

PARENTING TIME

4

Part 4

THE COURT ORDER

(Forms and Instructions)

SELF-SERVICE CENTER

PARENTING TIME

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 Parenting Time,”*** **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.

SELF-SERVICE CENTER

**ESTABLISHMENT OF COURT ORDER
FOR PARENTING TIME**

PART 4 -- THE COURT ORDER

(Forms and Instructions – for PETITIONER OR RESPONDENT)

This packet contains court forms and instructions about the final order on a ***“Petition to Establish Parenting Time.”*** 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	DRV8k	Checklist: You may use this packet if . . .	1
2	DRV8t	Index (this page)	1
3	DRV81h	Help to Complete <i>“Order for Parenting Time”</i>	1
4	DRV81f	<i>“Order for Parenting Time”</i>	4

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SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT THE COURT ORDER FOR PARENTING TIME

Important Notice: Do not complete this court order unless both parties agree to the order OR until you have a Default Hearing or Trial Date scheduled.

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.

This order is designed for parties who want to get a court order of Parenting Time. You **cannot** use this form to establish paternity, Legal Decision Making (custody), or support. 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.

If you want a court order for Legal Decision Making (custody) and Parenting Time, the court will also want to review the current child support order. If there is no order, the court will establish child support in this case or, if the child support order needs to be changed, the court will do so in this case.

NOTE: USE THESE INSTRUCTIONS ONLY WITH AN ORDER FOR SUPPORT, LEGAL DECISION MAKING (CUSTODY) AND PARENTING TIME.

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 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 fill out the 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 legally proper under the circumstances of your case.
4. Print or type the full name of the Petitioner and the Respondent in the spaces provided, then put the name of the child(ren) for whom Parenting Time/support is established and their date(s) of birth.
5. Write in the name of the person who has Legal Decision Making (custody) now. If it is someone other than mother or father, explain.
6. If you are asking for supervised or no Parenting Time for the other party, you must have a very good reason. Write that reason in here.

The Judgment and Order: "It Is Ordered That . . ."

1. Complete the Parenting Time plan here. Use the Petition as your guide -- you cannot write in something you did **not** ask for in the Petition, unless the other party agrees.
2. If you are asking for supervised Parenting Time, explain why.
3. If you want supervised Parenting Time, write in all the details about how that will be handled.
4. If there is any other order you want, write it in.

Judge's signature, and copy for other party:

You do not have a valid court order **until** the Judge signs and dates the original order, which will occur at or after the default hearing or at the trial on the case. Be sure to get a certified copy of the signed order for your records. Also, if the other party does not have a copy, mail a copy of the signed and dated order to him or her.

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Petitioner's Name

Case Number: _____

ORDER FOR PARENTING TIME

Respondent's Name

THE COURT FINDS:

1. This case has come before this court for a final Order. The court has taken all testimony needed to enter final Orders.
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 Orders relating to legal decision making (custody), support, Parenting Time, and expenses related to birth of the child(ren).
4. **This order applies to the following child(ren):**

NAME(s)	DATE(s) OF BIRTH(s)
_____	_____
_____	_____
_____	_____
_____	_____

5. The child(ren) is/are currently in the physical custody of:

Mother **Father**

Other (name) _____ as a result of (explain court case or government action or other reasons child(ren) is/are in custody of someone other than parent):

6. 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 class and shall be denied any requested relief to enforce or modify this Order until Petitioner has completed the class.

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

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

7. (Check And Complete Below Only If Supervised Parenting Time Or No Parenting Time Is Ordered)

Supervised Parenting Time or **No Parenting Time between minor children and**
 the Mother **OR** **the Father** **is in the best interests of the minor children, because:** (Explain.)

THE COURT ORDERS:

1. PARENTING TIME AS FOLLOWS: (Check only one.)

Reasonable parenting time rights to the **Mother** **OR** **Father**

Supervised parenting time between the children and **Mother** **OR** **Father,**

No parenting time rights to the Mother OR Father.

a. **Name of person to supervise:** _____
(if applicable)

b. **Parenting time is restricted as follows:** _____

c. **Cost of supervised parenting time** (if applicable) **to be paid by:**
 Mother
 Father, **OR**
 Shared equally by the parties.

2. OTHER ORDERS related to Parenting Time:

TRANSPORTATION will be provided by (name): _____
as follows: (explain) _____

During WEEKENDS (explain specifically)

During the SUMMER MONTHS OR SCHOOL BREAKS: (explain specifically) _____

FOR HOLIDAYS AND BIRTHDAYS: (explain specifically) _____

FOR TELEPHONE CALLS: (explain specifically) _____

OTHER: (Explain specifically) _____

3. 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.

4. OTHER ORDERS: This court makes further Orders relating to this matter as follows:
(Explain. Use additional paper if necessary).

DONE IN OPEN COURT this _____ day of _____, 20____

JUDGE OR COURT COMMISSIONER