PATERNITY

with LEGAL DECISION MAKING (CUSTODY), PARENTING TIME, and CHILD SUPPORT

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4

THE COURT ORDER

FOR PETITIONER OR RESPONDENT

(Part 4: Forms Only)

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DRP8f – **5058**- 093015

<u>NOTICE:</u> This process requires calculation of child support. To calculate child support, you may use the online calculator through ezcourtforms, the packet titled "Calculate Child Support", or you may make an appointment with the Clerk of Court to calculate support for you for a fee.

PATERNITY
with LEGAL DECISION MAKING (Custody), PARENTING TIME, and CHILD SUPPORT

PART 4: THE COURT ORDER

(For Petitioner or Respondent)

CHECKLIST

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

- ✓ You or the other party filed a petition to establish paternity, legal decision-making (custody), parenting time, and child support, **AND**
- ✓ You have attended the Parent Information Program (PIP) and have filed your certificate of attendance with the Clerk of the Court, **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, **AND**
- ✓ You are ready to complete the court papers about the final order.

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.

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SELF-SERVICE CENTER

PATERNITY
WITH LEGAL DECISION MAKING (Custody), PARENTING TIME, and CHILD SUPPORT

PART 4: THE COURT ORDER

(for Petitioner or Respondent)

(Forms Only)

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This packet contains court forms and instructions to file paternity with legal decision making, parenting time, and child cupport. 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 Number	Title	# pages
1	DRP8k	Checklist: *You may use these forms if . . .*	1
2	DRP8ft	Table of Contents (this page)	1
3	DRCVG11f	***"Parenting Plan"*** *(includes optional Joint Custody Agreement)*	9
4	DRP81f	***"Order for Paternity, Legal Decision Making (custody), Parenting Time, and Child Support"***	8
5	DRS12f	***"Parent's Worksheet"***	2

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For Clerk's Use Only

Person Filing: _____
Address (if not protected):_____
City, State, Zip Code:_____
Telephone:_____
Email Address:_____
ATLAS Number: _____
Lawyer's Bar Number:_____

Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

_____
Name of Petitioner

AND

_____
Name of Respondent

Case Number: _____

PARENTING PLAN FOR:

☐ **JOINT LEGAL DECISION MAKING (CUSTODY) WITH JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT**

or

☐ **SOLE LEGAL DECISION-MAKING (CUSTODY)**

☐ to Mother

☐ to Father

INSTRUCTIONS

This document has 4 parts: PART **1**) General Information; PART **2**) Legal Decision Making (Custody) and Parenting Time; PART **3**) Danger to Children Notification Statement; and PART **4**) Joint Legal Decision Making (Custody) Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. **If only *one* parent is submitting the Plan: that parent must sign at the end of PART 2 <u>and</u> 3.**

b. **If both parents agree to legal decision making (custody) and parenting time arrangements *but not to joint legal decision making (custody):* Both parents must sign the Plan at the end of PART 2 <u>and</u> 3.**

c. **If both parents agree to joint legal decision making (custody) and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 2, 3, and 4.**

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PART 1: GENERAL INFORMATION:

A. MINOR CHILDREN. This Plan concerns the following minor children:
(Use additional paper if necessary)

_____ _____

_____ _____

_____ _____

B. THE FOLLOWING LEGAL DECISION-MAKING (CUSTODY) ARRANGEMENT IS REQUESTED:

(Choose ONE of 1, 2, 3, 4.) (If you chose "sole legal decision-making authority" [1 **or** 2], you have the option of also requesting restrictions on the parenting time of the other party.

☐ **1. SOLE LEGAL DECISION-MAKING (CUSTODY) BY AGREEMENT. The parents agree that sole legal decision-making authority (custody) and primary physical custody should be granted to the ☐ Mother ☐ Father.**

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

☐ **2. SOLE LEGAL DECISION-MAKING (CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision making (custody) and parenting time. The parent submitting this Plan asks the court to order sole legal decision-making authority and parenting time according to this Plan.

(Optional, if you marked 1 or 2 above)

☐ **RESTRICTED, SUPERVISED, OR NO PARENTING TIME.**
The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition.

