# PETITION TO MODIFY PARENTING TIME and CHILD SUPPORT

Do not copy or file this page

# 1

## To Change an Existing Court Order

When Parties Do Not Agree

(Instructions and Forms)

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

DRMV1c – **5136** - 081825

**LAW LIBRARY RESOURCE CENTER**

# PETITION TO MODIFY A COURT ORDER FOR PARENTING TIME or PARENTING TIME and CHILD SUPPORT

## CHECKLIST

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

- ✓ You want to change parenting time or parenting time and child support for any reason including that the other party is not using their parenting time;
- ✓ You do not wish to or cannot submit an AGREEMENT to this change signed by you and the other party;
- ✓ The court order that you want to change is a Maricopa County Order;
- ✓ The order you wish to change is at least one year old and changing the order is in the best interest of the minor child(ren), AND
- ✓ You are aware of the following two provisions of Arizona law:

  **1.** The court shall not restrict a parent's parenting time rights unless it finds that the parenting time would endanger seriously the minor child(ren)'s physical, mental, moral or emotional health. **A.R.S. § 25-411 (C)**

  **2.** The court shall assess attorney fees and costs against a party seeking modification if the court finds that the modification action is distressing and constitutes harassment. **A.R.S. § 25-411 (F)**

- ✖ **YOU MAY <u>NOT</u> USE THESE FORMS TO CHANGE <u>CUSTODY</u>*** (now called "legal decision making" in Arizona)**.**

***If you want to change from joint to sole or sole to joint legal decision making (custody), refer to the checklist in the Law Library Resource Center's "Petition" or "Agreement" packets to Modify Legal Decision Making (Custody), Support, and Parenting Time to see if either applies to your situation.

**IF YOUR ORDER IS NOT FROM THIS COUNTY: Ask a lawyer or consult a law library about the requirements to file your request with this Court.**

**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.

Do not copy or file this page

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

# To change a court order for parenting time and child support

This packet contains court forms and instructions to file to change a court order for parenting time and child support. Items in bold are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

| Order | File Number | Title | # Pages |
|---|---|---|---|
| 1 | DRMV1k | Checklist: You may use these forms if . . . | 1 |
| 2 | DRMV1t | Table of Contents (this page) | 1 |
| 3 | DRMV10h | Helpful Information on Getting a Change of Parenting Time and Child Support | 2 |
| 4 | DRMV11i | Instructions for Filling Out the Petition to Modify Parenting Time and Child Support | 3 |
| 5 | DRS12h | How to Complete a Child Support Worksheet | 1 |
| 6 | DRMV11p | Procedures: What to Do After You Have Completed the Petition to Modify Parenting Time and Child Support | 4 |
| 7 | DRMV11f | **Petition to Modify Parenting Time or Parenting Time and Child Support** | 5 |
| 8 | DRCVG11f | **Parenting Plan** | 11 |
| Use a FREE online Child Support Calculator to produce the Child Support Worksheet that must accompany this Petition | | | |
| 9 | DROSC13f | **Affidavit of Financial Information** | 12 |
| 10 | DRCVG13f | **Affidavit Regarding Minor Children** | 3 |

Do not copy or file this page

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

**LAW LIBRARY RESOURCE CENTER**

# HELPFUL INFORMATION ON GETTING A CHANGE OF PARENTING TIME and CHILD SUPPORT

**IMPORTANT INFORMATION. The following is important information on when you can legally ask the court for a change of parenting time and child support. Read it carefully before you fill out the Petition.**

Do not copy or file this page

## 1. WHEN CAN YOU FILE FOR A CHANGE OF PARENTING TIME?

- There have been significant changes in circumstances that make a change in parenting time necessary for the good of the minor child(ren), **OR**
- There has been domestic violence, spousal abuse, or child abuse and you have evidence that the best interest of your minor child(ren) requires a change.
- There is reason to believe that the minor child(ren)'s current environment may seriously endanger the minor child(ren)'s physical, mental, moral or emotional health and your minor child(ren) is/are at risk.

**IMPORTANT:** If you have reason to believe that the other parent, or someone associated with the other parent, is physically abusing or hurting your minor child(ren), you should contact Child Protective Services or your local Police Department immediately. If your minor child is in a dangerous situation, you should take steps to file a ***"Petition to Modify Custody and/or Parenting Time and Child Support"*** to get a permanent change of custody and/or parenting time and child support, *and* a petition for ***Temporary Orders*** (of Custody or Parenting Time) ***Without Advance Notice to the Other Party*** (formerly known as an "emergency orders") as soon as possible. All forms are available through the Law Library Resource Center.

## 2. THINGS TO CONSIDER BEFORE FILING A CHANGE OF PARENTING TIME:

**A.** Filing for a change of parenting time is a serious matter and generally should be considered as a **last resort**. Raising the minor child(ren) in two households, arranging for parenting time, and making joint decisions about the minor child(ren)'s welfare can lead to high levels of stress, conflict, and anger between you and the other party, and the minor child(ren). Unless, your minor child(ren) is/are in immediate physical or emotional risk, you may want to seek counseling or mediation **before** you take legal action. Mediation is a process where you and the other parent meet with a professional who will try to help you work together to find a solution to your problem. The mediator is not there to take sides, but can help you understand the other parent's point of view. The mediator will help you approach your problems in a way that will more likely lead to an agreement and will help you to focus on your minor child(ren)'s needs first. Mediation services are available through the Conciliation Services department in the Superior Court, or through private mediation services. You may also want to consider family counseling to learn how to better deal with ongoing problems. A list of mediators and counselors is available through the Law Library Resource Center or you can contact Community Information and Referral Services at 2-1-1.

