ESTABLISH PATERNITY

WITH LEGAL DECISION-MAKING, PARENTING TIME, and CHILD SUPPORT

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1

To Get the First Court Order

Part 1: Completing and Filing the Court Papers

(Forms and Instructions)

103125

TO ESTABLISH PATERNITY, LEGAL DECISION-MAKING (custody), PARENTING TIME, and CHILD SUPPORT

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CHECKLIST

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

✓ You want a court order that declares paternity, legal decision-making (custody), parenting time, and (optionally) support for minor children, **AND**

✓ Paternity has **not** already been legally established for ***at least one*** of the children to be named in the court order*, **AND**

✓ The same person is the father of all children to be included in the court order, AND

✓ The minor children have lived in Arizona for at least 6 months (or since birth if younger than 6 months) before you file the petition, or you talked to a lawyer who advised that you could pursue the case in Arizona at this time.

DO NOT USE THE FORMS and instructions in this packet if:

X Someone *other than* the person named as the father in this case is already listed as the father on the birth certificate for any child for whom you are asking for a court order in this case.

X Paternity has *already* been legally established by other means***** for **all** children for whom you are seeking a court order in this matter.*****

***** For children born after July 1996: If the father's name appears on the birth certificate as a result of the parents having signed an Affidavit of Paternity in the hospital at time of birth or afterwards, paternity has already been established for that child and you do not need to establish paternity through the court. A.R.S. § 25-812 (C).

If the father is listed on the birth certificate or paternity has otherwise already been legally established for **all** children for whom you want a court order, see the Law Library Resource Center packet to **Establish Legal Decision-Making** (Custody), **Parenting Time and Support** to determine if it applies to your situation.

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.

To Establish Paternity, Legal Decision-making, Parenting Time, and Child Support

Do not copy or file this page

This packet contains court forms and instructions to file the establishment of paternity, authority for legal decision making, parenting time, and support for minor children. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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

Law Library Resource Center

Instructions: How to fill out paternity, legal decision-making, parenting time, and child support forms

When to use this packet:

- Use this packet if you want to get a court order for paternity, legal decision-making (legal custody), parenting time, and child support and you do not already have an order. If you want a court order for legal decision-making (legal custody) and parenting time, and you have a support order, the court will also review the current child support order. If the child support order needs to be changed, the court will do so. If there is no support order, the court will establish child support along with paternity, legal decision-making (legal custody) and parenting time.

- If you have a paternity order or the father's name is already on the birth certificate of all children for whom the court order is requested but you do not have a legal decision-making order, you may use the separate forms to establish legal decision-making, parenting time and child support (when paternity has already been established) instead.

- Important notice about when you can bring a legal decision-making case in the Superior Court in Arizona: Generally, the child or children must have resided in Arizona for at least 6 months, or since birth if younger than 6 months old. Arizona must be the minor child(ren)'s primary place of residence before you file. If you have questions regarding this requirement, see a lawyer before filing.

- Important notice about when you can sue another person in Arizona for paternity or child support: You can sue another person in Arizona to establish, enforce, or change a support order, or establish paternity, if one of the following statements is true about the other person:

    - The person is a resident of Arizona; or
    - You serve the person with the court papers in Arizona. (See the Law Library Resource Center packet on "Service" if you have any questions.); or
    - The person agrees to have the case heard in Arizona and files written papers in the court case; or
    - The person lived with the minor child in Arizona at some time; or
    - The person lived in this state and provided pre-birth expenses or support for the child; or
    - The minor child lives in this state because of the acts or directions of that person; or
    - The person had sexual intercourse in this state and the minor child may have been conceived; or
    - The person signed an affidavit acknowledging paternity that was filed in this state; or
    - The person signed an affidavit acknowledging paternity, or
    - The person did any other acts that substantially connect the person with this state (see a lawyer to help you decide this).

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Domestic Violence:

Domestic violence can be part of any relationship. Domestic violence includes physical violence directed against you or your children, such as hitting, slapping, pushing, or kicking. Domestic violence includes threats of physical violence made against you and your children, or regular verbal abuse used to control you.

Court documents request your address and phone number. If you are a victim of domestic violence, or if you do not want your address known to protect yourself or your minor children from further violence, you must file a Request for Protected Address and ask that your address not be disclosed on court papers.

If the Court grants your Request, you do not need to put your address and phone number on your court papers. If possible, get a P.O. Box or use another address on these papers. If you have no other address or phone where you can be reached when you file your court papers, write "protected" in the space where you are asked for this information. You must tell the Clerk of Superior Court an address and phone number as soon as possible.

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(All forms: type or print in **black** ink)

Family Department Sensitive Data/Cover Sheet

- Write in the information requested about Petitioner/Party A, Respondent/Party B, and any children under the age of 18.
- Do not include mailing address on this form if requesting address protection.
- Case Type: Mark the box that matches the legal procedure for which you are filing the documents in this packet: [x] Paternity.
- Interpreter: Check "yes" or "no" to indicate whether an interpreter is needed. If "yes," write in what language(s).
- No additional copies needed. Do not deliver ("serve") this document to the other party.

Summons and Preliminary Injunction

Fill in the following information where requested: Your name; address (if not protected); city, state and zip code; telephone number; ATLAS number (if you have one); name of Petitioner/Party A; and name of Respondent/Party B.

If you are represented by an attorney, write in the attorney's bar number. Tell the Court whether you represent yourself or are represented by an attorney. Do not fill out the rest of the form except on Page 2 of the Preliminary Injunction; fill out the description of other party. The Clerk of Superior Court will complete it later.

Petition for court Order for Paternity and legal decision-making, parenting time, and child support

Use this form if you want to get a court order for paternity, along with orders for legal decision-making, parenting time and child support.

