

**LEGAL DECISION-  
MAKING (CUSTODY),  
PARENTING TIME and  
CHILD SUPPORT**

**4**

**THE COURT ORDER**

**(Part 4: Forms and Instructions)**

LAW LIBRARY RESOURCE CENTER

**LEGAL DECISION-MAKING (Custody),  
PARENTING TIME, and CHILD SUPPORT**

PART 4: THE COURT ORDER

CHECKLIST

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

- ✓ You or the other party filed a petition to establish who has legal decision-making (legal custody), parenting time, and child support, **AND**
- ✓ You have attended the Parent Information Program (PIP) and the PIP Provider filed your certificate of attendance with the Clerk of the Court, **AND**
- ✓ You are going to a default hearing, or you are going to a trial on what you disagree about, **AND**
- ✓ You are ready to complete the court papers about the final 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.

## Establish legal decision-making (custody), parenting time, and child support

### Part 4 - The Court Order

This packet contains court forms and instructions to file on order to establish legal decision-making, 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!

Order	Title	# 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.

## Law Library Resource Center

# How to fill out the order for your legal decision-making (legal custody), parenting time and child support

### I. General information

What this Order means to you. A signed court Order is important because it determines the rights and responsibilities of both you and the other party. If either party does not obey the Order, then the other party can ask the court for help in enforcing the terms of the Order.

Purpose. This order is designed for parties who want to get a court order for:

- ✓ Legal Decision-making (custody) and parenting time – or –
- ✓ Legal Decision-making (custody), parenting time and child support.

If you have a Default Hearing, this Order should repeat as closely as possible what you requested in your Petition. You should not write or mark something different in the Order from what you wrote in the Petition unless the other party has provided written consent to any changes, and unless the change clearly benefits the other party. If you try to make the Order different from the Petition, the judge will not sign the Order.

- ✓ If you want to change your requests to the court, you must file an amended petition and serve that petition on the other party.
- ✓ It is a good idea to have your Petition handy when you follow the instructions to fill out this Order.

Reminder. When filling out any court forms, type or print with black ink only.
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### II. Instructions for completing the order:

#### A. Case identification

- Top left corner of the first page: Write in your name, mailing address, phone number for day and evening. Check the box of the person you represent. If you have an attorney, write in the attorney State Bar Number.
- Write in the name of the Petitioner (Party A), the name of the Respondent (Party B) and the case number in the appropriate spaces provided. These names should be written the same as they are written on the original Petition.
- Put only one check mark in the appropriate box on the right side of the page. If you are seeking child support in addition to Legal Decision-making (custody), parenting time,

put a mark in the first box. If you are seeking only Legal Decision-making (custody) and parenting time, check the box which states so.

B. Court findings section:

- This section generally mirrors the information in your Petition. Each number recites facts the Court uses to create the final Order.
- Item Numbers 1-3: These sections state that before the judge or commissioner signs the Order, he/she will have determined that the court has the legal power to make the orders in your case.
- Item Number 4: Write in the name(s) and birthdate(s) of the children to whom this court Order applies.
- Item Number 5A and 5B: Mark one box for Party A and one box for Party B, indicating whether Party A and/or Party have attended the Parent Information Program.
- Item Number 6: This section states that the Court will hold each party responsible for supporting the minor child or children mentioned in the Petition.
- Item Numbers 7 and 8: The Court will complete these item numbers.
- Item Number 9 - Supervised Parenting Time: Mark the appropriate box indicating the same information that you wrote in the Petition. If you are requesting supervised parenting time –or– no parenting time for the other party, you must have a very good reason. Write that reason in the space provided.
- Item Number 10: If either party has been convicted of an alcohol or drug offense within the last twelve months, mark the box indicating this, which should be the same information that you wrote in the Petition. If you or the other party has been convicted of a drug or alcohol crime within the last 12 months, the Court must make sure that the Legal Decision-Making (legal custody) and/or parenting time order or agreement is in the best interests of the minor child(ren).
- Item Number 11: Regarding domestic violence, mark the appropriate box and explain if necessary, in the space provided.

C. Court orders section:

1.A. Primary residence: Mark the appropriate box indicating the same information that you wrote in the Petition.

1.B. Parenting time: Mark the appropriate box indicating the same information that you wrote in the Petition.

- If the Parenting time is supervised, write the name of the person who will supervise, on the space provided.
- Also, mark the box to show who will pay the costs of the supervised parenting time.

Note: The Joint Legal Decision-making (Legal Custody) Agreement and Parenting Plan must be approved by the Court. IF approved, the Agreement and the Plan will be included as part of the Court Order.

- 1.C. Legal decision-making (Legal Custody): Mark the appropriate box indicating the same information that you wrote in the Petition. If you mark the “Sole Authority” box, be sure to also mark one box indicating Party A or Party B.
  2. Child support: If the child support Order will be attached to the final divorce decree, mark the first box. Then, mark who is to pay the child support and how much to the other party based on the request in the Petition for Dissolution, or on the party’s agreement. Otherwise, leave the space blank and the judicial officer will fill in the amount. If service of the first petition papers was by Publication, the Petition was not personally served. If this is the case, and the case is set for a Default Hearing, place a mark in the second box, so the court may reserve jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the responding party. Note: If there is a previous child support Order still in effect from a court in another state or county, do not mark this box.
  3. Medical, dental, vision care and other health expenses for minor children: Mark who will be responsible for medical, dental, and vision care insurance, based on the request made in your Petition. Be sure to write in the percentage of the non-covered expenses that each parent will pay.
  4. Financial information: Both parents must exchange ongoing financial information every 2 years.
  5. Other orders: If you requested other issues in the Petition that have not yet been addressed in this order, write the issue(s) in this space if you would like the judge to address the issue(s). Be specific and be sure you use the same or similar language to that used in your Petition.
  6. Final appealable order: This Decree/Order/Judgment is a final order and may be appealed.
  7. Judge’s signature: You do not have a valid court order until the Judge signs and dates the original order, which will occur at or after the default hearing or at the trial on the case. Be sure to get a certified copy of the signed order for your records.
  8. Copy for other party: If you are the Party who filed the initial Petition to Establish Legal Decision-making, Parenting Time and Child Support and you have a Default Hearing, and the other Party was personally served with the court papers, (meaning that service was not done by “publication”) you must mail or give a copy of this Court Order to the other Party after the Judge has signed it.
- ✓ You must tell the Court you will do this by signing your name and date at the end of the court Order.

