

# **REQUEST TO MODIFY LEGAL DECISION MAKING (CUSTODY), PARENTING TIME AND CHILD SUPPORT**

# **3**

**To Change an  
Existing Court Order**

The Court Order

(Forms and Instructions)

Law Library Resource Center

**TO CHANGE A COURT ORDER FOR  
LEGAL DECISION MAKING (CUSTODY), PARENTING TIME,  
AND CHILD SUPPORT**

CHECKLIST

***You may use the forms and instructions if . . .***

- ✓ You or the other party filed court papers to change legal decision making (custody), parenting time and support.
- ✓ The court case has been served on the other party.
- ✓ The court hearing is set and you want to get the paperwork for the court hearing for the judge to sign.

**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.

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To change a court order for legal decision-making, parenting time and child support

PART 3 - The court order  
(Instructions and Forms)

This packet contains court forms and instructions to file papers for the court order to change child custody and/or parenting time with child support. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	Title	# pages
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Instructions: How to complete your “*Order to Modify Child Custody, Support, and Parenting Time*”  
and other court papers

**STEP 1: Complete the forms in this packet before going to your court hearing.**

- Have in front of you a copy of the current “***Parenting Plan***” (if you have one), “***Child Custody/Parenting Time Order***,” the “***Child Support Order***,” and any “***Income Withholding Order***” you have. You will need to look at these documents to complete the paperwork and to answer the Judge’s questions at the hearing.

**STEP 2: Complete the “*Order Modifying Child Custody, Support, and Parenting Time*”**

- If your court order was originally from another county, make sure you use the new case number the Yuma County Clerk of the Court assigned you.
- Leave the rest of the Order blank for the Judge to fill in.

**STEP 3: Complete the other necessary documents to change custody, parenting time and support.**

- “***Parenting Plan***. Use the “***Parent-Child Access Guidelines***” in Instruction Packet Number 3 to help you complete this form. You may also find “***Model Parenting Plans for Parent-Child Access***” very helpful. The “***Plan***” is available for purchase from the Self-Service Centers or for free online from the state Supreme Court’s web (Scroll down the page and select “***Model Parenting Time Plans for Parent/Child Access***”).
- Hints to help you complete the “***Parenting Plan***.”
  1. State your parenting time arrangements as clearly as possible. For example, **Alternating weekends from after work on Friday, at 6:00 p.m. until Sunday at 6:00 p.m.**
  2. Avoid vague or unclear statements such as “will share, will divide, or will decide later.” These statements may result in future disputes related to different interpretations. Although flexibility and mutual agreement is encouraged, the document must be specific to be legally enforceable.

- **“Order Stopping an Income Withholding Order”.** - Required if this modification results in the person who is currently ordered to pay *no longer* having to pay. See the instructions in this packet to help you fill out this Order.
- **“Current Employer or Other Payor Information Sheet.”** Required if this modification results in the person currently ordered to pay *no longer* having to pay, **AND** if another party must now begin to pay who was not ordered to pay under the previous Order. **If both situations result from this modification, copy the form before filling it out: you will need one for:**
  1. the party who gets to stop making payments, and a separate one for
  2. the party who must begin making payments.
- **“Child Support Worksheet”**

You can use the free Online Child Support Calculator at the website listed below to complete a Child Support Worksheet, Child Support Order, and Current Employer Information Sheet.

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

To complete the Child Support Worksheet, Child Support Order, and Current Employer Information sheet you will need to know:

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

After completing the Child Support calculator, print out the Child Support Worksheet, Child Support Order, and Current Employer Information Sheet and include them with your Judgment.

