TO ENFORCE A COURT ORDER TO PAY

SUPPORT

Child Support, Spousal Maintenance, Medical Expense Reimbursement and Medical Insurance Coverage

FORMS & INSTRUCTIONS

SELF-SERVICE CENTER

PETITION AND PAPERS TO ENFORCE A COURT ORDER TO PAY SUPPORT

CHECKLIST

You may use this packet if . . .

- You have a Court Order from Maricopa County for child support, spousal maintenance, medical insurance coverage, or for reimbursement of medical, dental or vision care expenses not covered by insurance, **AND**
- The other party is behind in child support, spousal maintenance, and/or medical expense reimbursement payments at least one full month, **OR**
- ✓ The other party is not providing medical insurance coverage, OR

DO NOT USE THESE FORMS:

- if your Order is from a court outside this county (unless a lawyer has advised you to).
- * to try to *change* your existing Order.

WARNING: If the order you want to enforce is not from this county, ask a lawyer about the requirements to file your Petition (Request) with this Court.

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 Self-Service Center website.

SELF-SERVICE CENTER

TO ENFORCE A COURT ORDER TO PAY SUPPORT

(Forms and Instructions)

This packet contains court forms and instructions to file to enforce a court order to pay 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 No.	Title	# Pages
1	DRESE1k	Checklist: You may use these forms if	1
2	DRESE1t	Table of Contents (this page)	1
3	DRSDS10f	Family Court Coversheet / Sensitive Data Sheet	1
4	DRESE11i	Instructions: How to Complete the "Petition to Enforce a Court Order for Support"	3
5	DRESE11f	"Petition to Enforce"	4
6	DRESE16f	Attachment A: "Unreimbursed Medical, Dental, & Vision Expense Worksheet"	1
7	DRESE11p	Procedures: What to do After Completing the Petition and Attachment if Required	2
8	DRS88f	"Current Employer Information Form"	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.

Person Filing:		
Address (if not protected):		
City, State, Zip Code:		
Telephone:		
Email Address:		
•		
Lawyer's Bar Number:	<u> </u>	For Clerk's Use Only
Representing Self, without a Lawyer	or Attorney for Petitioner OR	Respondent
	ERIOR COURT OF ARIZON MARICOPA COUNTY	ONA
Petitioner / Party A	Case No	
, 	ATLAS No.	
Respondent / Party B		RTMENT SENSITIVE DATA WITH CHILDREN RECORD)
	ior Court. Social Security Numbers sho other court forms. Access Confidential	
A. Personal Information:	Petitioner / Party A	Respondent / Party B
Name		
Gender	Male or Female	Male or Female
Date of Birth (Month/Day/Year)		
Social Security Number		
	LING ADDRESS ON THIS FORM IF REQ	RUESTING ADDRESS PROTECTION
Mailing Address		
City, State, Zip Code		
Contact Phone		
Receive texts from Court to contact phone number above?	Yes No texts	Yes No texts
Email Address		
Current Employer Name		
Employer Address		
Employer City, State, Zip Code		
Employer Telephone Number		
Employer Fax Number		
B. Child(ren) Information:		
Child Name G	Child Social Security Number	ber Child Date of Birth
	only one (1) category below. (*) Mark this	
Dissolution (Divorce)	Paternity	Order of Protection
Legal Separation	*Legal Decision-Making / Parenting Time	Register Foreign Order
Annulment	*Child Support	Other
D. Do you need an interpreter? DO NOT COPY this do	Yes or No. If Yes, what lang	

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO COMPLETE THE PETITION TO ENFORCE A COURT ORDER FOR SUPPORT

TYPE OR PRINT CLEARLY. USE BLACK INK ONLY.

Match the numbered instructions to the numbers on the "Petition to Enforce."

- (1) Fill in the name, address, and phone number of the person requesting enforcement.

 If filed by an attorney, the attorney must also list his or her name and State Bar Number.
- (2) Fill in the name of the persons shown as "Petitioner" and "Respondent" on the case where the support order you are trying to enforce was issued.
- (3) Fill in the ATLAS number (if known) that applies to this case.
- (4) Fill in the case number that was assigned for the case where the support order you are trying to enforce was issued.
- (5) Check the appropriate box or boxes to indicate the type of support you are asking the Court to enforce. Do <u>not</u> check the boxes for Child Support, Spousal Maintenance, or "Arrears" for either unless the other person is at least one full month behind in payments.