- ✓ After you get a certified copy of the signed order, make a copy for the other party (if the other party does not have a copy).
- ✓ Then, mail a copy of the signed and dated order to him or her.

Other important papers in this packet:

Parenting Plan

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

After completing the Parenting Plan, include it with your Judgment.

Child Support Order

Other important papers to be completed not in this packet:

Child Support Worksheet, Child Support Order and Current Employer Information Sheet

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

AZCourts <https://www.azcourts.gov/familylaw/2018-child-support-calculator>

To complete the child support worksheet you will need to know:

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

After completing the child support worksheet, print out the child support worksheet and current employer information sheet and include it with your Judgment.

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### PARENTING PLAN INFORMATION

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

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

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

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

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

#### **Drafting a Parenting Plan:**

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

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

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

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



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

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

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

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Procedures: How to get your order to establish legal decision-making, parenting time and child support signed by the judge

Step 1: Complete the Child Support Worksheet and Current Employer Information Sheet online via

AZCourts <https://www.azcourts.gov/familylaw/2018-child-support-calculator>

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

Step 2: Make two (2) copies of the following documents:

- Order Establishing Legal Decision-making, Parenting Time and Child Support
- Parenting Plan
- Child Support Worksheet
- Child Support Order

Step 3: Separate your documents into three (3) sets: (1) one original set, and (2) two sets of copies (If DES (State of Arizona) is a party to your case, make (1) additional copy of documents):

<p>Set 1 (Originals for Clerk):</p> <ul style="list-style-type: none"><li>• Order Establishing Legal Decision-making...</li><li>• Parenting Plan</li><li>• Child Support Worksheet</li><li>• Child Support Order</li></ul> <p>Current Employer Info. Sheet (for new payor)</p>	<p>Set 2 (Copies for you):</p> <ul style="list-style-type: none"><li>• Order Establishing Legal Decision-making...</li><li>• Parenting Plan</li><li>• Child Support Worksheet</li><li>• Child Support Order</li></ul>
<p>Set 3 (Copies for Other Party):</p> <ul style="list-style-type: none"><li>• Order Establishing Legal Decision-making...</li><li>• Parenting Plan</li><li>• Child Support Worksheet</li><li>• Child Support Order</li></ul>	<p>Set 4 (Copies for State of Arizona):</p> <ul style="list-style-type: none"><li>• Order Establishing Legal Decision-making...</li><li>• Parenting Plan</li><li>• Child Support Worksheet</li><li>• Child Support Order</li></ul>

Step 4: Take the documents to your court hearing or to your trial for the Judge to review and sign all 3 sets if he or she approves them.

Step 5: If the Judge signs the 3 sets of orders (including the Child Support Order, if applicable) and the other Party was served personally (No publication) you must either:

- ✓ Mail one Judge-signed copy to the other Party, or
- ✓ Give one Judge-signed copy to the other Party.

Do not copy  
or file this page

## Law Library Resource Center

# Instructions and Procedures for a Default Decree by Motion, without a Hearing

### REQUIREMENTS

Sometimes a court hearing is not required to get a default decree. If you meet the following requirements, you may use this “no hearing” process to request a default decree:

- ✓ All parties must be legally competent and sane.
- ✓ The “*Summons*” and “*Petition*” were served to the other party, other than by publication
- ✓ The “*Petition*” requests to the Court are the same as the requests proposed in the default order.

*This means, you cannot use this process if . . .*

- the responding party was served by publication,
- if the other party is insane or incompetent, or
- if the other party has filed a response, or made an appearance in the cases, or
- the requests to the Court in the proposed default order are not the same as those requested in the “*Petition*.”

You must have already filed and mailed to the other party an “*Application and Affidavit for Default*.” Also, it must be at least ten (10) court (business) days since you filed and mailed the “*Application*.”

If you filed for divorce, legal separation or annulment, it must also have been at least 60 calendar days since service of the “*Summons*” and “*Petition*” was completed.

### INSTRUCTIONS

Complete the “*Motion and Affidavit for Default Decree without a Hearing*”

1. Complete the top part of the page with your personal information, name of parties, and case number.
2. On the upper page right, mark the box that describes the kind of court order you are requesting (i.e. divorce, annulment, etc.)
3. SECTION A:
  - Read the information carefully.
  - Mark the boxes in front of the statements that are true.
4. SECTION B: (To be completed only by parties seeking a decree of dissolution, legal separation, or annulment)
  - Mark the boxes that best apply to your situation.
  - NOTE: ATTACHMENTS. If you marked a box next to a statement that requires an “attachment”, be sure to attach the required document at the end of the original “*Motion and Affidavit for Default Decree without a Hearing*.” If you are missing an attachment or any required document, your case could be rescheduled for a hearing, which extends the process and delays your decree or court order.
5. SECTION C: (To be completed only by parties seeking a judgment of paternity/maternity, and/or legal decision-making, parenting time or child support.)
  - Mark the boxes that best apply to your situation.
  - If the statement next to the box asks for an explanation, write it clearly in black ink.
  - NOTE: ATTACHMENTS. If you marked a box next to a statement that requires an “attachment”, be sure to attach the required document at the end of the original “*Motion and Affidavit for Default Decree without a Hearing*.” If you are missing an attachment or any required document, your case could be rescheduled for a hearing, which extends the process and delays your decree or court order.

6. SECTION D: To be completed if it applies to you.  
NOTE: ATTACHMENTS. If you marked a box next to a statement that requires an "attachment", be sure to attach the required document at the end of the original "*Motion and Affidavit for Default Decree without a Hearing.*" If you are missing an attachment or any required document, your case could be rescheduled for a hearing, which extends the process and delays your decree or court order.
7. OATH or Affirmation: Sign and date this in front of the Clerk of Superior Court or Notary, with a picture identification.
8. COPY: Make two copies of the original "*Motion and Affidavit for Default Decree **without** a Hearing,*" with ALL the REQUIRED ATTACHMENTS.

#### Complete the Default Decree / Judge / Order

1. See the instructions in this packet to complete the Default Decree / Judgment / Order.
2. If children are involved, there will be additional forms to complete, such as a Parenting Plan, Child Support Worksheet, and Child Support Order. See additional instructions in this packet.
3. COPY:
  - Make two (2) copies of the original "*Decree / Judge / Order*", plus attachments and any addition required forms.
  - Note: If you are missing an attachment or any required form, your case could be rescheduled for a hearing, which extends the process and delays your decree or court order.

