)

Your objective in abduction and wrongful retention cases is normally the lawful, prompt, and safe return of the child to his/his or her country of habitual residence. Some parents, however, prefer to seek access instead of return. Others may prefer to seek **access simultaneously** with efforts to achieve return. Action to promote access often presents issues similar to those discussed in 7 FAM 1715 on seeking welfare and whereabouts visits.

NOTE: In addition to aiding parents or legal guardians in abduction and wrongful retention cases, you should also assist parents or legal guardians to exercise their legal rights of access to children who were **NEITHER** abducted **NOR** wrongfully retained.

7 FAM 1716.1 Policy On Access

(CT:CON-395; 02-09-2012)

The Hague Abduction Convention is based on the premise that governments should assist persons with access rights to a child to enforce those rights. Our efforts to assist the TP to permit access to the LBP under reasonable conditions serve this general principle.

7 FAM 1716.2 Negotiating Access

(CT:CON-395; 02-09-2012)

Assisting parents and their representatives to arrive at reasonable access arrangements may require the coordinated efforts of the Department, law enforcement, local police and social welfare authorities, consular officers, private attorneys, mediators and others. Some parties are able to make these arrangements with no intervention on the part of consular officers. Many require additional assistance. Consular officers may assist by providing parents useful information or contacts with these various other agencies or experts. Consular officers should not assume a direct role in attempting to negotiate access for parents.

7 FAM 1716.2-1 The Consular Role In Access When the Child is Located Overseas

(CT:CON-447; 03-01-2013)

As a consular officer, you provide a critical interface with the taking parent and host country officials who often make or break a request for access to an abducted/wrongfully retained child. You may also be called upon to interact with both Taking and Left Behind parents. The consular officer should not negotiate the access with the parties directly, but can facilitate communication and encourage meaningful access.

7 FAM 1716.2-2 Meaningful Access

(CT:CON-395; 02-09-2012)

Meaningful access can take many forms. The following are common methods of access that may be acceptable to parents:

- (1) **Telephone calls:** Regular or periodic scheduled calls or calls at the child's initiation on a cell phone or calling card provided by the LBP.
 - (a) In some countries, with the consent of the TP, schools are willing to have LBPs call a child while at school.
 - (b) Social service agencies in some countries will facilitate phone contact, as well.
- (2) **International Mail:** Initially, many TP's are unwilling to permit any form of interaction between the LBP and the abducted or wrongfully retained child. Access in the form of letters may be a first step to re-establish contact.
 - (a) Some TP's will insist on screening all letters.
 - (b) Some may permit packages as well as letters.
 - (c) Some parents prefer letters and packages not be sent directly to their home, but will permit use of a post office box.
 - (d) Some TP's will permit mail to be sent through third parties such as attorneys, relatives, friends, or church leaders.
- (3) **Mail Through the Post:** If no direct or neutral third party contact is possible, you may accept and deliver opened mail, e-mail and fax messages on behalf of either party. Advise the LBP that you must be able to read the contents of any such mail in order to accept and deliver it. See 7 FAM 1712.2 paragraph I for guidance regarding possibly questionable messages and letters.

Note: The acceptance and delivery of any such mail must, of course, take place in compliance with Departmental rules regarding pouch and mail services.

- (4) **Visits By The LBP:** In-country visits by the LBP are a frequent request. If unsupervised visits are not possible, supervised visits at a visitation facility or other neutral location, including the U.S. Mission may be an option.
- (5) **Video:** Some parents have been successful preparing a "home video" about their life, surroundings, and interests to share with the abducted or wrongfully retained child. You may deliver such a video to the child once you have viewed it. If you do not think the video is appropriate to deliver, send it via pouch to CA/OCS/CI with an explanation.
- (6) **Email/Skype:** Internet access is common in many countries, in homes, schools, or Internet cafés. Arranging for email and or Skype communication may be as easy as providing the child or LBP, an email or Skype address.

7 FAM 1716.2-3 Discussing Access With The LBP

(CT:CON-447; 03-01-2013)

In most cases, the LBP sees the return of the child to his or her custody as the only satisfactory resolution of an abduction case. Some parents, however, are willing to work simultaneously on return and access. You should broach the subject with them early on, offering to seek access as you work to achieve return. In discussing access with the LBP, consider the following:

- (1) Are there local resources to assist with access? Do social service agencies provide neutral, controlled settings for parents to meet children? Can the agency assist the parents with dispute resolution?
- (2) Can local courts assist to encourage or compel access?
- (3) The LBP's legal counsel may be concerned that seeking access will prejudice or delay a return. Relating your prior experiences in access cases may help legal counsel make an informed recommendation to the LBP.
- (4) Discussions or interim access agreements do not necessarily preclude continuing efforts to obtain return of the abducted or wrongfully retained child. This would be a question for the LBP to discuss with his or her legal counsel.
- (5) Some parents seeking return may ultimately settle for access if it is reasonable and frequent enough. Helping to facilitate an access agreement may lead to resolution of the case. The LBP should discuss these issues with his or her lawyer.
- (6) Developing meaningful access may lead to the possibility of the child's eventual travel to the United States.

7 FAM 1716.2-4 Discussing Access With The Taking Parent

(CT:CON-395; 02-09-2012)

It is helpful to consider the perspective of the taking parent as you work with them to facilitate access arrangements. Often the TP believes that he or she has the upper hand, and sees no advantage to permitting access, much less to entering into a dialogue with the consular officer or LBP. To the extent possible and appropriate, you may inform the TP of some potential benefits of agreeing to access, including:

- (1) Appeal to the TP's concern for the best interests of the child by allowing access in order to achieve a reduction in hostilities with the LBP; and
- (2) Children benefit from having a relationship with both of their parents.

7 FAM 1716.2-5 Promoting a Voluntary Resolution

(CT:CON-395; 02-09-2012)

Except perhaps in those situations in which dialogue seems impossible or even potentially counter-productive, such as cases with a pattern of domestic violence or other abuse, you should make a reasonable effort to facilitate communication between parents. Although consular officers provide an essential coordinating service, they are not trained social workers or therapists and should avoid taking on that role. With that in mind, consider providing the following types of assistance:

- (1) If the parents do not have attorneys, offer to pass messages to help start communication, while encouraging them to find a more appropriate means to communicate;
- (2) Facilitate the logistics for a meeting or place for a visit; and
 - (a) Identify and offer a neutral meeting point that will provide the maximum amount of reassurance and security to both parties;
 - (b) It is often helpful to arrange for these meetings to take place in a professional family care environment – offices of a family therapist, counselor, psychologist, etc.
 - (c) Post facilities may be an appropriate venue in some cases, particularly if there is some concern for the welfare or safety of the LBP.
 - (d) A meeting spot controlled by the host government can sometimes provide assurances of safety to both sides.
- (3) Provide a list of family care professionals that could possibly facilitate a meeting. As a consular officer, you should never attempt to take on that role, even if you have some prior social work experience. As with attorneys and medical care providers, consular staff should not recommend a professional for parents to use. Refer inquirers to post's lists for the

parents to make their own selection.

NOTE: Avoid participating in the meeting yourself, if possible. If your presence seems necessary or desirable, make certain all parties understand you are there only as an observer.

7 FAM 1716.3 Assistance Of Local Authorities

(CT:CON-395; 02-09-2012)

The point at which you approach local authorities for assistance in gaining consular access will vary from country to country and perhaps from case to case. In some countries, you may find it more expedient to work through cooperative local authorities from the beginning.

7 FAM 1716.3-1 Explaining Your Involvement

(CT:CON-395; 02-09-2012)

Point out to local authorities the interest that the U.S. Government has in ascertaining the health and welfare of its citizens, an internationally recognized function of any nation's consular officers. If necessary, refer local officials to Articles 5(h) and 37(b) of the Vienna Convention on Consular Relations (VCCR) or the similar provisions of a bilateral convention, if applicable. See Treaties in Force on the Department of State Internet home page to confirm if there is a consular convention in force between the United States and the host country. See also the CA/OCS Intranet Treaties feature for texts of bilateral consular conventions.

7 FAM 1716.3-2 Locating The Child

(CT:CON-395; 02-09-2012)

Local authorities are often the best source of information to help locate the child or to verify a child's presence in the country. You should stress that you are not representing the LBP in his or her efforts to locate the child, but that you have an independent authority under the VCCR and/or the Hague Abduction Convention to find the child and determine his or her health and safety as a part of your official responsibilities.

7 FAM 1716.3-3 Visiting The Child

(CT:CON-395; 02-09-2012)

Local authorities can sometimes be useful in arranging a consular welfare or access visit, by persuading the TP of the merits, or by providing an appropriate neutral venue.

7 FAM 1716.3-4 Confronting Abuse

(CT:CON-395; 02-09-2012)

If there is evidence of child abuse, neglect or potential danger or harm to the child, you must make strong representations to local authorities for an investigation and, if warranted, for appropriate action to protect the child. See 7 FAM 1720 for further information on handling cases involving child abuse or neglect. See also 7 FAM 1730 for guidance on child exploitation.

7 FAM 1717 U.S. PASSPORT AND VISA ISSUANCE AND DENIAL

7 FAM 1717.1 Passports

(CT:CON-517; 06-02-2014)

- a. U.S. law and regulations governing passport issuance and denial, as provided in 7 FAM 1300 Passport Services, are often involved in international custody or abduction cases. The primary examples are:
 - (1) To protect against a non-custodial parent or other obtaining a passport for minors with the intent to abduct them; and
 - (2) To provide a basis for determining that a parent has committed fraud in obtaining a passport for a minor.
- b. For specific guidance on passport issuance and denial, see 7 FAM 1300 Passport Services, specifically 7 FAM 1350 Passport for Minors; 7 FAM 1300 Appendix Q Children's Passport Issuance Alert Program (CPIAP) and 7 FAM 1380, Passport Denial.

7 FAM 1717.2 Visa Denials And Revocations Under INA 212(a)(10)(C)

(CT:CON-395; 02-09-2012)

Complete guidance on this ineligibility is provided at 9 FAM 40.103 Notes.

DO NOT ISSUE A U.S. VISA TO A PERSON WITH ANY KNOWN INVOLVEMENT IN A CHILD ABDUCTION CASE UNTIL YOU CONSULT 9 FAM AND CONFER WITH CA/VO and CA/OCS/CI AS APPROPRIATE.

7 FAM 1718 INCOMING ABDUCTION CASES - WHEN THE ABDUCTED CHILD IS IN THE UNITED STATES

(CT:CON-447; 03-01-2013)

- a. Periodically, posts may receive requests for assistance from persons in the host country who are anxious to ascertain the welfare or whereabouts of their children who are, or who they believe are, in the United States. While in some circumstances assisting such a person may not appear to fall directly within the purview of your consular responsibilities, you should provide, as appropriate, reasonable assistance.
- b. **Foreign Consuls in the United States:** Foreign nationals abroad who are concerned about the welfare and whereabouts of children who may be in the United States should be advised to contact their embassy in the United States or their country's consular official responsible for the region in which the child is thought to be physically located. The foreign consul may be able to conduct a welfare and whereabouts inquiry. This is a function of consular officers under the VCCR and applicable bilateral consular conventions.
- c. Hague Child Abduction **Convention Countries:** If the parent claims that a child habitually resident in a Hague Abduction Convention country has been abducted to or is being wrongfully retained in the United States, you should:
 - (1) Refer the parent to the Central Authority for the Hague Abduction Convention in the host country that will assist the parent to pursue the return of or access to the child; and
 - (2) You may also advise the parent that s/he may pursue the return of or access to a child by filing a Hague Abduction Convention application directly with the U.S. Central Authority or by filing an appropriate action in the appropriate U.S. court.
- d. U.S. Policy on Accepting Incoming Hague Abduction Convention Applications: Applications containing the following characteristics will not be accepted for processing by the U.S. Central Authority:
 - (1) For return and access cases, the subject of the application is age 16 or over; and/or
 - (2) For return cases only, The Hague Abduction Convention was not in force between the United States and the sending country at the time of the alleged abduction, or at the time the alleged wrongful retention began, even if during the course of the wrongful retention the Convention entered into force between the United States and the other country.
 - (3) The subject of the application is a child who was issued an IR-3, IR-4, IH-3, or IH-4 visa to enter the United States.
- e. The following applications will be identified for possible non-acceptance pursuant to Article 27 of the Convention, and subjected to an application review:
 - (1) Return applications where:

- (a) Within the application, the applicant provides no evidence of rights of custody at the time of the alleged wrongful removal or retention; or
- (b) The application as presented clearly demonstrates that the child that is the subject of the application never lived in the alleged habitual residence.

(2) Access applications where:

- (a) Within the application, the applicant provides no evidence of rights of access (e.g., visitation rights) at the time of the application;
- (b) The USCA is aware that an action for access rights (e.g., visitation rights) is ongoing in a court in the United States, and that both parties have had notice and are represented by counsel; or
- (c) The applicant seeks modification of an existing custody or visitation order from a court in the United States, and the applicant participated in the proceedings (including through counsel) that led to the order.

f. The following applications will be identified for a possible reduced level of legal assistance services:

- (1) Return or access applications which fit into any of the categories described in 7 FAM 1718 e(2), if the USCA ultimately decides to accept the application.
- (2) The applicant is barred from entry to the United States because of a felony criminal conviction.

g. **Countries not party to the Hague Child Abduction Convention:** You may direct inquirers to several sources of assistance in child custody cases, and in locating children within the United States, including, but not limited to:

- (a) CA/OCS/CI if the requesting person has a court order granting him/her custodial rights to the child, or there is an INTERPOL yellow notice in the child's name;
- (b) NCMEC;
- (c) Attorney general's office of the State where the child is believed to be located. See the Internet page for the National Association of Attorneys General (NAAG) and NAAG Contact page.
- (d) Local law enforcement. They may be able to work with Interpol to request location assistance in the United States.

h. **Enforcement and Recognition of Foreign Custody Orders:** You may advise inquirers that information concerning recognition and enforcement of custody decrees and other aspects of child custody law may be obtained from the attorney general's office of the state where the child is believed to be located. See general flyer on Enforcement of Judgments on the CA Internet page. In addition, the inquirer may be referred to information on the Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA), and the Consular Affairs

Child Abduction Internet feature U.S. Legal System Frequently Asked Questions which provides an enforcement mechanism for existing custody orders.