**B**. To change parenting time and child support, you must convince the judge through appropriate evidence, that the best interests of the minor child(ren) requires the change. The judge usually will not make a change unless you can show that there is a **substantial and continuing change of circumstances**. What this means is that you must convince the judge that something has happened since the Decree or Order was signed that will be **continuing**. You must show that the

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

change or situation has a **substantial effect** on the child(ren)'s well-being. Judges generally do **not** want to put the minor child(ren) through another serious change in surroundings, unless he/she is convinced it is necessary for the minor child(ren)'s welfare. In addition, if you have reasonable parenting time and the minor child(ren) is/are being neglected or abused during parenting time, then you may want to request that parenting time be supervised or consider asking for a change of custody.

There are many things the judge may look at in deciding "the best interest of the minor child(ren)." The law says that the court will look at issues such as:

- how the minor child(ren) relate(s)s to parents, brothers and sisters;
- how the minor child(ren) is/are doing in school and socially;
- which parent is more likely to cooperate in giving parenting time to the other parent;
- which parent is better able mentally and physically to care for the minor child(ren);
- which parent has provided the primary care to the minor child(ren); and
- evidence of what a parent has done to convince the other parent to make a custody agreement.

The court will consider domestic violence against you, the minor child(ren), or another person in the minor child(ren)'s presence to be a serious consideration in deciding whether to change custody. Evidence of drug or alcohol abuse by either parent is also an important factor in a custody decision.

Do not copy or file this page

**3. TIPS FOR FILING A CHANGE OF PARENTING TIME** A change of parenting time has several special requirements that you should understand before you begin.

**Tip #1:** Whenever possible, try to solve your parenting time problems through counseling or mediation, **unless** your minor child(ren) is/are at immediate risk. If you don't try to solve your problems before you file, your chances of success will be reduced in court.

**Tip #2:** Be sure that the changes in circumstances that caused you to request the change of parenting time are **important** and **related to issues** of your minor child(ren)'s long term best interest. Be sure that if you are making allegations of abuse or neglect, that you have witnesses or evidence to back up your statements.

**Tip #3:** If your minor child(ren) has/have been **seriously hurt or physically abused**, contact the appropriate authorities and file a petition to ***"Petition to Modify"*** (Change) Custody and/or Parenting time along with a motion for ***"Temporary Modification of Custody or Parenting Time Without Advance Notice to the Other Party*** (formerly known as an "emergency modification")**"** to get the minor child(ren) out of the dangerous environment as soon as possible. These forms are available for purchase at the Law Library Resource Center or may be downloaded for free from the Law Library Resource Center's web site.

NOTE: **The COURT may modify child support as appropriate after modification of parenting time.**

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

LAW LIBRARY RESOURCE CENTER

# Instructions for filling out the *"Petition to modify parenting time and child support"*

IMPORTANT NOTICE TO VICTIMS OF DOMESTIC VIOLENCE: All court documents request your address and phone number. If you are a victim of domestic violence, are in a domestic violence shelter, or if you do not want your address known to protect yourself or your children from further violence, you must file a *"Request for a Protected Address"* and ask that your address not be disclosed on court papers. With that Order, you do not need to put your address and phone number on your court papers. Just write "protected" when asked for this information and update the Clerk of Superior Court with an address and phone number as soon as possible.

Use this form only if you already have a court order concerning parenting time. You will need to have a copy of your current Order in front of you as you fill out these papers.

1. Type or print with black ink only.

   In the top left corner of the first page, provide the information requested about YOU, the person filing this petition for modification. If your address is protected by court order, write "protected" the space for address and make sure the Court has a means of contacting you on file.

2. Fill in the top section where it says Name of Petitioner / Party A, Name of Respondent / Party B, Case Number and ATLAS Number (if there is one), exactly as it appears on your original Maricopa County Superior Court case where physical custody or parenting time/visitation was originally ordered.

GENERAL INFORMATION:

1. Information about Me (the person filing this petition for modification): Fill in your name, address (if not protected) and how you are related to the minor children.

2. Information about the Other Party: Fill in the other party's name, address (if not protected) including city, state and zip code. Check the box to indicate if they are the mother, father, or other. If you are not one of the parties, list the information about the other parent under "Information about Other Parent of Other Party."

   Information about the Other Parent or Other Party: Leave blank if the two parents are the only parties to this case. If there is a non-parent party *other than* the person listed in (1), enter the information about that person. Check the box to indicate that person is "other" than the father or mother, and explain that person's relationship to the minor child(ren) in the space provided. For example: Other: grandmother or guardian or sister (etc.)

3. Information about the minor children for whom I want the parenting time order changed: Provide the information requested on all the children under 18 years of age for whom you are seeking to make a change in parenting time and child support. If there are more than four minor children, check the box and attach a separate sheet titled the same as indicated on the Petition (and as shown above) listing the same information as requested in this section (name, date of birth and age) for each minor child.

4. Affidavit Regarding Minor Children. Check the box to indicate whether the minor children have resided in Arizona since the entry of the last Arizona court order. *If not*, you must check the second box, and include a completed *"Affidavit Regarding Minor Children",* which is included in the #1 "Forms" packet for this procedure.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

5. Information about the Order I want to change. Write in the date the Judge signed the Order, the name of the court ("Superior" or "District", etc.), the name of the county, and the name of the state where the order was signed.

   What your Order now says: This is where you tell the Judge what part of your decree / order you want to change. You should find your current decree/order, read it carefully several times and then decide what parts you want to change. Find the part you don't agree with and then identify the order date, section and page you wish to change. Describe what you wish to change.

6. Domestic Violence. Tell the court whether "significant domestic violence" has occurred. If in your judgment it has, explain to the court.

7. Why the Decree/Order should be changed: This is where you briefly explain to the Judge why you think a change of your decree/order is necessary for the best interest of the minor child(ren). You are encouraged to be BRIEF and to keep your explanation within the space provided, *but if you need more room*, you may write "see attachment" on the Petition, title your extra page "Why the Decree/Order should be changed", finish your explanation and attach the extra page to this Petition.

