

PETITION TO MODIFY PARENTING TIME and CHILD SUPPORT

3

When Parties Do Not Agree

Part 3: The Court Order

(Forms and Instructions)

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ORDER TO CHANGE PARENTING TIME and CHILD SUPPORT

CHECKLIST

You may use these forms and instructions if . . .

- ✓ You or the other party filed court papers to change parenting time and child support, AND
- ✓ The court papers have been served on the other party, AND
- ✓ The court hearing is set and you want to get the paperwork for the court hearing for the Judge to sign.

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 Law Library Resource Center website.

Modification of parenting time and child support

Part 3 – The court order

This packet contains court forms and instructions to file for a modification of 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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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

Instructions: How to complete court papers to modify parenting time and child support

- Step 1: Complete the forms in this packet before you go to your court hearing.
- Have in front of you a copy of the Parenting Plan, Order, and Child Support Order. You will need to look at these documents to complete the paperwork and to answer the Judge's questions at the hearing.
- Step 2: Complete the Order Modifying Parenting Time and Support.
- If your court order was originally from another county, make sure you use the new case number the Yuma County Clerk of Superior Court assigned you.
 - Leave the rest of the Order blank for the Judge to fill in.
- Step 3: Complete the other necessary documents to change parenting time and child support.
- Parenting Plan. See the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" booklet for help. The Guide is available for purchase at all Law Library Resource Center locations or may be viewed online and downloaded for free from the state courts' web page.
 - Hints to help you complete the Parenting Plan.
 1. State your parenting time arrangements as clearly as possible. For example, "Alternating weekends from after work on Friday, at 6:00 p.m. until Sunday at 6:00 p.m."
 2. Avoid vague or unclear statements such as "will share, will divide, or will decide later." These statements may result in future disputes related to different interpretations. Although flexibility and mutual agreement is encouraged, the document must be specific to be legally enforceable.
 - 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.

- Child Support Worksheet

You can use the free Online Child Support Calculator at the website listed below to complete a Child Support Worksheet, Child Support Order, and Current Employer Information Sheet.

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

To complete the Child Support Worksheet, Child Support Order, and Current Employer Information sheet you will need to know:

- Your case number.
- Your monthly gross income and that of the other parent.
- The monthly cost of medical insurance for the minor children who are the subject of this action.
- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/ support

After completing the Child Support calculator, print out the Child Support Worksheet, Child Support Order, and Current Employer Information Sheet and include them with your Judgment.

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PARENTING PLAN INFORMATION

A.R.S. § 25-401 defines legal decision-making and parenting time as follows:

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.
2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

PARENTS PLEASE NOTE: Per A.R.S. § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.
4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

Drafting a Parenting Plan:

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

In order for the Court to approve a parenting plan, A.R.S. § 25-403.02 requires the Court to make the following findings:

- a. The best interests of the minor child(ren) are served;
- b. The plan designates legal decision-making as joint or sole;
- c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
- d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;

- e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;
- f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
- g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
- h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
- i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the Court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?
2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.
3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.
4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?
5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?
6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?
7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?
8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?
9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

Procedures: How to get your order to modify signed by the judge

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions:

<https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>.

Step 1: Complete the following forms online via ezCourtForms:

<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>

- Child Support Worksheet
- Child Support Order
- Current Employer Information Sheet

Print out 1 copy of the completed Child Support Worksheet, Child Support Order and Current Employer Information Sheet.

If applicable (required prior to January 1, 2025): Education Order (Choose 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.)

Step 2: Make two (2) copies of the following documents*: (Make additional copy if the Arizona Division of Child Support Services (DCSS) is involved in your case.)

- Order Modifying Parenting Time and Child Support
- Parenting Plan
- Child Support Worksheet (if applicable)
- Child Support Order (if applicable)
- Order Stopping Income Withholding Order (if applicable)
- Current Employer Information Sheet (if applicable)
- Education Order (if applicable)

Step 3: Separate your documents three (3) sets:

Set 1: Originals for the Judge • Order Modifying Parenting Time and Child Support • Parenting Plan • Child Support Worksheet (if applicable) • Child Support Order (if applicable) • Order Stopping Income Withholding Order (if applicable) • Current Employer Information Sheet (for current payor) (if applicable) • Current Employer Information Sheet (for new payor) (if applicable) • Education Order (if applicable)	Set 2: Copies for you • Order Modifying Parenting Time and Child Support • Parenting Plan • Child Support Worksheet (if applicable) • Child Support Order (if applicable) • Order Stopping Income Withholding Order (if applicable) • Education Order (if applicable)
Set 3: Copies for other party • Order Modifying Parenting Time and Child Support • Parenting Plan • Child Support Worksheet (if applicable) • Child Support Order (if applicable) • Order Stopping Income Withholding Order (if applicable) • Education Order (if applicable)	

Step 4: Take the documents to your court hearing or to your trial for the Judge to review and sign if they approve them.

INSTRUCTIONS FOR COMPLETING AN “ORDER STOPPING AN INCOME WITHHOLDING ORDER”

DEFINITIONS:

"Obligor" "Payor" is the person ordered to make support payments.

"Obligee" "Payee" is the person or agency entitled to receive support.

