

Instructions and procedures to amend

Important: If you no longer want your Consent Decree, Parenting Plan or Child Support order to be entered, you must submit something to the Court before the sixty (60) day waiting period is up. The waiting period starts the day you file your initial papers.

If the parties agree to change the settlement agreement, including the Consent Decree, Parenting Plan, or Child Support Order:

1. Complete and sign Stipulation (Agreement / Joint Motion / Joint Request) and proposed Order forms. Forms are available on the Law Library Resource Center's Family Court Forms website.
2. Title the request: "Joint Motion to Withdraw and Amend Consent Decree." Prepare at least 1 original and 1 copy of the Motion, and 1 original and 2 copies of the Order.
3. Prepare a new Consent Decree, Parenting Plan, and/or Child Support Order. Prepare 1 original and 2 copies.
4. File the Joint Motion with the Clerk of Superior Court.
5. Deliver the following to the assigned judge:
 - a. a file-stamped copy of the Joint Motion
 - b. 1 original, 2 copies of the Order
 - c. 1 original, 2 copies of the new Consent Decree (if applicable)
 - d. 1 original, 2 copies of the new Parenting Plan (if applicable)
 - e. 1 original, 2 copies of the new Child Support Order (if applicable)
6. The Stipulation, Order and new documents must be filed and delivered before the sixty (60) day waiting period is up. The judge will not sign the new final orders until after the waiting period of sixty days has passed.
7. Wait to receive a notice from the Court. Once you have delivered your documents, the Judge will issue an Order telling you whether your Joint Motion has been granted. The Court will mail a copy to you and the other party.

Note: It is always best to consult with a lawyer before filing legal documents. The Law Library Resource Center website provides various resources that can help you find a lawyer at a reduced rate.

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

Respondent's Name or Lawyer's Name: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Petitioner's Name

Case Number _____

Respondent's Name

ATLAS Number _____
(if applicable)

Other Party (if applicable)

STIPULATION

(Agreement/Joint Motion/Joint Request)

TITLE: _____

STATE OF ARIZONA)
County of Yuma) ss.

(Explain *briefly* what you want the Court to order. If necessary, attach blank page to continue.
Do not write on back. Write case number on all pages. Sign in front of a Notary or a Court Clerk.)

[illegible]

1. **AGREE AND UNDERSTAND.** I have read this Stipulation (Agreement /Joint Motion or Joint Request) and the proposed Order. I understand and agree with what is written in both documents, including that an Order putting this request into effect should be entered in my case.

2. **ORIGINAL DOCUMENT AND COPIES.**

The following documents have been supplied to or mailed:

(Check boxes below to state to the Court that you have delivered, filed or mailed each item.)

To the Judge/Court:

- ☐ **Original** Stipulation signed and notarized by all parties joining in this request;
- ☐ **Original** and **2 copies** of the proposed Order;
- ☐ A stamped envelope addressed to each party. (The court will mail to each party a signed copy of the Order or more likely a "Minute Entry" documenting the decision.)

To Any Other Party who did not join in presenting this stipulated Motion or Joint Request:

- ☐ A **copy** of the Stipulation and of the proposed Order has been mailed or delivered as of this date: _____, to _____ (name) this date: _____, to _____ (name)

3. **NO THREAT OR FORCE. COMPLETE AGREEMENT.** I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Stipulation (Agreement). The Stipulation with attachments, if any that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Stipulation.

4. **JUDICIAL DISCRETION.** I understand that the judge/commissioner will review all the papers and decide in his or her discretion whether to sign the Order or not.

(Do not sign this form until you are in the presence of a Notary Public or Court Clerk.)

By signing this Stipulation (Agreement/Joint Motion or Joint Request), I am stating to the Court that everything contained in it is true and correct to the best of my knowledge, information and belief.

PETITIONER:

Petitioner's Signature

STATE OF _____
COUNTY OF _____

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

(notary seal)

Deputy Clerk or Notary Public

RESPONDENT:

Respondent's Signature

STATE OF _____
COUNTY OF _____

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

(notary seal)

Deputy Clerk or Notary Public

(Non-Notarized) Signature of) IV-D AGENCY REPRESENTATIVE (if required): Date: _____

Signature: _____ Printed Name: _____

OR ☐ I/We have mailed or delivered a copy of this Stipulation to the IV-D Agency on this date: _____.

Case Number: _____

**SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY**

Plaintiff or Petitioner

Case Number: _____

Defendant or Respondent

ATLAS No.: _____

Other Party (if applicable)

Title: **ORDER**

(NOTE: You must submit your own proposed version of the Order you want the Judge to sign. The Judicial Officer will make a decision on your request and *may* sign the page that you submitted, or more likely will direct the Clerk to make a “minute entry” recording the decision. The minute entry will be printed, approved, signed by the Judge and sent to all parties.

For each party that has “entered an appearance” (named parties and any person or agency that has filed papers in this case), you must *also* include with your filing:

- ☐ a copy of the Stipulation (the agreement or joint request);
- ☐ the proposed Order;
- ☐ a stamped envelope addressed to *each party.*

IT IS ORDERED THAT:

DONE IN OPEN COURT: _____.

JUDGE/COMMISSIONER