Requests I make to the Court: This is where you explain to the Judge what you want your decree/order on parenting time to say.

A. PARENTING TIME:

Mark one box only. You can ask that the non-custodial party (the party having physical custody of the minor child(ren) less than 50% of the time) or other non-party have one of the following types of parenting time ("visitation" if to non-parent):

**A.** Reasonable Parenting Time--This suggests an amount of parenting time appropriate to the age of the child.

**B.** Reasonable Parenting Time according to the attached *"Parenting Plan" (or similarly detailed plan or agreement of the parties)*. Complete the *"Parenting Plan*" before you go to the Judge for your final order. The *"Parenting Plan"* is in the "Orders" packet.

Refer to "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your new 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' web page.

**C.** Supervised Parenting Time to the Non-Custodial Party (or Supervised "Visitation", to Other [non-parent] Party). You should request supervised parenting time if the non-custodial parent or other party cannot adequately care for the minor child(ren) without another person present. You may request this if the person not having custody abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for the minor child(ren) without another adult present. Remember, supervised parenting time is not intended to punish the party, but to protect the minor children.

**D.** No Parenting Time to Other Party. You should mark the box for "No Parenting Time" to a party only if that party has seriously harmed, abused, or is otherwise a serious danger to the child(ren)'s physical and emotional health, or if there is a criminal court order stating there is to be no contact between the minor child(ren) and the non-custodial party. This is a last resort to protect the minor child(ren). Explain.

*OR*

No Parenting Time (visitation) to Other (non-party). Mark this box if there is a non-party, third party in this case and you do not want that person to have court-ordered visitation.

Do not copy or file this page

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

If there is a 3rd (third) party in addition to the parents in this case, use the second set of identical parenting time choices contained in this section to indicate who the remaining party is (Party A, Party B or Other party), and your preferences for the type of parenting time or visitation this person should have.

If you selected #3 or #4, you must write the reasons why parenting time (or visitation, if to non-party) should be supervised or why that person should have no parenting time or visitation at all.

NOTE: Even if you do not want to change the child support amount, the Judge will still review all the financial information to determine if child support should be changed.

B. CHILD SUPPORT: Mark the box to indicate which party will pay child support. Fill in the amount from the completed *"Child Support Worksheet"* , OR *if you are requesting an amount different from the Worksheet* amount (a deviation), enter *that* amount. FREE Child Support Calculators are available online to create *Worksheet.* See the instruction document DRS12h in this packet for more information.

If you are asking to modify Child Support, you may also be required to complete an "*Affidavit of Financial Information*" (AFI) especially if requesting to deviate from the amount listed on the Worksheet. The form is available in this packet if the Court orders you to complete it.

Title IV-D program or Temporary Assistance for Needy Families (TANF) recipients NOTE: Mark the box if you or the other party are involved in the TANF or Title IV-D programs. In Part 4, you must obtain the written approval and signature of the Attorney General or county attorney assisting you on your TANF or IV-D case. You must include or attach the signature to the Final Decree BEFORE filing it. (Rule 45 (c) (3))

C. MEDICAL, DENTAL, VISION CARE INSURANCE PAYMENTS AND EXPENSES: Mark which party should be responsible for health, medical, dental, and vision care insurance and other related expenses. Then write in what percentage Party A should pay and what percentage Party B should pay of those expenses not covered by insurance. The total percentage must be 100%.

D. FEDERAL INCOME TAX DEDUCTION. Tell the court whether Party A or Party B should claim the minor children as income tax deductions.

E. OTHER ORDERS: Fill in this information only if you have made other requests to the court. Write the specific additional orders you are requesting the court to make that were not covered elsewhere in your Petition. Use extra pages if necessary.

F. OATH OR AFFIRMATION AND VERIFICATION: This document must be signed in front of a Deputy Clerk of Superior Court or Notary. By signing the Petition under Oath or Affirmation, you are stating, under penalty of perjury, that the information is true and correct.

WHAT TO DO NEXT: Follow the instructions in the document called "Procedures: What to do After You Have Completed the *"Petition to Change Parenting Time and Child Support"*.

Do not copy or use this page

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Law Library Resource Center

# How to complete a Child Support Worksheet

Use the **free** online child support calculator to produce the Child Support Worksheet that must be turned in along with your other court papers.

Using the online calculator is free (access to the Internet and a printer required).

If you do not have access to the Internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing. The online calculator is available at:

ezCourtForms https://www.superiorcourt.maricopa.gov/ezcourtforms2/

Do not copy or file this page

Advantages of Using the Online Child Support Calculator

- The online calculator is free.
- The online calculator does the math for you.
- The online calculator produces a neater, more readable worksheet.
- The online calculator produces a more accurate child support calculation, **and**
- **You don't have to go through 35 pages of Guidelines and Instructions.**

If you want to perform the calculations yourself, you will need an additional 60 or more pages of guidelines, instructions, and the Child Support Worksheet form. These are available for separate purchase from the Law Library Resource Center as part of the "How to Calculate Child Support" packet, or may be downloaded for free from the Law Library Resource Center's web page (https://superiorcourt.maricopa.gov/llrc/family-court-forms/).

When you have completed all needed forms, go to the "Procedures" page and follow the steps.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

# Procedures: What to do after you have completed the petition to modify parenting time and child support

Step 1: Complete:

- ✓ the Child Support Worksheet and Current Employer Information Sheet online via ezCourtForms:

  http://www.superiorcourt.maricopa.gov/ezcourtforms2/.

  Print out 1 copy of the completed Child Support Worksheet and Current Employer Information Sheet.

- ✓ If applicable (required prior to January 1, 2025): Education Order (Choose only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.)