After completing instructions above, you are ready to complete the Decree/Order, also in this packet. However, BEFORE YOU REQUEST Default Decree by Motion Without A Hearing, CHECK TO BE SURE THAT YOU:

- Properly served the "*Petition*", Summons and other papers to other party and filed the proof of service. (Service cannot be done by publication if you are using this method (without a hearing)), AND
- Completed and filed the "*Application and Affidavit for Default,*" with ALL the REQUIRED ATTACHMENTS and mailed a copy to the other party; AND
- IF the other party is on active duty in the United State Military, you completed and notarized "*Service Member Civil Relief Act Waiver*", AND
- Waited at least 61 days after the completion of service, if you filed for divorce, legal separation or annulment.

#### PROCEDURES

1. FILE the original "*Motion and Affidavit for Default Decree without a Hearing,*" with ALL the REQUIRED ATTACHMENTS, and two copies with all the attachments at one of the following Clerk of Superior Court locations.
  - The Clerk of Superior Court will keep the original "*Motion*" and all the attachments, as well as date-stamp the copy, and return both copies to you.

**Clerk of Superior Court  
250 W. 2nd Street  
Yuma, Arizona 85364**

2. HAND-DELIVER OR MAIL the following documents as indicated below to the Family Department:
- One (1) file-stamped copy of the *“Motion and Affidavit for Default Decree without a Hearing”* with all attachments.
  - The original and two (2) copies of the *“Decree / Judge / Order”* and related forms and attachments for signature by the Judge.
  - Two (2) 9" x 12" envelopes with sufficient postage, one addressed to you, and one addressed to the other party.

**Yuma County Justice Center  
Clerk of Superior Court  
250 W. 2nd Street  
Yuma, Arizona 85364**

3. The Judge will review your file and the documents you have submitted.
- If the Judge determines that everything is in order they will sign the final decree. The Clerk will file-stamp your copies and they will be mailed to you and the other party in the envelopes you have provided.
  - If the Judge finds anything wrong with your court file or paperwork, your documents will be returned to you in the envelope you have provided along with a coversheet describing the deficiency and in most cases how it can be corrected.

Common reasons why your paperwork may be rejected:

- Incomplete: The *“Decree”* was not fully completed.
  - Not all applicable boxes were marked.
  - An explanation(s) was missing
  - An attachment(s) was missing
- Different Requests: Items asked for in the *“Decree”* were not the same as the items asked for in the *“Petition.”*
- Missing Documents: The original *“Decree”* and copies were not submitted with the *“Motion and Affidavit for Default Decree without Hearing”*.
- Overlooked *“True”* Statements: You did not mark all boxes on the *“Motion and Affidavit for Default Decree without Hearing”* as true statements.
- No notarized Waiver: Did not provide a notarized *“Service Members Civil Relief Act Waiver.”*

Arizona Rules of Family Law Procedure (ARFLP), Rule 44.1, allows for application for a default decree *without hearing* in Family cases for divorce, legal separation, annulment, maternity or paternity, money judgments, attorney fees, and spousal maintenance, but be WARNED:

- There are special legal requirements involved in qualifying for an annulment, and a default decree with no hearing.
- If your court papers do not fully explain how you meet those requirements, it could result in your case being delayed or dismissed.
- Consulting an experienced attorney about whether your situation *and your papers* indicate you qualify for an annulment or a default decree, may help you to avoid unnecessary expense, delay, and disappointment.

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

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

### MOTION AND AFFIDAVIT FOR DEFAULT DECREE WITHOUT HEARING for:

\_\_\_\_\_  
Name of Petitioner / Party A

and

- DISSOLUTION OF MARRIAGE (Divorce)  
 LEGAL SEPARATION  
 ANNULMENT  
 MATERNITY/PATERNITY  
 ESTABLISH LEGAL DECISION-MAKING /  
PARENTING TIME / CHILD SUPPORT  
A.R.F.L.P. 44.1

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

I am the Petitioner / Party A and I am asking the Court to enter a **“Decree”** of **Dissolution of Marriage,” “Legal Separation,” “Annulment,”** or **“Maternity/Paternity,”** or an **“Order”** establishing legal-decision-making by default without a court hearing.

### SECTION A:

I have marked each box in front of the statements below that are true and I understand that if any statement is not true, I cannot get a default decree *without a hearing*.

- I have read this **“Motion and Affidavit for Default Decree without a Court Hearing”** and to the best of my knowledge everything I said is true.
- I have paid the filing and service fees or the filing and service fees were waived or deferred. A copy of the receipt showing payment or a copy of the Order showing that the fees were waived or deferred is attached.
- To the best of my knowledge, both Party A and Party B are competent and sane at this time (even if “legal incompetence” or “insanity” *at the time of the marriage* is listed as a ground for an annulment).

- At least 60 days have passed since the other Party (Respondent) was served with the dissolution, legal separation, or annulment papers. OR my case is to establish maternity/paternity and/or legal decision-making / parenting time / child support and there is no 60 day waiting period.
- Service was not done by publication.
- Party B has not made an appearance in this matter or filed a **“Response.”** I filed the **“Application and Affidavit for Default”** and Default has been entered against the other Party.
- At the time this action was filed, Party A or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce) or annulment, Party A or Party B was domiciled or stationed in Arizona for more than 90 days, at the time the Petition was filed.
- My case does not involve a member of the military waiving service **OR** - I have submitted a notarized **“Service Members Civil Relief Act Waiver”** completed by the other party.

**SECTION B.**

**I am requesting Judgment of DISSOLUTION, LEGAL SEPARATION, or ANNULMENT.**

**YES** - If YES, answer each question below.

**NO** - If NO, skip to Section C.

Conciliation Services provisions have been met since the filing of the Petition, or the provisions do not apply. This must be true to proceed. (A.R.S. § 25-381.09).

Covenant Marriage: Our marriage  IS or  IS NOT a covenant marriage.

Pregnancy:  Neither party  Party A  Party B is pregnant with a child common to the parties.

Choose only one that applies:

If seeking divorce, the marriage is irretrievably broken.

If seeking legal separation, the parties desire to live separate and apart.

If seeking annulment, a condition exists which renders the marriage void or voidable.



Spousal Maintenance: (choose only one)

- Party A or Party B has made a claim for spousal maintenance/support and Form 6 “(Default Information for Spousal Maintenance”) is attached to this Motion and Affidavit.
- Party A or Party B has NOT made a claim for spousal maintenance/support, and the claim is deemed waived by **both** parties.

