

**ESTABLISH
CHILD CUSTODY,
PARENTING TIME
(VISITATION) and
CHILD SUPPORT**

1

**To Get The First Court Order
(When Paternity has already been legally established)
Part 1: Completing and Filing
the Court Papers**



Family Court Self-Help Workshop

- Establishment of Paternity, Custody, Visitation and Support**
Self Service Center in Law Library
101 W. Jefferson Ave Phoenix
Third Friday of the Month
Bring a Copy of the Child(ren)'s Birth Certificate
Registration is 8:30 – 9:00 am
Class Starts 9:00 am
- Modification of Child Support**
Northwest Jury Assembly Room
14264 W. Tierra Buena Lane Surprise
Fourth Friday of the Month
Bring a Black Pen and Current Child Support Order
Registration is 8:30- 9:00
Class starts at 9:00
- Modification of Paternity, Custody, Visitation and Support**
Self Service Center in Law Library
101 W. Jefferson Ave Phoenix
Third Friday of the Month
Bring a Copy of the Child(ren)'s Birth Certificate
Registration is 8:30 – 9:00 am
Class Starts 9:00 am
- Modification of Child Support and Stop/Change Order of Assignment**
Self Service Center in Law Library
101 W. Jefferson Ave Phoenix
Second and Fourth Friday of the Month
Bring a Black pen and Current Child Support Order
Registration is 8:30 – 9:00 am
Class starts at 9:00 am
- Modification of Child Support**
Southeast Self Service Center
222 E. Javelina Ave. Mesa
First Friday of the Month
Bring a Black pen and Current Child Support Order
Registration is 8:30 – 9:00 am
Class starts at 9:00 am

SELF-SERVICE CENTER

ESTABLISH CHILD CUSTODY, PARENTING TIME and CHILD SUPPORT

(when paternity has already been established)

This packet contains court forms and instructions to file a petition to establish child custody, parenting time, and support, when paternity has already been established. The documents should appear in order as listed below. Items listed in **BOLD** are forms that you will need to file with the Court. Do **NOT** copy or file *non-bold* items.

Order	File Number	Title	# pages
1	DRCV1t	Table of contents (this page)	1
2	DRCV1k	Checklist: <i>You may use these forms if . . .</i>	1
3	DRCV11i	Help completing the “Petition to Establish Child Custody, Parenting Time, and Child Support”	6
4	DRFC10f	“Family Court Cover Sheet”	1
5	DRSDS10f	“Sensitive Data Sheet”	1
6	DR11f	“Summons”	2
7	DRCV11f	“Petition to Establish Child Custody, Parenting Time and Child Support”	5
8	DR12f	“Order and Notice to Attend Parent Information Program”	3
9	DRCV10p	Procedures: How to file papers with the Court	3

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.

SELF-SERVICE CENTER
ESTABLISHMENT OF A COURT ORDER FOR
CHILD CUSTODY, PARENTING TIME
AND CHILD SUPPORT

CHECKLIST

You may use the forms and instructions in this packet if . . .

- ✓ You are the natural or adoptive parent of the minor child(ren), **AND**
- ✓ You are **not** legally married to the other parent,* **AND**
- ✓ Paternity has already been legally established because:
 - You already have a court order establishing paternity, **OR**
 - You have a court order for child support, **OR**
 - Both parents signing an Acknowledgment of Paternity through the Hospital Paternity Program or other means provided by law, and a birth certificate listing the name of the father was issued as a result, **AND**
- ✓ You want to file a **“Petition to Establish Child Custody, Parenting Time, and Child Support”** or you have a support order already (in which case the court will review the order if it orders custody) **AND**
- ✓ The minor child(ren) resided (lived) in Arizona at least 6 months (or since birth if younger than 6 months) before you file the petition or you talked to a lawyer who advised you that even so you could pursue the case in Arizona.

*** If you ARE legally married to the other parent, you may only obtain an order for custody as part of an action for legal separation or divorce. A.R.S. § 25-401(B) provides that:**

“A CHILD CUSTODY PROCEEDING IS COMMENCED IN THE SUPERIOR COURT:

1. By a parent filing a petition for *either* of the following:
 - a) dissolution of marriage (divorce) or legal separation . . . ”

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or on the Internet at:

www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/.

SELF-SERVICE CENTER

HOW TO FILL OUT PAPERS FOR CUSTODY and/or CHILD SUPPORT and PARENTING TIME

WHEN TO USE THIS PACKET:

Use this packet if you want to get a court order for child custody and/or child support and parenting time. **YOU CANNOT USE THIS PACKET TO ESTABLISH PATERNITY.** USE THIS FORM **ONLY** if you are the natural or adoptive parent of the child(ren), **AND**

- You already have a court order establishing paternity, **OR**
- You have a court order for child support, **OR**
- You have established paternity by filing an affidavit of paternity through the Hospital Paternity Program (A.R.S. § 25-812, § 36-334) or other method permitted by law after July of 1996.

If you want a court order for child custody and parenting time, the court will also want to review the current child support order. If there is no order or if the order needs to be changed, the court will sign a child support in your case.

IF YOU HAVE A COURT ORDER FOR PATERNITY OR CHILD SUPPORT FROM ANOTHER STATE OR ANOTHER COUNTY IN ARIZONA

If you have a court order involving the child(ren) from this case from a different state, or from a different county in Arizona, you should:

- Get a **certified copy** of the paternity or child support order from the other state or county, **AND**
- Give the **certified copy** to the Clerk of Court when you file your court papers, **AND**
- The Clerk of the Court will file the order and assign a case number to your case in Arizona.

