

**AGREEMENT TO MODIFY
PARENTING TIME
OR PARENTING TIME and
CHILD SUPPORT**

1

**WHEN ALL PARTIES WILL SIGN
AGREEMENT TO MODIFY**

(Forms and Instructions)

AGREEMENT TO MODIFY PARENTING TIME or PARENTING TIME and CHILD SUPPORT

CHECKLIST

You may use this packet only if . . .

- ✓ You have a current “**Parenting Time or Parenting Time and Support Order**” that was entered in Maricopa County,
- ✓ You wish to modify the **Order**,
- ✓ **ALL parties AGREE** to modify the **Order**,
- ✓ **You have the notarized signatures of all parties** on the **Agreement, AND**
- ✓ If either party is using the child support collection or enforcement services of the State, **you also have the signature of the Attorney General’s representative** (from DCSE, the Division of Child Support Enforcement).
- ✓ You understand these forms do not deal with back child support (arrears).

DO NOT USE THESE FORMS IF . . .

- X The other party will not sign the agreement (in front of a notary or Court Clerk).
- X You want to change CUSTODY.*

* If you want to change from joint to sole custody or vice-versa, see the checklist for either the “Agreement” or the “Request” to Change Custody, Support and Parenting Time to determine whether either applies to your situation.

FEE WARNING: An Agreement (or “stipulation”) is a filing by BOTH parties. If one of the parties has not previously “made an appearance”, that is he and/or she have not previously filed a response or other papers and paid a filing fee in this case, there will be a substantial **appearance fee** due from that party **in addition to** the filing fee for the modification itself.

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.

Agreement to change a court order for parenting time or parenting time and child support

(Forms and instructions)

This packet contains court forms and instructions for an agreement to change a court order for parenting time or 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	DRMV7k	Checklist: You may use these forms if . . .	1
2	DRMV7t	Table of Contents (this page)	1
3	DRMV70i	Instructions: How to File Your Agreement to Modify Parenting Time and/or Parenting Time and Child Support	4
4	DRSW82i	Instructions: How to Complete an Order Stopping an Income Withholding Order	1
5	DRS12h	How to Complete Child Support Worksheet	1
6	DRMV70p	Procedures: What to Do After Completing All Forms	3
7	DRMV71f	Stipulation (Agreement) to Modify Court Order regarding Parenting Time or Parenting Time and Child Support	2
8	DRMV78f	Order Modifying Parenting Time (or Parenting Time and Child Support)	4
9	DRCVG11f	Parenting Plan	10
Use the FREE Online Child Support Calculator to produce the Child Support Worksheet that <u>must</u> accompany this petition.			
10	DRSW82f	Order Stopping Income Withholding Order	1

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.

Instructions: How to file your agreement to modify Parenting Time (visitation) or Parenting Time and Child Support

- Step 1: Determine whether this court has the authority to hear your case. Either party or the minor children must live in Maricopa County to file for modification in this county:
- A. If the Court Order you want to change is from Maricopa County, Arizona:
 - You will need a copy of the Order to fill out the paperwork. Use your copy of the Order, or get a copy of the Order from court records.
 - B. If the Court Order you want to change is from another county in Arizona:
 - Get a certified copy of the Order you want to change from the other county, AND
 - Bring the certified copy with you when you come to the Clerk of Superior Court to file your court papers, AND
 - Give the certified copy of the Order to the Clerk of Superior Court before filing any additional paperwork, AND
 - The Clerk of Superior Court will file the Order and assign a case number to your new case.
 - C. If the Court Order you want to change is from a state OTHER THAN Arizona:
 - Talk to a lawyer who can tell you what requirements are necessary for you to file for modification in Arizona.
- Step 2: Decide whether you need to change parenting time and child support or just parenting time. In making your decision, you should know that the number of parenting time days the non-custodial parent has may affect the amount of child support he/she must pay.
- You will need to complete a new Child Support Worksheet based on the proposed new parenting time schedule.
 - The Worksheet will indicate whether child support would change, based on the Arizona Child Support Guidelines.
 - If the Worksheet does not show there would be a change under the Guidelines and the parties have not agreed to a change in child support, there is no need to complete the Current Employer Information sheet (CEI) or the Order Stopping Income Withholding Order which are included in the separate “Forms” packet, unless requested by the Court.

Step 3: Complete the forms in this packet IF both parties agree to ask the Court to modify or change an existing Court Order for parenting time or parenting time and child support.

