POST-DECREE TEMPORARY ORDERS WITH NOTICE

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1

TO GET POST-DECREE TEMPORARY ORDERS FOR LEGAL DECISION-MAKING, AND/OR PARENTING TIME, AND/OR THIRD-PARTY VISITATION AFTER NOTICE TO THE OTHER PARTY

Part 1: Completing and Filing the Court Papers

(Forms and Instructions)

031524

Law Library Resource Center

Post-Decree Motion for Temporary Orders with Notice

CHECKLIST

You must complete and file papers for a Petition to Modify legal decision-making, parenting time, or third-party visitation either before or at the same time as this "temporary" motion for a modification with notice.

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You may use these forms if . . .

- ✓ You have a legal decision-making, parenting time, and/or third-party visitation order signed by a Yuma County Superior Court Judge* , AND
- ✓ You already filed a "regular" request for modification of legal decision-making, parenting time, and/or third-party visitation, OR you will be filing a "regular" request for modification at the same time as this Motion for Temporary Orders, AND
- ✓ You will give the other party proper notice that you filed this Motion for a Temporary Order.
- ✓ If you request an accelerated (expedited) hearing, you provide specific facts why an "emergency" or expedited hearing is required.

*PLEASE NOTE: If the Order you want to change was not signed by a Yuma County Superior Court Judge, there are additional requirements and steps needed before you can ask this Court to change your current Order.

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.

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Post-Decree temporary orders with notice for modification of legal decision-making and parenting time

Completing and filing the court papers

NOTE: If you file a Motion for Temporary Orders, you must also file a "regular" Petition to Modify before or at the same time as filing the Motion for Temporary Orders.

This packet contains court forms and instructions to file post-decree temporary orders with notice for modification of legal decision-making or parenting time. 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.

Order	Title	No. 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.

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Instructions: How to fill out the forms for a post-decree temporary order with notice

Use black ink. Write clearly

STEP 1: Fill out the forms.

Form: Motion for Post-Decree Temporary Order with Notice

- Fill in the information about you in the top left corner. Place a check in the box next to "Self" if you are representing yourself. Write in the name of the Petitioner/Party A, the name of the Respondent/Party B, and your Case Number. The name of the Petitioner/Party A should be the same as the Name of the Petitioner in the Order you are trying to modify.

- Check the box(es) to indicate whether you are asking for a temporary change to legal decision-making and/or parenting time and/or third-party visitation.

- If you have an emergency and can state specific facts to tell the court why you need a hearing sooner (called an expedited hearing), check this box. You will have to provide your specific facts later in the form.

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Match the numbered instruction below to the matching number on the form.

1. This tells the Court that you are including everything you said in your Petition to Modify without repeating it in this motion for Temporary Order with notice.

2. Jurisdiction. Place a mark in the box(es) that states the reason(s) the Court has the power to hear your case.

3. Venue. Place a mark in the box(es) that state the best reason(s) why Yuma County is the proper location to bring your case.

4. Legal basis for request. You must explain why it's in the best interest of the children for the court to make a change to your orders on a temporary basis. State specific facts.

5. Expedited hearing. If you checked the box on the first page of the form to request an expedited hearing, check this box also. Then, you must explain what the emergency is that requires you have a hearing sooner. You must state specific facts to explain the situation.

6. Underlying Petition. These statements tell the Court when you filed the Petition to Modify. Write in the answers to the information requested.

7. Children Involved. Write in the names and birthdates of the children involved in this request on the lines provided.

Requests to the Court

A. Temporary legal decision-making. If you are asking that the Court temporarily award you and the other party joint legal decision-making, mark the first box. (Only the legal parents of the minor child(ren) can be awarded joint legal decision-making authority.) If you are requesting that the Court temporarily award you or the other party sole legal decision making, mark the second box. If you requested sole legal decision-making, write the names of the children and mark whether you want Party A, Party B or someone else to have sole legal decision-making for that child. Finally, write the reason(s) for your request to temporarily modify legal decision-making.

B. Temporary parenting time. If you are asking the Court to temporarily modify parenting time, you will need to tell the Court what parenting time schedule you want. Check the box. You must also complete and file a Parenting Plan that explains in detail what parenting time schedule you are requesting for yourself and the other party. Explain the reason for your request to temporarily modify/change parenting time.

C. Temporary third-party visitation. If you are not a parent of the minor child(ren), and you are asking for temporary third-party visitation, check this box. Explain what visitation schedule you are request. Explain the reasons for your request for temporary third-party visitation.

