

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO OBJECT TO REGISTERING ANOTHER STATE'S FAMILY COURT ORDER IN ARIZONA

STEP 1: FILL OUT THE "REQUEST FOR HEARING" FORM.

Follow these instructions which are numbered to match the identifying numbers on the form. Type or print neatly using black ink.

(1) TOP OF PAGE AND (2) CASE CAPTION

At top left, enter the information requested about you, the person filing the Request for Hearing. An attorney who is filing the Request must also list the name of the person represented and the attorney's State Bar Number. If the state agency for child support enforcement is involved and there is a IV-D case number, list that number also.

Fill in the case caption with the information as shown on the "Notice of Registration" you received from the Clerk. This would include the names of the persons shown as the petitioner(s) and respondent(s) as well as the (Arizona) case number.

NUMBERED INSTRUCTIONS

1. Check the box(es) to indicate whether you are requesting a hearing regarding the registration of a family support order, a custody order (called "legal decision making" in Arizona), or both. If you are requesting a hearing regarding a child custody order, skip 2 and go directly to 3.
2. **Support or Income Withholding.** If requesting a hearing regarding registration of a child support, spousal maintenance or income withholding order for payment of either, read carefully and check all that apply. Describe any other defenses available to you under Arizona law on the blank lines provided.
3. **Custody.** If requesting a hearing regarding registration of another state's custody order in Arizona (including matters of legal decision making, parenting time or visitation), read carefully and check all that apply.
4. **Date, sign, and print name.** By signing your name, you are stating to the court that the information you have provided is true and correct under penalty of perjury.

Next:

- File the form and as many copies as are needed (see next page) with the Clerk of the Court in Maricopa County.
- Pay any required filing fee or apply for delayed payment (deferral) or waiver of fees.
- You will receive notice of the time, date, and location of the hearing.

STEP 2: MAKE COPIES: You will need to submit the original **Request for Hearing** form plus a copy for every petitioner and respondent in the case, including yourself. If there is a “IV-D” case number, meaning the state child support services agency is involved, you will need to supply an additional copy for them as well.

STEP 3: FILE THE PAPERS AT THE COURT. Take all originals and copies.

GO TO THE CLERK OF THE COURT’S FILING COUNTER: Hand over the originals and the appropriate number of copies to the Clerk and **pay** (or apply to defer) any applicable filing fee.

Note that if you are objecting only on the basis of “lack of jurisdiction” (meaning that neither the state the order came from nor Arizona has legal authority to deal with this matter), there will not be any fee to file.

If you cannot afford to pay the fee, you may submit a **Fee Deferral Application** when you file your **Request for Hearing** to ask for a payment plan (deferral) or waiver. The fee deferral application is available online from the Superior Court’s Self-Service Center.

The Clerk will keep the originals, stamp the copies to show that these are copies of papers you have filed with the Court, and return the stamped copies to you.

You may file your papers from 8:00 a.m. to 5:00 p.m., Monday through Friday, at any of the following Superior Court locations:

Central Court Building

201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Southeast Court Complex

222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northwest Court Complex

14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Court Complex

18380 North 40th Street
Phoenix, Arizona 85032

See the Maricopa County Clerk of the Court’s web page for fees, filing and payment options.

NOTICE OF REQUEST for HEARING. Upon filing the **Request for Hearing**, the filing party must immediately mail or otherwise deliver a copy to every other party or their attorney. ***If the state child support services agency is listed as a party to the case*** a copy **must also** be provided to the Attorney General (the “AG”)’s Division of Child Support Services. You may do this by:

(a) Leaving an extra copy in an envelope addressed to “Attorney General, Child Support Services” with the Clerk at the Filing Counter to be placed in a drop-box for delivery to the AG, **or**

(b) By mailing to:

**Attorney General
Division of Child Support Services
P. O. Box 6123, Site Code 775 C
Phoenix, Arizona 85005**

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

For Clerk Use Only

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

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Name of Petitioner (in original case) (2) (AZ) Case No. _____ (2)

Name of Respondent (in original case) (2)

Other Named Party (in original case) (2)

REQUEST FOR HEARING ON REGISTERED FOREIGN FAMILY COURT ORDER (A.R.S. §§ 25-1306-1307, 25-1055)

1. I REQUEST A HEARING ON FOREIGN (out of state) ORDER REGISTERED IN ARIZONA for:

(Check one or both, if applicable.)

- FAMILY SUPPORT OR INCOME WITHHOLDING (for payment of family support)
- CHILD CUSTODY (including legal decision making, parenting time, or visitation)
(If requesting a hearing regarding custody **only**, skip "2" below, and proceed to "3" on next page.)

2. HEARING REQUESTED ON REGISTERED SUPPORT OR INCOME WITHHOLDING UNDER A.R.S. § 25-1307, BECAUSE:

(If you requested a hearing regarding "Family Support or Income Withholding", check all that apply below; if you are requesting a hearing regarding a child custody order skip this section and proceed to "3".)

- The court or agency that issued the registered order did not have personal jurisdiction over me.
- The order was obtained by fraud. The issuing court has stayed the order pending appeal.
- The order has been vacated, suspended or modified by a later order.
(If true, enclose two copies, one certified, of the later order.)
- The arrearage amount stated is wrong because full or partial payment has been made.
- The statute of limitations applicable under A.R.S. § 25-1304 precludes enforcement of some or all arrearages.

Under the laws of Arizona, the following is a defense to the remedy requested:

The order claimed to be the controlling order is not the controlling order.
(If true, enclose two copies, one certified, of the order you claim to be the controlling order.)

If the support or income withholding order has been registered for purposes of having it modified by Arizona: (Check box if applicable.)

Arizona does not have jurisdiction to modify the order and one or more parties still residing in the state that issued the order to be modified has not filed a consent in the other state for Arizona to take jurisdiction. (A.R.S. § 25-1311).

3. HEARING REQUESTED REGARDING ORDER FOR CUSTODY (including matters of legal decision making, parenting time, or visitation) BECAUSE, UNDER A.R.S. § 25-1055(D):

The court that issued the order did not have jurisdiction to do so.

The order has been vacated, suspended or modified by a later order from a court that had jurisdiction to do so. (If true, enclose two copies, one certified, of the later order.)

I did not receive proper notice in the court that issued the order to be registered according to the standards of A.R.S. § 25-1008.

4. UNDER PENALTY OF PERJURY:

I declare to the court under penalty of perjury that the information contained in this document is true and correct to the best of my information and belief.

Dated: _____

Signature

Printed Name