

**YAVAPAI COUNTY  
Self-Service Center**

**INSTRUCTIONS: HOW TO FILL OUT THE PETITION TO ENFORCE A  
CHILD CUSTODY/PARENTING TIME ORDER AND OTHER COURT PAPERS**

**TYPE OR PRINT IN BLACK INK ONLY.**

**CONFIDENTIAL SENSITIVE DATA SHEET:**

Most court files are open to the public for review. Use this form to keep your sensitive information confidential. By writing your sensitive data on this form and then writing "SEE CONFIDENTIAL SENSITIVE DATA FORM" on the papers you file with the court, the public will not have access to this information.

**REQUEST FOR ORDER FOR PROTECTED ADDRESS:**

You may file this form if your address is not known to the other party and you reasonably believe that physical or emotional harm may result to you or a minor child if your address is not protected. If the court grants this request, the other party will serve you by delivering your copy of any filed documents to the Clerk of the Superior Court. The Clerk will then mail you the papers at the address you provide. **YOU MUST KEEP YOUR ADDRESS CURRENT WITH THE CLERK.**

**GENERAL INFORMATION:** Enforcement proceedings may be available if you have a court order regarding custody/parenting time that another person is not obeying. For additional information, see the Arizona Revised Statutes and the Arizona Rules of Family Law Procedure (ARFLP) available in the Law Library.

**AN EXPEDITED PROCESS MAY BE AVAILABLE IF YOU HAVE:**

1. A Yavapai County Court Order establishing custody and/or parenting time OR
2. A certified copy of the Order (If the order is NOT from Yavapai County) AND
3. The other parent is violating the Order

**WARNING!!** If you file this Petition for an improper purpose, such as to harass the other parent, you could be sanctioned by the court!!

**THE FOLLOWING FORMS ARE REQUIRED TO BE FILED FOR ALL  
CUSTODY ENFORCEMENT PROCEEDINGS:**

- \* Petition to Enforce Child Custody/Parenting Time Order
- \* Petition for Order to Appear
- \* Order to Appear Post Judgment/Decree
- \* Order to Enforce Child Custody/Parenting Time Order

**ALSO COMPLETE THE FOLLOWING FORM IF YOU ARE ASKING THE COURT TO ORDER A PERSON TO APPEAR IN COURT WITH THE CHILD**

\* Order for Appearance of Person(s) with Physical Custody of the Minor Child(ren)

**COMPLETE THE FOLLOWING FORMS IF YOU ARE ASKING THE COURT TO ORDER LAW ENFORCEMENT TO GAIN CUSTODY OF THE CHILD(REN). THIS OPTION IS NOT AVAILABLE FOR ALL SITUATIONS. SEE THE INSTRUCTIONS BELOW AND THE ARIZONA REVISED STATUTES FOR ADDITIONAL INFORMATION.**

\* Petition for Order to Issue Warrant

\* Order for Issuance of a Warrant

**INSTRUCTIONS: PETITION TO ENFORCE A CHILD CUSTODY/PARENTING TIME ORDER**

- (A) Fill in your name, address (if not protected), city, state, zip code, and telephone number. If your case has an ATLAS number, write in the ATLAS number. If you are represented by an attorney write in the attorney's bar number, and check the box that shows who represents you.
- (B) Fill in the name of the Petitioner. If you have an Arizona custody decree or parenting time order, use the same name for the Petitioner that is on the other pleadings. If this is the first pleading/document to be filed in Arizona, you are the Petitioner and you should write in your name.
- (C) Fill in the Case Number if you have a Yavapai County case. If you do not have a Yavapai County case, leave this space blank and the Clerk of the Court will stamp your documents with a number.
- (D) Fill in the name of the Respondent. If you have an Arizona custody decree or parenting time order, use the same name for the Respondent that is on the other pleadings. If this is the first pleading/document to be filed in Arizona, the other party or person who has illegally withheld your minor child(ren) from you is the Respondent and you should write in that party's name.