D. Other. If you have additional requests or information to provide to the Court, write it in the lines provided.

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Wait before signing. Sign the document in front of a Deputy Clerk of Superior Court or other Notarial Officer (such as a Notary Public). The Notarial Officer will also date and sign the document.

Form: Parenting Plan

You will need to fill out the Parenting Plan form. 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 at all Law Library Resource Center locations, or may be viewed online and downloaded from the State Courts' webpage. After completing the Parenting Plan, keep it with the other papers in the Temporary Motion packet.

Form: Order to Appear

This is the document the Judge's staff will complete to set the hearing for the temporary order. Complete the top part of the Order to Appear with the names of the parties, and the case number. Leave the rest blank for the Judge to fill out.

STEP 2: When you have completed the forms, follow the Procedures in this packet (DRMCN11p).

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PARENTING PLAN INFORMATION

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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?

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Procedures: What to do after completing forms for post-decree temporary order with notice

STEP 1. Original set: Gather completed forms into one set of originals:

- Motion for Temporary Order with Notice
- Parenting Plan (if applicable)
- Order to Appear* (only make 2 copies)

STEP 2. Copy: Make copies of all the paperwork. Make 3 copies of the original set. Assemble the copies so that you have four (4) sets of papers: One (1) set of originals and three (3) sets of 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). you can eFile at https://efile.azcourts.gov

Do not copy
efile this page

SET 1: ORIGINAL SET (for the Clerk of Superior Court)	SET 2: COPY (for the Judge)
• Motion for Temporary Order with Notice • Parenting Plan	• Motion for Temporary Order with Notice • Parenting Plan • Order to Appear (all 3 copies)
SET 3: COPY (for the other side)	**SET 4: COPY (for you)**
• Motion for Temporary Order with Notice • Parenting Plan	• Motion for Temporary Order with Notice • Parenting Plan

STEP 3. File the papers at the Court. Take the original and three (3) sets of copies to the Clerk of Superior Court filing counter at the following location:

Clerk of Superior Court
250 W 2nd Street
Yuma, AZ 85364

The Clerk will stamp all 4 sets of the documents to show when they were filed; and will keep the original set. Make sure you get all three (3) sets of copies back from the Clerk. If you have already paid a filing fee (or had the fee deferred) in this case, there is no additional fee for filing for temporary orders.

Leave the Judge's set of documents along with the self-addressed stamped envelope at the window or box described above.

The Judge's staff will fill in the Order to Appear with the date, time, and place of the court hearing and then mail the papers back to you. Keep one Order to Appear for your records and serve the other copy, along with your filed Motion, and Parenting Plan on the other party.

STEP 4. Serve the papers. You must arrange to serve these papers on the other party. They may be delivered by the Sheriff's Department, a licensed private process server, or by one of the other methods described in the "Service" packet available from the Law Library Resource Center or on the website.

STEP 5. At the hearing: Be on time. Dress neatly. Be prepared to tell the Judge about the case, and why the temporary order is necessary. Bring all paperwork with you that you think the Judge should look at, such as reports about the children and financial records. Bring your set of copies with you to the hearing.

or file this page

All forms referred to in these instructions may be obtained at the Law Library Resource Center or at https://azcourthelp.org/yuma-county-forms



* 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: _____

Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing ☐ Self, with no Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case Number: _____

_____
Name of Petitioner/Party A

_____
Name of Respondent/Party B

MOTION FOR POST-DECREE TEMPORARY ORDER WITH NOTICE FOR MODIFICATION OF

Check all that apply:

☐ Legal Decision-making
☐ Parenting Time
☐ Visitation (Third Parties Only)
☐ Expedited Hearing Requested (must explain)

Before you can file a Motion for Temporary Orders, one of the parties (either one) must file a Petition to Modify Legal Decision-making, and/or Parenting Time, and/or Third-Party Visitation.

I MAKE THE FOLLOWING STATEMENTS TO THE COURT UNDER OATH OR BY AFFIRMATION:

1. All allegations of the Petition to Modify are incorporated into this temporary motion by this reference.

2. JURISDICTION. The State of Arizona has jurisdiction to modify the current order because (check only one box):

☐ The order was issued by a Yuma County Superior Court Judge and at least one party has lived in Arizona since the Court signed that order.

OR

☐ The order I want modified was signed by an out-of-state judge, but I registered that order in Arizona, and Arizona now has jurisdiction to modify the order pursuant to statute.