Do not copy or file this page

Step 2: Make copies and file the papers with the Clerk of Superior Court: Make three (3) copies of the paperwork you completed. If the State of Arizona (DES/DCSE) is a party, make a 4th copy to serve on the Attorney General's Office. See Step 3 and 4 on next page for more information on serving notice on the State.

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions:

https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

Step 3: Separate your documents into 4 sets (5, if DES or DCSE is involved)

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

| | |
|---|---|
| Set 1: Originals for the Clerk of Superior Court:<br>• Petition to Modify<br>• Parenting Plan<br>• Education Order (if applicable)<br>• Child Support Worksheet<br>• Current Employer Information Sheet<br>• Affidavit of Financial Information<br>• Affidavit Regarding Minor Children (if applicable) | Set 3: Copies for you:<br><br>• Petition to Modify<br>• Parenting Plan<br>• Education Order (if applicable)<br>• Child Support Worksheet<br>• Current Employer Information Sheet<br>• Affidavit of Financial Information<br>• Affidavit Regarding Minor Children (if applicable) |
| Set 2: Copies for the Judge:<br><br>• Petition to Modify<br>• Parenting Plan<br>• Education Order (if applicable)<br>• Child Support Worksheet<br>• Current Employer Information Sheet<br>• Affidavit of Financial Information<br>• Affidavit Regarding Minor Children (if applicable)<br><br>1 Self-addressed, stamped envelope (to be mailed back to you by the Judge's staff) | Set 4: Copies for other party:<br><br>• Petition to Modify<br>• Parenting Plan<br>• Education Order (if applicable)<br>• Child Support Worksheet<br>• Current Employer Information Sheet<br>• Affidavit of Financial Information<br>• Affidavit Regarding Minor Children (if applicable) |
| * Set 5 for the Attorney General's Office (<u>only</u> <u>if</u> <u>required</u> – see Step 3 and 4 on next page)<br><br>• Petition to Modify<br>• Parenting Plan<br>• Education Order (if applicable)<br>• Child Support Worksheet<br>• Current Employer Information Sheet<br>• Affidavit of Financial Information<br>• Affidavit Regarding Minor Children (if applicable)<br>• Acceptance of Service (original) and 1 self-addressed stamped envelope (addressed back to you) | |

Do not copy or file this page

Step 4: Go to the Clerk of Superior Court filing counter to file your papers. You may file your papers from 8 a.m. to 5 p.m., Monday through Friday, at the following Superior Court locations:

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

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

Hand the originals and all sets of copies to the Clerk at the filing counter and pay the filing fee. The Clerk will keep the originals, stamp the extra copies to show that these are copies of papers you have filed with the Court, and return the stamped copies to you. The stamped sets of copies are now called "conformed" copies.

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

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a 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.

Make sure you get back the following from the Clerk:

All sets of copies with the Clerk's stamp on them (which shows they are "conformed" copies – meaning they are duplicates of papers filed with the Court).

Step 5: Take Set 2 of the documents to the Judge assigned to your case along with 1 self-addressed, stamped envelope (from Step 2) for the Judge's staff to mail an Order to Appear to you.

- If you are not sure which Judge is assigned to your case, have your case number at hand and call Family Department at 602-506-1561 to ask.
- Hand-deliver the documents as indicated below (depending on the location of the court facility at which you choose to file):

Central Court Building
201 West Jefferson, 3rd floor
Phoenix, Arizona 85003
(Deliver to Family Department)

Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210
(Deliver to Court Administration)

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374
(Deliver to Judge's in-box)

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032
(Deliver to Judge's in-box)

Do not copy or file this page

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Step 6: Serve the papers on the other party (ies). If the Judge decided to set a hearing, you must arrange for service (delivery by a court-approved method) of the documents listed above on the other party.

Is the State of Arizona a party to your case? The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If either party already has a case with the State (DCSE or DES) involving the same children as in this case, notice of this action must also be given to the Attorney General's Office (the "AG").

Serving papers on the State (if required): The Attorney General will accept service by signing an Acceptance of Service form and returning the form for you to file with the Court. There are no court fees for serving the State with an Acceptance of Service, as described below:

a) You may mail or personally deliver the documents listed above to the AG assigned to your case. Include an Acceptance of Service form and a self-addressed, stamped envelope (addressed back to you). A list of addresses for the regional AG's offices is available from the Law Library Resource Center or from the Internet.

b) There may also be a "drop-box" in the Clerk of Superior Court's filing counter area at which you may leave the above listed documents and the envelope for the AG. Ask the Clerk at the filing counter, or

c) You may mail all listed documents and the envelope to:

Office of the Attorney General
Child Support Services Section
2005 N. Central Avenue – Mail Drop 7611
Phoenix, AZ 85004-2926

Note: The State is not considered served until the AG's signed Acceptance of Service is filed with the Court!

Step 7: Go to the court hearing and bring the Court Order papers.

- Write down the date, time, and location.
- Attend.
- Be on time.
- Dress neatly.
- Do not bring children to Court.

Do not copy or file this page

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

**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 MARICOPA COUNTY

_____
Name of Petitioner/Party A (in original case)

**Case Number:** _____

**PETITION TO MODIFY**
**PARENTING TIME or**
**PARENTING TIME AND CHILD SUPPORT**

_____
Name of Respondent/Party B (in original case)

I, _____ am the ☐ Party A or ☐ Party B or ☐ Other Party
(print your name) and make the following statements to the Court:

## GENERAL INFORMATION:

### 1. Information about Me, the person filing (requesting) this modification:

Name: _____

Address: _____

How I am related to minor child(ren) for whom the PARENTING TIME order should be changed:

☐ **Mother** or ☐ **Father** or ☐ **Other**: (explain) _____

### 2. Information about Other Party: (if the party filing this modification is one of the parents.)

(If someone *other than* one of the parents is filing this request, then list the information about one of the parents, then the information about the other parent below.)

