AGREEMENT TO MODIFY PARENTING TIME OR PARENTING TIME and CHILD SUPPORT

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1

WHEN ALL PARTIES WILL SIGN AGREEMENT TO MODIFY

(Forms and Instructions)

072825

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AGREEMENT TO MODIFY PARENTING TIME *or* PARENTING TIME and CHILD SUPPORT

CHECKLIST

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You may use this packet only if . . .

- ✓ You have a current ***"Parenting Time or Parenting Time and Support Order"*** that was entered in Yuma County,
- ✓ You wish to modify the ***Order***,
- ✓ **ALL parties AGREE** to modify the ***Order***,
- ✓ **You have the notarized signatures of all parties** on the ***Agreement, AND***
- ✓ If either party is using the child support collection or enforcement services of the State, **you also have the signature of the Attorney General's representative** (from DCSE, the Division of Child Support Enforcement).
- ✓ You understand these forms do not deal with back child support (arrears).

DO NOT USE THESE FORMS IF . . .

- **X** The other party will not sign the agreement (in front of a notary or Court Clerk).
- **X** You want to change CUSTODY.*

***** If you want to change from joint to sole custody or vice-versa, see the checklist for either the "Agreement" or the "Request" to Change Custody, Support and Parenting Time to determine whether either applies to your situation.

FEE WARNING: An Agreement (or "stipulation") is a filing by BOTH parties. If one of the parties has not previously "made an appearance", that is he and/or she have not previously filed a response or other papers and paid a filing fee in this case, there will be a substantial ***appearance fee*** due from that party ***in addition to*** the filing fee for the modification itself.

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.

Agreement to change a court order for parenting time or parenting time and child support

Table of Contents

This packet contains court forms and instructions for an agreement to change a court order for parenting time or 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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Order	Title	# pages
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Use the FREE Online Child Support Calculator to produce the Child Support Worksheet that must accompany this petition.		
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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 file your agreement to modify Parenting Time (visitation) or Parenting Time and Child Support

Step 1: Determine whether this court has the authority to hear your case. Either party or the minor children must live in Yuma County to file for modification in this county:

A. If the Court Order you want to change is from Yuma County, Arizona:

- You will need a copy of the Order to fill out the paperwork. Use your copy of the Order, or get a copy of the Order from court records.

B. If the Court Order you want to change is from another county in Arizona:

- Get a certified copy of the Order you want to change from the other county, AND
- Bring the certified copy with you when you come to the Clerk of Superior Court to file your court papers, AND
- Give the certified copy of the Order to the Clerk of Superior Court before filing any additional paperwork, AND
- The Clerk of Superior Court will file the Order and assign a case number to your new case.

C. If the Court Order you want to change is from a state OTHER THAN Arizona:

- Talk to a lawyer who can tell you what requirements are necessary for you to file for modification in Arizona.

Step 2: Decide whether you need to change parenting time and child support or just parenting time. In making your decision, you should know that the number of parenting time days the non-custodial parent has may affect the amount of child support he/she must pay.

- You will need to complete a new Child Support Worksheet based on the proposed new parenting time schedule.
- The Worksheet will indicate whether child support would change, based on the Arizona Child Support Guidelines.
- If the Worksheet does not show there would be a change under the Guidelines and the parties have not agreed to a change in child support, there is no need to complete the Current Employer Information sheet (CEI) or the Order Stopping Income Withholding Order which are included in the separate "Forms" packet, unless requested by the Court.

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Step 3: Complete the forms in this packet IF both parties agree to ask the Court to modify or change an existing Court Order for parenting time or parenting time and child support.

- Have in front of you a copy of the current parenting plan (if you have one), Parenting Time Order, the Child Support Order, and any Income Withholding Order. You will need to look at these documents to complete all the paperwork now.
- Refer to "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your new parenting plan. See Step 6 on next page for more information.
- Complete a Child Support Worksheet. Note that you are free to agree to an amount that differs from the amount indicated by the Worksheet, subject to approval of the Court, which is required to act "in the best interests of the children."

  Use the *FREE* online child support calculator create the Child Support Worksheet available at:

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

  See the document, in this packet for more information.

Step 4: Complete the Stipulation (Agreement) to Modify the Prior Court Order Regarding Parenting Time or Parenting Time and Child Support.