IMPORTANT NOTICE ABOUT WHEN YOU CAN BRING A CHILD CUSTODY CASE IN THE SUPERIOR COURT IN ARIZONA: Generally, you should have resided (lived) in Arizona with the child(ren) for at least 6 months, **OR** Arizona must be the child(ren)'s primary place of residence before you file, **OR** if the child is less than 6 months old, the child must have resided (lived) in Arizona since his/her birth. If you have questions regarding this requirement, see a lawyer before filing.

IMPORTANT NOTICE ABOUT WHEN YOU CAN SUE ANOTHER PERSON IN ARIZONA FOR PATERNITY OR CHILD SUPPORT: You can sue the defendant/respondent in Arizona to establish, enforce, or change a support order, or establish paternity, if **ONE** of the following statements is true about the defendant/respondent:

- The other party is a resident of Arizona; **OR**
- You serve the other party with the court papers in Arizona. (See the Self-Service Center packet on service if you have any questions.); **OR**
- The other party agrees to have the case heard here and files written papers in the court case; **OR**
- The other party lived with the child in this state; **OR**
- The other party lived in this state and provided pre-birth expenses or support for the child; **OR**
- The child lives in this state because of the acts or directions of the other party; **OR**
- The person had sexual intercourse in this state and the child may have been conceived in this state; **OR**
- The person signed a birth certificate that is filed in this state; **OR**
- The other party signed an affidavit acknowledging paternity; **OR**
- The other party did any other acts that substantially connect the person with this state (see a lawyer to help you decide).

DOMESTIC VIOLENCE

Domestic violence can be part of any relationship. Domestic violence includes physical violence such as hitting, slapping, pushing or kicking, directed against you and/or your children **AND/OR** it can also include regular verbal abuse and/or threats of physical violence made against you and/or your children, as a method to control you.

Court documents request your address and phone number. If you are a victim of domestic violence, or if you **do not** want your address known to protect yourself or your children from further violence, **you must file a "Petition for an Order of Protection"** and ask that your address **not** be disclosed on court papers. With this order, you **do not** need to put your address and phone number on your court **papers**. If possible, get a P.O. Box or use another valid address on these papers. If you have no other address or phone number where you can be reached, write "protected" on the forms where asked for this information. You must, as soon as possible, tell the Clerk of the Court an address and phone number where you can be reached.

CASE NUMBER

Use the Case Number on all your court papers. This is the number you were given in the paternity or child support case you had in Maricopa County. Or, if your paternity or child support case was from another county or another state, use the number the Clerk of the Court gave you when you filed the certified copy of your other court case in Maricopa County (see instructions above).

FAMILY COURT COVERSHEET:

Print or type in black ink.

Case Type: Check only one box that matches the legal procedure for which you are filing the documents in this packet.

Information About the Petitioner: Write in your name, address, home telephone number, work telephone number, cell phone/pager number, date of birth, social security number, and e-mail address in the space provided. If your address and telephone numbers are protected, you do not need to fill in this information. However, you must let the Clerk of the Court know how to reach you. If a lawyer represents you, the Petitioner, you must also write in the lawyer's name and bar number.

Information about the other party, the Respondent: Write in the name of the Respondent. If you know the Respondent's address, home telephone number, work telephone number, cell phone/pager number, date of birth, social security number, and e-mail address, you must write in this information.

Minor Children Involved: List the names, dates of birth, and social security numbers for any minor children involved in this specific case.

Other Minor Children: If there are other children of either the Petitioner or the Respondent or both not involved with this case, list their names on the lines provided.

Other court cases: Check the appropriate box to tell this Court if either you or your spouse have been involved in any other cases, except a minor traffic offense, in any other court. If you check the Yes box, please describe the case, including case numbers and court location.

Domestic Violence Section: Answer the questions listed regarding domestic violence. This information will help court staff determine if this issue is relevant to this case.

Children's Issues Section: Answer the questions regarding the children you listed on the Family Court Cover Sheet. This information will help court staff determine if these issues are relevant to this case, and/or whether a case exists in this Court already regarding any child you listed.

Location: If you are filing your documents in downtown Phoenix, check the Downtown Phoenix box; if you are filing your documents in the Northeast facility, check the Northeast box. If you are filing your documents in Mesa, check the Mesa box. If you are filing your papers in Surprise, check the Surprise box.

SUMMONS

Fill in the following information: Your name; address (if not protected); city, state and zip code; telephone number; ATLAS NUMBER; name of Petitioner (your name); and name of Respondent (the opposing party's name). You will have an ATLAS number **ONLY** if you receive or have received AFDC or other government benefits for the child(ren) for whom you want to establish custody and/or parenting time.

PETITION

- A. Make sure your form states PETITION FOR CHILD CUSTODY, PARENTING TIME AND CHILD SUPPORT, OR PETITION FOR CHILD CUSTODY AND PARENTING TIME in the upper right-hand part of the first page. Decide what you want a court order for. Here are your choices:
1. **CUSTODY, PARENTING TIME, AND CHILD SUPPORT:** Check this box if you have a court order for paternity but not for custody, parenting time and child support, OR if you have a court order for child support but need to change it because of what you are asking the court to do with custody.
 2. **CUSTODY AND PARENTING TIME:** Check this box if you have a court order for child support and do not think your requested changes to custody and/or parenting time will change the child support order. **WARNING: The Judge may change the child support order even if you do not ask for this.**
- B. In the top left corner of the first page, fill out the following: YOUR name; address (if not protected); city, state and zip code; telephone number; and your ATLAS number, if you are receiving or have received AFDC from the Arizona Department of Economic Security.
- C. Fill in the space that says "Name of Petitioner" and "Name of Respondent." You will be the PETITIONER if your paternity or child support order was from another county or another state, and this is the first time you are filing a court case in Maricopa County. Otherwise, complete the caption the same way it was in the paternity or child support case in Maricopa County.

