

PETITION TO MODIFY CHILD LEGAL DECISION-MAKING, PARENTING TIME & CHILD SUPPORT



PINAL COUNTY

**Make Changes to an Existing Order Regarding
Legal Decision-Making, Parenting Time and Child Support**

INSTRUCTIONS and FORMS

**Provided as a Public Service by
CHAD A. ROCHE
Clerk of the Superior Court**

PETITION TO MODIFY LEGAL DECISION-MAKING, PARENTING TIME AND CHILD SUPPORT

This packet contains general information and instructions about filing a Petition to Modify Legal Decision-Making Parenting Time and Child Support. Be sure this packet contains the following documents:

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You have permission to use these documents for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

“Petition to Modify Legal Decision-Making, Parenting Time and Child Support”

CHECKLIST

USE THE FORMS AND INSTRUCTIONS in this packet only if the following factors apply to your situation:

- You have a Legal Decision-Making, parenting time and child support order established in Pinal County and you want to file court papers to change the existing orders, **AND**
- The other party does not agree to the change, **AND**,

One or more of the Following has occurred:

- Domestic violence, spousal abuse, or child abuse has occurred since the Legal Decision-Making order was signed, **OR**
- The minor child(ren)'s present surroundings may endanger the minor child(ren)'s physical, mental or emotional health, **OR**
- The joint Legal Decision-Making order that you want change was dated at least six months ago and the other party has failed to comply with the provisions of the joint Legal Decision-Making order, **OR**
- The order that you want change was dated at least one year ago and it is in the minor child(ren)'s best interest to make a change to that order.

WARNING: If the order you want change is not from this county, ask a lawyer about requirements to file your Petition (Request) with this Court.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing.

INSTRUCTIONS

How to fill out the Petition to Modify Child Legal Decision-Making, Parenting Time and Child Support

Initial forms for Filing: Type or Print Neatly. Use black ink.

Complete all required paperwork:

Petition to Modify Child Legal Decision-Making, Parenting Time and Child Support:

1. Fill in the name, mailing address and telephone number of the person submitting the forms.
2. In the Case Caption, fill in the name of person who is shown as the petitioner on the court documents you want to change. Fill in the name of the person who is shown as the respondent on the court documents you want to change.
3. Fill in the case number of the court order.
4. Check the subject you wish to modify.
5. Complete all the questions of the Petition to Modify Child Legal Decision-Making, Parenting Time and Child support.
6. Sign your name on the signature line before a Notary Public or Clerk of Court to affirm that the information on the form is true and correct to the best of your knowledge and belief.

Affidavit Regarding Minor Children:

1. Fill in the name, mailing address and telephone number of the person submitting the forms.
2. In the Case Caption, fill in the name of person who is shown as the petitioner on the court documents you want to change. Fill in the name of the person who is shown as the respondent on the court documents you want to change.
3. Fill in the case number of the court order.
4. Complete all the questions of the Affidavit Regarding Minor Children.
5. Sign your name on the signature line before a Notary Public or Clerk of Court to affirm that the information on the form is true and correct to the best of your knowledge and belief.

Parenting Plan for Joint or Sole Legal Decision-Making and Parenting Time (Visitation):

1. Fill in the name, mailing address and telephone number of the person submitting the forms.
2. In the Case Caption, fill in the name of person who is shown as the petitioner on the court documents you want to change. Fill in the name of the person who is shown as the respondent on the court documents you want to change.
3. Fill in the case number of the court order.
4. Complete all the questions of Legal Decision-Making and parenting time (visitation) schedule you would like to have put in place and ordered by the Court.
5. Signature of parent submitting Parenting Plan or if applicable signature of both parents.

Notice of Filing Petition to Modify Child Legal Decision-Making:

1. Fill in the name, mailing address and telephone number of the person submitting the forms.
2. In the Case Caption, fill in the name of person who is shown as the petitioner on the court documents you want to change. Fill in the name of the person who is shown as the respondent on the court documents you want to change.
3. Fill in the case number of the court order.
4. Fill in the name of the other parent who needs to receive notice of the Petition to Modify Child Legal Decision-Making.
5. Fill in your name and address in the three lines provided to receive copies of opposing affidavits.
6. The Deputy Clerk of the Office of the Clerk of the Superior Court will date, sign and seal the document.

