

## Procedures: What to do with the court forms after you complete them

STEP 1: COPY the following original Petition form after you complete it:

- *"Petition to Enforce a Child Custody Order"* - 3 copies

STEP 2: Separate your documents into four (4) sets:

<p>SET 1 - Originals: for the Clerk of Superior Court</p> <ul style="list-style-type: none"><li>• <i>"Family Department Sensitive Date / Cover Sheet"</i></li><li>• <i>"Petition to Enforce Child Custody Order"</i></li></ul>	<p>SET 2 - Your copies:</p> <ul style="list-style-type: none"><li>• <i>"Petition to Enforce Child Custody Order"</i></li></ul>
<p>SET 3 - Copy for the Judge:</p> <ul style="list-style-type: none"><li>• <i>"Petition to Enforce Child Custody Order"</i></li></ul>	<p>SET 4 - Copies for the other party:</p> <ul style="list-style-type: none"><li>• <i>"Petition to Enforce Child Custody Order"</i></li></ul>

STEP 3: Go to the Superior Court to file your papers: The Court is open from 8:00 a.m. - 5:00 p.m., Monday-Friday. You should go to the Court at least two hours before it closes. You may file your court papers at the following Superior Court locations:

Clerk of Superior Court  
Central Court Building  
201 West Jefferson, 1st floor  
Phoenix, Arizona 85003

Clerk of Superior Court  
Southeast Court Complex  
222 East Javelina Avenue, 1st floor  
Mesa, Arizona 85210

Clerk of Superior Court  
Northwest Court Complex  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

Clerk of Superior Court  
Northeast Regional Court Center  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

FILE: Go to the Clerk of Superior Court filing counter to file your documents.

FEES: There is no filing fee for this procedure.

The Clerk of Superior Court will keep the original of the "*Petition to Enforce a Child Custody Order*" to place in the permanent Court file. The Clerk will then court-stamp the originals and copies you have to show what documents were filed and give them back to you.

STEP 4: DELIVER the "*Petition to Enforce a Child Custody Order*" to the Judge's office if your case is filed in Downtown, Northeast Phoenix, or Surprise, or Family Administration if your case is filed in Mesa. If you are not sure which Judge is assigned to your case, call Family Administration at: 602-506-1561 in Downtown Phoenix, 602-506-2021 in Mesa, 623-372-9403 in Surprise, or 602-372-7700 for the Northeast Court Facility (at 40<sup>th</sup> Street & Union Hills, Phoenix).

If you filed your Petition in Downtown Phoenix or Surprise, you will be directed to a waiting area outside the Judge's office. If you filed your Petition in Mesa, you will be told by Family Administration to take your papers to the floor where the Judge is located, where you will be met by the Judge's staff. If you filed your Petition at the Northeast facility, you will be directed to use the intercom system to contact the Judge's staff. You will be asked to wait until the Judge has the opportunity to grant or deny your Petition.

**WARNING:** If you have a custody order the Judge will often ask his or her staff to confirm that it is valid. This takes time. If you take your papers to the Judge late in the afternoon it is not always possible to confirm the validity of the custody order *until the next day*. You should try your very best to take your papers to the Judge as soon as possible *in the morning*.

What the Judge will do: The judge will look over the "*Petition to Enforce a Child Custody Order*," and *may*:

- Order the appearance of the person(s) with physical custody of the child(ren) without seeing you, *OR*
- Ask you to come into the office and explain the situation, *OR*
- Schedule a formal court hearing.

The Judge will then decide one of the following:

- To order the appearance in court of person(s) with physical custody of the child(ren) and schedule a court hearing, *OR*,
- To reject your request and not order the appearance of person(s) with physical custody of the children" right then, *OR*,

- To order whatever else the Judge thinks is proper. This includes orders against you if the Judge thinks you knowingly tried to do something improper by filing the *"Petition to Enforce a Child Custody Order"*.

If the Judge decides to order the person(s) with physical custody of the child(ren) to appear in court, the Judge and court staff will issue an original Court Order, and the courtroom clerk will make a certified copy to give you.

STEP 5: **SERVE OTHER PARTY:** With a certified copy of the Court Order for the appearance of person(s) with physical custody of the child(ren) and a copy of your Petition, you are ready to legally serve the other party. You can hire a private process server for this, or you can go to the Maricopa County Sheriff's Office to have the documents served on the other party. If you go to the Sheriff's Office, someone at that office will ask you to fill out a form, or ask you many questions about the other party and the child(ren), including what they look like, where they live, where they work, and so forth. They may also ask you for pictures of the other party and the child(ren) if you have them, and will conduct a criminal history check on all parties involved. For more information on your options for legally serving the other party with court papers, please see the Law Library Resource Center packet number two ( 2 ) on "Service".

STEP 6: **The Court Hearing.** Be on time. Dress neatly. Be prepared to show the Judge proof of why you are entitled to the custody of the child. *Unless you have been ordered to bring your children to court, do not bring any children to Court.*