

# **Arizona Superior Court Yavapai County**

**120 S. Cortez Street  
Prescott, AZ 86303**

**2840 N. Commonwealth Drive  
Camp Verde, AZ 86322**

## **PARENT EDUCATION PROGRAM**

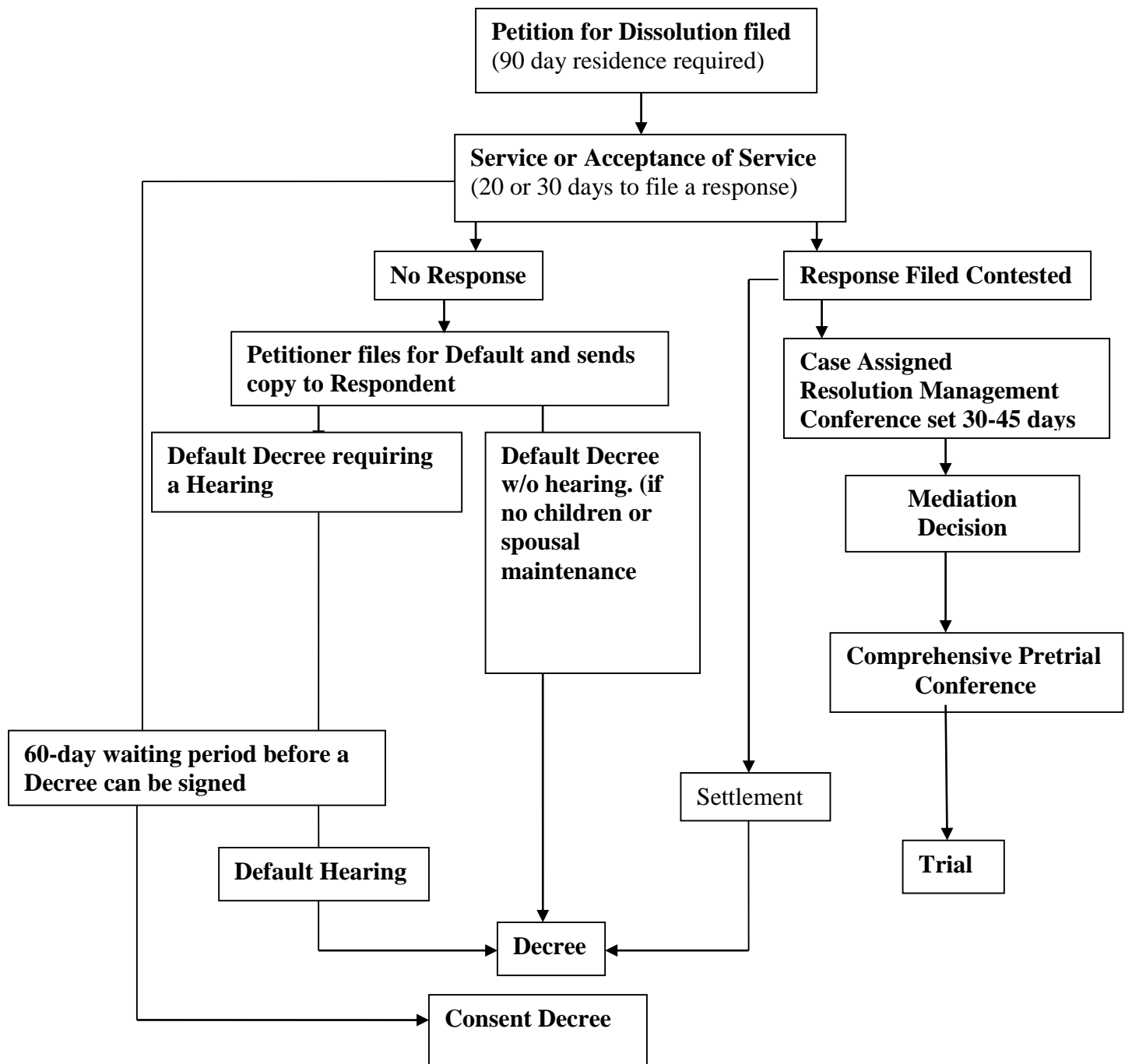
**Part**

**B**

**SAMPLE FORMS**

**THE COURT DOES NOT ACCEPT TWO SIDED  
FORMS**

# PROCESS FOR A DISSOLUTION\* (DIVORCE)



\*A "Covenant Marriage" is a specific marriage contract which requires certain grounds to be established before a divorce can be granted.

## **DISSOLUTION OF MARRIAGE INVOLVING A CHILD**

### **FREQUENTLY ASKED QUESTIONS ABOUT "DECISION MAKING"**

#### **What is "legal decision making"?**

Legal decision making is the status where one or both parents are responsible for making the major decisions regarding the child's care or welfare. When legal decision making is awarded to one parent, it is called "sole legal decision making."