- Have in front of you a copy of the current parenting plan (if you have one), Parenting Time Order, the Child Support Order, and any Income Withholding Order. You will need to look at these documents to complete all the paperwork now.
- Refer to “Planning for Parenting Time: Arizona’s Guide for Parents Living Apart” to help make your new parenting plan. See Step 6 on next page for more information.
- Complete a Child Support Worksheet. Note that you are free to agree to an amount that differs from the amount indicated by the Worksheet, subject to approval of the Court, which is required to act “in the best interests of the children.”

Use the *FREE* online child support calculator create the Child Support Worksheet available at:

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

See the document DRS12h, in this packet for more information.

Step 4: Complete the Stipulation (Agreement) to Modify the Prior Court Order Regarding Parenting Time or Parenting Time and Child Support.

- In the top left corner of the first page, write in all information requested about the Petitioner/Party A and the Respondent/Party B. Both parties stay “Petitioner/Party A” or “Respondent/Party B” as on the court order you are agreeing to modify. If the court order you want to modify was issued outside Maricopa County and this is the first time you have filed to modify that order in Maricopa County, write in the names of the Petitioner/Party A and the Respondent/Party B as listed on the papers given to you by the Clerk of Superior Court when you registered or transferred the case to this county. Write in your Maricopa County case number.
- Check the box to say whether you want to change parenting time or parenting time and child support.
- Read paragraph 1 (one). Make sure this statement is true.
- Read paragraph 2 (two). Write in the date the Judge signed the Order you want to change, and then write in the name of the Judge who signed the Order you want to change. Follow the instructions in paragraph two about attaching a copy of the Order.
- Read paragraph 3 (three). Make sure this statement is true.
- ALL Parties Must Sign this Agreement. That means:

1. BOTH parents must sign in front of the Clerk of Superior Court at the Filing Counter or a Notary, and
2. If the State of Arizona (DES/DCSE) is involved in your case, a representative of the Arizona Attorney General's office, DCSE, must ALSO sign before you turn in the papers.

Step 5: Complete the Order Modifying Parenting Time and/or Child Support.

- Write in all information requested about the Party A and the Party B, the case number, etc. as on the Agreement to Modify.
- THE COURT FINDS: Paragraph 3 (three). Write in the name(s) of the minor child(ren), their birth date(s) and their age(s).
- THE COURT ORDERS:
Paragraph 1: Write in the date the court order you want to change was signed by the Judge.

Paragraph A: Parenting Time. Make sure you and the other party fill out, sign and attach a Parenting Plan.

Paragraph B: Child Support. If you are asking to have child support changed, check the box in front of "Child Support." Then check the box to say whether mother or father will pay child support, and then write in the amount of child support that person will pay each month. If you both agree the amount of child support should be different ("deviate") from the amount indicated by the Child Support Worksheet, write in WHY in the space provided. You will also need to complete and submit a child support worksheet when deviating.

Paragraph C: Medical, Dental, Vision Care Insurance, Payments and Expenses.

If you are asking for a change in which parent provides insurance, check the box to indicate whether mother or father will provide medical, dental, and/or vision care insurance. Then write in what percentage each parent will pay of the uninsured expenses.

Paragraph D: Tax Deductions. If you are asking for a change in which parent gets to claim the federal income tax deduction for one or more of the children, fill in the information necessary to indicate the desired change here.

Paragraph E: Other Orders. If there are other matters you both agree on that you want the Court to make an order in your case, write these in the space provided.

Judge/Commissioner's Signature and Court Date: Leave this space blank.

- You and the other party must sign the Order in front of a Clerk of Superior Court or a Notary Public. If either party is represented by an attorney, the attorney must sign as well. If the State of Arizona is involved in your case because of child support issues, a representative of the Attorney General (DCSE) must also sign (both the Agreement and the Order).

Step 6: Complete the other necessary documents:

- Parenting Plan.

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 the Law Library Resource Center locations, or may be viewed online and downloaded for free from the state courts’ web page at: <https://www.azcourts.gov/selfservicecenter/Booklets.aspx>

Hints to help you complete the Parenting Plan:

1. State your Parenting Time arrangements as clearly as possible. For example,
Alternating weekends from after work on Friday, at 6:00 p.m. until Sunday at 6:00 p.m.
 2. Avoid vague or unclear statements such as “will share, will divide, or will decide later.” These statements may result in future disputes related to different interpretations. Although flexibility and mutual agreement is encouraged, the document must be specific to be legally enforceable.
- Child Support Worksheet. Use the FREE online child support calculator to produce the Child Support Worksheet that must accompany this Agreement. See the instruction document DRS12h in this packet for more information.