- Make sure your form states "Petition for Paternity, Legal Decision-making, Parenting Time and Child Support" in the upper right-hand part of the first page.
- In the top left corner of the first page, fill out: your name; address (if not protected); city, state and zip code; telephone number; and your ATLAS number (if applicable).
- If there is not an existing Court Order, in the space that says, "Name of Petitioner/Party A," fill in your name. You will be the Petitioner/Party A though the whole case. In the space that says, "Name of Respondent/Party B," fill in the name of the other party, who will be the Respondent/Party B for the rest of your case. Leave "Case Number" blank. The Clerk of Superior Court will fill in the case number when you file your court papers.

Note: If you have an existing family court case in Yuma County against the same party, use your existing case number and fill in the names of the parties as it is stated in the current case. If you do not know your existing case number, ask the Clerk before you file your petition.

Do not copy or file this page

A. General information:

1. Fill in your name, address (if not protected), and date of birth. This is basic information about you, and your relationship to the children listed in this Petition.
2. Fill in the name of the other party, his or her address, and date of birth. This is basic information about the other party, and his or her relationship to the minor children listed in this Petition.
3. This box should be checked if it is true that you are starting this lawsuit in Arizona because either you, the other party, or the minor children live in Yuma County.
4. Check one or more boxes about why you can pursue your court case against the other party in Arizona.

B. Statements about paternity:

5. Why do you think the person is the father of these minor children? Check whichever box describes your situation.
   - Affidavit: Check this box if both you and the other party signed an Affidavit of Paternity stating that one of the parties in this case is the father of the minor child(ren).
   - Birth Certificate: Check this box and print the father's name here if the father is named on each minor child's birth certificate. Attach a certified copy of the birth certificate(s) to the complaint – or if a photocopy, be prepared to present the certified copy in court.

- Blood Test: Check this box if paternity has been established through a DNA blood test of the mother, father and minor child(ren). Check the party found to be the father. Attach a copy of the blood test result and/or resulting court order to the complaint.
- Parties Living Together: Check this box if the parties were living together and having sex during the 10 months before the birth of the minor child(ren).
- Sexual intercourse: Check this box if the parties were not living together but had sex at the date the child was conceived, and to your knowledge the mother did not have sex with anyone else at that time.
- Other: Check this box if there is another reason paternity is correct. Explain.

6. Tell the court whether the mother was married at the time or within 10 months before time the minor children who are the subject of your request for court order were born or conceived. If she was, you must add the mother's spouse to the court case, even if you say that mother's spouse was not a parent of the minor child(ren).

C. Other information about the minor children: If you are aware of court cases about the minor children, you need to tell the court. Attach a copy of any order about legal decision-making (legal custody), parenting time, or child support to the Petition (IF the order is NOT from the Superior Court in Yuma County.

7. Child Support: Check which party should pay child support. Indicate whether you would like past child support to be paid using a retroactive calculation and which parent should pay.

8. Fill out where the minor children from this action have been living for the past 5 years. If any children are under age 5, put the information about where they have been living since birth. Write each minor child's name; the address where the minor child lived; the dates the minor child lived at each address; whom the minor child lived with; and the relationship of that person to the child. While you may not remember the dates and addresses, you must fill this information out as completely as possible.

9. The Court must know if there have been other cases involving legal decision-making (legal custody), parenting time or child support of the minor children in this case, even if you were not a party. If there are no other legal decision-making (legal custody) or parenting time cases, or you don't know of any, check the second box and go on. If you have been involved in any way with this type of Court case, check the first box and give the requested information. Tell the Court what happened and what is going on in the other case(s).

10. You must tell the Court if you have information regarding any court case involving issues other than legal decision-making (legal custody) or parenting time of the minor child(ren). If your answer is "no," check the second box and go on. If there is another case, check the first box and give as much information as possible. This information could affect you or your minor children's rights in this case.

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11. If you know of another person other than the other party to this case who has physical custody (has the child or children living with him or her) or who is claiming legal decision-making or parenting time rights to any of the minor children, check the first box and supply the requested information. If you know of such a person, you must include him or her as a party in this court case. If not, check the second box and go on.

D. Other statements to the Court:

12. Medical Expenses: If you were required to pay for expenses related to the birth of your child, such as hospital and doctor bills, you can check this box to request the father to pay some or all of these expenses.

13. Other expenses: This tells the Court that the parties should pay for bills not covered by insurance in an amount equal to their respective incomes.

14. Parent Information Program: This tells the Court if you have already completed the Parenting Information Program.

15. Domestic Violence: This tells the Court if there was domestic violence in the relationship and relates to a request for joint legal decision-making (joint legal custody), if you intend to ask for joint legal decision-making. If you are not sure what this means, see the paragraph on Domestic Violence on the first page of these instructions. Check the box that best describes your situation. If domestic violence has not occurred, go on.

16. Drug Conviction within last twelve months: This tells the Court whether you or the other Party have been convicted of a drug or alcohol offense within the last twelve months.

E. Requests to the court for paternity, legal decision-making (legal custody), parenting time and child support: This requests that the Court make Orders relating to issues such as paternity, legal decision-making (legal custody), parenting time and child support.

1. Paternity: Check this box and put the father's full name on the line provided to tell the Court you want a ruling as to the father's identity.

2. Birth Certificate: Write the father's full name as it should appear on the child's birth certificate.

3. Child(Ren)'s Last Name: Check this box only if you want the minor child(ren)'s last name changed. Write in the name you want (Party A's or Party B's).

4. Primary Residence of minor children, Parenting Time, and authority for Legal Decision-making

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A. Primary Residence: Check one box only. Mark the box for the Party you want the minor children to live with more than 50% of the time.

B. Parenting Time: Check one box only. You can ask that the non-custodial parent (the parent having physical custody of the child less than 50% of the time) have one of the following types of parenting time:

Reasonable parenting time. This suggests an amount of parenting time appropriate to the age of the child as set forth in the Parenting Plan, filed with the Petition.

