

**B11**

# **PATERNITY**

**with LEGAL DECISION MAKING  
(CUSTODY), PARENTING TIME, and  
CHILD SUPPORT**

# **THE COURT ORDER**

**FOR PETITIONER OR RESPONDENT**

**(Part 4: Forms Only)**

**NOTICE: This process requires calculation of child support. To calculate child support, you may use the online calculator through ezcourtforms, the packet titled "C17", or you may make an appointment with the Clerk of Court to calculate support for you for a fee.**

VERSION 5/1/2015-B11

## SELF-SERVICE CENTER

# INSTRUCTIONS: HOW TO FILL OUT THE JUDGMENT (ORDER) FOR YOUR PATERNITY CASE

***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.***

## INFORMATION ABOUT THE JUDGMENT/ORDER

1. The Judgment is the legal document relating to the paternity action. It is important because it determines the rights and responsibilities of both you and the other party. If either party does not follow the terms of the Judgment, then the other party can ask the Court for help.

## INSTRUCTIONS:

1. When filling out any court forms, type or print clearly using black ink only!
2. Your paternity judgment should repeat as closely as possible what you requested in your Petition, unless the other party has provided written consent to any changes. 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 follow the instructions to fill out the Judgment.
3. Fill in the caption as you have previously done. Include your name, address, phone number, whether you are representing yourself, the name of the Petitioner and the Respondent, the case number. Then check the box to describe the type things you want in addition to paternity: Legal Decision Making (custody), parenting time and support. Check all the boxes that apply. Then if your minor child(ren) were born in Arizona and you want the father's name to be added and/or the child's last name to be changed on the birth certificate, check the box marked "vital records."

## SECTION: THE COURT FINDS:

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 other 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, and then put the name of the children for whom paternity was established, and their dates of birth.

5. **PARENT INFORMATION PROGRAM:**

- A. Check the box to say whether you have or have not attended the parent information program class.
- B. Check the box to say whether the other party has or has not attended the parent information program class.

6. **DEVIATION FROM CHILD SUPPORT:** Leave this section blank

7. **PHYSICAL CUSTODY ADJUSTMENT:** Leave this section blank

8. **LEGAL DECISION MAKING (custody) OF THE MINOR CHILDREN:** If both parties are fighting about Legal Decision Making (custody) or you have requested joint Legal Decision Making (custody), write in with Legal Decision Making (custody) is in the best interests of the minor children.

9. **SUPERVISED OR NO PARENTING TIME.** If you are asking for supervised or no parenting time for the other party, you must have a very good reason. Check the boxes that apply and write that reason in here.

10. **DOMESTIC VIOLENCE.** Check the box if it applies to you. Then write in why joint Legal Decision Making (custody) is still in the best interests of the children.

11. **DRUG CONVICTION WITHIN THE LAST TWELVE MONTHS.** Check this box if it applies to you.

**SECTION: THE COURT ORDERS:**

1. **PATERNITY.** Print or type the full name of the father of the minor child.

2. **BIRTH CERTIFICATE.** Mark this box if you want father's name to appear on the birth certificate.

3. **MINOR CHILD'S LAST NAME:** Mark this box if you want to legally change the minor children's last name to the father's last name and put in the new last name.

4. **CHILD LEGAL DECISION MAKING (custody): MARK THE BOX FOR EITHER SOLE OR JOINT LEGAL DECISION MAKING (custody).** The custody box you mark should be the same as you did in your Petition for Paternity, unless you and the other parent have signed a Joint Legal Decision Making (custody) agreement, which will be attached to the Order.

- 1) For sole Legal Decision Making (custody) of the minor child(ren), mark who is to have sole Legal Decision Making (custody). Then mark only one of the three types of parenting time: reasonable, supervised, or no parenting time. If parenting time is supervised, write in the restrictions on parenting time, mark who will be paying for costs of supervision and who will be doing the supervising. Be sure to attach the Parenting Plan.
- 2) If you are requesting Joint Legal Decision Making (custody), you will have to attach a copy of Joint Custody Agreement contained in the Parenting Plan signed by both parents, which AGREEMENT must be approved by the court at the hearing if you desire Joint Legal Decision Making (custody). The Plan will be included as part of the Court Order relating to the Paternity action.