- i. **Requests for Legal Counsel:** If inquirers are seeking private legal counsel in the United States, contact the relevant country officer in the CA/OCS/CI Incoming Branch. The CI country officer may forward the parent's request for legal counsel to CA/OCS/L's Legal Assistance Coordinator (LAC), who may provide a full fee attorney list. In addition to the assistance provided by CA/OCS/L's LAC, there are a variety of other sources parents may use to help with their search for legal services, including:
 - (a) Martindale-Hubbell Law Directory. This is often available in local foreign libraries and online.
 - (b) American Bar Association: American Bar Association Consumer's Guide to Legal Help; ABA Directory of Lawyer Referral Services and ABA Family Law Section;
 - (c) State bar association where the child is believed to be located. See the ABA State and Local Bar Association Directory; and
 - (d) International Academy of Matrimonial Lawyers Directory (IAML).
- j. **Judicial Assistance Treaties and Child Abduction:** The U.S. Department of Justice, Civil Division, Office of Foreign Litigation, which is the U.S. Central Authority for the Hague Conventions on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters, the Inter-American Convention on Letters Rogatory and Additional Protocol to the Convention on Letters Rogatory (Service of Process) and the Hague Convention on the Taking of Evidence Abroad advises that it is receiving numbers of more requests under the service and evidence conventions pertaining to home studies, compulsion of visitation by social service experts and other matters related to child abduction work. Questions regarding the use of these treaties should be directed to CA/OCS/L at ASK-OCS-L@state.gov, which will coordinate with the Justice Department. See 7 FAM 900 Judicial Assistance. Country specific information about judicial assistance is available on the CA Internet page.

7 FAM 1719 RELEASE OF INFORMATION TO PARENTS

7 FAM 1719.1 Privacy Act Guidelines

(CT:CON-558; 01-09-2015)

- a. Under the Privacy Act of 1974, (5 U.S.C. 552a) subsection (h) both parents, regardless of which parent has legal custody, have the right to request their minor child's records. The parents have this right regardless of whether they have legal custody and regardless of the citizenship or immigration status of

the parent. The right is based on the child being a U.S. citizen or LPR and the parents step into the shoes of their minor child for the purposes of the Privacy Act.

Note: See State-05 (Overseas Citizens Services Records), State-26 (Passport Records) and the Department Prefatory Statement of Routine Uses, available on the Internet at the Department of State FOIA page, Privacy Act Issuances Index

- b. There is no Federal statute defining the age of a "minor" for all purposes. In most cases, the Department considers any unmarried U.S. citizen/national or lawfully admitted permanent resident alien under the age of 18 to be a "minor". This definition differs from that of "child" for visa purposes.
- c. The Privacy Act, in Sec. 3, defines an individual as "a citizen of the United States or an alien lawfully admitted for permanent residence". This means that the Privacy Act does not apply to an alien who is not a legal permanent resident.
- d. The Privacy Act does not protect records pertaining to deceased individuals, however, next-of-kin may have a "common law" privacy interest in not having information about the deceased released, e.g., if it could embarrass, endanger or cause emotional distress to them (see 7 FAM 061 e).
- e. The Privacy Act makes no distinction between married and unmarried parents.
- f. You must consider the wishes of a minor of sufficient age and maturity (generally around 14) concerning the release of Privacy Act protected information about him or her if you know them. A minor's rights under the Privacy Act should generally be respected, but must be weighed against the parents' right to the information as well as the need to ensure the health or safety of the minor.

NOTE: If a child of sufficient age and maturity objects to the release of Privacy Act protected information concerning him or herself, it should not be released, even to a parent, before consulting with the Department (CA/OCS/CI and CA/OCS/L) to determine whether disclosure is permissible under the circumstances.

- g. You may not release information concerning the minor to any relatives (other than the minor's parents or legal guardians), to the press, to members of Congress, or to others, **UNLESS:**
 - (1) You have a written Privacy Act waiver concerning only the minor that is signed by one of the minor's parents or legal guardians authorizing such disclosure; **OR**
 - (2) One of the exceptions to the bar on disclosures (e.g., health and safety exception, routine use exception) is established.

7 FAM 1719.2 Refusing the Release of Information To

A Parent About the Location of a Minor

(CT:CON-395; 02-09-2012)

You should refuse to release information about the location of a minor when:

- (1) In your judgment, based on a history of violence or current threats of violence doing so could endanger the minor or other people (ie., there is a protective order against one of the parents or allegations of child abuse or domestic violence).
- (2) Disclosing the location of the minor will violate the privacy of a U.S. citizen or legal permanent residence parent who has physical custody of the minor (5 U.S.C. 552a(a)(2)).
- (3) The minor is of sufficient age and maturity and asserts his/her own rights under the Privacy Act and objects to the release of the information.
- (4) The parent requesting the information has had his or her parental rights terminated in an earlier judicial or administrative proceeding by a competent authority.

7 FAM 1719.3 Protecting Information Protected by the Privacy Act

(CT:CON-519; 06-25-2014)

Often during a child abduction, retention, or custody case, you will come to know certain information regarding the Taking Parent (TP) (location, workplace, telephone number, etc.). You may also learn information about other U.S. citizens or LPRs (such as grandparents, new spouse, or other children). The Left Behind Parent (LBP) may ask you to divulge this information. The factors to consider before sharing information about the TP with others are the nationality and immigration status of the TP, and the safety of the parents and child.

- (1) If the parent with physical custody of the child is a U.S. citizen or lawful permanent resident alien (LPR), the Privacy Act protects the parent's right to privacy relating to records about him or her.

NOTE: In such cases, you need to obtain a written Privacy Act waiver from the Taking Parent **BEFORE** information about the Taking Parent, or information that relates to both the child and the Taking Parent, can be disclosed.

- (2) If the LBP requests information from his child's records, you may release the information, but you should redact information that is protected by the Privacy Act, including information about any other U.S. citizens or LPRs (such as the TP).
- (3) If the TP is not a U.S. citizen/national or LPR, you may release information about the TP to the LBP or others, as necessary and appropriate. You may also release information about the child even when doing so would also

result in releasing information about the TP, unless you determine that such release:

- (a) Could endanger the child or other people; and/ or
 - (b) Is contrary to the child's own wishes concerning the release of information about him or her and the child is of sufficient age and maturity.
- (4) If the LBP requests information about the child and obtains an order from a court of competent jurisdiction requiring the release of such information, forward any such requests and orders to CA/OCS/L (Ask-OCS-L@state.gov) which will determine whether or not to release the information.

7 FAM 1719.4 Releasing Information About the Left-Behind Parent (LBP) to the Taking Parent (TP)

(CT:CON-445; 02-22-2013)

Sometimes the TP will ask for information regarding the LBP. In most circumstances, it is not appropriate to release such information.

- (1) If the LBP is not a U.S. citizen or Lawful Permanent Resident Alien (LPR), you may release the information as long as you have no reason to believe the child, or anyone else would be harmed as a result of the disclosure. If you have questions about what is appropriate for release, please contact CA/OCS/L (Ask-OCS-L@state.gov) for guidance.
- (2) If the LBP is a U.S. Citizen or LPR, you must obtain a written Privacy Act Waiver before releasing information about the LBP to the TP.

7 FAM 1719.5 Passport Records

(CT:CON-395; 02-09-2012)

The Department maintains United States passport information on individuals for the period from 1925 to the present. These records normally consist of applications for U.S. passports and supporting evidence of U.S. citizenship, and are protected by the Privacy Act.

7 FAM 1719.5-1 Obtaining Copies Of Passport Records

(CT:CON-395; 02-09-2012)

- a. The Privacy Act allows individuals to obtain copies of records relating to themselves.
- b. Either of a child's parents may also obtain from the Department of State copies of the United States passport records relating to their child.
- c. Either parent may request information about their child's U.S. passport, unless

their parental rights have been legally terminated. To request information about a child's passport, the parent should submit:

- (1) A typed or clearly printed and notarized request, providing the child's full name, date and place of birth, current address, and the reason for the request; and
 - (2) The estimated date of the passport's issuance and any additional passport information that will enable the Department to conduct a full search.
- d. If the parent would like an authenticated copy of the child's passport records, refer them to the guidance on the Department of State, Bureau of Consular Affairs Internet home page about Obtaining Copies of Passport Records. See 7 FAM 1300 Appendix J Release of Information From Passport Files.

NOTE:

Passport Services Law Enforcement Liaison Division (CA/PPT/L/LE) processes requests for passport records from the general public, law enforcement, state and local agencies, as well as formal requests for passport files made under the Freedom of Information Act (FOIA - 5 U.S.C. 552) and the Privacy Act (PA - 5 U.S.C. 552a) upon referral from A/GIS.

7 FAM 1719.5-2 Cautioning Parents

(CT:CON-395; 02-09-2012)

When assisting parents with requests for information about their children's passports or passport records, posts should also advise them that:

- (1) Passport records do not include evidence of travel such as entrance/exit stamps, visas, residence permits, etc., since this information is entered into the passport book after issuance; and
- (2) This process does not apply to foreign passports. A child who has or may have the citizenship of another country (which is often the case if one parent has a foreign nationality) may be eligible to hold, or be included in, a foreign passport in addition to a U.S. passport. The concerned parent may contact the embassy of the other nationality for information and assistance.

7 FAM 1719.6 Visa Records

(CT:CON-447; 03-01-2013)

The Department's policies relating to release of visa information are contained in 9 FAM 40.4 Notes.

DO NOT RELEASE VISA RECORDS OR INFORMATION UNTIL YOU HAVE CHECKED 9 FAM AND CONFERRED WITH CA/VO and CA/OCS/L (ASK-OCS-L@state.gov) AS APPROPRIATE.

7 FAM 1719.7 Requests for Department or Post Testimony or Other Records

(CT:CON-445; 02-22-2013)

- a. Refer inquirers to 22 CFR 172 Service of Process; Production or Disclosure of Official Information in Response to Court Orders, Subpoenas, Notices of Depositions, Requests for Admissions, Interrogatories, or Similar Requests or Demands in Connection With Federal or State Litigation; Expert Testimony (see 2 FAM 500, Legal Affairs).
- b. CA/OCS officers and posts must consult CA/OCS/L (Ask-OCS-L@state.gov) for guidance concerning any U.S. or foreign subpoenas. Do not respond to subpoena demands directly. CA/OCS/L will coordinate with the Office of the Legal Adviser as appropriate and provide an advisory opinion on how to proceed.

7 FAM Exhibit 1713 Outgoing Hague Case Worksheet

(CT:CON-558; 01-09-2015)

Before you provide any LBP with specific information, and outline possible courses of action, you should first determine whether the case appears to be a Hague Case, Possible Hague Case or a Non-Hague Case. Often these factors require information not available at the initial inquiry, and will be made later in the history of the case.

Hague Return Case

CI in its role as U.S. Central Authority will normally accept a Hague application for return when all of the following questions are answered **affirmatively**:

- The child is under the age of sixteen.
- The child is known or presumed to have been taken to a Hague country.
- The Hague Treaty was in force between the United States and that country on or before the date of the abduction.
- The LBP wishes to file for return under the Hague Convention.

The Foreign Central Authority may require the applicant parent to provide evidence of the following:

- The child was habitually resident in the U.S. prior to the removal.
- The LBP had some form of rights of custody at the time of the removal beyond mere visitation rights.
- The LBP was apparently exercising those rights of custody at the time of removal.

- The abduction took place less than one year ago (with some exceptions), or LBP offers reasonable explanation for failure to apply under the Convention within one year.

Evidence that May be Required by the Receiving Foreign Central Authority

- a. **Right of Custody:** The LBP may demonstrate rights of custody under the Convention with either a court order or by operation of law in the country of habitual residence. If the LBP does not have a court order clearly establishing custody, the case may still qualify as a Hague case under the following conditions:
- (1) The LBP can show that he/she has custody rights under the laws of the state of habitual residence of the child. LBPs often provide a copy of the relevant statute and a copy of a birth certificate and/or marriage certificate if required.

OR

- (2) The court document awards sole or joint custody to the TP, but specifically prohibits removal of the child from the United States, or the state in the United States, or the Court's jurisdiction. The LBP petitions for and receives an affirmative determination under Article 15 of the Hague Convention.
- b. **Exercising Right of Custody:** If the LBP was NOT exercising his or her right to custody at the time of the removal, the case may still qualify as a Hague case provided:

The LBP can show he/she would have exercised custody rights but for the removal.

(Note: Deciding actual exercise or any other element of a Hague case is ultimately a judicial decision. When in doubt, assume that a case is provable.)

- c. **U.S. is the child's Habitual Residence:** If the LBP cannot provide convincing evidence of the child's U.S. residence prior to the removal or wrongful retention, the case may still qualify as a Hague case provided:

- The LBP files for and a court grants a positive determination under Article 15 of the Hague Convention that the child's habitual residence was the United States:

Note: Deciding any element of a Hague case is ultimately a judicial decision. When in doubt, assume that a case is provable.

- d. **Date of Removal:** Even if the date of removal was more than one year from the date a parent files a Hague application, a court may hear the case and order a return under the Hague Convention. However, it is important to advise the LBP that there may be a court may deny return under Article 12 of the Hague Convention.

C

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EXHIBIT B



Ministry of Justice

Frequently Asked Questions:

1. What is the Hague Convention on the Civil Aspects of International Child Abduction?
2. What is the purpose of the Convention?
3. What is a central authority?
4. What can the B.C. central authority do for me?
5. Does the Convention apply to my child and me?
6. Does the Convention apply in every country?
7. How does a Convention application for a child's return proceed?
8. Do I have to hire a lawyer in the other country?
9. Do I have to travel to the other country?
10. What defences are available to an application for return?
11. How can child abduction be prevented?

1. What is the Hague Convention on the Civil Aspects of International Child Abduction?

The Convention is an international treaty developed by an international organization called the Hague Conference on Private International Law, which is located in the Netherlands.

The Convention came into force in Canada on December 1, 1983. It was developed in the 1970s at Canada's suggestion, because of the increasing number of parental abductions occurring at that time. Approximately 90 countries are parties to the Convention.

2. What is the purpose of the Convention?

The Convention has two objectives:

1. to ensure that children who are wrongfully removed or retained from their place of habitual residence are returned promptly; and
2. to enable contact or access to children across international borders.

The Convention does not decide which parent should have guardianship or custody of the child. Instead, it leaves that decision to the country of the child's habitual residence, if the child is ordered

to be returned.

