

LAW LIBRARY RESOURCE CENTER

INSTRUCTIONS and PROCEDURES TO REQUEST POST-DECREE MEDIATION

STEP 1 Determine if this is the appropriate paperwork.

All of the following statements must be true:

- There is an issue regarding custody and/or parenting time that you and the other party are unable to resolve.
- A final order regarding Custody and Parenting time has been previously filed with the court.
- You know where the other party is and are able to have them served with the papers.
- You and the other party do not wish to file the “**Joint Request for Post-Decree Mediation**” which does not have to be served on the other party (and which appears later in this packet).

NOTE: A Request for Mediation is not the appropriate paperwork to resolve the following issues:

- Child Support**
- Enforcement of current court orders**
- Cases in which there are allegations of child abuse or DCS involvement**
- Modification of custody order earlier than one year after the date of the previous order.**

*****If you file this Request in error, the mediation fee will NOT be refunded to you. *****

STEP 2 Complete the “**Request for Post-Decree Mediation**”.

Type or print clearly. Use black ink only. (Match the numbered instructions to the numbers on the “**Request for Post Decree Mediation**”).

- 1) Fill in the name, address, and phone number of the person requesting mediation. If your address is protected, write ‘Protected’ in the address field.
- 2) Fill in the name of the persons shown as “Petitioner” and “Respondent” in your pre-existing case.
- 3) Write in the case number in the space provided at the top right portion of the form. Your case number begins with “D”, “DR”, or “FC”. This is the same case number as your original divorce, paternity or other family court case.
- 4) Check the appropriate box in section 4 that tells the court whether you are divorced or have had paternity established or “Other” court order entered, such as for Grandparent Visitation.
- 5) Describe the disagreement between you and the other party.
- 6) Check the appropriate box in section 6 to indicate if you have ever participated in Mediation and list when and where any prior Mediation took place.
- 7) Complete the information about the other party. You must be able to provide the current address for the other party to use the mediation services of the Court.
- 8) Sign and date the “**Request for Post-Decree Mediation**”.

STEP 3 Make 3 copies of the completed “Request for Post-Decree Mediation”.

There will also be an “**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.

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.

STEP 4 FILE: Take the original & 3 copies of the “Request for Post-Decree Mediation” to the Clerk of Superior Court Filing Counter at any of the locations listed below. The Clerk will keep the original, date-stamp the 3 copies and return the copies to you.

Central Court Building, 201 West Jefferson Street, Phoenix, AZ 85003 (1st Floor)

Northwest Court Facility, 14264 West Tierra Buena Lane, Surprise, AZ. 85374

Southeast Court Facility, 222 East Javelina Avenue, Mesa AZ 85210

Northeast Court Facility, 18380 North 40th Street, Phoenix, AZ 85032

STEP 5 Hand-deliver a copy of the Request to Conciliation Services along with your proof of payment or deferral of the mediation fee to any of the locations listed below.

Central Court Building, 201 West Jefferson Street, Phoenix, AZ 85003 (3rd Floor)

Northwest Court Facility, 14264 West Tierra Buena Lane, Surprise, AZ. 85374

Southeast Court Facility, 222 East Javelina Avenue, Mesa AZ 85210

Northeast Court Facility, 18380 North 40th Street, Phoenix, AZ 85032

- Conciliation Services will keep a copy of your *Request* and note if you have paid or deferred your fee.
- The staff will prepare an *Order to Appear* that you will serve on the other party along with another copy of your *Request*.
- Keep the remaining copy for your records.

STEP 6 Serve the papers on the other party: You must arrange for service of the following papers on the other party:

- A copy of the “**Request for Post-Decree Mediation**”
- A copy of the *Order to Appear* for Mediation

STEP 7 File the Proof of Service with the Clerk of Superior Court.