Property and Debt: (choose all that apply)

- There was no property or debt obtained during the marriage.
- Does not apply because (explain): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- All of the allegations, including those concerning property and debts listed in the **“Petition”** were true at the time filed and remain true as of the date of the filing of this motion and affidavit, **OR any changes are explained below:**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- I attached a list of all community property and debt (obtained or incurred during the marriage), including personal property, motor vehicles, bank accounts, retirement assets, life insurance, real property, including the **value** and the **party to whom the property or debt is to be awarded**. The attached list also includes any requests for the award of sole and separate property and debt.

- Everything in the **“Petition for Dissolution of Marriage,” “Legal Separation,” or for “Annulment,”** concerning who gets the property and who pays the bills/debts is fair and reasonable.

- I have requested reasonable attorney fees and support for this request is **attached** to this Motion and Affidavit.

- Same as Petition: The requests in this form and relief to be awarded in the **“Decree”** are the same as the relief I requested in the underlying **“Petition,”** **OR** if the relief to be awarded is different, it has been approved by both parties, as reflected in a notarized statement from the other party, or a **“Decree”** containing the notarized signatures of both parties. This must be true to proceed.

**SECTION C.**

**I am requesting a Judgment of MATERNITY or PATERNITY and/or an Order for LEGAL DECISION-MAKING / PARENTING TIME / CHILD SUPPORT.**

**YES - If YES, answer each question below.**

**NO - If NO, skip to Section D.**

The name and date of birth of each child is:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

The factual basis for the finding of maternity / paternity is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The child(ren) live with: \_\_\_\_\_

Length of Residence: The child has lived in Arizona for at least six (6) months before the filing of the Petition or is less than six (6) months old and has lived in Arizona since birth.

There are no proceedings involving the child that are pending in **another jurisdiction. OR**

There are other proceedings involving the child that are pending in **another jurisdiction** and I have listed the court name(s) and case number(s) below:

Court Name(s) \_\_\_\_\_

Case Number(s) \_\_\_\_\_

There are no proceedings involving the child that are pending in **another court. OR**

There are other proceedings involving the child that are pending in **other courts** and I have listed the court name(s) and case number(s) below:

Court Name(s) \_\_\_\_\_

Case Number(s) \_\_\_\_\_

State of Arizona Request:

Does not apply. OR

The State of Arizona has requested the default judgment of paternity. The factual basis for the finding of paternity is described above.

Child Support:

I have attached the required Child Support Worksheet. Child Support is based on the following:

The Arizona Child Support Guidelines OR

A deviation from the Arizona Child Support Guidelines because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other: \_\_\_\_\_  
\_\_\_\_\_

The basis for determining the gross income of the defaulting party is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION D:**

Attorney Fees: I have attached an itemized bill for a reasonable amount of attorney fees to support this request.

Money Judgment(s): I have attached the calculations to establish the sum of requested money to support this request.

Other requested relief. I have attached the following document, to establish the facts supporting the request: \_\_\_\_\_  
\_\_\_\_\_

**OATH OR AFFIRMATION AND VERIFICATION**

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

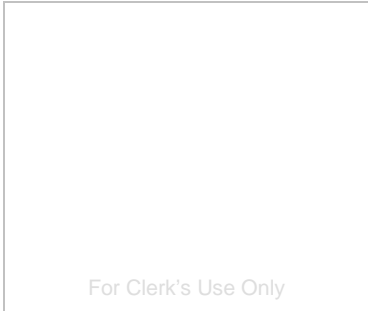
Subscribed and sworn to or affirmed before me this: \_\_\_\_\_ by  
(Date)

\_\_\_\_\_

(Notary seal)

\_\_\_\_\_  
Deputy Clerk of Court or Notary Public

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

\_\_\_\_\_  
Petitioner / Party A

Case Number: \_\_\_\_\_

**ORDER FOR** (Check one box only)

**LEGAL DECISION-MAKING (LEGAL CUSTODY),  
PARENTING TIME, and CHILD SUPPORT, or**

**LEGAL DECISION-MAKING (LEGAL CUSTODY)  
AND PARENTING TIME (ONLY)**

\_\_\_\_\_  
Respondent / Party B

### THE COURT FINDS:

1. This case has come before this Court for a final order, and if necessary the Court has taken all testimony needed to enter a final Order.
2. This Court has jurisdiction over the parties under the law.
3. 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 an Order relating to Legal Decision-making (Legal Custody), Child Support, Parenting Time and expenses related to the birth(s) of the minor child(ren).

4. This order applies to the following child(ren):

Name(s)	Date(s) of birth(s)
_____	_____
_____	_____
_____	_____
_____	_____

5. Parent Information Program

A. Party A  Has attended the Parent Information Program as evidenced by the Certificate of Completion in the Court file, Or

Party A  Has Not attended the Parent Information Program and  shall be denied any requested relief to enforce or modify this Order until Party A has completed the class.

B. Party B  Has attended the Parent Information Program as evidenced by the Certificate of Completion in the Court file, Or

Party B  Has Not attended the Parent Information Program and  shall be denied any requested relief to enforce or modify this Order until Party B has completed the class.

6. Child Support: The Court finds that Party A and Party B owe a duty to Support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support, attached hereto and incorporated by reference.

7. Deviation from child support. The Court, having considered the best interests of the child(ren), deviates from the guidelines for the following reasons:

- Application of the guidelines is inappropriate.
- Application of the guidelines is unjust.
- The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines but for the agreement.

The court makes the following finding regarding the deviation:

- The child support order *would have been*: \$ \_\_\_\_\_
- The child support order after deviation is: \$ \_\_\_\_\_
- All parties have signed the agreement free of duress and coercion.

8. Parenting time adjustment, court-approved discretionary parenting time adjustment and/or other adjustments.  
(The Court must make written findings if any of these adjustments are made.)

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9. Supervised or no parenting time. (Check, if applicable, and explain.)

Supervised parenting time or No parenting time between minor child(ren) and  Party A OR  Party B is in the best interests of the minor child(ren) for the following reasons:

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10. Drug or alcohol conviction within last twelve months:

- Party A  or Party B  has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (custody).
- Both Party A and Party B have been convicted of driving under the influence of alcohol or drugs or was convicted of any drug offense within 12 months of filing the request for legal decision-making (custody).
- The legal decision-making (custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

If joint legal decision-making (joint legal custody) is ordered below, check box "A" or "B". If "B", explain.