Name: _____

Address: _____

How *this party* is related to minor child(ren) for whom the PARENTING TIME order should be changed:

☐ **Mother** or ☐ **Father** or ☐ **Other**: (explain)_____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED


**PTT**

**Information about the Other Parent or Other Party** (if there is a non-parent involved the case *other than* the person whose information has already been listed in (1) above):

Name: _____

Address: _____

How *this party* is related to minor child(ren) for whom the PARENTING TIME order should be changed:

☐ **Mother** or ☐ **Father** or ☐ **Other**: (explain) _____

## 3. Information About the Minor Child(ren) for whom I want the Order changed:

**Name:** _____ **Name:** _____

Birth Date: _____ Age: _____ Birth Date: _____ Age: _____

**Name:** _____ **Name:** _____

Birth Date: _____ Age: _____ Birth Date: _____ Age: _____

☐ There are more than four (4) minor children. I have attached a separate page titled "Information about the minor children for whom I want the Order Changed", listing this same information for all.

## 4. Affidavit Regarding Minor Children.

☐ The minor children have resided in Arizona since the entry of the last Arizona Legal Decision Making (Custody) Order ***or*** (if not) ☐ I have attached an "Affidavit Regarding Minor Children."

## 5. Information about the Order I want to change:

The Order was issued on: _____ (Month/Day/Year)

The Order was issued by: _____ (Name of Court)

Located in this County: _____ (Name of County)

Located in this State: _____ (Name of State)

The order I wish to change is on page _____, section/paragraph _____of the Order identified above.

Each of the following is a true statement:

- The minor child(ren) have lived in Arizona for at least six (6) months before the date I am filing this Petition or since birth, if younger than six (6) months.
- If the Order was not issued by the Superior Court of Arizona in this county, the case has already been transferred to this county and has a Maricopa County case number.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

**WHAT YOUR ORDER NOW SAYS:** Explain the part of the decree/order you want to change. (Use extra paper if necessary)

_____

_____

_____

**6. DOMESTIC VIOLENCE.** ☐ No significant domestic violence has occurred, ***or*** ☐ domestic violence has occurred. Explain:

_____

_____

_____

**7. WHY THE DECREE/ORDER SHOULD BE CHANGED:** These are my reasons why I believe that a change of parenting time is in the best interest of the minor child(ren) (Use extra pages if necessary):

_____

_____

## REQUESTS I MAKE TO THE COURT:

**A. PARENTING TIME** to the ☐ **Party A** or ☐ **Party B** or ☐ **Other** (non-parent)

1. ☐ Reasonable parenting time to the parent/party who does not have custody according to the Maricopa County Parenting Time Guidelines; OR

2. ☐ Reasonable parenting time to the parent/party who does not have custody according to the attached Parenting Plan; OR

3. ☐ Supervised parenting time but only in the presence of another person; OR

4. ☐ No parenting time rights to ☐ Party A or ☐ Party B or ☐ Other
   Supervised parenting time or no parenting time is requested for the following reasons:

   _____

   _____

   _____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

(***Only*** use this section below if needed because there is a 3rd (third) party *in addition to* the parents involved in this case) **PARENTING TIME** to the ☐ **Party A** or ☐ **Party B** or ☐ **Other** ("visitation" if to non-parent) **as follows:**

**1.** ☐ Reasonable parenting time to the parent/party who does not have custody according to the attached Parenting Plan; OR

2. ☐ Supervised parenting time but only in the presence of another person; OR

3. ☐ No parenting time rights to ☐ Party A or ☐ Party B or ☐ Other
Supervised parenting time or no parenting time is requested for the following reasons:

_____

_____

_____

The costs of travel related to parenting time/visitation over 100 miles one way shall be shared as follows:
**Party A** _____ % **Party B** _____%

**B. CHILD SUPPORT.** ☐ **Party A** or ☐ **Party B** should pay child support to ☐ **Party A** or ☐ **Party B** or ☐ to **Other** party in the amount of $ _____ per month on the first day of every month, beginning the first day of month following the filing of this Petition based upon the attached ***"Child Support Worksheet."*** All minor child(ren) support payments should be made through the Support Payment Clearinghouse, and will be subject to an applicable statutory fee through an automatic Order of Assignment.

**Title IV-D program or Temporary Assistance for Needy Families (TANF) Programs**:

☐ Does not apply.

☐ Party A ☐ Party B is applying for or currently receiving TANF **or** services from the Arizona Title IV-D program. NOTE: If one or both of the parties is or will be receiving TANF or Title IV-D support, you must obtain the Attorney General or county attorney approval by signature on the Final decree BEFORE you file it. (Rule 45(c)(3))

**C. MEDICAL, DENTAL, VISION CARE.**

☐ **Party A** should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.
☐ **Party B** should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

Party A and Party B will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the minor child(ren) in proportion to their respective incomes.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

## D. FEDERAL INCOME TAX DEDUCTION.

| Child's Name | Date of Birth (Month, Day, Year) | Party Entitled to Deduction | For Calendar Year |
|---|---|---|---|
| | | ☐ Party A ☐ Party B | |
| | | ☐ Party A ☐ Party B | |
| | | ☐ Party A ☐ Party B | |
| | | ☐ Party A ☐ 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 minor child.

## E. OTHER ORDERS. I request further Orders relating to this matter as follows:

_____

_____

_____

_____

## UNDER OATH OR BY AFFIRMATION

**I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.**

_____ _____

Date Signature

STATE OF _____

COUNTY OF _____

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

by _____.