The Convention is based on an assumption that it is harmful to children to be unilaterally taken from their country of habitual residence, and seeks to deter such actions. It also assumes that guardianship and custody decisions are best made in the country of the child's habitual residence, as this is where most evidence about the child's life can be found.

3. What is a central authority?

Each country that is a party to the Convention must establish a central authority.

The central authority is the office or person through which each country carries out its duties under the Convention.

In Canada, each province and territory has a central authority that is responsible for managing every Convention case involving that province or territory. In addition, Canada has a federal central authority in Ottawa, but that office does not manage individual Convention cases. Instead, it assists with the locating of children, public education and international communications.

The central authority for B.C. is Penny Lipsack. She is a lawyer with the Ministry of Justice in Victoria. You can contact her at: 250 356-8433 or Penelope.Lipsack@gov.bc.ca.

4. What can the B.C. central authority do for me?

The B.C. central authority can do the following:

- advise whether the country where your child is currently living is a Convention treaty partner with Canada;
- provide an application form for a child's return or for international access to a child;
- assist in locating a child whose whereabouts is unknown;
- provide information about the law and legal aid system in the other country or in B.C., as applicable;
- assist you in obtaining legal counsel;
- provide information about other resources and courses of action available to you;
- liaise with other agencies, including the police, Crown counsel, Canada Border Services Agency and Passport Canada; and
- communicate with the central authority in the other country.

5. Does the Convention apply my child and me?

The Convention only applies to children under the age of 16 years, when both countries involved are parties to the Convention.

To apply for a child's return, a person must have had and exercised "rights of custody" to the child before the child was removed or retained from their country of habitual residence. (This does not mean that the person must have had a court order for custody or guardianship).

An application for a child's return is more likely to be successful if the application is made to the court in the other country within one year of the child's removal or retention, but returns are sometimes ordered after the one-year period has passed.

To apply for access to a child, a court order allowing access or contact with the child may be required, depending upon the other country involved.

Contact the B.C. central authority for more information about these and other requirements.

6. Does the Convention apply in every country?

The Convention does not apply in all countries. Only those countries which are parties to the Convention must comply with the Convention.

The B.C. central authority can tell you which countries are parties to the Convention or you can access the list of countries at:

www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/14_fr_hague.

7. How does a Convention application for a child's return proceed?

Most cases proceed as follows:

1. A parent seeking the return of a child to B.C. contacts the B.C. central authority.
2. The B.C. central authority provides the parent with an application form.
3. The parent completes the application form and submits it to the B.C. central authority along with other necessary documents, such as the child's birth certificate.
4. The B.C. central authority forwards the application and documents to the central authority in the country to which the child was taken.
5. The B.C. central authority and the foreign central authority work together to try to obtain legal counsel for the parent.
6. Legal counsel in the foreign country starts court proceedings in that country and asks the court to order the return of the child to B.C.
7. The parent in the foreign country is served with court documents so that they can defend the court proceeding if they wish to.

8. The court hears the facts of the case and decides whether the child should be returned to B.C. Usually, the facts are provided by the parents in sworn affidavits and not by oral evidence. This means the B.C. parent will not likely have to travel to the foreign country.
9. If the foreign court orders that the child should be returned to B.C., the B.C. central authority may assist with arrangements for the child's return, as required.
10. If the foreign court does not order the child's return to B.C., the B.C. central authority can provide the B.C. parent with information about appealing the court's decision.

8. Do I have to hire a lawyer in the other country?

It depends on the other country involved — that is, the country where your child has been taken.

In some countries, a government lawyer or private lawyer will represent you in court at no cost to you.

In other countries, you may have to apply for legal aid and, if you qualify, a lawyer will be provided at no cost to you. Or, a lawyer may be identified who is willing to work for you on a reduced-fee basis or for no fee at all, but you would have to pay for the out-of-pocket case expenses, such as filing fees and service fees.

And, finally, in some countries you must find and pay a lawyer to represent you in court.

In all of the above cases, the central authorities involved will assist you in finding a lawyer to represent you in court in the other country.

9. Do I have to travel to the other country?

In most cases, no. Convention cases are intended to be heard in a quick and efficient manner. This means that oral evidence is seldom required, as the evidence is put before the court in the form of sworn affidavits.

In some rare cases, the court that is deciding the Convention application for return of a child may wish to hear oral evidence from the parties. In such cases, the parent may be able to give evidence by telephone or by videoconference, or may be required to attend court in person.

10. What defences are available to an application for return?

There are a limited number of exceptions — or defences — to the requirement that a court must order a child's return under the Convention. These include:

- the left-behind parent consented to or acquiesced in the child's removal or retention;
- there is a grave risk that the child's return will expose them to harm or an intolerable situation;
- the child objects to being returned and is of an age and maturity that their views should be taken into account; or
- the left-behind parent waited more than one year to commence a Convention proceeding, during which time the child has settled in the new environment.

11. How can child abduction be prevented?

The following steps may assist in preventing child abduction.

1. Take threats to leave or abduct a child seriously.
2. Contact the B.C. central authority for information and other assistance if you fear your child is at risk of being abducted.
3. Keep records or copies of your child's passport number and travel documents and the passport number and travel documents of the other parent, if possible.
4. Maintain recent photos of the child and the other parent, if possible.
5. Obtain a non-removal order or protection order, if appropriate.
6. Seek supervised access for the other parent or party, if appropriate.
7. Contact Passport Canada (www.passportcanada.gc.ca) and place the child's name and date of birth on the passport alert system. You may be able to obtain information about various passport notations that may be used to restrict a child's travel outside Canada.
8. If the child has or is eligible for dual citizenship, write the local consulate of the other state and provide them with any court order restricting the child's travel or your written objection to a passport being issued by that state for the child.
9. If you are permitting travel by the child to another country for a limited period of time, you should provide a written consent that clearly outlines the purposes and duration of the travel. If the other country is a Convention country, provide a statement by both parents that they agree to be bound by the Convention in the event a removal or retention occurs.
10. Seek a bond or surety to be paid in the event a removal or retention occurs; the money will assist the left-behind parent with legal and travel costs.

Print and Close

Cancel

EXHIBIT C



From: **Brent Ellingson** bellingson@smartt.com
Subject: Notice of Family Claim and Form F15 Affidavit of Personal Service

Date: July 3, 2015 at 12:31 PM
To: Marika Taylor marikataylor@me.com

Hi Marieke,

Cases are not assigned to judges in BC until a hearing (e.g. an application, a case conference, or a trial) has been scheduled. Perhaps it is different in California and the judge was not aware of that or did not turn her mind to it. (The first hearing in the case in BC is most likely to be a judicial

case conference (JCC), which either party can set down after both parties have filed their pleadings, although some applications can be made before a JCC.)

However, you may still serve Reed in the interim. I have attached the Notice of Family Claim and a draft Affidavit of Personal Service (Form F15) to this e-mail. You will need to print out two copies of the Notice of Family Claim - one for service on Reed, and one to be attached as the exhibit to your friend's Affidavit of Service. Your friend will need to swear the Affidavit in front of a lawyer or notary (someone empowered to take affidavits). If she did not know Reed before serving him, she will have to complete the portion of the affidavit indicating how she identified him based on a photo of him, and then you will have to use a copy of that photo as a second exhibit to the affidavit.

Please note that if your friend successfully serves Reed, and I instruct the process servers not to proceed, they may nonetheless charge a fee for what they did up to that point.

Yours truly,

Brent Ellingson
Varty & Company
Barristers and Solicitors
900 - 555 Burrard Street Vancouver, BC V7X 1M8
Fax: 604-443-5001
Phone: 604-684-5356
Cell: 604-999-7127
Email: bellingson@smartt.com

-----Original Message-----

From: Marika Taylor [mailto:marikataylor@me.com] Sent: July 3, 2015 9:46 AM
To: bellingson@smartt.com
Subject: July 10 deadline

Hi Brett,

Please email me the paperwork that we need to serve reed. I can go see reed and Hunter today with my friend and have her serve him the papers.

It's extremely important it's done today because tomorrow is a holiday and next week Reed will be working and when he works he's on location where there's security and closed sets and it's impossible to find him.

I need to give the LA judge the contact information for the vancouver judge assigned to this case.. No later than July 10th!! I've attached the minutes from the hearing..

C

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EXHIBIT D

**FORM F15
(RULE 6-6 (1))**

No. E151794
Vancouver Registry

In the Supreme Court of British Columbia

Claimant/
Petitioner: Marieke Petra Randoy
Respondent: Reed Philip Randoy

AFFIDAVIT OF PERSONAL SERVICE

I, Anthony Bayani Rodriguez of 24417 Wasatch Ct.
Professor Cordova, CA 92883
[occupation] [address]

SWEAR (OR AFFIRM) THAT:

1 On 6 July 2015 at 7:45 pm
[dd/mm/yyyy] [time of day]

I served Reed Philip Randoy

[name of person served]

with the Notice of Family Claim

[type of document, e.g. notice of family claim, petition, etc.]

in this family law case, a copy of which is attached to this affidavit and marked as Exhibit A, by handing it to
and leaving it with that person at 4162 Wade St, Los Angeles, CA, USA

[city and country]

[In the case of service of a notice of family claim or counterclaim in which a divorce is claimed, check whichever one of the following boxes is correct and complete the required information.]

☒ 2 I know the person served because

I am the fiance of Marieke Randoy's friend Luciana Caciarone

I have met ~~Reed~~ Randy at social events

[set out the means of knowledge]

[OR]

- ☐ 2 I know the person served because

[set out the means of knowledge]

and attached to this affidavit and marked as Exhibit B is a photograph that is a true likeness of the person I served.

[OR]

- ☐ 2 I do not know the person served and [State the means by which the person who was served was identified by checking one or both of the following boxes and providing the required information.]

- ☐ the person I served produced the following identification containing a photograph that was a true likeness of the person I served:

[specify form of identification produced – e.g. "B.C. Drivers License No. XXX"]

- ☐ attached to this affidavit and marked as Exhibit B is a photograph that is true likeness of the person I served. [If this box is checked, there must be filed an affidavit that exhibits the same photograph and confirms that the person shown in the photograph is the person identified in section 1 of this affidavit as the person served]

SWORN (OR AFFIRMED) BEFORE ME

at _____
California, USA
on _____
[dd/mm/yyyy]

A commissioner for taking affidavits for
California, USA

[print name or affix stamp of commissioner]

See Attached
NOTARIZED Paperwork

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

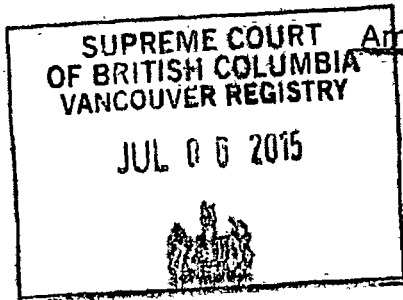
Subscribed and sworn to (or affirmed) before me on this 8
day of July, 2015, by Anthony Bayani Rodriguez

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature *A Palmer*



Amended pursuant to Family Rule 8-1(1)(a)

Original version filed June 26, 2015

FORM F3
(RULE 4-1 (1))

EXHIBIT A

No. E151794
Vancouver Registry

In the Supreme Court of British Columbia

Claimant:

Marieke Petra Randoy

Respondent:

Reed Phillip Randoy

AMENDED NOTICE OF FAMILY CLAIM

This family law case has been started by the claimant(s) for the relief set out in section 4 below.

If you intend to respond to this family law case, you or your lawyer must

- (a) file a response to family claim in Form F4 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim on the claimant

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to family claim in Form F4 and a counterclaim in Form F5 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim and counterclaim on the claimant and on any new parties named in the counterclaim.

Orders, including orders granting the relief claimed, may be made against you if you fail to file the response to family claim within the 30 day period referred to above.

1 Information about the parties

The claimant, Marieke Petra Randoy

is the wife of the respondent

The respondent, Reed Philip Randoy

, is the husband of the claimant

2 Spousal relationship history

[Complete this section if a claimant and a respondent are or have been married or are or have been in a marriage-like relationship.]

[Check the correct box(es) and complete the required information.]

The claimant, Marieke Randoy, and the respondent, Reed Randoy
(name of claimant) *(name of respondent)*

- ☒ began to live together in a marriage-like relationship on 01/Aug/2011
(dd/mm/yyyy)
- ☒ were married on 27/Sep/2011
(dd/mm/yyyy)
- ☒ separated on 21/May/2015
(dd/mm/yyyy)
- ☐ were divorced from each other by order made on _____
(dd/mm/yyyy)

3 Prior court proceedings and agreements

[Check the correct box(es) and complete the required information.]

- ☐ There is no prior agreement, court order or court proceeding relating to any of the claims made in this notice of family claim

[OR]

- ☒ One or more of the following relates to claims made in this notice of family claim:

☐ a written agreement dated _____
(dd/mm/yyyy)

☒ a court order dated 05/Jun/2015
(dd/mm/yyyy)

☒ a prior court proceeding: Court File Number: BD621137
Court Registry: County of Los Angeles, California, Central Dist

4 The Claimant's Claims

[Check the correct box(es) and complete and attach the required Schedules.]

<input checked="" type="checkbox"/>	An order for divorce	[complete and attach Schedule 1]
<input checked="" type="checkbox"/>	An order respecting child(ren)	– [complete and attach Schedule 2]
<input checked="" type="checkbox"/>	An order for spousal support	[complete and attach Schedule 3]
<input checked="" type="checkbox"/>	An order relating to family property and family debt	[complete and attach Schedule 4]
<input checked="" type="checkbox"/>	Another order	– [complete and attach Schedule 5]
<input checked="" type="checkbox"/>	An order for costs	

5 Place of trial will be: Vancouver Law Courts

[name of registry]

6 The address of the registry is Vancouver Registry, 800 Smithe Street, Vancouver, British Columbia

7 The Claimant's address for service is

[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for service:	Brent Ellingson Varty & Company, Barristers and Solicitors 900-555 Burrard St. Vancouver, BC V7X 1M8
Fax number address for service (optional):	(604) 443-5001
E-mail address for service (optional):	bellingson@smartt.com

Date: ~~25/Jun/2015~~ 05/Jul/2015

Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

If in this family law case a claim is made under the Family Law Act and the claimant is represented by a lawyer, the lawyer must complete the following certificate.

