

INSTRUCTIONS: HOW TO FILL OUT THE “*MOTION TO REINSTATE*”

USE THIS FORM ONLY if you have received an order of dismissal, and you want your case to proceed.

- Step 1:** Make sure your form is titled “*Motion to Reinstate.*” Type or print clearly using black ink only.
- Step 2:** In the top left corner of the first page fill out the following: Your name; Address; City; State and Zip Code; Telephone Number; and your ATLAS Number if any.
- Step 3:** Fill in the names of the Petitioner/Party A and Respondent/ Party B as well as the case number as they appear on your original paperwork.
- Step 4:** Write in the date your case was dismissed followed by your name in the spaces provided in the body of the motion.
- Step 5:** List the reasons why you feel the Judge should reinstate your case. You must have good reasons or “good cause” for the Judge to reinstate your case.
- Step 6:** Write in the day, month and year you are signing the Motion in the space provided. Then sign your name.
- Step 7:** On the bottom of the Motion you must indicate that you are mailing a copy to all other parties involved in your case. Do this by filling in the date the copy will be mailed or delivered and filling in the name and address of the other party or parties.
- Step 8:** Follow steps 3 and 4 on the “*Order to Reinstate.*”

DO NOT COPY OR FILE
THIS DOCUMENT

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

Petitioner/Party A and

Case No. _____

MOTION TO REINSTATE DISMISSED CASE

Respondent/Party B

This case having been dismissed in its entirety on _____ (date)
_____, (your name) requests that the case be
reinstated for the following reason(s):

Dated this _____ day of _____, 20____

Your Signature

Printed Name

(REQUIRED)

A copy of this document was mailed this date: _____, 20____
(Month) (Date) (Year)

To the following persons: (List name and address)

**SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY**

Case No. _____

Petitioner/Party A and

**ORDER TO REINSTATE
DISMISSED CASE**

Respondent/Party B

The Court having reviewed the ***“Motion to Reinstate Dismissed Case”*** and good cause appearing, **IT IS HEREBY ORDERED:**

☐ **DENYING the *“Motion to Reinstate Dismissed Case”* to:**
(optional) **due to:** _____

☐ **GRANTING *“Motion to Reinstate”* case dismissed on:** _____
(Date)

☐ **ALLOWING ADDITIONAL TIME to Effect Service of Notice:**
BY THIS DATE: _____, **or**
WITHIN _____ DAYS OF THIS ORDER.

☐ **IT IS FURTHER ORDERED** that Party A must complete the default process, including a hearing by _____ date.

☐ **IT IS FURTHER ORDERED** scheduling matter for dismissal on the following date _____.

☐ **IT IS FURTHER ORDERED** that both parties shall appear for a
Resolution Management Conference, at the following time and place:

NAME OF JUDICIAL OFFICER: _____
DATE AND TIME OF HEARING: _____
PLACE OF HEARING: Yuma County Superior Court
ADDRESS: _____

☐ **IT IS FURTHER ORDERED** scheduling matter for dismissal on the date set for Resolution Management Conference above.

☐ **IT IS FURTHER ORDERED** that both parties shall satisfy the requirement of **Rule 76(b)(1) and (2)** of the **Arizona Rules of Family Law Procedure** prior to the date of the Resolution Management Conference.

DONE IN OPEN COURT this _____ day of _____, 20 _____

Judicial Officer

Printed Name of Judicial Officer

PROCEDURES: WHAT TO DO AFTER YOU HAVE FILLED OUT THE “MOTION TO REINSTATE”.

STEP 1: COPIES AND ENVELOPES.

- Make **3 copies** of the “*Motion to Reinstate.*”
- Make **2 copies** of the “*Order to Reinstate.*”
- Prepare **2 stamped addressed envelopes**, one addressed to you and the other(s) addressed to the other party (or parties).

STEP 2: FILE THE ORIGINAL “*Motion to Reinstate*” with the Clerk of Superior Court. Ask to have the copies of the Motion stamped to indicate they are *conformed copies*, meaning they are the same as the original filed with the court.

STEP 3: PROCESSING YOUR MOTION. Give the following documents to Family Department Administration to put in the Judge’s in-box*:

- the original “*Order to Reinstate*” and 2 copies
- one copy of the “*Motion to Reinstate*”
- the **2 stamped addressed envelopes**

* Alternatively you may *mail* the documents to the assigned judge.

STEP 4: MAIL OR DELIVER A COPY of the “*Motion to Reinstate*” to the other party(s) involved in your case and keep one copy for your records. If the case was dismissed more than 30 days prior to filing your “*Motion to Reinstate*”, you must have the Motion personally served on the other party by a licensed process server, a deputy sheriff, or by certified mail or commercial delivery with signature confirmation.

STEP 5: WAIT TO RECEIVE A NOTICE FROM THE COURT. Once you deliver your motion and order, the judge will either sign the original Order and send you a conformed (Clerk-stamped) copy or send a Minute Entry telling you whether your motion has been granted. If the Judge does not grant your motion, you may want to see a lawyer for help.

STEP 6: IF the box at the bottom of the Order referring to **Rule 76** of the **Arizona Rules of Family Law Procedure (A.R.F.L.P.)** is checked, be sure to read and follow the instructions contained in that rule.

Rule 76, Arizona Rules of Family Law Procedure (A.R.F.L.P.)

To access the complete **Arizona Rules of Family Law Procedure**, go to

<http://www.azcourts.gov/rules>

click on “**Current Arizona Rules**”, then, “**Rules of Family Law Procedure**”. Clicking on a **[+]** beside any roman numeral will show the individual rules covered under that number.