_____

(Notary seal) Deputy Clerk or Notary Public

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

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

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Case No. _____

_____
Petitioner/Party A

PARENTING PLAN FOR

☐ JOINT LEGAL DECISION-MAKING

_____
Respondent/Party B

OR

☐ SOLE LEGAL DECISION-MAKING

## INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-making and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-making 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 and parenting time arrangements but not to joint legal decision-making: Both parents must sign the Plan at the end of PART 2 and 3, and the Affidavits under Section 5.

c. If both parents agree to joint legal decision-making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PARTS 2, 3, and 4, and the Affidavits under Section 5.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Case No. _____

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 ARRANGEMENT IS REQUESTED:
(Choose ONE of 1, 2, 3, 4.)

☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

The parents agree that sole legal decision-making authority 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 REQUESTED BY THE PARENT SUBMITTING THIS PLAN. The parents cannot agree to the terms of legal decision-making 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.

OR

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

OR

☐ 4. JOINT LEGAL DECISION-MAKING AUTHORITY 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.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

PART 2: 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 parenting time 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.

Parenting-time exchanges will occur at the following exchange location :

_____

_____

_____

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)

_____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

☐ 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.

| Holiday | Even Years | | Odd Years | |
|---|---|---|---|---|
| New Year's Eve | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| New Year's Day | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Spring Vacation | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Easter | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| 4th of July | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Halloween | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Veteran's Day | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Thanksgiving | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Hanukkah | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Christmas Eve | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Christmas Day | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Winter Break | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Child's Birthday | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Mother's Day | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |
| Father's Day | ☐ Party A | ☐ Party B | ☐ Party A | ☐ Party B |

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

☐ 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. 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

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting the other parent.

G. 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.

H. 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 Phoenix metropolitan 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:

_____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

☐ 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 Parenting 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 enforce a court order.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

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.

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Case No. _____

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 AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority shall NOT be awarded if there either has been "significant domestic violence" pursuant to A.R.S. § 13-3601 OR "a significant history of domestic violence."

☐ Domestic Violence has not occurred between the parties, OR

☐ Domestic Violence has occurred between the parties, but one of the following applies: (1) it has not been "significant domestic violence"; (2) there has not been a "significant history of domestic violence, (3) and/or domestic violence 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 is in the best interest of the children.*

* IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:

Explain below why Joint Legal Decision-making is still in the best interest of the children.

_____

_____

_____

_____

_____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

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

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

Case No. _____

This signature page belongs to the form titled "Parenting Plan" and cannot be used with any other documents.

PART 5: AFFIDAVITS

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

_____ _____

Petitioner's/Party A's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

_____ _____

Respondent's/Party B's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

FOR CLERK'S USE ONLY

**Person Filing:** _____

**Address (if not protected):** _____

**City, State, Zip Code:** _____

**Telephone:** _____

**Email Address:** _____

**ATLAS Number:** _____

**Lawyer's Bar Number:** _____

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

# SUPERIOR COURT OF ARIZONA
# IN MARICOPA COUNTY

Case No. _____

_____
Petitioner / Party A

ATLAS No. _____

## AFFIDAVIT OF FINANCIAL INFORMATION

_____
Respondent / Party B

Affidavit of _____
(Name of Person Whose Information is on this Affidavit)

**IMPORTANT INFORMATION ABOUT THIS DOCUMENT**

**WARNING TO BOTH PARTIES:** This Affidavit is an important document. You must fill out this Affidavit completely, and provide accurate information. You must provide copies of this Affidavit and all other required documents to the other party and to the judge. If you do not do this, the court may order you to pay a fine.

I have read the following document and know of my own knowledge that the facts and financial information stated below are true and correct, and that any false information may constitute perjury by me I also understand that, if I fail to provide the required information or give misinformation, the judge may order sanctions against me, including assessment of fees for fines under Rule 26, Arizona Rules of Family Law Procedure.

_____ _____
Date Signature of Person Making Affidavit

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

**INSTRUCTIONS**

1. **Complete the entire Affidavit in black ink. If the spaces provided on this form are inadequate, use separate sheets of paper to complete the answers and attach them to the Affidavit. Answer every question completely! You must complete every blank. If you do not know the answer to a question or are guessing, please state that. If a question does not apply, write "NA" for "not applicable" to indicate you read the question. Round all amounts of money to the nearest dollar.**
2. Answer the following statements **YES** or **NO.** If you mark **NO**, explain your answer on a separate piece of paper and attach the explanation to the Affidavit.

[ ] YES [ ] NO 1. I listed all sources of my income.

[ ] YES [ ] NO 2. I attached copies of my two (2) most recent pay stubs.

[ ] YES [ ] NO 3. I attached copies of my federal income tax return for the last three (3) years, and I attached my W-2 and 1099 forms from all sources of income.

## 1. GENERAL INFORMATION:

A. Name: _____ Date of Birth: _____

B. Current Address: _____

C. Date of Marriage: _____ Date of Divorce: _____

D. Last date when you and the other party lived together: _____

E. Full names of child(ren) common to the parties (in this case), their dates of birth:

| **Name** | **Date of Birth** |
|---|---|
| | |
| | |
| | |
| | |

F. The name, date of birth, relationship to you, and gross monthly income for each individual who lives in your household:

| **Name** | **Date of Birth** | **Relationship to you** | **Income** |
|---|---|---|---|
| | | | |
| | | | |

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

G. Any other person for whom you contribute support:

| Name | Age | Relationship to You | Reside With You (Y/N) | Court Order to Support (Y/N) |
|---|---|---|---|---|
| | | | | |
| | | | | |

H. Attorney's Fees paid in this matter $ _____. Source of funds _____

**2. EMPLOYMENT INFORMATION:**

A. Your job/occupation/profession/title: _____

Name and address of current employer: _____

_____

Date employment began: _____

How often are you paid: [ ] Weekly [ ] Every other week [ ] Monthly [ ] Twice a month