**STATEMENTS MADE TO THE COURT, UNDER OATH**

- 1 Information about Me, the Applicant.** Fill in your name, address, and relationship to the minor child(ren) who have been illegally withheld from your custody.
- 2 Information about the Other Party who has your minor Child(ren).** Fill in the other party's name, address, and relationship to the minor child(ren) who have been illegally withheld from your custody.
- 3 Information about Child(ren) under 18 years old about whom this Petition is Filed:** Fill in the name of each child, each child's date of birth, the age of each child, and the location of each child right now. **WARNING:** If you do not know where the child(ren) is/are located, this procedure will not work. The judge must be able to tell the sheriff where to serve the **"Warrant to Take Physical Custody of Child(ren)"** and how to pick-up the child(ren) if necessary.

4 **Information about Current Custody or Parenting Time Situation:** You must have a current custody order that gives you custody or parenting time of the minor child(ren) OR you must have talked to a lawyer who has told you to file a ***“Petition to Enforce a Child Custody Determination”***. The lawyer must give you the reasons why you can file a ***“Petition to Enforce a Child Custody or Parenting Time Order”***. Do not use these forms unless one of the following is true:

- A. **Custody/Parenting Time Order entered.** If you have a current custody order that gives you custody of the minor child(ren), write in the date of the Order, the city and state in which the court is located where the order was signed, and the name of the Judge who signed the Order. Then, write in the name of the person who was given/awarded custody of the minor child(ren). (Note: If you were not awarded custody, this procedure will not work for you.)
- B. **No Custody/Parenting Time Order, but I have other reasons to file a *“Petition to Enforce a Child Custody/Parenting Time Order”*.** Do not write in this space unless you have other reasons why this form will work for you. If you have spoken to a lawyer, write in the reasons the lawyer gave you for filing a ***“Petition to Enforce a Child Custody/Parenting Time Order”***.

5 **Pending Court Cases Regarding the Custody/Parenting Related to the Child(ren).** Check only one box. If you do not have any information about any pending court cases regarding the custody/parenting time related to the minor child(ren), check the first box, and go on to number 6.

If you do have any information, check the second box and write in the name of each minor child, the name of the court, the court location, the court case number, the current status of the case, how the minor child is involved, and a brief summary of the court order if there is one. If you need more space, attach another piece of paper. Then go on to number 6.

6 **Registration of Custody/Parenting Time Order from Another State (if applicable).** If you have a custody/parenting time order about the minor child(ren) illegally taken from you that is from another state, you can register that out-of-state order in Arizona. For more information on that process please see Arizona Revised Statutes, Section 25-1055. If you have registered an out-of-state custody order in Arizona, please write in the spaces provided the name of the Arizona court where you registered the order and the date when that was done.

7 **Why you Need the Court to Issue an Order Directing the Person(s) with Physical Custody of the Minor Child(ren) to Appear in Court.** Write in the name of the person who has the minor child(ren) without your consent and without lawful authority.

8 **Why you Need the Court to Issue a Warrant to Take Physical Custody of Child(ren).** If this section applies to you, explain to the judge how the child(ren) is/are in immediate danger and will suffer harm, or why you think the person who has the child(ren) will flee with the child(ren) is an order is not entered today. If this section does not apply to you, write in N/A for not applicable and go on to number 9. (Note: The form entitled ***“Warrant to Take Physical Custody of Child(ren)”*** is in your packet. If the judge believes you are entitled to this Warrant, he or she will sign the ***“Warrant to Take Physical Custody of Child(ren)”***.)

**RELIEF REQUESTED.** This section of the Petition asks the court to make orders relating to the relief you are asking for. **You should know that this procedure does not result in the minor child(ren) being returned to you immediately. The minor child(ren) will either remain with the other party until after a hearing, or the judge will order the sheriff to pick-up the minor child(ren) immediately, and the child(ren) will go to the Department of Child Safety until after the hearing.**

**OATH AND VERIFICATION.** You must sign the oath and verification section in front of a Notary Public. Make sure you bring picture identification with you. You should only sign the oath and verification section after you have carefully reviewed your Petition and believe that everything contained in the Petition is true and correct. By signing the Petition under oath, you swear, under penalty of perjury that the information is true.

