

## A Guide For Action When A Spouse Steals Your Children

admin, Saturday 28 April 2012 - 12:10:00

- » Hire an aggressive family law attorney, preferably one with experience in parental-kidnapping situations.
- » If you have not already filed for divorce, **DO SO IMMEDIATELY**. File for divorce and full custody of the children.
- » Assemble your documentation of court decrees and custody orders, if any.
- » If you do not have custody, use the Uniform Child Custody Jurisdiction Act, which established rules help courts determine jurisdiction, to petition for custody in the local family court.
- » Ask local police to issue a warrant for the arrest of the kidnapping parent.
- » Insist that a missing person's report be posted immediately on National Crime Information Center and Interpol computers. Many local police departments will mistakenly tell parents that they need to see a final custody order before issuing a missing child report or that a waiting period is required, but this is no longer true. Such delays are prohibited by the National Child Search Assistance Act (P.L. 101-647; 42 U.S.C. 5779, 5780), which requires law enforcement to immediately enter a missing child report into the National Crime Information Center (NCIC).
- » Contact the National Center for Missing and Exploited Children at **1-800-THE LOST or 703-235-3900**. The Web address of its international branch is [www.icmec.co.uk](http://www.icmec.co.uk). The center maintains a missing children's data base and publishes a booklet on preventing and reacting to abduction.
- » Contact the local FBI office. If the FBI tells you that you first need a state warrant, point out that the 1993 International Parental Kidnapping Crime Act ended that requirement.
- » Ask the state prosecutor or district attorney to request the local U.S. attorney's to issue a federal Unauthorized Flight to Avoid Prosecution (UFAP) arrest warrant. The Federal Parental Kidnapping Prevention Act of 1980 provides for the issuance of this warrant.
- » Once you have the UFAP warrant, ask the FBI to assist in the investigation and to use the services of the federal Parent Locator Service.
- » Investigate possible civil remedies and consider the viability of a tort suit against the kidnapper, including anyone who may have assisted in the abduction.
- » Use whatever information you have about the abducting parent in your investigation, such as names of family members or friends who may know of his or her whereabouts.
- » If you suspect an international kidnapping, after you have the UFAP warrant, ask the FBI to request the U.S. Attorney's office to have the passport of the kidnapping parent revoked.
- » Call the State Department's Office of Children's Issues (1-202-736-7000), and request the booklet, "International Parental Child Abduction". The booklet outlines what you should do and what the office can do for you.
- » If you have to litigate the matter in a foreign country, contact the State Department's office of the Overseas Citizens' Services of the Bureau of Consular Affairs for a list of attorneys available for such cases.