

SELF-SERVICE CENTER

INFORMATION ABOUT RESPONDING TO PAPERS FOR CUSTODY and/or PARENTING TIME

(with or without child support)

If the other party wants a court order for child custody and parenting time, the court will also review the current child support order. If there is no order, the court will establish child support in this case or, if the child support order needs to be changed, the court will do so in this case.

IMPORTANT INFORMATION ABOUT WHEN YOU MUST FILE YOUR RESPONSE

- **LOOK AT THE TIMETABLE BELOW.** If the last day to respond falls on a Saturday, Sunday, or legal holiday, you **DO NOT** count that day.
- **INCLUDE WEEKENDS AND HOLIDAYS IN YOUR COUNT** -- until you reach the number of days in the Timetable below. If a written response is filed with the court on time, the Petitioner **CANNOT PROCEED BY DEFAULT**.

DEFAULT TIMETABLE

| <u>SERVICE BY</u> | <u>COUNT</u> | <u>EVENT</u> |
|--|---------------------|---|
| Acceptance | 20 Days | after respondent signed the Acceptance |
| Acceptance out-of-state | 30 Days | after respondent signed the Acceptance |
| Signature with Confirmation | 20 Days | after respondent signed the Confirmation |
| Signature with Confirmation out of state | 30 Days | after respondent signed the Confirmation |
| Process Server | 20 Days | after respondent received papers from Server |
| Sheriff in Arizona | 20 Days | after respondent received papers from Sheriff |
| Sheriff out-of-state | 30 Days | after respondent received papers from Sheriff |
| Publication | 60 Days | after the 1st date of publication |

IMPORTANT NOTICE ABOUT WHEN A PARTY CAN BRING A CHILD CUSTODY CASE IN THE SUPERIOR COURT IN ARIZONA:

Generally a party must have resided in Arizona with the minor children for at least 6 months, or Arizona must be the minor children's primary place of residence before filing a child custody petition. If you have questions regarding this requirement, see a lawyer before filing.

IMPORTANT NOTICE ABOUT WHEN YOU CAN BE SUED AS A RESPONDENT IN ARIZONA FOR PATERNITY OR CHILD SUPPORT:

A respondent can be sued in Arizona on a case about establishing, enforcing, or changing a support order, or establishing paternity, if **ONE** of the following is true about the respondent:

- The person is a resident of Arizona;
- The person was personally served in Arizona (See packet on service to know about this.);
- The person agrees to have the case heard here and files written papers in the court case;
- The person lived with the minor child in this state at some time;
- The person lived in this state and provided pre-birth expenses or support for the minor child;
- The minor child lives in this state as a result of the acts or directions of the person;
- The person had sexual intercourse in this state as a result of which the minor child may have been conceived;
- The person signed a birth certificate that is filed in this state;
- The person did any other acts that substantially connect the person with this state (see a lawyer to help you determine this).

WARNING: Jurisdiction over the respondent is very serious. If you have any doubts about whether it was proper for the petitioner OR petitioner to sue you in Arizona, you should see a lawyer **IMMEDIATELY**, and **BEFORE** you file any written response, answer or other court paper.

INFORMATION ABOUT PAPERS YOU SHOULD HAVE RECEIVED FROM THE OTHER PARTY WITH THE PETITION ABOUT CHILD CUSTODY AND PARENTING TIME:

1. **SUMMONS:** You have been summoned to appear in court. The summons tells you how many calendar days you have to file a response, depending on how you were served with the court papers. Be sure to file a **WRITTEN RESPONSE** on time. If the time for you to file a **WRITTEN RESPONSE** has passed, the other party must complete an **Application and Affidavit for Entry of Default** and send you a copy. Then you have 10 more days in which to file your **WRITTEN RESPONSE**. If you do not file a **WRITTEN RESPONSE ON TIME** a default judgment can be entered.
2. **PETITION FOR CHILD CUSTODY, CHILD PARENTING TIME, AND CHILD SUPPORT:** This is the form the other party completed to tell the court his/her side of the story about the minor children, pregnancy, child support, child parenting time, and child custody. **Read each and every word very carefully**, and decide what you want to do. Here are your choices:
 - A. **Do nothing.** This means the other party can get a court order and tell the judge his/her side of the story, without you telling your side at all. **This is called a default.** Even in these cases, the judge will try to decide what is best, but it is never a good idea to ignore the court proceeding and have a court order that you had no input on. See a lawyer for help before you choose this option.
 - B. **Decide with the other party** how you want to handle everything about the minor children, pregnancy, child support, child parenting time, and child custody. Then you and the other party file papers in the court stating your agreement on everything. This is called a **Consent or Stipulation**. Mediators can help you with this, and the Self-Service Center has a list of mediators, and how much they charge to help you.
 - C. **Disagree and to file a response stating your side of the story, and how you want to handle everything.** This is called a “contested” matter. But, even if you originally file a response, you and the other party can decide to agree on something, or everything, and file court papers for a **Consent or Stipulation**. Mediators can help you with this, and the Self-Service Center has a list of mediators, and how much they charge to help you. If you file a response and do not settle everything with the other party, you must be sure to file the court papers you will need to set the case for trial.