- In the top left corner of the first page, write in all information requested about the Petitioner/Party A and the Respondent/Party B. Both parties stay "Petitioner/Party A" or "Respondent/Party B" as on the court order you are agreeing to modify. If the court order you want to modify was issued outside Yuma County and this is the first time you have filed to modify that order in Yuma County, write in the names of the Petitioner/Party A and the Respondent/Party B as listed on the papers given to you by the Clerk of Superior Court when you registered or transferred the case to this county. Write in your Yuma County case number.
- Check the box to say whether you want to change parenting time or parenting time and child support.
- Read paragraph 1 (one). Make sure this statement is true.
- Read paragraph 2 (two). Write in the date the Judge signed the Order you want to change, and then write in the name of the Judge who signed the Order you want to change. Follow the instructions in paragraph two about attaching a copy of the Order.

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- Read paragraph 3 (three). Make sure this statement is true.
- ALL Parties Must Sign this Agreement. That means:
  1. BOTH parents must sign in front of the Clerk of Superior Court at the Filing Counter or a Notary, and
  2. If the State of Arizona (DES/DCSE) is involved in your case, a representative of the Arizona Attorney General's office, DCSE, must ALSO sign before you turn in the papers.

Step 5: Complete the Order Modifying Parenting Time and/or Child Support.

- Write in all information requested about the Party A and the Party B, the case number, etc. as on the Agreement to Modify.
- THE COURT FINDS: Paragraph 3 (three). Write in the name(s) of the minor child(ren), their birth date(s) and their age(s).
- THE COURT ORDERS:

  Paragraph 1: Write in the date the court order you want to change was signed by the Judge.

Paragraph A: Parenting Time. Make sure you and the other party fill out, sign and attach a Parenting Plan.

Paragraph B: Child Support. If you are asking to have child support changed, check the box in front of "Child Support." Then check the box to say whether mother or father will pay child support, and then write in the amount of child support that person will pay each month. If you both agree the amount of child support should be different ("deviate") from the amount indicated by the Child Support Worksheet, write in WHY in the space provided. You will also need to complete and submit a child support worksheet when deviating.

Paragraph C: Medical, Dental, Vision Care Insurance, Payments and Expenses.

If you are asking for a change in which parent provides insurance, check the box to indicate whether mother or father will provide medical, dental, and/or vision care insurance. Then write in what percentage each parent will pay of the uninsured expenses.

Paragraph D: Tax Deductions. If you are asking for a change in which parent gets to claim the federal income tax deduction for one or more of the children, fill in the information necessary to indicate the desired change here.

Paragraph E: Other Orders. If there are other matters you both agree on that you want the Court to make an order in your case, write these in the space provided.

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Judge/Commissioner's Signature and Court Date: Leave this space blank.

- You and the other party must sign the Order in front of a Clerk of Superior Courtor a Notary Public. If either party is represented by an attorney, the attorney must sign as well. If the State of Arizona is involved in your case because of child support issues, a representative of the Attorney General (DCSE) must also sign (both the Agreement and the Order).

Step 6: Complete the other necessary documents:

- Parenting Plan.

Apart" to help make your new parenting plan. The Guide
purchase at the Law Library Resource Center locations, or may be viewed online and downloaded for free from the state courts' web page at: https://www.azcourts.gov/selfservicecenter/Booklets.aspx

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.

- Child Support Worksheet. Use the FREE online child support calculator to produce the Child Support Worksheet that must accompany this Agreement. See the instruction document DRS12h in this packet for more information.

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Other forms you may need

Current Employer Information Sheet (CEI) (may include sources of money other than employer)

Complete a CEI for the parent who is paying child support under the current court order. If this agreement changes which parent pays child support, include a CEI for both parents.

Order Stopping Income Withholding Order

IF the agreement results in the parent who is currently paying no longer having to pay, include an Order Stopping Income Withholding Order to be sent to that parent's employer.

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 needed forms, go to the "Procedures" page and follow the steps listed there.

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INSTRUCTIONS FOR COMPLETING AN *"ORDER STOPPING AN INCOME WITHHOLDING ORDER"*

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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.

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: What to do after you have completed the forms to modify parenting time or parenting time and child support by agreement

Step 1: Copies.