LAWYER'S CERTIFICATE (FAMILY LAW ACT, s. 8(2))

I, Brent Ellingson

, lawyer for Marieke Randoy

certify that, in accordance with section 8 (2) of the Family Law Act, I have

- (a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and (b) informed the party of the facilities and other resources, known to me that may be available to assist in resolving the dispute.

Date: ~~25/Jun/2015~~ 05/Jul/2015

Signature of lawyer

Brent Ellingson

~~FORM F3~~
~~(RULE 4-1(1))~~

~~In the Supreme Court of British Columbia~~

~~No. _____~~
~~Vancouver Registry~~

~~Claimant:~~ ~~Marieke Petra Randoy~~

~~Respondent:~~ ~~Reed Philip Randoy~~

~~SCHEDULE 1 - DIVORCE~~

~~THIS IS SCHEDULE 1 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.~~

~~1 Personal Information~~

	Claimant	Respondent
Birthdate [dd/mm/yyyy]:	25/Oct/1976	04/Aug/1970
Ordinarily resident in British Columbia since [dd/mm/yyyy]:	14/Apr/2014	Not ordinarily resident
Surname at birth:	Vekemans	Randoy
Surname immediately before marriage:	Vekemans	Randoy
Marital status immediately before marriage:	divorced	never married
Place of marriage: [city or town, province or state, country]	City: Long Beach <input type="checkbox"/> Canada <input checked="" type="checkbox"/> USA <input type="checkbox"/> Other State: California	USA

~~2 Grounds for the claimant's claim for divorce~~

<input checked="" type="checkbox"/> The claimant asks for an order for divorce on these grounds:
[if divorce is claimed as a result of having lived separate and apart, complete paragraph (5)]
<input checked="" type="checkbox"/> Divorce is claimed as a result of having lived separate and apart.
<input type="checkbox"/> Divorce is claimed on grounds other than having lived separate and apart.

~~Divorce claimed as a result of having lived separate and apart.~~

~~(i) ☒ The claimant and his or her spouse have 21/May/2014
☒ lived separate and apart since _____~~

~~(dd/mm/yyyy)~~

~~AND~~

~~(Check whichever one of the following boxes is correct and complete the required information.)~~

~~☒ the claimant and his or her spouse have not lived together since then.~~

~~☐ the claimant and his or her spouse have lived together again during the following period(s),
in an unsuccessful attempt to reconcile.~~

~~From: _____ to: _____~~

~~(if more space is required attach page and state "See Attached")~~

~~3 The claimant confirms that:~~

~~(The claimant seeking an order for divorce must check both of the following boxes.)~~

~~☒ There is no possibility of reconciliation.~~

~~☒ There has been no collusion, as defined in section 11 (4) of the Divorce Act (Canada), in relation to
this claim for divorce.~~

~~4 Proof of marriage~~

~~(Check whichever one of the following boxes is correct and complete any required information.)~~

~~☒ A certificate of marriage or of registration of marriage _____ has been filed
_____ (and translation)~~

~~☐ A certificate of marriage or registration of marriage is not being filed with this notice of family claim
because _____~~

~~(state the reason)~~

~~and the certificate will be filed before this claim is set down for trial or an application is made for an
order of divorce~~

~~☐ It is impossible to obtain a certificate of marriage or registration of marriage because: _____~~

~~(state the reason)~~

5 Children

~~[Check whichever one of the following boxes is correct and complete any required information.]~~

☐ ~~There are no children of the marriage as defined by the Divorce Act (Canada)~~

~~[OR]~~

☒ ~~The children of the marriage are:~~

Child's Full Legal Name (Surname, First Second Third)	Birth Date	Resides with
Randoy, Hunter Samson	10/Apr/2012	Randoy, Marieke

~~(if more space is required attach page and state "See Attached")~~

~~Date: 25/Jun/2015~~

~~{dd/mm/yy}~~

~~Signature of~~

☐ ~~Claimant~~

☒ ~~Lawyer for claimant~~

~~Brent Ellingson~~

~~(type or print name)~~

~~The following certificate must be completed for each party to a divorce claim who is represented by a lawyer~~

~~LAWYER'S CERTIFICATE (DIVORCE ACT (CANADA), S. 9)~~

~~I, Brent Ellingson~~

~~lawyer for Marieke Randoy~~

~~(name of party)~~

~~certify that I have complied with section 9 of the Divorce Act (Canada), which says:~~

~~9 (1) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding~~

~~(a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses, and~~

~~(b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to him or her that might be able to assist the spouses to achieve a reconciliation, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so.~~

~~(2) It is the duty of every barrister, solicitor, lawyer or advocate who undertakes to act on behalf of a spouse in a divorce proceeding to discuss with the spouse the advisability of negotiating the matters that may be the subject of a support order or a custody order and to inform the spouse of the mediation facilities known to him or her that might be able to assist the spouses in negotiating those matters.~~

~~Date: 25/Jun/2015~~

~~{dd/mm/yy}~~

~~Signature of lawyer~~

~~Brent Ellingson~~

~~(type or print name)~~

**FORM F3
(RULE 4-1 (1))**

In the Supreme Court of British Columbia

No. _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

SCHEDULE 2 – CHILDREN

THIS IS SCHEDULE 2 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM

1 Identification of child(ren)

The claimant is asking for an order in respect of the following child or children:

Child's Full Legal Name	Child's Birth Date [dd/mm/yyyy]	Child's Relationship to the Claimant	Child's Relationship to the Respondent	Child habitually resident in BC since [dd mmm/yyyy]	Child now living with
Randoy, Hunter Samson	10/Apr/2012	natural child	natural child	14/Apr 2014	Randoy Marieke

[if more space is required - attach page and state "See Attached"]

2 Orders sought

The claimant is asking for the following order(s). *[Check the correct boxes and complete the required information]*

(a) ☒ an order respecting arrangements for parenting for a child or children
[Complete sections 3 and 4 below.]

~~(b) ☒ an order for child support *[Complete sections 5 to 7 below.]*~~

3 Current parenting arrangements

Current arrangements for parenting are:

Child has lived with Claimant in Vancouver, BC from April 2014 to present. Respondent has traveled to Vancouver from Los Angeles, USA for contact with child every 6-8 weeks for 3-4 days per visit.

4 Proposed arrangement parenting

The claimant proposes the following arrangements for parenting
[set out terms of proposed order sought in relation to arrangements for parenting including custody, guardianship, parenting arrangements or contact with a child.]

The Claimant proposes that she have sole custody and sole guardianship of the child, that the child continue to live permanently with her in Vancouver, and that the Respondent have only professionally supervised contact with the child.

The claimant is asking for an order under
[Check one or both of the following boxes, as applicable.]

☒ the Divorce Act (Canada) ☒ the Family Law Act

5 Current child support arrangements

Current child support arrangements are:

~~The respondent sent the claimant \$5000.00 USD per month in unspecified support until May 2015. As of the date of this Notice of Family Claim, the respondent has sent the claimant \$200.00 USD in support in the month of June 2015. The Respondent has not responded to the Claimant's requests for further support for herself and the child.~~

6 Income of person being asked to pay child support

[Check whichever one of the following boxes is correct and complete any required information.]

☐ The claimant does not know the income of the person being asked to pay child support.

☒ The claimant believes that the income of the person being asked to pay child support is \$ 166,416

based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.

7 Proposed child support arrangements

[Check the correct box(es) and complete the required information.]

The claimant is asking for:

☒ support in the amount set out in the child support guidelines table for the following child(ren):

Hunter Samson Randoy

☒ special or extraordinary expenses in accordance with section 7 of the child support guidelines for the following child(ren):

Hunter Samson Randoy

☐ by consent, an order for support in an amount different than the amount set out in the child support guidelines table for the following child(ren):

Date:

25/Jun/2015

05/Jul/2015

Signature of

☐ Claimant

☒ Lawyer for claimant

Brent Ellingson

~~Note to Claimant AND Respondent: you must file financial information (Form F8) if:~~

- ~~— there is a claim against you for support of a child, OR~~
- ~~— you are claiming child support unless all of the following conditions apply:~~
 - ~~— (a) you are making no claim for any other kind of support;~~
 - ~~— (b) the child support is for children who are not stepchildren;~~
 - ~~— (c) none of the children for whom child support is claimed is 19 years of age or older;~~
 - ~~— (d) the income of the party being asked to pay child support is under \$150 000 per year;~~
 - ~~— (e) you are not applying for special expenses under section 7 of the child support guidelines;~~
 - ~~— (f) you are not applying for an order under section 8 of the child support guidelines;~~
 - ~~— (g) you are not applying for an order under section 9 of the child support guidelines;~~
 - ~~— (h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.~~

~~If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount.~~

~~FORM F3~~
~~(RULE 4-1(1))~~

~~In the Supreme Court of British Columbia~~

~~No.~~

~~Vancouver Registry~~

~~Claimant:~~

~~Marieke Petra Randoy~~

~~Respondent:~~

~~Reed Philip Randoy~~

~~SCHEDULE 3 SPOUSAL SUPPORT~~

~~THIS IS SCHEDULE 3 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.~~

~~1 Current arrangements for spousal support~~

~~Current spousal support arrangements are:~~
~~The respondent sent the claimant \$5000.00 USD per month in unspecified support until May 2013. As of the date of this Notice of Family Claim, the respondent has sent the claimant \$200.00 USD in support in the month of June 2015. The Respondent has not responded to the Claimant's requests for further support for herself and the child.~~

~~2 Proposed spousal support arrangements~~

~~[Check the correct box(es) and complete the required information.]~~

~~☒ The claimant is asking for an order for spousal support as follows:~~
~~Mid-range spousal support as indicated by the Spousal Support Advisory Guidelines.~~
~~[Set out terms of proposed order to give a reason to spouse's support.]~~
~~☒ The claimant is asking for an order for spousal support under~~
~~[Check one or both of the following boxes, as applicable:]~~
~~☒ the Divorce Act (Canada) ☒ the Family Law Act~~

~~3 Income of claimant and respondent~~

~~The claimant's gross annual income is \$ 2,500~~

~~(Check whichever one of the following boxes is correct and complete any required information.)~~

☐ ~~The claimant does not know what the claimant's spouse's income is~~

☒ ~~The claimant believes that the claimant's spouse's gross annual income is \$ 166,416~~

~~based on these facts: Prior to separation the respondent informed the claimant that his average income was \$11,250 USD (\$13,868 CAD) per month net.~~

~~Date: 25/Jun/2015~~

~~(dd/mm/yyyy)~~

~~Signature of~~

☐ ~~Claimant~~

☒ ~~Lawyer for claimant~~

~~Brent Ellingson~~

~~(Type or print name)~~

~~Note to Claimant AND Respondent: you must file financial information (Form F 01) if there is a claim by you or against you for spousal support.~~

~~If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that income.~~

~~SCHEDULE 4 - PROPERTY~~

~~THIS IS SCHEDULE 4 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.~~

~~No.~~ _____
~~Vancouver Registry~~

~~Claimant:~~ ~~Marieke Petra Randoy~~

~~Respondent:~~ ~~Reed Phillip Randoy~~

~~1 The claimant's claims~~

~~A Property and debt claims under the Family Law Act~~

~~[Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the Family Law Act.]~~

~~The claimant is asking for an order for:~~

☒ ~~equal division of family property and family debt~~

☐ ~~unequal division of family property and family debt~~

~~[Set out details of proposed unequal division and the grounds on which it is made.]~~

~~The address and legal description of any real property in which the claimant claims an interest as a family asset is:~~

~~B Other property claims~~

~~The claimant claims:~~

~~[Check the correct box(es) and complete the required information:]~~

☐ ~~an order for compensation instead of an interest in the property described as:~~

~~(Identify every property for which compensation is claimed and if compensation is claimed for real property, provide the address and legal description of that real property)~~
~~on the following grounds:~~

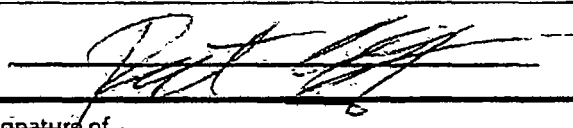
~~(Set out the grounds on which any claim under this paragraph for interest or compensation is based)~~

2 Certificate of Pending Litigation

☐ The claimant is applying for a Certificate of Pending Litigation to be registered against the following real property:

~~(provide the legal description of every real property against which a Certificate of Pending Litigation is to be registered)~~

Date: 25/Jun/2015
~~(dd/mm/yyyy)~~


 Signature of

☐ Claimant ☒ Lawyer for claimant

Brent Ellingson
~~(type or print name)~~

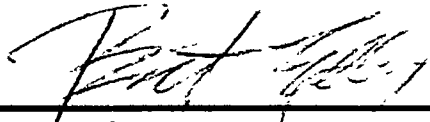
SCHEDULE 5 – OTHER ORDERS
THIS IS SCHEDULE 5 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

No. _____
Vancouver Registry

Claimant: Marieke Petra Randoy

Respondent: Reed Philip Randoy

The claimant is asking for the following orders:

<input type="checkbox"/> an order under the <i>Name Act</i> that my name be changed				
<small>[current full legal name]</small>				
Surname	First Name	Second Name	Third Name	
from:	_____	_____	_____	_____
<small>[current full legal name]</small>				
to:	_____	_____	_____	_____
<input checked="" type="checkbox"/> the following orders under the <i>Family Law Act</i> <small>[using numbered paragraphs, set out any orders sought under the Family Law Act that are not referred to in Schedules 1 to 4 and the sections of that Act under which those orders are sought]</small>				
1 Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from directly or indirectly communicating with or contacting the claimant, attending at the residence of or any place of business of the claimant, and from following the claimant.				
2 Order respecting protection, Family Law Act, s. 183. An order that the respondent be restrained from contact with the child except under professional supervision.				
<input type="checkbox"/> other orders <small>[using numbered paragraphs, set out terms of other proposed orders and the authority under which those orders are sought]</small>				
1				
Date: 25/Jun/2015 <u>05/Jul/2015</u>		 _____ Signature of		
		<input type="checkbox"/> Claimant <input checked="" type="checkbox"/> Lawyer for claimant Brent Ellingson		

SUPERIOR COURT OF THE STATE OF CALIFORNIA CENTRAL DISTRICT-COUNTY COURTHOUSE COUNTY OF LOS ANGELES		FOR COURT USE ONLY
PLAINTIFF : BENEFICIAL CALIFORNIA INC VS DEFENDANT : PINKNEY, CAROL		
DEFAULT JUDGMENT BY CLERK		CASE NUMBER 06K18931

, Presiding.

