

Helpful information about responding to papers for legal decision-making, parenting time, and child support

If the other party wants a court order for legal decision-making (custody) and parenting time, the court will also review the current child support order. If there is no order, the court will establish child support in this case or, if the child support order needs to be changed, the court will do so in this case.

IMPORTANT INFORMATION about when you must file your response

Look at the timetable below. If the last day to respond falls on a Saturday, Sunday, or legal holiday, do not count that day.

- Include weekends and holidays in your count -- until you reach the number of days in the timetable below. If a written response is filed with the court on time, the other party cannot proceed by default.

<u>SERVICE BY</u>	<u>COUNT</u>	<u>EVENT</u>
Acceptance in Arizona	20 Days	after the "Acceptance of Service" is filed
Acceptance out-of-state	30 Days	after the "Acceptance of Service" is filed
Signature with Confirmation in Arizona	20 Days	after you signed the Confirmation
Signature with Confirmation out-of-state	30 Days	after you signed the Confirmation
Process Server in Arizona	20 Days	after you received papers from Server
Process Server out-of-state	30 Days	after you received papers from Server
Sheriff in Arizona	20 Days	after you received papers from Sheriff
Sheriff out-of-state	30 Days	after you received papers from Sheriff
Publication in Arizona	50 Days	after the 1st date of publication
Publication out-of-state	60 Days	after the 1st date of publication

IMPORTANT NOTICE about when a party can bring a legal decision-making (legal custody) case in the Superior Court in Arizona: Generally a party must have resided in Arizona with the minor children for at least 6 months, or the minor child must have been born in Arizona if the child is less than 6 months old before filing a legal decision-making (custody) petition. If you have questions regarding this requirement, see a lawyer before filing.

IMPORTANT NOTICE about when you can be sued in Arizona for paternity or child support: A responding party can be sued in Arizona on a case about establishing, enforcing, or changing a support order, or establishing paternity, if ONE of the following is true:

- The person is a resident of Arizona;
- The person was personally served in Arizona (See packet on service to know about this.);
- The person agrees to have the case heard here and files written papers in the court case;
- The person lived with the minor child in this state at some time;
- The person lived in this state and provided pre-birth expenses or support for the minor child;
- The minor child lives in this state as a result of the acts or directions of the person;
- The person had sexual intercourse in this state as a result of which the minor child may have been conceived;
- The person signed a birth certificate that is filed in this state;
- The person did any other acts that substantially connect the person with this state (see a lawyer to help you determine this).

WARNING: Jurisdiction over the responding party is very serious. If you have any doubts about whether it was proper for the petitioner OR petitioner to sue you in Arizona, you should see a lawyer IMMEDIATELY, and BEFORE you file any written response, answer or other court paper.

Information about papers you should have received from the other party with the petition about legal decision-making, parenting time, and child support:

1. **SUMMONS:** You have been summoned to appear in court. The summons tells you how many calendar days you have to file a response, depending on how you were served with the court papers. Be sure to file a written response on time. If the time for you to file a written response has passed, the other party must complete an Application and Affidavit for Entry of Default and send you a copy. Then you have 10 more days in which to file your written response. If you do not file a written response ON TIME a default judgment can be entered.
2. **PETITION FOR LEGAL DECISION-MAKING, PARENTING TIME, AND CHILD SUPPORT:** This is the form the other party completed to tell the court his/her side of the story about the minor children, pregnancy, child support, child parenting time, and legal decision-making (legal custody). Read each and every word very carefully, and decide what you want to do. Here are your choices:
 - A. Do nothing. This means the other party can get a court order and tell the judge his/her side of the story, without you telling your side at all. This is called a default. Even in these cases, the judge will try to decide what is best, but it is never a good idea to ignore the court proceeding and have a court order that you had no input on. See a lawyer for help before you choose this option.
 - B. Decide with the other party how you want to handle everything about the minor children, pregnancy, child support, child parenting time, and child custody. Then you and the other party file papers in the court stating your agreement on everything. This is called a Consent or Stipulation. Mediators can help you with this, and the Law Library Resource Center has a list of mediators, and how much they charge to help you.
 - C. Disagree and to file a response stating your side of the story, and how you want to handle everything. This is called a “contested” matter. But, even if you originally file a response, you and the other party can decide to agree on something, or everything, and file court papers for a Consent or Stipulation. Mediators can help you with this, and the Law Library Resource Center has a list of mediators, and how much they charge to help you. If you file a response and do not settle everything with the other party, you must be sure to file the court papers you will need to set the case for trial.
3. **PARENT INFORMATION PROGRAM ORDER and NOTICE:** These papers are important. You and the other parent must attend and complete a class in the Parent Information Program. The class was designed to help you parent your child through and beyond the court process. The purpose of the Parent Information Program is to give parents information about the impacts that divorce, the changes in the family unit, and court involvement have on minor children involved in a divorce, paternity, or legal decision-making (legal custody) case. This Order and Notice applies to all parents who file an action for dissolution of marriage, legal separation, or any paternity proceeding, in which a party has requested that the Court determine legal decision-making (legal custody) or parenting time on or after January 1, 1997, and to all other domestic relations cases if ordered by the Court. Make sure you read this order and notice and do what it says.
4. **PARENTING PLAN:** This plan is a detailed plan that says how decisions will be made and when the child will be with each parent. The parenting plan may be developed by the parents, through mediation, with the help of court staff, lawyers, or by a judge after a hearing or at trial.
5. **CHILD SUPPORT WORKSHEET:** This is the amount of child support that the other party believes the Court should order for the minor child(ren) including all of the information that the other party used to calculate the amount of child support owed.