OR

☐ **3. JOINT LEGAL DECISION-MAKING (CUSTODY) BY AGREEMENT. The parents agree to joint legal decision-making (custody) and request the court to approve the joint legal decision-making (custody) arrangement as described in this Plan. Primary physical custody will be with the ☐ Mother ☐ Father,**

OR

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☐ **4. JOINT LEGAL DECISION-MAKING AUTHORITY (CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision making and parenting time **or** are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the court's determination.

PART 2: PHYSICAL CUSTODY AND PARENTING TIME. Complete each section below. Be specific about what you want the judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

☐ The minor children will be in the care of Father as follows: (Explain).

_____

☐ The minor children will be in the care of Mother as follows: (Explain).

_____

☐ Other physical custody arrangements are as follows: (Explain).

_____

☐ Transportation will be provided as follows:

☐ **Mother** **or** ☐ **Father** will pick the minor children up at _____ o'clock.

☐ **Mother** **or** ☐ **Father** will drop the minor children off at _____ o'clock.

Parents may change their time-share arrangements by mutual agreement with at least _____days notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months **EXCEPT:**

☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. **OR**,

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Father: (Explain)

_____

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Mother: (Explain)

_____

☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

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C. TRAVEL

☐ **Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.**

☐ **Neither parent shall travel with the minor children outside Arizona for longer than ____ days without the prior written consent of the other parent or order of the court.**

D. HOLIDAY SCHEDULE:

The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

	Holiday	Even Years		Odd Years	
☐	New Year's Eve	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	New Year's Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Spring Vacation	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Easter	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	4th of July	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Halloween	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Veteran's Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Thanksgiving	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Hanukkah	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Christmas Eve	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Christmas Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Winter Break	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Child's Birthday	☐ Mother	☐ Father	☐ Mother	☐ Father

☐ **Mother's Day** will be celebrated with the Mother every year.

☐ **Father's Day** will be celebrated with the Father every year.

☐ **Each parent may have the children on his or her birthday.**

☐ **Three-day weekends** which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

☐ **Other Holidays** (Describe the other holidays and the arrangement) :

_____

☐ **Telephone Contact:** Each parent may have telephone contact with the minor children during the children's normal waking hours, **OR:** (Explain) _____

☐ **Other** (Explain) **:** _____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION:

Under Arizona law (A.R.S. §25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records. A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request. A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

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F. EDUCATIONAL ARRANGEMENTS:

☐ Both parents have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.

☐ Both parents will make major educational decisions together. (optional) ☐ If the parents do not reach agreement, then:

OR

☐ Major educational decisions will be made by ☐ Mother ☐ Father after consulting other parent.

G. MEDICAL AND DENTAL ARRANGEMENTS:

☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then: _____

_____

OR

☐ Major medical/dental decisions will be made by ☐ Mother ☐ Father after consulting other parent.

H. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose **ONE**)

☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.

☐ Both parents agree that the minor children may be instructed in the _____ faith.

☐ Both parents agree that religious arrangements are not applicable to this plan.

I. ADDITIONAL ARRANGEMENTS AND COMMENTS:

☐ **NOTIFY OTHER PARENT OF ADDRESS CHANGE.** Each parent will inform the other parent of any change of address and/or phone number in advance **OR** within _____ days of the change.

☐ **NOTIFY OTHER PARENT OF EMERGENCY.** Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children

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☐ **TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES.** Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

☐ **ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN.** Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

☐ **RELOCATION.** If either parent intends to relocate outside the state or more than 100 miles within the state with the minor child(ren), they will provide at least 45 days advance written notice to the other parent and adhere to the provisions set forth in A.R.S. §25-408(B), including the requirement that all parties continue to comply with current court orders, regardless of distance moved or notice required, unless otherwise ordered by the Court.

☐ **COMMUNICATE.** Each parent agrees that all communications regarding the minor children will be between the parents and that they will **not** use the minor children to convey information or to set up parenting time changes.

☐ **METHOD OF COMMUNICATION.** Each parent agrees to use the following means of communication: _____.

☐ **FREQUENCY OF COMMUNICATION.** Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be:

_____

and will be by the following methods: ☐ Phone ☐ Email ☐ Other

☐ **PRAISE OTHER PARENT.** Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children

☐ **COOPERATE AND WORK TOGETHER.** Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

☐ **NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME.** If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

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☐ **PARENTING PLAN.** Both parents agree that if either parent moves out of the area and returns later, they will use the most recent ***"Parenting Plan/Access Agreement"*** in place before the move.