11. Domestic violence. If the Court enters an order for joint authority for legal decision-making concerning the child(ren):

- A.  There have been no significant acts of Domestic Violence under A.R.S. § 13-3601 by either party, Or
- B.  Domestic violence has occurred, but the domestic violence has not been "significant" or was committed by both parties. Explain why joint legal decision-making (joint legal custody) is in the best interest of the minor child(ren) even though domestic violence has occurred:

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**THE COURT ORDERS:**

1. Primary residence, parenting time, and legal decision-making (Legal Custody)

A. Primary residence:

- Neither party's home is designated as the primary residence, Or
- Party A's home as the primary residence for following named child(ren):  
\_\_\_\_\_
- Party B's home as the primary residence for following named child(ren):  
\_\_\_\_\_

**B. Parenting time:**

- Reasonable parenting time rights as described in the Parenting Plan attached as Exhibit A and made a part of this decree, Or
- No parenting time rights to  Party A Or  Party B, Or
- Supervised parenting time to  Party A Or  Party B according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree.

Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

(If supervised) Name of person to supervise (Optional):

\_\_\_\_\_

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

- Party A,  Party B, Or  Shared equally by the parties

**THE COURT FURTHER ORDERS:**

Restrictions on parenting time (if applicable):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. Legal decision-making (legal custody):**

1.  Sole authority for legal decision-making (sole legal custody) over the minor children is awarded to:  Party A  Party B,  
Or
2.  Joint authority for legal decision-making (joint legal custody) is awarded to Party A and Party B who agree to act as joint legal decision-makers regarding the minor child(ren), as set forth in the Joint Legal Decision-Making (Legal Custody) Agreement and Parenting Plan signed by both parties and attached to this Decree as "Exhibit B." There having been no significant acts of Domestic Violence by either party, or the Court having found it in the best interests of the minor child(ren), the Court adopts the terms of the Joint Legal Decision-Making (Legal Custody) Agreement and Parenting Plan, which is attached to and made part of this Decree.



**2. Child support:**

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

Party A, Or  Party B shall pay child support to the other party in the amount of \$\_\_\_\_\_ per month payable the first day of the month after the date this Decree is signed by the judge until further order of the Court. All child support payments shall be made through the

Support Payment Clearinghouse,  
PO Box 52107, Phoenix,  
Arizona 85072-7107

by income withholding order and must include the statutory fee for the Income Withholding Order signed this date.

This Court cannot make a legal order, without personal service of the Petition for Dissolution, with respect to issues of child support, or medical, dental and vision care insurance for the minor child(ren). The court reserves jurisdiction to enter further orders when the Court acquires personal jurisdiction over the responding party.

**3. Medical, dental, vision care and other health expenses for minor children:**

Party A is responsible for providing:  medical  dental  vision care insurance.

Party B is responsible for providing:  medical  dental  vision care insurance.

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

Non-Covered Expenses. Party A is ordered to pay \_\_\_ %, and Party B is ordered to pay \_\_\_\_\_ % of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor children, including co-payments.

Even though the Court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other party's responsibility to carry health insurance on the child under this Order.

4. **Financial information exchanges:** The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

5. **Other orders:** This Court makes further Orders relating to this matter as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**FINAL APPEALABLE ORDER.** No further claims or issues remain for the Court to decide. Therefore, IT IS FURTHER ORDERED pursuant to Rule 78(c), Arizona Rules of Family Law Procedure, this final judgment/decree is signed by the Court and it shall be entered by the Clerk of Superior Court. The time for appeal begins upon entry of this judgment by the Clerk of Superior Court. For more information on appeals, see Rule 8 and other Arizona Rules of Civil Appellate Procedure. IT IS FURTHER ORDERED denying any affirmative relief sought before the date of this Order that is not expressly granted above.

Done in open court: \_\_\_\_\_  
JUDGE or COMMISSIONER

If this Decree/Judgment was issued as a "Default," I certify that within three (3) days of receiving this Decree/Judgment, I will mail a copy of this Decree/Judgment to the last known address of the party in default as follows:

Opposing Party's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State Zip Code: \_\_\_\_\_

\_\_\_\_\_

Your Signature: \_\_\_\_\_

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

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.
- 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.

<u>Holiday</u>	<u>Even Years</u>		<u>Odd Years</u>	
New Year's Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
New Year's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Spring Vacation	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Easter	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
4th of July	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Halloween	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Veteran's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Thanksgiving	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Hanukkah	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Christmas Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Christmas Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Winter Break	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Child's Birthday	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Mother's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Father's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> 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: \_\_\_\_\_

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

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

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

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

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

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

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

Signature of Party A: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Party B: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

Domestic Violence has not occurred between the parties, OR

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

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

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

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

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

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

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

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every \_\_\_\_\_ month(s) from the date of this document.
2. CRITERIA. Our joint legal decision-making agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:
  - a. The best interests of the minor children are served;
  - b. Each parent’s rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
  - c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
  - d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
  - e. The Plan includes a procedure for periodic review;
  - f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
  - g. A procedure for communicating with each other about the child, including methods and frequency.

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

Signature of Party A: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Party B: \_\_\_\_\_ Date: \_\_\_\_\_

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

PART 5: AFFIDAVITS

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

\_\_\_\_\_  
Petitioner's/Party A's Signature

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

by\_\_\_\_\_.

(Notarial Officer's Stamp or Seal)

\_\_\_\_\_  
Notarial Officer

\_\_\_\_\_  
Respondent's/Party B's Signature

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

by\_\_\_\_\_.

(Notarial Officer's Stamp or Seal)

\_\_\_\_\_  
Notarial Officer

Person Filing: \_\_\_\_\_

Address (if not protected): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_

Lawyer's Bar Number: \_\_\_\_\_

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



**SUPERIOR COURT OF ARIZONA  
IN YUMA COUNTY**

\_\_\_\_\_  
Petitioner/Party A

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

\_\_\_\_\_  
Date of Birth (Month, Date, Year)

ATLAS No. \_\_\_\_\_

\_\_\_\_\_  
Respondent/Party B

**CHILD SUPPORT ORDER  
When establishing Paternity  
A.R.S. § 25-503**

\_\_\_\_\_  
Date of Birth (Month, Date, Year)

The Court Finds:

1. Party A: \_\_\_\_\_ and

Party B: \_\_\_\_\_

Have a duty to support the following children:

Child(ren)'s Name(s)

Date of Birth

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Child Support Guidelines: The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet, attached and incorporated by reference.

