

## SELF-SERVICE CENTER INSTRUCTIONS

### HOW TO FILL OUT THE ORDER FOR YOUR LEGAL DECISION MAKING (CUSTODY), PARENTING TIME and CHILD SUPPORT or LEGAL DECISION MAKING (CUSTODY) AND PARENTING TIME CASE

#### I. GENERAL INFORMATION

**What this Order means to you.** A signed court Order is important because it determines the rights and responsibilities of both you and the other party. If either party does not obey the Order, then the other party can ask the court for help in enforcing the terms of the Order.

**Purpose.** This order is designed for parties who want to get a court order for:

- ✓ Legal Decision Making (custody) and parenting time –or–
- ✓ Legal Decision Making (custody), parenting time and support.

**A Reflection of the Petition.** This Order should repeat as closely as possible what you requested in your Petition. You should not write or mark something different in the Order from what you wrote in the Petition unless the other party has provided written consent to any changes, and unless the change clearly benefits the other party. If you try to make the Order different from the Petition, the judge will not sign the Order.

- ✓ If you want to change your requests to the court, you must file an amended petition and serve that petition on the other party.
- ✓ It is a good idea to have your petition handy when you follow the instructions to fill out this Order.

**Reminder.** When filling out any court forms, type or print with **black ink only**.

#### II. INSTRUCTIONS FOR COMPLETING THE ORDER:

##### A. CASE IDENTIFICATION

- Top left corner of the first page: Write in your name, mailing address, phone number for day and evening. Check the box of the person you represent. If you have an attorney, write in the attorney State Bar Number.
- Write in the name of the Petitioner, the name of the Respondent and the case number in the appropriate spaces provided. These names should be written the same as they are written on the *original* Petition.
- Put only one check mark in the appropriate box on the right side of the page. If you are seeking child support in addition to Legal Decision Making (custody), parenting time, put a mark in the first box. If you are seeking only Legal Decision Making (custody) and parenting time, check the box which states so.

## B. COURT FINDINGS SECTION:

- This section generally mirrors the information in your Petition. Each number recites facts the Court uses to create the final court.
- **Item Number 5:** Write in the name(s) and birthdate(s) of the children to whom this court Order applies.
- **Item Number 6 A and 6B:** Mark one box for Mother and one box for Father, indicating whether each have attended the Parent Information Program.
- **Item Numbers 7 and 8:** The Court will complete these item numbers.
- **Item Number 9 - Supervised Parenting Time:** Mark the appropriate box indicating the same information that you wrote in the Petition. If you are requesting supervised parenting time –or- no parenting time for the other party, you must have a very good reason. Write that reason in the space provided.
- **Item Number 10:** If either party has been convicted of an alcohol or drug offense within the last twelve months, mark the box indicating this, which should be the same information that you wrote in the Petition. If you or the other party has been convicted of a drug or alcohol crime within the last 12 months, the court must make sure that the Legal Decision Making (custody) and/or parenting time order or agreement is in the best interests of the minor child(ren).
- **Item Number 11:** Regarding domestic violence, mark the appropriate box and explain if necessary, in the space provided.

## C. COURT ORDERS SECTION:

- 1A. PRIMARY RESIDENTIAL PARENT:** Mark the appropriate box indicating the same information that you wrote in the Petition.
- 1B. PARENTING TIME:** Mark the appropriate box indicating the same information that you wrote in the Petition.
  - If the Parenting time is supervised, write the name of the person who will supervise, on the space provided.
  - Also, mark the box to show who will pay the costs of the supervised parenting time.
  - NOTE: the Custody (Joint Legal Decision Making) Agreement and Parenting Plan must be approved by the Court. IF approved, the Agreement and the Plan will be included as part of the Court Order.
- 1C. LEGAL DECISION MAKING (Legal Custody):** Mark the appropriate box indicating the same information that you wrote in the Petition. If you mark the "Sole Authority" box, be sure to also mark one box indicating Mother or Father.
- 2. CHILD SUPPORT:** Mark the box that shows who will pay child support. On the same line, write in the dollar amount that person will pay. **NOTE: If there is a previous child support Order still in effect FROM A COURT IN ANOTHER STATE OR COUNTY, DO NOT MARK THIS BOX.**
- 3. MEDICAL AND DENTAL INSURANCE:** Mark who will be responsible for medical and dental insurance, based on the request made in your Petition. Be sure to write in the percentage of the non-covered expenses that each parent will pay.

4. **FINANCIAL INFORMATION:** both parents must exchange ongoing financial information every 2 years.
5. **LIMITATION ON JURISDICTION:** Make a check mark in the box if you served your spouse by publication. The Court has jurisdiction to order a party to make payments only if that party has been personally served. *If you served your spouse by publication, you may not be able to get child support, health insurance or reimbursement for medical and other expenses related to the child's birth unless you find and personally serve the other party. You will be able to get the Legal Decision Making (custody) and parenting time orders without personal service.*
6. **OTHER ORDERS:** If you requested other issues in the Petition that have not yet been addressed in this order, write the issue(s) in this space if you would like the judge to address the issue(s). Be specific and be sure you use the same or similar language to that used in your Petition.
7. **FINAL APPEALABLE ORDER:** This Decree/Order/Judgment is a final order and may be appealed.
8. **JUDGE'S SIGNATURE:** 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.
9. **COPY FOR OTHER PARTY:** If you are the Petitioner and you have a Default Hearing, and the Respondent was *personally* served with the court papers, (meaning that service was *not* done by "publication") you must mail or give a copy of this Court Order to the Respondent after the Judge has signed it.
  - ✓ You must tell the Court you will do this by signing your name and date at the end of the court Order.
  - ✓ After you get a certified copy of the signed order, make a copy for the other party (if the other party does not have a copy).
  - ✓ Then, mail a copy of the signed and dated order to him or her.