☐ **MEDIATION.** If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, including a proposed relocation of a child, they shall participate in mediation through the court or a private mediator of their choice.

NOTICE: DO NOT DEVIATE FROM PLAN UNTIL DISPUTE IS RESOLVED.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Self-Service Center packets "**To Make Someone Obey a Court Order**" for help.

J. PART 2 SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to the parent or custodian for notification purposes or by another form of communication accepted by the court.

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According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

(a) Second degree murder.
(b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
(c) Sexual assault.
(d) Molestation of a child.
(e) Sexual conduct with a minor.
(f) Commercial sexual exploitation of a minor.
(g) Sexual exploitation of a minor.
(h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
(i) Kidnapping.
(j) Sexual abuse.
(k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
(l) Child prostitution as prescribed in section 13-3212.
(m) Involving or using minors in drug offenses.
(n) Continuous sexual abuse of a child.
(o) Attempted first degree murder.
(p) Sex trafficking.
(q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
(r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
(s) Luring a minor for sexual exploitation.
(t) Aggravated luring a minor for sexual exploitation.
(u) Unlawful age misrepresentation.

PART 3 SIGNATURE OF ONE OR BOTH PARTIES (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

PART 4: JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (custody) shall NOT be awarded if there has been "a history of significant domestic violence".

☐ Domestic Violence has **not** occurred between the parties, **OR**

☐ Domestic Violence **has** occurred but it has not been "significant" or has been committed by both parties.*****

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B. DUI or DRUG CONVICTIONS:

☐ Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR

☐ One of the parties HAS been convicted of driving under the influence or a drug offense within the past 12 months but the parties feel Joint Legal Decision-Making (Custody) is in the best interest of the children.*

*** IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION: Attach an extra page explaining why Joint Legal Decision-Making (Custody) is still in the best interest of the children.**

C. JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT: If the parents have agreed to joint legal decision making (custody), the following will apply, subject to approval by the Judge:

1. **REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.**

2. **CRITERIA. Our joint legal decision making (custody) agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:**

   a. **The best interests of the minor children are served;**

   b. **Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;**

   c. **A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;**

   d. **A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.**

   e. **The Plan includes a procedure for periodic review;**

   f. **The Plan includes a procedure by which proposed changes, including relocation of where a child resides with either parent pursuant to A.R.S. §25-408, disputes and alleged breaches may be mediated or resolved.**

   g. **A procedure for communicating with each other about the child, including methods and frequency.**

PART 4 SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION MAKING AUTHORITY (CUSTODY) (as instructed on page 1)

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

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Person Filing: _____
Address (if not protected):_____
City, State, Zip Code:_____
Telephone:_____
Email Address:_____
ATLAS Number: _____
Lawyer's Bar Number:_____

Representing ☐ **Self, without a Lawyer** **or** ☐ **Attorney for** ☐ **Petitioner** **OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Case Number: _____

_____
Petitioner (Name) is ☐ Father ☐ Mother

_____
Respondent (Name) is ☐ Father ☐ Mother

JUDGEMENT AND ORDER FOR PATERNITY and (check box if applicable)

☐ **LEGAL DECISION MAKING (CUSTODY)**

☐ **PARENTING TIME**

☐ **CHILD SUPPORT**

☐ **VITAL RECORDS** (Check this box if the Department of Vital Records is ordered to change the birth records of a child born in Arizona.)

THE COURT FINDS:

1. This case has come before the Court for a final Order. If necessary, the Court has taken any testimony needed to enter a final Order.

2. This Court has jurisdiction over the parties under the law.

3. Where it has the legal power to do so and where it is applicable to the facts of this case, this Court has considered, approved, and made an Order relating to paternity, legal decision making (custody), support, parenting time, and expenses related to birth of the minor child(ren).

4. **SERVICE BY PUBLICATION**:
If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical, dental and vision care insurance and expenses, and expenses for the minor child(ren).

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The court reserves jurisdiction until personal service is made upon Respondent to consider the child support, and any other relief requested in the Petition or orders deemed necessary by the court.

5. **Petitioner and Respondent are the natural parents of the minor child(ren) listed below and named on birth certificates as:** (List name as appears on child's birth certificate - if any.)

