PETITION TO MODIFY LEGAL DECISION MAKING (CUSTODY), PARENTING TIME (VISITATION) and CHILD SUPPORT

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1

To Change an Existing Court Order

(Instruction Packet/ Forms Packet)

SELF-SERVICE CENTER

PETITION TO CHANGE a COURT ORDER FOR CHILD CUSTODY, PARENTING TIME and CHILD SUPPORT CHECKLIST

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You may use the forms and instructions in this packet if . . .

- ✓ You want to file court papers to change legal decision making (custody), parenting time and child support, **AND**
- ✓ You do not wish to or cannot submit an AGREEMENT to this change signed by you and the other party, **AND**
- ✓ The court order that you want to change is a Yuma County Order, **AND**

One or more of the following has occurred:

- ✓ Domestic violence, spousal abuse, or child abuse has occurred since the custody order was signed, **OR**
- ✓ The minor child(ren)'s present surroundings may endanger the minor child(ren)'s physical, mental or emotional health, **OR**
- ✓ The *joint legal decision making (custody) order* that you want to change was dated at least six months ago *and the other party has failed to comply* with the provisions of the joint custody order, **OR**
- ✓ The order that you want to change was dated at least one year ago and it is in the minor child(ren)'s best interest to make a change to that order.

WARNING: If the order you want to change is not from this county, ask a lawyer about the requirements to file your Petition (Request) with this Court.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

To change a court order for legal decision making, parenting time, and child support

This packet contains court forms and instructions to file to change a court order for legal decision making (custody), parenting time and child support. Items in bold are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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HELPFUL INFORMATION ABOUT CHANGING a COURT ORDER for LEGAL DECISION-MAKING (LEGAL CUSTODY), CHILD SUPPORT and PARENTING TIME

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IMPORTANT INFORMATION. The following is important information on when you can legally ask the court for a change of legal decision-making (legal custody), parenting time and child support. Read it carefully **before** you fill out the Petition.

1. WHEN CAN YOU FILE FOR A CHANGE OF LEGAL DECISION-MAKING?

A. IF YOU HAVE A JOINT LEGAL DECISION-MAKING ORDER - You can **only** ask for a change of legal decision-making if the following applies to your case:

- At least one (1) year has passed since your joint legal decision-making order was signed by the Court and there have been significant changes in circumstances that make a change in legal decision-making necessary for the good of the minor child(ren), **OR**
- At least six (6) months have passed and the other parent has not followed the joint legal decision-making order, **OR**
- There has been domestic violence, spousal abuse, or child abuse and you have evidence that the best interest of your minor child(ren) requires a change.

B. IF YOU HAVE A SOLE LEGAL DECISION-MAKING ORDER - You can **only** ask for a change of legal decision-making if the following applies to your case:

- at least one (1) year has passed since your sole legal decision-making order was signed by the Court, and there have been significant changes in circumstances that make a change in legal decision-making necessary for the good of the minor child(ren), **OR**
- There is reason to believe that the minor child(ren)'s current environment may seriously endanger the child(ren)'s physical, mental, moral or emotional health and your minor child(ren) is/are at risk.

WARNING: If enough time has not passed since the signing of your decree/order to allow you to file for a change of legal decision-making, you **cannot** file for a change of legal decision-making, **unless** your case falls under one of the exceptions listed above. You may, however, want to seek mediation or counseling as an option toward resolution.

IMPORTANT: If you have reason to believe that the other parent, or someone associated with the other parent, is physically abusing or hurting your minor child(ren), you should contact the Department of Child Safety or your local Police Department immediately. If your minor child(ren) is/are in a dangerous situation, you should take steps to file a ***"Petition to Modify Legal Decision-Making and/or Parenting Time and Child Support"*** to get a permanent change of legal decision-making and/or parenting time, ***and*** a ***"Petition for Temporary Modification Without Notice to the Other Party"*** (formerly known as an "emergency modification") as soon as possible. Forms are available from the Law Library Resource Center.

2. THINGS TO CONSIDER BEFORE FILING A CHANGE OF LEGAL DECISION-MAKING:

A. Filing for a change of legal decision-making and/or parenting time is a **serious matter** and generally should be considered as a **last resort**. Raising a minor child(ren) in two households, arranging for parenting time, and making joint decisions about a minor child(ren)'s welfare can lead to high levels of stress, conflict, and anger between you, the other party, and the minor child(ren). Unless your minor child(ren) is/are in immediate physical or emotional risk you may find it helpful to seek family counseling or mediation as an option **before** you take legal action.

Mediation is a voluntary process where you and the other parent meet with a professional who will try to help you work together to find a solution to your problem. The mediator is not there to take sides, but can help you understand the other parent's point of view. The mediator helps you approach your problems in a way that will more likely lead to an agreement and will help you to focus on your minor child(ren)'s needs first.

