

CONSENT JUDGMENT

**FOR LEGAL DECISION-MAKING,
PARENTING TIME, AND CHILD SUPPORT
With or without PATERNITY**

4

To get the Order when both parties agree

Forms and Instructions

**CONSENT JUDGMENT BY AGREEMENT OF BOTH PARTIES FOR
LEGAL DECISION-MAKING, PARENTING TIME, AND CHILD SUPPORT**
With or without **PATERNITY**

CHECKLIST

You may use these forms if . . .

- ✓ You or the other party filed a **Petition to Establish Paternity, Legal Decision-Making (Custody), Parenting Time, and Child Support**

OR

Petition to Establish Legal Decision-Making (Custody), Parenting Time, and Child Support

- ✓ You and the other party agree on ALL of the terms in the proposed court order (a “Consent Judgment”), including:
 - Legal Decision-Making (Legal Custody)
 - Parenting Time,
 - Child Support, and
 - Paternity, (ONLY IF Paternity needs to be established).
- ✓ You and the other parent will provide your notarized signatures on the Consent Judgment to indicate your agreement on all terms; AND
- ✓ You and the other party have attended or will attend the Parent Information Program (PIP) before you provide the Consent Judgment to the Court;

✗ DO NOT USE THESE FORMS IF:

- ✗ You and the other party disagree on ANY terms in the proposed court order (“the Consent Judgment”).

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.

Consent judgment for legal decision-making, parenting time and child support with or without paternity

Where both parties will sign an agreement

This packet contains court forms and instructions to file for a consent judgment for legal decision-making, parenting time and child support with or without paternity. 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!

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Instructions: How to fill out the Consent Judgment for Legal Decision-Making, Parenting Time, and Child Support, with or without Paternity

You may only use these instructions if you and the other party have agreed to file and sign a consent judgment.

INSTRUCTIONS:

1. **TOP LEFT:** On the first page, fill in the information requested at top left for the person filing the Consent Judgment and Respondent/Party B. Use the spaces marked “representing” and “state bar number” only if an attorney is preparing this form.
2. **NAMES:** Fill in the names of the persons shown as “Petitioner/Party A” and “Respondent/Party B” and the case number as on the Petition.
3. **ATLAS Number:** Write the ATLAS number *if* one has been assigned to your case.
4. **COMPLETE:** Fill out the remaining parts of this Consent Judgment according to you and the other party’s agreements.
5. **MEANING of SIGNATURES:** When you and the other party sign this Consent Judgment, you state to the Court:
 - You have read, understand and agree with the contents of the Consent Judgment.
 - You agree to all the terms stated in the Consent Judgment.
 - You are requesting the Court to make this document a Court Order that governs your rights and obligations regarding your child(ren).

SIGNATURES:

Do not sign until you are in the presence of a Clerk of Superior Court or a notary public. Be prepared to show photo identification.

Read carefully before you sign. Do not sign if you do not understand or do not agree to all terms of this consent judgment.

Lawyer signatures: if either party is represented by an attorney, the attorney(s) must also sign.

Attorney general signature: if the attorney general’s office, division of child support Enforcement, is involved in your case, a representative of that agency must approve the child support amount and sign below.

OTHER IMPORTANT PAPERS IN THIS PACKET

PARENTING PLAN

Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the “Planning for Parenting Time: Arizona’s Guide for Parents Living Apart” to help make your parenting plan. The Guide is available for purchase at all Superior Court Law Library Resource Center locations, or may be viewed online and downloaded for free from the State Courts’ webpage.

After completing the Parenting Plan, attach it to your Consent Judgment.

CHILD SUPPORT ORDER

****If you are establishing paternity as part of this Consent Judgment, you must use the form "Child Support Order when establishing paternity." Otherwise, use the form "Child Support Order."**

Write in the name of the person filing the document or the lawyer's name, current address, city, state, zip code, and the telephone number. If you have an ATLAS number, write in the number. If you are represented by an attorney write in the lawyer's state bar number, then indicate whether you represent yourself or if you are the lawyer whether you represent Party A or Party B

Write in the Name of the Party A and Party A's Date of Birth, the Name of the Party B and Party B's Date of Birth and the case number in the space provided. The names should appear the same way it does on the Petition.

Fill in the full name of the legal parents (Party A and Party B) of the minor children who are the subject of this "Child Support Order."

Fill in the full name and birth date of all minor children who are the subject of this "Child Support Order." (Use extra pages if necessary).

Fill out the rest of the Order based upon you and the other party's agreements.

OTHER IMPORTANT PAPERS TO BE COMPLETED NOT IN THIS PACKET

CHILD SUPPORT WORKSHEET

You can use the free online child support calculators at the websites listed below to complete a child support worksheet and current employer information sheet.

ezCourtForms (<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>)

Arizona Supreme Court (<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>)

To complete the child support worksheet 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 worksheet and current employer information sheet, print out the child support worksheet and current employer information sheet and attach it to your Consent Judgment.