WARNING: IF YOU HAVE AN EXISTING CASE IN MARICOPA COUNTY AGAINST THE SAME PARTY, DO NOT GET A NEW DR/FC/FN CASE NUMBER WHEN FILING YOUR CASE! USE YOUR EXISTING DR/FC/FN CASE NUMBER. IF YOU DO NOT KNOW YOUR EXISTING CASE NUMBER, ASK THE CLERK FOR YOUR EXISTING NUMBER BEFORE YOU FILE YOUR COMPLAINT / PETITION.

- D. **General information:**
1. Fill in your name, address (if not protected) and date of birth. This is basic information about YOU, the PETITIONER, and your relationship to the child(ren) for whom you want the custody and/or parenting time order.
 2. Fill in the name of the other party, his or her address and date of birth. This is basic information about the other party, the RESPONDENT.
 3. Decide why you can pursue a court case against the Respondent in Arizona. Check the boxes that apply.
 4. Fill in information about all the children for whom you want custody/parenting time. The same persons should be the mother and the father for all the children for whom you want this order. If you think the children have different fathers or mothers, you need to sue that person.

E. **Statements about paternity AND child support:** Tell the court what your current situation is:

5. **How was paternity established in your case?** Check the box that describes how paternity was established. If none of these apply, or if only the last box applies (indicating the parties were married when the child(ren) was/were born, conceived or adopted, **STOP!** Do not proceed with these forms unless advised to do so by an attorney. Paternity must already be established to use these forms; if the parties were married, custody and visitation can generally only be decided as part of an action for divorce or separation.

6. **What is your current situation as to child support?** Check the box that describes your case.

ORDER DOES NOT NEED TO BE CHANGED: Check here if you think that the child support order you have does not need to be changed because of the custody order you want. **WARNING: The judge can decide whether to change the child support order even if you do not want this.**

ORDER NEEDS TO BE CHANGED: Check here if the child support order you have needs to be changed.

NO CHILD SUPPORT ORDER: If you have a paternity order only, without a child support order, the judge will make an order on the issues of custody, parenting time, and child support.

F. **Other information about the children:** If you are aware of court cases about the children, you need to tell the court. Attach a copy of any order about custody, parenting time, or child support to the petition, unless the order is from the Superior Court in Maricopa County.

7. Fill out where the children in this case have been living **for the past 5 years**. If any children are under age 5, simply put the information about where they have been living since birth. Write each child's name; the address where the child lived; the dates the child lived at each address; whom the child lived with; and, the relationship of that person to the child. While you may not remember exact dates and address, fill this information out as completely as possible.

8. You must tell the court if you participated as a party or witness in any court case involving issues OTHER THAN custody or parenting time of the child(ren). If your answer is "**no**," check the first box and GO ON. If there is another case, check the second box and give as much information as possible. This information could affect you or your child(ren)'s rights.

9. The court **MUST** know if there have been other cases involving custody, parenting time or child support of the child(ren) of this case, even if you were not a party. If there are no other custody or parenting time cases, or you do not know of any, check the first box and GO ON. If you have been involved in any way with this type of court case, check the second box and give the requested information. Tell the court what happened and what is going on in the other case(s).

10. If you do not know of another person OTHER THAN THE OTHER PARTY who has physical custody of the child(ren) or is claiming custody or parenting time rights to any of the children, check the first box and GO ON. If you know of such a person, put the child's name and the person who believes they have a custody or parenting time claim. You must also include the person as a respondent in this court case.

G. **Other statements to the court:**

11. **OTHER EXPENSES:** This asks for a fair division of all expenses about the children.
12. **DOMESTIC VIOLENCE:** This tells the court if there was domestic violence in the relationship, and relates to a request for joint custody. If you are not sure what this means, see the paragraph on **DOMESTIC VIOLENCE** on the first page of these instructions. Check the box that best describes your situation. If there has been **no** domestic violence, **GO ON.**
13. **VENUE:** This tells the court that one parent or the child(ren) lives in Maricopa County, so the court can decide your case.

H. **Requests to the court for custody, parenting time and/or child support. This section of the Complaint/Petition formally requests that the court make Orders relating to issues such as custody, parenting time and support.**

1. **CUSTODY OF CHILD(REN) AND PARENTING TIME.**

A. **SOLE CUSTODY:** If you want sole custody, check the boxes that apply, including the parenting time you are asking for. Tell the court whether you want custody of the child(ren) to go to you or the other party.