## PROCEDURES: HOW TO GET YOUR ORDER TO MODIFY SIGNED BY THE JUDGE

### STEP 1 Make two (2) copies of the following documents\*:

*"Order Modifying Custody, Parenting Time and Child Support"*

*"Parenting Plan"*

*"Order Stopping Income Withholding Order"*<sup>1</sup> (if applicable)

*"Current Employer or Other Payor Information Sheet"*<sup>2</sup> (for person who gets to stop paying) (if applicable)

*"Current Employer or Other Payor Information Sheet"*<sup>3</sup> (for person newly ordered to pay) (if applicable)

### STEP 2 Separate your documents three (3) sets: One set of Originals and Two sets of copies:

#### Set 1 (Originals):

*"Order Modifying Custody . . ."*

*"Parenting Plan"*

*"Order Stopping Income Withholding Order"*<sup>1</sup>

*"Current Employer or Other Payor Information Sheet"* (for current payor)<sup>2</sup>

*"Current Employer Info. Sheet"* (for new payor)<sup>3</sup>

#### Set 2 (Copies for you)

*"Order Modifying Child Custody . . ."*

*"Parenting Plan"*

*"Order Stopping Income Withholding Order"*<sup>1</sup>

*"Current Employer or Other Payor Information Sheet"* (for current payor)<sup>2</sup>

*"Current Employer or Other Payor Information Sheet"* (for new payor)<sup>3</sup>

#### Set 3 (Copies for Other Party)

*"Order Modifying Child Custody . . ."*

*"Parenting Plan"*

*"Order Stopping Income Withholding Order"*<sup>1</sup>

*"Current Employer or Other Payor Information Sheet"* (for current payor)<sup>2</sup>

*"Current Employer or Other Payor Information Sheet"* (for new payor)<sup>3</sup>

#### NOTE :

<sup>1</sup> Required **only** if this modification results in the person who is currently ordered to pay *no longer* having to pay.

<sup>2</sup> Required if this modification results in the person who is currently ordered to pay no longer having to pay.

<sup>3</sup> Required if this modification results in a (new) person having to pay who did not under the previous Order.

### STEP 3

Take the documents to your court default hearing or to your trial for the Judge to review and sign if he or she approves them.

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### PARENTING PLAN INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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

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



## INSTRUCTIONS FOR COMPLETING AN “ORDER STOPPING AN INCOME WITHHOLDING ORDER”

### DEFINITIONS:

"Obligor" "Payor" is the person ordered to make support payments.

"Obligee" "Payee" is the person or agency entitled to receive support.

### COMPLETE THIS FORM IF:

You completed a “**Request to Stop Income Withholding Order**” and marked a box in Section A of Item 8 on the Request form.

### TO COMPLETE THIS FORM YOU WILL NEED:

Information from, or your copy of, the “**Income Withholding Order.**”

### FOLLOW THESE INSTRUCTIONS NUMBERED TO MATCH THE IDENTIFYING NUMBERS ON THE FORM. TYPE OR PRINT NEATLY USING BLACK INK.

- (1) Fill in the name of the person shown as the petitioner on the “**Income Withholding Order.**”
- (2) Fill in the name of the person shown as the respondent on the “**Income Withholding Order.**”
- (3) Fill in the case number that appears on the “**Income Withholding Order.**”
- (4) Fill in the Atlas Number on the “**Income Withholding Order.**”
- (5) Fill in the name of the person/employee obligated to make payments on the “**Income Withholding Order.**”
- (6) Fill in the date the “**Income Withholding Order**” was signed (Item 10 on the Order).

Leave the rest of the form blank. The judicial officer (judge, commissioner, or referee) will complete the remaining items at the time of hearing.

Person Filing: (A) \_\_\_\_\_  
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 (in original case)

and

\_\_\_\_\_  
Respondent/Party B (in original case)

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

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

### ORDER MODIFYING LEGAL DECISION- MAKING (LEGAL CUSTODY), PARENTING TIME and CHILD SUPPORT

#### THE COURT FINDS:

1. This case has come before this Court to Change Legal Decision-Making (Legal Custody), Parenting Time and Child Support. The Court has taken all testimony needed to enter a final Order.
2. This Court has jurisdiction to modify legal decision-making, parenting time, and support, and has jurisdiction over the parties under the law. Where it has the legal power to do so and where it is applicable to the facts of this case, this Court has considered, approved, and made Orders relating to legal decision-making, parenting time and support.
3. This Order applies to these minor child(ren):

Name(s) of Child(ren)

Date(s) of Birth(s) (Month/Day/Yr)

_____	_____
_____	_____
_____	_____
_____	_____

4. Grounds for changing legal decision-making (legal custody). (Check one box and describe why the change is in the best interest of the minor child(ren).)