LAW LIBRARY RESOURCE CENTER

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?

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

Case Number: _____

Petitioner / Party A

CONSENT JUDGMENT AND ORDER FOR LEGAL DECISION-MAKING, PARENTING TIME, and CHILD SUPPORT with or without paternity

(check box if applicable)

Respondent / Party B

☐ **PATERNITY**

☐ **VITAL RECORDS** (Check this box if the
Department of Vital Records is ordered to change the
birth records of a child born in Arizona.)

THE COURT FINDS:

1. This case has come before the Court for a final Order. If necessary, the Court has taken any testimony needed to enter a final Order.
2. This Court has jurisdiction over the parties under the law.
3. 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 an Order relating to paternity, legal decision-making (legal custody), child support, parenting time, and expenses related to the birth of the minor child(ren).

4. This Order applies to the following child(ren):

	First	Middle	Last
(a)	_____	_____	_____
(b)	_____	_____	_____
(c)	_____	_____	_____
(d)	_____	_____	_____

who were born on this date and at this place: (List in same order as above)

	<u>Month/ Day /Year</u>	<u>City, State, and Nation of Birth</u>
(a)	_____	_____
(b)	_____	_____
(c)	_____	_____
(d)	_____	_____

☐ Same information for *additional* children listed on attached page made part of this document by reference

5. PARENT INFORMATION PROGRAM.

A. Party A ☐ **has attended** the Parent Information Program as evidenced by the Certificate of Completion in the Court file, **OR**

Party A ☐ **has NOT attended** the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this Order until Party A has completed the class.

B. Party B ☐ **has attended** the Parent Information Program as evidenced by the Certificate of Completion in the Court file, **OR**

Party B ☐ **has NOT attended** the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this Order until Party B has completed the class.

6. **Child Support. Child Support Guidelines:** The court finds that Party A and Party B owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet, attached and incorporated herein by reference. (Select any that apply.)

☐ a. Child support has been determined in accordance with the Arizona Child Support Guidelines.

OR

☐ b. Application of the Arizona Child Support Guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the minor child(ren) in determining that a deviation is appropriate and makes the following findings:

☐ Application of the guidelines is unjust.

☐ The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines but for the agreement.

The Court makes the following finding regarding the deviation:

☐ The child support order would have been \$_____

☐ The child support order after deviation is \$_____

☐ All parties have signed the agreement free of duress and coercion.

☐ c. **Court Approved Discretionary Parenting Time Adjustment or other Adjustments.**
(The Court must make written findings if any of these adjustments are made):

☐ d. **Ability to Pay.** The Court finds that the Party responsible for paying child support has the ability to pay child support:

☐ In the amount entered on Line **34** of the Worksheet of \$ _____

OR

☐ In an adjusted amount calculated using the self-support reserve on the Parent's Worksheet for Child Support Amount of \$ _____.

THE COURT FURTHER FINDS:**7. DOMESTIC VIOLENCE:**

YOU MAY SKIP "7" IF THERE HAS BEEN NO DOMESTIC VIOLENCE AND THIS IS AN UNCONTESTED COURT ACTION (meaning no response was filed).

You must COMPLETE "7" if

- (a) legal decision-making (legal custody) is contested, or**
(b) there has been domestic violence between the parties and legal decision-making (legal custody) is to be awarded to or shared with a parent who has committed domestic violence.

A. Domestic Violence ☐ has OR ☐ has not occurred between the parties;

B. ☐ Domestic Violence has occurred between the parties, but:

- 1. ☐ it was mutual** (committed by both parties), (see A.R.S. § 25-43.03(D)) **or**
2. ☐ it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision-making (joint or sole legal custody) **to a parent who has committed domestic violence *because:* (EXPLAIN)**

8. ☐ Drug Or Alcohol Conviction Within Last Twelve Months:

☐ **Party A** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (legal custody).

☐ **Party B** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (legal custody).

☐ The legal decision-making (legal custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

9. SUPERVISED OR NO PARENTING TIME:(Check and complete **only if** supervised or no parenting time is ordered.)

☐ NO Parenting Time OR ☐ Supervised Parenting Time with ☐ Party A
☐ Party B, is in the best interests of the minor child(ren), for the following reasons:

THE COURT ORDERS:**1. PATERNITY:** (Name of **father** as on his birth certificate or ☐ his current legal name)

is the natural father of the minor child(ren).

☐ FOR ANY CHILDREN BORN IN THE STATE OF THE ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

☐ The father's name shall be entered on the minor child(ren)'s birth certificate.