	First	Middle	Last
(a)			
(b)			
(c)			
(d)			

who were born on this date and at this place: (List in same order as above)

	Month/ Day /Year	City, State, and Nation of Birth
(a)		
(b)		
(c)		
(d)		

☐ **Same information for *additional* children listed on attached page made part of this document by reference**

6. INFORMATION ABOUT THE PARENTS:

A. Information about the Mother:

The Mother's Complete Name is:

as listed on above-named child(ren)'s birth certificates, or ☐ her current legal name

Previous Legal Name(s) (if any):

B. Information about the Father:

The Father's Complete Name is:

as listed on his birth certificate, or ☐ his current legal name

Previous Legal Name(s) (if any):

Date of Birth: _____
(Month/Date/Year)

Place of Birth: _____
(City, State, Nation of Birth)

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7. PARENT INFORMATION PROGRAM.

A. **Mother** ☐ **has attended** the Parent Information Program as evidenced by the Certificate of Completion in the Court file, **OR**

Mother ☐ **has NOT attended** the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this Order until Mother has completed the class.

B. **Father** ☐ **has attended** the Parent Information Program as evidenced by the Certificate of Completion in the Court file, **OR**

Father ☐ **has NOT attended** the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this Order until Father has completed the class.

8. DEVIATION FROM CHILD SUPPORT.

The Court, having considered the best interests of the child(ren), deviates from the guidelines for the following reasons:

☐ **Application of the guidelines is inappropriate.**

☐ **Application of the guidelines is unjust.**

☐ **The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines if there was no agreement.**

THE COURT MAKES THE FOLLOWING FINDING REGARDING THE DEVIATION:

☐ **The child support order *would have been:*** **$** _____

☐ **The child support order after deviation is:** **$** _____

☐ **All parties have signed the agreement free of duress and coercion.**

9. PHYSICAL CUSTODY ADJUSTMENT, COURT APPROVED DISCRETIONARY PARENTING TIME ADJUSTMENT AND/OR OTHER ADJUSTMENTS. (THE COURT MUST MAKE WRITTEN FINDINGS IF ANY OF THESE ADJUSTMENTS ARE MADE.)

_____

_____

_____

The court finds that the person responsible for paying child support has the ability to pay child support:

☐ In the amount entered on Line **33** of the Worksheet for **$** _____

☐ In an adjusted amount calculated using the self-support reserve on line **35** of the Worksheet for **$** _____

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THE COURT FURTHER FINDS:

10. DOMESTIC VIOLENCE:

YOU MAY SKIP "11" IF THERE HAS BEEN NO DOMESTIC VIOLENCE AND THIS IS AN UNCONTESTED COURT ACTION (meaning no response was filed).
You must COMPLETE "9" if
(a) legal decision making (custody) is contested, or
(b) there has been domestic violence between the parties and legal decision making (custody) is to be awarded to or shared with a parent who has committed domestic violence.

A. **Domestic Violence** ☐ **has OR** ☐ **has not occurred between the parties;**

B. ☐ **Domestic Violence has occurred between the parties, but:**

1. ☐ **it was mutual** (committed by both parties)**,** (see A.R.S. § 25-43.03(D)) **or**

2. ☐ **it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision making** (joint or sole custody) **to a parent who has committed domestic violence *because:*** (EXPLAIN)

_____
_____
_____
_____

11. SUPERVISED OR NO PARENTING TIME:

(Check and complete ***only if*** supervised or no parenting time is ordered.)

☐ **NO Parenting Time or** ☐ **Supervised Parenting Time with the** ☐ **Father** ☐ **Mother**, **is in the best interests of the minor child(ren), for the following reasons:**

_____
_____
_____
_____

12. DRUG or ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS:

(Check box **if** applicable).

☐ **Father** and/or ☐ **Mother has been convicted** of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision making (custody), **however** the legal decision making (custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

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THE COURT ORDERS:

1. PATERNITY: (Name of father as on his birth certificate or ☐ his current legal name)

_____

is the natural father of the minor child(ren).