#### **What is meant by "sole legal decision making"?**

This means that one person has sole legal decision making of a child. In this situation, the court orders that one parent be responsible for making the major decisions regarding the child's care or welfare. Although both parents may discuss these matters, the parent designated by the court has authority to make final decisions in the event the parents do not agree.

#### **What is "joint legal decision making"?**

When the court grants joint legal decision making, each of the parents has the same rights to make decisions about the child's care and welfare and neither parent's rights are superior to those of the other parent. In the best interest of the child, the court may direct that certain decisions be made by only one parent, even when joint legal decision making is granted.

#### **If parents have joint legal decision making, does the child live with each of them for equal amounts of time?**

Not necessarily. Having joint legal decision making does not mean that parents also have equal parenting time (see [section 25-403](#), Arizona Revised Statutes).

#### **Does the law favor joint legal decision making or sole legal decision making?**

ARS §25-103 declares that it is Arizona public policy to favor joint legal decision making.

#### **What is the procedure for getting a legal decision making order?**

The court may grant a legal decision making order only in certain kinds of cases. Most often, legal decision making is determined when the parents are seeking a legal separation or divorce, or when parents are asking the court to change a legal decision making decision that was made in an earlier separation or divorce case. Legal decision making also may be ordered when one parent starts a court case to decide paternity (or maternity) of a child.

When a parent starts a court case for legal separation or divorce and the parents cannot agree about child legal decision making, legal decision making automatically becomes an issue for the court to decide. These court decisions are made in temporary orders hearings and at final trial if the parties are unable to reach agreement. After a decree of legal separation or divorce has been granted, the court still has authority to change (modify) an earlier legal decision making order.

## **How can a court's legal decision making order be changed?**

Either parent may request in writing that the court modify a legal decision making order. To change an existing order it must be shown that the best interests of the child are served. The request is filed with the Clerk of the Superior Court and a filing fee is charged; however, there are limitations on requesting a modification. For example, a request may not be filed for one year from the date of the earlier order, unless there are special circumstances seriously endangering the child's physical, mental, emotional or moral health. If a form of joint legal decision making has been ordered, a modification may be requested at any time if there is evidence that domestic violence, spousal abuse or child abuse has occurred since the date the last order was granted. In a joint legal decision making situation, a parent must wait six months before seeking a modification if the reason for the request is that one parent has failed to obey the court's legal decision making order.

## **How does the court make its decision about legal decision making?**

If there is a dispute about legal decision making, the court sometimes refers the parents to internal court mediation services. This process gives the parents an opportunity to reach an agreement regarding legal decision making and related issues; however, if the parents are unable to agree on legal decision making, the court will decide for them. Sometimes the court seeks professional advice from outside experts who evaluate the family situation or offer an opinion about legal decision making. In some situations, the court also may order an investigation by a social service or other agency. In every case, the court must decide legal decision making based on a determination of the best interests of the child.

## **What if the parents agree how legal decision making should be decided?**

Usually it is best if parents can agree on decisions about raising children after a legal separation or divorce. The court usually accepts the parents' mutual decision, but the court's decision about legal decision making must be made in the best interests of the child. After review of the agreement's terms, the duty imposed on the court by law may require that the court not accept the parents' agreement.

## **What does the court consider when deciding what is in the child's best interests in legal decision making disputes?**

State law provides guidance to the courts by listing factors that the court should consider. These include such things as the wishes of the parents, the child's wishes, how the child interacts with each parent and any other children in the family, the health of each person involved, the child's adjustment to home, school and community, which parent primarily has provided care for the child in the past and which parent is more likely to allow the child to have frequent and meaningful contact with the other parent.

The court also must consider whether there has been domestic violence in the family, drug or alcohol use by a parent or other circumstances that may endanger the child's physical, mental, emotional or moral health. The court will presume that an award of legal decision making to a parent who committed an act of domestic violence is contrary to the child's best interests.

**What if the parents want to have joint legal decision making?**

If the parents request joint legal decision making, they also must submit to the court a written plan (parenting plan) indicating how they will cooperate to raise and care for the child. The court may order joint legal decision making without ordering equal parenting time. The court also may order joint legal decision making even if one parent objects. The court's decision will be made in the best interests of the child.

**When legal decision making is decided, how does a parent obtain child support?**

The law provides that when the court grants a legal decision making order, it also must decide what amount of child support should be paid, by each parent, under the Arizona Child Support Guidelines. Joint legal decision making does NOT mean that either parent is no longer responsible to provide for the support of the child.