☐ The minor child(ren)'s last name shall be changed to: _____

2. PRIMARY RESIDENCE, PARENTING TIME, and LEGAL DECISION-MAKING**A. PRIMARY RESIDENCE:**

☐ NEITHER parent's home is designated as the primary residence, OR

☐ Party A's home as the primary residence for following named child(ren):

☐ Party B's home as the primary residence for following named child(ren):

B. PARENTING TIME:

- ☐ Reasonable parenting time rights as described in the Parenting Plan attached as Exhibit A and made a part of this Consent Judgment, OR
- ☐ NO PARENTING TIME RIGHTS to ☐ Party A OR ☐ Party B, OR
- ☐ SUPERVISED PARENTING TIME to ☐ Party A OR ☐ Party B according to the terms of the Parenting Plan attached as Exhibit A and made part of this Consent Judgment. Parenting time may only take place in the presence of another person, named below *or* otherwise approved by the court.

(IF supervised) **Name of person to supervise** (Optional):

The cost of supervised parenting time (if applicable) shall be paid by the:

- ☐ Party A
- ☐ Party B
- ☐ shared equally by the parties.

THE COURT FURTHER ORDERS these restrictions on parenting time (if applicable):

C. LEGAL DECISION-MAKING (Legal Custody):

Award legal decision-making concerning the child(ren) as follows:

- ☐ **SOLE LEGAL DECISION-MAKING** (sole legal custody) to:
- ☐ Party A OR ☐ Party B
- OR**
- ☐ **JOINT LEGAL DECISION-MAKING** (joint legal custody) to **BOTH PARENTS.**

Both parties will agree to act as joint legal decision-makers (joint legal custodians) of the minor children, as set forth in the **Joint Legal Decision-Making** (joint legal custody) **Agreement** contained in the **Parenting Plan**, to be agreed upon and signed by both parties **if** the Court adopts the terms of the **Agreement**. There have been no significant acts of domestic violence, as defined by Arizona law, A.R.S. § 13-3601, by either parent or it is in the best interests of the minor child(ren) to award joint legal decision-making despite any violence that occurred.

The Court adopts the terms of the Joint Legal Decision-Making Agreement/Parenting Plan describing the legal decision-making and parenting time agreement between the parties. By attaching the Joint Legal Decision-Making Agreement/Parenting Plan to the Consent Judgment, the Agreement becomes part of the Consent Judgment and carries the same legal weight as the Consent Judgment.

3. CHILD SUPPORT:

The Child Support Order, _____, is **attached** hereto and incorporated by reference. (Date of Order)

According to the attached Child Support Order:

☐ **PARTY A** or ☐ **PARTY B** shall pay child support to the other party in the amount of \$_____ per month, PAYABLE THE FIRST DAY OF THE MONTH following the signing of this Consent Judgment, according to the Child Support Worksheet. All child support payments shall be made through the **Support Payment Clearinghouse, P.O. Box 52107, Phoenix, Arizona 85072-2107**, plus an applicable statutory fee.

4. MEDICAL/DENTAL/VISION CARE INSURANCE and OTHER HEALTH EXPENSES FOR CHILDREN

PARTY A is ordered to provide ☐ medical, ☐ dental ☐ vision care insurance.

PARTY B is ordered to provide ☐ medical, ☐ dental ☐ vision care insurance.

The party ordered to pay for medical/dental/vision care insurance must keep the other party informed of the insurance company's name, address, and telephone number, and provide the other party with the documents necessary to submit insurance claims.

PARTY A is ordered to pay _____% **and PARTY B** is ordered to pay _____% of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription, and other health care expenses for the minor child(ren), including co-payments.

Costs for past medical expenses for minor child(ren) in the amount of \$_____ shall be paid by ☐ **PARTY A** or ☐ **PARTY B** in the amount of \$_____ each month until paid in full. Payments shall be made as stated above.

Even though the Court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the parent who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other parent's responsibility to carry health insurance on the child under this Order.

5. **OTHER COSTS:** ☐ **PARTY A** or ☐ **PARTY B** is awarded judgment in the amount of \$_____ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the minor child(ren), which shall be paid by ☐ **PARTY A** or ☐ **PARTY B**.
6. **FINANCIAL INFORMATION EXCHANGES:** The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.
7. **OTHER ORDERS:** This Court makes further Orders relating to this matter as follows:

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

Date

Judicial Officer

SIGNATURES OF BOTH PARTIES UNDER OATH OR AFFIRMATION

By signing below, in the presence of a Deputy Clerk of Court or Notary Public, I swear or affirm that everything in this document is true and correct to the best of my knowledge, information and belief, including the following:

1. **RIGHT TO TRIAL IS WAIVED.** I understand that by signing this Consent Judgment, I am waiving my right to a trial before a judge.
2. **NO DURESS OR COERCION. COMPLETE AGREEMENT.** I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Judgment. This Judgment with any attachments that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Consent Judgment.

3. **LEGAL ADVICE.** I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Judgment.

SIGNATURES

Party A's Signature

Party B's Signature

STATE OF _____

STATE OF _____

COUNTY OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this:

Subscribed and sworn to or affirmed before me this:

_____(date)

_____(date)

By _____.

By _____.

Deputy Clerk or Notary Public

Deputy Clerk or Notary Public

(Notary seal)

(Notary seal)

If either party is represented by an attorney or if the Attorney General's Division of Child Support Enforcement (DCSE) is involved in this case, the attorney(s) and a representative of DCSE must also sign below.