The defendant(s)

CAROL PINKNEY

Having been served with a copy of the summons and complaint and having failed to answer complaint of plaintiff(s) within the time allowed by law and default of said defendant(s) having been entered, upon application of plaintiff(s) the clerk entered the following judgment:
Plaintiff(s):

BENEFICIAL CALIFORNIA INC

recover from defendants

CAROL PINKNEY

the sum of \$ 5048.23 and \$ 392.89 attorney fees, and \$.00 interest, costs as provided by law in the sum of \$ 225.00.

----- Deputy Clerk
DELORES ODOM-STOCKS

FILED AND ENTERED
ON 6/01/07
JOHN A. CLARKE, CLERK
CLERK OF THE ABOVE NAMED COURT

By: DELORES ODOM-STOCKS, Deputy

C

C

EXHIBIT E

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street number, and address)

REED RANDOY, IN PRO PER

REED RANDOY

13428 MAXELLA AVE., #559

MARINA DEL REY, CA 90292

TELEPHONE NO 310-739-0335

FAX NO (Optional)

E-MAIL ADDRESS (Optional)

ATTORNEY FOR (Name)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS 111 N. HILL ST.

MAILING ADDRESS 111 N. HILL ST.

CITY AND ZIP CODE LOS ANGELES, CA 90012

BRANCH NAME CENTRAL DISTRICT

(This section applies only to family law cases.)

PETITIONER: REED RANDOY

RESPONDENT: MARIEKE RANDOY

OTHER PARTY:

(This section applies only to guardianship cases.)

GUARDIANSHIP OF (Name):

Minor

DECLARATION UNDER UNIFORM CHILD CUSTODY
JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

FOR COURT USE ONLY

CONFORMED COPY
ORIGINAL FILED
Superior Court Of California
County Of Los AngelesMAY 19 2015
HERRI R. CAMERON

By

P. MARTINEZ

CASE NUMBER:

BD621137

1. I am a party to this proceeding to determine custody of a child.
2. ☐ My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): ONE (1) minor children who are subject to this proceeding, as follows:
(Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name	Place of birth	Date of birth	Sex
HUNTER RANDOY	LOS ANGELES, CA	4/10/2012	M
Period of residence 4/2014 to present	Address 668 CITADEL PARADE, #2006 <input type="checkbox"/> Confidential VANCOUVER, B.C.	Person child lived with (name and complete current address) REED & MARIEKE RANDOY <input type="checkbox"/> Confidential	Relationship FATHER & MOTHER
4/2014 to PRESENT	Child's residence (City, State) 13428 MAXELLA AVE., #559, MARINA DEL REY, CA 90292	Person child lived with (name and complete current address) REED RANDOY	FATHER
BIRTH to 4/2014	Child's residence (City, State) 5359 SAN VICENTE BLVD., #111, L.A., CA 90019	Person child lived with (name and complete current address) REED & MARIEKE RANDOY	FATHER & MOTHER
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c. ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d. ☐ Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

Page 1 of 2

C

C

EXHIBIT F



Residential Tenancy Branch

Residential Tenancy Agreement

Important Notes:

#RTB-1

The Residential Tenancy Branch (RTB) is of the opinion that this Residential Tenancy Agreement accurately reflects the Residential Tenancy Act (RTA) and accompanying regulations. The RTB makes no representations or warranties regarding the use of this Agreement. A landlord and tenant may wish to obtain independent advice regarding whether this agreement satisfies their own personal or business needs. For the rental of a manufactured home and a manufactured home site under a single tenancy agreement, use this agreement form. For the rental of a manufactured home site use the Manufactured Home Site Tenancy Agreement.

The words tenant and landlord in this tenancy agreement have the same meaning as in the Residential Tenancy Act (RTA), and the singular of these words includes the plural. In this tenancy agreement, the words **residential property** have the same meaning as in the RTA. **Residential property** means a building, a part of a building or related group of buildings, in which one or more rental units or common areas are located; the parcel or parcels on which the building, related group of buildings or common areas are located; the rental unit and common areas and any other structure located on the parcel or parcels.

HOW TO COMPLETE THIS FORM ELECTRONICALLY: If you are accessing this agreement form from the B.C. Government Web site, it can be printed and completed by hand (*print clearly, using dark ink*) or filled out while at the computer workstation—simply type your responses in the boxes. If you cannot complete all the sections at the computer right away, you can print off what you have completed and fill in the remaining fields by hand. Note, you *cannot save* the completed form to your computer, therefore, after you complete the form, make sure you review the form for accuracy and print the number of copies you require *before* you leave the document or shut down the program/computer.

IF ADDITIONAL SPACE IS REQUIRED TO LIST ALL PARTIES, complete and attach Schedule of Parties (#RTB-26)

RTB-26 used & attached: ☐

RESIDENTIAL TENANCY AGREEMENT between: (use full, correct legal names)

the **LANDLORD(S)**: (if entry for landlord is a business name, use the 'last name' field box to enter the full legal business name)

CHAN	JANIEL
last name	first and middle name(s)
last name	first and middle name(s)

and the **TENANT(S)**:

RANDOLPH	MARIELE VELEMAN
last name	first and middle name(s)
RANDOLPH	Marie, Philip
last name	first and middle name(s)

ADDRESS OF PLACE BEING RENTED TO TENANT(S) (called the 'rental unit' in this agreement):

2006	668 CITADEL PARADE	VANCOUVER	B.C.	V6B-1W6
unit	address	city	province	postal code

ADDRESS FOR SERVICE of the ☐ landlord ☐ landlord's agent:

unit	address	city	province	postal code
604	770-8626	604	653-8519	
daytime phone number		other phone number	fax number for service	

4. SECURITY DEPOSIT AND PET DAMAGE DEPOSIT

A. Security Deposits

The tenant is required to pay a security deposit of \$

\$25.

by

28

day

April

month

2014

year

B. Pet Damage Deposit ☒ not applicable

The tenant is required to pay a pet damage deposit of \$

by

day

month

year

1) The landlord agrees

- that the security deposit and pet damage deposit must each not exceed one half of the monthly rent payable for the residential property,
- to keep the security deposit and pet damage deposit during the tenancy and pay interest on it in accordance with the regulation, and
- to repay the security deposit and pet damage deposit and interest to the tenant within 15 days of the end of the tenancy agreement, unless
 - the tenant agrees in writing to allow the landlord to keep an amount as payment for unpaid rent or damage, or
 - the landlord applies for dispute resolution under the Residential Tenancy Act within 15 days of the end of the tenancy agreement to claim some or all of the security deposit or pet damage deposit.

2) The 15 day period starts on the later of

- the date the tenancy ends, or
- the date the landlord receives the tenant's forwarding address in writing.

3) If a landlord does not comply with subsection (1), the landlord

- may not make a claim against the security deposit or pet damage deposit, and
- must pay the tenant double the amount of the security deposit, pet damage deposit, or both.

4) The tenant may agree to use the security deposit and interest as rent only if the landlord gives written consent.

5. PETS

Any term in this tenancy agreement that prohibits, or restricts the size of, a pet or that governs the tenant's obligations regarding the keeping of a pet on the residential property is subject to the rights and restrictions under the Guide Animal Act.

6. CONDITION INSPECTIONS

- In accordance with sections 23 and 35 of the Act [condition inspections] and Part 3 of the regulation [condition inspections], the landlord and tenant must inspect the condition of the rental unit together
 - when the tenant is entitled to possession,
 - when the tenant starts keeping a pet during the tenancy, if a condition inspection was not completed at the start of the tenancy, and
 - at the end of the tenancy.
- The landlord and tenant may agree on a different day for the condition inspection.
- The right of the tenant or the landlord to claim against a security deposit or a pet damage deposit, or both, for damage to residential property is extinguished if that party does not comply with section 24 and 36 of the Residential Tenancy Act [consequences if report requirements not met].

7. PAYMENT OF RENT

- The tenant must pay the rent on time, unless the tenant is permitted under the Act to deduct from the rent. If the rent is unpaid, the landlord may issue a notice to end a tenancy to the tenant, which may take effect not earlier than 10 days after the date the tenant receives the notice.
- The landlord must not take away or make the tenant pay extra for a service or facility that is already included in the rent, unless a reduction is made under section 27 (2) of the Act.
- The landlord must give the tenant a receipt for rent paid in cash.
- The landlord must return to the tenant on or before the last day of the tenancy any post-dated cheques for rent that remain in the possession of the landlord. If the landlord does not have a forwarding address for the tenant and the tenant has vacated the premises without notice to the landlord, the landlord must forward any post-dated cheques for rent to the tenant when the tenant provides a forwarding address in writing.

1. APPLICATION OF THE RESIDENTIAL TENANCY ACT

- 1) The terms of this tenancy agreement and any changes or additions to the terms may not contradict or change any right or obligation under the Residential Tenancy Act or a regulation made under that Act, or any standard terms. If a term of this tenancy agreement does contradict or change such a right, obligation or standard term, the term of the tenancy agreement is void.
- 2) Any change or addition to this tenancy agreement must be agreed to in writing and initialed by both the landlord and the tenant. If a change is not agreed to in writing, is not initialed by both the landlord and the tenant or is unconscionable, it is not enforceable.
- 3) The requirement for agreement under subsection (2) does not apply to:
 - a) a rent increase given in accordance with the Residential Tenancy Act,
 - b) a withdrawal of, or a restriction on, a service or facility in accordance with the Residential Tenancy Act, or
 - c) a term in respect of which a landlord or tenant has obtained a dispute resolution officer's order that the agreement of the other is not required.

2. LENGTH OF TENANCY (please fill in the dates and times in the spaces provided)

This tenancy starts on:

15 MAY 2014
day month year

Length of tenancy: (please check a, b or c and provide additional information as requested)

This tenancy is:

☐ a) on a month-to-month basis

☒ b) for a fixed length of time: 1 Year (.5 month) ending on: 30 May 2015
length of time day month year

At the end of this fixed length of time: (please check one option, i or ii)

☒ i) the tenancy may continue on a month-to-month basis or another fixed length of time

☐ ii) the tenancy ends and the tenant must move out of the residential unit
If you choose this option, both the landlord and tenant must initial in the boxes to the right.

Landlord's
Initials

Tenant's
Initials

☐ c) other periodic tenancy as indicated below:

☐ weekly ☐ bi-weekly ☐ other:

3. RENT (please fill in the information in the spaces provided)

a) Payment of Rent:

The tenant will pay the rent of \$ 1650 each (check one) ☐ day ☐ week ☒ month to the landlord on the first day of the rental period which falls on the (due date, e.g., 1st, 2nd, 3rd, 31st) 1st day of each (check one) ☐ day ☐ week ☒ month subject to rent increases given in accordance with the RTA.

The tenant must pay the rent on time. If the rent is late, the landlord may issue a Notice to End Tenancy to the tenant, which may take effect not earlier than 10 days after the date the notice is given.

b) What is included in the rent: (Check only those that are included and provide additional information, if needed.)

The landlord must not terminate, or restrict a service or facility that is essential to the tenant's use of the rental unit as living accommodation, or that is a material term of the tenancy agreement.

<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Stove and Oven	<input checked="" type="checkbox"/> Window Coverings	<input type="checkbox"/> Storage
<input type="checkbox"/> Electricity	<input checked="" type="checkbox"/> Dishwasher	<input type="checkbox"/> Cablevision	<input checked="" type="checkbox"/> Garbage Collection
<input type="checkbox"/> Heat	<input checked="" type="checkbox"/> Refrigerator	<input type="checkbox"/> Laundry (free)	<input type="checkbox"/> Parking for <input checked="" type="checkbox"/> vehicle(s)
<input checked="" type="checkbox"/> Furniture	<input type="checkbox"/> Carpets	<input type="checkbox"/> Sheets and Towels	<input type="checkbox"/> Other:
<input type="checkbox"/> Additional Information: 2 FORTS/KEYS			

17. ADDITIONAL TERMS

- a) Write down any additional terms which the tenant and the landlord agree to. Additional terms may cover matters such as pets, yard work, smoking and snow removal. Additional pages may be added.
- b) Any addition to this tenancy agreement must comply with the Residential Tenancy Act and regulations, and must clearly communicate the rights and obligations under it. If a term does not meet these requirements, or is unconscionable, the term is not enforceable.
- c) Attached to this tenancy agreement, there ☐ is ☐ is not an Addendum

If there is an Addendum attached, provide the following information on the Addendum that forms part of this tenancy agreement:

Number of pages of the Addendum:

Number of additional terms in the Addendum:

By signing this tenancy agreement, the landlord and the tenant are bound by its terms.

LANDLORD(S): (if entry for landlord is a business name, use the 'last name' field box to enter the full legal business name)

last name

first and middle name(s)

Signature: 

Date: April 27/2014

last name

first and middle name(s)

Signature: _____

Date: _____

TENANT(S):

last name

first and middle name(s)

Signature: Marieke Randoy

Date: April 27, 2014

last name

first and middle name(s)

Signature: [Signature]

Date: April 27, 2014

General Information about Residential Tenancy Agreements

Important Legal Document – This tenancy agreement is an important legal document. Keep it in a safe place.

Additional Terms – Any additional terms cannot contradict or change any right or duty under the RTA or this tenancy agreement.

Amendment of the RTA – The RTA or a regulation made under the RTA, as amended from time to time, take priority over the terms of this tenancy agreement.

Condition Report – The landlord and tenant are required to inspect the residential unit together at the beginning and end of the tenancy and complete a written condition report. If the landlord allows the tenant to have a pet after the start of the tenancy, an inspection report must be done on the day the tenant starts keeping a pet or on another day mutually agreed to by the landlord and tenant, unless the tenancy started on or after January 1, 2004, and a condition inspection report was completed at that time. A report may describe any damage, how clean each room is, and the general condition of the residential unit including: the floors, carpets, appliances, and paint on the walls. The report must be signed and dated by both the landlord and the tenant who made the inspection, and each should keep a copy.

Change of Landlord – A new landlord has the same rights and duties as the previous one and must follow all the terms of this agreement unless the tenant and new landlord agree to other terms.