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 at: https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

Make 3 copies of the following documents: (Make additional copy if the Arizona Division of Child Support Services (DCSS) is involved in your case.)

- Agreement to Modify Parenting Time or Parenting Time and Child Support= ("Agreement to Modify")
- Order Modifying Parenting Time or Parenting Time and Child Support ("Order= Modifying")
- Parenting Plan
- 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.)
- Child Support Worksheet
- Child Support Order
- Current Employer Information Sheet (if applicable)
- Order Stopping Income Withholding Order (if applicable)

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Step 2: Separate your documents into 4 sets (5, if DCSS is involved):

Set 1: To file with Clerk of Superior Court	Set 2: For the Judge
• COPY Agreement to Modify • COPY Order Modifying • COPY Parenting Plan • COPY Education Order (if applicable) • COPY Child Support Worksheet • COPY Child Support Order • COPY Current Employer Information Sheet • COPY Order Stopping Income Withholding Order (if applicable)* • COPY Current Employer Information Sheet (if applicable)**	• ORIGINAL Agreement to Modify • ORIGINAL Order Modifying • ORIGINAL Parenting Plan • ORIGINAL Education Order (if applicable) • ORIGINAL Child Support Worksheet • ORIGINAL Child Support Order • ORIGINAL Current Employer Information Sheet • ORIGINAL Order Stopping Income Withholding Order (if applicable)* • ORIGINAL Current Employer Information Sheet (if applicable) ** You must also provide 2 (two) 9" x 12" business envelopes, one stamped and addressed to each party.
Set 3: COPIES for You	**Set 4: COPIES for the Other Party**
• Clerk-stamped copy of Agreement to Modify • Order Modifying • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet • Order Stopping Income Withholding Order (if applicable)* • Current Employer Information Sheet (if applicable) **	• Clerk-stamped copy of Agreement to Modify • Order Modifying • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet • Order Stopping Income Withholding Order (if applicable)* • Current Employer Information Sheet (if applicable) **

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* IF the agreement results in the parent who is currently paying no longer having to pay, include an Order Stopping Order of Assignment to be sent to that parent's employer.

** IF the Agreement changes which parent pays child support, include a Current Employer Information sheet for that parent, the one who will now pay child support, also.

Step 3: Go to the Clerk of Superior Court's filing counter.

Present the originals and all sets of copies to the Clerk at the filing counter. The Clerk will keep the originals, stamp the copies to show that these are copies of papers filed with the Court, and return the stamped copies to you. These stamped sets of copies are now called "conformed" copies.

You may file your papers from 8am to 5pm, Monday through Friday, at any of the following Superior Court locations:

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

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Fees: There are filing fees and service fees for all court actions such as filing petitions, forms, responses, requests, motions, objections, etc.). A list of current fees is available from the Law Library Resource Center and on the Clerk of Superior Court's website.

An Agreement (or "Stipulation") is a filing by BOTH parties. There will also be a substantial "appearance fee" due from the Respondent, if he or she has not previously "made an appearance," that is filed a response or other papers and paid a filing fee in this case.

If you cannot afford the filing fee, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Step 4: Make sure you get back the following from the Clerk.

All Sets of copies with the Clerk's stamp on them (which shows they are "conformed" copies – meaning they are duplicates of papers filed with the Court), then:

- Take the original and 2 copies of the documents to the information desk with the 2 self-addressed, stamped envelopes (from Step 2).

What the Court may do:

- Grant the relief you requested;
- Schedule a hearing for you and the other party if the Judge needs additional information;
- Return your paperwork because you did not show good reason for the change requested or the paperwork was incomplete; OR
- Enter other orders the Judge thinks proper.

Step 5: Wait for the Court to let you know whether the Order was signed, or the matter was set for a hearing. If a hearing is scheduled, you will receive written notice of when and where to appear (date, time, and location).

If you do not hear from the Court within 3 weeks, you may call the office of the Judge assigned to your case to ask about the status of your paperwork. Note that you will not be able to speak to the Judge or Commissioner and court staff cannot tell you what was decided.

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REMINDER! Did you provide 2 self-addressed, stamped envelopes as described in Steps 2 and 4, above.