Parent's Worksheet for Child Support:

To modify the current monthly child support order, you must complete a Parent's Worksheet for Child Support. Visit <http://www.azcourts.gov/familylaw> for help in completing a Parent's worksheet and to obtain a copy of the Arizona Child Support Guidelines. Once you have completed the Parent's Worksheet for Child Support, submit the worksheet along with the forms listed above.

Documents filed at a later date to complete Petition to Modify Legal Decision-Making:

Initiating party is required to **keep** these forms until the appropriate time to submit to the Court.

- Request for Order Granting or Denying a Legal Decision-Making Hearing (A.R.F.L.P. 91 (D) (5))
- Order Granting / Denying Hearing
- Order for Child Legal Decision-Making, Parenting Time and Child Support

COPIES: Once you have completed all the initial forms, have your signature notarized on each document that required a notarized signature. Make **2 copies** of all the completed forms.

NOTE: The Clerk's office charges \$0.50 per page for copies.

Do Not Make Copies of the forms listed below: (These forms will be filed at a later time)

Request for Order Granting or Denying a Legal Decision-Making Hearing (A.R.F.L.P. 91 (D) (5))

Order Granting / Denying Hearing

Order for Child Legal Decision-Making, Parenting Time and Child Support

Assemble the copies so that you have **3 packets** -- the originals and 2 sets of copies.

PROCEDURES

How to File Petition to Modify Child Legal Decision-Making, Parenting Time and Child Support

TO FILE THE PAPERS AT THE COURT:

STEP 1: DETERMINE WHERE TO FILE THE COURT FORMS: There are 4 locations of the Clerk of the Superior Court in Pinal County: Please keep in mind that any court hearings will be conducted at the Florence location.

Pinal County Justice Complex
971 N. Jason Lopez Circle Bldg. A
Florence AZ 85132
(520) 866-5300
Fax (520) 866-5320

Apache Junction Office
575 N. Idaho Rd. Suite 109
Apache Junction, AZ 85119
(520) 866-5300
Fax (520) 866-6170

Casa Grande Office
820 E. Cottonwood Lane Bldg. B
Casa Grande, AZ 85122
(520) 866-5300
Fax (520) 866-7481

Mammoth Office
(Temporarily Closed)

STEP 2: TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED:
Take the all **originals and 2 copies** of the following documents: **to the Clerk of the Superior Court**, for processing:

- Petition to Modify Child Legal Decision-Making, Parenting Time and Child Support
- Affidavit of Minor Children
- Parenting Plan for Joint / Sole Legal Decision-Making and Parenting Time (Visitation)
- Notice of Filing Petition to Modify Child Legal Decision-Making

Along with original forms, include forms listed below that will be needed for future use:

- Request for Order Granting or Denying a Legal Decision-Making Hearing (ARFLP 91(D)(5))
- Order Granting / Denying Hearing
- Order for Child Legal Decision-Making, Parenting Time and Child Support

STEP 3: PAY YOUR FILING FEE:
Please check with the Clerk's office for current filing fee. The fee is payable to the Clerk of the Superior Court by cash, money order, cashier's check, debit or credit visa or master card. If the filing fee is a hardship, and you think a fee deferral is appropriate, ask the staff at the front counter for an Application for Fee Waiver or Deferral before you file your Petition.

STEP 4: FILING ORIGINAL DOCUMENTS:
The Clerk will file the **originals**, and conform stamp the copies showing the date original documents were filed. The Clerk will return the two sets of conform copies. One set of copies are for your record, the other set of copies are for the other party.

STEP 5: SERVE THE PAPERWORK ON THE OTHER PARTY:
You must arrange for one set of copies to be *served* on the other party, in a manner required or acceptable to the Court.

To "serve" means to deliver the court papers by a method allowed by law. If the other party is being served in Arizona, you may **NOT hand-deliver or mail the papers unless** the other party will sign an "**Acceptance of Service**" form in front of a Notary and return that form to you. If not, then the papers must be delivered by the Sheriff's Department or a licensed process server. If the papers are being served outside Arizona (but in the U.S.), you may serve by mail or other delivery service with signature confirmation.

As of January 1, 2006, you may serve **family court** papers in-state or out of state (within the U. S.) by certain forms of U.S. Mail or by a nationwide delivery service such as DHL, FedEx, or UPS, that provides confirmation of delivery by either a signed paper receipt or by electronic means such as by a printout from the Internet, by fax, or by email, so long as it includes a copy of the signature of the other party (and no one else) signing for receipt of the package containing the papers.