Resolution of Disputes – If problems or disagreements arise, the landlord and tenant should try to talk to each other to find a solution. If they still cannot agree, either may contact the Residential Tenancy Branch for clarification of their rights and responsibilities or an intervention. If no agreement is reached, a landlord or a tenant may apply for a dispute resolution to get a decision. Many, but not all, kinds of disagreements can be decided by dispute resolution.

FOR MORE INFORMATION

RTB Website: www.rto.gov.bc.ca

Public Information Lines: 1-800-665-8779 (toll free) 604-660-1020 250-387-1602

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EXHIBIT G

28. CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION¹

(Concluded 25 October 1980)

The States signatory to the present Convention,
Firmly convinced that the interests of children are of paramount importance in matters relating to their custody,
Desiring to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access,
Have resolved to conclude a Convention to this effect, and have agreed upon the following provisions –

CHAPTER I – SCOPE OF THE CONVENTION

Article 1

The objects of the present Convention are –

- a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State; and
- b) to ensure that rights of custody and of access under the law of one Contracting State are effectively respected in the other Contracting States.

Article 2

Contracting States shall take all appropriate measures to secure within their territories the implementation of the objects of the Convention. For this purpose they shall use the most expeditious procedures available.

Article 3

The removal or the retention of a child is to be considered wrongful where –

- a) it is in breach of rights of custody attributed to a person, an institution or any other body, either jointly or alone, under the law of the State in which the child was habitually resident immediately before the removal or retention; and
- b) at the time of removal or retention those rights were actually exercised, either jointly or alone, or would have been so exercised but for the removal or retention.

The rights of custody mentioned in sub-paragraph a) above, may arise in particular by operation of law or by reason of a judicial or administrative decision, or by reason of an agreement having legal effect under the law of that State.

¹ This Convention, including related materials, is accessible on the website of the Hague Conference on Private International Law (www.hcch.net), under "Conventions" or under the "Child Abduction Section". For the full history of the Convention, see Hague Conference on Private International Law, *Actes et documents de la Quatorzième session (1980)*, Tome III, *Child abduction* (ISBN 90 12 03616 X, 481 pp.).

Article 4

The Convention shall apply to any child who was habitually resident in a Contracting State immediately before any breach of custody or access rights. The Convention shall cease to apply when the child attains the age of 16 years.

Article 5

For the purposes of this Convention –

- a) "rights of custody" shall include rights relating to the care of the person of the child and, in particular, the right to determine the child's place of residence;
- b) "rights of access" shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.

CHAPTER II – CENTRAL AUTHORITIES

Article 6

A Contracting State shall designate a Central Authority to discharge the duties which are imposed by the Convention upon such authorities.

Federal States, States with more than one system of law or States having autonomous territorial organisations shall be free to appoint more than one Central Authority and to specify the territorial extent of their powers. Where a State has appointed more than one Central Authority, it shall designate the Central Authority to which applications may be addressed for transmission to the appropriate Central Authority within that State.

Article 7

Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their respective States to secure the prompt return of children and to achieve the other objects of this Convention.

In particular, either directly or through any intermediary, they shall take all appropriate measures –

- a) to discover the whereabouts of a child who has been wrongfully removed or retained;
- b) to prevent further harm to the child or prejudice to interested parties by taking or causing to be taken provisional measures;
- c) to secure the voluntary return of the child or to bring about an amicable resolution of the issues;
- d) to exchange, where desirable, information relating to the social background of the child;
- e) to provide information of a general character as to the law of their State in connection with the application of the Convention;
- f) to initiate or facilitate the institution of judicial or administrative proceedings with a view to obtaining the return of the child and, in a proper case, to make arrangements for organising or securing the effective exercise of rights of access;
- g) where the circumstances so require, to provide or facilitate the provision of legal aid and advice, including the participation of legal counsel and advisers;
- h) to provide such administrative arrangements as may be necessary and appropriate to secure the safe return of the child;
- i) to keep each other informed with respect to the operation of this Convention and, as far as possible, to eliminate any obstacles to its application.

CHAPTER III – RETURN OF CHILDREN

Article 8

Any person, institution or other body claiming that a child has been removed or retained in breach of custody rights may apply either to the Central Authority of the child's habitual residence or to the Central Authority of any other Contracting State for assistance in securing the return of the child.

The application shall contain –

- a) information concerning the identity of the applicant, of the child and of the person alleged to have removed or retained the child;
- b) where available, the date of birth of the child;
- c) the grounds on which the applicant's claim for return of the child is based;
- d) all available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be.

The application may be accompanied or supplemented by –

- e) an authenticated copy of any relevant decision or agreement;
- f) a certificate or an affidavit emanating from a Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State;
- g) any other relevant document.

Article 9

If the Central Authority which receives an application referred to in Article 8 has reason to believe that the child is in another Contracting State, it shall directly and without delay transmit the application to the Central Authority of that Contracting State and inform the requesting Central Authority, or the applicant, as the case may be.

Article 10

The Central Authority of the State where the child is shall take or cause to be taken all appropriate measures in order to obtain the voluntary return of the child.

Article 11

The judicial or administrative authorities of Contracting States shall act expeditiously in proceedings for the return of children.

If the judicial or administrative authority concerned has not reached a decision within six weeks from the date of commencement of the proceedings, the applicant or the Central Authority of the requested State, on its own initiative or if asked by the Central Authority of the requesting State, shall have the right to request a statement of the reasons for the delay. If a reply is received by the Central Authority of the requested State, that Authority shall transmit the reply to the Central Authority of the requesting State, or to the applicant, as the case may be.

Article 12

Where a child has been wrongfully removed or retained in terms of Article 3 and, at the date of the commencement of the proceedings before the judicial or administrative authority of the Contracting State where the child is, a period of less than one year has elapsed from the date of the wrongful removal or retention, the authority concerned shall order the return of the child forthwith.

The judicial or administrative authority, even where the proceedings have been commenced after the expiration of the period of one year referred to in the preceding paragraph, shall also order the return of the child, unless it is demonstrated that the child is now settled in its new environment.

Where the judicial or administrative authority in the requested State has reason to believe that the child has been taken to another State, it may stay the proceedings or dismiss the application for the return of the child.

Article 13

Notwithstanding the provisions of the preceding Article, the judicial or administrative authority of the requested State is not bound to order the return of the child if the person, institution or other body which opposes its return establishes that –

- a) the person, institution or other body having the care of the person of the child was not actually exercising the custody rights at the time of removal or retention, or had consented to or subsequently acquiesced in the removal or retention; or

- b) there is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation.

The judicial or administrative authority may also refuse to order the return of the child if it finds that the child objects to being returned and has attained an age and degree of maturity at which it is appropriate to take account of its views.

In considering the circumstances referred to in this Article, the judicial and administrative authorities shall take into account the information relating to the social background of the child provided by the Central Authority or other competent authority of the child's habitual residence.

Article 14

In ascertaining whether there has been a wrongful removal or retention within the meaning of Article 3, the judicial or administrative authorities of the requested State may take notice directly of the law of, and of judicial or administrative decisions, formally recognised or not in the State of the habitual residence of the child, without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable.

Article 15

The judicial or administrative authorities of a Contracting State may, prior to the making of an order for the return of the child, request that the applicant obtain from the authorities of the State of the habitual residence of the child a decision or other determination that the removal or retention was wrongful within the meaning of Article 3 of the Convention, where such a decision or determination may be obtained in that State. The Central Authorities of the Contracting States shall so far as practicable assist applicants to obtain such a decision or determination.

Article 16

After receiving notice of a wrongful removal or retention of a child in the sense of Article 3, the judicial or administrative authorities of the Contracting State to which the child has been removed or in which it has been retained shall not decide on the merits of rights of custody until it has been determined that the child is not to be returned under this Convention or unless an application under this Convention is not lodged within a reasonable time following receipt of the notice.

Article 17

The sole fact that a decision relating to custody has been given in or is entitled to recognition in the requested State shall not be a ground for refusing to return a child under this Convention, but the judicial or administrative authorities of the requested State may take account of the reasons for that decision in applying this Convention.

Article 18

The provisions of this Chapter do not limit the power of a judicial or administrative authority to order the return of the child at any time.

Article 19

A decision under this Convention concerning the return of the child shall not be taken to be a determination on the merits of any custody issue.

Article 20

The return of the child under the provisions of Article 12 may be refused if this would not be permitted by the fundamental principles of the requested State relating to the protection of human rights and fundamental freedoms.

CHAPTER IV – RIGHTS OF ACCESS

Article 21

An application to make arrangements for organising or securing the effective exercise of rights of access may be presented to the Central Authorities of the Contracting States in the same way as an application for the return of a child.

The Central Authorities are bound by the obligations of co-operation which are set forth in Article 7 to promote the peaceful enjoyment of access rights and the fulfilment of any conditions to which the exercise of those rights may be subject. The Central Authorities shall take steps to remove, as far as possible, all obstacles to the exercise of such rights.

The Central Authorities, either directly or through intermediaries, may initiate or assist in the institution of proceedings with a view to organising or protecting these rights and securing respect for the conditions to which the exercise of these rights may be subject.

CHAPTER V – GENERAL PROVISIONS

Article 22

No security, bond or deposit, however described, shall be required to guarantee the payment of costs and expenses in the judicial or administrative proceedings falling within the scope of this Convention.

Article 23

No legalisation or similar formality may be required in the context of this Convention.

Article 24

Any application, communication or other document sent to the Central Authority of the requested State shall be in the original language, and shall be accompanied by a translation into the official language or one of the official languages of the requested State or, where that is not feasible, a translation into French or English.

However, a Contracting State may, by making a reservation in accordance with Article 42, object to the use of either French or English, but not both, in any application, communication or other document sent to its Central Authority.

Article 25

Nationals of the Contracting States and persons who are habitually resident within those States shall be entitled in matters concerned with the application of this Convention to legal aid and advice in any other Contracting State on the same conditions as if they themselves were nationals of and habitually resident in that State.

Article 26

Each Central Authority shall bear its own costs in applying this Convention.

Central Authorities and other public services of Contracting States shall not impose any charges in relation to applications submitted under this Convention. In particular, they may not require any payment from the applicant towards the costs and expenses of the proceedings or, where applicable, those arising from the participation of legal counsel or advisers. However, they may require the payment of the expenses incurred or to be incurred in implementing the return of the child.

However, a Contracting State may, by making a reservation in accordance with Article 42, declare that it shall not be bound to assume any costs referred to in the preceding paragraph resulting from the participation of legal counsel or advisers or from court proceedings, except insofar as those costs may be covered by its system of legal aid and advice.

Upon ordering the return of a child or issuing an order concerning rights of access under this Convention, the judicial or administrative authorities may, where appropriate, direct the person who removed or retained the child, or who prevented the exercise of rights of access, to pay necessary expenses incurred by or on behalf of the applicant, including travel expenses, any costs incurred or payments made for locating the child, the costs of legal representation of the applicant, and those of returning the child.

Article 27

When it is manifest that the requirements of this Convention are not fulfilled or that the application is otherwise not well founded, a Central Authority is not bound to accept the application. In that case, the Central Authority shall forthwith inform the applicant or the Central Authority through which the application was submitted, as the case may be, of its reasons.

Article 28

A Central Authority may require that the application be accompanied by a written authorisation empowering it to act on behalf of the applicant, or to designate a representative so to act.

Article 29

This Convention shall not preclude any person, institution or body who claims that there has been a breach of custody or access rights within the meaning of Article 3 or 21 from applying directly to the judicial or administrative authorities of a Contracting State, whether or not under the provisions of this Convention.

Article 30

Any application submitted to the Central Authorities or directly to the judicial or administrative authorities of a Contracting State in accordance with the terms of this Convention, together with documents and any other information appended thereto or provided by a Central Authority, shall be admissible in the courts or administrative authorities of the Contracting States.

Article 31

In relation to a State which in matters of custody of children has two or more systems of law applicable in different territorial units –

- a) any reference to habitual residence in that State shall be construed as referring to habitual residence in a territorial unit of that State;
- b) any reference to the law of the State of habitual residence shall be construed as referring to the law of the territorial unit in that State where the child habitually resides.

Article 32

In relation to a State which in matters of custody of children has two or more systems of law applicable to different categories of persons, any reference to the law of that State shall be construed as referring to the legal system specified by the law of that State.

Article 33

A State within which different territorial units have their own rules of law in respect of custody of children shall not be bound to apply this Convention where a State with a unified system of law would not be bound to do so.

Article 34

This Convention shall take priority in matters within its scope over the *Convention of 5 October 1961 concerning the powers of authorities and the law applicable in respect of the protection of minors*, as between Parties to both Conventions. Otherwise the present Convention shall not restrict the application of an international instrument in force between the State of origin and the State addressed or other law of the State addressed for the purposes of obtaining the return of a child who has been wrongfully removed or retained or of organising access rights.

Article 35

This Convention shall apply as between Contracting States only to wrongful removals or retentions occurring after its entry into force in those States.

Where a declaration has been made under Article 39 or 40, the reference in the preceding paragraph to a Contracting State shall be taken to refer to the territorial unit or units in relation to which this Convention applies.

Article 36

Nothing in this Convention shall prevent two or more Contracting States, in order to limit the restrictions to which the return of the child may be subject, from agreeing among themselves to derogate from any provisions of this Convention which may imply such a restriction.

CHAPTER VI – FINAL CLAUSES

Article 37

The Convention shall be open for signature by the States which were Members of the Hague Conference on Private International Law at the time of its Fourteenth Session.

It shall be ratified, accepted or approved and the instruments of ratification, acceptance or approval shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

Article 38

Any other State may accede to the Convention.

The instrument of accession shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

The Convention shall enter into force for a State acceding to it on the first day of the third calendar month after the deposit of its instrument of accession.

The accession will have effect only as regards the relations between the acceding State and such Contracting States as will have declared their acceptance of the accession. Such a declaration will also have to be made by any Member State ratifying, accepting or approving the Convention after an accession. Such declaration shall be deposited at the Ministry of Foreign Affairs of the Kingdom of the Netherlands; this Ministry shall forward, through diplomatic channels, a certified copy to each of the Contracting States.

The Convention will enter into force as between the acceding State and the State that has declared its acceptance of the accession on the first day of the third calendar month after the deposit of the declaration of acceptance.

Article 39

Any State may, at the time of signature, ratification, acceptance, approval or accession, declare that the Convention shall extend to all the territories for the international relations of which it is responsible, or to one or more of them. Such a declaration shall take effect at the time the Convention enters into force for that State.