Mediation services are available at your option, through the Family Department in the Superior Court, or through private mediation services. Another option toward resolving legal custody, parenting time or child support issues you may consider is family counseling, to learn how to better deal with ongoing problems. A list of mediators and counselors is available through the Law Library Resource Center or you can contact Community Information and Referral Services "211" website, under "Mediation and Arbitration".

B. To change legal decision-making, you must convince the judge through appropriate evidence, that the best interests of the minor child(ren) requires that legal decision-making be changed. The judge usually will **not** change legal decision-making unless you can show that there is a **substantial and continuing change of circumstances**. What this means is that you must convince the judge that something has happened since the Decree or Order was signed that will be **continuing** and which makes you the better parent to have legal decision-making of the minor child(ren). Changes like a new spouse, change or loss of job, or new place of residence are generally not enough to change legal decision-making.

You must show that the change or situation has a **substantial effect** on the minor child(ren)'s well-being. Judges generally do **not** want to put a minor child(ren) through another serious change in surroundings, unless he or she is convinced it is necessary for the child(ren)'s welfare.

There are many things the judge may look at in deciding "the best interest of the minor child(ren)." The law says that the Court will look at issues such as:

- how the minor child relates to parents, brothers and sisters;
- how the minor child is doing in school and socially;
- which parent is more likely to cooperate in giving parenting time to the other parent;

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- which parent is better able mentally and physically to care for the minor child;
- which parent has provided the primary care to the minor child; and
- evidence of what a parent has done to convince the other parent to make a legal decision-making agreement.

The Court will give serious consideration to domestic violence against you, the minor child, or another person in the child's presence when deciding whether or not to change legal decision-making. Evidence of drug or alcohol abuse by either parent is also an important factor in a legal decision-making decision.

3. TIPS FOR FILING A CHANGE OF LEGAL DECISION-MAKING. A change of legal decision-making has several special requirements that you should understand before you begin.

Tip #1: Whenever possible, try to solve your legal decision-making problems through voluntary programs such as counseling or mediation, **unless** your minor child(ren) is/are at immediate risk. If you try to solve your problems through family counseling or mediation ***before*** you file, you may be successful, and may no longer need to go to court.

Tip #2: Before you file, make sure six (6) months have passed since your final joint legal decision-making Decree/Order was signed, or one (1) full year has passed since your sole legal decision-making Decree/Order was signed, **unless** you meet an exception listed above.

Tip #3: Be sure that the changes in circumstances that caused you to request the change of legal decision-making are **important** and **related to issues** of your minor child(ren)s long term best interest. In other words, do **not** file for a change of legal decision-making, if you simply aren't getting along with the other parent or have changed your mind about legal decision-making. Be sure that if you are making allegations of abuse or neglect, that you have witnesses or evidence to back up your statements.

Tip #4: If your minor child(ren) has/have been **seriously hurt or physically abused**, contact the appropriate authorities and file a ***"Petition for Temporary Modification of Legal Decision-Making Without Notice"*** to get the minor child out of the dangerous environment as soon as possible. You will still need to file a ***"Petition to Change Legal Decision-Making."*** These forms are available at the Law Library Resource Center.

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Law Library Resource Center

Instructions for filling out the Petition to Modify Legal Decision-making, Parenting Time and Child Support

Important Notice to Victims of Domestic Violence: All court documents request your address and phone number. If you are a victim of domestic violence, are in a domestic violence shelter, or if you do not want your address known to protect yourself or your minor children from further violence, you must complete a Request for Protected Addressand ask that your address not be disclosed on court papers. With that request, just write "protected" when asked for this information and update the Clerk of Superior Court with an address and phone number as soon as possible.

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Use this form only if you already have a court order concerning legal decision-making, parenting time and/or child support. You will want to have a copy of your Order in front of you as you fill out these papers.

A. Please type or print with **black** ink only!

In the top left corner of the first page, provide the information requested about you.

If your address is protected by court order, write "protected" in the space for address and make sure the Court has a means of contacting you on file.

B. Fill in the top section where it says Name of Petitioner (Party A), Name of Respondent (Party B), and Case Number, exactly as it appears on your original Yuma County court case where legal decision-making, parenting time and/or child support was originally ordered.

General information:

1. Information about me: Fill in your name, address (if not protected) and how you are related to the minor children.

2. Information about the other party: Fill in the other party's name, address (if not protected) including city, state and zip code and how the other party is related to the minor child(ren).

3. Information about the children for whom I want the legal decision-making (legal custody), parenting time, and/or child support order changed: Provide the information requested on all the children under 18 years of age for whom you are seeking to make a change in legal custody, parenting time and child support.