[ ] Other _____

B. If you are not working, why not? _____

C. Previous employer name and address: _____

_____

Previous job/occupation/profession/title: _____

Date previous job began: _____ Date previous job ended: _____

Reason you left job: _____

Gross monthly pay at previous job: $ _____

D. Total gross income from last three (3) years' tax returns (attach copies of pages 1 and 2 of your federal income tax returns for the last three (3) years):

Year _____ $ _____ Year _____ $ _____Year _____ $ _____

E. Your total gross income from January 1 of this year to the date of this Affidavit (year-to-date income): $ _____

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

**3. YOUR EDUCATION/TRAINING:** List name of school, length of time there, year of last attendance, and degree earned:

A. High School: _____

B. College: _____

C. Post-Graduate: _____

D. Occupational Training: _____

**4. YOUR GROSS MONTHLY INCOME:**

- List **all** income you receive from **any** source, whether private or governmental, taxable or not.
- List all income payable to you individually or payable jointly to you and your spouse.
- Use a monthly average for items that vary from month to month.
- Multiply weekly income and deductions by 4.33. Multiply biweekly income by 2.165 to arrive at the total amount for the month.

A. Gross salary/wages per month $ _____

- **Attach copies of your two most recent pay stubs.**

Rate of Pay $ _____ per [ ] hour [ ] week [ ] month [ ] year

B. Expenses paid for by your employer:

1. Automobile $ _____
2. Auto expenses, such as gas, repairs, insurance $ _____
3. Lodging $ _____
4. Other (Explain) _____ $ _____

C. Commissions/Bonuses $ _____

D. Tips $ _____

E. Self-employment Income (See below) $ _____

F. Social Security benefits $ _____

G. Worker's compensation and/or disability income $ _____

H. Unemployment compensation $ _____

I. Gifts/Prizes $ _____

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

J. Payments from prior spouse $ _____

K. Rental income (net after expenses) $ _____

L. Contributions to household living expense by others $ _____

M. Other (Explain:) _____ $ _____

(Include dividends, pensions, interest, trust income, annuities or royalties.)

**TOTAL:** $ _____

**5. SELF-EMPLOYMENT INCOME (if applicable):**

If you are self-employed, attach of a copy of the Schedule C for your business from your last tax return and the most recent income/expense statement from your business.

**If self-employed, provide the following information:**

Name, address and telephone no. of business: _____

_____

Type of business entity: _____

State and Date of incorporation: _____

Nature of your interest: _____

Nature of business: _____

Percent ownership: _____

Number of shares of stock: _____

Total issued and outstanding shares: _____

Gross sales/revenue last 12 months: _____

**INSTRUCTIONS**

Both parties must answer item 6 if either party asks for child support. These expenses include only those expenses for children who are common to the parties, which mean one party is the birth/adoptive mother and the other is the birth/adoptive father of the children.

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

## 6. SCHEDULE OF ALL MONTHLY EXPENSES FOR CHILDREN:

- **DO NOT LIST** any expenses for the other party, or child(ren) who live(s) with the other party, **unless** you are paying those expenses.
- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (*) next to the estimated amount.

### A. HEALTH INSURANCE:

**Do you have health insurance available?** ☐ **Yes** ☐ **No** **Are you enrolled?**_____

1. Total monthly cost $ _____
2. Premium cost to insure you alone $ _____
3. Premium cost to insure child(ren) common to the parties $ _____
4. List all people covered by your insurance coverage:

   _____

   _____

5. Name of insurance company and Policy/Group Number:

   _____

### B. DENTAL/VISION INSURANCE:

1. Total monthly cost $ _____
2. Premium cost to insure you alone $ _____
3. Premium cost to insure child(ren) common to the parties $ _____
4. List all people covered by your insurance coverage:

   _____

   _____

5. Name of insurance company and Policy/Group Number:

   _____

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

**C. UNREIMBURSED MEDICAL AND DENTAL EXPENSES:**

(Cost to you after, or in addition to, any insurance reimbursement)

1. Drugs and medical supplies $ _____
2. Other _____ $ _____

**TOTAL:** $ _____

**D. CHILD CARE COSTS:**

1. Total monthly child care costs $ _____

   (Do not include amounts paid by D.E.S.)

2. Name(s) of child(ren) cared for and amount per child:

   _____ $ _____

   _____ $ _____

   _____ $ _____

3. Name(s) and address(es) of child care provider(s):

   _____

   _____

**E. EMPLOYER PRETAX PROGRAM:**

Do you participate in an employer program for pretax payment of child care expenses? (Cafeteria Plan)? [ ] YES [ ] NO

**F. COURT ORDERED CHILD SUPPORT:**

1. Court ordered current child support for child(ren)
   **not common to the parties** $ _____
2. Court ordered cash medical support for child(ren)
   **not common to the parties** $ _____
3. Amount of any arrears payment $ _____
4. Amount per month actually paid in last 12 mos. $ _____
   - **Attach proof that you are paying**

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

5. Name(s) and relationship of minor child(ren) who you support or who live with you, but are **not** common to the parties.

_____

_____

**G. COURT ORDERED SPOUSAL MAINTENANCE/SUPPORT (Alimony):**

1. Court ordered spousal maintenance/support you actually pay to previous spouse: $ _____

**H. EXTRAORDINARY EXPENSES:**

1. For **Children** (Educational Expense/Special Needs/Other): $_____

   Explain: _____

   _____

2. For **Self**: $ _____

   Explain: _____

   _____

**INSTRUCTIONS**

Both parties must answer items 7 and 8 if either party is requesting:

- Spousal maintenance
- Division of expenses
- Attorneys' fees and costs
- Adjustment or deviation from the child support amount
- Enforcement

**7. SCHEDULE OF ALL MONTHLY EXPENSES:**

- Do NOT list any expenses for the other party, or children who live with the other party unless you are paying those expenses.
- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (*) next to the estimated amount.