**Can a person other than a parent have legal decision making authority?**

Yes. The law provides that a person who stands in loco parentis to a child may ask the court for legal decision making (or parenting time). To be in loco parentis a person must have been treated as a parent by the child and have formed a meaningful parental relationship with the child for a substantial period of time. There are other requirements that must be met before a request may be made to the court. One of the child's parents must be deceased, the child's legal parents must be unmarried, or a court case for divorce or legal separation between the legal parents must be pending (see [section 25-409](#) , Arizona Revised Statutes).

# **INTERNET/READING RESOURCES**

## **ON-LINE RESOURCES**

Arizona State Bar (*Attorney conduct/representation complaints*)  
[www.azbar.org/LegalResources](http://www.azbar.org/LegalResources)

Arizona State Court Rules  
[www.azcourts.gov/rules/](http://www.azcourts.gov/rules/)

Arizona Revised Statutes  
[www.azleg.state.az.us/ArizonaRevisedStatutes.asp](http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp)

Bureau of Immigration and Customs Enforcement  
[www.ice.gov](http://www.ice.gov)

Child Support Calculator  
[www.azcourts.gov/familylaw/child-support-calculator-information](http://www.azcourts.gov/familylaw/child-support-calculator-information)

Child Support Payment Info  
[www.azdes.gov](http://www.azdes.gov)  
select *Child & Family*

Court of Appeals  
[www.azcourts.gov/az-courts/court-of-appeals](http://www.azcourts.gov/az-courts/court-of-appeals)

Department of Corrections (*Inmate information*)  
<https://corrections.az.gov/public-resources/inmate-datasearch>

Public Access – Yavapai County Court Cases  
<https://Courts.Yavapai.us/Clerk/>  
select *Case Information*

Yavapai County Superior Court  
<https://courts.yavapai.us/superiorcourt/>

## **READING SUGGESTIONS**

***Self-Service Guide for Dissolution Cases*** – This document is published by the Arizona Supreme Court and can be found in the Yavapai County Law Library on the first floor of the Yavapai County Courthouse in Prescott.

***Planning for Parenting Time: Arizona's Guide for Parents Living Apart*** – This document is published by the Arizona Supreme Court and can be found in the Yavapai County Law Library on the first floor of the Yavapai County Courthouse in Prescott. It can also be downloaded from the Arizona Supreme Court website.

***Mom's House/Dad's House: A Complete Guide for Parents Who are Separated, Divorced or Remarried, Isolina Ricci, 1997, ISBN 0684830787*** – This classic book covers legal, financial and emotional realities of creating two happy and stable homes for children in the often difficult and confusing aftermath of a dissolution.

***The Good Divorce: Keeping Your Family Together When Your Marriage Comes Apart, Constance Ahrons, 1995, ISBN 0060926341*** – Based on two decades of groundbreaking research, this book presents the surprising finding that in more than fifty percent of divorces where couples end their marriages, they preserve their families. Dr. Ahrons shows couples how they can move beyond the confusing, terrifying early stages of breakup.

***The Newly Divorced Book of Protocol: How to Be Civil When You Hate Their Guts, Gloria Lintermans, ISBN 1569800375*** – This book is an encyclopedia of practical, no-nonsense advice for successfully dealing with dissolution problems.

***Healthy Divorce, Craig and Sandra Everett, 1994, ISBN 1555426727*** – Filled with checklists and examples, this book explores ways of confronting difficult issues such as: how to tell your children you are getting a dissolution, how to plan a separation, how to use mediation as an alternative to a court battle, and how to cope with your feelings of anger, grief, and abandonment.

***Families Apart: Ten Keys to Successful Co-Parenting, Melinda Blau, 1995, ISBN 039952150X*** – This book is based on the author's interviews with divorced parents, family therapists, and psychologists. It describes the tasks, attitudes and communication skills that are required in raising children.

***Parents Are Forever: A Step-By-Step Guide to Becoming Successful Co-Parents After a Dissolution, Shirley Thomas, 1995, ISBN 0964637820*** – This book is divided into four parts: addressing the problem of parent divorce, preparing to restructure the family, creating a co-parenting plan, and living the concept of co-parenting.

***Divorce and Money: How to Make the Best Financial Decisions During Divorce, Violet Woodhouse, Victoria Felton-Collins, Robi Leonard and M.C. Blakeman, 1996, Paperback (3<sup>rd</sup> Edition) ISBN 0873373421 June 1998 (4<sup>th</sup> Edition) ISBN 0873374622*** – This is a comprehensive, readable guide to help divorcing couples navigate the financial maze of gathering information, generating and assessing options, and reaching financial property settlements.

***Vicki Lansky's Divorce Book for Parents, 3<sup>rd</sup> Edition, 1996, ISBN 0916773485*** – Children do not believe in no-fault divorce. They blame the parents or themselves. Lansky gives parents age-specific advice on what reactions to expect from their kids and tips to cope with divorce realities.