4. Affidavit Regarding Minor Children. If the minor children have resided in Arizona since the entry of the last Arizona legal decision-making, parenting time or child support Order check the first box. If not, you must attach an Affidavit Regarding Minor Children and check the second box. The Affidavit Regarding Minor Children form is in the forms packet.

5. Information about the Order I want to change. Write in the date the Judge signed the Order, the name of the court ("Superior" or "District," etc.), the name of the county, and the name of the state where the order was signed. Include the page numbers and sections of the decree/order where the language appears.

   What your Order now says: This is where you tell the judge exactly what part of your decree/order you want to change. You should find your current decree/order, read it carefully several times and then decide what parts you want to change.

6. Domestic violence. Choose the option that best describes your situation relating to legal decision-making (legal custody) and parenting time. If you need more room to explain, you can use extra sheets of paper and attach it to this Petition.

7. Drug / alcohol abuse and convictions within the last 12 months. Choose the option that best describes your situation relating to legal decision-making (legal custody) and parenting time. If you need more room, you can use extra sheets of paper and attach it to this Petition.

8. Why the Decree/Order should be changed: This is where you briefly explain to the judge why you think a change of your existing decree/order is necessary for the best interest of the minor child(ren). If you need more room, you can use extra sheets of paper and attach it to this Petition. If you are asking the judge for a change in child support, attach an updated child support worksheet to this petition, and mark the box indicating the attachment.

9. Requests I make to the Court: This is where you explain to the judge what you want your decree/order to say about legal decision-making, parenting time and/or child support.

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A. Legal decision-making (legal custody), parenting time and child support:

Joint legal decision-making: If you are asking for joint legal decision-making, check this box, and write the names of the minor children in the space provided. If you check this box, complete the Parenting Plan before you go to the judge for your final order. The Parenting Plan is in the (#3) "Orders" packet, when the parties disagree, and in the first (#1) packet if parties agree.

Sole legal decision-making: If you want sole legal decision-making, check the boxes that apply, including the parenting time you are asking for. Tell the court whether you want primary (more than 50% of) physical custody of the minor children to go to you or the other party.

Parenting time: Mark one box only. You can ask that the non-custodial parent (the parent having less than 50% physical custody of the minor children) have one of the following types of parenting time:

1. Reasonable parenting time -- This suggests an amount of parenting time appropriate to the age of the child.

2. Reasonable parenting time by agreement of both parties -- Complete the Parenting Plan before you go to the judge for your final order. The Parenting Plan is in the "Orders" packet.

Refer to "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your new parenting plan. The Guide is available for purchase at all Superior Court Law Library Resource Center locations or may be viewed online and downloaded for free from the state courts' web page.

3. Supervised parenting time to the non-custodial parent. You should request supervised parenting time if the non-custodial parent cannot adequately care for the minor children without another person present. You may request this if the person not having the most time with the child(ren) abuses drugs or alcohol; is violent or abusive; or does not have the parenting skills to care for the minor child(ren) without another adult present. Remember, supervised parenting time is not intended to punish the parent, but to protect the minor child(ren). You must write the reasons why parenting time should be supervised.

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4. No parenting time to the non-custodial parent. You should mark this box only if the non-custodial parent has seriously harmed, abused, or otherwise is a serious danger to the minor children's physical and emotional health, or if there is a criminal court order stating there is to be no contact between the minor children and the non-custodial parent. This is a last resort to protect the minor children.

Note: Even if you do not want to change the child support amount, the judge will still review all the financial information to determine if child support should be changed.

B. Child support: Mark the box to indicate which party will pay child support. Fill in the amount from the completed Child Support Worksheet, or if you are requesting an amount different from the Worksheet amount (a deviation), enter that amount. Check one of the boxes to indicate whether you are requesting the amount calculated on the Worksheet – or to deviate from that amount based on another factor.

You can use the free online Child Support Calculator at the website listed below to complete a child support worksheet.

ezCourtForms: http://www.superiorcourt.maricopa.gov/ezcourtforms2/

You may also be required to present an Affidavit of Financial Information (DROSC13f) especially if requesting to deviate from the amount listed on the Child Support Worksheet and may need to refer to the Arizona Child Support Guidelines (DRS10h) as well. These documents are available at the Superior Court Law Library Resource Center locations or website.

C. Medical, dental, vision care insurance payments and expenses: Mark which party should be responsible for health, medical, dental, and vision care insurance and other related expenses. Then write in what percentage Party A should pay and what percentage Party B should pay of those expenses not covered by insurance. The total percentage must be 100%.

D. Federal income tax deduction. Tell the court whether Party A or Party B should claim the minor children as income tax deductions every year or every other year.

E. Other orders: Fill in this information only if you have made other requests to the court. Write the specific additional orders you are requesting the court to make that were not covered elsewhere in your Petition. Use extra pages if necessary.