Supervised or no parenting time.

- You may request supervised or no parenting time if Party A or Party B cannot adequately care for the minor children or cannot do so without another person present.
- You may request this if the other party abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for a child without another person present.
- Supervised or no parenting time is not intended to punish the parent, but to protect the minor child(ren).
- You must write in why you say the parenting time should be supervised or no parenting time allowed.

No parenting time.

- Check this option only if either Party A or Party B has seriously harmed, abused, or otherwise is a serious danger to the minor child's physical and emotional health, or if there is a criminal Court Order stating there is to be no contact between the child and either Party A or Party B.
- This is used as a last resort to protect the child.

C. Legal Decision-making: Mark the option for sole legal decision-making (sole legal custody) if you are asking that one parent be responsible for the legal decision-making of the children. If you are asking for joint legal decision-making (joint legal custody), you will need to sign the Joint Legal Decision-making (joint legal custody) Agreement which is part of the Parenting Plan.

5. Child Support: Check which party should pay child support. (The box you check should match what is on your completed Child Support Worksheet.) Check the next box if you want the Court to order past support and check which party should pay past support.

6. Mother's Expenses: Check this box indicating if the other party should be required to pay for expenses relating to the birth of the child.

7. Health, Medical, Dental Insurance and Health Care Expenses: Check which party should be responsible for health, medical and dental insurance.

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8. Testing and Costs: This section asks that, if the other party contests paternity, you want the Court to order cooperation with any blood or tissue tests necessary to establish paternity. It also asks the Court to award you costs and fees if the other party contests paternity.

9. Tax Exemption: It is your responsibility to understand the information regarding tax exemption and how the Affordable Care Act can impact one or both parties if they are required to provide medical insurance.

10. Other Orders: Write the additional orders you are requesting the Court to make that were not covered in your Petition.

Do not copy on file this page

Under Penalty of Perjury: Sign this form in front of a Deputy Clerk of Superior Court (at the filing counter) or a Notary Public. By doing so, you declaring to the Court under penalty of prosecution for perjury that everything contained in your Petition is true.

Notice regarding the Parent Information Program (PIP)

This is an important document. You and the other parent must attend and complete a class in the Parent Information Program. The purpose of the Parent Information Program is to give parents information about the impacts that divorce, changes in the family unit, and/or court involvement have on children involved in a divorce, paternity, or other family court case. This Notice applies to all parents who file an action for divorce or legal separation, or any family court proceeding, in which a party has requested that the court determine legal decision-making (legal custody) or parenting time on or after January 1, 1997, and to all other domestic relations cases if ordered by the Court.

Read this notice. Do what it says, and serve this notice on the other party.

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, file it with your Petition.

Other important papers to be completed **not** in this packet

Child Support Worksheet

- Use the free online Child Support Calculator at the website listed below to complete a child support worksheet.
- ezCourtForms http://www.superiorcourt.maricopa.gov/ezcourtforms2/

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

- 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

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After completing the child support worksheet, print out the child support worksheet and file it with your Petition.

Education Order (If applicable)

(ONLY required prior to January 1, 2025.) After this date, an Education Order is not required unless otherwise ordered by the Court.

You can find this document on the Law Library Resource Center website on the Family Department page.

Use only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.

- Read each numbered paragraph. Fill in the information requested.
- Do not sign or date the judicial officer section at the end of the document.

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PARENTING PLAN INFORMATION

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

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.

2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

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

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.

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

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

Drafting a Parenting Plan:

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

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

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

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

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

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

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?

2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.

3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.

4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?

5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?

6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?

7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?

8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?

9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

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Procedures: How to file papers with the court to establish paternity, legal decision-making (legal custody), parenting time, and child support

Step 1: Complete the Family Department/Sensitive Data CoverSheet. Do not copy this document.

Step 2: Complete the Child Support Worksheet online via:

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

Print out 1 copy of the completed Child Support Worksheet.

Step 3: Make 2 copies of the originals of the following documents:

- Summons
- Preliminary Injunction
- Petition to Establish
- Parenting Plan
- If applicable (required prior to January 1, 2025): Education Order (Choose only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.)
- Child Support Worksheet
- Order and Notice for Parent Information Program

Step 4: Separate your documents into three (3) sets:

Do not copy or file this page

Set 1 - Originals for Clerk of Superior Court:	Set 2 - Copies for other party:
• Family Department/Sensitive Data CoverSheet • Summons • Preliminary Injunction • Petition to Establish • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Order and Notice for Parent Information Program	• Summons • Preliminary Injunction • Petition to Establish • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Order and Notice for Parent Information Program
Set 3 – Copies for you: • Summons • Preliminary Injunction • Petition to Establish • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Order and Notice for Parent Information Program	

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Step 5: File the papers at the court:

Go to the court to file your papers. The court is open from 8:00 a.m. – 5:00 p.m., Monday-Friday. You should go to the court at least two hours before it closes. You may file your court papers at the following Clerk of Superior Court location:

Clerk of Superior Curt
250 West Second St. Yuma,
Arizona 85003

File: Go to the Clerk of Superior Court filing counter at the location where you will file your papers.

Fees: A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

If this is a joint-filing by both parties as in a "stipulation" or "agreement," and it is the first time one of the parties or his or her attorney has "appeared," that is, filed papers in this case, a separate substantial "appearance fee" (also known as a "response" or "answer" fee) will be due from that party at the time of filing.

Do not copy or file this page

Papers: Hand all three (3) sets of your court papers to the Clerk of Superior Court along with along with the correct filing fee. Make sure you get the following back from the Clerk of Superior Court:

- Your set of copies
- The other party's set of copies

Step 6: Serve the papers on the other party. Read the packet at the Law Library Resource Center called "Service of Court Papers" that applies to your situation. This will explain how to serve the other party. Remember to file your Affidavit or Acceptance of Service as soon as the Respondent is served.