ATTORNEY SIGNATURES (if applicable)

If either party is represented by an attorney, the attorney must sign:

Date

Approved by Party A's Attorney

Date

Approved by Party B's Attorney

If the Attorney General's Office (the "AG"), Division of Child Support Enforcement (DCSE) is involved in this case, a representative of that agency must approve the child support amount and sign below:

The approval of the AG's office as to child support provisions contained in this document is indicated by my signature below:

Signature of Attorney General / DCSE Representative

Date

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

Name of Petitioner / Party A

Case Number: _____

AND

Name of Respondent / Party B

PARENTING PLAN FOR:

☐ JOINT LEGAL DECISION-MAKING (JOINT
LEGAL CUSTODY) WITH JOINT LEGAL
DECISION-MAKING (JOINT LEGAL CUSTODY)
AGREEMENT

OR

☐ SOLE LEGAL DECISION-MAKING
(SOLE LEGAL CUSTODY)

☐ to Party A

☐ to Party B

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-Making (Legal Custody) and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-Making (Joint Legal Custody) 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:

- a. If only *one* parent is submitting the Plan: that parent must sign at the end of PART 2 and 3.
- b. If both parents agree to legal decision-making (legal custody) and parenting time arrangements *but not to joint legal decision-making (legal custody)*: Both parents must sign the Plan at the *but* end of PART 2 and 3, and the Affidavits under Section 5.
- c. If both parents agree to joint legal decision-making (joint legal custody) and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 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 (LEGAL CUSTODY) ARRANGEMENT IS REQUESTED:**

(Choose ONE of 1, 2, 3, 4.) (If you chose "sole legal decision-making authority" [1 or 2], you have the option of also requesting restrictions on the parenting time of the other party.

- ☐ **1. SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY) BY AGREEMENT.**

The parents agree that sole legal decision-making authority (sole legal custody) 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 (SOLE LEGAL CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision-making (legal custody) 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.

(Optional, if you marked 1 or 2 above)

- ☐ **RESTRICTED, SUPERVISED, OR NO PARENTING TIME.**

The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition or Response.

OR

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

OR

- ☐ **4. JOINT LEGAL DECISION-MAKING AUTHORITY (JOINT LEGAL CUSTODY) 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: PHYSICAL CUSTODY AND 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). _____
- ☐ The minor children will be in the care of Party B as follows: (Explain). _____
- ☐ Other physical custody arrangements are as follows: (Explain). _____
- ☐ 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**:

- ☐ 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) _____
- ☐ During summer months or school breaks that last longer than 4 days, the minor children will be in _____ the care of Party B: (Explain) _____
- ☐ 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>	
<input type="checkbox"/> New Year's Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> New Year's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Spring Vacation	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Easter	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> 4th of July	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Halloween	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Veteran's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Thanksgiving	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Hanukkah	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Christmas Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Christmas Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Winter Break	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Child's Birthday	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Mother's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> 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:

☐ 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. (optional) ☐ If the parents do not reach agreement, then:

OR

☐ Major educational decisions will be made by ☐ Party A ☐ Party B after consulting other parent.

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 _____ 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 Yuma 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 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 Make Someone Obey a Court Order”*** for help.

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 (JOINT LEGAL CUSTODY) AGREEMENT (IF APPLICABLE):

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

- ☐ Domestic Violence has **not** occurred between the parties, **OR**
- ☐ Domestic Violence **has** occurred but it has not been “significant” or 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 (Legal Custody) is in the best interest of the children.*

*** IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:**
Attach an extra page explaining why Joint Legal Decision-Making (Legal Custody) is still in the best interest of the children.

- C. JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) AGREEMENT:** If the parents have agreed to joint legal decision-making (legal custody), 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 (joint legal custody) 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 (LEGAL CUSTODY) (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 5: AFFIDAVITS

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

SIGNATURES

Petitioner's / Party A's Signature Date

STATE OF _____

COUNTY OF _____

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

_____.

(Notary seal)

Deputy Clerk or Notary Public

Respondent's / Party B's Signature Date

STATE OF _____

COUNTY OF _____

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

_____.

(Notary seal)

Deputy Clerk or Notary Public

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

Case No. _____

Date of Birth (Month, Date, Year)

ATLAS No. _____

Respondent / Party B

CHILD SUPPORT ORDER when establishing Paternity A.R.S. § 25-503

Date of Birth (Month, Date, Year)

The Court Finds:

1. Party A: _____ and

Party B: _____

Have a duty to support the following children:

Child(ren)'s Name(s)

Date of Birth

2. Child Support Guidelines: The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support Amount, attached and incorporated by reference.

