

GRANDPARENT VISITATION

4

Part 4: The Court Order

SELF-SERVICE CENTER

GRANDPARENT VISITATION

Part 4: THE COURT ORDER

CHECKLIST

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

- ✓ You or the other party filed a petition to establish court-ordered grandparent visitation, AND
- ✓ You are ready to complete the court papers about the final order, AND
- ✓ You are going to a default hearing, or you both agree on the settlement terms of the court case, or you are going to a trial on what you disagree about.

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 at www.superiorcourt.maricopa.gov/SSC

SELF-SERVICE CENTER

ESTABLISH GRANDPARENT VISITATION

PETITIONER OR RESPONDENT

PART 4 -- THE COURT ORDER

This packet contains court forms and instructions for an order that establishes grandparent visitation.

Order	File Number	Title	No. Pages
1	DRGV8k	Checklist: <i>You may use this packet if . . .</i>	1
2	DRGV8t	Table of forms and instructions in this packet	1
3	DRGV81h	Help on completing <i>“Order for Grandparent Visitation”</i>	1
4	DRGV81f	<i>“Order for Grandparent Visitation”</i>	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

INSTRUCTIONS -- HOW TO FILL OUT THE ORDER FOR GRANDPARENT VISITATION

This order is designed for grandparents or great grandparents who want to get a court order of visitation

The Order is the legal document that is the judge's order on the court lawsuit. The signed Order is important because it determines the rights and responsibilities of both you and the opposing party. If either party does not follow the Order, then the other can ask the Court for help in enforcing the terms of the Order.

When filling out any court forms, type or print with black ink only!

Important reminder!! Your order should repeat as closely as possible what you requested in your grandparent visitation petition, unless the opposing party has provided written consent to any changes. You cannot mark something different in the order from what you asked for in the petition, unless the change clearly benefits the opposing party. If you try to do this, the judge or commissioner will not sign the order. If you want to change your requests to the court, you must file an amended petition. It is a good idea to have your petition handy when you follow the instructions to fill out your order.

The first part of the Judgment and Order--the Court Findings:

1. This states that the court has all information necessary to enter a Judgment and Order.
2. This states that this court is able to make the Orders relating to you and the opposing party.
3. This states that the court will make only those Orders that are in the best interests of the children
4. Print or type the full names and dates of birth for the children in the spaces provided.
5. Print or type the full names and dates of birth of the grandparents who will have visitation, in the spaces provided.
6. This states the legal reason you are entitled to the visitation
7. This lists the persons against whom this order is effective. If a parent or guardian is not a party to the case, the order is not effective as to that parent or guardian.

The second part of the Judgment and Order--It Is Ordered That:

1. VISITATION: write in everything you said you wanted in the petition. Remember that if the judge disagrees, he or she might write in something else. But, you cannot write in something other than what you asked for in the petition.
2. NO VISITATION: The judge will check this if he/she thinks you should not get visitation under this court case.
3. OTHER MATTERS: if there are other things you have asked for in the Petition that have not already been covered in the Judgment and Order. Be specific and be sure you use the same, or similar language to what you said in your Petition.

Judges' signature:

At the hearing the judge will ask you questions about the case, and then make any changes he or she thinks are appropriate to the Order as you submitted. Then the judge will sign the order, and that becomes your legal order of visitation.

Name of Person Filing Document: _____

Your Address: _____

Your City, State, Zip Code: _____

Your Telephone Number: _____

Attorney Bar Number (if applicable): _____



Representing Self (Without a Lawyer) OR Attorney Representing Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of

Case Number: _____

ATLAS No. _____
(if applicable)

Name of Grandparent(s) Requesting Visitation

ORDER REGARDING PETITION FOR GRANDPARENT VISITATION

A.R.S § 25-409

Name(s) of Mother, and/or Father

Name of Other Parent or Legal Guardian (if any)

THE COURT FINDS AS FOLLOWS:

1. This case comes before this Court for a final Order. The Court has taken all testimony needed to enter this Order.
2. This Court has jurisdiction over the parties under the law.
3. It is in the best interests of the child(ren) that visitation be ordered as described below.
4. This order applies to these children: (list additional children on attachment page)

NAME	DATE OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____

5. This order concerns the visitation rights of the grandparents or *great* grandparents whose full names are listed below.

Maternal Grandmother: _____

Maternal Grandfather: _____

Paternal Grandmother: _____

Paternal Grandfather: _____

6. The names of the parents of the child(ren) are:

Mother: _____

Father: _____

7. The Court makes the following findings: (check which applies)

- A. Parents of minor child(ren) have been divorced for at least 3 months:
- B. Mother OR Father of minor child(ren) has been dead for at least 3 months:
- C. Mother OR Father of minor child(ren) has been missing for at least 3 months:
- D. The child(ren) were born out of wedlock, OR
- E. The requirements of Arizona law for grandparent visitation, as stated in A.R.S. § 25-409) have NOT been met.

8. **This order governs visitation rights between the minor children named in number 4 above, and the grand or great grandparents named in Number 5, and:**

- the Mother**
- the Father**
- OTHER (Name of guardian or other person listed in caption to case):**

IT IS ORDERED THAT:

A. **Visitation shall be as follows:** (if NO visitation, skip to “C”)

1. TRANSPORTATION OF CHILDREN: (explain specifically)

2. VISITATION DURING WEEKDAYS OR WEEKENDS (explain specifically)

3. VISITATION DURING THE SUMMER MONTHS OR SCHOOL BREAKS: (be specific)

5. VISITATION FOR HOLIDAYS AND BIRTHDAYS: (be specific):

6. TELEPHONE CALLS AND OTHER COMMUNICATIONS (explain specifically):

B. OTHER ORDERS: This Court makes further Orders relating to this matter as follows:
(Explain -- use additional paper if necessary)

C. NO VISITATION is ordered at this time. _____

FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decreed is settled, approved and signed by the court and shall be entered by the clerk.

DONE IN OPEN COURT this _____ day of _____, _____.

JUDGE OR COURT COMMISSIONER

Case No. _____

If this Decree was issued as a “Default,” and the Petitioner served the papers to begin this case by any means *other than* by publication, a copy of this Decree shall be mailed or delivered to the Respondent(s) within 72 hours of the court hearing as follows:

Mother’s Name: _____
Mailing Address: _____
City, State Zip Code: _____
By: _____

Father’s Name: _____
Mailing Address: _____
City, State Zip Code: _____
By: _____

**Other Respondent’s
Name:** _____
Mailing Address: _____
City, State Zip Code: _____
By: _____