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F. Oath or affirmation and verification: This document must be signed in front of a Deputy Clerk of Superior Court or Notarial Officer. By signing the Petition under Oath or Affirmation, you are stating, under penalty of perjury, that the information is true and correct.

After you have completed the Petition:

Parenting Plan: Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your parenting plan. The Guide is available for purchase at all Superior Court Law Library Resource Center locations or may be viewed online and downloaded for free from the State Courts' webpage. After completing the Parenting Plan, file it with your Petition

Education Order (If applicable)

(ONLY required prior to January 1, 2025.) After this date, an Education Order is not required unless otherwise ordered by the Court.

You can find this document on the Law Library Resource Center website on the Family Department page.

Use only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.

- Read each numbered paragraph. Fill in the information requested.
- Do not sign or date the judicial officer section at the end of the document.

When you have completed all forms: Go to the Procedures - How to File Your Petition to Modify Child Custody, Parenting Time and Child Support for what to do after you have completed the Petition to Modify Legal Decision-making, Parenting Time and Child Support.

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Law Library Resource Center

How to complete a Child Support Worksheet

Use the **free** online child support calculator to produce the Child Support Worksheet that must be turned in along with your other court papers.

Using the online calculator is free (access to the Internet and a printer required).

If you do not have access to the Internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing. The online calculator is available at:

ezCourtForms https://www.superiorcourt.maricopa.gov/ezcourtforms2/

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Advantages of Using the Online Child Support Calculator

- The online calculator is free.
- The online calculator does the math for you.
- The online calculator produces a neater, more readable worksheet.
- The online calculator produces a more accurate child support calculation, **and**
- **You don't have to go through 35 pages of Guidelines and Instructions.**

If you want to perform the calculations yourself, you will need an additional 60 or more pages of guidelines, instructions, and the Child Support Worksheet form. These are available for separate purchase from the Law Library Resource Center as part of the "How to Calculate Child Support" packet, or may be downloaded for free from the Law Library Resource Center's web page (https://superiorcourt.maricopa.gov/llrc/family-court-forms/).

When you have completed all needed forms, go to the "Procedures" page and follow the steps.

Procedures: How to file your petition to modify child custody, parenting time and child support

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Step 1. Complete all required paperwork:

- Petition to Modify (the Petition)
- Parenting Plan
- Child Support Worksheet (also known as Parents Worksheet for Child Support) The Child Support Worksheet can be found and completed at http://www.superiorcourt.maricopa.gov/ezcourtforms2/ It is not contained within this packet.
- Affidavit Regarding Minor Children (Only required when the children have resided outside the State of Arizona at some time since the date of the last custody order).

Step 2. Make copies and file the papers with the Clerk of Superior Court: Make three (3) copies of the paperwork you completed: one for you, one for the other party, and one for the Judge. If the State of Arizona (DES/DCSE) is a party, make a 4th copy to serve on the Attorney General's Office.

Each set should contain the following documents:

Originals: (for Clerk of Superior Court) • Petition to Modify • Parenting Plan • Child Support Worksheet • Affidavit Regarding Minor Children (if applicable)	Judge's Copies • Petition to Modify • Parenting Plan • Child Support Worksheet • Affidavit Regarding Minor Children (if applicable)
Your Copy: • Petition to Modify • Parenting Plan • Child Support Worksheet • Affidavit Regarding Minor Children (if applicable)	Other Party's Copy: • Petition to Modify • Parenting Plan • Child Support Worksheet • Affidavit Regarding Minor Children (if applicable)

*Attorney General's copies (only if required – see Step 4 on next page)

- Petition to Modify,
- Parenting Plan
- Child Support Worksheet
- Affidavit Regarding Minor Children (if applicable)
- Order to Appear
- Acceptance of Service (original) and self-addressed stamped envelope (addressed back to you)

* IF one of the parties is using the child support services of the Division of Child Enforcement (DCSE), add one additional copy of the proposed Order and attachments and a stamped envelope addressed to the Attorney General (see Step 4, below for address).

** IF this agreement changes who pays child support include a second CEI for parent who will now pay.

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Step 3. File the original documents with the Clerk of Superior Court at the filing counter. Ask the Clerk to stamp the extra copies and return those to you. These are called "conformed" copies.

Clerk of Superior Court
250 West Second St.
Yuma, Arizona 85364

Fees: A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Step 5. Serve the papers on the other party(ies). The papers may be delivered by the Sheriff's Department, a licensed process server, commercial delivery service or mail by which you can obtain an original or copy of the other party's signature confirming delivery or by Acceptance of Service as described in the "Service" packet available from the Law Library Resource Center or their website.

The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If either party already has a case with the State (DCSE or DES) involving the same children as in this case, notice of this action must also be given to the Attorney General's Office.