3. Child Support (choose only one):

☐ ☐ Party A ☐ Party B is ordered to pay child support in the amount of \$_____ per month to _____ pursuant to the Arizona Child Support Guidelines without deviation.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines without deviation. This amount is an appropriate amount to award for child support in this case except that the Court finds it more appropriate and just to make a rounding adjustment to the exact guideline amount for ease of calculation to \$_____ per month.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$_____ per month.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$_____ per month. Further, the parties have entered into a written agreement or their agreement is on the record and is free of duress and coercion with knowledge of the amount of child support that would have been ordered under the guidelines but for the agreement.

Reason(s) for deviation:

4. Support Arrears:

☐ ☐ Party A ☐ Party B owes child support arrearages to ☐ Party A
☐ Party B in the total amount of \$_____ for the time period of
_____ through _____ plus
accrued interest on prior child support arrearages due of \$_____
calculated through the date of _____.

☐ The Court finds no child support arrearages due and owing.

☐ No evidence was presented in support of child support arrearages.

5. Past Support:

☐ It is appropriate to award ☐ Party A ☐ Party B an additional judgment for past
support in the amount of \$_____ for the period between the filing of this current
petition and the date current child support is ordered to begin.

☐ Temporary support or voluntary / direct support payments in the amount of \$____
_____ were paid during the period above; therefore, the past support is adjusted
to \$_____.

☐ It is appropriate to award ☐ Party A ☐ Party B an additional judgment in the amount
of \$_____ for past support owed from the date of separation, but not more than three
years before the date of filing the current petition.

☐ Temporary support or voluntary / direct support payments in the amount of
\$_____ were paid during the period above; therefore the past support is
adjusted to \$_____.

- ☐ It is appropriate to award ☐ Party A OR ☐ Party B an additional judgment for past support in the amount of \$_____ for the period from the date of separation, which is more than three years before the date of filing of this current petition.

The Court finds good cause to award past support owed more than three years before the date of filing of this current petition based on the following:

- ☐ Temporary support or voluntary / direct support payments in the amount of \$_____ were paid during the period above; therefore the past support is adjusted to \$_____.

- ☐ The Court finds no past support amount due and owing.
- ☐ No evidence was presented in support of past child support.
- ☐ The Court finds no temporary support or voluntary / direct support payments were paid.
- ☐ No evidence was presented in support temporary support or voluntary / direct support payments.

6. Interest:

- ☐ The Court finds interest in the amount of \$_____ due to ☐ Party A ☐ Party B For the period of: _____ to _____.

It Is Ordered That:

1. Child Support Judgment:

- ☐ Party A ☐ Party B shall pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month. This monthly amount, payable by income withholding order, shall be paid on the 1st day of each month beginning _____.

2. Support Arrearages Judgment:

☐ Party A ☐ Party B is granted judgment against _____ in the amount of \$ _____ as and for child support arrearages for the period of _____ through the date of _____ together with interest on said amount at the legal rate of 10% per annum until paid in full, plus additional accrued interest on prior child support judgments of \$ _____ calculated through the date of _____.

☐ Party A ☐ Party B shall pay, in addition to his or her current support payment, the amount of \$ _____ per month toward this judgment, payable on the first day of each month, beginning _____ until paid in full.

☐ NO Judgment for child support arrearages is entered.

3. Past Support Judgment:

☐ Party A ☐ Party B is granted a past support judgment against ☐ Party A ☐ Party B in the additional amount of \$ _____. ☐ Party A ☐ Party B shall pay the additional amount of \$ _____ per month toward this judgment, payable on the first day of each month commencing _____ until paid in full.

OR

☐ NO Judgment for past support is entered.

4. Payments and Clearinghouse: All payments, plus the statutory handling fee, shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment, or "Income Withholding Order" signed this date. Any time the full amount of support ordered is not withheld, the person obligated to pay (the obligor) remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered *gifts* unless otherwise ordered. All payments shall be made payable to and mailed directly to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

Payments must include ☐ Party A's or ☐ Party B's name, and ATLAS number. Pursuant to A.R.S. § 25-322, the parties shall submit current address information in writing to the Clerk of Superior Court and the Support Payment Clearinghouse immediately. The obligor (party being ordered to pay) shall submit the names and addresses of his or her employers or other payors within 10 days. Both parties shall submit address changes within 10 days of the change.

5. Total Monthly Payments:

☐ Party A ☐ Party B shall make total monthly payments to ☐ Party A ☐ Party B in the amount of \$ _____ per month, payable on the first day of each month, beginning _____ as follows:

Monthly Payments:

Current child support payment as ordered above: \$ _____

Current spousal maintenance payment: \$ _____

Support arrearage payment: \$ _____

Clearinghouse handling fee: \$ _____ 8.00

TOTAL MONTHLY PAYMENT: \$ _____

6. Medical, Dental, Vision Care Insurance For Minor Children:

☐ ☐ Party A OR ☐ Party B is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance for the minor child(ren) and shall continue to pay premiums for any medical, dental and vision policies covering the child(ren) that are currently included in the incorporated Child Support Worksheet.