3. Child Support (choose only one):

Party A  Party B is ordered to pay child support in the amount of \$\_\_\_\_\_ per month to \_\_\_\_\_ pursuant to the Arizona Child Support Guidelines without deviation.

Party A  Party B is obligated to pay child support to  Party A  Party B in the amount of \$\_\_\_\_\_ per month pursuant to the Arizona Child Support Guidelines without deviation. This amount is an appropriate amount to award for child support in this case except that the Court finds it more appropriate and just to make a rounding adjustment to the exact guideline amount for ease of calculation to \$\_\_\_\_\_ per month.

Party A  Party B is obligated to pay child support to  Party A  Party B in the amount of \$\_\_\_\_\_ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$\_\_\_\_\_ per month.

Party A  Party B is obligated to pay child support to  Party A  Party B in the amount of \$\_\_\_\_\_ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$\_\_\_\_\_ per month. Further, the parties have entered into a written agreement or their agreement is on the record and is free of duress and coercion with knowledge of the amount of child support that would have been ordered under the guidelines but for the agreement.

Reason(s) for deviation:

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4. Support Arrears:

- Party A  Party B owes child support arrearages to  Party A  Party B in the total amount of \$\_\_\_\_\_ for the time period of \_\_\_\_\_ through \_\_\_\_\_ plus accrued interest on prior child support arrearages due of \$\_\_\_\_\_ calculated through the date of \_\_\_\_\_.
- The Court finds no child support arrearages due and owing.
- No evidence was presented in support of child support arrearages.

5. Past Support:

- It is appropriate to award  Party A  Party B an additional judgment for past support in the amount of \$\_\_\_\_\_ for the period between the filing of this current petition and the date current child support is ordered to begin.
  - Temporary support or voluntary/direct support payments in the amount of \$\_\_\_\_\_ were paid during the period above; therefore, the past support is adjusted to \$\_\_\_\_\_.
- It is appropriate to award  Party A  Party B an additional judgment in the amount of \$\_\_\_\_\_ for past support owed from the date of separation, but not more than three years before the date of filing the current petition.
  - Temporary support or voluntary / direct support payments in the amount of \$\_\_\_\_\_ were paid during the period above; therefore, the past support is adjusted to \$\_\_\_\_\_.
- It is appropriate to award  Party A OR  Party B an additional judgment for past support in the amount of \$\_\_\_\_\_ for the period from the date of separation, which is more than three years before the date of filing of this current petition.

The Court finds good cause to award past support owed more than three years before the date of filing of this current petition based on the following:

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Temporary support or voluntary/direct support payments in the amount of \$\_\_\_\_\_ were paid during the period above; therefore, the past support is adjusted to \$\_\_\_\_\_.

The Court finds no past support amount due and owing.

No evidence was presented in support of past child support.

The Court finds no temporary support or voluntary/direct support payments were paid.

No evidence was presented in support temporary support or voluntary/direct support payments.

6. Interest:

The Court finds interest in the amount of \$\_\_\_\_\_ due to  Party A  Party B For the period of: \_\_\_\_\_ to \_\_\_\_\_.

It Is Ordered That:

1. Child Support Judgment:

Party A  Party B shall pay child support to  Party A  Party B in the amount of \$\_\_\_\_\_ per month. This monthly amount, payable by income withholding order, shall be paid on the 1<sup>st</sup> day of each month beginning \_\_\_\_\_.

2. Support Arrearages Judgment:

Party A  Party B is granted judgment against \_\_\_\_\_ in the amount of \$\_\_\_\_\_ as and for child support arrearages for the period of \_\_\_\_\_ through the date of \_\_\_\_\_ together with interest on said amount at the legal rate of 10% per annum until paid in full, plus additional accrued interest on prior child support judgments of \$\_\_\_\_\_ calculated through the date of \_\_\_\_\_.

Party A  Party B shall pay, in addition to his or her current support payment, the amount of \$\_\_\_\_\_ per month toward this judgment, payable on the first day of each month, beginning \_\_\_\_\_ until paid in full.

NO Judgment for child support arrearages is entered.

3. Past Support Judgment:

Party A  Party B is granted a past support judgment against  Party A  Party B in the additional amount of \$ \_\_\_\_\_.  Party A  Party B shall pay the additional amount of \$ \_\_\_\_\_ per month toward this judgment, payable on the first day of each month commencing \_\_\_\_\_ until paid in full.

OR

NO Judgment for past support is entered.

4. Payments and Clearinghouse: All payments, plus the statutory handling fee, shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment, or Income Withholding Order signed this date. Any time the full amount of support ordered is not withheld, the person obligated to pay (the obligor) remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered gifts unless otherwise ordered. All payments shall be made payable to and mailed directly to:

Support Payment Clearinghouse  
P.O. Box 52107  
Phoenix, AZ 85072-2107

Payments must include  Party A's or  Party B's name, and ATLAS number. Pursuant to A.R.S. § 25-322, the parties shall submit current address information in writing to the Clerk of Superior Court and the Support Payment Clearinghouse immediately. The obligor (party being ordered to pay) shall submit the names and addresses of his or her employers or other payors within 10 days. Both parties shall submit address changes within 10 days of the change.

5. Total Monthly Payments:

Party A  Party B shall make total monthly payments to  Party A  Party B in the amount of \$ \_\_\_\_\_ per month, payable on the first day of each month, beginning \_\_\_\_\_ as follows:

Monthly Payments:	
Current child support payment as ordered above:	\$ _____
Current spousal maintenance payment:	\$ _____
Support arrearage payment:	\$ _____
Clearinghouse handling fee:	\$ <u>8.00</u>
<b>TOTAL MONTHLY PAYMENT:</b>	<b>\$ _____</b>

6. Medical, Dental, Vision Care Insurance for Minor Children:

Party A OR  Party B is responsible for providing:  medical  dental  vision care insurance for the minor child(ren) and shall continue to pay premiums for any medical, dental and vision policies covering the child(ren) that are currently included in the incorporated Child Support Worksheet.

Or

Party A OR  Party B shall be individually responsible for providing medical insurance for the minor child(ren) of the parties as soon as it becomes accessible and available at a reasonable cost, as neither party currently has the ability to obtain such medical insurance.

Medical, dental, and vision insurance, payments and expenses are based on the information in the Child Support Worksheet attached hereto and incorporated by reference.