5. **CHILD SUPPORT:** Mark first who is to pay the child support and then who the support is to be paid to. **If there is a previous child support Order still in effect FROM A COURT IN ANOTHER STATE OR COUNTY, DO NOT MARK THIS BOX.** If costs for past child support and care are to be paid, enter the total amount, who will pay them, and the amount of each payment.
6. **MEDICAL, DENTAL, and VISION CARE INSURANCE:** Mark who will be responsible for medical, dental, and vision care insurance, based on the request made in your Petition for Paternity or the Agreement of the parties. Also mark the box indicating who will pay for past medical expenses.
7. **OTHER COSTS.** Mark first who is to be awarded money, total amount owed, and then who should pay the money for the cost related to the birth of the children. Be prepared to tell the Judge what amount is fair and allow the Judge to enter the appropriate amount.
8. **FINANCIAL INFORMATION:** Both parents must exchange financial information every 2 years.
9. **LIMITATION ON JURISDICTION:** This indicates that the Court only has jurisdiction to Order a party to make payments if that party has been *personally* served.
  - This means that 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 serve the other party.
  - You **will** probably be able to get the paternity, custody, and parenting time orders without personal service.
  - Check the box **if** you served the other party by publication.
10. **OTHER MATTERS:** If there are other things you have asked for in the Petition that have not already been covered in the Judgment and Order, list them here. Be specific and be sure you use the same or similar language to that used in your Paternity Petition.

**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, at the trial on the case, or after you file the consent paperwork and the judgment and order. If the other party does not have a copy, mail a copy of the signed and dated order to him or her.

## SELF-SERVICE CENTER

### PARENTING PLAN INFORMATION

#### **A.R.S. § 25-401 defines legal decision-making and parenting time as follows:**

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.
2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights or responsibilities are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

**PARENTS PLEASE NOTE:** Per A.R.S. § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.
4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

#### **Drafting a Parenting Plan:**

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

**In order for the court to approve a parenting plan, A.R.S. § 25-403.02 requires the court to make the following findings:**

- a. The best interests of the minor child(ren) are served;
- b. The plan designates legal decision-making as joint or sole;
- c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
- d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;
- e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;

- f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
- g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
- h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
- i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?
2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.
3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.
4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?
5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?
6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?
7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?
8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?
9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

**PATERNITY**  
**with LEGAL DECISION MAKING (Custody),**  
**PARENTING TIME, and CHILD SUPPORT**

**PART 4: THE COURT ORDER**

**(For Petitioner or Respondent)**

CHECKLIST

*You may use the forms and instructions in this packet if . . .*

- ✓ You or the other party filed a petition to establish paternity, legal decision-making (custody), parenting time, and child support, **AND**
- ✓ You have attended the Parent Information Program (PIP) and have filed your certificate of attendance with the Clerk of the Court, **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.

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 GRAHAM COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

AND

\_\_\_\_\_  
Name of Respondent

**PARENTING PLAN FOR:**

JOINT LEGAL DECISION MAKING  
(CUSTODY) WITH JOINT LEGAL  
DECISION MAKING (CUSTODY)  
AGREEMENT

**or**

SOLE LEGAL DECISION-MAKING  
(CUSTODY)

to Mother

to Father

### INSTRUCTIONS

**This document has 4 parts:** PART 1) General Information; PART 2) Legal Decision Making (Custody) and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision Making (Custody) 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 (custody) and parenting time arrangements *but not to joint legal decision making (custody)*: Both parents must sign the Plan at the end of PART 2 and 3.
- c. If both parents agree to joint legal decision making (custody) 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 minor children:  
(Use additional paper if necessary)

_____	_____
_____	_____
_____	_____

**B. THE FOLLOWING LEGAL DECISION-MAKING (CUSTODY) ARRANGEMENT IS REQUESTED:**

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

**1. SOLE LEGAL DECISION-MAKING (CUSTODY) BY AGREEMENT.** The parents agree that sole legal decision-making authority (custody) and primary physical custody should be granted to the  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 (CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision making (custody) and parenting time. The parent submitting this Plan asks the court to order sole legal decision-making authority 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 (CUSTODY) BY AGREEMENT.** The parents agree to joint legal decision-making (custody) and request the court to approve the joint legal decision-making (custody) arrangement as described in this Plan. Primary physical custody will be with the  Mother  Father,

**OR**

- 4. JOINT LEGAL DECISION-MAKING AUTHORITY (CUSTODY) 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 authority is deferred for the court's determination.