These methods of service are described in the Self-Service Packet ***Information on Legal Notice for Family Court Paperwork.***

AFTER SERVICE HAS BEEN COMPLETED - Initiating party is required to submit additional forms to the Court to complete process:

- **Request for Order Granting or Denying a Legal Decision-Making Hearing (A.R.F.L.P. 91 (D) (5))**
- **Order Granting / Denying Hearing**
- **Order for Child Legal Decision-Making, Parenting Time and Child Support**

IF NO Response is Filed:

The other party has received proper **service** of the Petition to Modify Child Legal Decision-Making and all other paperwork and has not filed a Response within the time permitted. No sooner than five (5) days **AFTER** expiration of the service time, the initialing party shall file the above documents with the Court.

IF a Response is Filed:

The other party has received proper **service** of the Petition to Modify Child Legal Decision-Making and all other paperwork and a Response is filed within the time permitted. **Either** party shall file the above documents with the Court.

The court file will be forwarded to the assigned Judge for review. The Judge may approve or deny Request for Hearing. You will receive a notice in the mail of the Judge's decision.

OTHER HELP:

If you still have questions about this procedure, you can ask an attorney for legal advice. You can look up an attorney in the telephone book under "Attorneys."

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner (in original case) CASE NUMBER: DO2

**PETITION TO MODIFY LEGAL DECISION-
MAKING, PARENTING TIME AND CHILD
SUPPORT**

Name of Respondent (in original case) HONORABLE: _____

I _____ am the Petitioner or Respondent or Other
(print your name) and make the following statements to the court, under oath:

GENERAL INFORMATION:

1. Information about Me

Name: _____

Address: _____

How I am related to child(ren) for whom the LEGAL DECISION-MAKING/PARENTING TIME order should be changed:

Mother or Father or Other: (explain) _____

2. Information about the Other Party

Name: _____

Address: _____

How the other party is related to child(ren) for whom the LEGAL DECISION-MAKING/PARENTING TIME order should be changed:

Mother or Father or Other: (explain) _____

3. Information about the child(ren) for whom I want the Legal Decision-Making/parenting time order changed:

Child's Name: _____ Birth Date: _____ Age: _____
Child's Name: _____ Birth Date: _____ Age: _____

4. Affidavit regarding Minor Children. The children have resided in Arizona since the entry of the last Arizona Legal Decision-Making Order or I have attached an Affidavit regarding Minor Children.

5. Information about the Order I want to change: (Check A or B, then complete the information)

A. **The Order is from the Superior Court in Pinal County.**

1. Order/decree is dated: _____ (month, day, year).
2. The name of the judge who signed the order is: _____

OR

B. **The Order is from the Superior Court in Arizona but from another county or the Order is not from Arizona.** The child(ren) have lived in Arizona for at least six (6) months before the date I am filing this Petition. I have filed a certified copy of this Order with the Clerk of the Court, and a copy of the order/decree is attached to this Petition.

Order/decree is dated: _____ (month, day, year).
Name of state: _____
Name of county in state: _____

6. DOMESTIC VIOLENCE. No significant domestic violence has occurred or domestic violence has occurred. Explain:

7. WHAT YOUR ORDER NOW SAYS: Put in **WORD FOR WORD** the part of the decree/order you want to change. (Use extra paper if necessary) **OR** incorporate the Order which is already a part of the court's file, and attach a copy of the Order to the judge's copy of this Petition and all other parties' copies of this Petition. (I have **not** attached a copy of the Order to the original Petition.)

8. WHY THE DECREE/ORDER SHOULD BE CHANGED: These are my reasons why I believe that a change of Legal Decision-Making and/or parenting time is in the best interest of the child(ren) (Use extra pages if necessary):

REQUESTS I MAKE TO THE COURT:

A. LEGAL DECISION-MAKING AND PARENTING TIME.

(Website to access Model Parenting Time for Parent/Child www.co.pinal.az.us/FSCC/)

- Joint Legal Decision-Making.** I want the parties to be awarded Joint Legal Decision-Making of the child(ren):

and subject to a Parenting Plan, see attached schedule.

AND / OR

- Parenting Time.** I want the Parenting Time changed to the new Parenting Plan, see attached schedule.