COMPLETE THIS FORM IF:

You completed a “*Request to Stop Income Withholding Order*” and marked a box in Section A of Item 8 on the Request form.

TO COMPLETE THIS FORM YOU WILL NEED:

Information from, or your copy of, the “*Income Withholding Order*.”

FOLLOW THESE INSTRUCTIONS NUMBERED TO MATCH THE IDENTIFYING NUMBERS ON THE FORM. TYPE OR PRINT NEATLY USING BLACK INK.

- (1) Fill in the name of the person shown as the petitioner on the “*Income Withholding Order*.”
- (2) Fill in the name of the person shown as the respondent on the “*Income Withholding Order*.”
- (3) Fill in the case number that appears on the “*Income Withholding Order*.”
- (4) Fill in the Atlas Number on the “*Income Withholding Order*.”
- (5) Fill in the name of the person/employee obligated to make payments on the “**Income Withholding Order**.”
- (6) Fill in the date the “*Income Withholding Order*” was signed (Item 10 on the Order).

Leave the rest of the form blank. The judicial officer (judge, commissioner, or referee) will complete the remaining items at the time of hearing.



* 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: _____

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

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case No. _____

Name of Petitioner/Party A (in original case)

ORDER MODIFYING

☐ PARENTING TIME or

☐ PARENTING TIME AND
CHILD SUPPORT

Name of Respondent/Party B (in original case)

THE COURT FINDS:

1. This case has come before this court on a Petition to Modify Parenting Time or Parenting Time and Child Support. The court has taken all testimony needed to enter a final Order.
2. This court has jurisdiction to change parenting time and/or support and has jurisdiction over the parties under the law. Where it has the legal power to do so and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to parenting time and/or support.

3. This Order applies to the following minor children:

Name(s)	Dates of Birth/Age (Month/Day/Year)
_____	_____
_____	_____
_____	_____
_____	_____

4. Grounds for changing Parenting time or Parenting time and Support. (Check one box and describe why the change is in the best interest of the minor child(ren).)

- ☐ There have been substantial, significant and continuing changes in circumstances that make a change in parenting time and/or child support in the best interest of the minor child(ren) for the reasons described below: Or
- ☐ One party has not followed the Order and a change in parenting time and/or child support is in the best interest of the minor child(ren) for the reasons described below. Or
- ☐ There has been domestic violence, spousal abuse, or child abuse as described below since the date of the earlier Order, and it is in the best interest of the minor child(ren) that the change is made for the reasons described below: (Include a description of the domestic violence.) Or
- ☐ It is in the best interest of the minor child(ren) that no change to parenting time and/or support is made at this time for the reasons described below.

Reasons: (Describe why a change in parenting time and/or support is or is not in the best interest of the minor child(ren).)

5. Supervised or No Parenting Time (or “visitation,” if to non-parent): (if applicable) Supervised parenting time between the minor child(ren) and ☐ Party A or ☐ Party B or ☐ Other, or no parenting time by ☐ Party A or ☐ Party B or ☐ Other is in the best interests of the minor child(ren) for the following reasons:

THE COURT ORDERS:

The Order regarding parenting time and/or support dated _____ is changed as follows:

A. Parenting Time:

1. ☐ Reasonable parenting time to the parent who does not have legal custody according to the Yuma County Parenting Time Guidelines.

OR

2. ☐ Reasonable parenting time to the parent who does not have legal custody according to the Parenting Plan attached.

OR

3. ☐ Supervised parenting time but only in the presence of another person, who is named below or otherwise approved by the Court:

Name of Supervisor: _____

The cost of supervised parenting time shall be paid by the:

☐ Party A, OR ☐ Party B, OR

☐ Shared equally by the parties, or as follows: _____

The Court Further Orders these restrictions on parenting time (if applicable):

OR

Case Number: _____

4. ☐ No parenting time rights to ☐ Party A or ☐ Party B or ☐ Other:

5. ☐ Other parenting time (or “visitation,” if to non-parent) (explain):

B. Child Support:

☐ The Child Support Order, _____, is attached hereto and incorporated by reference. (date of order)

☐ Party A or ☐ Party B shall pay child support to the other party in the amount of \$_____ per month PAYABLE THE FIRST DAY OF THE MONTH after the date this Decree is signed by the judge until further order of the Court.

C. Other orders. This court makes further Orders relating to this matter as follows:

If the Arizona Division of Child Support Services (DCSS) is involved in your case, a representative of the Attorney General’s Office must approve the child support amount and sign below.

Signature of DCSS Representative

Date

D. FINAL APPEALABLE ORDER. There are no further matters that remain pending before the court and this judgment is a final order under Rule 78(c) of the Arizona Rules of Family Law Procedure.

Done in open court:(Date)_____

Judge or Court Commissioner

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.

<u>Holiday</u>	<u>Even Years</u>		<u>Odd Years</u>	
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: _____

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.

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: _____

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

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

Name of Petitioner/Party A
(in original case)

Case No. _____

ATLAS No.: _____

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

Name of Respondent/Party B
(in original case)

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

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 the 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 interested.

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

FINAL APPEALABLE ORDER. There are no further matters that remain pending before the court and this judgment is a final order under Rule 78(c) of the Arizona Rules of Family Law Procedure.

Dated: _____

Judicial Officer