**PART 2: PHYSICAL CUSTODY 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 minor children will be in the care of Father as follows: (Explain).

---

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

---

- Other physical custody arrangements are as follows: (Explain).

---

- Transportation will be provided as follows:

**Mother** or  **Father** will pick the minor children up at \_\_\_\_\_ o'clock.

**Mother** or  **Father** will drop the minor children off 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.

Holiday	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"/> 4th 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
<input type="checkbox"/>	<b>Mother's Day</b> will be celebrated with the Mother every year.							
<input type="checkbox"/>	<b>Father's Day</b> will be celebrated with the Father every year.							
<input type="checkbox"/>	<b>Each parent may have the children on his or her birthday.</b>							
<input type="checkbox"/>	<b>Three-day weekends</b> which include Martin Luther King Day, Presidents' 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.							
<input type="checkbox"/>	<b>Other Holidays</b> (Describe the other holidays and the arrangement) :							

**Telephone Contact:** Each parent may have telephone contact with the minor children during the children's normal waking hours, **OR:** (Explain) \_\_\_\_\_

**Other** (Explain) : \_\_\_\_\_

**E. PARENTAL ACCESS TO RECORDS AND INFORMATION:** Under Arizona law (A.R.S. §25-403.06), 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 a 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 consulting 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 consulting 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 ARRANGEMENTS 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 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 CHILDREN.** Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.
- OBTAIN WRITTEN CONSENT BEFORE MOVING.** Neither parent will move with the minor children out of the Phoenix metropolitan area without prior written consent of the other parent, or a court ordered Parenting Plan. **A.R.S. § 25-408 (B)**
- COMMUNICATE.** Each parent agrees that all communications 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.
- METHOD OF COMMUNICATION.** Each parent agrees to use the following means of communication:  
\_\_\_\_\_.
- FREQUENCY OF COMMUNICATION.** Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be:  
\_\_\_\_\_ and  
will be by the following methods:  Phone  Email  Other
- 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 PARENT 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. See the Self-Service Center packets **“To Make Someone Obey a Court Order”** for help.

**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 crime 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 exhibition 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 cause 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 PARTIES** (as instructed on page 1)

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

**A. DOMESTIC VIOLENCE:** Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (custody) 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

**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 (Custody) 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 (Custody) is still in the  
best interest of the children.**

**C. JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT: If the parents have agreed to joint legal decision making (custody), the following will apply, subject to approval by the Judge:**

1. **REVIEW:** The parents agree to review the terms of this agreement and make any necessary or desired changes every \_\_\_\_\_ month(s) from the date of this document.
2. **CRITERIA.** Our joint legal decision making (custody) agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:
  - a. The best interests 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 practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
  - d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
  - e. The Plan includes a procedure for periodic review;
  - f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved
  - g. A procedure for communicating with each other about the child, including methods and frequency.

**PART 4 SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION MAKING AUTHORITY (CUSTODY) (as instructed on page 1)**

Signature of Mother: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Father: \_\_\_\_\_ Date: \_\_\_\_\_

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 GRAHAM COUNTY

Case Number: \_\_\_\_\_

\_\_\_\_\_  
Petitioner (Name) is  Father  Mother

\_\_\_\_\_  
Respondent (Name) is  Father  Mother

### JUDGEMENT AND ORDER FOR

**PATERNITY and** (check box if applicable)

**LEGAL DECISION MAKING (CUSTODY)**

**PARENTING TIME**

**CHILD SUPPORT**

**VITAL RECORDS** (Check this box if the

Department of Vital Records is ordered to change the birth records of a child born in Arizona.)