***Dinosaurs Divorce: A Guide for Changing Families, Laurene Krasny Brown and Marc Brown, 1986, ISBN 0316112488*** – This cartoon book is written for parents going through divorce to read to their young children. Using a dinosaur family, it presents the truths and realities of divorce for children to understand.

***Kids Are NonDivorceable: A Workbook for Divorced Parents and Their Children, Ages 6-11, Sara Bonkowski, 1987, ISBN 0915388316*** – This useful, practical, self-help book for children and parents going through divorce includes exercises for children. The author sensitively helps parents to understand their own and their children's feelings and to heal them in their journey through divorce.

***Teens Are NonDivorceable: A Workbook for Divorced Parents and Their Children, Ages 12-18, Sara Bonkowski, 1990, ISBN 0915388367*** – The companion to Kids Are NonDivorceable (above), this workbook is written by a divorce counselor and teacher specifically for divorced parents of junior high and high school children. It includes creative exercises, practical suggestions, and useful information for parents trying to help adolescents adjust to separation or divorce.

***How It Feels When Parents Divorce, Jill Krementz, Alfred A. Knopf, 1988, ISBN 060603823X*** – This book, written for children of divorce, is based on interviews with nineteen boys and girls, aged seven to sixteen, from highly diverse backgrounds. Through pictures of the children and their stories told in their own words, the author presents the pain and resilience of children going through divorce. The works of the children are immediate and convincing and are presented without rationalization and illusion.



**CONCILIATION COURT INFORMATION SHEET**

(Court Use Only)

Case #: \_\_\_\_\_

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

☐ Parent Education☐ Mediation☐ Conciliation Court Counseling

**Instructions** – You have been ordered to Conciliation Court. **This form must be completed in full and returned to the ADR Department within ten (10) days.** If you do not answer all questions, the form will be returned to you by mail, resulting in a delay of the proceedings.

Once the ADR Department has received the completed form, you will be notified of your appointment time. If there is a current restraining order because of abuse or domestic violence between the parties, please contact ADR, in writing at the address in Box 33 and request to meet separately. If there is no restraining order in effect, you will be scheduled to meet together. If you have any concerns or comments, please list them in box 28 below.

1. Name (First Middle Last)				Petitioner <input type="checkbox"/>
				Respondent <input type="checkbox"/>
2. Mailing Address		3. City	4. State	5. Zip
6. Telephone (Home)	7. Telephone (Work)	8. Cell Phone	9. E-mail Address	
Is this a new address ____Yes ____No		Case Number: <b>DO</b>		
Is this a protected Address ____Yes ____No				
10. Do you have a lawyer? ____Yes ____No		11. If yes; Name		
12. When was the last time this case went before the Court? / /		13. What was the decision of the Court?		
14. Are you currently married to the other Party? Yes <input type="checkbox"/> No <input type="checkbox"/>		15. Were you ever married to the other Party? Yes <input type="checkbox"/> No <input type="checkbox"/>		
16. When was your divorce granted? / /		17. Is there a current Court Order establishing Custody (Legal Decision Making) and Parenting Time? Yes <input type="checkbox"/> No <input type="checkbox"/>		
18. Is this matter currently involved in Court action? (If yes, what does the Court need to decide?)				Yes <input type="checkbox"/> No <input type="checkbox"/>
19. Briefly and specifically, describe the current disagreement and what you would like to accomplish in mediation.				
20. Have you ever been to mediation before? ____ Yes ____ No (If yes, where and when?)				
21. Have you completed mandatory Parent Education <input type="checkbox"/> Yes <input type="checkbox"/> No				
22. Has any adult or child in this case been the victim of physical abuse or violence? Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/> (If you answer yes or unsure, you must provide an explanation or the form will be returned for an explanation)				
23. Have you ever requested a restraining order/order of protection against the other party? Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/> (If you answer yes or unsure, you must provide an explanation or the form will be returned for an explanation)				
24. Has there ever been a restraining order/order of protection issued against you by the other party? Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/> (If you answer yes or unsure, you must provide an explanation or the form will be returned for an explanation)				
25. Is there currently a restraining order in effect against the other person? Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/> (If you answer yes or unsure, you must provide an explanation or the form will be returned for an explanation)				