Or

☐ ☐ Party A OR ☐ Party B shall be individually responsible for providing medical insurance for the minor child(ren) of the parties as soon as it becomes accessible and available at a reasonable cost, as neither party currently has the ability to obtain such medical insurance.

Medical, dental, and vision insurance, payments and expenses are based on the information in the Child Support Worksheet attached hereto 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. An insurance card must be provided to the other party. Notification must also be provided to the other party if coverage is no longer being provided for the child(ren).

7. Non-Covered Medical Expenses:

☐ Party A is ordered to pay _____ % and ☐ Party B is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision, prescription and other health care charges for the minor child(ren).

- A request for payment or reimbursement of uninsured medical, dental and/or vision costs must be provided to the other party within 180 days after the date the services occur.
- The party responsible for payment or reimbursement must pay their share, as ordered by the Court, or make acceptable payment arrangements with the provider or person entitled to reimbursement within 45 days after receipt of the request.

8. Travel Expenses: The costs of travel related to parenting time over 100 miles one way shall be shared as follows: Party A _____ % Party B _____ %

9. Information Exchange: The parties shall exchange financial information such as copies of tax returns, financial affidavits, and earnings statements every twenty-four months. At the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers unless the Court has ordered otherwise.

10. Tax Exemptions: The Court allocates the following federal tax exemption(s) for the dependent child(ren):

Child's Name	Date of Birth (Month, Day, Year)	Parent Entitled to Deduction	For Calendar Year
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A <input type="checkbox"/> Party B	

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

☐ Party A or ☐ Party B may claim the allocated tax exemptions only if all support and arrears ordered for the year have been paid by December 31 of that year. An Internal Revenue Service form 8332 may need to be signed and filed with a party's income tax return. *See IRS Form 8332 for more detailed information.*

☐ Party A or ☐ Party B may unconditionally claim the tax exemption allocated to ☐ Party A or ☐ Party B for income tax purposes. An Internal Revenue Service Form 8332 may need to be signed and filed with a party's income tax return. *See IRS Form 8332 for more detailed information.*

Even though the court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other party's responsibility to carry medical insurance on the child under the Decree of Dissolution of Marriage.

Important Information

11. Modification: If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.
12. Emancipation: A child is emancipated:
 - On the child's 18th birthday, however if a child is still attending high school or a certified high school equivalency program, support will continue until graduation or the child reaches 19 years of age.
 - On the date of the child's marriage.
 - When the child is adopted.
 - When the child dies.

13. Other Findings and Orders:

14. **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.

Date

Judicial Officer

15. Stipulation. Signature by both Parties (if applicable):

☐ Party A ☐ Party B, by signing this document, we state to the Court under penalty of perjury that we read and agree to this Court Order, and that all the information contained in it is true, correct, and complete to the best of our knowledge and belief.

Party A's Signature

Date

Party B's Signature

Date

If either party is represented by a lawyer, the lawyer must sign below:

Party A's Lawyer Signature

Date

Party B's Lawyer Signature

Date

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

Case No. _____

Date of Birth (Month, Date, Year)

ATLAS No. _____

Respondent / Party B

CHILD SUPPORT ORDER

A.R.S. § 25-503

Date of Birth (Month, Date, Year)

THE COURT FINDS:

1. Party A: _____ and

Party B: _____

Have a duty to support the following children:

Child(ren)'s Name(s)

Date of Birth

2. Child Support Guidelines: The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support Amount, attached and incorporated by reference.

3. Child Support:

☐ ☐ Party A ☐ Party B is ordered to pay child support in the amount of \$_____ per month to _____ pursuant to the Arizona Child Support Guidelines without deviation.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines without deviation. This amount is an appropriate amount to award for child support in this case except that the Court finds it more appropriate and just to make a rounding adjustment to the exact guideline amount for ease of calculation to \$_____ per month.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$_____ per month.

☐ ☐ Party A ☐ Party B is obligated to pay child support to ☐ Party A ☐ Party B in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a deviation is appropriate.

After deviation the child support order is \$_____ per month. Further, the parties have entered into a written agreement or their agreement is on the record and is free of duress and coercion with knowledge of the amount of child support that would have been ordered under the guidelines but for the agreement.

Reason(s) for deviation:

4. Support Arrears:

☐ ☐ Party A ☐ Party B owes child support arrearsages to ☐ Party A
☐ Party B in the total amount of \$_____ for the time period of
_____ through _____ plus
accrued interest on prior child support arrearsages due of \$_____ calculated
through the date of _____.

☐ The Court finds no child support arrearsages due and owing.

☐ No evidence was presented in support of child support arrearsages.

5. Past Support:

☐ It is appropriate to award ☐ Party A ☐ Party B an additional judgment for past
support in the amount of \$_____ for the period between the filing of this current
petition and the date current child support is ordered to begin.

☐ Temporary support or voluntary / direct support payments in the amount of \$_____
_____ were paid during the period above; therefore, the past support is adjusted
to \$_____.