### THE COURT FINDS:

1. This case has come before the Court for a final Order. If necessary, the Court has taken any testimony needed to enter a final Order.
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 an Order relating to paternity, legal decision making (custody), support, parenting time, and expenses related to birth of the minor child(ren).
4. **SERVICE BY PUBLICATION:**  
If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical, dental and vision care insurance and expenses, and expenses for the minor child(ren).

The court reserves jurisdiction until personal service is made upon Respondent to consider the child support, and any other relief requested in the Petition or orders deemed necessary by the court.

**5. Petitioner and Respondent are the natural parents of the minor child(ren) listed below and named on birth certificates as:** (List name as appears on child's birth certificate - if any.)

	First	Middle	Last
(a)	_____	_____	_____
(b)	_____	_____	_____
(c)	_____	_____	_____
(d)	_____	_____	_____

**who were born on this date and at this place:** (List in same order as above)

	<u>Month/ Day /Year</u>	<u>City, State, and Nation of Birth</u>
(a)	_____	_____
(b)	_____	_____
(c)	_____	_____
(d)	_____	_____

Same information for *additional* children listed on attached page made part of this document by reference

**6. INFORMATION ABOUT THE PARENTS:**

**A. Information about the Mother:**

The Mother's Complete Name is:

as listed on above-named child(ren)'s birth certificates, or  her current legal name

Previous Legal Name(s) (if any):

**B. Information about the Father:**

The Father's Complete Name is:

as listed on his birth certificate, or  his current legal name

Previous Legal Name(s) (if any):

Date of Birth: \_\_\_\_\_  
(Month/Date/Year)

Place of Birth: \_\_\_\_\_  
(City, State, Nation of Birth)

**7. 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 and  shall be denied any requested relief to enforce or modify this Order until Mother has completed the class.

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

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

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

- Application of the guidelines is inappropriate.**
- Application of the guidelines is unjust.**
- The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines if there was no agreement.**

**THE COURT MAKES THE FOLLOWING FINDING REGARDING THE DEVIATION:**

- The child support order *would have been*:** \$ \_\_\_\_\_
- The child support order after deviation is:** \$ \_\_\_\_\_
- All parties have signed the agreement free of duress and coercion.**

**9. PHYSICAL CUSTODY ADJUSTMENT, COURT APPROVED DISCRETIONARY PARENTING TIME ADJUSTMENT AND/OR OTHER ADJUSTMENTS. (THE COURT MUST MAKE WRITTEN FINDINGS IF ANY OF THESE ADJUSTMENTS ARE MADE.)**

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**The court finds that the person responsible for paying child support has the ability to pay child support:**

- In the amount entered on Line **33** of the Worksheet for \$ \_\_\_\_\_
- In an adjusted amount calculated using the self-support reserve on line **35** of the Worksheet for \$ \_\_\_\_\_

## THE COURT FURTHER FINDS:

### 10. DOMESTIC VIOLENCE:

**YOU MAY SKIP "11" IF THERE HAS BEEN NO DOMESTIC VIOLENCE AND THIS IS AN UNCONTESTED COURT ACTION (meaning no response was filed).  
You must COMPLETE "9" if  
(a) legal decision making (custody) is contested, or  
(b) there has been domestic violence between the parties and legal decision making (custody) is to be awarded to or shared with a parent who has committed domestic violence.**

A. Domestic Violence  has OR  has not occurred between the parties;

B.  Domestic Violence has occurred between the parties, but:

1.  it was mutual (committed by both parties), (see A.R.S. § 25-43.03(D)) or

2.  it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision making (joint or sole custody) to a parent who has committed domestic violence *because*: (EXPLAIN)

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### 11. SUPERVISED OR NO PARENTING TIME:

(Check and complete *only if* supervised or no parenting time is ordered.)

NO Parenting Time or  Supervised Parenting Time with the  Father  Mother, is in the best interests of the minor child(ren), for the following reasons:

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### 12. DRUG or ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS:

(Check box if applicable).