☐ **FOR ANY CHILDREN BORN IN THE STATE OF THE ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:**

2. ☐ **The father's name shall be entered on the minor child(ren)'s birth certificate.**

3. ☐ **The minor child(ren)'s last name shall be changed to:** _____

4. PRIMARY RESIDENCE, PARENTING TIME, and LEGAL DECISION MAKING (Custody)

A. PRIMARY RESIDENTIAL PARENT:

☐ **Mother's home as primary residence for following named child(ren):**

_____

☐ **Father's home as primary residence for following named child(ren):**

_____

B. SUBJECT TO PARENTING TIME AS FOLLOWS:

☐ **Reasonable parenting time rights to the non-primary residential parent as described in the Parenting Plan attached as Exhibit B and made a part of this decree, OR**

☐ **NO PARENTING TIME RIGHTS to** ☐ **Mother OR** ☐ **Father, OR**

☐ **SUPERVISED PARENTING TIME to** ☐ **Mother OR** ☐ **Father according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree. Parenting time may only take place in the presence of another person, named below *or* otherwise approved by the court.**

(IF supervised) **Name of person to supervise** (Optional):

_____

The cost of supervised parenting time shall be paid by the:

☐ **the Mother,** ☐ **the Father, OR** ☐ **Shared equally by the parties**

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THE COURT FURTHER ORDERS these restrictions on parenting time (if applicable):

_____

_____

C. LEGAL DECISION MAKING (Custody):

Award legal decision making concerning the child(ren) (custody) as follows:

☐ **SOLE LEGAL DECISION-MAKING (sole custody) to**: ☐ **Mother** ☐ **Father**

OR

☐ **JOINT LEGAL DECISION MAKING (joint custody) to BOTH PARENTS.**

Mother and Father will agree to act as joint legal decision makers (joint legal custodians) of the minor children, as set forth in the ***Joint Legal Decision Making*** (joint custody) ***Agreement*** contained in the ***Parenting Plan***, to be agreed upon and signed by both parties **if** the Court adopts the terms of the **Agreement**. There have been no significant acts of domestic violence, as defined by Arizona law, A.R.S. § 13-3601, by either parent or it is in the best interests of the minor child(ren) to award joint custody despite any violence that occurred.

5. CHILD SUPPORT:

☐ **FATHER or** ☐ **MOTHER** shall pay child support to the other party in the amount of **$**_____ per month, beginning THE FIRST DAY OF THE MONTH following the signing of this Decree, according to the Child Support Worksheet. All child support payments shall be made through the Support Payment Clearinghouse, plus an applicable statutory fee.

Payments shall be in equal installments made on the **1st** and **15th** of each month thereafter through an automatic wage assignment.

Costs for past child support and care for minor child(ren) in the amount of **$**_____shall be paid by ☐ **FATHER or** ☐ **MOTHER** in the amount of **$** _____ each month until paid in full. Payments shall be made as stated above.

6. MEDICAL/DENTAL/VISION CARE INSURANCE EXPENSES FOR CHILDREN

FATHER is ordered to provide ☐ medical, ☐ dental ☐ vision care insurance.

MOTHER is ordered to provide ☐ medical, ☐ dental ☐ vision care insurance.

The party ordered to pay for medical/dental/vision care insurance must keep the other party informed of the insurance company's name, address, and telephone number, and provide the other party with the documents necessary to submit insurance claims.

☐ **FATHER** is ordered to pay _____% **and/or**

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☐ **MOTHER** is ordered to pay _____% of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription, and other health care expenses for the minor child(ren), including co-payments.

Costs for past medical expenses for minor child(ren) in the amount of $_____ shall be paid by ☐ **FATHER** or ☐ **MOTHER** in the amount of $_____ each month until paid in full. Payments shall be made as stated above.

Even though the Court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the parent who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other parent's responsibility to carry health insurance on the child under the Divorce Decree.

7. **OTHER COSTS:** ☐ **FATHER** or ☐ **MOTHER** is awarded judgment in the amount of $_____ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the minor child(ren), which shall be paid by ☐ **FATHER** **or** ☐ **MOTHER**.

8. **FINANCIAL INFORMATION EXCHANGES:** The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

9. **LIMITATION ON JURISDICTION:** (check box if applicable)

☐ This Court cannot make a legal order, without personal service on_____ (the other party) with respect to issues of child support, medical and dental insurance for the minor child(ren) or regarding costs relating to the birth of the child(ren). The court reserves jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the Respondent.