3. VENUE. Yuma County is the correct venue for this modification because: (check at least one box)

☐ The current Order was issued by a Yuma County Superior Court Judge.

☐ The minor child(ren) live in Yuma County.

☐ Other:_____

4. Legal basis for request. Explain why this request is based on the best interests of the minor child(ren).

_____

_____

_____

_____

5. ☐ I am requesting an expedited hearing because (explain with specific facts why an expedited hearing is required):

_____

_____

_____

_____

_____

6. INFORMATION ABOUT THE UNDERLYING PETITION TO MODIFY:

Date Petition was filed: _____

Type of Petition filed: (Modification of Legal Decision-making, Parenting Time, or Third-Party Visitation):

_____

Name of court where Petition was filed: _____

Information about court hearing scheduled for that Petition (if hearing is scheduled):

_____

DATE and TIME OF HEARING: _____

NAME OF JUDICIAL OFFICER TO HEAR CASE:_____

LOCATION OF HEARING: _____

7. NAME(S) of CHILD(REN). This Motion concerns the following minor children:

Child(ren)'s Name(s)	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

I MAKE THE FOLLOWING REQUESTS TO THE COURT:

A. TEMPORARY LEGAL DECISION-MAKING: The temporary legal decision-making for the minor child(ren) should be modified as requested below:

☐ Temporary JOINT LEGAL DECISION-MAKING should be awarded to Party A and Party B, the parents of the minor child(ren).

OR

☐ SOLE LEGAL DECISION-MAKING should be awarded to the party indicated to the right of the child's name:

Child(ren)'s Name(s)	Party A	Party B	Other
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐

REASON FOR MODIFICATION (Explain why you are asking the Court to temporarily modify legal decision-making):

_____

_____

_____

_____

B. ☐ TEMPORARY PARENTING TIME: The temporary parenting time schedule for the minor children should be modified as described in the Parenting Plan filed with this Motion.

REASON FOR MODIFICATION (Explain why you are asking the Court to temporarily modify parenting time):

_____

_____

_____

_____

C. TEMPORARY THIRD-PARTY VISITATION (for third parties only):

☐ As described in the attached Parenting Plan,

Case Number: _____

REASON FOR MODIFICATION (Explain why you are asking the Court to temporarily modify Third-Party Visitation)

_____

_____

_____

_____

C. OTHER (Explain anything else you would like the Court to know):

_____

_____

_____

_____

UNDER OATH OR 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)

_____.

(Notarial Officer's Stamp or Seal) _____

Notarial Officer

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.

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. EDUCATIONAL ARRANGEMENTS:

This Parenting Plan incorporates by reference the following Education Order:

☐ Joint Legal Decision-Making Education Order
☐ Sole Legal Decision-Making Education Order

NOTE: The Education Order you select must match the type of legal decision-making that you request in this Parenting Plan.

G. 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.

H. 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.

I. 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 Phoenix 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

_____
Name of Petitioner/Party A

Case Number: _____

ATLAS Number: _____

and

_____
Name of Respondent/Party B

ORDER TO APPEAR REGARDING MOTION FOR TEMPORARY ORDERS

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 ***"Motion for Temporary Orders,"*** the documents filed with it, and pursuant to Arizona Law,

IT IS ORDERED THAT YOU _____ appear at the time and place stated below so the Court can determine whether the relief asked for in the ***"Motion for Temporary Orders"*** should be granted.

INFORMATION ABOUT COURT HEARING TO BE HELD:

NAME OF JUDICIAL OFFICER: _____

DATE AND TIME OF HEARING: _____

PLACE OF HEARING: YUMA COUNTY SUPERIOR COURT

ADDRESS OF HEARING: _____

IT IS FURTHER ORDERED that a copy of this ***"Order to Appear"*** and a copy of the Motion and documents filed with the Motion shall be mailed immediately by the party initiating the action to parties *who have appeared* in this action, and that a copy shall be *served on* the parties who are required to appear who have not, in accordance with Arizona Rules of Family Law Procedure, Rules 40-43, 47.

NOTICE:

FAILURE TO APPEAR at the hearing may result in the court issuing a **CHILD SUPPORT OR CIVIL WARRANT FOR YOUR ARREST**. If you are arrested, you may be **HELD IN JAIL** for up to 24 hours before you see a judge.

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. If the petition seeks to establish, modify or enforce child support, and you fail to appear as ordered, a child support arrest warrant may be issued for your arrest.