Father and/or  Mother has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision making (custody), **however** the legal decision making (custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

## THE COURT ORDERS:

1. **PATERNITY:** (Name of father as on his birth certificate or  his current legal name)

\_\_\_\_\_ is the natural father of the minor child(ren).

FOR ANY CHILDREN BORN IN THE STATE OF THE ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

2.  The father's name shall be entered on the minor child(ren)'s birth certificate.

3.  The minor child(ren)'s last name shall be changed to: \_\_\_\_\_

4. **PRIMARY RESIDENCE, PARENTING TIME, and LEGAL DECISION MAKING (Custody)**

### A. PRIMARY RESIDENTIAL PARENT:

Mother's home as primary residence for following named child(ren):

\_\_\_\_\_

Father's home as primary residence for following named child(ren):

\_\_\_\_\_

### B. SUBJECT TO PARENTING TIME AS FOLLOWS:

Reasonable parenting time rights to the non-primary residential parent as described in the Parenting Plan attached as Exhibit B and made a part of this decree, OR

NO PARENTING TIME RIGHTS to  Mother OR  Father, OR

SUPERVISED PARENTING TIME to  Mother OR  Father according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

(IF supervised) Name of person to supervise (Optional):

\_\_\_\_\_

The cost of supervised parenting time shall be paid by the:

the Mother,  the Father, OR  Shared equally by the parties

THE COURT FURTHER ORDERS these restrictions on parenting time (if applicable):

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**C. LEGAL DECISION MAKING (Custody):**

Award legal decision making concerning the child(ren) (custody) as follows:

SOLE LEGAL DECISION-MAKING (sole custody) to:  Mother  Father

OR

JOINT LEGAL DECISION MAKING (joint custody) to BOTH PARENTS.

**Mother and Father** will agree to act as joint legal decision makers (joint legal custodians) of the minor children, as set forth in the **Joint Legal Decision Making** (joint custody) **Agreement** contained in the **Parenting Plan**, to be agreed upon and signed by both parties if the Court adopts the terms of the **Agreement**. There have been no significant acts of domestic violence, as defined by Arizona law, A.R.S. § 13-3601, by either parent or it is in the best interests of the minor child(ren) to award joint custody despite any violence that occurred.

**5. CHILD SUPPORT:**

FATHER or  MOTHER shall pay child support to the other party in the amount of \$\_\_\_\_\_ per month, beginning THE FIRST DAY OF THE MONTH following the signing of this Decree, according to the Child Support Worksheet. All child support payments shall be made through the Support Payment Clearinghouse, plus an applicable statutory fee.

Payments shall be in equal installments made on the **1st** and **15th** of each month thereafter through an automatic wage assignment.

Costs for past child support and care for minor child(ren) in the amount of \$\_\_\_\_\_ shall be paid by  FATHER or  MOTHER in the amount of \$ \_\_\_\_\_ each month until paid in full. Payments shall be made as stated above.

**6. MEDICAL/DENTAL/VISION CARE INSURANCE EXPENSES FOR CHILDREN**

**FATHER** is ordered to provide  medical,  dental  vision care insurance.

**MOTHER** is ordered to provide  medical,  dental  vision care insurance.

The party ordered to pay for medical/dental/vision care insurance must keep the other party informed of the insurance company's name, address, and telephone number, and provide the other party with the documents necessary to submit insurance claims.

FATHER is ordered to pay \_\_\_\_\_% and/or

**MOTHER** is ordered to pay \_\_\_\_\_% of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription, and other health care expenses for the minor child(ren), including co-payments.

Costs for past medical expenses for minor child(ren) in the amount of \$\_\_\_\_\_ shall be paid by  **FATHER** or  **MOTHER** in the amount of \$\_\_\_\_\_ each month until paid in full. Payments shall be made as stated above.

**7. OTHER COSTS:**  **FATHER** or  **MOTHER** is awarded judgment in the amount of \$\_\_\_\_\_ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the minor child(ren), which shall be paid by  **FATHER** or  **MOTHER**.