☐ The Order being changed was for joint or sole legal decision-making. At least one year has passed since the earlier joint or sole legal decision-making order was entered. There have been substantial, significant and continuing changes in circumstances that make a change in legal decision-making, parenting time and child support in the best interest of the minor child(ren) for the reasons described below:

Or

- ☐ The Order being changed was for joint legal decision-making. At least six months have passed since the Order was entered. One parent has not followed the Order and a change in legal decision-making, parenting time and child support is in the best interest of the minor child(ren) for the reasons described below.

Or

- ☐ There has been domestic violence, spousal abuse, or child abuse as described below since the date of the earlier Order, and it is in the best interest of the minor child(ren) that the change is made for the reasons described below: (Include a description of the domestic violence.)

Or

- ☐ Less than one year has passed since the Order was entered. The minor child(ren)'s current environment may seriously endanger the child(ren)'s physical, mental, moral or emotional health, the minor child(ren) is/are at risk under the current Order and it is in the best interest of the minor child(ren) that legal decision-making is changed for the reasons described below: (Include a description of the danger and risk here.)

Or

- ☐ It is in the best interest of the minor child(ren) that no change to legal decision-making is made at this time for the reasons described below.

Reasons: (Describe why the legal decision-making determination is in the best interest of the minor child(ren).)

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5. Supervised or no parenting time (or "visitation, if non-parent"): (if applicable) Supervised parenting time between the minor child(ren) and ☐ Party A or ☐ Party B, or No parenting time by ☐ Party A or ☐ Party B is in the best interests of the minor child(ren) for the following reasons:

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## The COURT ORDERS:

The Order regarding legal decision-making, parenting time, and support dated \_\_\_\_\_ is changed as follows:

### A. 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:

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☐ 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.)

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**B. 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).

**C. Child support.** ☐ Party A    or    ☐ Party B    shall pay child support to the other party in the amount of \$ \_\_\_\_\_ per month payable on the first day of each month, beginning the first day of month following the signing of this Order. Child Support is based on the information in the **"Child Support Worksheet"** attached hereto and incorporated by reference. All child support payments shall be made through the Support Payment Clearinghouse, plus an applicable statutory fee by the attached **"Income Withholding Order"**.

**Child Support Deviation.** The Court, having considered the best interests of the minor child(ren), deviates from the guidelines for the following reasons.:

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**D. Medical, Dental, Vision Care**

**Party A** shall provide: ☐ medical ☐ dental ☐ vision care insurance.

**Party B** shall provide: ☐ medical ☐ dental ☐ vision care insurance.

The costs of medical/dental/vision care expenses not paid by insurance shall be shared as follows:

Party A \_\_\_\_\_ % Party B \_\_\_\_\_ %.

Request for payment or reimbursement must be provided to the obligated parent(s) within 180 days after the services occurred. The obligated parent must pay or make payment arrangements within 45 days after receipt of the request.

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

**E. Tax Exemption:** A parent required to pay child support is only entitled to claim minor child(ren) as dependent for Federal Income Tax purposes if that parent has paid all the child support due and owing for the year that party is entitled to the exemption.

Beginning Tax Year: \_\_\_\_\_, the right to claim the minor child(ren) as a deduction for Federal income tax purposes is divided as indicated below: "**A**" for Party A, "**B**" for Party B.