Serving papers on the State: (if required). The Office of the Attorney General (the "AG") will accept service by signing an "Acceptance of Service" form and returning the form for you to file with the Court. There are no court fees for serving the State with an Acceptance, as described below:

(a) You may mail or personally deliver to the Office of the "AG" assigned to your case:

- a copy of the Petition to Modify,
- a copy of the Parenting Plan,
- a copy of the Child Support Worksheet, along with an
- Acceptance of Service and
- a self-addressed, stamped envelope (addressed back to you).

A list of addresses for the AG's offices is available from the Law Library Resource Center or their website.

(b) There may also be a "drop-box" in the Clerk of Superior Court's filing counter area at which you may leave the above listed documents and the envelope for the AG. Ask the Clerk at the filing counter, or

(c) You may mail all listed documents and the envelope to:

Office of the Attorney General
Child Support Services Section
1800 E. Palo Verde St.
Yuma, AZ 85364

Note: The State is not considered served until the AG's signed Acceptance of Service is filed with the Court!

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Step 6. At the hearing: Be on time. Dress neatly. Be prepared to tell the Judge about the case, and why the petition should be granted.



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* Staple and group the documents according to the page numbers and document sections. Do not combine or staple all documents together. Each document should be stapled separately and kept in the correct page-number order.

* Please look for the line in the corner of each page. This line indicates where the documents should be separated and stapled.

* If you have any questions or need clarification, please contact the Law Library at 928-817-4165

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ **Self, without a Lawyer** **or** ☐ **Attorney for** ☐ **Petitioner** **OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Petitioner/Party A (in original case)

Case Number: _____

ATLAS Number: _____

_____
Respondent/Party B (in original case)

PETITION TO MODIFY LEGAL DECISION-MAKING (LEGAL CUSTODY), PARENTING TIME and CHILD SUPPORT

I, _____ am ☐ **Party A** or ☐ **Party B**
(print your name) and make the following statements to the court:

GENERAL INFORMATION:

1. Information about Me

Name: _____

Address: _____

How I am related to minor child(ren) for whom the LEGAL DECISION-MAKING (LEGAL CUSTODY) / PARENTING TIME, and/or CHILD SUPPORT order should be changed:

☐ **Party A** OR ☐ **Party B**

2. Information about the Other Party(ies)

Name: _____

Address: _____

How the other party is related to minor child(ren) for whom the LEGAL DECISION-MAKING, PARENTING TIME, and/or CHILD SUPPORT order should be changed:

☐ **Party A** OR ☐ **Party B**

3. Information About the Minor Child(ren) for whom I want the order changed:

Name: _____ **Name:** _____

Birth Date: _____ Age: _____ Birth Date: _____ Age: _____

Name: _____ **Name:** _____

Birth Date: _____ Age: _____ Birth Date: _____ Age: _____

4. Affidavit Regarding Minor Children.

☐ The minor children have resided in Arizona since the entry of the last Arizona legal decision-making, parenting time, and/or child support Order ***OR*** (if not) ☐ I have attached an "Affidavit Regarding Minor Children".

5. Information about the Order I want to change:

The Order was issued on: _____ (Month/Day/Year)

The Order was issued by: _____ (Name of Court)

Located in this County: _____

Located in this State: _____

And each of the following is a true statement:

- ☐ The minor child(ren) have lived in Arizona for at least six (6) months before the date I am filing this Petition or since birth, if younger than six (6) months.
- ☐ If the Order was not issued by the Superior Court of Arizona in this county, the case has already been transferred to this county and has a Yuma County case number.

The order I wish to change is on page _____, section/paragraph _____ of the Order identified above.

What the order now says: (write in the part of the decree/order you want to change; use extra paper if necessary)

_____

_____

_____

_____

6. DOMESTIC VIOLENCE.

(If you are requesting a change to joint legal decision-making, there must not be "significant" domestic violence. A.R.S. § 25-403.03)

☐ No significant domestic violence has occurred **OR** ☐ domestic violence has occurred. Explain:

_____

_____

_____

7. WHY THE DECREE/ORDER SHOULD BE CHANGED: These are my reasons why I believe that a change of legal decision-making, parenting time and/or child support is in the best interest of the child(ren) (Use extra pages if necessary):

_____

_____

_____

☐ A current child support worksheet is attached to this petition.

REQUESTS I MAKE TO THE COURT:

A. PARENTING TIME: Award parenting time as follows:

☐ **Reasonable parenting time** rights as described in the Parenting Plan, **OR**

☐ **Supervised parenting time** between the children and ☐ **Party A** OR ☐ **Party B**, **OR**

☐ **No parenting time** rights to the ☐ **Party A** OR ☐ **Party B**.

Supervised or no parenting time is in the best interests of the child(ren) because:

_____

_____

_____

☐ Explanation continues on attached pages made part of this document by reference.