Step 7: Wait. Depending on how and where you served the papers on the other party (in-state, out of state, by publication, etc.), he or she has a certain number of days to file a response to tell the Court that he or she disagrees with your facts, or objects to the Orders you want the Court to make. You should receive a copy of the Response and a notice about when and where you must appear for any Court procedure or hearing.

If no response is filed, you must file papers to tell the court the other party defaulted - that is, the other party agrees with your request - or at least did not file papers to disagree, so the Court should move forward. See the Law Library Resource Center's "Default" packet and follow the timetable and procedures there to apply for your default court order.



* Staple and group the documents according to the page numbers and document sections. Do not combine or staple all documents together. Each document should be stapled separately and kept in the correct page-number order.

* Please look for the line in the corner of each page. This line indicates where the documents should be separated and stapled.

Pursuant to Administrative Order 2026-02, you are required to complete the Family Court Pathways Tool prior to filing this petition. Contact the Law Library at 928-817-4165

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Petitioner / Party A

_____
Respondent / Party B

Case No. _____

ATLAS No. _____

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITH CHILDREN
(CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

A. Personal Information:	**Petitioner / Party A**	**Respondent / Party B**
Name		
Gender	☐ **Male or** ☐ **Female**	☐ **Male or** ☐ **Female**
Date of Birth (Month/Day/Year)		
Social Security Number		

Warning: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION

Mailing Address		
City, State, Zip Code		
Contact Phone		
Receive texts from Court to contact phone number above?	☐ **Yes** ☐ **No texts**	☐ **Yes** ☐ **No texts**
Email Address		
Current Employer Name		
Employer Address		
Employer City, State, Zip Code		
Employer Telephone Number		
Employer Fax Number		

B. Child(ren) Information:

Child Name	**Gender**	**Child Social Security Number**	**Child Date of Birth**

C. Type of Case being filed: Mark **only one (1) category** below**.** (*****) Mark this box only if no other case type applies.

☐	**Dissolution (Divorce)**	☐	**Paternity**	☐	**Order of Protection**
☐	**Legal Separation**	☐	***Legal Decision-Making / Parenting Time**	☐	**Register Foreign Order**
☐	**Annulment**	☐	***Child Support**	☐	**Other**

D. Do you need an interpreter? ☐ **Yes or** ☐ **No. If Yes, what language?** _____

DO NOT COPY this document. DO NOT SERVE THIS DOCUMENT to the other party.

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.:** _____

Name of Petitioner / Party A

SUMMONS

And

_____

Name of Respondent / Party B

WARNING: This is an official document from the court that affects your rights. Read this carefully. If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: _____

Name of Opposing Party

1. **A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this *"Summons."***

2. **If you do not want a judgment or order entered against you without your input, you must file a written *"Answer"* or a *"Response"* with the court, and pay the filing fee. Also, the other party may be granted their request by the Court if you do not file an *"Answer"* or *"Response", or show up in court.* To file your *"Answer"* or *"Response"* take, or send, it to the:**

Office of the Clerk of Superior Court, 250 West 2nd Street, Yuma, Arizona 85364

After filing, mail a copy of your *"Response"* or *"Answer"* to the other party at their current address.

Case No. _____

3. **If this *"Summons"* and the other court papers were served on you by a registered process server or the Sheriff within the State of Arizona, your *"Response"* or *"Answer"* must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. If this *"Summons"* and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" outside the State of Arizona, your "Response" or "Answer" must be filed within THIRTY (30) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.**

4. **You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, or from the Clerk of Superior Court's Customer Service Center at:**

   250 West 2nd Street, Yuma, AZ 85364

5. **If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (legal custody) and parenting time issues regarding minor children.**

6. **Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by the party needing accommodation or his/her counsel at least three (3) judicial days in advance of a scheduled proceeding.**

7. **Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.**

SIGNED AND SEALED this date_____

CLERK OF SUPERIOR COURT

By_____
Deputy Clerk of Superior Court

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Name of Petitioner/Party A

AND

_____
Name of Respondent/Party B

Case Number: _____

PRELIMINARY INJUNCTION

A.R.S. §25-808

A. INFORMATION about this PRELIMINARY INJUNCTION

1. **If filing for Legal Decision-Making and Parenting Time, and you want the Court to issue a Preliminary Injunction, you must file at least ONE of the following papers with the Petition:**
(check box to indicate which is attached)

☐ A Copy of the Birth Certificate that lists FATHER as a parent of the child subject of this petition, or

☐ An Affidavit or Acknowledgement signed by the FATHER admitting paternity, or

☐ An Adoption Order listing BOTH PARTIES as parents, or

☐ A Court Order establishing paternity.

2. **ACTIONS FORBIDDEN by this Court Order:** BOTH the Petitioner and the Respondent **shall not** do any of the following:

- ✓ You may **not** molest, harass, disturb the peace of or commit an assault or battery on the person of the other party or any natural or adopted child of the parties, **AND**
- ✓ You may **not** remove any natural or adopted child of the parties then residing in this state from the jurisdiction of the court without the prior written consent of the parties or the permission of the court, **AND**
- ✓ You may **not** remove or cause to be removed any child of the parties from any existing insurance coverage, including medical, hospital, dental, automobile, or disability insurance.

WARNING: This is an official Court Order.
If you disobey this order the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this order. You or the other party may file a certified copy of this order with your local law enforcement agency. A certified copy may be obtained from the clerk of the court that issued this order. If you are the person who brought this action, you must also file evidence with the law enforcement agency that this order was served on the other party. This court order is effective until a final order of paternity, legal decision-making or parenting time is filed or the action is dismissed.

3. REQUIREMENTS of this Court Order: Arizona Law, A.R.S. §25-808(B)(2) requires:

✓ Both Petitioner and Respondent must maintain ALL INSURANCE COVERAGE in full force and effect during the Petition process.