Parent entitled to claim:	Name of Child	Schedule	
<input type="checkbox"/> <b>A</b> <input type="checkbox"/> <b>B</b>	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> <b>A</b> <input type="checkbox"/> <b>B</b>	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> <b>A</b> <input type="checkbox"/> <b>B</b>	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other
<input type="checkbox"/> <b>A</b> <input type="checkbox"/> <b>B</b>	_____	<input type="checkbox"/> Every Year	<input type="checkbox"/> Every Other

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

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

**H. Done in Open Court:** \_\_\_\_\_.

\_\_\_\_\_  
JUDGE or COURT COMMISSIONER

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:

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

PART 1: GENERAL INFORMATION:

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

_____	_____
_____	_____
_____	_____

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

- ☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

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

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

OR

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

OR

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

OR

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

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

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

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

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

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

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

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☐ Transportation will be provided as follows:

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

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

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

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

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☐ 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)

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

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



## C. TRAVEL

- ☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.
- ☐ Neither parent shall travel with the minor children outside Arizona for longer than \_\_\_\_\_ days without the prior written consent of the other parent or order of the court.

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

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

- ☐ Each parent may have the children on his or her birthday.
- ☐ Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

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

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

☐ Other (Explain):  
\_\_\_\_\_

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

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

F. EDUCATIONAL ARRANGEMENTS:

This Parenting Plan incorporates by reference the following Education Order:

- ☐ Joint Legal Decision-Making Education Order  
☐ Sole Legal Decision-Making Education Order

NOTE: The Education Order you select must match the type of legal decision-making that you request in this Parenting Plan.

G. MEDICAL AND DENTAL ARRANGEMENTS:

- ☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.
- ☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:  
\_\_\_\_\_

OR

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

H. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

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

I. ADDITIONAL ARRANGEMENTS AND COMMENTS:

- ☐ NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within \_\_\_\_\_ days of the change.
- ☐ NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.
- ☐ TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.
- ☐ ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.
- ☐ OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the Phoenix metropolitan area without prior written consent of the other parent, or a court-ordered Parenting Plan. A.R.S. 25-408 (B)
- ☐ COMMUNICATE. Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.
- ☐ METHOD OF COMMUNICATION. Each parent agrees to use the following means of communication:

\_\_\_\_\_

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

\_\_\_\_\_

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

- ☐ PRAISE OTHER PARENT. Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.
- ☐ COOPERATE AND WORK TOGETHER. Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.
- ☐ NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME. If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.
- ☐ PARENTING PLAN. Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.
- ☐ MEDIATION. If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☐ Domestic Violence has not occurred between the parties, OR

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

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

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

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

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

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

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

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

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

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

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

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

## PART 5: AFFIDAVITS

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

Petitioner's/Party A's Signature

Date

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

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

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

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

(Notarial Officer's Stamp or Seal)

Notarial Officer

Respondent's/Party B's Signature

Date \_\_\_\_\_

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

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

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

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

(Notarial Officer's Stamp or Seal)

Notarial Officer



# **CURRENT EMPLOYER\* INFORMATION**

You may also fill out this form online at the Family Support Center Website.

For Clerk's Use Only

## **THIS FORM MUST BE COMPLETED FOR:**

- ☐ **AN INCOME WITHHOLDING ORDER**
- ☐ **ORDER TO STOP AN INCOME WITHHOLDING ORDER**
- ☐ **NOTIFICATION OF A CHANGE OF EMPLOYER (*or OTHER PAYOR*)**

**CASE NUMBER:** \_\_\_\_\_ **ATLAS NUMBER:** \_\_\_\_\_

**NAME OF PERSON ORDERED TO MAKE PAYMENTS:**

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**LIST THE NAME OF THE EMPLOYER\* AND THE ADDRESS OF THE PAYROLL OR FINANCIAL DEPARTMENT** (for the person named above) **WHERE THE INCOME WITHHOLDING ORDER OR STOP ORDER SHOULD BE MAILED.**

