

FILED

DEC 19 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

1 Robert Scotlund Vaile
2 2201 McDowell Avenue
3 Manhattan, KS 66502
4 (707) 633-4550
5 *Appellant in Proper Person*

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7
8
9 ROBERT SCOTLUND VAILE,
10 Appellant,

11 vs.

12
13 CISILIE A. PORSBOLL,
14 Respondent.

Supreme Court Case No: 61415
District Court Case No: 98D230385

**NOTICE OF CALIFORNIA
DETERMINATION OF
CONTROLLING NORWEGIAN
CHILD SUPPORT ORDER**

15
16
17 **NOTICE**

18
19 On October 30, 2012 the Superior Court of California entered an order
20 registering in that county the Norwegian child support order and its subsequent
21 modifications which are the subject of the instant appeal. It also entered an order
22 determining that the "2003 Norwegian child support order is controlling over the
23 1998 Nevada divorce decree on the issue of child support." See *Order*, 4. The
24 order requires that Appellant Vaile provide this tribunal a certified copy of this
25 decision, which is attached as Exhibit 1. *Id.*

26 Attached as Exhibit 2 is a "REQUEST FOR PAYMENT" from the National
27 Insurance Collection Agency of Norway, the Norwegian agency with oversight
28 for child support. The California court specifically relied on this document in

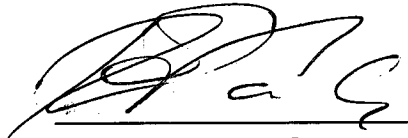
RECEIVED
DEC 19 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

12-40211

1 ordering Mr. Vaile to make payments of \$841 until the child support arrears are
2 paid in full as requested by the agency of Norway, a Foreign Reciprocating
3 Country to the United States. The agency requested enforcement of the
4 Norwegian order "in accordance with the Agreement between The United States
5 of America and the Government of the Kingdom of Norway for the enforcement
6 of maintenance obligations dated 10 June 2012." See *Request*, 1, Exhibit 2.

7
8 Respectfully submitted this 17th day of December, 2012.
9

10
11 

12 Robert Scotlund Vaile
13 2201 McDowell Avenue
14 Manhattan, KS 66502
15 (707) 633-4550
16 *Appellant in Proper Person*
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF MAILING

I hereby certify that on December 17, 2012, I deposited in the United States Mail, postage prepaid, at Manhattan, KS, a true and correct copy of ***NOTICE OF CALIFORNIA DETERMINATION OF CONTROLLING NORWEGIAN CHILD SUPPORT ORDER***, addressed as follows:

Marshal S. Willick, Esq.
Willick Law Group
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorney for Respondent

Respectfully submitted this 17th day of December, 2012.



Robert Scotlund Vaile
2201 McDowell Avenue
Manhattan, KS 66502
(707) 633-4550

Exhibit 1

1 Robert Scotlund Vaile
2 PO Box 727
3 Kenwood, CA 95452
4 (707) 833-2350
5 Plaintiff/Petitioner in Proper Person

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: DEC 11 2012



Clerk of the Superior Court of California
County of Sonoma
By *[Signature]* Deputy Clerk

FILED

NOV - 1 2012

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA
By *[Signature]* Deputy Clerk

7 **SUPERIOR COURT OF CALIFORNIA**
8 **COUNTY OF SONOMA**

10 CASE NO: SFL 49802

12 ROBERT SCOTLUND VAILE,
13 Plaintiff/Petitioner,

15 vs.

18 CISILIE A. PORSBOLL,
19 Respondent.

11 **ORDER**
12 **ON REGISTRATION OF**
13 **RECIPROCATING FOREIGN**
14 **COUNTRY'S CHILD SUPPORT**
15 **ORDER**
16 **AND DETERMINATION OF**
17 **CONTROLLING ORDER**

Honorable Nancy Case Shaffer
Dept. 23

Hearing Date: 10/12/2012
Hearing Time: 9:30 AM
Date Action Filed: 02/09/2010

24 This matter was heard by this Court on July 2, 2012 and October 12, 2012 in
25 Department 23, before the Honorable Judge Nancy Shaffer on ROBERT
26 SCOTLUND VAILE's (hereafter Husband) Registration of Reciprocating Foreign
27 Country's Child Support Order and Request for Determination of Controlling
28

1 Order. Present at each hearing was Petitioner, but Respondent CISILIE A.
2 PORSBOLL (hereafter Wife) was not present.

3 **PROCEDURAL HISTORY:**

4 The parties were divorced in Clark County Nevada on August 21, 1998.
5 Their Decree of Divorce included an agreement that provided a precise formula
6 for calculating child support. Wife sought a child support order from the
7 appropriate agency in Norway in 2003 when neither party lived in Nevada. In
8 November 2007, Wife also asked the Nevada District Court to establish the child
9 support and arrears in accordance with the parties' 1998 agreement and to
10 establish a retroactive sum certain for child support, i.e. modify the agreement
11 that was set forth in the parties' Decree of Divorce. The Nevada Court issued an
12 order on October 9, 2008, modifying the child support agreement without taking
13 into account the Norwegian child support order.