4. This PRELIMINARY INJUNCTION:

- **Does not prejudice** the rights of the parties or of any child that are to be adjudicated at the subsequent hearings in the proceeding.
- **May be revoked or modified** before the final decree on a showing by affidavit of the facts necessary for revocation or modification of a final decree.
- **Terminates** when the final order is entered or when the Petition is dismissed.

B. DESCRIPTION OF THE PARTIES:

1. Petitioner:

Name:_____ Gender: ☐ Male ☐ Female

Height:_____ Weight:_____

Driver's License (**last 4 nos**.)_____

Date of Birth:_____

2. Respondent:

Name:_____ Gender: ☐ Male ☐ Female

Height:_____ Weight:_____

Driver's License (**last 4 nos**.)_____

Date of Birth:_____

C. OFFICIAL SIGNATURE:

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this _____ day of _____,_____.

CLERK OF SUPERIOR COURT

By:_____, Deputy Clerk

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 Number:** _____
Name of Petitioner / Party A

_____
Name of Respondent / Party B

PETITION FOR COURT ORDER FOR PATERNITY and (check box below if applicable)

☐ **LEGAL DECISION-MAKING (legal custody)**

☐ **PARENTING TIME**

☐ **CHILD SUPPORT**

☐ **VITAL RECORDS** (Check this box if the Department of Vital Records is ordered to change the birth records of a child born in Arizona.)

A. STATEMENTS TO THE COURT:

1. INFORMATION ABOUT ME:

Name: _____

Address: _____

Date of Birth: _____

Occupation: _____

My relationship to the children listed in Petition:

☐ **Mother**

☐ **Father (or may be the father)**

☐ **Other: (Explain)** _____

2. INFORMATION ABOUT OTHER PARTY:

Name: _____

Address: _____

Date of Birth: _____

Occupation: _____

Other Party's relationship to the children listed in this Petition:

☐ **Mother**

☐ **Father (or may be the father)**

☐ **Other: (Explain)** _____

3. VENUE: (Check here if the following statement is true):

☐ **This is the proper court to bring this lawsuit under Arizona law because it is the county of residence of either party or of the minor children.**

4. JURISDICTION: WHY I AM FILING THIS COURT CASE AGAINST THE OTHER PARTY IN ARIZONA: (Place a check mark in the boxes that are true.)

☐ The person is a resident of Arizona

☐ I believe that I will personally serve the person in Arizona (see packet on service to know about this.)

☐ The person agrees to have the case heard here and will file written papers in the court case;

☐ The person lived with the minor child in this state at some time;

☐ The person lived in this state and provided pre-birth expenses or support for the minor child;

☐ The minor child lives in this state as a result of the acts or directions of the person;

☐ The person had sexual intercourse in this state as a result of which the minor child may have been conceived;

☐ The person signed an affidavit acknowledging paternity that is filed in this state;

☐ The person did any other acts that substantially connect the person with this state (see a lawyer to help you determine this).

B. STATEMENTS ABOUT PATERNITY:

5. WHY YOU THINK THE PERSON IS THE FATHER OF THE MINOR CHILD(REN):

(Check which box applies)

☐ **AFFIDAVIT:** Both parties signed an **Affidavit of Paternity** acknowledging that ☐ Party A or ☐ Party B is the minor child(ren)'s natural father. A copy is attached.

☐ **BIRTH CERTIFICATE:** ☐ Party A or ☐ Party B is named as the natural father on one or more minor child(ren)'s birth certificate(s). Copy (or copies) attached.

☐ **BLOOD TEST:** DNA Testing indicates ☐ Party A or ☐ Party B is the minor child(ren)'s natural father. Report(s) of test results attached.

☐ **PARTIES LIVING TOGETHER:** Parties A and B were not married to each other at any time during the ten months before birth of the minor child(ren). However, the parties lived together during the period(s) when the minor child(ren) could have been conceived.

☐ **SEXUAL INTERCOURSE:** Parties A and B were not living together but had sexual intercourse at the probable date(s) of conception of the minor child(ren). The mother of the minor children did not have sexual intercourse with anyone else during the periods in which the minor child(ren) could have been conceived.

☐ **OTHER**: (explain) _____

_____

6. ABOUT MARRIAGE (if applicable, check one box.)

☐ **Mother was not married** at the time minor child(ren) were born or conceived or at least 10 months before minor child(ren) were born or conceived, OR

☐ **Mother was married** when minor child(ren) were born or conceived or at least 10 months before minor child(ren) were born or conceived, but the Mother's spouse is not a parent of the minor child(ren). (Mother's spouse is a party to this court case because of marriage.)

C. INFORMATION ABOUT MINOR CHILDREN:

7. INFORMATION ABOUT CHILD SUPPORT FOR MINOR CHILDREN:

☐ There is an order for Child Support, dated _____ from (name of court) _____.

This order ☐ **needs** ☐ **does not need to be changed**.

☐ **There is a pending** child support petition or modification currently filed in this court or another.

☐ To my knowledge **there is no child support order** for the minor child(ren) and the court should order child support in this case along with legal decision-making (custody), and parenting time.

☐ Party A ☐ Party B made **voluntary/direct support payments in the amount of $**_____ that need to be taken into account, if past support is requested.

☐ Party A ☐ Party B owes **past support** for the period between:

☐ **the date this petition was filed** and the date current child support is ordered. **OR –**

☐ **the date the parties started living apart**, but not more than three years before the date of this petition was filed, and the date current child support is ordered. **OR -**

☐ **the date the parties started living apart**, which is **MORE THAN** three years before the date of this petition was filed, and the date current child support is ordered. * **If you check this box, you must explain why the Court should award past support for this time period.**

EXPLAIN: _____

_____

_____

8. CHILD(REN)'S residence:

A. Child's Name: _____ **Gender:** ☐ **Female** ☐ **Male**

Place of Birth: _____ **Date of Birth:** _____

Current Address: _____

How long at this address: _____ **County:** _____

Lived with ☐ **Party A** ☐ **Party B** ☐ **Other** (Name & Relation to Child):

(If less than 5 years, provide 5 years previous address information for each child.)