**EMPLOYER\* NAME:** \_\_\_\_\_

**PAYROLL ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**EMPLOYER\* TELEPHONE:** \_\_\_\_\_

**EMPLOYER\* FAX:** \_\_\_\_\_

***\*or other payor or source of funds***

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**FOR COURT USE ONLY. DO NOT WRITE BELOW THIS LINE.**

**WA/FSC**

WA/LOG ID:	_____
TYPE OF W/A	_____
DATE	_____
AMOUNT OF ORDER	_____
EMPLOYER STATUS	_____
ENTERED BY	_____
NEW W/A	_____
AG	_____
SUB	_____
DCSE	_____

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

(1) \_\_\_\_\_  
Petitioner in Original Case

(3) Case No. \_\_\_\_\_

(2) \_\_\_\_\_  
Respondent in Original Case

(4) ATLAS No. \_\_\_\_\_

**ORDER STOPPING INCOME WITHHOLDING  
ORDER (AND ALL YUMA COUNTY SUPPORT  
ORDERS)  
A.R.S. § 25-504**

To the employer(s) or other payor(s) of:

(5) Name of Employee: \_\_\_\_\_

DO NOT WRITE BELOW THIS LINE. COURT PERSONNEL WILL COMPLETE THE FORM.

IT IS ORDERED stopping the *Income Withholding Order* dated (6) \_\_\_\_\_, with the same case number as in (3) above. The employer(s) or other payor(s) is/are ordered to stop withholding monies pursuant to the *Income Withholding Order* immediately upon receipt of this Order.

IT IS FURTHER ORDERED terminating all Yuma County child support and/or spousal maintenance orders in this case number and declaring all child support and/or spousal maintenance orders fully paid and satisfied, including all past due support, arrearage judgments and interest.

IT IS FURTHER ORDERED that the Support Payment Clearinghouse shall release any monies currently in its possession and future monies received to the person ordered to pay, less any fees owed to the Clearinghouse.

Dated: \_\_\_\_\_

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

Name of person filing: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Daytime Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number (if applicable) \_\_\_\_\_  
If attorney, Bar Number: \_\_\_\_\_  
Representing: ☐ Self (no attorney) ☐ Petitioner ☐ Respondent

Clerk's use only

IN THE SUPERIOR COURT OF ARIZONA  
IN YUMA COUNTY

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

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

**Instructions:**

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

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

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

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

THIS SECTION LEFT INTENTIONALLY BLANK

## THE COURT FINDS AS FOLLOWS:

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

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

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

\_\_\_\_\_

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

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

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

Based thereon,

## IT IS HEREBY ORDERED AS FOLLOWS:

### 1. Delivery to School.

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

### 2. Joint Legal Decision-Making.

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

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

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

☐ Petitioner

☐ Respondent

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**9. Parent-Teacher Conferences.**

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

**10. Curriculum and Instruction Disputes.**

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

**11. Extra-Curricular Activities.**

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

**12. Future Litigation.**

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

**13. Additional Education-Related Orders**

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

Name of person filing: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Daytime Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number (if applicable) \_\_\_\_\_  
If attorney, Bar Number: \_\_\_\_\_  
Representing: ☐ Self (no attorney) ☐ Petitioner ☐ Respondent

Clerk's use only

IN THE SUPERIOR COURT OF ARIZONA  
IN YUMA COUNTY

\_\_\_\_\_  
Petitioner

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

\_\_\_\_\_  
Respondent

**SOLE LEGAL DECISION-MAKING  
EDUCATION ORDER**

**Instructions:**

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

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

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

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

THIS SECTION LEFT INTENTIONALLY BLANK



## THE COURT FINDS AS FOLLOWS:

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

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

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

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

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

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

Based thereon,

## IT IS HEREBY ORDERED AS FOLLOWS:

### 1. **Delivery to School.**

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

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

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

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

**3. School Selection.**

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

**4. Special Services.**

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

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

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

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

**6. Contact Information.**

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

**7. Access to School Grounds.**

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

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

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

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

**9. Parent-Teacher Conferences.**

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

**10. Curriculum and Instruction Disputes.**

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

**11. Extra-Curricular Activities.**

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

**12. Future Litigation.**

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

**13. Additional Education-Related Orders**

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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