26. If there is a current restraining order; are any children a part of it? (If you answer yes or unsure, you must provide an explanation or the form will be returned for an explanation)		Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure <input type="checkbox"/>
27. Provide the names <b>and ages</b> of your children. With whom do they reside?		
28. Use this space for comments or concerns you may have regarding our services.		
29. Please list any dates you are <b>NOT</b> available in the next 60 days.		
<b>By the signature below, I acknowledge I have read and understand the following procedures for mediation:</b> <ul style="list-style-type: none"> <li>➤ <b>Mediation/Conciliation is confidential as allowed by ARS 12-2238</b></li> <li>➤ <b>If no agreement is reached, the Court will be informed of such</b></li> <li>➤ <b>If an agreement is reached, it will be filled with the Court, only after each individual returns the signature document</b></li> <li>➤ <b>The Court will be informed if someone fails to appear for a scheduled appointment without the proper notice to the Conciliation Court</b></li> <li>➤ <b>I have read and understand the Conciliation Court of Yavapai County Mediation Rules</b></li> </ul>		
30. Signature	31. Date	
32. If you are at the Prescott Courthouse, please leave this completed form with the Alternative Dispute Resolution Office on the fourth floor. If you received this form in the mail, return it to the address listed in box 33.	33. <b>Arizona Superior Court</b> <b>Yavapai County Courthouse</b> <b>120 South Cortez; Room 410 - ADR</b> <b>Prescott, AZ 86303</b> <b>(928) 771-3483 (phone) (928) 771-3389 (fax)</b>	

### COURT USE ONLY

#### Mediation Rules

Please read and sign these Mediation Rules. If this form is not signed and returned in a timely manner, it may delay the processing of your case. Thank You for your cooperation.

In order to promote a safe environment and positive communications during mediation, we request you observe these rules. It is important you understand and agree to the Mediation Rules. If you have questions, please contact us.

1. Be courteous and respectful to each other and to the Mediator. Talk one at a time.
2. Express any anger appropriately.
3. Stay in the room unless the Mediator gives you permission to leave. You may request a short break during the mediation session.
4. Be honest and share all information pertinent to the issues.
5. Focus on what is best for the children.
6. According to ARS 12-2238, the mediation process is confidential.
7. The Mediator, along with office policy, will determine the number of times the parties will be required to meet.
8. The Mediator will be impartial; will not take sides and will not make decisions for anyone in the mediation.
9. You are not required to reach an agreement.
10. You are required to participate in good faith.
11. Tape recorders are not permitted. Pagers and cell phones must be turned off.
12. No weapons of any kind are permitted in the building.

**I understand and agree to abide by these rules.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

October 22, 2015

**SUPERIOR COURT OF ARIZONA  
YAVAPAI COUNTY**

Case Number:

*Petitioner*

**PARENTING TIME AGREEMENT**

(       ) Joint Legal Decision Making

(       ) Sole Legal Decision Making

*Respondent*

(       ) Mother

(       ) Father

<b>SECTION A - INSTRUCTIONS</b>
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**CHILDREN:** *This agreement concerns the following children:*

***This document has eight sections. Please mark the completed sections you are returning to the Judge today.***

(       )	<i>Section A - Instruction/Cover Sheet</i>
(       )	<i>Section B – Guidelines for Effective Parenting</i>
(       )	<i>Section C – Statements</i>
(       )	<i>Section D – Agreements and Legal Decision Making Arrangements Requested</i>
(       )	<i>Section E – Weekend/Weekday Parenting Time</i>
(       )	<i>Section F – Holiday/Break Parenting Time</i>
(       )	<i>Section G – Signature Page</i>
(       )	<i>Parenting Time Agreement – Appendix A</i>

***Each page of this document shall be initialed by both parties.***

## SECTION B - GUIDELINES FOR EFFECTIVE PARENTING:

- ( ) Each parent will inform the other parent of any change of address and/or phone number in advance.
- ( ) Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the child(ren).
- ( ) Each parent will consult and agree with the other parent regarding any extra activity that affects the child(ren)'s access to the other parent.
- ( ) Each parent agrees to consider the other parent as care-provider for the child(ren) before making other arrangements.
- ( ) Each parent agrees that all communications regarding the child(ren) will be between the parents and that they will **not** use the child(ren) to convey information or to set up parenting time changes.
- ( ) Each parent may have telephone contact with the child(ren) during the child(ren)'s normal waking hours.
- ( ) Each parent agrees to encourage love and respect between the child(ren) and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the child(ren).
- ( ) Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the child(ren) and to amicably resolve such disputes as may arise.

### **Once a Parenting Time Agreement is in place:**

- ( ) Both parents agree that if either parent moves out of the area and returns later, they will use the most recent ***"Parenting Time Agreement"*** in place before the move.
- ( ) If, due to unforeseen circumstances, either parent is unable to follow through with the parenting time arrangements involving the child(ren), that parent will notify the other parent as soon as possible.
- ( ) If the parents are unable to reach a mutual agreement regarding changes, disputes and alleged breaches to their parenting orders, they may request mediation through the conciliation court or a private mediator or counselor of their choice.
- ( ) Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Time Agreement, or act in such a way that is inconsistent with the terms of this agreement.
- ( ) **OTHER:**  
\_\_\_\_\_

## **SECTION C – STATEMENTS:**

### **PARENTAL ACCESS TO RECORDS AND INFORMATION:**

- (       ) Under Arizona law (A.R.S. §25-403.06 and 25-408 J), 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 child(ren)'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.