* 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

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 (in original case)

Case Number:_____ (C)

STIPULATION TO MODIFY THE PRIOR COURT ORDER REGARDING PARENTING TIME or PARENTING TIME AND CHILD SUPPORT

_____
Name of Respondent (in original case)

Petitioner and Respondent agree as follows:

1. Aree and understand: I have read this Stipulation and Order to Change Prior Parenting time and/or Support Order. I understand and agree with what is written in the Stipulation and Order which is attached. Parenting Time and Child Support, if necessary, shall be ordered in accordance with the attached Order which has been approved and signed by both parties. (D)

2. Information about the Order we want to change:
   The Order issued on: _____(Month/Day/Year)
   The Order issued by: _____(Name of Court) Located in this County: _____
   Located in this State: _____
   If the Superior Court of Arizona in Yuma County did not issue the order, we have attached a copy of the order to the original and all copies of this Stipulation. If the Superior Court of Arizona in Yuma County issued the order, we have attached a copy of the order to the copy of the papers for the Judge. We have not attached a copy to the original Stipulation. (E)

3. Parenting Time and Child Support. The agreement regarding parenting time and child support is in the best interest of the minor child(ren). (F)

SIGNATURE BY PETITIONER AND RESPONDENT: Everything stated by me/us in this Stipulation is true and correct to the best of my/our knowledge, information, and belief. (G)

Petitioner/Party A:	Respondent/Party B:
Date: _____	Date: _____
Signature: _____	Signature: _____
STATE OF _____	STATE OF _____
Subscribed and sworn to or affirmed	Subscribed and sworn to or affirmed
before me this: _____ (date)	before me this: _____(date)
by _____.	by _____.
_____	_____
Notarial Officer	Notarial Officer

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

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

_____ Case No. _____

Name of Petitioner/Party A (in original case)

ORDER MODIFYING
☐ PARENTING TIME
☐ PARENTING TIME AND CHILD SUPPORT

_____

Name of Respondent/Party B (in original case)

THE COURT FINDS:

1. This case has come before this Court for a final Order based upon the Agreement of the Parties.
2. This Court has jurisdiction to change parenting time and/or support and has jurisdiction over the parties. 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 children:

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

4. Grounds for changing Parenting time and/or Child support. Based upon the stipulation (agreement) of the parties, it is in the best interest of the minor child(ren) to change parenting time and/or child support at this time.

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 is not the primary residential parent

   (Or)

2. ☐ Reasonable parenting time to the parent who is not the primary residential parent according to the Parenting Plan attached.

   (Or)

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

   Name of person to supervise (if applicable):_____

   The cost of supervised parenting time shall be paid by:

   ☐ Party A or ☐ Party B or ☐ shared equally by the parties, or as follows:

   _____

   _____

   Restrictions on parenting time:_____

   _____

   _____

   (Or)

3. ☐ No parenting time rights to ☐ Party A or ☐ Party B due to:

_____

_____

_____

4. ☐ Other parenting time: (explain)

_____

_____

B. Child Support.

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

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

_____

_____

_____

_____

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:_____ _____

Judge or Court Commissioner

ORDER Modifying Parenting time or Parenting time and Child support based upon Stipulation (agreement) of the parties.

Do not write or sign below this line until you are instructed to do so by Clerk of Superior Court or Notary.

Case No. _____

This signature page belongs to the form titled "ORDER MODIFYING ☐ PARENTING TIME ☐ PARENTING TIME AND CHILD SUPPORT" and cannot be used with any other documents.

Oath or Affirmation of the Parties

By signing this document, I swear or affirm that I: have read and understand the terms of this Order; have entered this agreement of my own free will and not because of any force, duress, undue influence, coercion, or threat of harm from anyone, including the other party; waive the right to trial on this matter; and that the information I have provided is true and correct, under penalty of perjury

_____
Party A's Signature

STATE OF _____

COUNTY OF_____

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

by:_____

_____
Deputy Clerk or Notary Public

(Notary Seal)

_____
Party B's Signature

STATE OF _____

COUNTY OF _____

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

by: _____

_____
Deputy Clerk or Notary Public

(Notary Seal)

Approved as to form and content by the parties' lawyers (if applicable):

Party A's Lawyer:_____

Party B's Lawyer:_____

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.

Case No. _____

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

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)_____

Name of Petitioner/Party A
(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

(2)_____

Name of Respondent/Party B
(in original case)

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 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