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

B. Child's Name: _____ **Gender:** ☐ **Female** ☐ **Male**

Place of Birth: _____ **Date of Birth:** _____

Current Address: _____

How long at this address: _____ **County:** _____

Lived with ☐ **Party A** ☐ **Party B** ☐ **Other** (Name & Relation to Child):

(If less than 5 years, provide 5 years previous address information for each child.)

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

C. Child's Name: _____ **Gender:** ☐ **Female** ☐ **Male**

Place of Birth: _____ **Date of Birth:** _____

Current Address: _____

How long at this address: _____ **County:** _____

Lived with ☐ **Party A** ☐ **Party B** ☐ **Other** (Name & Relation to Child):

(If less than 5 years, provide 5 years previous address information for each child.)

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**

D. Child's Name: _____ **Gender:** ☐ **Female** ☐ **Male**

Place of Birth: _____ **Date of Birth:** _____

Current Address: _____

How long at this address: _____ **County:** _____

Lived with ☐ **Party A** ☐ **Party B** ☐ **Other** (Name & Relation to Child):

(If less than 5 years, provide 5 years previous address information for each child.)

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other**:

Previous Address: _____

How long at this address: **Lived with** ☐ **Party A** ☐ **Party B** ☐ **Other:**

☐ Continues on attached page(s) made part of this document by reference.

9. COURT CASES INVOLVING PHYSICAL CUSTODY, LEGAL DECISION-MAKING (LEGAL CUSTODY) OR PARENTING TIME, RELATED TO CHILDREN UNDER 18 YEARS OLD: (Check one box)

☐ **I HAVE** ☐ **I HAVE NOT** been a party or witness or participated in any court case involving the physical custody, legal decision-making (legal custody), or parenting time for any of the minor children named above in this state or in any other state (If you **have,** explain below, using extra pages if necessary. **IF NOT, GO ON**).

Name of each child: _____

Court State: _____ Court location (county/city): _____

Court case number: _____ Current case status: _____

Nature (type) of court proceeding: _____

Summary of any Court Order: _____

_____

_____

10. COURT CASES <u>NOT</u> INVOLVING PHYSICAL CUSTODY, LEGAL DECISION-MAKING (LEGAL CUSTODY) OR PARENTING TIME RELATED TO THE CHILDREN UNDER 18 YEARS OLD: (check one box)

☐ **I HAVE** ☐ **I DO NOT HAVE** information regarding any court action in this state **or** any other state involving the minor child(ren) listed above that could affect this case including court cases for enforcement and relating to domestic violence, protective orders, termination of parental rights and adoptions (If you have, explain below, using extra pages if necessary. **IF NOT, GO ON**.)

Name of each child: _____

Court State: _____ Court location (county/city): _____

Court case number: _____ Current case status: _____

How the minor children are involved: _____

_____

Summary of any Court order: _____

_____

_____

11. PHYSICAL CUSTODY, LEGAL DECISION-MAKING (LEGAL CUSTODY) OR PARENTING TIME CLAIMS OF ANY PERSON: (check one box)

☐ **I KNOW** ☐ **I DO NOT KNOW** a person other than the Party A or the Party B who has physical custody or who claims legal decision-making (legal custody) or parenting time rights to any of the minor children named above. (If you do, explain below, using extra pages if necessary. **IF NOT, GO ON**).

Name of each child: _____
Name of Person with the claim: _____
Address of Person with the claim: _____
Nature of the Claim: _____

_____

D. OTHER STATEMENTS TO THE COURT:

12. MEDICAL EXPENSES: ☐ There are **OR** ☐ There are no unreimbursed medical expenses incurred by the mother, resulting from the birth of the minor child(ren). If there are, these costs and expenses should be awarded to ☐ Party A **OR** ☐ Party B according to law.

13. OTHER EXPENSES: The parties should be ordered to divide between them any uninsured medical, dental, or health expenses, reasonably incurred for the minor children, in proportion to their respective incomes.

14. PARENT INFORMATION PROGRAM (PIP)**:** is required for persons seeking legal decision-making authority (legal custody) or parenting time.

☐ **I <u>have</u>** ☐ **I <u>have not</u>** (check one box) **already ATTENDED the Parenting Information Program.**

15. DOMESTIC VIOLENCE: (If you are asking for **joint** legal decision-making (joint legal custody), check one.)

☐ Domestic Violence has not occurred between the parties. **OR**

☐ There <u>has</u> been domestic violence in this relationship and no legal decision-making (legal custody) should be awarded to the party who committed the violence.

☐ Domestic Violence has occurred but it was committed by both parties or it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision making (joint or sole legal custody) to a parent who has committed domestic violence *because:* (EXPLAIN)

_____
_____
_____

16. DRUG / ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS: (Check one box.)

☐ **Neither parent has been convicted** for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months, **OR**

☐ **One or both parents have been convicted** for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months.

☐ **Party A and/or** ☐ **Party B was convicted, however**, the legal decision-making (legal custody) and parenting time arrangement I am requesting appropriately protects the minor child(ren).

Explain how this arrangement appropriately protects the children._____

_____

_____

E. REQUESTS TO THE COURT:

1. PATERNITY: Order that (legal name of the father, as on his birth certificate, or his current *legal* name)

First Middle Last

_____

IS the natural father of the minor child(ren).