### **RELOCATION OF CHILD:**

- (       ) Under Arizona law (ARS §25-408) if by written agreement or court order both parents are entitled to Joint Legal Decision Making or parenting time and both parents reside in the state, at least 45 days' advance written notice shall be provided to the other parent before a parent may do either of the following:
1. Relocate the child outside the state.
  2. Relocate the child more than 100 miles within the state.

Under Arizona law (ARS §25-403.01 C) an order for sole legal decision-making does not allow the parent designated as sole legal decision-maker to alter unilaterally a court-ordered parenting time plan.

**SECTION D – AGREEMENTS AND  
LEGAL DECISION MAKING ARRANGEMENTS REQUESTED:**

**EDUCATIONAL ARRANGEMENTS:**

- (     )     Both parents have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.
- (     )     Both parents will make major educational decisions together.
- (     )     Other: \_\_\_\_\_

**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 child(ren), to cooperate on health matters concerning the child(ren) 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.
- (     )     Other: \_\_\_\_\_

**RELIGIOUS EDUCATION ARRANGEMENTS:**

- (     )     Each parent may take the child(ren) to a church or place of worship of his or her choice during the time that the child(ren) is/are in his or her care.
- (     )     Both parents agree that the child(ren) may be instructed in the            faith.
- (     )     Both parents agree that religious arrangements are not applicable to this plan.

**PERSONAL CARE ARRANGEMENTS:**

- (     )     Each parent may during his/her scheduled parenting time, make routine personal care decisions for our children.
- (     )     Other: \_\_\_\_\_

***The following Legal Decision Making arrangement is requested: (Check the box(es) that apply.)***

- (     )     **JOINT LEGAL DECISION MAKING AGREEMENT:** The parents agree that both parents shall have Joint Legal Decision Making authority and both parents shall share decision-making in the areas of the child(ren)'s education, health, religious training and personal care decisions and neither parent's rights and responsibilities are superior except for specified decisions as set forth by the parents in this parenting agreement.

**AND for purposes of A.R.S. Section 25-403.07:**

- (     )     **Mother is the caretaker whose home shall be considered in any determination of public assistance eligibility.**
- (     )     Father is the caretaker whose home shall be considered in any determination of public assistance eligibility.
- (     )     Does not apply.

- (     )     **SOLE LEGAL DECISION MAKING AGREEMENT:** The parents agree that (     ) Mother or (     ) Father will be the parent with Sole Legal Decision Making and shall *have the legal right and responsibility to make major decisions for the child*. The parents agree that since each has a unique contribution to offer to the growth and development of their child(ren), 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 child(ren), as described in the previous pages.

- (     )     **REVIEW PARENTING PLAN:** The parents agree to review the terms of the Parenting Time Agreement and make necessary or desired changes every \_\_\_\_\_ months from the date of this document.

## **SECTION E – WEEKEND/WEEKDAY PARENTING TIME**

*Complete each section below. Be specific about what you want the judge to approve in the court order.*

**WEEKDAY AND WEEKEND SCHEDULE:** The parenting time schedule will be as follows:

The children will be in the care of Father as follows: (Explain).

The children will be in the care of Mother as follows: (Explain).

Communication (include method and frequency):

Procedure for exchanges of the child(ren) (include location and responsibility for transportation):

Other agreements regarding parenting time:



## SECTION F – HOLIDAY/BREAK PARENTING TIME

The holiday schedule takes priority over the regular parenting time schedule as described in the Parenting Time section.

<i><b>Holiday</b></i>	<i><b>Father</b></i>	<i><b>Mother</b></i>
<b>Children's Birthdays</b>		
<b>New Year's Eve</b>		
<b>New Year's Day</b>		
<b>Passover</b>		
<b>Easter</b>		
<b>4<sup>th</sup> of July</b>		
<b>Rosh Hashanah</b>		
<b>Yom Kippur</b>		
<b>Halloween</b>		
<b>Veteran's Day</b>		
<b>Thanksgiving</b>		
<b>Christmas Eve</b>		
<b>Christmas Day</b>		
<b>Hanukkah</b>		
<i><b>Holiday</b></i>	<i><b>Father</b></i>	<i><b>Mother</b></i>

- (        ) Mother's Day will be celebrated with the Mother every year from        until        .
- (        ) Father's Day will be celebrated with the Father every year from        until        .
- (        ) Each parent may have the child(ren) on his or her birthday from        until        .
- (        ) Monday legal holidays which include Martin Luther King Day, President's Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the child(ren) for the weekend.
- (        ) Other Holidays (Describe the other holidays and the arrangement.) \_\_\_\_\_

### **C. BREAKS:**

- (        ) Spring Break: \_\_\_\_\_
- (        ) Summer Break: \_\_\_\_\_
- (        ) Fall Break: \_\_\_\_\_
- (        ) Winter Break: \_\_\_\_\_
- (        ) Early Release Days: \_\_\_\_\_
- (        ) Each parent is entitled to a        week period of vacation time with the child(ren). The parents will work out the details of the vacation at least        days in advance.