PARENTING TIME: Check only one box. You can ask that the non-custodial parent (the parent having physical custody of the child(ren) less than 50% of the time) have one of the following types of parenting time:

1. **Reasonable Parenting time.** This suggests an amount of parenting time appropriate to the age of the child(ren). The court offers suggested amounts of parenting time, but the amount can vary by agreement of both parents. If you and the other party agree, complete the Parenting Plan before you go to the judge for your final order.
2. **Supervised or No Parenting time to the Non-Custodial Parent.** You may request supervised or no parenting time if the non-custodial parent cannot adequately care for the child(ren) or cannot do so without another person present. You may request this if the person not having custody abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for the child(ren) without another person present. Remember, supervised or no parenting time is not intended to punish the parent, but to protect the child. You must tell the court in the space provided why you say the parenting time should be supervised or no parenting time allowed.
3. **Supervised Parenting time:** Describe how you think supervised parenting time should be handled.
4. **No Parenting time to the Non-Custodial Parent.** You should check this option only if the non-custodial parent has seriously harmed, abused, or otherwise is a serious danger to the child(ren)'s physical and emotional health, or if there is a criminal Court Order stating there is to be no contact between the child(ren) and the non-custodial parent. This is used only as a last resort to protect the child(ren).

B. **JOINT CUSTODY:** If you are asking for joint custody, you will need to file a Joint Custody Agreement signed by both parents which will be given to the judge for court approval.

2. **CHILD SUPPORT:** Check which party should pay child support. (The box you check should match what you asked for in the petition).

3. **HEALTH, MEDICAL, DENTAL INSURANCE AND HEALTH CARE EXPENSES:** Check which party should be responsible for health, medical and dental insurance.
 4. **OTHER ORDERS:** Check this box only if you have made other requests to the court. If you check this box, write the additional orders you are requesting the court to make that were not covered elsewhere in your Petition.
- I. **OATH AND VERIFICATION OF PETITIONER:** Sign the form. By doing so you are telling the court that everything contained in your Petition is true under penalty of perjury.

NOTICE REGARDING THE PARENT INFORMATION PROGRAM

This is an important document. You and the other parent must attend and complete a class in the Parent Information Program. The purpose of the Parent Information Program is to give parents information about the impact that divorce, the changes in the family unit, and/or court involvement have on children involved in a divorce, paternity, or custody case. This Notice applies to all parents who file an action for dissolution of marriage or legal separation, or any paternity proceeding, in which a party has requested that the court determine custody or parenting time on or after January 1, 1997, and to all other domestic relations cases if ordered by the court.

Make sure you read this notice, do what it says, and serve this notice on the other party.

OTHER IMPORTANT PAPERS IN THIS PACKET

Before you can get an order from the judge, you must complete the court papers on what you want the judge to order about child custody, parenting time, and child support. The court papers you need, with guidelines and/or instructions, are included in this packet. These court forms, and those prepared by the other party, are what the judge will use when it is time to sign the order about custody, parenting time, and support. You can complete the papers about custody, parenting time and support now, and serve or provide copies to the other party; OR, you can complete the papers before the final court hearing date and give or mail them to the other party. The Family Support Center of the Clerk of the Court will help you with Child Support calculations for the Worksheet.

**Superior Court of Arizona
Maricopa County
Family Court Cover Sheet**

For Use WITH Minor Children

Check only one:

- Dissolution (Divorce)**
- Legal Separation**
- Annulment**
- Order of Protection**
- Paternity**
- * **Custody/Visitation**
- * **Child Support**
- Other:** _____

Case Number
(Clerk will stamp case # when documents are filed)

ATLAS number(s) (If applicable)

* Check only if no other category applies

Instructions:

- You must provide the following information about yourself and the other party.
- Type or print neatly in black ink.
- If more room is needed for children or Petitioner/Respondent, please attach a separate page.

Information About the Petitioner:	
Name:	
Address:	
City, State, Zip:	
Home Phone #:	Work Phone #
Cell Phone/Pager:	Date of Birth:
Social Security #	E-Mail address:

Information About the Respondent:	
Name:	
Address:	
City, State, Zip:	
Home Phone #:	Work Phone #
Cell Phone/Pager:	Date of Birth:
Social Security #	E-Mail address:

Lawyer's Name and Bar Number: _____
(Provide this Information only if YOU have an Attorney)

Do you need an Interpreter Yes No

If yes, what language: _____

Information About the Children		
Name	Date of Birth	Social Security #

Name: _____

Representing: Self Petitioner Respondent

(If Attorney) State Bar Number: _____



FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

_____	Case No. _____
Petitioner	
_____	ATLAS No. _____
Respondent	

SENSITIVE DATA SHEET (Not public record)

Fill out. File with Clerk of Court. Omit Social Security Numbers when requested on other forms.
Do NOT serve this document on the other party.

A.

Personal Information:	Petitioner	Respondent
Name	_____	_____
Gender	<input type="checkbox"/> Male or <input type="checkbox"/> Female	<input type="checkbox"/> Male or <input type="checkbox"/> Female
Date of Birth (Month/Day/Year)	_____	_____
Social Security Number	_____	_____
Driver's License Number	_____	_____
Mailing Address	_____	_____
City, State, Zip Code	_____	_____
Daytime Phone	_____	_____
Evening Phone	_____	_____
Other Phone (cell/pager)	_____	_____
Email Address	_____	_____
Current Employer Name	_____	_____
Employer Address	_____	_____
Employer City, State, Zip Code	_____	_____
Employer Telephone Number	_____	_____
Employer Fax Number	_____	_____

B. Child(ren) Information:

Child Name	Gender	Child Social Security Number	Child Date of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Clerk of Court
Issued:

***For Court use only. NOT public record. Do NOT provide a copy of this document to the other party.**

Name of Person Filing: _____
Your Address: _____
Your City, State, Zip Code: _____
Your Telephone Number: _____
ATLAS Number (if applicable): _____
Attorney Bar Number (if applicable): _____
Representing: Self (Without an Attorney) Petitioner Respondent



