

## SELF-SERVICE CENTER

# PROCEDURES: HOW TO FILE YOUR PETITION TO MODIFY CHILD CUSTODY, PARENTING TIME AND CHILD SUPPORT

### STEP 1. COMPLETE ALL REQUIRED PAPERWORK:

*“Petition to Modify” (“the Petition”)*

*“Notice of Filing for Modification of Child Custody”*

*“Child Support Worksheet” (also known as “Parents Worksheet for Child Support”)*

*“Affidavit Regarding Minor Children” (Only required when the children have resided outside the state of Arizona at some time since the date of the last custody order).*

*“Current Employer Information Sheet” (“CEI”) (for the parent currently paying support)*

*“Order Stopping Income Withholding Order” (if applicable) and “Current Employer Information Sheet”. (if this agreement changes who pays the child support, include a second CEI for the parent who will now pay.)*

**STEP 2. MAKE COPIES AND FILE THE PAPERS WITH THE CLERK OF COURT:** Make three (3) copies of the paperwork you completed: one for you, one for the other party, and one for the Judge. **If the State of Arizona (DES/DCSE) is a party, make a 4th copy to serve on the Attorney General’s Office.** See Step 3 on next page for more information on serving notice on the State.

Each set should contain the following documents:

<p><b>Originals:</b>  <i>“Petition to Modify”</i>  <i>“Notice of Filing for Modification of Child Custody”</i>  <i>“Child Support Worksheet”</i>  <i>“Affidavit Regarding Minor Children” (if applicable)</i>  <i>“Current Employer Information Sheet”</i>  <i>“Order Stopping Income Withholding Order” and (2<sup>nd</sup>) “Current Employer Information Sheet” (if applicable) **</i></p>	<p><b>Judge’s Copies</b>  <i>“Petition to Modify”</i>  <i>“Notice of Filing for Modification of Child Custody”</i>  <i>“Child Support Worksheet”</i>  <i>“Affidavit Regarding Minor Children” (if applicable)</i>  <i>“Order Stopping Income Withholding Order” and (if applicable) **</i></p>
<p><b>Your Copy:</b>  <i>“Petition to Modify”</i>  <i>“Notice of Filing for Modification of Child Custody”</i>  <i>“Child Support Worksheet”</i>  <i>“Affidavit Regarding Minor Children” (if applicable)</i>  <i>“Order Stopping Income Withholding Order” (if applicable) **</i></p>	<p><b>Other Party’s Copy:</b>  <i>“Petition to Modify”</i>  <i>“Notice of Filing for Modification of Child Custody”</i>  <i>“Child Support Worksheet”</i>  <i>“Affidavit Regarding Minor Children” (if applicable)</i>  <i>“Order Stopping Income Withholding Order” (if applicable) **</i></p>
<p><b>*Attorney General’s copies (only if required – see Step 4 on next page)</b>  <i>“Petition to Modify”, “Notice of Filing for Modification of Child Custody”</i>  <i>“Child Support Worksheet” “Affidavit Regarding Minor Children” (if applicable)</i>  <i>“Acceptance of Service” (original) and self-addressed stamped envelope (addressed back to you)</i>  <i>“Order Stopping Income Withholding Order” (if applicable) **</i></p>	
<p><b>* IF</b> one of the parties is using the child support services of the Division of Child Enforcement (DCSE), add <b>one additional copy</b> of the proposed <b>Order and attachments and a stamped envelope</b> addressed to the Attorney General (see Step 4, below for address).</p>	
<p><b>** IF</b> this agreement changes who pays child support include a <i>second</i> CEI for parent who will NOW pay.</p>	

### STEP 3. FILE THE ORIGINAL documents with the Clerk of the Court at the filing counter.

Ask the clerk to stamp the extra copies and return those to you. These are called "conformed" copies.

**Central Court Building**  
 201 West Jefferson, 1st floor  
 Phoenix, Arizona 85003

**Northwest Court Complex**  
 14264 West Tierra Buena Lane  
 Surprise, Arizona 85374

**Southeast Court Complex**  
 222 East Javelina Avenue, 1st floor  
 Mesa, Arizona 85210

**Northeast Court Complex**  
 18380 North 40<sup>th</sup> Street  
 Phoenix, Arizona 85032

**FEES:** A list of current fees is available from the Self Service Center and from the Clerk of Court's website.

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.

**After you have filed your documents the Clerk will then direct you to one of the following administrative offices or to the in-box of the Judicial Officer who will hear your case to deliver the "Judge's Copies."**

**Central Court Building**  
201 West Jefferson, 3<sup>rd</sup> floor  
Phoenix, Arizona 85003  
(To Family Court Administration)

**Northwest Court Complex**  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374  
(To Judge's in-box)

**Southeast Court Complex**  
222 East Javelina Avenue, 1st floor  
Mesa, Arizona 85210  
(To Court Administration)

**Northeast Court Complex**  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032  
(To Judge's in-box)

**STEP 4: SERVE THE PAPERS ON THE OTHER PARTY(IES).** The papers may be delivered by the Sheriff's Department, a licensed process server, commercial delivery service or mail by which you can obtain an original or copy of the other party's signature confirming delivery or by **Acceptance of Service** as described in the "SERVICE" packet available from the Self-Service Center or through the Superior Court's Website.

**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 Modify**",
  - a copy of the "**Parents Worksheet for Child Support**", along with an
  - "**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 through the Superior Court's Website.

(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!**

**STEP 5:** At least 25 days after the other party was served or signed the “Acceptance of Service”:

1. File the “Request for Order Granting or Denying a Hearing”.
2. Provide a copy of the “Request for Order Granting or Denying a Hearing” to the Judge assigned to your case, **and**
3. Send a copy of the “Request for Order Granting or Denying a Hearing” to the other party(ies).

**The Judge will either approve or deny your request for a hearing.** You will receive a notice in the mail with the Judge’s decision. If a hearing is ordered, the notice will contain information about the date, time, and location of the hearing.

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