### **INSTRUCTIONS: PETITION FOR ORDER TO APPEAR**

- (A) Write in your information.
- (B)-(C) Complete using your case information.
- (1) No instructions needed.
- (2) Check the box and write in the type of Petition you are filing with this Petition for Order to Appear. Write in any new facts that you believe will help convince the judicial officer that a hearing or conference is required in your case that are not included with the Petition you are filing with this Petition for Order to Appear.
- (3) Pre-Decree matters are those you have never gone to court over before. If you have gone to court before, and are seeking to modify or enforce a current order, mark the Post-Decree box.
- (4)-(9) No instructions needed.

### **INSTRUCTIONS: ORDER TO APPEAR**

Complete the sections above the gray READ THIS NOTICE box. Leave the rest of the form blank for the judicial officer to complete.

**INSTRUCTIONS: ORDER FOR APPEARANCE OF PERSON(S) WITH PHYSICAL CUSTODY OF THE CHILD(REN).** Follow these lettered instructions to match the letters on the form. The judge will fill in the rest of the Order and date and sign it.

- (A) Fill in your name, address (if not protected), city, state, zip code, and telephone number. If your case has an ATLAS number, write in the ATLAS number. If you are represented by an attorney write in the attorney's bar number and check the box that shows who represents you.
- (B) Fill in the name of the Petitioner. If you have an Arizona custody decree or order, use the same name for the Petitioner that is on the other pleadings. If this is the first pleading/document to be filed in Arizona, you are the Petitioner and you should write in your name.
- (C) Fill in the Case Number if you have a Yavapai County case. If you do not have a Yavapai County case, leave this space blank and the Clerk of the Court will stamp your documents with a number.
- (D) Fill in the name of the Respondent. If you have an Arizona custody decree or order, use the same name for the Respondent that is on the other pleadings. If this is the first

pleading/document to be filed in Arizona, the other party or person who has illegally withheld your minor child(ren) from you is the Respondent and you should write in that party's name.

**INSTRUCTIONS: ORDER TO ENFORCE A CHILD CUSTODY DETERMINATION**

Complete the sections above the gray NOTICE box. Leave the rest of the form blank for the judicial officer to complete.

**IMPORTANT!** The following two (2) forms may only be used if you are seeking to enforce custody. If the child(ren) is/are located out-of-state, this procedure may not work. Contact the court in the state where the child(ren) are located to find out what you must do to have your child(ren) returned to you.

- **INSTRUCTIONS: APPLICATION FOR ORDER TO ISSUE A WARRANT TO TAKE PHYSICAL CUSTODY OF MINOR CHILD(REN)**

Complete entire form.

- **INSTRUCTIONS: ORDER FOR ISSUANCE OF A WARRANT TO TAKE PHYSICAL CUSTODY OF MINOR CHILD(REN)**

Complete the sections above where the form states: **THE COURT FINDS**. Leave the rest of the form blank for the judicial officer to complete.

*Self-represented persons are required to know and follow proper procedures, just like an attorney. The Arizona Rules of Family Law Procedure, which are found in the Law Library, contain the rules you are required to follow. No allowance is made for a person who does not understand or is unaware of things that must be done.*

**WARNING!** IF YOU IGNORE A COURT ORDER, FAIL TO ADEQUATELY PREPARE FOR A SCHEDULED CONFERENCE OR HEARING, OR FAIL TO ATTEND A CONFERENCE OR HEARING, THE JUDICIAL OFFICER MAY ORDER SANCTIONS AGAINST YOU, INCLUDING HOLDING YOU IN CONTEMPT OF COURT OR REQUIRING YOU TO PAY THE OTHER PARTY'S ATTORNEY FEES.

**IF YOU DO NOT HEAR FROM THE COURT WITHIN A REASONABLE AMOUNT OF TIME, CONTACT THE COURT TO SEE IF THERE IS SOMETHING ELSE YOU MUST DO.**

**GO ON TO WHAT TO DO NEXT**