14 In response to a request by Husband to register and modify the Nevada child
15 support order in 2010, ^{*Lorise Bayles - Flightmaster*} ~~the~~ Sonoma County Commissioner held that the Nevada
16 Court did not have jurisdiction to modify, and that the Nevada child support
17 orders that purported to do so were unenforceable in California. Eventually, the
18 Nevada Supreme Court similarly held that the Nevada Court did not have
19 continuous and exclusive jurisdiction to modify. Having been newly provided the
20 Norwegian child support order, and subsequent modifications, Husband now
21 requests this Court to both register and to declare the Norwegian orders
22 controlling under UIFSA.
23

24 After reviewing the pleadings, declarations, and other documents, listening
25 to oral argument and reviewing the law regarding interstate child support
26 jurisdiction and enforcement, the Court makes the following findings and orders:
27
28

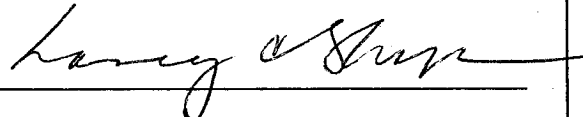
1 balance, Petitioner will have fulfilled his child support obligations under the
2 Norwegian child support orders. Additionally, so long as Petitioner makes
3 payments in accordance with this order, he will remain current in his child
4 support obligations.

5 **CONCLUSION**

6 WHEREFORE, IT IS HEREBY ORDERED:

- 7
- 8 1. The court has personal jurisdiction over both parties to this action;
 - 9 2. The 2003 Norwegian child support order is controlling over the 1998 Nevada
10 divorce decree *on the issue of child support.* *The 2003 Norwegian child support order shall be registered in Sonoma County.*
 - 11 3. Petitioner is ordered to pay \$841.00 by the 15th of each month beginning
12 November 15, 2012 through February 15, 2013, and \$555.00 by March 1,
13 2013 in order to fully satisfy the child support arrearages due;
 - 14 4. ~~The California Department of Child Support Services is ordered to facilitate~~
15 such payments; *is denied without prejudice. Petitioner should*
16 *contact Sonoma County DCSS if he wishes to request a*
17 5. No agency, enforcement officer, or employer shall collect or demand child *change*
18 support from Petitioner contrary to this order, or based ^{on} child support orders *value.*
19 *other than the 2003 Norwegian child support order*
20 *issued by other states or tribunals; registered in Sonoma County*
 pursuant to this order.
 - 21 6. Petitioner shall provide certified copies of this order to the relevant tribunals
22 in Norway and Nevada.

23
24 Dated this ^{30th} 12th day of October, 2012.

25 
26 _____
27 Honorable Judge Nancy Case Shaffer
28 Superior Court Judge

PROOF OF SERVICE BY MAIL

I certify that I am an employee of the Superior Court of California, County of Sonoma, and that my business address is 3055 Cleveland Avenue, Santa Rosa, CA 95403; that I am not a party to this cause; that I am over the age of 18 years; that I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that on the date shown below I placed a true copy of the foregoing attached papers in an envelope, sealed and addressed as shown below, for collection and mailing at Santa Rosa, California, first class, postage fully prepaid, following ordinary business practices.

Date: November 1, 2012

JOSÉ OCTAVIO GUILLÉN
COURT EXECUTIVE OFFICER

by 

Deputy Clerk

--ADDRESSEES--

VAILE, ROBERT SCOTLUND
PO BOX 727
KENWOOD, CA 95452

Exhibit 2



ROBERT SCOTLUND VAILE
406 CLIFFWOOD DRIVE
DUNCANVILLE, TX 75116
USA

NAVI
NO-9917 Kirkenes
NORWAY

Your ref:
Officer in charge: Kim V S Johansen

Our ref: 033854

Our date: 16.08.12

REQUEST FOR PAYMENT

Always quote your case number when contacting our office.

RE: CHILD SUPPORT ORDER

Non-custodial parent:	ROBERT SCOTLUND VAILE	05.01.69
Custodial parent:	CISILIE ANNE PORSBØLL	05.01.69
Child:	RAMONA LOUISE VAILE	30.05.91
Child:	KAMILLA JANE VAILE	13.02.95

The child support ceased by the end of March 2009. there are still arrears in your case totalling to NOK 528 140 (approx. \$ 88 832) in your case.

Due to the arrears, we kindly require that you pay NOK 5 000 (approx. \$ 841) per month until the arrears have been paid in full. Your next payment is due by 25.09.12.

In our accounts the maintenance is converted to Norwegian kroner according to an average exchange rate, which is updated each month. Therefore, fluctuations in the exchange rate may occur.

CONCERNING NON-PAYMENT:

Should you not pay according to this request, or should your payments cease, we will refer this matter to the authorities in the USA. We will request that the authorities there enforce the collection in accordance with the Agreement between The United States of America and the Government of the Kingdom of Norway for the enforcement of maintenance obligations dated 10 June 2002.

National Insurance Collection Agency
Mailing address: NO- 9917 Kirkenes, Norway

Office address: Grubevn 4, 9910 Bjørnevatn
Tel: +47 21 05 11 08 // Fax: +47 21 05 11 01

www.nav.no // nav@nav.no

Account no.: IBAN: NO 88 8276 01 01638
BIC/SWIFT: DNBNOKK

PAYMENT INFORMATION:

You will have to cover the costs of transferring the money yourself, both in the country where you live and in Norway. We request that you pay the child support to:

Address: NAV Innkrevning NO - 9917 Kirkenes NORWAY	Bank account/bank: IBAN: NO 88 8276 01 01636 Swift: DNBANOKK DnBNOR BANK ASA NO-0021 Oslo NORWAY
--	--

Important!

Please mark the payments with your name and case number (0008744), or your Norwegian personal ID number 05216900695.

If you would like to make the payment from a Norwegian account, we ask you to use our account number 8276 01 00435 when you make your payment. You can also use the following Customer Identification Number (KID-nummer): 203385404.

If you have any questions, please do not hesitate to contact our office on telephone no +47 21 05 11 08 or fax no. +47 21 05 11 01.

NAV Innkrevning
National Insurance Collection Agency


for Torborg Rue
Department Manager


Kim V S Johansen
Executive Officer