Other forms you may need

Current Employer Information Sheet (CEI) (may include sources of money other than employer)
Complete a CEI for the parent who is paying child support under the current court order. If this agreement changes which parent pays child support, include a CEI for both parents.

Order Stopping Income Withholding Order

IF the agreement results in the parent who is currently paying no longer having to pay, include an Order Stopping Income Withholding Order to be sent to that parent’s employer.

When you have completed all needed forms, go to the “Procedures” page and follow the steps listed there.

**INSTRUCTIONS FOR COMPLETING AN
“ORDER STOPPING AN INCOME WITHHOLDING ORDER”**

DEFINITIONS:

"Obligor" "Payor" is the person ordered to make support payments.

"Obligee" "Payee" is the person or agency entitled to receive support.

COMPLETE THIS FORM IF:

You completed a **“Request to Stop Income Withholding Order”** and marked a box in Section A of Item 8 on the Request form.

TO COMPLETE THIS FORM YOU WILL NEED:

Information from, or your copy of, the **“Income Withholding Order.”**

FOLLOW THESE INSTRUCTIONS NUMBERED TO MATCH THE IDENTIFYING NUMBERS ON THE FORM. TYPE OR PRINT NEATLY USING BLACK INK.

- (1) Fill in the name of the person shown as the petitioner on the **“Income Withholding Order.”**
- (2) Fill in the name of the person shown as the respondent on the **“Income Withholding Order.”**
- (3) Fill in the case number that appears on the **“Income Withholding Order.”**
- (4) Fill in the Atlas Number on the **“Income Withholding Order.”**
- (5) Fill in the name of the person/employee obligated to make payments on the **“Income Withholding Order.”**
- (6) Fill in the date the **“Income Withholding Order”** was signed (Item 10 on the Order).

Leave the rest of the form blank. The judicial officer (judge, commissioner, or referee) will complete the remaining items at the time of hearing.

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/>

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.

LAW LIBRARY RESOURCE CENTER

Procedures: What to do after you have completed the forms to modify parenting time or parenting time and child support by agreement

- STEP 1: Make three copies of the:
- “Agreement to Modify Parenting Time or Parenting Time and Child Support” (listed below as “*Agreement to Modify*”)
 - “Order Modifying Parenting Time or Parenting Time and Child Support” (listed below as (“*Order Modifying*”))
 - “Parenting Plan”
 - “Child Support Worksheet”

STEP 2 Separate your documents into 4 sets (1 set of Originals and 3 sets of copies*).

<p><u>Set 1 – ORIGINALS to file with Clerk</u></p> <ul style="list-style-type: none"> • “<i>Agreement to Modify</i>” (1 original) • “<i>Order Modifying</i>” • “<i>Child Support Worksheet</i>” 	<p><u>Set 4: COPIES for the Judge</u></p> <ul style="list-style-type: none"> • “<i>Agreement to Modify</i>” • “<i>Order Modifying</i>” • “<i>Parenting Plan</i>” • “<i>Child Support Worksheet</i>” <p><u>*Also include these original documents:</u></p> <ul style="list-style-type: none"> • “<i>Order Stopping Income Withholding Order</i>” (if applicable)* • “<i>Current Employer Information</i>” • “<i>Current Employer Information</i>”** (for other parent, if applicable)* <p>(if applicable) **</p> <p>+2 Self-Addressed, Stamped Envelopes: One Addressed to you; One Addressed to the Other Party</p>
<p><u>Set 2 – COPIES for Other Party</u></p> <ul style="list-style-type: none"> • “<i>Agreement to Modify</i>” • “<i>Parenting Plan</i>” • “<i>Child Support Worksheet</i>” 	
<p><u>Set 3 – COPIES for You</u></p> <ul style="list-style-type: none"> • “<i>Agreement to Modify</i>” • “<i>Order Modifying</i>” • “<i>Child Support Worksheet</i>” 	
<p>* IF the agreement results in the parent who is currently paying NO LONGER having to pay, include an “<i>Order Stopping Order of Assignment</i>” to be sent to that parent’s employer.</p> <p>* IF the Agreement <i>changes which parent pays</i> child support, include a “<i>Current Employer Information</i>” sheet for that parent, the one who will <u>now</u> pay child support, also.</p>	

STEP 3: GO TO the Clerk of Superior Court’s filing counter.