The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims. An insurance card must be provided to the other party. Notification must also be provided to the other party if coverage is no longer being provided for the child(ren).

7. Non-Covered Medical Expenses:

Party A is ordered to pay \_\_\_\_\_ % and  Party B is ordered to pay \_\_\_\_\_ % of all reasonable uncovered and/or uninsured medical, dental, vision, prescription and other health care charges for the minor child(ren).

- A request for payment or reimbursement of uninsured medical, dental and/or vision costs must be provided to the other party within 180 days after the date the services occur.
- The party responsible for payment or reimbursement must pay their share, as ordered by the Court, or make acceptable payment arrangements with the provider or person entitled to reimbursement within 45 days after receipt of the request.

8. Travel Expenses: The costs of travel related to parenting time over 100 miles one way shall be shared as follows: Party A \_\_\_\_\_ % Party B \_\_\_\_\_ %

9. Information Exchange: The parties shall exchange financial information such as copies of tax returns, financial affidavits, and earnings statements every twenty-four months. At the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers unless the Court has ordered otherwise.

10. Tax Exemptions: The Court allocates the following federal tax exemption(s) for the dependent child(ren):

Child's Name	Date of Birth (Month, Day, Year)	Parent Entitled to Deduction	For Calendar Year
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

Party A or  Party B may claim the allocated tax exemptions only if all support and arrears ordered for the year have been paid by January 15th of the following year. An Internal Revenue Service form 8332 may need to be signed and filed with a party's income tax return. *See IRS Form 8332 for more detailed information.*

Party A or  Party B may unconditionally claim the tax exemption allocated to  Party A or  Party B for income tax purposes. An Internal Revenue Service Form 8332 may need to be signed and filed with a party's income tax return. *See IRS Form 8332 for more detailed information.*

Even though the court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other party's responsibility to carry medical insurance on the child under the Decree of Dissolution of Marriage.

#### Important Information

11. Modification: If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.
12. Emancipation: A child is emancipated:
- On the child's 18<sup>th</sup> birthday, however if a child is still attending high school or a certified high school equivalency program, support will continue until graduation or the child reaches 19 years of age.

- On the date of the child’s marriage.
- When the child is adopted.
- When the child dies.

13. Other Findings and Orders:

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14. FINAL APPEALABLE ORDER. No further claims or issues remain for the Court to decide. Therefore, IT IS FURTHER ORDERED pursuant to Rule 78(c), Arizona Rules of Family Law Procedure, this final judgment/decreed is signed by the Court and it shall be entered by the Clerk of Superior Court. The time for appeal begins upon entry of this judgment by the Clerk of Superior Court. For more information on appeals, see Rule 8 and other Arizona Rules of Civil Appellate Procedure. IT IS FURTHER ORDERED denying any affirmative relief sought before the date of this Order that is not expressly granted above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

15. Stipulation. Signature by both Parties (if applicable):

Party A  Party B, by signing this document, we state to the Court under penalty of perjury that we read and agree to this Court Order, and that all the information contained in it is true, correct, and complete to the best of our knowledge and belief.

\_\_\_\_\_  
Party A’s Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Party B’s Signature

\_\_\_\_\_  
Date

If either party is represented by a lawyer, the lawyer must sign below:

\_\_\_\_\_  
Party A’s Lawyer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Party B’s Lawyer Signature

\_\_\_\_\_  
Date

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

IN THE SUPERIOR COURT OF ARIZONA  
IN YUMA COUNTY

\_\_\_\_\_ Case No. \_\_\_\_\_  
Petitioner

\_\_\_\_\_ **JOINT LEGAL DECISION-MAKING  
EDUCATION ORDER**  
Respondent

**Instructions:**

**This Legal Decision-Making Order is required.** You must complete this Order to match your **Parenting Time Plan** and, **after it's signed by the Judge**, provide a copy to the minor child(ren)'s school(s).

If **both parents agree**, both parents must sign this Order on page 8, before submitting it to the Judge.

If **the Order is being submitted by one parent**, that parent must sign this Order on page 8, before submitting it to the Judge.

If **either parent is represented**, that Parent's Counsel or Paraprofessional must also sign this Order on page 8, before it's submitted to the Judge.

THIS SECTION LEFT INTENTIONALLY BLANK

**THE COURT FINDS AS FOLLOWS:**

1. The parties have the following minor child(ren) (hereinafter the “minor child(ren)”):

Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a “Parenting Plan”) was entered by this Court on (insert date)

\_\_\_\_\_

3. A.R.S. §25-401 defines two different types of legal decision-making. “Joint legal decision-making” means both parents share decision-making and neither parent's rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order. “Sole legal decision-making” means one parent has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded **joint legal decision-making** to the parents.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parents, who are responsible for complying with its terms and the terms in the parenting plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

**IT IS HEREBY ORDERED AS FOLLOWS:**

**1. Delivery to School.**

The parents are required to provide a copy of this order to the minor child(ren)’s school(s).

**2. Joint Legal Decision-Making.**

The parents have been awarded joint legal decision-making. As it relates to this Education Order, legal decisions include school selection, enrollment/withdrawal, and special services (IEP/504 Plans). In the event the parents cannot agree (select appropriate box):

**Joint Decision-Making:** Neither parent is entitled to any greater decision-making authority. No change can be made, nor any action taken, unless the parties agree or a court order resolves the issue.

**Joint Decision-Making with a party having “Final” Authority:** Subject to the terms set forth in the Parenting Plan, decisions will be made by (indicate which parent has “presumptive” or “final” authority):

Petitioner

Respondent

### 3. **School Selection.**

Enrollment of the minor child(ren) in a particular school is subject to the school’s policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law. A parent may submit enrollment documentation to the school of choice solely for the purpose of reserving the minor child(ren)’s place at the school. Neither parent is restricted from selecting their preference of school for open enrollment purposes.

### 4. **Special Services.**

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services:

- An evaluation as to the minor child(ren)’s eligibility for special services shall proceed so long as at least one parent consents.
- Both parents are entitled to attend all meetings with school officials that parents are permitted to attend.
- Both parents are authorized to have access to all special services records and testing results.
- Upon completion of any evaluation or assessments, if there is no agreement between the parties regarding the provision of special education and related special services, the decision of how to proceed must be decided in accordance with the legal decision-making orders of the court.

### 5. **Parenting Time and Child Pick-Up.**

The school should not use the parenting schedule as a basis to deny either parent access to their minor child(ren), nor may either parent instruct the school to limit contact, unless otherwise ordered. Each parent may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or another court order.