1. Name this person to supervise: _____

2. Order cost of supervised parenting time (if applicable) to be paid by:

☐ Party A

☐ Party B

☐ Shared equally by the parties

3. Additionally restrict parenting time as follows: (Explain.)

_____

B. LEGAL DECISION-MAKING (legal custody):

Award legal decision-making concerning the child(ren) as follows:

☐ **AWARD SOLE LEGAL DECISION-MAKING (sole legal custody) to:**

☐ **Party A** ☐ **Party B**

OR

☐ **AWARD JOINT LEGAL DECISION MAKING (joint legal custody) to BOTH PARENTS.**

Party A and Party B will agree to act as joint legal decision-makers concerning the minor child(ren) and will submit a Parenting Plan and Joint Legal Decision-Making Agreement signed by the both parties. (For the court to order "joint" legal decision-making, there must have been no "significant" domestic violence according to Arizona law, A.R.S. § 25-403.03).

C. CHILD SUPPORT.

☐ **Party A OR** ☐ **Party B** should pay child support to ☐ **Party A OR** ☐ **Party B** in the amount of $ _____ per month on the first day of every month, beginning the first day of month following the filing of this Petition based upon the attached ***"Child Support Worksheet."*** All child support payments should be made through the Child Support Clearinghouse, and will be subject to an applicable statutory fee through an automatic Income Withholding Order.

D. MEDICAL, DENTAL, VISION CARE

☐ **Party A** should be responsible for providing:

☐ medical ☐ dental ☐ vision care insurance.

☐ **Party B** should be responsible for providing:

☐ medical ☐ dental ☐ vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expenses. **Party A** is ordered to pay _____ %, **AND Party B** is ordered

to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

E. FEDERAL INCOME TAX DEDUCTION.

The right to claim the minor child(ren) as a deduction for Federal income tax purposes should be divided as follows**:** **Person entitled to claim:** "**A**" for **Party A**, "**B**" for **Party B**.

Claim by:		**Name of Child**	**Starting Tax Year:**	
☐ **A**	☐ **B**	_____	☐ Every Year	☐ Every Other
☐ **A**	☐ **B**	_____	☐ Every Year	☐ Every Other
☐ **A**	☐ **B**	_____	☐ Every Year	☐ Every Other
☐ **A**	☐ **B**	_____	☐ Every Year	☐ Every Other

F. OTHER ORDERS. I request further Orders relating to this matter as follows:

_____

_____

_____

_____

G. DECLARATION UNDER PENALTY OF PERJURY

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

_____ _____

Date Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

_____

(Notary seal) Deputy Clerk or Notary Public

For Clerk's Use Only

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

_____
Name of Petitioner

Case Number: _____

ATLAS Number: _____
(if applicable)

_____
Name of Respondent

AFFIDAVIT REGARDING MINOR CHILDREN

NOTICE: This *"Affidavit Regarding Minor Children"* is required for all legal decision making (custody) cases. If you are asking to modify an existing Arizona legal decision making (custody) order, it is only required if the children have lived outside the state at some time in the last 5 years.

Fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD. The following child(ren) are under age 18 and were born to, or adopted by, me and the other party.

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS (or since birth, if younger than 5).

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE LEGAL DECISION MAKING (CUSTODY) AND/OR PARENTING TIME OF THE MINOR CHILD(REN). (Check one box.)

☐ I have or ☐ I have **not** been a party/witness in court in this state or in any other state that involved the legal decision making (custody) and/or parenting time of the child(ren) named above. (If so, explain on separate paper. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION-MAKING AUTHORITY (CUSTODY) OF THE MINOR CHILD(REN).

(Check one box.)

☐ I do have or ☐ I do not have information about a legal decision making (custody) court case

relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

5. LEGAL DECISION-MAKING (CUSTODY) OR PARENTING TIME CLAIMS OF ANY PERSON. (Check one box.)

☐ I do know or ☐ I do not know a person other than the Petitioner or the Respondent who has physical custody or who claims legal decision-making (custody) or parenting time rights to any of the children named in this Affidavit. (If so, explain below. If not, go on.)

Name of each child:_____

Name of person with the claim: _____

Address of person with the claim:_____

Nature of the claim:_____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

_____ _____

Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by

(date)

_____.

_____

(notary seal) Deputy Clerk or Notary Public

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner ☐ or Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case No. _____

_____
Petitioner/Party A

PARENTING PLAN FOR

☐ JOINT LEGAL DECISION-MAKING

_____
Respondent/Party B

OR

☐ SOLE LEGAL DECISION-MAKING

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-making and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-making Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. If only one parent is submitting the Plan: that parent must sign at the end of PART 2 and 3, and the Affidavit under Section 5.

b. If both parents agree to legal decision-making and parenting time arrangements but not to joint legal decision-making: Both parents must sign the Plan at the end of PART 2 and 3, and the Affidavits under Section 5.

c. If both parents agree to joint legal decision-making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PARTS 2, 3, and 4, and the Affidavits under Section 5.