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

You may file your papers from 8am to 5pm, 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

FEES: There are filing fees and service fees for all court actions such as filing petitions, forms, responses, requests, motions, objections, etc.). A list of current fees is available from the Law Library Resource Center and on the Clerk of Superior Court's website.

An Agreement (or "Stipulation") is a filing by BOTH parties. There will also be a substantial "*appearance fee*" due from the Respondent, if he or she has not previously "made an appearance", that is filed a response or other papers and paid a filing fee in this case.

If you cannot afford the filing fee, you may request a *deferral* (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Law Library Resource Center.

STEP 4: 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), then:

- Take Set 2 of the documents to the Judge assigned to your case along with the 2 self-addressed, stamped envelopes (from Step 2).
- 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)

What the Court may do:

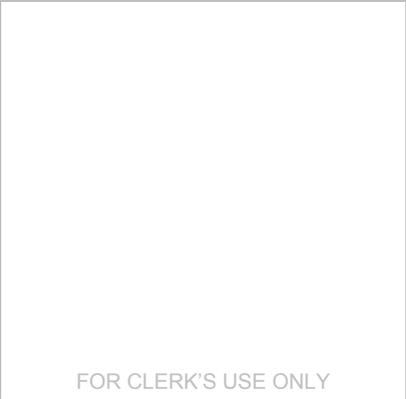
- Grant the relief you requested;
- Schedule a hearing for you and the other party if the Judge needs additional information;
- Return your paperwork because you did not show good reason for the change requested or the paperwork was incomplete; OR
- Enter other orders the Judge thinks proper.

STEP 5: WAIT for the Court to let you know whether the Order was signed or the matter was set for a hearing. If a hearing is scheduled, you will receive written notice of when and where to appear (date, time, and location).

If you do not hear from the Court within 3 weeks, you may call the office of the Judge assigned to your case to ask about the status of your paperwork. Note that you will *not* be able to speak to the Judge or Commissioner and court staff cannot tell you what was decided.

REMINDER! Did you provide two self-addressed, stamped envelopes as described in STEP 2 and 4, above.

Do not copy
or file this page



FOR CLERK'S USE ONLY

Person Filing: (A) _____
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

Respondent's Name or Lawyer's Name: (B) _____
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 (in original case)

Case Number: _____ (C)

Name of Respondent (in original case)

STIPULATION TO MODIFY THE PRIOR COURT ORDER REGARDING PARENTING TIME or PARENTING TIME AND CHILD SUPPORT

PETITIONER AND RESPONDENT AGREE AS FOLLOWS:

1. **AGREE AND UNDERSTAND:** I have read this Stipulation and *the "Order to Change Prior Parenting time and/or Support Order."* I understand and agree with what is written in the Stipulation and Order which is attached. Parenting Time and Child Support, if necessary, shall be ordered in accordance with the attached Order which has been approved and signed by both parties. **(D)**

2. **Information about the Order we want to change:**

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

The Order issued by: _____ (Name of Court)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
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/Party A

Case No. _____

NOTICE OF LODGING
(ARFLP Rules 30; 43.1; 44.1; 45)

Name of Respondent/Party B

Assigned to: _____
Judicial Officer's Name

PLEASE TAKE NOTICE that, pursuant to the Arizona Rules of Family Law Procedure,

- Petitioner/Party A and/or
- Respondent/Party B and/or
- Third Party/Party C

Lodge the following document(s) with the Court for signature and entry:

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

Case Number: _____

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

Signature of Party A or Party A's Attorney

Date

Signature of Party B or Party B's Attorney

Date



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

Respondent's Name or Lawyer's Name: _____
 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 / Party A (in original case)

Case Number: _____

 Name of Respondent / Party B (in original case)

ORDER MODIFYING

- PARENTING TIME or
 PARENTING TIME AND CHILD SUPPORT

THE COURT FINDS:

1. This case has come before this Court for a final Order based upon the Agreement of the Parties.
2. This Court has jurisdiction to change parenting time and/or support and has jurisdiction over the parties. Where it has the legal power to do so and where it is applicable to the facts of this case, this Court has considered, approved, and made Orders relating to parenting time and/or support.
3. This Order applies to the following children:

Name(s)	Dates of Birth /Age (Month/Day/Year)
_____	_____
_____	_____
_____	_____
_____	_____

4. Grounds for changing Parenting time and/or Child support. Based upon the stipulation (agreement) of the parties, it is in the best interest of the minor child(ren) to change parenting time and/or child support at this time.

