SELF-SERVICE CENTER

INSTRUCTIONS

HOW TO FILL OUT THE FORMS TO REQUEST TEMPORARY ORDERS IN CASES INVOLVING MINOR CHILDREN

Either party can file a ***"Motion for Temporary Orders"*** while waiting for a final court order, provided that a Petition for Divorce, Legal Separation or Annulment, or to establish Legal Decision Making (Custody), Parenting Time, and/or Support (with or without establishment of Paternity) has already been filed by *either* party, *or* **you** ***will be*** filing one of those petitions at the same time you file your request for temporary orders.

1. FILL OUT THE COURT FORMS FOR TEMPORARY ORDERS:

Use black ink. Write clearly.

MOTION FOR TEMPORARY ORDERS: Fill in the information requested about you, the person filing this ***"Motion for Temporary Orders"***, in the upper left corner. Write in the case number if you or the other party has already filed one of the ***Petitions*** noted above. If you have not already filed a case, the Clerk of the Court will stamp a number on your papers when you file them. Check the boxes under ***"Motion for Temporary Orders"*** to indicate the type of temporary orders you are requesting. Then complete the rest of the Motion.

- Check the boxes and fill in the information requested **only** in the sections that apply to what you are asking the court to order.
- List the names and dates of birth of the minor child(ren) if any, affected by this Motion. Check the boxes that apply to what you are asking the court to grant. If you are asking for a temporary division of property, the Judge/Commissioner can only grant exclusive use and possession of the property and usually limits this to the house and/or cars. If you are asking for a temporary division of the debt, be sure to list debt carefully.
- If you are **only** asking for child support or other temporary orders regarding child related issues, and ***not*** for spousal maintenance, temporary division of property, or debt, etc., at this time, leave those sections blank and do not check any boxes related to those matters.
- Likewise, if you are **only** asking for orders regarding spousal issues and are ***not*** asking for any orders regarding child Legal Decision Making (Custody), support or parenting time, you may ignore the sections relating to child support, Legal Decision Making (Custody) and parenting time/visitation matters.
- Sign the document.

NOTE: Spousal Maintenance and other spousal orders are only available in cases of Divorce, Legal Separation, or Annulment. If you are not legally married to the other party, you may want to consult an attorney to help determine your rights and responsibilities.

COPY OF FAMILY COURT DEPARTMENT NOTICES: There are two separate one-page notices that tell you and the other party what the court expects from both of you at and before the court hearing. There is nothing for you to fill out on the notices.

ORDER TO APPEAR: This is the document the Judge's staff will complete to set the hearing for the temporary orders. Complete the top part of the Order to Appear with the names of the parties, and the case number. Leave the rest blank for the Judge to fill out.

TEMPORARY ORDER: This is the document the Judge will sign after your court hearing. Complete the top part of the Temporary Order with names of the parties and the case number. Leave the rest blank for the Judge to fill out. The Temporary Orders are not valid until signed and dated by the Judge after the court hearing.

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Note that some forms are only required if you are asking for temporary orders regarding minor children, and some are only required if you are asking for temporary orders regarding spousal maintenance / support.

IF YOU ARE REQUESTING TEMPORARY ORDERS FOR CHILD SUPPORT OR CHILD LEGAL DECISION MAKING (CUSTODY), you must fill out the:

1. **Parents Worksheet for Child Support** *(Make a blank copy before you fill out the form.)*
2. **Parenting Plan**

You only need to fill out the documents above if you are requesting temporary orders regarding child support, Legal Decision Making (Custody), and/or parenting time. Use the free Online Child Support Calculator at ***http://superiorcourt.maricopa.gov/ezcourtforms*** to perform the calculations for you. Click "Child Support Calculator and Worksheet" (on the right side of the page). You may print and use the worksheet produced by the calculator in place of the form included in this packet, or you may get a copy of the Child Support Guidelines from the Self-Service Center or on the Internet at ***http://www.superiorcourt.maricopa.gov/sscDocs/pdf/drs10h.pdf*** to help you complete the "***Worksheet" in this packet.*** Make a copy of the "***Parents Child Support Worksheet" before*** you fill it out because you will need to deliver a blank copy to the other party as described in the "Procedures" document that follows in this packet. Fill out the "***Parenting Plan"***.

IF YOU ARE REQUESTING TEMPORARY ORDERS FOR PARENTING TIME *ONLY*, where Legal Decision Making (Custody) and support have already been established and your request for parenting time does not change the amount of child support, paid or received, you must fill out the:

- **PARENTING PLAN**

IF YOU ARE REQUESTING TEMPORARY SPOUSAL MAINTENANCE OR AWARD OF ATTORNEY FEES, you must fill out an:

- **AFFIDAVIT OF FINANCIAL INFORMATION:** *(Make a blank copy before you fill out this form.)*

  This document tells the court about your current financial situation. **Make a copy of this document before you fill it out** because you will need to deliver a blank copy to the other party as described in the "Procedures" document that follows in this packet.

WHAT COMES NEXT?

AFTER YOU HAVE MADE A *BLANK* COPY THESE DOCUMENTS TO DELIVER TO THE OTHER PARTY:

a) **THE PARENTS WORKSHEET *if asking for child support***

b) **THE AFFIDAVIT OF FINANCIAL INFORMATION *if asking for spousal maintenance or attorney fees***

AND AFTER YOU HAVE COMPLETED ALL REQUIRED FORMS: Refer to the next document in this packet titled **"Procedures: Filing the Motion and Court Papers for Temporary Orders."**

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