OR

- Sole Legal Decision-Making.** Sole Legal Decision-Making of:

(name(s) of child(ren)) should be awarded to **Mother** **Father** and subject to parenting time to **Mother** **Father** as follows:

1. **Reasonable parenting time** to the parent/party who does not have Legal Decision-Making according to the Parent/Child Parenting time/Access Guidelines; **OR**
2. **Reasonable parenting time** to the parent/party who does not have Legal Decision-Making according to the attached Parenting Plan; **OR**
3. **Supervised parenting time** but only in the presence of another person; **OR**
4. **No parenting time** rights to **Mother** or **Father**
Supervised parenting time or no parenting time is requested for the following reasons:

- B. CHILD SUPPORT.** **Mother** or **Father** should pay child support to the other party in the amount of \$ _____ per month on the first day of every month, beginning the first day of month following the filing of this Petition based upon the attached "**Parent Worksheet.**" All child support payments should be made through the Clerk of the Superior Court/Clearinghouse, and will be subject to an applicable statutory fee through an automatic Order of Assignment.

C. MEDICAL, DENTAL and VISION INSURANCE, PAYMENTS AND EXPENSES.

- Mother** should provide medical dental vision insurance for the minor child(ren)
 Father should provide medical dental vision insurance for the minor child(ren)

The party ordered to provide insurance must keep the other party informed of the insurance company name, address and telephone number and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expense. Mother is ordered to pay _____ % AND father is ordered to pay _____% all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

D. INCOME TAX DEDUCTION.

Mother should claim the tax deduction for _____ name(s) of child(ren) every year **or** every other year, starting Tax Year of _____

Father should claim the tax deduction for _____(name(s) of child(ren) every year **or** every other year, starting Tax Year of _____

E. OTHER ORDERS. I request further Orders relating to this matter as follows:

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this Petition to Modify Legal Decision-Making, Parenting Time and Support is true and correct under penalty of perjury.

Date

Signature

State of Arizona)

)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

Commission Expires

Notary Public

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

_____ CASE NUMBER: DO2
 Name of Petitioner

**AFFIDAVIT REGARDING
 MINOR CHILDREN**

_____ HONORABLE: _____
 Name of Respondent

NOTICE: This "Affidavit Regarding Minor Children" is required for all legal decision-making cases. You must fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD. The following child(ren) are under age 18 and were born to, or adopted by, me and the other party:

Name: _____	Name: _____
Birth Date: _____ Age: _____	Birth Date: _____ Age: _____
Name: _____	Name: _____
Birth Date: _____ Age: _____	Birth Date: _____ Age: _____

2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS: (Attach additional pages if necessary)

Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____
Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____
Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____

Child's Name: _____
Address: _____
City, State: _____

Dates: From _____ To _____
Lived with _____
Relationship to Child: _____

3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE LEGAL DECISION-MAKING PARENTING TIME OF THE CHILD(REN): (Check one box)

I have or I have not been a party/witness in court in this state or in any other state that involved the legal decision-making and parenting time of the child(ren) named above. (If so, explain on separate paper. If not, go on.)

Name of each child: _____
Name of Court: _____ Court Location: _____
Court Case Number: _____ Current Status: _____
How the child is involved: _____
Summary of any Court Order: _____

4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION-MAKING OF THE CHILD(REN): (Check one box)

I do have or I do not have information about a legal decision-making and parenting time court case relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child: _____
Name of Court: _____ Court Location: _____
Court Case Number: _____ Current Status: _____
How the child is involved: _____
Summary of any Court Order: _____

5. LEGAL DECISION-MAKING OR PARENTING TIME CLAIMS OF ANY PERSON: (Check one box)

I do know or I do not know a person other than the Petitioner or the Respondent who has physical legal decision-making or who claims legal decision-making or parenting time rights to any of the children named in this Affidavit.
(If so, explain below. If not, go on.)

Name of each child: _____
Name of person with the claim: _____
Address of person with the claim: _____
Nature of the claim: _____

OATH OR AFFIRMATION AND VERIFICATION:

I swear or affirm that the information on this document is true and correct under penalty of perjury.

_____ **Date**

_____ **Signature**

State of Arizona)

County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____

by _____
Name of Signer

_____ **Commission Expires**

_____ **Notary Public**

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

 Name of Petitioner

CASE NUMBER: _____

 Name of Respondent

PARENTING PLAN FOR:

- JOINT LEGAL DECISION-MAKING WITH
 JOINT LEGAL DECISION-MAKING
 AGREEMENT
or
 SOLE LEGAL DECISION-MAKING
- To Mother
 To Father

INSTRUCTIONS

This document has 4 parts: PART 1) General Information PART 2) Legal Decision-Making and Parenting Time PART 3) Danger to Children Notification Statement, and PART 4) Joint Legal Decision-Making 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 and 3.
- b. If both parents agree to Legal Decision-Making and parenting time arrangements *but not to joint Legal Decision-Making*: Both parents must sign the Plan at the end of PART 2 and 3.
- c. If both parents agree to joint Legal Decision-Making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 2, 3, and 4.

