

Person Filing: (A) _____
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 (B)

CASE NUMBER _____ (B)

PETITION TO ENFORCE A PHYSICAL CHILD CUSTODY ORDER (A.R.S. § 25-1058)

Name of Respondent / Party B (B)

STATEMENTS MADE TO THE COURT UNDER OATH OR BY AFFIRMATION:

1. INFORMATION ABOUT ME, THE APPLICANT:

Name: _____

Address: _____

Relationship to child(ren): I am Mother Father Other _____

2. INFORMATION ABOUT THE OTHER PARTY WHO HAS YOUR MINOR CHILD(REN):

Name: _____

Address: _____

Relationship to child(ren): He/she is Mother Father Other _____

3. INFORMATION ABOUT THE CHILD(REN) UNDER THE AGE OF 18 YEARS FOR WHOM THIS PETITION IS FILED:

Child's Name: _____

Date of Birth: _____ **Age:** _____

Current Location (Address): _____

Child's Name: _____

Date of Birth: _____ **Age:** _____

Current Location (Address): _____

(If there are additional children, provide that information on a separate piece of paper)

4. INFORMATION ABOUT CURRENT PHYSICAL CHILD CUSTODY ORDER:

Date of Order: _____

Location of court issuing order (city & state): _____

Name of Judge who signed Order/Decree: _____

According to the Order/Decree, who was awarded physical custody? _____

Yes No **Did the Judge who signed the Order/Decree state the jurisdictional basis it relied on in exercising jurisdiction (i.e. minor child lived in the State for 6 months or greater prior to the filing of the Petition)?**

If yes, what was the jurisdiction stated in the Order/Decree by the Judge?

Yes No Has the Order/Decree that awards you physical custody been vacated, stayed or modified by a court? If yes, complete the following information:

Case Number: _____

Name/Location of court: _____

Date the Order/Decree was vacated, stayed or modified:

Order/Decree was (check one) vacated stayed modified

Explain _____

A Certified Copy of the Order/Decree MUST BE attached to this "Petition to Enforce a Physical Child Custody Order."

Yes No I attached a Certified Copy of the Order as stated above.

5. DO YOU HAVE a PENDING COURT CASE(S) about LEGAL DECISION-MAKING/PHYSICALCUSTODY/PARENTING TIME RELATED TO THE MINOR CHILD(REN)? (Check one box):

I do I do NOT have information about court case(s) about legal decision-making/ physical custody/parenting time for any of the minor child(ren) that is pending in this state or in any other state. (If you do have information, explain here, if not, go on to next question)

Name(s) of child(ren): _____

Name(s) of court(s): _____

Location(s) of court(s): _____

Court case number(s): _____

Current status of case(s): _____

How is/are the child(ren) involved? _____

Summary of court order(s): _____

6. REGISTRATION OF PHYSICAL CUSTODY ORDER FROM ANOTHER STATE (A.R.S. § 25-1055) (If applicable)

If you have a Physical Custody Order from another state, have you registered the Out-of-State Physical Custody Order in Arizona?

Yes, it has been registered No, It has not been registered.

(If you marked yes, please complete the information below.)

The name of the court in Arizona where the physical custody order is registered is:

The case was registered in Arizona on: _____
(Date of registration)

7. WHY YOU NEED THE COURT to ISSUE an ORDER DIRECTING THE PERSON(S) WITH PHYSICAL CUSTODY of the MINOR CHILD(REN) to APPEAR IN COURT (A.R.S. §§ 25-1040 and 1058):

The minor child(ren) is/are presently in the physical custody of _____ without my consent, in violation of the court order, and without lawful authority and he/she has failed to return the minor child(ren) to me.

To ensure the safety of the child(ren), under section A.R.S. § 25-1061.

8. WHY YOU NEED THE COURT TO ISSUE A WARRANT TO TAKE PHYSICAL CUSTODY OF MINOR CHILD (or "CHILDREN") (A.R.S. § 25-1061):

- The minor child(ren) is likely to suffer imminent serious physical harm - OR -
- The minor child(ren) is being or is likely to be removed from the State of Arizona.

On the following blank lines, explain to the Judge how the minor child(ren) are in immediate danger and will suffer serious physical harm or why you think the person who has the minor children will flee from Arizona with the minor children if an order is not entered today.

RELIEF REQUESTED: (Check any that you wish to request.)

- That an ***"Order for Appearance of Person(s) With Physical Custody of the Minor Child(ren)"*** be issued and directed to the other party (the party holding the minor child(ren), commanding him/her to produce the minor child(ren) before this Court at the time and place stated in that Order.

That a Court issue a **“Warrant to Take Physical Custody of Minor Child(ren)”** to the Sheriff of Maricopa County or other law enforcement officers, commanding the Sheriff or other officers that the minor child(ren) shall be picked up immediately and delivered to me or turned over to the Court or to Arizona Department of Child Safety prior to the hearing AND/OR if the Court deems necessary that the person who has illegally detained and/or restrained the minor children be picked up and arrested pursuant to A.R.S. § 25-1061 and brought before the Court.

For the Court to grant the relief in the **“Petition to Enforce a Physical Child Custody Order”**, and

- I. That the minor child(ren) be immediately delivered to my physical custody; and,
- II. For any other order that is in the best interest of the minor child(ren); and,
- III. That the Court award the Applicant all costs, including but not limited to, necessary travel expenses, investigator’s fees and other costs and fees incurred in this matter.

UNDER OATH OR BY AFFIRMATION

I, being duly sworn and under oath or by affirmation state that I am the Applicant in the matter above. I have read the Petition and all the statements are true and complete to the best of my knowledge and belief. I am not filing this Petition to harass or to cause unnecessary delay or to increase the cost of litigation. I understand that if the Judge finds that I filed this Petition for an improper purpose, the Judge may make an “Order of Contempt” or other sanctions against me, including all reasonable costs, attorney fees, or other expenses caused by my filing of this petition.

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: _____ by
(date)

(notary seal)

Deputy Clerk or Notary Public