2. BIRTH CERTIFICATE:

☐ **Order that the name of the father listed in "A" above be added to each minor child's birth certificate:**

_____

3. NAME CHANGE: (check the box and fill in the blank if you want this):

☐ **Order each minor child's last name** (only) **be changed to:**

_____

OR ☐ **Order as follows:**_____

_____

_____

4. PRIMARY RESIDENCE OF MINOR CHILDREN, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY):

a. PRIMARY RESIDENCE: Declare which party's home shall be the main residence for each minor child:

☐ Declare NEITHER parent's home is designated as the primary residence, OR

☐ Declare Party A's home as the primary residence for the following named children:

_____

☐ Declare Party B's home as the primary residence for the following named children:

_____

b. PARENTING TIME: Award parenting time as follows:

☐ **Reasonable parenting time** rights as described in the Parenting Plan, **OR**

☐ **Supervised parenting time** between the children and ☐ Party A **OR** ☐ Party B, **OR**

☐ **No parenting time** rights to the ☐ Party A **OR** ☐ Party B.

Supervised or no parenting time is in the best interests of the child(ren) because:

_____

_____

_____

☐ Explanation continues on attached pages made part of this document by reference.

1. Name this person to supervise: _____

2. Order cost of supervised parenting time (if applicable) to be paid by:

☐ Party A

☐ Party B

☐ Shared equally by the parties

3. Additionally restrict parenting time as follows: (Explain.)

_____

_____

_____

c. LEGAL DECISION-MAKING (legal custody):
Award legal decision-making concerning the child(ren) as follows:

☐ **AWARD SOLE LEGAL DECISION-MAKING (sole legal custody) to**:
☐ **Party A** ☐ **Party B**

OR

☐ **AWARD JOINT LEGAL DECISION MAKING (joint legal custody) to BOTH PARENTS.**
Party A and Party B will agree to act as joint legal decision-makers concerning the minor child(ren) and will submit a Parenting Plan and Joint Legal Decision-Making Agreement signed by the both parties. (For the court to order "joint" legal decision-making, there must have been no "significant" domestic violence according to Arizona law, A.R.S. § 25-403.03).

(Check below if you are asking for a child support order or a change of child support in this case.)

5. CHILD SUPPORT: Order that child support shall be paid by

☐ Party A **OR** ☐ Party B as follows, EITHER:

☐ in the amount set forth in the Child Support Worksheet filed with this Petition and incorporated by this reference.

OR

☐ in the amount of $_____, which is a deviation from the amount set forth under the Arizona Child Support Guidelines. I am requesting a deviation because: (EXPLAIN)

_____

_____

☐ Order that **past child support** for the period stated under #7 above, be paid by ☐ **Party A** ☐ **Party B** in an amount determined by using a retroactive application of the Arizona Child Support Guidelines taking into account any amount of **temporary or voluntary / direct support** that has been paid.

6. MOTHER'S EXPENSES: Order that ☐ Party A **OR** ☐ Party B pay a reasonable amount to cover unreimbursed expenses incurred by the mother related to the birth of each child(ren).

7. MEDICAL, DENTAL and VISION CARE INSURANCE FOR MINOR CHILDREN:
Order that:

☐ **Party A** should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ **Party B** should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ **Order that both parties** pay for all reasonable unreimbursed medical, dental, vision care, and health-related expenses incurred for the minor child(ren) in proportion to their respective incomes as described on the Child Support Order, which shall be submitted with the Judgment and Order.

8. TESTING and COSTS: Order that if paternity is contested, Party A and Party B be ordered to submit to such blood and tissue tests as may be necessary by this Court to establish paternity, and that the other party must pay all costs and expenses of this lawsuit, if he/she contests these proceedings, including costs of the blood tests, other genetic testing; filing each child's birth certificate; attorneys' fees and court costs.

9. TAX EXEMPTION. Allocate tax exemptions for the minor child(ren) as determined by the Court under the Arizona Child Support Guidelines and in a manner that allows each party to claim allowable federal dependency exemptions proportionate to adjusted gross income in a reasonable pattern that can be repeated.

Under the Affordable Care Act, the parent who claims the 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.

Parent entitled to claim		**Name of minor child**	**in Tax Year**
☐ **Party A**	☐ **Party B**	_____	
☐ **Party A**	☐ **Party B**	_____	
☐ **Party A**	☐ **Party B**	_____	
☐ **Party A**	☐ **Party B**	_____	

☐ **Pattern shall repeat for subsequent years.**

10. OTHER ORDERS I AM REQUESTING (explain request here):

_____

_____

_____

F. SIGNATURES

UNDER OATH OR AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

_____ _____

Date Signature

STATE OF _____

COUNTY OF _____

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

By _____.

_____

(notary seal) Deputy Clerk or Notary Public

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

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

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case No. _____

_____
Petitioner/Party A

PARENTING PLAN FOR

☐ JOINT LEGAL DECISION-MAKING

_____
Respondent/Party B

OR

☐ SOLE LEGAL DECISION-MAKING

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-making and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-making Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. If only one parent is submitting the Plan: that parent must sign at the end of PART 2 and 3, and the Affidavit under Section 5.

b. If both parents agree to legal decision-making and parenting time arrangements but not to joint legal decision-making: Both parents must sign the Plan at the end of PART 2 and 3, and the Affidavits under Section 5.

c. If both parents agree to joint legal decision-making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PARTS 2, 3, and 4, and the Affidavits under Section 5.

Case No. _____

PART 1: GENERAL INFORMATION:

A. MINOR CHILDREN. This Plan concerns the following minor children:
(Use additional paper if necessary)

_____ _____

_____ _____

_____ _____

B. THE FOLLOWING LEGAL DECISION-MAKING ARRANGEMENT IS REQUESTED:
(Choose ONE of 1, 2, 3, 4.)

☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

The parents agree that sole legal decision-making authority should be granted to ☐ Party A ☐ Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

☐ 2. SOLE LEGAL DECISION-MAKING REQUESTED BY THE PARENT SUBMITTING THIS PLAN. The parents cannot agree to the terms of legal decision-making and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

OR

☐ 3. JOINT LEGAL DECISION-MAKING BY AGREEMENT. The parents agree to joint legal decision-making and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

☐ 4. JOINT LEGAL DECISION-MAKING AUTHORITY REQUESTED BY THE PARENT SUBMITTING THIS PLAN.