For Clerk's Use Only

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Case No.: _____

Name of Petitioner

SUMMONS

and

Name of Respondent

WARNING: This is an official document from the court that affects your rights. Read this carefully. If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: _____
Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this *"Summons"*.
2. If you do not want a judgment or order taken against you without your input, you must file an *"Answer"* or a *"Response"* in writing with the court, and pay the filing fee. If you do not file an *"Answer"* or *"Response"* the other party may be given the relief requested in his/her Petition or Complaint. To file your *"Answer"* or *"Response"* take, or send, the *"Answer"* or *"Response"* to the Office of the Clerk of the Superior Court, 201 West Jefferson Street, Phoenix, Arizona 85003-2205 or the Office of the Clerk of the Superior Court, 18380 North 40th Street, Phoenix, Arizona 85032 OR Office of the Clerk of Superior Court, 222 East Javelina Drive, Mesa, Arizona 85210-6201 or Office of the Clerk of Superior Court, 14264 West Tierra Buena Lane, Surprise, Arizona, 85374. Mail a copy of your *"Response"* or *"Answer"* to the other party at the address listed on the top of this Summons.
3. If this *"Summons"* and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your *"Response"* or *"Answer"* must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this *"Summons"* and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.

Case No. _____

4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court's Customer Service Center at 601 West Jackson, Phoenix, Arizona 85003 or at 222 East Javelina Drive, Mesa, Arizona 85210.
5. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least five (5) days before your scheduled court date.

SIGNED AND SEALED this date

MICHAEL JEANES, CLERK OF COURT

By _____
Deputy Clerk

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime / Evening Phone: _____ / _____
Person Filing Document is: Self or Attorney for Plaintiff Respondent
(If Attorney) State Bar No.: _____
Attorney Phone: _____
ATLAS No. (if applicable): _____



SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Regarding the Matter of:

Case No.: _____

(Name of Petitioner)

PETITION TO ESTABLISH

(Check one box only)

CHILD CUSTODY, PARENTING TIME,
and CHILD SUPPORT

(Name of Respondent)

CHILD CUSTODY AND PARENTING
TIME (ONLY)

General Information:

1. INFORMATION ABOUT THE PETITIONER

Name: _____
Address: _____
County of residence: _____
Date of Birth: _____
Occupation: _____
Relationship to children for whom I want the CUSTODY/PARENTING TIME order:
 Mother
 Father
 Other: (explain) _____

2. INFORMATION ABOUT THE RESPONDENT

Name: _____
Address: _____
County of residence: _____
Date of Birth: _____
Occupation: _____
Relationship to children for whom I want the CUSTODY/PARENTING TIME order:
 Mother
 Father
 Other: (explain) _____

3. JURISDICTION: WHY I AM FILING THIS COURT CASE IN ARIZONA AGAINST THE OTHER PERSON: (check all that apply)

- The person is a resident of Arizona.
- I believe that I will personally serve the person in Arizona (see "Service" packet for information).
- The person agrees to have the case heard here and will file written papers in the court case.
- The person lived with the minor child(ren) in this state at some time.
- The person lived in this state and provided pre-birth expenses or support for the minor child(ren).
- The minor child(ren) 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 in Arizona.
- The person signed an acknowledgment of paternity 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).

4. INFORMATION ABOUT MINOR CHILD(REN) FOR WHOM I WANT CUSTODY/PARENTING TIME ORDER:

Name: _____
 Birthdate: _____
 Current Address: _____

 County of residence: _____
 Father: _____
 Mother: _____

Name: _____
 Birthdate: _____
 Current Address: _____

 County of residence: _____
 Father: _____
 Mother: _____

Name: _____
 Birthdate: _____
 Current Address: _____

 County of residence: _____
 Father: _____
 Mother: _____

Name: _____
 Birthdate: _____
 Current Address: _____

 County of residence: _____
 Father: _____
 Mother: _____

STATEMENTS ABOUT PATERNITY AND CHILD SUPPORT:

5. PATERNITY WAS ESTABLISHED BY: (check one box).

(A copy of any Order or document referenced here should already be in the Court file or attached.)

- A Court Order for Paternity from this county or previously transferred to this county** stating that _____ is the natural father of the minor child(ren). (A.R.S. § 25-502(c))
- Both parents signing an Acknowledgment of Paternity through the Hospital Paternity Program** or other means provided by law after July 18, 1996, and a birth certificate listing the name of the father was issued as a result.
- We do not have an order of paternity, but we do have a child support order.** (See instructions)
- Parties were legally married when minor child(ren) was (were) born, conceived or adopted.***

***NOTE: If married when minor child(ren) born, conceived or adopted, and no decree of Divorce or Separation has been issued, STOP! Do not use these forms unless advised to do so by an attorney. Requests for custody and parenting time must generally be filed as part of a case for Separation or Divorce.**

6. INFORMATION ABOUT CHILD SUPPORT FOR MINOR CHILDREN: (check one box)

- An Order for Child Support is dated _____ from (name of court) _____ which states that child support is established and **does not need to be changed**. Note: if order is from court other than Superior court in Maricopa County, see instructions)
- An Order for Child Support is dated _____ from (name of court) _____ which states that child support is established and **does need to be changed**. Note: if order is from court other than Superior Court in Maricopa County, see instructions)
- To my knowledge **there is no child support order** for the minor child(ren) and the court should order child support in this case along with custody and parenting time.