PART 1: GENERAL INFORMATION:

A. MINOR CHILDREN. This Plan concerns the following minor children:
(Use additional paper if necessary)

_____ _____

_____ _____

_____ _____

B. THE FOLLOWING LEGAL DECISION-MAKING ARRANGEMENT IS REQUESTED:
(Choose ONE of 1, 2, 3, 4.)

☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

The parents agree that sole legal decision-making authority should be granted to ☐ Party A ☐ Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

☐ 2. SOLE LEGAL DECISION-MAKING REQUESTED BY THE PARENT SUBMITTING THIS PLAN. The parents cannot agree to the terms of legal decision-making and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

OR

☐ 3. JOINT LEGAL DECISION-MAKING BY AGREEMENT. The parents agree to joint legal decision-making and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

☐ 4. JOINT LEGAL DECISION-MAKING AUTHORITY REQUESTED BY THE PARENT SUBMITTING THIS PLAN.

The parents cannot agree to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

PART 2: PARENTING TIME. Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

☐ The minor children will be in the care of Party A as follows: (Explain).

_____

_____

☐ The minor children will be in the care of Party B as follows: (Explain).

_____

_____

☐ Other parenting time arrangements are as follows: (Explain).

_____

_____

☐ Transportation will be provided as follows:

☐ Party A or ☐ Party B will pick the minor children up at _____ o'clock.

☐ Party A or ☐ Party B will drop the minor children off at _____ o'clock.

Parenting-time exchanges will occur at the following exchange location :

_____

_____

_____

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

_____

☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. OR,

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain)

_____

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B:(Explain)

_____

☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

☐ Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

Holiday	Even Years		Odd Years	
New Year's Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
New Year's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Spring Vacation	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Easter	☐ Party A	☐ Party B	☐ Party A	☐ Party B
4th of July	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Halloween	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Veteran's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Thanksgiving	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Hanukkah	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Winter Break	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Child's Birthday	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Mother's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Father's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B

☐ Each parent may have the children on his or her birthday.

☐ Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

☐ Other Holidays (Describe the other holidays and the arrangement):

_____

☐ Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain)

_____

☐ Other (Explain):

_____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records.

- A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request.
- A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. MEDICAL AND DENTAL ARRANGEMENTS:

☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:

_____

OR

☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting the other parent.

G. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.

☐ Both parents agree that the minor children may be instructed in the faith.

☐ Both parents agree that religious arrangements are not applicable to this plan.

H. ADDITIONAL ARRANGEMENTS AND COMMENTS:

☐ NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within _____ days of the change.

☐ NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.

☐ TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

☐ ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

☐ OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the Yuma metropolitan area without prior written consent of the other parent, or a court-ordered Parenting Plan. A.R.S. 25-408 (B)

☐ COMMUNICATE. Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.

☐ METHOD OF COMMUNICATION. Each parent agrees to use the following means of communication:

_____

☐ FREQUENCY OF COMMUNICATION. Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be

_____

and will be by the following methods: ☐ Phone ☐ Email ☐ Other

☐ PRAISE OTHER PARENT. Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.

☐ COOPERATE AND WORK TOGETHER. Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

☐ NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME. If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

☐ PARENTING PLAN. Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.

☐ MEDIATION. If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: Do not deviate from Parenting Plan until dispute is resolved.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets to enforce a court order.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice (by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided) to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

(a) Second degree murder.
(b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
(c) Sexual assault.
(d) Molestation of a child.
(e) Sexual conduct with a minor.
(f) Commercial sexual exploitation of a minor.
(g) Sexual exploitation of a minor.
(h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
(i) Kidnapping.
(j) Sexual abuse.
(k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
(l) Child prostitution as prescribed in section 13-3212.
(m) Involving or using minors in drug offenses.
(n) Continuous sexual abuse of a child.
(o) Attempted first degree murder.
(p) Sex trafficking.
(q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
(r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
(s) Luring a minor for sexual exploitation.
(t) Aggravated luring a minor for sexual exploitation.
(u) Unlawful age misrepresentation.

Case No. _____

PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 4: JOINT LEGAL DECISION-MAKING AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority shall NOT be awarded if there either has been "significant domestic violence" pursuant to A.R.S. § 13-3601 OR "a significant history of domestic violence."

☐ Domestic Violence has not occurred between the parties, OR

☐ Domestic Violence has occurred between the parties, but one of the following applies: (1) it has not been "significant domestic violence"; (2) there has not been a "significant history of domestic violence, (3) and/or domestic violence has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

☐ Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR

☐ One of the parties HAS been convicted of driving under the influence or a drug offense within the past 12 months, but the parties feel Joint Legal Decision-making is in the best interest of the children.*

* IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:

Explain below why Joint Legal Decision-making is still in the best interest of the children.

