

GRANDPARENT VISITATION

4

Part 4: The Court Order

GRANDPARENT VISITATION

Part 4: THE COURT ORDER

CHECKLIST

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

- ✓ You or the other party filed a petition for grandparent visitation, AND
- ✓ You are ready to complete the court papers about the final order, AND
- ✓ You are going to a trial on what you and the other parties disagree about.

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.

ESTABLISH GRANDPARENT VISITATION

PART 4 -- THE COURT ORDER

This packet contains court forms and instructions to file to establish grandparent visitation. 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	No. Pages
1	Checklist: <i>You may use this packet if . . .</i>	1
2	Table of forms and instructions in this packet	1
3	Help on completing " <i>Order for Grandparent Visitation</i> "	1
4	"<i>Order for Grandparent Visitation</i>"	4

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

INSTRUCTIONS: HOW TO COMPLETE THE COURT ORDER REGARDING PETITION FOR GRANDPARENT VISITATION

This order is designed for grandparents or great grandparents who want to get a court order for visitation.

The Order is the legal document that is the judge's decision on the court lawsuit. The signed Order is important because it determines the rights and responsibilities of all parties. If a party does not follow the Order, then other parties can ask the Court for help in enforcing the terms of the Order.

When filling out any court forms, type or print with black ink only!

The first part of the Judgment and Order--the Court Findings:

1. This states that the court has all information necessary to enter a Judgment and Order.
2. This states that this court is able to make the Orders relating to you and the opposing party.
3. This states that the court will make only those Orders that are in the best interests of the children.
4. Print or type the full names and dates of birth for the minor children in the spaces provided.
5. Print or type the full names and dates of birth of the grandparents who will have visitation, in the spaces provided.
6. This states the legal reason you are entitled to the visitation.
7. This lists the persons against whom this order is effective. If a parent or guardian is not a party to the case, the order is not effective as to that parent or guardian.

The second part of the Judgment and Order--It Is Ordered That:

1. **VISITATION:** write in everything you want for visitation with the minor child(ren). Remember that if the judge disagrees, he or she might write in something else.
2. **OTHER MATTERS:** Write in anything else that you want the Judge to Order that was not already stated.

Judges' signature:

At the Trial, the judge will make any changes he or she thinks are appropriate to the Order you submitted or write his or her own order. The Order is not valid and final until signed by the Judge.

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

In the Matter of:

Case Number: _____

ATLAS No. _____
(if applicable)

Name of Grandparent(s) Requesting Visitation

Name of Party A

Name of Party B

Name of Legal Guardian (if any)

ORDER REGARDING PETITION FOR GRANDPARENT VISITATION A.R.S § 25-409

THE COURT FINDS AS FOLLOWS:

1. This case comes before this Court for a final Order. The Court has taken all testimony needed to enter this Order.
2. This Court has jurisdiction over the parties and minor child(ren) under the law.
3. It is in the best interests of the child(ren) that visitation be ordered as described below.

4. This order applies to these children: (list additional children on attachment page)

NAME	DATE OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____

5. This order concerns the visitation rights of the grandparents or ☐ *great* grandparents whose full names are listed below.

Party A's Grandmother: _____

Party A's Grandfather: _____

Party B's Grandmother: _____

Party B's Grandfather: _____

6. The names of the parents of the child(ren) are:

Party A _____

Party B: _____

7. The Court makes the following findings: (check which applies)

A. ☐ Parents of minor child(ren) have been divorced for at least 3 months:

B. ☐ Party A OR ☐ Party B, a legal parent of the minor child(ren), has been dead for at least 3 months:

C. ☐ Party A OR ☐ Party B, a legal parent of minor child(ren) has been missing for at least 3 months:

D. ☐ The child(ren) were born out of wedlock, OR

E. ☐ The requirements of Arizona law for grandparent visitation, as stated in A.R.S. § 25-409 have NOT been met.

8. This order governs visitation rights between the minor children named in number 4 above, and the grand or great grandparents named in Number 5, and:

- ☐ Party A
- ☐ Party B
- ☐ OTHER (Name of guardian or other person listed in caption to case):

IT IS ORDERED THAT:

- A. ☐ **Visitation shall be as follows:** (if NO visitation, skip to “C”)

1. TRANSPORTATION OF CHILDREN: (explain specifically)

2. VISITATION DURING WEEKDAYS OR WEEKENDS: (explain specifically)

3. VISITATION DURING THE SUMMER MONTHS OR SCHOOL BREAKS: (be specific)

4. VISITATION FOR HOLIDAYS AND BIRTHDAYS: (be specific):

5. TELEPHONE CALLS AND OTHER COMMUNICATIONS: (explain specifically):

B. OTHER ORDERS: This Court makes further Orders relating to this matter as follows:
(Explain -- use additional paper if necessary)

C. ☐ NO VISITATION is ordered at this time.

FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 78, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

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

JUDGE OR COURT COMMISSIONER