☐ It is appropriate to award ☐ Party A ☐ Party B an additional judgment in the amount
of \$_____ for past support owed from the date of separation, but not more than three
years before the date of filing the current petition.

☐ Temporary support or voluntary / direct support payments in the amount of
\$_____ were paid during the period above; therefore, the past support is
adjusted to \$_____.

☐ The Court finds no past support amount due and owing.

☐ No evidence was presented in support of past child support.

☐ The Court finds no temporary support or voluntary / direct support payments were paid.

☐ No evidence was presented in support temporary support or voluntary / direct support
payments.

6. Interest:

☐ The Court finds interest in the amount of \$_____ due to

☐ Party A ☐ Party B

For the period of: _____ to _____.

It is ordered that:

1. Child Support Judgment:

☐ Party A ☐ Party B shall pay child support to _____ in the amount of \$ _____ per month. This monthly amount, payable by income withholding order, shall be paid on the 1st day of each month beginning _____.

2. Support Arrearages Judgment:

☐ Party A ☐ Party B is granted judgment against _____ in the amount of \$ _____ as and for child support arrearages for the period of _____ through the date of _____ together with interest on said amount at the legal rate of 10% per annum until paid in full, plus additional accrued interest on prior child support judgments of \$ _____ calculated through the date of _____.

☐ Party A ☐ Party B shall pay, in addition to ☐ his OR ☐ her current support payment, the amount of \$ _____ per month toward this judgment, payable on the first day of each month, beginning _____ until paid in full.

☐ NO Judgment for child support arrearages is entered.

3. Past Support Judgment:

☐ Party A ☐ Party B is granted a past support judgment against ☐ Party A ☐ Party B in the additional amount of \$ _____. ☐ Party A ☐ Party B shall pay the additional amount of \$ _____ per month toward this judgment, payable on the first day of each month commencing _____ until paid in full.

OR

☐ NO Judgment for past support is entered.

4. Payments and Clearinghouse: All payments, plus the statutory handling fee, shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment, or "Income Withholding Order" signed this date. Any time the full amount of support ordered is not withheld, the person obligated to pay (the obligor) remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered *gifts* unless otherwise ordered. All payments shall be made payable to and mailed directly to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

Payments must include ☐ Party A's or ☐ Party B's name, and Atlas number. Pursuant to A.R.S. § 25-322, the parties shall submit current address information in writing to the Clerk of Superior Court and the Support Payment Clearinghouse immediately. The obligor (party being ordered to pay) shall submit the names and addresses of his or her employers or other payors within 10 days. Both parties shall submit address changes within 10 days of the change.

5. Total Monthly Payments:

☐ Party A ☐ Party B shall make total monthly payments to ☐ Party A ☐ Party B in the amount of \$ _____ per month, payable on the first day of each month, beginning _____ as follows:

Monthly Payments:

Current child support payment as ordered above: \$ _____

Current spousal maintenance payment: \$ _____

Support arrearage payment: \$ _____

Clearinghouse handling fee: \$ 8.00

Total monthly payment: \$ _____

6. Medical, Dental, Vision Care Insurance for Minor Children:

☐ ☐ Party A OR ☐ Party B is responsible for providing ☐ medical ☐ dental ☐ vision care insurance for the minor child(ren) and shall continue to pay premiums for any medical, dental and vision policies covering the child(ren) that are currently included in the incorporated Parent's Worksheet for Child Support.

OR

☐ ☐ Party A OR ☐ Party B shall be individually responsible for providing medical insurance for the minor child(ren) of the parties as soon as it becomes accessible and available at a reasonable cost, as neither party currently has the ability to obtain such medical insurance.

Medical, dental, and vision insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached hereto 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. An insurance card must be provided to the other party. Notification must also be provided to the other party if coverage is no longer being provided for the child(ren).

7. Non-Covered Medical Expenses:

☐ Party A is ordered to pay _____ % and ☐ Party B is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision, prescription and other health care charges for the minor child(ren).

- A request for payment or reimbursement of uninsured medical, dental and/or vision costs must be provided to the other party within 180 days after the date the services occur.

- The party responsible for payment or reimbursement must pay their share, as ordered by the Court, or make acceptable payment arrangements with the provider or person entitled to reimbursement within 45 days after receipt of the request.

8. Travel expenses: The costs of travel related to parenting time over 100 miles one way shall be shared as follows: Party A _____ % Party B _____ %

9. Information exchange: The parties shall exchange financial information such as copies of tax returns, financial affidavits, and earnings statements every twenty-four months. At the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers unless the Court has ordered otherwise.

10. Tax exemptions: The Court allocates the following federal tax exemption(s) for the dependent child(ren):

Child's Name	Date of Birth (Month, Day, Year)	Parent Entitled to Deduction		For Calendar Year
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

☐ Party A or ☐ Party B may claim the allocated tax exemptions only if all support and arrears ordered for the year have been paid by December 31 of that year. An Internal Revenue Service form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information*.

