

Instructions: How to fill out the forms to request temporary orders in cases involving minor children

Either party can file a Motion for Temporary Orders while waiting for a final court order, provided that a Petition for Divorce, Legal Separation or Annulment, or to establish Legal Decision-making (Custody), Parenting Time, and/or Support (with or without establishment of Paternity) has already been filed by either party, or you will be filing one of those petitions at the same time you file your request for temporary orders.

1. Fill out the court forms for temporary orders: Use black ink. Write clearly.

Form: Motion for Temporary Orders (DRT11f):

Fill in the information requested about you, the person filing this Motion for Temporary Orders in the upper left corner. Write in the case number if you or the other party has already filed one of the Petitions noted above. If you have not already filed a case, the Clerk of Superior Court will stamp a number on your papers when you file them. Check the boxes under Motion for Temporary Orders to indicate the type of temporary orders you are requesting. Then complete the rest of the Motion.

- Check the boxes and fill in the information requested only in the sections that apply to what you are asking the court to order.
- List the names and dates of birth of the minor child(ren) if any, affected by this Motion. Check the boxes that apply to what you are asking the Court to grant. If you are asking for a temporary division of property, the Judge/Commissioner can only grant exclusive use and possession of the property and usually limits this to the house and/or cars. If you are asking for a temporary division of the debt, be sure to list debt carefully.
- If you are only asking for child support or other temporary orders regarding child related issues, and not for spousal maintenance, temporary division of property, or debt, etc., at this time, leave those sections blank and do not check any boxes related to those matters.
- Likewise, if you are only asking for orders regarding spousal issues and are not asking for any orders regarding child Legal Decision-making (Custody), support or parenting time, you may ignore the sections relating to child support, Legal Decision-making (Custody) and parenting time/visitation matters.
- Sign the document.

Note: Spousal Maintenance and other spousal orders are only available in cases of Divorce, Legal Separation, or Annulment. If you are not legally married to the other party, you may want to consult an attorney to help determine your rights and responsibilities.

Form: Order to Appear Regarding Motion for Temporary Orders (DRT12f):

This is the document the Judge's staff will complete to set the hearing for the temporary orders. Complete the top part of the Order to Appear with the names of the parties, and the case number. Leave the rest blank for the Judge to fill out.

Note that some forms are required only if you are asking for temporary orders regarding minor children, and some are only required if you are asking for temporary orders regarding spousal maintenance/support.

2. If you are requesting temporary orders for child support or child legal decision-making (custody), you must fill out the: Child Support Worksheet (not in this packet) and Parenting Plan (DRCVG11f).

A. Child Support Worksheet:

You can use the free online Child Support Calculator at the website listed below to complete a child support worksheet.

ezCourtForms: (<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>)

To complete the child support worksheet, you will need to know:

- Your monthly gross income and that of the other parent.
- The monthly cost of medical insurance for the minor children who are the subject of this action.
- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/support.

After completing the child support worksheet, print out the child support worksheet and file it with your Motion.

B. Parenting Plan

Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for

Parents Living Apart” to help make your parenting plan. The Guide is available for purchase at all Superior Court Law Library Resource Center locations, or it may be viewed online and downloaded for free from the State Courts’ webpage. After completing the Parenting Plan, file it with your Motion.

3. If you are requesting temporary orders for parenting time only, where Legal Decision-making (Custody) and support have already been established and your request for parenting time does not change the amount of child support, paid or received, you must fill out the: Parenting Plan (DRCVG11f).
4. If you are requesting temporary spousal maintenance or award of attorney fees only, you must fill out an: Affidavit of Financial Information (DROSC13f). (A blank copy for the other party to complete is included in this packet.)

This document tells the court about your current financial situation. There are two Affidavit of Financial Information forms in this packet. You will need to fill out one and deliver a blank Affidavit of Financial Information form to the other party as described in the Procedures: Filing the Motion and Court Papers for Pre-decree Temporary Orders document also in this packet.

What comes next? Refer to the next document in this packet titled Procedures: Filing the Motion and Court Papers for Pre-decree Temporary Orders.