THE COURT ORDERS:

The Order regarding parenting time and/or support dated _____ is changed as follows:

A. Parenting Time:

- 1. Reasonable parenting time to the parent who is not the primary residential parent (Or)
- 2. Reasonable parenting time to the parent who is not the primary residential parent according to the Parenting Plan attached.
(Or)
- 3. Supervised parenting time but only in the presence of another person, who is named below or otherwise approved by the Court:

The cost of supervised parenting time shall be paid by:

- Party A** or **Party B** or shared equally by the parties, or as follows:

Restrictions on parenting time:

(Or)

- 4. No parenting time rights to **Party A** or **Party B** due to:

- 5. Other parenting time: (explain) _____

B. Child Support.

- Child Support is unchanged,

(Or)

Party A or **Party B** shall pay child support to other party in the amount of \$ _____, per month, payable on the first day of each month, beginning the first day of month following the signing of this Order. All child support payments shall be made through the Support Payment Clearinghouse by the attached Income Withholding Order and shall include an additional statutory fee for processing.

Child Support is based on the information in the Child Support Worksheet attached and incorporated by reference, and the Arizona Child Support Guidelines,

(Or)

Child Support Deviation. The Court, having reviewed the completed child support worksheet submitted by the parties, agrees that the child support worksheet shows that child support would have been set at _____ under the Guidelines, but for the deviation.

The Court, having considered the best interests of the minor child(ren), deviates from the Guidelines for the following reasons. (Describe reasons.)

C. Medical, Dental, Vision Care.

- Party A** is responsible for providing: medical dental vision care insurance.
 Party B is responsible for providing: medical dental vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Child Support Worksheet attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

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

D. Federal Income Tax Deduction.

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

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

E. Other Orders. This Court makes further Orders relating to this matter as follows:

F. FINAL APPEALABLE ORDER. No further claims or issues remain for the Court to decide. Therefore, IT IS FURTHER ORDERED pursuant to Rule 78(c), Arizona Rules of Family Law Procedure, this final judgment/decre is signed by the Court and it shall be entered by the Clerk of Superior Court. The time for appeal begins upon entry of this judgment by the Clerk of Superior Court. For more information on appeals, see Rule 8 and other Arizona Rules of Civil Appellate Procedure. IT IS FURTHER ORDERED denying any affirmative relief sought before the date of this Order that is not expressly granted above.

Done in open Court: _____.

JUDGE or COURT COMMISSIONER

ORDER Modifying Parenting time or Parenting time and Child support based upon Stipulation (agreement) of the parties

Do not write or sign below this line until you are instructed to do so by Clerk of Superior Court or Notary.

Oath or Affirmation of the Parties

By signing this document I swear or affirm that I: have read and understand the terms of this Order; have entered this agreement of my own free will and not because of any force, duress, undue influence, coercion, or threat of harm from anyone, including the other party; waive the right to trial on this matter; and that the information I have provided is true and correct, under penalty of perjury.

Party A's Signature

Party B's Signature

STATE OF _____

STATE OF _____

COUNTY OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this:

Subscribed and sworn to or affirmed before me this:

_____(date)

_____(date)

By _____.

By _____.

Deputy Clerk or Notary Public

Deputy Clerk or Notary Public

(Notary seal)

(Notary seal)

Date

Attorney General's Representative (DCSE) (if applicable)

Approved as to form and content by the parties' lawyers (if applicable):

Party A's Lawyer: _____

Party B's Lawyer: _____

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.

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.

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.

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

During summer months or school breaks that last longer than 4 days, no changes shall be made. OR,

During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain)

During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B:(Explain)

Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

- Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.
- Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

<u>Holiday</u>	<u>Even Years</u>		<u>Odd Years</u>	
New Year's Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
New Year's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Spring Vacation	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Easter	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
4th of July	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Halloween	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Veteran's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Thanksgiving	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Hanukkah	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Christmas Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Christmas Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Winter Break	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Child's Birthday	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Mother's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
Father's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B

- Each parent may have the children on his or her birthday.
- Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

Other Holidays (Describe the other holidays and the arrangement):

Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain)

Other (Explain):

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children’s education and physical, mental, moral and emotional health including medical, school, police, court and other records.