Other information about the minor children:

7. WHERE THE CHILDREN WHO ARE UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS.

(Attach extra pages if necessary.)

Child's Name _____	Dates: From _____ To _____
Lived with _____	Relationship to child: _____
Street address _____	City, State: _____

Child's Name _____	Dates: From _____ To _____
Lived with _____	Relationship to child: _____
Street address _____	City, State: _____

Child's Name _____	Dates: From _____ To _____
Lived with _____	Relationship to child: _____
Street address _____	City, State: _____

8. COURT CASES NOT INVOLVING CUSTODY OR PARENTING TIME RELATED TO THE CHILDREN UNDER 18 YEARS OLD: (check one box) I HAVE I HAVE NOT been a party or a witness in court in this state or any other state regarding the custody or parenting time of any of the minor children named above (If so, explain below, using extra pages if necessary. **IF NOT, GO ON.**)

Name of each child: _____

Court state _____	Court location _____
Court case number _____	Current status _____

How the minor child(ren) is (are) involved: _____

Summary of any Court Order: _____

9. CUSTODY OR PARENTING TIME CASES RELATED TO CHILDREN UNDER 18 YEARS OLD: (check one box)

I DO NOT HAVE I DO HAVE information about a custody or parenting time court case relating to any of the minor children named above that is pending in this state or in any other state (If so, explain below, using extra pages if necessary. **IF NOT, GO ON.**)

Name of each child: _____

Court state _____	Court location _____
Court case number _____	Current status _____

Nature of the court proceeding: _____

Summary of Court order: _____

**10. CUSTODY OR PARENTING TIME CLAIMS OF ANY PERSON:
(check one box)**

I DO NOT KNOW **I DO KNOW** a person other than the Petitioner or the Respondent who has physical custody or who claims custody or parenting time rights to any of the minor children named above. (If so, explain below, using extra pages if necessary. **IF NOT, GO ON**).

Name of each child: _____

Name of person with the claim: _____

Address of person with the claim: _____

Nature of the claim: _____

OTHER STATEMENTS TO THE COURT:

- 11. **OTHER EXPENSES:** The parties should be ordered to divide between them any uninsured medical, dental, or health expenses, reasonably incurred for the minor child(ren), in proportion to their respective incomes.
- 12. **DOMESTIC VIOLENCE:** (check if you are asking for joint custody; this statement **must be true** about you) Domestic violence has **not** occurred between the parties.
- 13. **VENUE:** This is the proper court to bring this lawsuit under Arizona law because it is the county of residence of the petitioner, or the respondent, or the minor child(ren).
- 14. **The Parent Information Program (PIP)** is required for persons seeking custody or parenting time. **I have** **I have not** (check one box) **already completed the Parenting Information Program.**

REQUESTS I MAKE TO THE COURT IN THIS LAWSUIT:

- 1. **CUSTODY OF MINOR CHILDREN:** (check and complete A or B) Order that:
 - a. **SOLE CUSTODY:** Sole custody of the minor child(ren) awarded to me **or** the other party subject to parenting time as follows:
 - 1. Reasonable parenting time rights to the parent not having custody, as will be described in a Parenting Plan attached to the Final Order.
 - 2. **Check and explain ONLY if you want the other parent to have Supervised Parenting time OR NO Parenting time):**
 Supervised Parenting time between the children and me **OR** the other party; **OR**
 NO Parenting time between the children and me **OR** the other party is in the best interests of the children, pursuant to A.R.S. Section 25-337 and 25-338, because (explain here reasons for supervision or no parenting time):
 - 3. **Supervised** parent/child access to the parent not having custody, only in the presence of another person, who is named by the court (suggestion below) upon a finding that supervised access is in the best interest of the minor child.

Person to supervise: _____

Requested restrictions on parenting time: (explain here) _____

The cost of supervised parent/child access shall be paid by:

- the parent being supervised;
- the parent having custody;
- shared equally by the parties.

4. **No Parenting time** rights to the parent not having custody, **OR:**

b. **JOINT CUSTODY:** Joint Custody - Petitioner and Respondent agree to act as joint custodians of the minor children, as set forth in the Joint Custody Agreement by the parties pursuant to A.R.S. Section 25-332, signed by both parties, if the Court adopts the agreed terms of the Joint Custody Agreement setting forth the custody and parenting time agreement between the parties. There have been **no** significant acts of Domestic Violence under A.R.S.13-3601 by either parent.

Check below if you are asking for a child support order or a change of child support in this case:

2. **CHILD SUPPORT: Order** that child support shall be paid by: **(check one box)**

me **or** other party in a reasonable amount as determined by the court under the Arizona Child Support Guidelines (Child Support Order to be attached to the Custody/parenting time Order). Support payments shall begin on the first day of the first month following the entry of the Custody/ Parenting time order. These payments, plus a fee for handling, shall be paid through the Clerk of the Court and collected by automatic wage assignment.

3. **MEDICAL, DENTAL, VISION CARE**

- Mother** should be responsible for providing: medical dental vision care insurance.
- Father** should be responsible for providing: medical dental vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expenses. Petitioner is ordered to pay _____ %, AND Respondent is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

4. **OTHER ORDERS I AM REQUESTING (explain request here):**

OATH OR AFFIRMATION

The contents of this document are true and correct to the best of my knowledge and belief under penalty of perjury.