**8. FINANCIAL INFORMATION EXCHANGES:** The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

**9. LIMITATION ON JURISDICTION:** (check box if applicable)  
 This Court cannot make a legal order, without personal service on \_\_\_\_\_ (the other party) with respect to issues of child support, medical and dental insurance for the minor child(ren) or regarding costs relating to the birth of the child(ren). The court reserves jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the Respondent.

**10. OTHER ORDERS:** This Court makes further Orders relating to this matter as follows:

\_\_\_\_\_  
\_\_\_\_\_

**FINAL APPEALABLE ORDER.** Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decreed is settled, approved and signed by the court and shall be entered by the clerk.

DONE IN OPEN COURT \_\_\_\_\_

\_\_\_\_\_  
**JUDICIAL OFFICER**

**ACKNOWLEDGEMENT OF THE PARTIES OR THEIR ATTORNEYS**

**APPROVED BY:**

\_\_\_\_\_  
Petitioner's Signature

Signed and sworn to or affirmed before me this date: \_\_\_\_\_ by: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Michael K. Jeanes, Clerk of Superior Court

OR

My commission expires: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

**If you are filing a Consent Decree or if there has been a trial, the Respondent must sign:**

\_\_\_\_\_  
Respondent's Signature

Signed and sworn to or affirmed before me this date: \_\_\_\_\_ by: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Michael K. Jeanes, Clerk of Superior Court

OR

My commission expires: \_\_\_\_\_

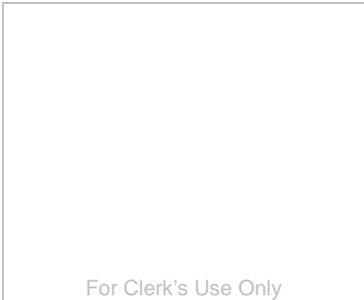
By: \_\_\_\_\_  
Deputy Clerk

**If either party is represented by a lawyer, the lawyer must sign:**

Petitioner's Lawyer: \_\_\_\_\_ Date: \_\_\_\_\_

Respondent's Lawyer: \_\_\_\_\_ Date: \_\_\_\_\_

Person Filing: (1) \_\_\_\_\_  
 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**  
**GRAHAM COUNTY<sup>(2)</sup>**  
**PARENT'S WORKSHEET FOR CHILD SUPPORT**

(3) Petitioner: \_\_\_\_\_ (4) Case No. \_\_\_\_\_

(3) Respondent: \_\_\_\_\_ (4) ATLAS: \_\_\_\_\_

(5) Total Number of Children: \_\_\_\_\_

(6) Parent with Primary Physical Custody:

Father  Mother

(7) Parent who is filing this form: Father  Mother

(8) Gross Income figures for the OTHER PARENT are:

- ACTUAL**, with proof, such as a recent W2 or pay stub attached, or other party's signed statement.
- ESTIMATED**, based on facts or knowledge of pay before promotion or of others in similar job.
- ATTRIBUTED**, based on what other party could and should be earning (see Guidelines 5e).

	<b><u>FATHER</u></b>		<b><u>MOTHER</u></b>
<b>Gross Income</b> (Pre-Tax Income. Before deductions.)	\$ _____	(9)	\$ _____
Spousal Maintenance Paid	\$ -	(10)	\$ -
Spousal Maintenance Received	\$ +	(11)	\$ +
Child Support Paid/Contributed	\$ -	(12)	\$ -
Other Support of Children Paid	\$ -	(13)	\$ -
<b>Adjusted Gross Income</b>	\$ _____	(14)	\$ _____
Combined Adjusted Gross Income	(15)	\$	_____
<b>Basic Child Support Obligation</b>	(16)	\$	=====
<b>Plus Costs for:</b>			
Medical/Dental/Vision Insurance	\$ _____	(17)	\$ _____
Childcare	\$ _____	(18)	\$ _____
Education Expenses	\$ _____	(19)	\$ _____
Extraordinary/Special Needs Child Expenses	\$ _____	(20)	\$ _____
No. of Children Age 12 or Over _____ Adjustment _____ %	(21)	\$	_____
Total Adjustments for Costs	(22)	\$	=====
Total Child Support Obligation	\$ _____	(23)	\$ =====