### 6. **Contact Information.**

Each parent’s home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either parent until the parents reach an agreement or secure a court order to the contrary. In the event of an emergency, either parent may make decisions for the minor child(ren)’s immediate care.

### 7. **Access to School Grounds.**

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either parent’s right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.



**8. Access to School Records and Parent Portal.**

Both parents are entitled to equal access to the minor child(ren)'s school records. Neither parent may restrict the other parent's access to information. Further, each parent is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parents are entitled to access the school's student information system or online parent portal(s) (e.g. ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each parent to have an individual login account, the parents must create a joint login ID and password, which will not be changed or modified without the consent of the other parent.

**9. Parent-Teacher Conferences.**

Each of the parents has equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parents may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

**10. Curriculum and Instruction Disputes.**

In the event there is a disagreement between the parties as to the child(ren)'s involvement in any specific curricular activities, the subject matter being taught by the school (including books associated with the school curriculum), or the method of instruction, the issue shall be decided consistent with the legal decision-making authority assigned by court order. If neither parent has superior decision-making authority, the school shall implement its standard curriculum and method of instruction until such time that the parties reach an agreement or secure a court order.

**11. Extra-Curricular Activities.**

Each parent is authorized to sign consent forms for the child(ren) to participate in extra-curricular activities. In the event the parents disagree about the child(ren)'s involvement in such activities, the issue shall be addressed in accordance with the legal decision-making authority determined by the court. If neither parent has superior decision-making authority, the burden shall be on the parents, and not the schools, to resolve the issue through agreement or order of the court consistent with the legal decision-making orders entered by the court.

**12. Future Litigation.**

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

**13. Additional Education-Related Orders**

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Signed this date: \_\_\_\_\_

By: \_\_\_\_\_  
Judicial Officer  
Superior Court of Yuma County

**If both parties agree to this Order, signatures of BOTH parties:**

Petitioner: \_\_\_\_\_

Respondent: \_\_\_\_\_

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

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

**If either party is represented by an attorney, their attorney must also sign.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by Petitioner's Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by Respondent's Attorney

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

IN THE SUPERIOR COURT OF ARIZONA  
IN YUMA COUNTY

\_\_\_\_\_ Case No. \_\_\_\_\_  
Petitioner

\_\_\_\_\_ **SOLE LEGAL DECISION-MAKING  
EDUCATION ORDER**  
Respondent

**Instructions:**

**This Legal Decision-Making Order is required.** You must complete this Order to match your **Parenting Time Plan** and, **after it's signed by the Judge**, provide a copy to the minor child(ren)'s school(s).

If **both parents agree**, both parents must sign this Order on page 6, before submitting it to the Judge.

If **the Order is being submitted by one parent**, that parent must sign this Order on page 6, before submitting it to the Judge.

If **either parent is represented**, that Parent's Counsel or Paraprofessional must also sign this Order on page 7, before it's submitted to the Judge.

THIS SECTION LEFT INTENTIONALLY BLANK

**THE COURT FINDS AS FOLLOWS:**

1. The parties have the following minor child(ren) (hereinafter the "minor child(ren)"):

Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____
Name: _____	Born: _____

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a "Parenting Plan") was entered by this Court on (insert date)

\_\_\_\_\_

3. A.R.S. §25-401 defines two different types of legal decision-making. "Joint legal decision-making" means both parents share decision-making and neither parent's rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order. "Sole legal decision-making" means one parent has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded **sole legal decision-making** to one parent.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parents, who are responsible for complying with its terms and the terms in the parenting plan. It is not binding on a school but is provided as guidance for the child(ren)'s schools.

Based thereon,

**IT IS HEREBY ORDERED AS FOLLOWS:**

**1. Delivery to School.**

The parents are required to provide a copy of this order to the minor child(ren)'s school(s).

**2. Sole Legal Decision-Making.**

Sole legal decision-making authority has been awarded to (indicate which parent has sole legal decision-making):  Petitioner  Respondent

As it relates to this Education Order, legal decisions include school selection, enrollment/ withdrawal, and special services (IEP/504 Plans).

**3. School Selection.**

Only the parent with sole legal decision-making authority has the authority to select the minor child(ren)'s school. However, enrollment of the minor child(ren) in a particular school is subject to the school's policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law.

**4. Special Services.**

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services, only the parent with sole legal decision-making has the authority to consent to evaluation and/or the child(ren)'s participation in special education and related special services.

Both parents are entitled to attend all meetings with school officials that parents are permitted to attend. Both parents are authorized to have access to all special services records and testing results.

**5. Parenting Time and Child Pick-Up.**

The school should not use the parenting schedule as a basis to deny either parent access to their minor child(ren), nor may either parent instruct the school to limit contact, unless otherwise ordered. Each parent may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or other court order.

**6. Contact Information.**

Each parent's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either parent until the parents reach an agreement or secure a court order to the contrary. In the event of an emergency, either parent may make decisions for the minor child(ren)'s immediate care.

**7. Access to School Grounds.**

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either parent's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

**8. Access to School Records and Parent Portal.**

Both parents are entitled to equal access to the minor child(ren)'s school records. Neither parent may restrict the other parent's access to information. Further, each parent is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parents are entitled to access the school's student information system or online parent portal(s) (e.g. ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each parent to have an individual login account, the parents must create a joint login ID and password, which will not be changed or modified without the consent of the other parent.

**9. Parent-Teacher Conferences.**

Each of the parents has the equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parents may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

**10. Curriculum and Instruction Disputes.**

In the event there is a disagreement between the parties as to the child(ren)'s involvement in any specific curricular activities, the subject matter being taught by the school (including books associated with the school curriculum), or the method of instruction, the issue shall be decided by the parent with sole legal decision-making authority.

**11. Extra-Curricular Activities.**

It is anticipated that the child(ren) will participate in extra-curricular activities. If there is a disagreement between the parties, only the parent with sole legal decision-making authority has the authority to sign any permission slip or authorization.

**12. Future Litigation.**

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

**13. Additional Education-Related Orders**

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Signed this date: \_\_\_\_\_

By: \_\_\_\_\_  
Judicial Officer  
Superior Court of Yuma County

**If both parties agree to this Order, signatures of BOTH parties:**

Petitioner: \_\_\_\_\_

Respondent: \_\_\_\_\_

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

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

**If either party is represented by an attorney, their attorney must also sign.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by Petitioner's Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by Respondent's Attorney