PART 1: GENERAL INFORMATION:

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

_____	_____
_____	_____
_____	_____

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

(Choose ONE of 1, 2, 3 4.) (If you chose "sole Legal Decision-Making" [1 or 2], you have the option of also requesting restrictions on parenting time of the other party.)

1. SOLE LEGAL DECISION-MAKING BY AGREEMENT. The parents agree that Sole Legal Decision-Making and primary physical Legal Decision-Making should be granted to 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 REQUESTED BY THE PARENT SUBMITTING THIS PLAN.

The parents cannot agree to the terms of Legal Decision-Making and parenting time. The parent submitting this Plan asks the court to order sole Legal Decision-Making 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 BY AGREEMENT. The parents agree to joint Legal Decision-Making and request the court to approve the joint Legal Decision-Making arrangement as described in this Plan. Primary physical Legal Decision-Making will be with Mother Father,

OR

4. JOINT LEGAL DECISION-MAKING 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 is deferred for the court's determination.

PART 2: LEGAL DECISION-MAKING 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 children will be in the care of the Father as follows: (Explain)

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

Other Legal Decision-Making arrangements are as follows: (Explain)

Transportation will be provided as follows:

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

Mother or **Father** will pick up the children up 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.

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.

Holidays

Even Years

Odd Years

<input type="checkbox"/>	New Year's Eve	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	New Year's Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Spring Vacation	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Easter	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	4 th of July	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Halloween	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Veteran's Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Thanksgiving	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Hanukkah	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Christmas Eve	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Christmas Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Winter Break	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/>	Child's Birthday	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> 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, President's 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 child(ren)'s normal waking hours, **OR:** (Explain)

Other (Explain):

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. §25-403), 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 prior court order is subject to legal sanctions.

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 consultation 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 consultation 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 ARRANGMENTS 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.

TALK TO THE 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 THE CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

OBTAIN WRITTEN CONSENT OR COURT ORDER BEFORE MOVING. The notice required by this section shall be made by certified mail, return receipt requested, or pursuant to the Arizona rules of family law procedure. The court shall sanction a parent who, without good cause, does not comply with the notification requirements of this subsection. The court may impose a sanction that will affect legal decision-making or parenting time only in accordance with the child's best interests. **A.R.S. 25-408 (B)**

COMMUNICATE. Each parent agrees that all communication 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.

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 PARENTS 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.

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, they may request 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.

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 against children may have access to the child.

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 exhibit on 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 causes 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.

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.

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

I/We have read, understand, and agree to abide by the requirements of A.R.S. §25-403.05(B) 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 AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. §25-403.03) states that joint Legal Decision-Making 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.*

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 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 is still in the best interest of the children.

C. JOINT LEGAL DECISION-MAKING AGREEMENT: If the parents have agreed to joint Legal Decision-Making, the following will apply, subject to approval by the Judge:

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

2. **CRITERIA.** Our joint Legal Decision-Making agreement meets the criteria required by Arizona law A.R.S. §25-403.02, as listed below:

a. The best interest 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 schedule of the physical residence of the minor children,, including holidays and school vacations is included in the Plan;

d. The Plan includes a procedure for periodic review;

e. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved;

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

PART 4 SIGNATURE OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING (as instructed on page 1)

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

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

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

 Name of Petitioner

CASE NUMBER: _____

**NOTICE OF FILING PETITION
 TO MODIFY CHILD LEGAL DECISION-MAKING**

 Name of Respondent

HONORABLE: _____

TO: _____

Notice is hereby given that a Petition to Modify Child Legal Decision-Making has been filed, a copy of which is attached.