INSTRUCTIONS FOR SECTION A

Complete Section A *only* if you marked the box(es) to enforce Child Support and/or Child Support Arrears.

- **(A)(1)** Date(s) of the Order(s) you want to have enforced.
 - (2) Name of the Judicial Officer who signed your order.
 - (3) Name of the party who owes you child support.
 - (4) Amount of child support the Court ordered the other party to pay **AND** the **exact wording** of the **Order**. If you do not have a copy of your order, you may get a copy from the Clerk of the Court at any of the following locations:

Court Customer Service Center 601 West Jackson (basement level) Phoenix, Arizona 85003 Northwest Court Complex 14264 West Tierra Buena Lane Southeast Court Complex 222 East Javelina Avenue, 1st floor Mesa, Arizona 85210 Northeast Court Complex

Northeast Court Comple 18380 North 40th Street Phoenix, Arizona 85032

- (5) Enter the total amount of child support past due.
- (6) Enter the time period for which you claim the past due support was not paid.

Surprise, Arizona 85374

(7) Enter total amount of any Child Support Payments made directly to you and <u>NOT</u> through the Clearinghouse.

INSTRUCTIONS FOR SECTION B

Complete Section B *only* if you marked the box(es) to enforce Spousal Maintenance (alimony) and/or Spousal Maintenance Arrears (back alimony).

- **(B)(1)** Date(s) of the Order(s) you want to have enforced.
 - (2) Name of the Judicial Officer who signed your Order.
 - (3) Name of the party who owes you spousal maintenance.
 - (4) Amount of spousal maintenance the court ordered the other party to pay **AND** the **exact wording** of **the Order**. If you do not have a copy of your order, you may get a copy from the Clerk of the Court at any the locations listed under **(A) (4)** on the previous page.
 - (5) Enter the total amount of spousal maintenance past due.
 - (6) Enter the time period for which you claim the past due support was not paid.
 - (7) Enter total amount of any Spousal Maintenance Payments made directly to you and <u>NOT</u> through the Clearinghouse.

INSTRUCTIONS FOR SECTION C

Complete Section C only if you marked the box(es) to enforce Medical Expense Reimbursement or Medical Insurance Coverage. NOTE: If you complete Section C, you must also complete and attach "Attachment A", the "Unreimbursed Medical Expense Worksheet" (which includes dental and vision care expenses).

- **(C)(1)** Date(s) of the Order(s) you want to have enforced.
 - (2) Name of the Judicial Officer who signed your Order.
 - (3) Name of the party who owes you reimbursement of medical, dental, or vision care expenses or who was ordered to provide insurance coverage.
 - (4) What the Order said about providing insurance coverage or payment of medical expenses. Use the **exact wording** of the Order. If you do not have a copy of your order, you may get a copy from the Clerk of the Court at any the locations listed under (A) (4) on the previous page.
 - (5) IF the other person failed to provide insurance coverage as ordered, enter the *time period* for which you claim insurance coverage was not provided.
 - (6) Complete Attachment A, the *Unreimbursed Medical Expense Worksheet*. Enter the total amount of reimbursement that is *past due* according to the *Worksheet*.

REQUESTS TO THE COURT

There is nothing for you to fill out in this section. The Court may consider these or other actions appropriate for your situation.

OATH OR AFFIRMATION

Do *not* sign and date the *Petition* until you are directed to do so by a Clerk of the Superior Court or a Notary Public. Your notarized signature states to the Court that the information you have provided is true and correct to the best of your knowledge, under penalty of law.

PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED THE PETITION

After you have completed the **Petition** and any required **Worksheets**, go to the "Procedures" page at the end of this packet and follow the steps listed there concerning number of copies, filing fees, etc.