Signature

Date

Printed Name

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

For Clerk's Use Only

Name of Petitioner

Case Number: _____

**ORDER AND NOTICE TO ATTEND
PARENT INFORMATION
PROGRAM CLASS**

Name of Respondent

**THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO OBEY THIS ORDER,
THE COURT MAY FIND YOU IN CONTEMPT OF COURT.**

THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- Dissolution of Marriage;
- Legal Separation; or
- Paternity with a Request to Determine Custody or Parenting Time or Child Support.
- Request to Determine Custody or Parenting Time or Support

THE COURT ORDERS pursuant to ARS § 25-352:

1. **ATTEND CLASS.** You must attend and complete the Parent Information Program Class, or if not in Arizona, its equivalent in your state of residence.
2. **WITHIN 45 DAYS.** Both the Petitioner and the Respondent **must** complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent **must** register for and complete the course whether or not a **“Response”** or **“Answer”** to the Petition/Complaint is filed.
3. **PAY THE CLASS FEE.** Each party must pay the class fee to the Program Provider.
4. **FILE CERTIFICATE OF COMPLETION.** Both the Petitioner and the Respondent **must** each file a **“Certificate of Completion”** with the Clerk of the Court immediately after completing the class and prior to receiving the final judgment/order/decree in the case.
5. **FAILURE TO ATTEND CLASS.** If you file a Petition/Complaint or **“Response”** or **“Answer”** and do **not** complete the Parent Information Program Class, the judge **may not** sign your papers and you **may not** get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a **“Response”** or **“Answer,”** and do not complete the Parent Information Program Class, you **may be denied** the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

Colleen McNally

Presiding Judge, Family Court Department

PARENT INFORMATION PROGRAM NOTICE

Parent Information Program - This is a very important document. Read it completely. You and the other parent **must** attend and complete a class in the **PARENT INFORMATION PROGRAM**. You do **NOT** attend the class with the other parent. As a precaution against any type of abuse or harassment, you and the other parent **MUST** attend **SEPARATE** classes. You may each take the class from the same agency, but **NOT** at the same time. This is **NOT** a parenting skills class. The purpose of the program is to give parents information about how children are affected by matters that involve family courts: divorce, paternity, or custody matters and parenting time. This Notice applies to all parents who file any of the following actions in the Superior Court of Arizona in Maricopa County on or after January 1, 1997:

- (1) dissolution of marriage or legal separation that involves a natural or adopted minor, un-emancipated child common to the parties, or
- (2) paternity with a request that the court determine custody or parenting time or child support, or
- (3) any other domestic relations/family court cases if attendance is ordered by the court.

WARNING: ATTENDANCE IS REQUIRED. (A.R.S. § 25-352 and Administrative Order No. 08-104).

ATTENDANCE AT THE PARENT INFORMATION CLASS IS REQUIRED BY LAW AND BY THIS COURT. IF YOU DO NOT ATTEND THE CLASS, THE JUDGE MAY NOT SIGN YOUR PAPERS AND YOU MAY NOT GET THE THINGS YOU ASKED THE COURT TO DO. THE JUDGE MAY ALSO FIND YOU IN CONTEMPT OF COURT.

Notice to Other Party.

After you file your court papers with the Court, you must serve this document on the other parent. If you have questions on how to serve the other party, the Self-Service Center has forms and instructions on service. There are six Self-Service Center locations; two in downtown Phoenix, one on the first floor of the East Court Building located at 101 West Jefferson Street and the other on the first floor of the Downtown Justice Center located at 620 W. Jackson; one in northeast Phoenix at 18380 North 40th St.; two in the east valley, one at the Southeast Complex located at 222 East Javelina Avenue in Mesa and the other in Chandler at the San Tan Regional Court Center located at 201 E. Chicago St.; and one in the northwest valley located at 14264 West Tierra Buena Lane in Surprise. Information can also be found on the Family Court web site at <http://www.superiorcourt.maricopa.gov/superiorcourt/familycourt>.

Approved Parent Information Classes in Maricopa County.

You may choose which class you want to attend. The court will not assign you to attend a specific class. If you are led to believe otherwise, please contact Conciliation Services at (602) 506-1448. Court-approved provider classes are available in both English and Spanish. A list of approved classes, including telephone numbers and addresses, can be found on the Family Court web site at:

<http://www.superiorcourt.maricopa.gov/superiorcourt/FamilyCourt/Services/ConciliationServices/ParentInformationProgram/>

If you do not have a computer, you may call Conciliation Services at (602) 506-1448.

These classes meet the requirements of the Parent Information Program. You may also choose to attend a different class that is comparable to the classes listed. However, you will have to tell the judge why that class is like the classes on the list of approved classes and you may have to provide all the materials from that class and information about it to show it is comparable. It will be up to the judge to decide if that class meets Parent Information Program requirements.

Registration (sign-up) for class.

You must sign up for the class in advance. You should sign up for the class as soon as you receive this Notice. There may be a limit on the number of people that can attend each class. That means that YOU MUST CALL TO SIGN UP for the class BEFORE the class is scheduled to start.

Information regarding the provider classes and ONLINE REGISTRATION opportunities may be found on the Family Court website at:

<http://www.superiorcourt.maricopa.gov/superiorcourt/FamilyCourt/Services/ConciliationServices/ParentInformationProgram/>

Cost.