You have that right to file a response or opposing affidavits regard to this Petition. Opposing affidavits must be filed at the Office of the Clerk of Superior Court, Pinal County Justice Complex, 971 Jason Lopez Circle Building A, Florence AZ 85232, within twenty (20) days of service of this Notice. Copies of your opposing affidavits and affidavits required by A.R.S. Sec 8-409 must be sent to:

No sooner than five (5) days after expiration of the time permitted for the filing of the response or opposing affidavits either party or attorney shall file a "**Request for Order Granting or Denying Legal Decision-Making Hearing**". The court, in accordance with A.R.S.§25-411 and without argument or hearing unless set by the court on its own motion shall determine whether a Legal Decision-Making hearing shall be granted. A copy of the court's determination shall be mailed by the court to all persons entitled to receive notice.

GIVEN UNDER MY HAND AND SEAL of this Court on

CHAD A. ROCHE
 Clerk of the Superior Court

By _____
 (Deputy Clerk)

CHILD SUPPORT CALCULATOR



The Court Help website offers a Free Child Support Calculator.

◆ Simple

◆ Quick

◆ Accurate

If you have a personal computer with Internet access, you can access the Child Support Calculator at:

<http://www.azcourts.gov/familylaw>

Calculate Support

Your computer must be attached to a printer. The Child Support Entry Form will open in Adobe Acrobat Reader. Begin by clicking the appropriate button for the Custodial Parent, then press the Tab button on your keyboard to move through the form, or click on each line with your mouse.

Enter the appropriate information on each blank. Not every blank needs to be completed in every case. If you are not sure whether you should complete a blank, click on the word next to the blank. You will be directed to additional information along with a link to the appropriate section in the [Arizona Child Support Guidelines](#).

When you have completed the Entry Form, click the "Calculate Support" button to get an estimate of the amount of child support that the noncustodial parent may have to pay to the custodial parent for the support of their child(ren).

After clicking on "Calculate Support" the following forms will automatically be filled in with the information from the Entry Form. Print forms and bring with you at the time of filing your initial paperwork.

- Parent's Worksheet for Child Support Amount
- Child Support Order
- Income Withholding Order/Notice for Support

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: _____

**REQUEST FOR ORDER GRANTING OR
DENYING A LEGAL DECISION-MAKING
HEARING
A.R.F.L.P. 91(D)(5)**

Name of Respondent

HONORABLE: _____

A petition to modify Legal Decision-Making was filed on this date: _____

and the ***"Petition"*** and ***"Notice of Filing Petition to Modify Child Legal Decision-Making"*** were served on the date below:

_____ Twenty-five (25) days (or more) have passed since service.
(Month / Day / Year)

I hereby request the Court issue an order granting or denying a Legal Decision-Making hearing on this matter.

A copy of this request has already been sent or delivered to the other party and to the assigned Judge or will be sent or delivered today.

I state to the Court under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Signature

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: _____

ORDER

_____ Granting Hearing

_____ Denying Hearing

Name of Respondent

HONORABLE: _____

_____ The Court has reviewed the Petition for Modification of Child Legal Decision-Making and considered the affidavits filed and finds that adequate cause to set the matter for hearing has been shown.

THEREFORE, IT IS ORDERED:

This matter is set for hearing at:

**Pinal County Superior Court
971 Jason Lopez Circle, Bldg A / Hwy 79
Florence AZ 85132**

on _____ at _____ a.m. / p.m. at which time:

1. If no opposing affidavits were filed and no one appears in the opposition, the Court may take sufficient evidence in support of the Petition to Modify Legal Decision-Making and may enter an Order modifying Legal Decision-Making, and /or
2. The Court will determine if mediation is required and make the appropriate orders, and/or
3. The Court may order that a trial date be set,

OR

_____ The Court has reviewed the Petition for Modification of Child Legal Decision-Making and considered the affidavits filed and finds that adequate cause to set the matter for hearing has NOT been shown,

THEREFORE, IT IS ORDERED:

The Petition for Modification of Child Legal Decision-Making is **DISMISSED**.

Dated: _____ Judge: _____

Copy mailed to Respondent _____ Petitioner by _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: _____

**ORDER MODIFYING LEGAL DECISION-
MAKING, PARENTING TIME AND CHILD
SUPPORT**

Name of Respondent

HONORABLE: _____

THE COURT FINDS:

1. This case has come before this court to Change Legal Decision-Making, Parenting Time and Child Support. The court has taken all necessary testimony needed to enter a final Order.
2. This court has jurisdiction to modify Legal Decision-Making, parenting time and support and has jurisdiction over the parties under the law. 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, parenting time and support.
3. This Order applies to these minor child(ren):

CHILD(REN)'S NAME(S)

DATE OF BIRTH

4. **GROUND(S) FOR CHANGING LEGAL DECISION-MAKING.** (Check one box and describe why changes are in the best interest of the minor child(ren)).