_____

_____

_____

_____

_____

C. JOINT LEGAL DECISION-MAKING AGREEMENT: If the parents have agreed to joint legal decision-making, the following will apply, subject to approval by the Judge:

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.

2. CRITERIA. Our joint legal decision-making agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:

   a. The best interests of the minor children are served;
   b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
   c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
   d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
   e. The Plan includes a procedure for periodic review;
   f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
   g. A procedure for communicating with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

This signature page belongs to the form titled "Parenting Plan" and cannot be used with any other documents.

PART 5: AFFIDAVITS

I declare under penalty of perjury the foregoing is true and correct.

_____ _____

Petitioner's/Party A's Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____
(Date)

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

_____ _____

Respondent's/Party B's Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____
(Date)

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

For Clerk's Use Only

CURRENT EMPLOYER* INFORMATION

You may also fill out this form online at the Family Support Center Website.

THIS FORM MUST BE COMPLETED FOR:

☐ **AN INCOME WITHHOLDING ORDER**
☐ **ORDER TO STOP AN INCOME WITHHOLDING ORDER**
☐ **NOTIFICATION OF A CHANGE OF EMPLOYER (*or OTHER PAYOR)***

CASE NUMBER:_____ **ATLAS NUMBER:**_____

NAME OF PERSON ORDERED TO MAKE PAYMENTS:

LIST THE NAME OF THE EMPLOYER* AND THE ADDRESS OF THE PAYROLL OR FINANCIAL DEPARTMENT (for the person named above) **WHERE THE INCOME WITHHOLDING ORDER OR STOP ORDER SHOULD BE MAILED.**

EMPLOYER* NAME:_____

PAYROLL ADDRESS: _____

CITY:_____ **STATE:**_____ **ZIP:**_____

EMPLOYER* TELEPHONE: _____

EMPLOYER* FAX: _____

or other payor or source of funds

FOR COURT USE ONLY. DO NOT WRITE BELOW THIS LINE.

WA/FSC

WA/LOG ID: _____
TYPE OF W/A _____
DATE _____
AMOUNT OF ORDER _____
EMPLOYER STATUS _____
ENTERED BY _____
NEW W/A _____ SUB _____
AG _____ DCSE _____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

(1) _____
Petitioner in Original Case

(2) _____
Respondent in Original Case

(3) Case No. _____

(4) ATLAS No. _____

ORDER STOPPING INCOME WITHHOLDING ORDER (AND ALL YUMA COUNTY SUPPORT ORDERS)
A.R.S. § 25-504

To the employer(s) or other payor(s) of:

(5) Name of Employee: _____

DO NOT WRITE BELOW THIS LINE. COURT PERSONNEL WILL COMPLETE THE FORM.

IT IS ORDERED stopping the *Income Withholding Order* dated (6)___, with the same case number as in (3) above. The employer(s) or other payor(s) is/are ordered to stop withholding monies pursuant to the *Income Withholding Order* immediately upon receipt of this Order.

IT IS FURTHER ORDERED terminating all Yuma County child support and/or spousal maintenance orders in this case number and declaring all child support and/or spousal maintenance orders fully paid and satisfied, including all past due support, arrearage judgments and interest.

IT IS FURTHER ORDERED that the Support Payment Clearinghouse shall release any monies currently in its possession and future monies received to the person ordered to pay, less any fees owed to the Clearinghouse.

Dated: _____ _____
Judicial Officer

FOR CLERK'S USE ONLY

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
YUMA COUNTY

_____
Name of Petitioner

Case No._____

ORDER TO APPEAR

_____
Name of Respondent

Read Me: This is an important Court Order that affects your rights. Read this Order carefully. If you do not understand this Order, contact a lawyer for help.

Based on the_____, the documents filed with it, and pursuant to Arizona Law,

IT IS ORDERED THAT YOU _____ (name) appear at the time and place stated below so the court can determine whether the relief asked for in the Motion/Petition should be granted.

NAME OF JUDICIAL OFFICER: _____

DATE AND TIME OF HEARING: _____

PLACE OF HEARING: Yuma County Superior Court

ADDRESS: _____

_____

IT IS FURTHER ORDERED that a true copy of this "Order to Appear" and a true copy of the Motion/Petition and documents filed with the Motion/Petition shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with Arizona Rules of Family Law Procedure, Rules 40-43, 47.

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by the party needing accommodation or his/her counsel at least three (3) judicial days in advance of a

scheduled proceeding.

Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

DONE IN OPEN COURT: _____.

_____
Judge/Commissioner of the Superior Court

Read Me: This is a 15-minute proceeding with the court. The court will determine if more time is needed. All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.