- (1) You are required to pay the provider of the class the fee of **\$50.00** (Effective 9/1/08). You must bring your case number and a picture I.D. to the class.
- (2) If you choose a class that is not listed, you are required to pay the provider of that class the fee it charges. The provider of the class may charge you whatever it wants.

Class procedures.

Arrive at the class a few minutes early to check in. **You must check in at the class and you must check out of the class. If you do not check in and out, your attendance may not be counted.** You must bring picture identification with you. **DO NOT BRING CHILDREN TO THE CLASS.** A **“Certificate of Completion”** of the class will be given to you at the end of the class. After you have attended the class and have received the **“Certificate of Completion”**, you must bring the certificate to the court and file it with the Clerk of the Court. Remember to bring your case number to the class.

SPECIAL NEEDS OR ACCOMMODATIONS

If, due to a disability, language problem, or other special need, you have difficulty finding a Parent Information Class that can accommodate you, or if you have any questions about the Parent Information Program, please contact Conciliation Services at 201 West Jefferson Street, third floor, Phoenix, Arizona, or telephone (602) 506-1448, when you receive this Notice for assistance.

If you reside out of county, out of state, in a protected domestic violence shelter, or qualify under the Americans with Disabilities Act please contact Conciliation Services at (602) 506-1448 for more information concerning an on-line class.

SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO AFTER COMPLETING ALL FORMS TO ESTABLISH CHILD CUSTODY, PARENTING TIME AND CHILD SUPPORT WHEN PATERNITY HAS ALREADY BEEN ESTABLISHED

STEP 1: Complete the "Family Court Cover Sheet" and the "Sensitive Data Sheet". (Do not copy these 2 documents.)

Make 2 copies of the following documents after you have filled them out:

- "Summons"
"Petition to Establish Child Custody, Parenting Time and Child Support"
"Order and Notice for the Parent Information Program"

STEP 2: SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS: (4 if DES or DCSE is involved)

Table with 4 rows and 2 columns detailing document sets: SET 1 - ORIGINALS FOR CLERK OF COURT, SET 2 -- COPIES FOR OTHER PARTY, SET 3 - COPIES FOR YOU, and SET 4 - TO SERVE ON THE STATE IF DES OR DCSE IS INVOLVED.

STEP 3: FILE THE PAPERS AT THE COURT:

GO: GO TO THE COURT TO FILE YOUR PAPERS: The court is open from 8am-5pm, Monday-Friday. You should go to the court at least two hours before it closes. You may file your court papers at the Clerk of court Filing Counter at the following Superior Court locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Complex
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

The Clerk of the Superior Court
Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

The Clerk of the Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, VISA/MasterCard debit or credit cards, money order, or personal in-state check made payable to the "Clerk of Superior Court" are acceptable forms of payment.

Go online to <http://clerkofcourt.maricopa.gov/fees.asp> or the Self-Service Center for a list of current fees.

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 the Court. **Deferral Applications** are available at **no charge** from the Self-Service Center.

PAPERS: Hand all three (3) sets of your court papers to the Clerk along with along with the correct filing fee.

MAKE SURE YOU GET THE FOLLOWING BACK FROM THE CLERK:

- Your Set of **Copies**
- The Other Party's Set of **Copies**

STEP 4:

SERVE THE PAPERS ON THE OTHER PARTY. Read the packet at the Self-Service Center called "Service of Court Papers" that applies to your situation. This will explain how to serve the other party. Remember to file your Affidavit, Waiver or Acceptance of Service as soon as the Respondent is served.

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 State (**DCSE or DES**) involving the same children as in this case, notice of this action **must also** be given to the Attorney General's Office.

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 and returning the form *for you to file with the Court*. There are no court fees for serving the State with an *Acceptance*, as described below:

- (a) You may mail or personally deliver to the Office of the "AG" assigned to your case:
- a copy of the "**Petition to Establish Child Custody, Parenting Time and Child Support**"
 - original "**Acceptance of Service**" **AND**
 - a **self-addressed, stamped envelope (addressed back to you)**.

A list of addresses for the AG's offices is available from the Self-Service Center or from the Internet at: www.superiorcourt.maricopa.gov/sscDocs/pdf/gniv-d.pdf

(b) There may also be a "drop-box" in the Clerk of Court's filing counter area at which you may leave the above listed documents and the envelope for the AG. Ask the clerk at the filing counter, or

(c) You may mail all listed documents *and the envelope* to:

Office of the Attorney General
Child Support Enforcement Section
P.O. Box 6123 – Site Code 775C
Phoenix, AZ 85005

Note: The State is not considered served until the AG's signed Acceptance of Service is filed with the Court!

Note: A party who is served with the papers *in Arizona*, whether a person or the State of Arizona (the AG / DCSE), has **20** days from the date of service to file a request for a hearing. A party who is served with the papers *outside Arizona* has **30** days from the date of service to file a request for hearing.

STEP 5:

WAIT. Depending on HOW and WHERE you served the papers on the other party (in-state, out of state, by publication, etc.), he or she has a certain number of days to file a RESPONSE to tell the Court that he or she disagrees with your facts, OR objects to the Orders you want the Court to make. You should receive a copy of the Response and a notice about when and where you must appear for any Court procedure or hearing.

If NO RESPONSE is filed, you must file papers to tell the Court the other party DEFAULTED - that is, the other party agrees with your request - or at least did not file papers to disagree, so the Court should move forward. See the Self-Service Center's "Default" (or "Default Without Children") packet and follow the timetable and procedures there to apply for your default court order.

Do not copy
or file this page