Such declaration, as well as any subsequent extension, shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

Article 40

If a Contracting State has two or more territorial units in which different systems of law are applicable in relation to matters dealt with in this Convention, it may at the time of signature, ratification, acceptance, approval or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.

Any such declaration shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and shall state expressly the territorial units to which the Convention applies.

Article 41

Where a Contracting State has a system of government under which executive, judicial and legislative powers are distributed between central and other authorities within that State, its signature or ratification, acceptance or approval of, or accession to this Convention, or its making of any declaration in terms of Article 40 shall carry no implication as to the internal distribution of powers within that State.

Article 42

Any State may, not later than the time of ratification, acceptance, approval or accession, or at the time of making a declaration in terms of Article 39 or 40, make one or both of the reservations provided for in Article 24 and Article 26, third paragraph. No other reservation shall be permitted.

Any State may at any time withdraw a reservation it has made. The withdrawal shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

The reservation shall cease to have effect on the first day of the third calendar month after the notification referred to in the preceding paragraph.

Article 43

The Convention shall enter into force on the first day of the third calendar month after the deposit of the third instrument of ratification, acceptance, approval or accession referred to in Articles 37 and 38.

Thereafter the Convention shall enter into force –

- (1) for each State ratifying, accepting, approving or acceding to it subsequently, on the first day of the third calendar month after the deposit of its instrument of ratification, acceptance, approval or accession;
- (2) for any territory or territorial unit to which the Convention has been extended in conformity with Article 39 or 40, on the first day of the third calendar month after the notification referred to in that Article.

Article 44

The Convention shall remain in force for five years from the date of its entry into force in accordance with the first paragraph of Article 43 even for States which subsequently have ratified, accepted, approved it or acceded to it.

If there has been no denunciation, it shall be renewed tacitly every five years.

Any denunciation shall be notified to the Ministry of Foreign Affairs of the Kingdom of the Netherlands at least six months before the expiry of the five year period. It may be limited to certain of the territories or territorial units to which the Convention applies.

The denunciation shall have effect only as regards the State which has notified it. The Convention shall remain in force for the other Contracting States.

Article 45

The Ministry of Foreign Affairs of the Kingdom of the Netherlands shall notify the States Members of the Conference, and the States which have acceded in accordance with Article 38, of the following –

- (1) the signatures and ratifications, acceptances and approvals referred to in Article 37;
- (2) the accessions referred to in Article 38;
- (3) the date on which the Convention enters into force in accordance with Article 43;
- (4) the extensions referred to in Article 39;
- (5) the declarations referred to in Articles 38 and 40;
- (6) the reservations referred to in Article 24 and Article 26, third paragraph, and the withdrawals referred to in Article 42;
- (7) the denunciations referred to in Article 44.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at The Hague, on the 25th day of October, 1980, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Kingdom of the Netherlands, and of which a certified copy shall be sent, through diplomatic channels, to each of the States Members of the Hague Conference on Private International Law at the date of its Fourteenth Session.

EXHIBIT H

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street number, and address) REED RANDOY, IN PRO PER REED RANDOY 13428 MAXELLA AVE., #559 MARINA DEL REY, CA 90292 TELEPHONE NO 310-739-0335 FAX NO (Optional) E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS 111 N. HILL ST. MAILING ADDRESS 111 N. HILL ST. CITY AND ZIP CODE LOS ANGELES, CA 90012 BRANCH NAME CENTRAL DISTRICT (This section applies only to family law cases.) PETITIONER: REED RANDOY RESPONDENT: MARIEKE RANDOY OTHER PARTY: (This section applies only to guardianship cases.) GUARDIANSHIP OF (Name) Minor DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court Of California County Of Los Angeles MAY 19 2015 HERRI R. CAMERON P. MARTINEZ CASE NUMBER BD621137
---	--

1. I am a party to this proceeding to determine custody of a child.
2. ☐ My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): ONE (1) minor children who are subject to this proceeding, as follows:
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name HUNTER RANDOY	Place of birth LOS ANGELES, CA	Date of birth 4/10/2012	Sex M
Period of residence 4/2014 to present	Address 668 CITADEL PARADE, #2006 <input type="checkbox"/> Confidential VANCOUVER, B.C.	Person child lived with (name and complete current address) REED & MARIEKE RANDOY <input type="checkbox"/> Confidential	Relationship FATHER & MOTHER
4/2014 to PRESENT	Child's residence (City, State) 13428 MAXELLA AVE., #559, MARINA DEL REY, CA 90292	Person child lived with (name and complete current address) REED RANDOY	FATHER
BIRTH to 4/2014	Child's residence (City, State) 5359 SAN VICENTE BLVD., #111, L.A., CA 90019	Person child lived with (name and complete current address) REED & MARIEKE RANDOY	FATHER & MOTHER
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a (if NOT the same, provide the information below)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c. ☐ Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d. ☐ Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

closed

2000

26206 VT 2000

AVENUE

2000

#83

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Marina del Rey, CA 90292**

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Sat. 9 am - 5 pm, Sun. closed

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310.306.3139 Fax

store0774@theupsstore.com

theupsstorelocal.com/0774



EXHIBIT I



C

C

EXHIBIT J

From: **Reed Randoy** reedrandoy@yahoo.com

Subject: New Vancouver digs!

Date: April 27, 2014 at 9:39 PM

To: **Elaine Dotts** WETravel@elainedotts.com, **Heidi Conahan** heidiishome@msn.com, **Karen Phillips** kepwoman@aol.com, **Randi Freidig** rfreidig@comcast.net, **Tom L. Olsen** tomlolsen@sbcglobal.net, **Bobby Randoy** rmrandoy@comcast.net, **David & Carolyn Layton** laytondc@comcast.net, **Bob & Beverly Randoy** randoyb@shaw.ca, **Britta Swansen** britta@swansen.com, **Kari Kristine Hammon** kkhammon@msn.com, **Kari & Glenn Edwards** kgedwards@sbcglobal.net, **Jacqueline Hopkins** jhop66@gmail.com, **Jon Randoy** jnrandoy@primus.ca, **Stephen Randoy** SRandoy@aol.com, **Dale Freidig** dale@freidig.com, **Dee Freidig** Freidig2@q.com, **Dan & Michelle Layton** layton.md@gmail.com

Emailed version In case you didn't get text!

The new-new Vancouver digs as if
5/15/14!

668 Citadel Place #2006
Vancouver BC V6B1W6
Canada

And just in case yawl still don't know the dealeo....Marieke and Hunter are officially in Van now, with me to follow as soon as we get up and running on a show or film acting wise! There's 96 shows right now filming in Van that need Marieke to co star in and the same for Me! Ha!

Send the good vibes our way and soon you'll be seeing us on the tele!

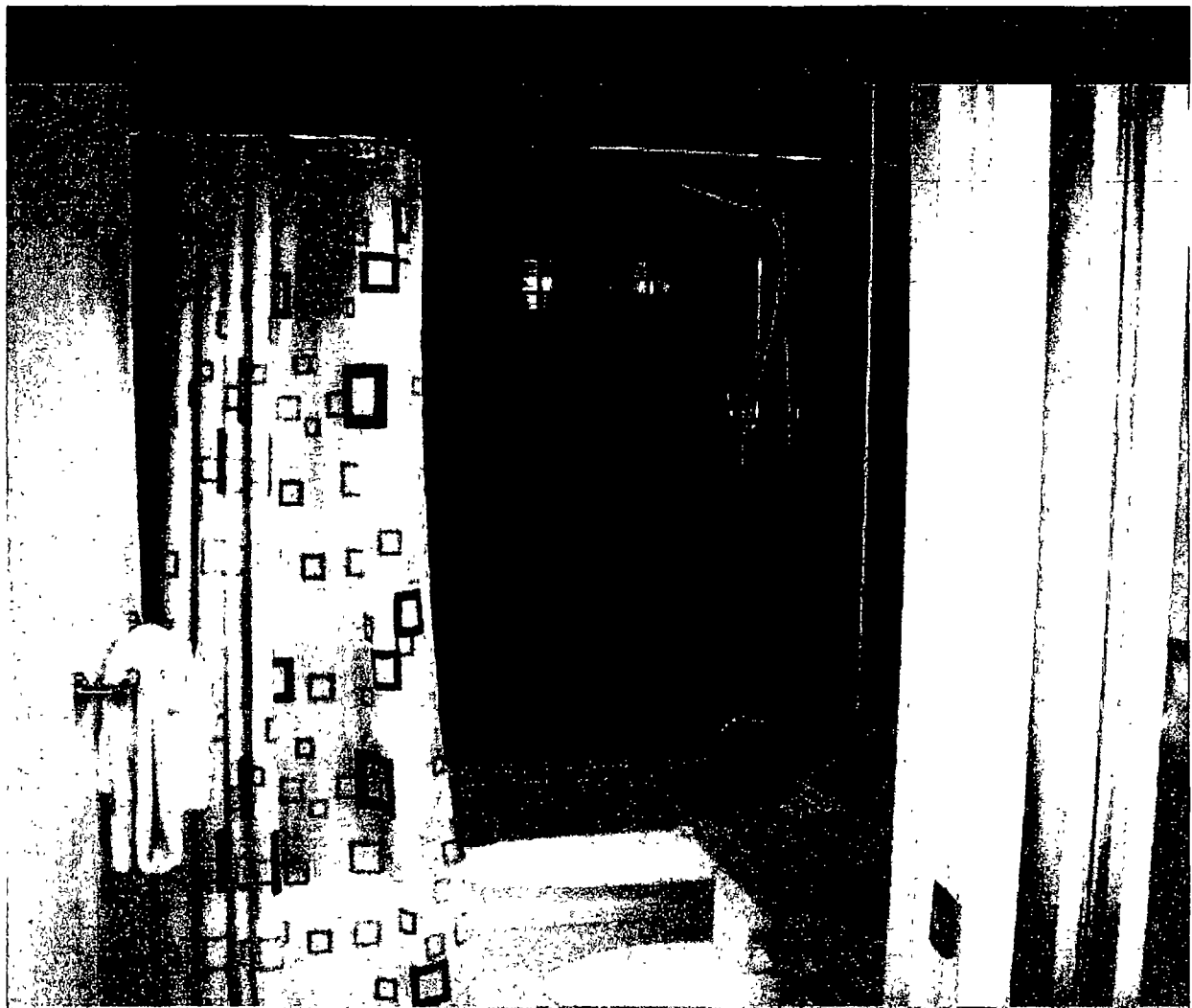
Aaaaand we're super close to family!

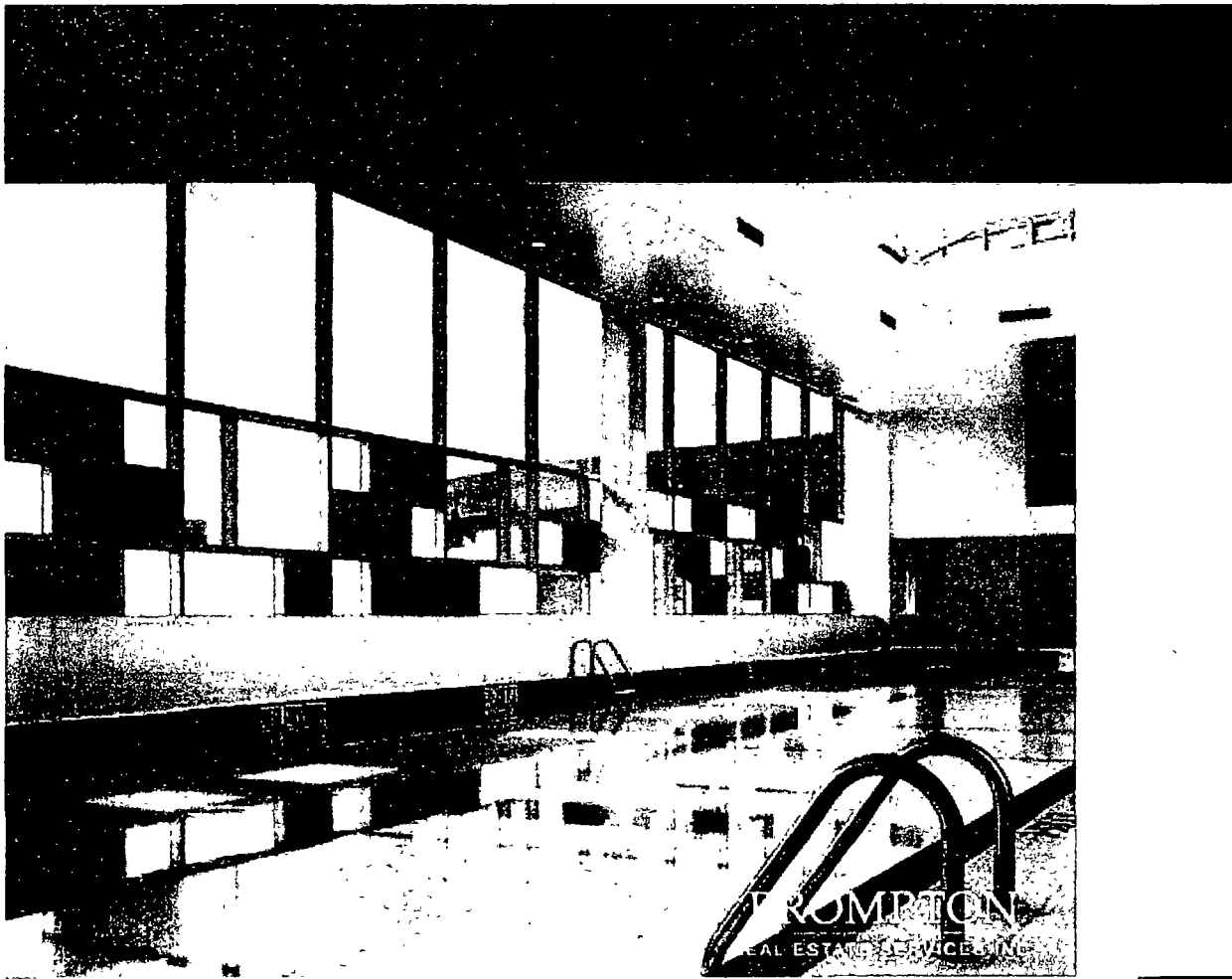
Whoohoo!