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

## A. HOUSING EXPENSES:

1. House payment:
   a. First Mortgage $ _____
   b. Second Mortgage $ _____
   c. Homeowners Association Fee $ _____
   d. Rent $ _____
2. Repair & upkeep $ _____
3. Yard work/Pool/Pest Control $ _____
4. Insurance & taxes not included in house payment $ _____
5. Other (Explain): _____ $ _____

**TOTAL: $ _____**

## B. UTILITIES:

1. Water, sewer, and garbage $ _____
2. Electricity $ _____
3. Gas $ _____
4. Telephone $ _____
5. Mobile phone/pager $ _____
6. Internet Provider $ _____
7. Cable/Satellite television $ _____
8. Other (Explain): _____ $ _____

**TOTAL: $ _____**

## C. FOOD:

1. Food, milk, and household supplies $ _____
2. School lunches $ _____
3. Meals outside home $ _____

**TOTAL: $ _____**

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

**D. CLOTHING:**

1. Clothing for you $ _____
2. Uniforms or special work clothes $ _____
3. Clothing for children living with you $ _____
4. Laundry and cleaning $ _____

**TOTAL: $ _____**

**E. TRANSPORTATION OR AUTOMOBILE EXPENSES:**

1. Car insurance $ _____
2. List all cars and individuals covered:

   _____

   _____
3. Car payment, if any $ _____
4. Car repair and maintenance $ _____
5. Gas and oil $ _____
6. Bus fare/parking fees $ _____
7. Other (explain): _____ $ _____

**TOTAL: $ _____**

**F. MISCELLANEOUS:**

1. School and school supplies $ _____
2. School activities or fees $ _____
3. Extracurricular activities of child(ren) $ _____
4. Church/contributions $ _____
5. Newspapers, magazines and books $ _____
6. Barber and beauty shop $ _____
7. Life insurance (beneficiary:_____) $ _____
8. Disability insurance $ _____

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

9. Recreation/entertainment $ _____
10. Child(ren)'s allowance(s) $ _____
11. Union/Professional dues $ _____
12. Voluntary retirement contributions and savings deductions $ _____
13. Family gifts $ _____
14. Pet Expenses $ _____
15. Cigarettes $ _____
16. Alcohol $ _____
17. Other (explain): _____ $ _____

**TOTAL:** **$ _____**

**8. OUTSTANDING DEBTS AND ACCOUNTS:** List all debts and installment payments you currently owe, but **do not include items listed in Item 7** "Monthly Schedule of Expenses". Follow the format below. Use additional paper if necessary.

| Creditor Name | Purpose of Debt | Unpaid Balance | Min. Monthly Payment | Date of Your Last Payment | Amount of Your Payment |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

Case No. _____

# This page must be completed and attached to the LAST page of your Document

☐ I filed the ORIGINAL of the attached document(s) with the Clerk of Superior Court in Maricopa County on: _____ .
Month Date Year

☐ I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): _____ , on
(Judicial Officer assigned to your case)

_____
Month Date Year

☐ I mailed/delivered a COPY of the attached document(s) to The Office of the Attorney General (The State of Arizona) on this date (if applicable):

_____ _____
Month Date Year Address

☐ I mailed/delivered a COPY of the attached document(s) to the Opposing Party and/or his/her Attorney on:

_____
Month Date Year

_____
Name of Other Side Name of Other Side's Lawyer

_____
Address Lawyer's Address

_____
City, State, Zip City, State, Zip

***(You must mail a copy of all documents to the other side and his/her lawyer)***

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the Judge in my case will not read the attached document.

_____
Your signature

© SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
ALL RIGHTS RESERVED

For Clerk's Use Only

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

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

# SUPERIOR COURT OF ARIZONA
# IN MARICOPA COUNTY

_____
**Name of Petitioner**

**Case Number:** _____

**ATLAS Number:** _____
(if applicable)

_____
**Name of Respondent**

## AFFIDAVIT REGARDING MINOR CHILDREN

**NOTICE: This *"Affidavit Regarding Minor Children"* is required for all legal decision making (custody) cases. If you are asking to modify an existing Arizona legal decision making (custody) order, it is only required if the children have lived outside the state at some time in the last 5 years.**

**Fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.**

**1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD.** The following child(ren) are under age 18 and were born to, or adopted by, me and the other party.

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

**2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS (or since birth, if younger than 5).**

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

**3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE LEGAL DECISION MAKING (CUSTODY) AND/OR PARENTING TIME OF THE MINOR CHILD(REN).** (Check one box.)

☐ I have or ☐ I have **not** been a party/witness in court in this state or in any other state that involved the legal decision making (custody) and/or parenting time of the child(ren) named above. (If so, explain on separate paper. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

**4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION-MAKING AUTHORITY (CUSTODY) OF THE MINOR CHILD(REN).** (Check one box.)

☐ I do have or ☐ I do not have information about a legal decision making (custody) court case

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED

relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

**5. LEGAL DECISION-MAKING (CUSTODY) OR PARENTING TIME CLAIMS OF ANY PERSON**. (Check one box.)

☐ I do know or ☐ I do not know a person other than the Petitioner or the Respondent who has physical custody or who claims legal decision-making (custody) or parenting time rights to any of the children named in this Affidavit. (If so, explain below. If not, go on.)

Name of each child:_____

Name of person with the claim: _____

Address of person with the claim:_____

Nature of the claim:_____

## OATH OR AFFIRMATION AND VERIFICATION

**I swear or affirm that the information on this document is true and correct under penalty of perjury.**

_____ _____

Signature Date

STATE OF _____

COUNTY OF _____

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

(date)

_____.

_____

(notary seal) Deputy Clerk or Notary Public

© Superior Court of Arizona in Maricopa County
ALL RIGHTS RESERVED
**AFC**