The parents cannot agree to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

PART 2: PARENTING TIME. Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

☐ The minor children will be in the care of Party A as follows: (Explain).

_____

_____

☐ The minor children will be in the care of Party B as follows: (Explain).

_____

_____

☐ Other parenting time arrangements are as follows: (Explain).

_____

_____

☐ Transportation will be provided as follows:

☐ Party A or ☐ Party B will pick the minor children up at _____ o'clock.

☐ Party A or ☐ Party B will drop the minor children off at _____ o'clock.

Parenting-time exchanges will occur at the following exchange location :

_____

_____

_____

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

_____

☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. OR,

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain)

_____

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B:(Explain)

_____

☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

☐ Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

Holiday	Even Years		Odd Years	
New Year's Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
New Year's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Spring Vacation	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Easter	☐ Party A	☐ Party B	☐ Party A	☐ Party B
4th of July	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Halloween	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Veteran's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Thanksgiving	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Hanukkah	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Winter Break	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Child's Birthday	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Mother's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Father's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B

☐ Each parent may have the children on his or her birthday.

☐ Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

☐ Other Holidays (Describe the other holidays and the arrangement):

_____

☐ Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain)

_____

☐ Other (Explain):

_____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records.

- A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request.
- A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. MEDICAL AND DENTAL ARRANGEMENTS:

☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:

_____

OR

☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting the other parent.

G. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.

☐ Both parents agree that the minor children may be instructed in the faith.

☐ Both parents agree that religious arrangements are not applicable to this plan.

H. ADDITIONAL ARRANGEMENTS AND COMMENTS:

☐ NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within _____ days of the change.

☐ NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.

☐ TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

☐ ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

☐ OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the Yuma metropolitan area without prior written consent of the other parent, or a court-ordered Parenting Plan. A.R.S. 25-408 (B)

☐ COMMUNICATE. Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.

☐ METHOD OF COMMUNICATION. Each parent agrees to use the following means of communication:

_____

☐ FREQUENCY OF COMMUNICATION. Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be

_____

and will be by the following methods: ☐ Phone ☐ Email ☐ Other

☐ PRAISE OTHER PARENT. Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.

☐ COOPERATE AND WORK TOGETHER. Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

☐ NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME. If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

☐ PARENTING PLAN. Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.

☐ MEDIATION. If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: Do not deviate from Parenting Plan until dispute is resolved.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets to enforce a court order.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

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

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

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

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

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

Case No. _____

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

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

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

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

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

☐ Domestic Violence has not occurred between the parties, OR

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

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

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

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

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

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

_____

_____

_____

_____

_____

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

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.

2. CRITERIA. Our joint legal decision-making agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:

   a. The best interests of the minor children are served;
   b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
   c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
   d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
   e. The Plan includes a procedure for periodic review;
   f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
   g. A procedure for communicating with each other about the child, including methods and frequency.

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

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

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

PART 5: AFFIDAVITS

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

_____ _____

Petitioner's/Party A's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

_____ _____

Respondent's/Party B's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

For Clerk's Use Only

_____ **Case Number:** _____
Name of Petitioner

ORDER AND NOTICE TO ATTEND PARENT INFORMATION PROGRAM CLASS

_____
Name of Respondent

THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO OBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT.

THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- ☐ Dissolution of Marriage;
- ☐ Annulment
- ☐ Legal Separation; or
- ☐ Paternity with a Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Child Support;
- ☐ Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Support

THE COURT ORDERS pursuant to ARS § 25-352:

1. **ATTEND CLASS.** You must attend and complete the Parent Information Program Class, or if not in Arizona, its equivalent in your state of residence.

2. **WITHIN 45 DAYS.** Both the Petitioner and the Respondent **must** complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent **must** register for and complete the course whether or not a ***"Response"*** or ***"Answer"*** to the Petition/Complaint is filed.

3. **PAY THE CLASS FEE.** The class tuition of $40.00 is included as part of your Petition or Response filing fee.

4. **NOTICE TO THE OTHER PARTY.** The parent filing the Petition, Request, Motion or Complaint shall serve this document on the other parent.

5. **FAILURE TO ATTEND CLASS.** If you file a Petition/Complaint or ***"Response"*** or ***"Answer"*** and do **not** complete the Parent Information Program Class, the judge **may not** sign your papers and you **may not** get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a ***"Response"*** or ***"Answer,"*** and do not complete the Parent Information Program Class, you **may be denied** the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.



Presiding Judge, Superior Court

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PARENT INFORMATION PROGRAM NOTICE

ATTENDANCE IS REQUIRED (A.R.S. 25-352)
You and the other parent must complete a class through the Parent Information Program. The purpose of the program is to give parents information about how children affected by matters that involve divorce, paternity, legal decision-making (custody) and/or parenting time.

If you do not complete the parent information class, the judge may not sign your papers, and you may not receive what you requested from the court. The judge may also find you in contempt of court.

APPROVED PARENT INFORMATION CLASS
A court-approved class that meets the requirements of the Parent Information Program is available in both English and Spanish. You may register for the class by contacting the following person.

To register, email Emily Matheron at
ematheron@courts.az.gov

Cost
The registration fee of $40.00 is included in your filing fee and is outlined on your payment receipt.

Special Needs and/or Questions
If you need special accommodations due to a disability to participate in this class, or if you have questions about the parent Information Program, please contact Conciliation Court Services at 928-817-4084.

Class Procedure
This online class requires a current email address. Please make certain you have a current email address before registering for a class.

A copy of the "***Certificate of Completion"*** will be available for you to print when you complete the class. After completing the class, email a copy of your certificate to ematheron@courts.az.gov, or drop off a copy at the Superior Court Information Desk.

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