☐ Party A or ☐ Party B may unconditionally claim the tax exemption allocated to ☐ Party A or ☐ Party B for income tax purposes. An Internal Revenue Service Form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information*.

Even though the court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other party's responsibility to carry medical insurance on the child under the Decree of Dissolution of Marriage.

11. Modification: If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.

12. Emancipation: A child is emancipated:

- On the child's 18th birthday, however if a child is still attending high school or a certified high school equivalency program, support will continue until graduation of the child reaches 19 years of age.
- On the date of the child's marriage.
- When the child is adopted.
- When the child dies.

13. Other findings and orders:

14. **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.

 Date

 Judicial Officer

15. Stipulation. Signature by both Parties (if applicable):

☐ Party A ☐ Party B, by signing this document, we state to the Court under penalty of perjury that we read and agree to this Court Order, and that all the information contained in it is true, correct, and complete to the best of our knowledge and belief.

 Party A's Signature

 Date

 Party B's Signature

 Date

If either party is represented by a lawyer, the lawyer must sign below:

 Party A's Lawyer Signature

 Date

 Party B's Lawyer Signature

 Date

LAW LIBRARY RESOURCE CENTER

Procedures: Completing your papers and what to do next (Consent Judgment for Legal Decision-Making, Parenting Time and Child Support with or without Paternity)

I. REQUIREMENTS

- ✓ **PAPERWORK and SIGNATURES:** Both Party A and Party B must sign the "*Consent Judgment*" before a Clerk of Superior Court or a Notary Public to show that both Party A and Party B have read, approved and agreed to the items in the Judgment. If either party is represented by a lawyer or if the Attorney General's Division of Child Support Enforcement (DCSE) is involved in this case, the lawyer(s) and a representative of DCSE must also sign the "Judgment." You must also file all other required paperwork.
- ✓ **PARENT INFORMATION PROGRAM:** Both parties must attend the Parent Information Program (PIP) and receive a "*Certificate of Completion*." A copy of your Certificate of Completion will be sent to the Clerk of Superior Court by the provider who runs the class.
- ✓ **FEES:** Both parties must pay the court fees. Currently, that includes the filing fee paid by the party filing the Petition at the beginning of the case, and the other party's "Response" or "Answer" fee, in order for the Consent Judgment to be accepted. Both parties must attach a receipt to prove payment or attach a copy of the Order for initial *deferral* of fees.

A list of current fees is available from the Law Library Resource Center or the Clerk of Superior Court's website.

If you cannot afford the filing fees or the fee for having the papers served by the Sheriff or by publication, you may request a fee deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

II. PROCEDURES

- A.** Read and complete all paperwork.
- B.** Complete the Child Support Worksheet and Current Employer Information online via ezCourtForms (<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>) or the Arizona Supreme Court website, (<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>).

PRINT OUT 1 COPY of the completed Child Support Worksheet and Current Employer Information Sheet.

- C.** Copies required. After you complete the forms, photocopy the original forms. You will need:
 1. Two photocopies of the original signed Consent Judgment form. *Three copies if the Attorney General's Division of Child Support Enforcement is involved in your case.
 2. One photocopy of filing fee payment receipt from you, plus one photocopy of the filing fee payment receipt from the other party –OR– A photocopy of the initial "Order deferring fees and Costs" for each party who has not paid the filing fees.
 3. Two copies of the original completed Parenting Plan signed by both parties.

4. Two copies of the original completed "Child Support Worksheet"
5. Two copies of the original completed "Child Support Order"

D. Compile paperwork

1. Address two 9"x12" envelopes: a) to you, or your attorney, and b) to the other party or his or her attorney.
2. Place into each 9" x 12" envelopes one photocopy of each item in Part C above.
3. Postage: Be sure you put enough postage on both 9" x 12" envelopes.
4. Combine Originals into a third set of documents.

E. Deliver to the Judge:

1. The original set plus the two envelopes containing copies as compiled above.
2. Hand-deliver or mail your documents to the Judge assigned to your case as indicated below. Court hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Yuma County Justice Center
Clerk of Superior Court
250 W. 2nd Street
Yuma, AZ 85364

F. What happens next? It is within the Judge's discretion whether to accept or reject the Consent Judgment, or to schedule a court hearing.

1. If your consent judgment is accepted: the Judge will sign the original Consent Judgment and have it filed with the Clerk of Superior Court. The Court will send a copy of the signed Consent Judgment to each party using the envelopes you provided. This is your notification that your legal decision-making/paternity action is now final. Your order is not effective until the Judge signs the Consent Judgment.
2. If your consent judgment is rejected: the Court will send you a "*Correction Notice*" informing you of the mistakes with the documents. Follow the instructions on the "*Correction Notice*". If the mistakes cannot be corrected, see a lawyer for help.
3. If the Judge schedules a hearing: the Court will send notice of a scheduled date, time and location for a hearing which both parties must attend to answer any questions the Judge may have.

* All forms referenced in these instructions may be purchased from the Law Library Resource Center website or obtained for free via the Internet.

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

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

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