NOTICE TO THE PERSON FILING THIS PETITION: After this petition is filed with the Clerk of the Court you must get an *Order to Appear* from the Family Court Conference Center. The *Order to Appear* will tell you what information you need to bring to court and the date and time of your conference and hearing. The person who filed the petition must arrange delivery of the **Petition** and the *Order to Appear* to the other person.

Delivery may be by licensed process server, law enforcement officer, or by return receipt mail or commercial delivery service (such as FedEx, DHL, or UPS) where you can obtain a copy of the other party's signature of receipt to file with the Court. You may **only** hand-deliver or otherwise send without proof of delivery if the other person will sign an **Acceptance of Service**, in front of a Notary Public or a Clerk of the Superior Court, and will return that form for you to file with the Court.

Dargen Filings			
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 🗌 Attorne	y for Petitioner OR R	espondent
SU	JPERIOR COU IN MARICOF	RT OF ARIZONA PA COUNTY	
	(2)	Case Number	(4)
Petitioner			
	(2)	PETITION TO ENF	ORCE
Respondent	(-/	(5) Child Support	į
•		☐ Child Support	
			tenance (alimony)
ATLAS No.	(3)		tenance Arrears
	(0)	·	
		<u> </u>	ance Coverage
		☐ Medical Expe	nse Reimbursement
SECTION A: Complete	this section ONLY if Support and/or Chi	you marked boxes above Id Support Arrears.	e to enforce Child
On this date (1)	, the Honorable	(2)	, a Judicial
Officer of the Superior Court of	of Arizona. ordered (3)		to pay child
support as follows: (4)			
The total amount of child \$, for the time period			
Child support payments made amount is more than zero, ple			

Case No.		

SECTION B: Complete this section ONLY if you marked boxes above to enforce Spousal Maintenance (alimony) and/or Spousal Maintenance Arrears.

On this date (1)	the Honorable (2)	, a Judicial
	rt of Arizona, ordered (3)	
spousal maintenance as fol	lows: (4)	
The total amount of spousa	Il maintenance past due and owed since the first c	court order is (5) \$,
for the time period beginnin	g (6) , through	
Spousal maintenance paym	ents made directly to me since the first court order	are (7) (If
the amount is more than ze	ro, please complete an Affidavit of Direct Payment	and file it with this Petition.)
	ete this section ONLY if you marked any of erage or Reimbursement of Medical / Denta	
		, , , , , , , , , , , , , , , , , , ,
On this date (1)	, the Honorable (2)	, a Judicial
Officer of the Superior Cou	ırt of Arizona, ordered (3)	to
obtain medical insurance c	overage and/or to pay the following percent of uni	nsured medical, dental or vision
expenses as follows: (4)		
The time period for which	n medical insurance coverage was not provided	l is from (5) to
I have completed and atta	sched "Attachment A", the " <i>Unreimbursed Me</i>	dical Expense Worksheet", a
·	nost recent) summary of all bills claimed, insurance	•
- ,	alance on each bill. The Worksheet shows the tot	
vision care expense reiml	bursement that is past due is (6)	Documentation of these
expenses has been presen	ted to the other party and reimbursement is more	than 30 days past due.

Case No.
Case No.

REQUESTS TO THE COURT

I request that the Court consider any or all of the following action(s):

- Order the other person to bring to the conference those items set forth in the Order to Appear.
- Enter judgment for past-due support, un-reimbursed uninsured medical/dental/vision care expenses, clerk's fees, service costs, and other court costs against the other party.
- Enter an Income Withholding Order to require the other person's employer to take money for the following from the other person's paycheck: current child support, child support arrears, current spousal maintenance, and/or spousal maintenance arrears.
- Order the other person to pay support through the Support Payment Clearinghouse.
- Find the other party in civil contempt of court and order sanctions including but not limited to, incarceration and the posting of a surety bond.
- Issue a civil or child support arrest warrant if the other party fails to appear, and/or enter a
 default judgment.
- Order the other party to provide evidence of medical insurance coverage within a fixed period of time.
- Order other relief as deemed just and proper by the court.

