

## Instructions and procedures to withdraw

**Important:** If you no longer want your Consent Decree, Parenting Plan or Child Support order to be entered, you must submit something to the Court before the sixty (60) day waiting period is up. The waiting period starts the day you file your initial papers.

If only one party no longer agrees to the terms of the settlement agreement or no longer wishes to be bound by the terms of the agreements, including the Consent Decree, Parenting Plan, or Child Support Order:

1. Complete and sign the “Motion to Withdraw from Summary Consent Decree Process.” The form is in the Summary Consent Decree packet. Be sure to enter the name and address of the other party, or their attorney if they have one. You must mail them a copy.
2. Make 3 copies of the Motion to Withdraw.
3. File the Motion to Withdraw and copies with the Clerk of Superior Court.
4. Deliver a copy of the Motion to Withdraw to the assigned judge.
5. The Motion to Withdraw must be filed and delivered before the sixty (60) day waiting period is up.
6. Mail a file-stamped copy of the Motion to Withdraw to the party or if they have an attorney, mail it to their attorney.
7. If the other party opposes the withdrawal from the agreements and wishes to have the court enter the previously agreed upon Decree, the opposing party must file a Response objecting to the withdrawal from the agreement within ten (10) days of service of the Motion to Withdraw.
8. Wait to receive a notice from the Court. Once you have delivered your Motion, and after allowing the opposing party time to respond, the judge will issue an Order telling you whether your Motion has been granted. The Court will mail a copy to you and the other party.

**Note:** It is always best to consult with a lawyer before filing legal documents. The Law Library Resource Center website provides various resources that can help you find a lawyer at a reduced rate.

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: \_\_\_\_\_

**MOTION TO WITHDRAW FROM  
SUMMARY CONSENT DECREE  
PROCESS**

\_\_\_\_\_  
Name of Respondent / Party B

On \_\_\_\_\_(date), the parties filed a "Notice of Intent to File a Consent Decree for Dissolution of a Non-Covenant Marriage." I am  Party A  Party B and I wish to withdraw the "Notice of Intent" and have the case proceed as a contested matter. I no longer agree with the proposed Consent Decree for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

Case No.: \_\_\_\_\_

A copy of this document will be mailed this date: \_\_\_\_\_, 20\_\_\_\_  
(Month) (Day) (Year)

To the following persons: (list name and address)


I will mail/deliver a COPY of the document(s) to the Judicial Officer assigned to my case,  
Judge (or Commissioner) \_\_\_\_\_,  
(Name of Judicial Officer assigned to your case)

on \_\_\_\_\_  
Date