- A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request.
- A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. EDUCATIONAL ARRANGEMENTS:

This Parenting Plan incorporates by reference the following Education Order:

- Joint Legal Decision-Making Education Order
- Sole Legal Decision-Making Education Order

NOTE: The Education Order you select must match the type of legal decision-making that you request in this Parenting Plan.

G. MEDICAL AND DENTAL ARRANGEMENTS:

Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) If the parents do not reach an agreement, then:

OR

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

H. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

- Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.
- Both parents agree that the minor children may be instructed in the faith.
- Both parents agree that religious arrangements are not applicable to this plan.

I. ADDITIONAL ARRANGEMENTS AND COMMENTS:

- NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within _____ days of the change.
- NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.
- TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.
- ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.
- OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the 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:
-

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: _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice (by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided) to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

- (a) Second degree murder.
- (b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- (c) Sexual assault.
- (d) Molestation of a child.
- (e) Sexual conduct with a minor.
- (f) Commercial sexual exploitation of a minor.
- (g) Sexual exploitation of a minor.
- (h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
- (i) Kidnapping.
- (j) Sexual abuse.
- (k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
- (l) Child prostitution as prescribed in section 13-3212.
- (m) Involving or using minors in drug offenses.
- (n) Continuous sexual abuse of a child.
- (o) Attempted first degree murder.
- (p) Sex trafficking.
- (q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
- (r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
- (s) Luring a minor for sexual exploitation.
- (t) Aggravated luring a minor for sexual exploitation.
- (u) Unlawful age misrepresentation.

PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 4: JOINT LEGAL DECISION-MAKING 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.

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: _____

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

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. _____

(Name of Petitioner/Party A)

JOINT LEGAL DECISION-MAKING
EDUCATION ORDER

(Name of Respondent/Party B)

THE COURT FINDS AS FOLLOWS:

1. The parties have the following minor child(ren) (hereinafter the "minor child(ren)"):

Name: _____

Born: _____

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a "Parenting Plan") was entered by this Court on (insert date)

_____.

3. A.R.S. § 25-401 defines two different types of legal decision-making. “Joint legal decision-making” means both parties share decision-making and neither party’s rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parties in the final judgment or order. “Sole legal decision-making” means one party has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded joint legal decision-making to the parties.
4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms apply equally to schools, pre-schools, and institutional childcare providers.
5. This order is binding upon the parties, who are responsible for complying with its terms and the terms in the Parenting Plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Delivery to School.

The parties are required to provide a copy of this order to the minor child(ren)’s school(s).

2. Joint Legal Decision-making.

The parties have been awarded joint legal decision-making. As it relates to this Education Order, legal decisions include school selection, enrollment/withdrawal, and special services (IEP/504 Plans). In the event the parties cannot agree (select appropriate box):

Joint Decision-making: Neither party is entitled to any greater decision-making authority. No change can be made, nor any action taken, unless the parties agree or a court order resolves the issue.

Joint Decision-making with a party having either “Final” or “Presumptive” Authority: Subject to the terms set forth in the Parenting Plan, decisions will be made by (indicate which party has “presumptive” or “final” authority):

Petitioner/Party A Respondent /Party B

3. School Selection.

Enrollment of the minor child(ren) in a particular school is subject to the school's policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law. A party may submit enrollment documentation to the school of choice solely for the purpose of reserving the minor child(ren)'s place at the school. Neither party is restricted from selecting their preference of school for open enrollment purposes.

4. Special Services.

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services:

- An evaluation as to the minor child(ren)'s eligibility for special services shall proceed so long as at least one party consents.
- Both parties are entitled to attend all meetings with school officials that parents are permitted to attend.
- Both parties are authorized to have access to all special services records and testing results.
- Upon completion of any evaluation or assessments, if there is no agreement between the parties regarding the provision of special education and related special services, the decision of how to proceed must be decided in accordance with the legal decision-making orders of the court.

5. Parenting Time and Child Pick-Up.

The school should not use the parenting schedule as a basis to deny either party access to their minor child(ren), nor may either party instruct the school to limit contact, unless otherwise ordered. Each party may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or another court order.

6. Contact Information.

Each party's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either party until the parties reach an agreement or secure a court order to the contrary. In the event of an emergency, either party may make decisions for the minor child(ren)'s immediate care.