OATH OR AFFIRMATION for PETITION TO ENFORCE SUPPORT ORDER

I state to the Court under penalty of perjury that 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	<u></u> _

IMPORTANT INFORMATION

After this petition is filed with the Clerk of the Court you must get an Order to Appear from the Family Court Conference Center. The Order to Appear will tell you what information you need to bring to court and the date and time of your conference and hearing. The person who filed the petition must arrange delivery of the petition and the **Order to Appear** to the other person.

Delivery may be by licensed process server, law enforcement officer, or by return receipt mail or commercial delivery service (such as FedEx, DHL, or UPS) where you can obtain a copy of the other party's signature of receipt to file with the Court. You may **only** hand-deliver or otherwise send without proof of delivery if the other person will sign an **Acceptance of Service**, in front of a Notary Public or a Clerk of the Superior Court, and will return that form for you to file with the Court.

The conference and hearing may last two hours and additional conferences or hearings may be scheduled if needed. Conferences are for the Petitioner and the Respondent. Attorneys are invited to attend and participate in the conference. Spouses, children, family members, significant others, and friends will **not** be allowed in the conference.

DO NOT BRING CHILDREN.

They will not be allowed in the conference or hearing and may NOT be left unattended.

Attachment A: UNREIMBURSED MEDICAL, DENTAL & VISION CARE EXPENSES

Father's Name:	Father's share of all unreimbursed expenses listed on this sheet is:	
Mother's Name:	Mother's share of all unreimbursed expenses listed on this sheet is:	
	Total:	100%

Date of Service (oldest-first)	Name of Health Care Provider	Total Amount of Bill	Amount of Bill Paid by Insurance or 3 rd Party	Amount of Bill Paid by Father	Amount of Bill Paid by Mother	Remaining Balance of Bill Due	Amount of Father's Remaining Responsibility	Amount of Mother's Remaining Responsibility
		_	-	_				
	Totals for This Sheet	\$	\$	\$	\$	\$	\$	\$

Case Number:

LAW LIBRARY RESOURCE CENTER

PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED ALL DOCUMENTS TO ENFORCE A SUPPORT ORDER

STEP 1. MAKE THREE (3) COPIES (4, IF DES/DCSS is involved*) OF THE:

- "Petition to Enforce a Support Order"
- Attachment A (if required)

STEP 2. Separate your papers into 3 sets (4, if DES / DCSS are involved).

SET 1 - ORIGINALS FOR CLERK OF SUPERIOR COURT	SET 2 - COPIES FOR FAMILY DEPARTMENT
 "Petition to Enforce a Support Order" Attachment A – if required 	 "Petition to Enforce a Support Order" Attachment A – if required
SET 3 - COPIES FOR OTHER PARTY	SET 4 - COPIES FOR YOU
 "Petition to Enforce a Support Order" Attachment A – if required 	 "Petition to Enforce a Support Order" Attachment A – if required

^{*} If DES or DCSS is involved you will also need an <u>extra copy</u> of the *Petition*, any *Attachments* and the *Order to Appear* to serve on the State as described in STEP 5 on next page.

STEP 3. FILE THE PAPERS AT THE COURT:

GO TO THE CLERK OF SUPERIOR COURT'S FILING COUNTER: Hand over the originals and all three sets of copies to the Clerk of Superior Court at the filing counter **and pay the filing fee**. The Clerk of Superior Court will keep the originals, stamp the extra copies to show that these are copies of papers you have filed with the Court, **and return the stamped** (now called "conformed") copies to you.

You may file your papers from 8:00 a.m. to 5:00 p.m., Monday through Friday, at the following Superior Court locations:

Central Court Building

201 West Jefferson, 1st floor Phoenix, Arizona 85003

Northwest Court Complex

14264 West Tierra Buena Lane Surprise, Arizona 85374

Southeast Court Complex

222 East Javelina Avenue, 1st floor Mesa, Arizona 85210

Northeast Court Complex

18380 North 40th Street Phoenix, Arizona 85032

DRESE11p- 010119
Use only most current version

FEES: 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.