**TRAVEL**

- (       )       Should either parent travel out of the area with the child(ren), each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) where that parent and the child(ren) can be reached. Area is defined as \_\_\_\_\_.
- (       )       Neither parent shall travel with the child(ren) outside Arizona for longer than \_\_\_\_\_ days without the prior written notification to the other parent or order of the court.

## SECTION G – SIGNATURE PAGE

### PARENTING PLANS SHALL INCLUDE AT LEAST THE FOLLOWING (ARS §25-403.02C-E):

- C.            1. A designation of the legal decision-making as joint or sole as defined in section 25-401.  
              2. Each parent's rights and responsibilities for the personal care of the child and for decisions in areas such as education, health care and religious training.  
              3. A practical schedule of parenting time for the child, including holidays and school vacations.  
              4. A procedure for the exchanges of the child, including location and responsibility for transportation.  
              5. A procedure by which proposed changes, relocation of where a child resides with either parent pursuant to Section 25-408, disputes and alleged breaches may be mediated or resolved, which may include the use of conciliation services or private counseling.  
              6. A procedure for periodic review of the plan's terms by the parents.  
              7. A procedure for communicating with each other about the child, including methods and frequency.  
              8. A statement that each party has read, understands and will abide by the notification requirements of section 25-403.05, subsection B.
- D.            If the parents are unable to agree on any element to be included in a parenting plan, the court shall determine that element. The court may determine other factors that are necessary to promote and protect the emotional and physical health of the child.
- E.            Shared legal decision-making does not necessarily mean equal parenting time.

Signature of Mother: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Father: \_\_\_\_\_ Date: \_\_\_\_\_

*As **attorney for Petitioner**, I have read and do not object to the parenting time agreement.*

Attorney Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*As **attorney for Respondent**, I have read and do not object to the parenting time agreement.*

Attorney Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Parenting Time Agreement - Appendix A**

### **STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN:**

( ) According to A.R.S. 25-403.05B, a child's parent or custodian must immediately notify the other parent or custodian if the parent or custodian knows that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against children as defined in section 13-705 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 other communication accepted by the court.

According to A.R.S. 13-705P, "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.

(v) Unlawful mutilation.

**NOTICE TO PARENTS:** *Once this agreement has been made an order of the court, if either parent disobeys the court order related to parenting time with the child(ren), the other parent may submit court papers for possible enforcement. See the Self-Service Center materials for help.*

**SIGNATURE OF BOTH PARTIES:**

**I have read and understand the above agreement and agree to abide by it; including all of its notification requirements.**

Signature of Mother: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Father: \_\_\_\_\_ Date: \_\_\_\_\_

# **FORMS AND PACKETS AVAILABLE FROM LAW LIBRARY AND CLERK'S OFFICE**

- Blank Motion
- Change Legal Decision making and/or Parenting Time (Both Parents Agree)
- Change Legal Decision making and/or Parenting Time (Parents Do Not Agree)
- Change Legal Decision making and/or Parenting Time (Emergency Request)
- Changing a Support Order – Child Support and/or Spousal Maintenance (Standard)
- Changing Child Support Amount (Simplified Process)
- Decree of Dissolution of Marriage with Minor Children
- Decree of Dissolution of Marriage without Minor Children
- Decree of Legal Separation with Minor Children
- Decree of Legal Separation without Minor Children
- Decree of Annulment with Minor Children
- Decree of Annulment without Minor Children
- Division of Property
- Child Access Guidelines
- Child Support Guidelines
- Enforcement of Decision making and/or Visitation (Expedited Process)
- Enforcement of Support – Child Support, Spousal Maintenance, Medical Coverage (Expedited Process)
- Establish Child Support
- Establish Grandparent Visitation Rights
- Establish Paternity (Both Parents Agree)
- Establish Paternity, Legal Decision making, Parenting Time and Child Support
- Filing for Default and Getting a Decree without a Hearing
- Filing for Default and Getting a Decree with a Hearing (Dissolution, Legal Separation, Annulment)
- How to get a trial date in your domestic or civil case and what to do before your trial
- Important Information About Paying Support
- Notice of Lodging (Decree or \_\_\_\_\_)
- Order of Annulment of Marriage with Minor Children
- Orders of Paternity, Decision making, Parenting Time and Child Support
- Order to Show Cause
- Petition for Dissolution with Minor Children
- Petition for Dissolution without Children
- Petition for Separation with Minor Children
- Petition for Separation without Children
- Petition for Annulment with Minor Children
- Petition for Annulment without Minor Children
- Petition for Conciliation
- Petition for Injunction Against Harassment (Modified) CLERKS OFFICE
- Petition for Order of Protection (Modified) CLERKS OFFICE
- Petitioner's Request for Default Hearing
- Request for Hearing on Changing Child Support Amount (Simplified Process)
- Request for Mediation
- Request to Stop or Modify A Wage Assignment (Parties do not agree)
- Request to Stop or Modify A Wage Assignment (Parties do agree)