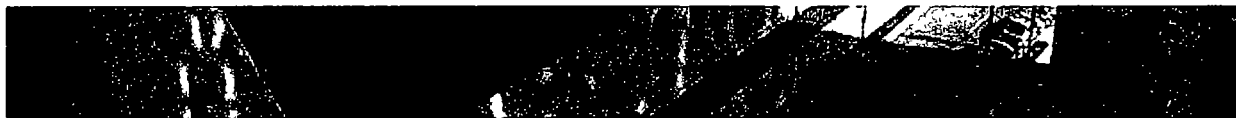


The window looks out into the balcony and you get to the balcony from the living room









Reed
SAG/AFTRA-399

310-739-0335

"Ninety feet between bases is perhaps as close as man ever come to perfection." Red Smith

!pura vida!

"When would 'now' be a good time to start making your dreams come true?"

C

C

EXHIBIT K



Wells Fargo Business Online®

Account Activity

CHECKING XXXXXX8372

Account Balance Day of Exporte Hearing:

\$18.15

Day Before:
\$56.93

Activity Summary

Current Posted Balance	\$18.15
Pending Withdrawals/ Debits	-\$14.28
Pending Deposits/ Credits	\$0.00
Available Balance	\$3.89

The Available Balance shown above reflects the most up-to-date information available on your account. The balances shown below next to the last transaction of each day do not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when the transaction posted. If you had insufficient available funds when the transaction posted to your account, fees may have been assessed.

Transactions

Show for Date Range 05/11/15 to 06/09/15

Date	Description	Deposits / Credits	Withdrawals / Debits	Ending Daily Balance
Pending Transactions Note: Debit card transaction amounts may change				
06/09/15	ONLINE TRANSFER REF #IBEGCC8LH8		\$8.00	
06/09/15	PURCHASE SHOPPERS DRU VANCOUVER BC CARD5723		\$8.26	
Posted Transactions				
06/05/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$18.15
06/05/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/04 1099 88 W PENDE8205 1099 VANCOUVER CD 00585156140129918 ATM ID SE450391 CARD 5723		\$33.78	
06/04/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$58.93
06/04/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/03 TD BANK TORONTO DO Vancouver CD 00465155064478899 ATM ID TD9151 CARD 5723		\$244.73	
06/03/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$306.66
06/03/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 06/02 VAN BC ABM OPS-RBC ROYAL VANCOUVER CD 00465154073030627 ATM ID VK98 CARD 5723		\$50.95	
06/03/15	ONLINE TRANSFER FROM RANDOY M SAVINGS XXXXXX8077 REF #IBEXTJXVZR ON 06/02/15	\$4.05		
06/03/15	DEPOSIT MADE IN A BRANCH/STORE #921472708	\$300.00		
06/01/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	\$58.58
06/01/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/31 TD BANK TORONTO DO Vancouver CD 00465152117750670 ATM ID TD9151 CARD 5723		\$185.85	
06/01/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$5.00	
06/01/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/29 TD BANK TORONTO DO Vancouver CD 00465150103158971 ATM ID TD9151 CARD 5723		\$244.21	
05/29/15	DEPOSIT MADE IN A BRANCH/STORE #930947466	\$500.00		\$508.62
05/28/15	ATM WITHDRAWAL AUTHORIZED ON 05/28 3110 SEPULVEDA BLVD MANHATTAN BCH CA 0003993 ATM ID 0810B CARD 5723		\$60.00	\$8.62
05/28/15	PURCHASE AUTHORIZED ON 05/27 HOTELS COM12270387 800-248-8357 NV S385147241878364 CARD 5723		\$221.76	
05/28/15	PURCHASE AUTHORIZED ON 05/27 WHOLEFDS RDB 10 405 N REDONDO BEACH CA P00305148155993248 CARD 5723		\$16.04	
05/26/15	ATM WITHDRAWAL AUTHORIZED ON 05/25 10911 VENTURA BLVD STUDIO CITY CA 0002743 ATM ID 6855C CARD 5723		\$200.00	\$308.42
05/22/15	DEPOSIT MADE IN A BRANCH/STORE #930462821	\$500.00		\$508.42
05/20/15	PURCHASE WITH CASH BACK \$ 20.00 AUTHORIZED ON 05/19 RALPHS 12921 MAGNOLIA VAN NUYS CA P00385140153661826 CARD 5723		\$48.13	\$8.42
05/20/15	PURCHASE AUTHORIZED ON 05/19 HARVEST MOON KITCH VALLEY VILLAG CA		\$33.26	

	S165139653620883 CARD 5723			
05/20/15	INTERNATIONAL PURCHASE TRANSACTION FEE		\$1.88	
05/20/15	PURCHASE INTL AUTHORIZED ON 05/19 SNB - FREDERICTON FREDERICTON CD S085139445768058 CARD 5723		\$62.88	
05/19/15	PURCHASE AUTHORIZED ON 05/18 STARBUCKS #05839 N North Hollywo CA S385139088708883 CARD 5723		\$14.10	\$152.57
05/19/15	PURCHASE AUTHORIZED ON 05/18 BEVERLY HILLS DENT BEVERLY HILLS CA S585139018170458 CARD 5723		\$391.90	
05/19/15	PURCHASE AUTHORIZED ON 05/18 ESI MAIL PHARMACY 800-332-5455 MO S385135614812931 CARD 5723		\$25.00	
05/19/15	PURCHASE AUTHORIZED ON 05/18 STARBUCKS #05447 S Studio City CA S305138604293812 CARD 5723		\$7.60	
05/19/15	PURCHASE AUTHORIZED ON 05/15 HORTON&CONVERSE RX SANTA MONICA CA S585135844560658 CARD 5723		\$63.07	
05/18/15	PURCHASE WITH CASH BACK \$ 10.00 AUTHORIZED ON 05/18 7-ELEVEN LOS ANGELES CA P0000000341876335 CARD 5723		\$22.39	\$854.24
05/18/15	ATM WITHDRAWAL AUTHORIZED ON 05/15 10911 VENTURA BLVD STUDIO CITY CA 0000671 ATM ID 8855C CARD 5723		\$220.00	
05/18/15	PURCHASE AUTHORIZED ON 05/15 PALMIRA ASSOCIA LOS ANGELES CA P0000000346047164 CARD 5723		\$40.00	
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05/18/15	PURCHASE AUTHORIZED ON 05/15 WALGREENS COM #582 877-250-5823 AZ S465135816333842 CARD 5723		\$2.57	
05/18/15	DEPOSIT MADE IN A BRANCH/STORE #921860771	\$500.00		
05/18/15	eDeposit in Branch/Store 05/18/15 09:38:13 AM 12900 VENTURA BLVD STUDIO CITY CA 5723	\$70.00		
05/15/15	PURCHASE AUTHORIZED ON 05/14 STARBUCKS #05734 S Studio City CA S585134692656741 CARD 5723		\$7.60	\$429.55
05/14/15	PURCHASE WITH CASH BACK \$ 20.00 AUTHORIZED ON 05/14 WALGREENS 5224 COLDWAT VAN NUYS CA P00585134856195267 CARD 5723		\$76.32	\$437.15
05/14/15	PURCHASE AUTHORIZED ON 05/14 CSI-202037/1738 SIMI VALLEY CA P00305134659908152 CARD 5723		\$3.83	
05/14/15	PURCHASE AUTHORIZED ON 05/13 HOTELS COM12243363 800-246-8357 NV S305132836717359 CARD 5723		\$126.21	
05/14/15	PURCHASE AUTHORIZED ON 05/13 IKEA BURBANK BURBANK CA S385133690651458 CARD 5723		\$14.14	
05/14/15	PURCHASE AUTHORIZED ON 05/12 THE COOP STUDIO CITY CA S005132797864683 CARD 5723		\$10.00	
05/14/15	DEPOSIT MADE IN A BRANCH/STORE #916167978	\$500.00		
05/13/15	NON-WELLS FARGO ATM TRANSACTION FEE		\$2.50	\$167.65
05/13/15	NON-WF ATM WITHDRAWAL AUTHORIZED ON 05/13 427 N CRESENT COLKER'S U BEVERLY HILLS CA 00385133824211317 ATM ID LK116392 CARD 5723		\$42.50	
05/13/15	PURCHASE AUTHORIZED ON 05/13 IKEA - USA BURBANK CA P00485133723508180 CARD 5723		\$20.68	
05/13/15	PURCHASE AUTHORIZED ON 05/12 HOTELS COM12241665 800-246-8357 NV S465132132975485 CARD 5723		\$155.92	
05/13/15	PURCHASE AUTHORIZED ON 05/12 LA CITY PARKING ME LOS ANGELES CA S385132779507336 CARD 5723		\$2.00	
05/12/15	PURCHASE AUTHORIZED ON 05/11 BEVERLY HILLS DENT BEVERLY HILLS CA S465131834691851 CARD 5723		\$180.20	\$391.25
05/11/15	PURCHASE AUTHORIZED ON 05/10 RALPHS 12921 MAGNOLIA VAN NUYS CA P00465131063863694 CARD 5723		\$70.01	\$571.45
05/11/15	RECURRING PAYMENT AUTHORIZED ON 05/09 UBER TECHNOLOGIES 888-578- 1039 CA S585128064729901 CARD 5723		\$24.49	
05/11/15	PURCHASE AUTHORIZED ON 05/09 METAMORIS INTERNAT 818-275-1091 CA S085129841320139 CARD 5723		\$25.47	
05/11/15	ATM WITHDRAWAL AUTHORIZED ON 05/09 12160 VICTORY BLVD N HOLLYWOOD CA 0003790 ATM ID 0639A CARD 5723		\$200.00	

05/11/15	PURCHASE AUTHORIZED ON 05/08 VALLEY PLAZA 8 NORTH HOLLYWO CA S305129188513821 CARD 5723		\$10.25	
05/11/15	PURCHASE AUTHORIZED ON 05/08 AVA MD SANTA MONIC SANTA MONICA CA S465128701247132 CARD 5723		\$30.00	
05/11/15	PURCHASE AUTHORIZED ON 05/07 MAC USA #6200 LOS ANGELES CA S585128017677057 CARD 5723		\$17.44	
05/11/15	PURCHASE AUTHORIZED ON 05/07 DR ARKADY STERN LOS ANGELES CA S085127764239324 CARD 5723		\$360.00	
05/11/15	ONLINE TRANSFER FROM RANDOY M SAVINGS XXXXXX9077 REF #1BE2QV6TYF ON 05/11/15	\$245.00		
Totals		\$2,619.05	\$3,679.27	

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Deposit products offered by Wells Fargo Bank, N.A. Member FDIC. Wells Fargo Bank, N.A. is a banking affiliate of Wells Fargo & Company.

 Equal Housing Lender

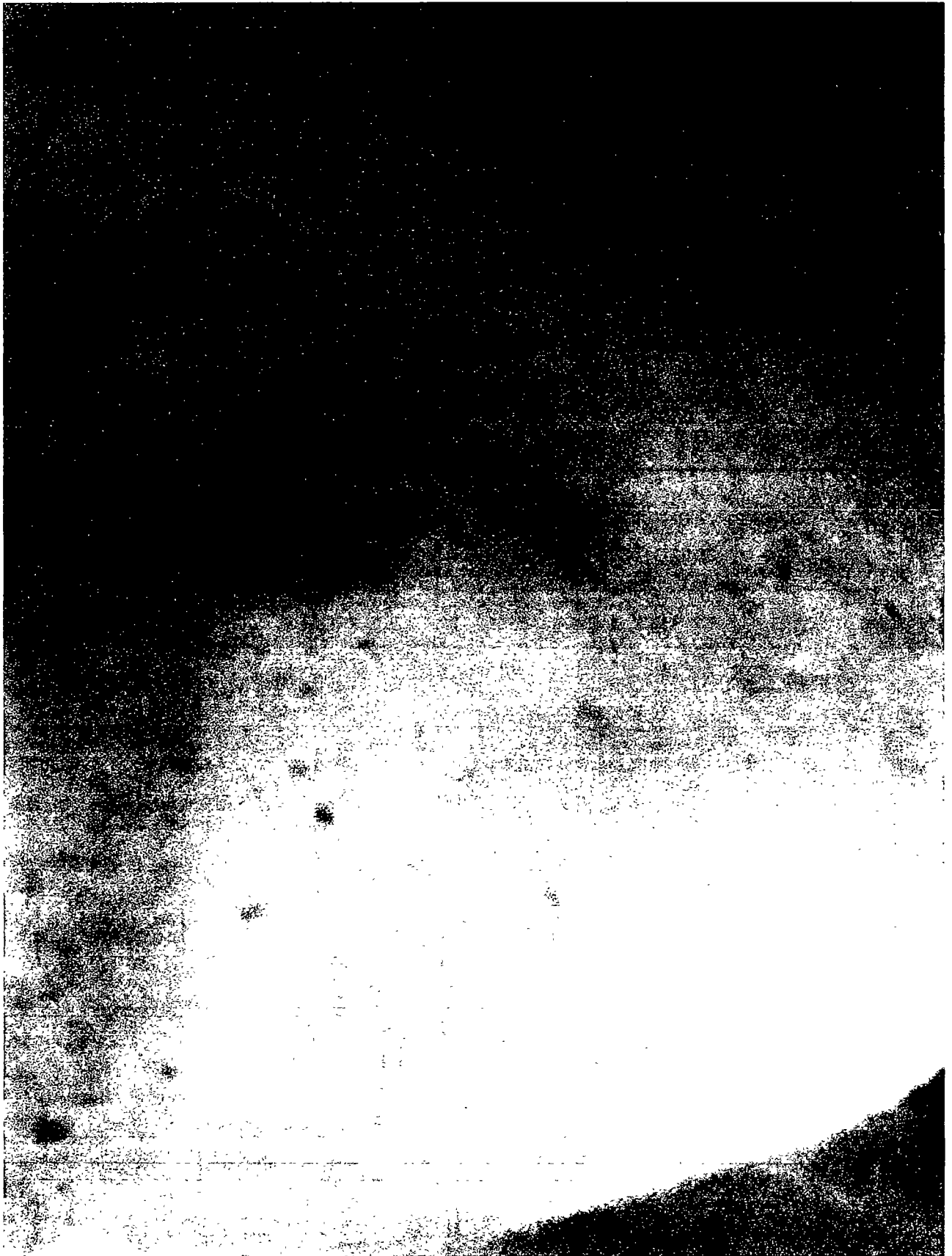
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