NOTE: WITHIN 30 DAYS AFTER YOU FILE these papers, you must **SEND THE OTHER PARTY** any documentation that supports your claim – including **PROOF OF PAYMENT.**

STEP 4. GO TO FAMILY DEPARTMENT

Central Court Building

201 West Jefferson, 3rd floor Phoenix, Arizona 85003

Northwest Court Complex

14264 West Tierra Buena Lane Surprise, Arizona 85374 **Southeast Court Complex**

222 East Javelina Avenue, Suite 1300 Mesa, Arizona 85210

Northeast Court Complex

18380 North 40th Street Phoenix, Arizona 85032

DELIVER SET 2 OF THE CLERK-STAMPED COPIES and PICK UP AN "ORDER TO APPEAR".

Family Department Center will schedule a conference and hearing. You and the other party will meet with a conference officer to talk about the case to try to reach agreement on as many issues as possible. For those matters on which you are unable to reach full agreement, a hearing will be held just after your conference to decide the case.

THE DATE, TIME, AND LOCATION OF THE CONFERENCE/HEARING WILL BE LISTED ON THE "ORDER TO APPEAR." Make 1 copies (2, if DES involved) of the Order to Appear.

- Serve Set 3 and the original Order to Appear on the other party.
- Keep Set 4 and a copy of the Order to Appear for your records.
- Serve Set 5 and a copy of the Order to Appear on the State, if required (see # 5).

SERVE THE PAPERS ON THE OTHER PARTY. The enforcement petition must be personally served on the other party. The Sheriff's Department, a licensed process server, or a person specially appointed by the Court may personally serve the documents. You may also achieve personal service of the documents if you deliver the documents to the other party and the party signs the acceptance of service document in the presence of a notary public or Clerk of Superior Court.

The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If either party already has a case with the Division of Child Support Services (DCSS), Department of Economic Security (DES), involving the same children as in this case, notice of this action <u>must</u> <u>also</u> be given to the Office of the Attorney General.

SERVING PAPERS ON THE STATE (*if required*). The Office of the Attorney General (**the "AG"**) will accept service by signing an "*Acceptance of Service*" form (part of the Law Library Resource Center's "SERVICE" packet) and returning the form for you to file with the Court. **There are no court fees for serving the State as described below:**

- (a) You may mail or personally deliver a copy of the "Petition to Enforce", "Order to Appear", Attachment A (if required), along with an "Acceptance of Service" and a self-addressed, stamped envelope (addressed back to you), to the Office of the Attorney General, CSES, assigned to your case. A list of addresses for the individual CSES offices is available from the Law Library Resource Center or from the Internet.
- (b) There may also be a "drop-box" in the Clerk of Superior Court's filing counter area at which you may leave the above listed documents and the envelope for the AG. Ask the Clerk of Superior Court at the filing counter, **or**
- (c) You may mail all listed documents and the envelope to:

Office of the Attorney General Child Support Services Section 2005 N. Central Avenue – Mail Drop 7611 Phoenix, AZ 85004-2926

STEP 6. GO TO THE COURT CONFERENCE/HEARING. If a conference and hearing have been scheduled, be sure to write down the date, time and place of the court hearing, and come to the hearing.

Be on time. Dress neatly. Do <u>not</u> bring children to court.

CURRENT EMPLOYER* INFORMATION

You ma	ay also fill out this form o	online at the Fam	nily Support Center W	ebsite.	
THIS FOR	RM MUST BE COM	PLETED FOR	R :		For Clerk's Use Only
	I INCOME WITHHO RDER TO STOP AN OTIFICATION OF A			DER OTHER PA	YOR)
CASE NU	JMBER:		ATLAS NUMBER	₹:	
NAME OF	F PERSON ORDER	ED TO MAKE	E PAYMENTS:		
DEPARTN STOP ORI	MENT (for the person DER SHOULD BE MA	named above	e) WHERE THE INC	COME WITI	
	. ADDRESS:				
	ER* TELEPHONE:				
EMPLOYE	ER* FAX:				
*or other	payor or source o		OO NOT WRITE B	ELOW TH	IC I INIE
		WA/FSC	JO NOT WRITE B	DELOW IN	IS LINE.
		WA/FSC			
		WA/LOG ID: TYPE OF W/A DATE AMOUNT OF O EMPLOYER ST ENTERED BY NEW W/A AG		SUB	