The Order being changed was for joint or sole Legal Decision-Making. At least one year has passed since the earlier joint or sole Legal Decision-Making order was entered. There have been substantial, significant and continuing changes in circumstances that make a change in Legal Decision-Making, parenting time and child support in the best interest of the minor child(ren) for the reasons described below:

OR

The Order being changed was for joint Legal Decision-Making. At least months have passed since the Order was entered. One parent has not followed the Order and a change in Legal Decision-Making, parenting time and child support is in the best interest of the minor child(ren) for the reason described below:

OR

There has been domestic violence, spousal abuse or child abuse as described below since the date of the earlier Order and it is in the best interest of the minor child(ren) that the change is made for the reason described: (include a description of the domestic violence.)

OR

Less than one year has passed since the Order was entered. The minor child(ren)'s current environment may seriously endanger the child(ren)'s physical, mental, moral or emotional health, the minor child(ren) is/are at risk under the current Order and it is in the best interest of the minor child(ren) that Legal Decision-Making is changed for the reasons described below: (Include a description of the danger and risk here.)

OR

It is in the best interest of the minor child(ren) that no change to Legal Decision-Making is made at this time for the reasons described below

REASONS: (Describe why the Legal Decision-Making change is in the best interest of the child(ren)).

5. SUPERVISED OR NO PARENTING TIME.

Supervised parenting time between the child(ren) and Mother **OR** Father

OR

No parenting time between child(ren) and Mother **OR** Father is in the best interests of the child(ren) for the following reasons:

THE COURT ORDERS:

The Order regarding Legal Decision-Making, parenting time and support dated _____ is changed as follows:

A. LEGAL DECISION-MAKING AND PARENTING TIME:

JOINT LEGAL DECISION-MAKING. There has been no significant act of domestic violence. Mother and Father are hereby awarded Joint Legal Decision-Making of the minor child(ren) subject to the attached Parenting Plan.

SOLE LEGAL DECISION-MAKING. Mother Father is awarded the sole Legal Decision-Making of minor child(ren):

CHILD(REN)'S NAME(S)

DATE OF BIRTH

Mother or Father is subject to parenting time as follows:

- 1. **Reasonable parenting time** to the parent who does not have Legal Decision-Making according the Arizona Parenting Time Guidelines. **OR**
- 2. **Reasonable parenting time** to the parent who does not have Legal Decision-Making according the Parenting Plan attached. **OR**
- 3. **Supervised Parenting Time** but only in the presence of another person who is named below or otherwise approved by the Court.

Name of supervisor: _____

Restriction on parenting time:

The cost of supervised parenting time shall be paid by:

Mother or Father or shared equally by the parties. **OR**

4. No Parenting Time rights are granted to Mother or Father

B. CHILD SUPPORT. Mother or Father shall pay child support to the other party in the amount of \$_____ per month on the first day of each month, beginning the first day of the month following the signing of this Order. Child Support is based on the information in the "CHILD SUPPORT WORKSHEET" filed into this court file. All child support payments shall be made through the Support Payment Clearinghouse, plus an applicable statutory fee by the attached Order of Assignment.

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

C. MEDICAL, DENTAL, VISION CARE

Mother should provide medical dental vision insurance for the minor child(ren)
 Father should provide medical dental vision insurance for the minor child(ren)

The party ordered to provide insurance must keep the other party informed of the insurance company name, address and telephone number and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expense. Mother is ordered to pay _____% AND father is ordered to pay _____% all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

D. INCOME TAX EXEMPTION. A parent required to pay child support is only entitled to claim minor child(ren) as dependent for Federal Income Tax purposes if that parent has paid all the child support due and owing for the year that party is entitled to the exemption.

Beginning Tax Year _____ the right to claim the minor child(ren) as a deduction for Federal Income purposes is divided as indicated below.

"M" is for Mother, "F" for Father Parent entitled to Claim	Name of Child	Schedule
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Even <input type="checkbox"/> Odd Years
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Even <input type="checkbox"/> Odd Years
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Even <input type="checkbox"/> Odd Years
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Even <input type="checkbox"/> Odd Years

E. OTHER ORDERS. I request further Orders relating to this matter as follows:

DONE IN OPEN COURT: _____

JUDGE OF SUPERIOR COURT