10. **OTHER ORDERS:** This Court makes further Orders relating to this matter as follows:

_____

_____

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

DONE IN OPEN COURT _____ _____
JUDICIAL OFFICER

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Case No._____

ACKNOWLEDGEMENT OF THE PARTIES OR THEIR ATTORNEYS

APPROVED BY: _____

Petitioner's Signature

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me this: _____ by

(date)

_____.

(notary seal) _____

Deputy Clerk or Notary Public

If you are filing a Consent Decree or if there has been a trial, the Respondent must sign:

_____

Respondent's Signature

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me this: _____ by

(date)

_____.

(notary seal) _____

Deputy Clerk or Notary Public

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Lawyer: _____ Date: _____

Respondent's Lawyer: _____ Date: _____

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Person Filing: (1) _____
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** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY(2)

PARENT'S WORKSHEET FOR CHILD SUPPORT

(3) Petitioner: _____ **(4)** Case No. _____

(3) Respondent: _____ **(4)** ATLAS: _____

(5) Total Number of Children: _____

(6) Parent with Primary Physical Custody:
Father ☐ Mother ☐

(7) Parent who is filing this form: Father ☐ Mother ☐

(8) Gross Income figures for the OTHER PARENT are:

☐ **ACTUAL,** with proof, such as a recent W2 or pay stub attached, or other party's signed statement.

☐ **ESTIMATED,** based on facts or knowledge of pay before promotion or of others in similar job.

☐ **ATTRIBUTED**, based on what other party could and should be earning (see Guidelines 5e).

	FATHER		MOTHER
Gross Income (Pre-Tax Income. Before deductions.)	$ _____	(9)	$ _____
Spousal Maintenance Paid	$ - _____	(10)	$ - _____
Spousal Maintenance Received	$ + _____	(11)	$ + _____
Child Support Paid/Contributed	$ - _____	(12)	$ - _____
Other Support of Children Paid	$ - _____	(13)	$ - _____
Adjusted Gross Income	$ _____	(14)	$ _____

Combined Adjusted Gross Income (15) $ _____

Basic Child Support Obligation (16) $ _____

Plus Costs for:

Medical/Dental/Vision Insurance	$ _____	(17)	$ _____
Childcare	$ _____	(18)	$ _____
Education Expenses	$ _____	(19)	$ _____
Extraordinary/Special Needs Child Expenses	$ _____	(20)	$ _____

No. of Children Age 12 or Over _____ Adjustment _____ % (21) $ _____

Total Adjustments for Costs (22) $ _____

Total Child Support Obligation $ _____ (23) $ _____

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Case No._____

	FATHER		MOTHER
Each Parent's % of Combined Income	_____ **%**	(24)	_____ **%**
Each Parent's Share of Tot. Support Obligation	**$** _____	(25)	**$** _____
Adjustment for Non Custodial Parent's Costs Associated with Parenting Time			
Using Table A ☐ **Table B** ☐	**$** _____	(26)	**$** _____
No. of Days _____ **=** _____**% Adjustment** (from table) **x** Line **(16) $**_____ (Basic Child Support Obligation)	**$** _____	(27)	**$** _____
Less Noncustodial Parent's Costs for:			
Medical/Dental/Vision Insurance*	**$** _____	(28)	**$** _____
Childcare*	**$** _____	(29)	**$** _____
Education Expenses*	**$** _____	(30)	**$** _____
Extraordinary/Special Needs Child Expenses*	**$** _____	(31)	**$** _____
***Subtract here ONLY if ADDED-IN items 17-20 above			
Adjustments Subtotal	**$** _____	(32)	**$** _____
Preliminary Child Support Amount	**$** _____	(33)	**$** _____
Self Support Reserve Test for Parent Who Will Pay			
Amount from Line (14) _____ (Adj. Gross Inc.)			
Minus Reserve Amount **- $1,115.00**			
Total **=**	**$** _____	(34)	**$** _____
Child Support to be Paid by: Father ☐ **Mother** ☐	**$**	(35)	**$**
Share of Travel Expenses Related to Parenting Time*	_____ **%**	(36)	_____ **%**
***Only** for expenses related to travel over 100 miles, one way.			
Share of Medical/Dental/Vision Costs Not Paid by Insurance	_____ **%**	(37)	_____ **%**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:_____ _____

Date **Signature of Parent**

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