- Request for Temporary Orders – Decision making, Parenting Time, Child Support
- Response to a Petition to Establish Paternity, Decision making, Parenting Time and Child Support
- Serving Legal Documents
- Response to Petition for Annulment Without Minor Children
- Response to Petition for Dissolution of Marriage With Children
- Response to Petition for Dissolution of Marriage Without Children
- Response to Petition for Legal Separation With Children
- Response to Petition for Legal Separation Without Children
- Response to Petition to Establish Third Party Visitation Rights

**Below are factors that your judge will use in determining joint or sole legal decision making.**

- 1) *What are the wishes of the parents?*
- 2) *What are the wishes of the children?*
  - a. *Therapist's opinions/observations*
  - b. *Parenting Coordinator's opinions/observations*
  - c. *Judge Interviewing the Children*
  - d. *Best Interest Attorney's/Family Court Advisor's recommendations*
- 3) *What is the interaction and interrelations like with parents, extended family, siblings, step-parents, boy/girl friends and step-sisters and brothers?*
- 4) *What is the child's adjustment to home, school and community?*
- 5) *What is the mental and physical condition of all individuals involved?*
- 6) *Which parent is more likely to allow frequent and meaningful parenting time with the other parent?*
- 7) *If one, both or neither parent has been actively parenting the children.*
- 8) *Has there been coercion, blackmail or duress? Is the relationship of the parents at odds?*
- 9) *Have the parents attended the Parent Education Class?*
- 10) *Has there been domestic violence or child abuse?*



## **Yavapai County Resources**

[Yavapai County Superior Court](#), 120 S. Cortez, Prescott, AZ

[Clerk of the Court](#) (928) 771-3312

Court Administration (928) 771-3483

Law Library (928) 771-3309

### **Domestic Violence - Abuse Crisis Counseling**

Arizona Child Abuse or Neglect Hotline (DCS) (888) SOS-CHILD (888) 767-2445)

Arizona Coalition Against Domestic Violence (800) 782-6400

Boys Town National Hotline (24 Hours) (800) 448-3000

Stepping Stone Shelter (928) 445-4673

West Yavapai Guidance Clinic (928) 445-5211

National Domestic Violence Hotline (800) 799-SAFE (7233) TTY (800) 787-3224

Northern AZ Regional Behavioral Health Authority (877) 923-1400

Spectrum Healthcare (928) 634-2236

Yavapai/Apache Tribes - Camp Verde (928) 567-3649

Yavapai Family Advocacy Center (Prescott Valley) (928) 775-0669

### **Domestic Violence - Counseling for Abusers**

TASC-treatment Assessment Screening Center (victims & court ordered) (928) 445-6844

Spectrum Healthcare (928) 634-2236

West Yavapai Guidance Center (928) 445-5211

### **Domestic Violence - Shelters/Safe Houses; (24 hours)**

Boys Town National Hotline (24 Hours) (800) 448-3000

Stepping Stones (Prescott) (928) 445-4673

Verde Valley Sanctuary (800) 930-7233

## **Information Resources**

Community Information and Referral (24 hours) 211 or (888) 373-7888

Parent Assistance Hotline (Information on Parents' Legal Rights) (800) 732-8193

## **Legal Services**

Community Legal Services - Prescott (928) 445-9240

## **Victim Rights and Witness Assist Program**

AZ State Attorney General (602 )542-5025

Victim Witness Program - Prescott (928) 771-3485

Victim Witness Program - Verde Valley (928) 567-7717

## **Orders of Protection/Injunctions Against Harassment**

Camp Verde Municipal Court (928) 567-6635

Chino Valley Municipal Court (928) 636-4534

Clarkdale Municipal Court (928) 634-1691

Cottonwood Municipal Court (928) 634-7537

Dewey Humboldt Municipal Court (928) 632-7362

Jerome Municipal Court (928) 649-3250

Prescott Municipal Court (928) 771-3300

Prescott Valley Municipal Court (928) 772-8277

Sedona Municipal Court (928) 282-1189

Bagdad Justice Court (928) 633-2141

Yarnell Justice Court (928) 427-3318

Verde Valley Justice Court (928) 639-5820

Mayer Justice Court (928) 632-7342

Prescott Justice Court (928) 771-3300

Seligman Justice Court (928) 422-3281