7. Access to School Grounds.

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either party's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

8. Access to School Records and Parent Portal.

Both parties are entitled to equal access to the minor child(ren)'s school records. Neither party may restrict the other party's access to information. Further, each party is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parties are entitled to access the school's student information system or online parent portal(s) (e.g., ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each party to have an individual login account, the parties must create a joint login ID and password, which will not be changed or modified without the consent of the other party.

9. Parent-Teacher Conferences.

Each of the parties has equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parties may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

10. Future Litigation.

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

11. Additional Education-Related Orders:

Signed this _____ day of _____ 20 _____.

By: _____
Judicial Officer
Superior Court of Maricopa County

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. _____

(Name of Petitioner/Party A)

SOLE LEGAL DECISION-MAKING
EDUCATION ORDER

(Name of Respondent/Party B)

THE COURT FINDS AS FOLLOWS:

1. The parties have the following minor child(ren) (hereinafter the "minor child(ren)"):

Name: _____

Born: _____

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a "Parenting Plan") was entered by this Court on (insert date)

_____.

3. A.R.S. § 25-401 defines two different types of legal decision-making. “Joint legal decision-making” means both parties share decision-making and neither party’s rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parties in the final judgment or order. “Sole legal decision-making” means one party has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded sole legal decision-making to one party.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parties, who are responsible for complying with its terms and the terms in the Parenting Plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Delivery to School.

The parties are required to provide a copy of this order to the minor child(ren)’s school(s).

2. Sole Legal Decision-making.

Sole legal decision-making authority has been awarded to (indicate which party has sole legal decision-making): Petitioner/Party A Respondent/Party B

As it relates to this Education Order, legal decisions include school selection, enrollment/withdrawal, and special services (IEP/504 Plans).

3. School Selection.

Only the party with sole legal decision-making authority has the authority to select the minor child(ren)’s school. However, enrollment of the minor child(ren) in a particular school is subject to the school’s policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law.

4. Special Services.

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services, only the party with sole legal decision-making has the authority to consent to evaluation and/or the child(ren)'s participation in special education and related special services.

Both parties are entitled to attend all meetings with school officials that parents are permitted to attend. Both parties are authorized to have access to all special services records and testing results.

5. Parenting Time and Child Pick-Up.

The school should not use the parenting schedule as a basis to deny either party access to their minor child(ren), nor may either party instruct the school to limit contact, unless otherwise ordered. Each party may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or other court order.

6. Contact Information.

Each party's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either party until the parties reach an agreement or secure a court order to the contrary. In the event of an emergency, either party may make decisions for the minor child(ren)'s immediate care.

7. Access to School Grounds.

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either party's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

8. Access to School Records and Parent Portal.

Both parties are entitled to equal access to the minor child(ren)'s school records. Neither party may restrict the other party's access to information. Further, each party is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parties are entitled to access the school's student information system or online parent portal(s) (e.g., ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each party to have an individual login account, the parties must create a joint login ID and password, which will not be changed or modified without the consent of the other party.

9. Parent-Teacher Conferences.

Each of the parties has the equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parties may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

10. Future Litigation.

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

11. Additional Education-Related Orders:

Signed this _____ day of _____ 20 _____.

By: _____

Judicial Officer
Superior Court of Maricopa County

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

(1) _____
Petitioner in Original Case

(3) Case No. _____

(2) _____
Respondent in Original Case

(4) ATLAS No. _____

**ORDER STOPPING INCOME WITHHOLDING
ORDER (AND ALL MARICOPA COUNTY SUPPORT
ORDERS)
A.R.S. § 25-504**

To the employer(s) or other payor(s) of:

(5) Name of Employee: _____

DO NOT WRITE BELOW THIS LINE. COURT PERSONNEL WILL COMPLETE THE FORM.

IT IS ORDERED stopping the *Income Withholding Order* dated (6) _____, with the same case number as in (3) above. The employer(s) or other payor(s) is/are ordered to stop withholding monies pursuant to the *Income Withholding Order* immediately upon receipt of this Order.

IT IS FURTHER ORDERED terminating all Maricopa County child support and/or spousal maintenance orders in this case number and declaring all child support and/or spousal maintenance orders fully paid and satisfied, including all past due support, arrearage judgments and interest.

IT IS FURTHER ORDERED that the Support Payment Clearinghouse shall release any monies currently in its possession and future monies received to the person ordered to pay, less any fees owed to the Clearinghouse.

Dated: _____

Judicial Officer