

YAVAPAI COUNTY
Self-Service Center

INSTRUCTIONS: COMPLETING DOCUMENTS FOR ESTABLISHING PATERNITY, LEGAL DECISION-MAKING, PARENTING TIME AND CHILD SUPPORT

USE THIS PACKET ONLY IF YOU WANT TO ASK THE COURT TO NAME A PERSON AS FATHER OF A CHILD OR CHILDREN AND TO DECIDE LEGAL DECISION-MAKING AND PARENTING TIME AND ORDER CHILD SUPPORT

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.**

DOMESTIC RELATIONS COVER SHEET:

Complete the Petitioner and Respondent information and the attorney information if applicable. Also mark the appropriate box in the Nature of Action section. Leave the rest of the form blank.

SUMMONS:

Fill in the following information: Your name, address, and **daytime** telephone number in the upper left corner of each document. Fill in your name as Petitioner and the other parent's name as Respondent. You will be given a case number at the time you file. Fill in the other parent's name on the line below the shaded box. **DO NOT** fill out the rest of the form. The Clerk of Court will complete it when you file.

PETITION FOR ORDERS OF PATERNITY, LEGAL DECISION-MAKING, PARENTING TIME AND CHILD SUPPORT

- A. Make sure your form is titled PETITION FOR ORDERS OF PATERNITY, LEGAL DECISION-MAKING, PARENTING TIME AND CHILD SUPPORT in the upper right hand part of the first page
- B. In the top left corner of the first page, fill out the following information: your name, mailing address, DAYTIME telephone number and your ATLAS number if you are receiving or have received assistance from the Arizona Department of Economic Security.
- C. Fill in the name of the "Petitioner" and "Respondent" the same way you did on the Summons. You are the Petitioner; the other parent is the Respondent. You must do that for every document you file with the court regarding this case now and in the future. **You will always be the Petitioner; the other parent will always be the Respondent.**

- D. You will be given a new case number at the time you file all your documents. You must use that case number for every document you file with the court regarding this case now and in the future.

GENERAL INFORMATION:

1. **Information about you.** Fill in your (the Petitioner's) name, address, date of birth, occupation and length of time lived in Arizona. This is basic information about you, the PETITIONER.
2. **Information about the other parent.** Fill in the other parent's (the Respondent's) name, address, date of birth, occupation, and length of time lived in Arizona. This is basic information about the other parent, the RESPONDENT.
3. **Why you are filing this case in Arizona.** Mark whatever box(es) is (are) true about your case.
4. **Information about the child(ren) for whom you want the court orders.** Fill in the all information about each child you want to be included in this case.
5. **Legal Decision-Making or Parenting Time Cases Involving the Minor Child(ren).** You must tell the Court whether you have been involved in any prior legal decision-making or parenting time case involving your minor child(ren) where you were a party or a witness. If there are no cases, check the second box. If there are other cases, check the first box and give as much information as possible. This information could affect you or your child(ren)'s rights.
6. **Pending/Past cases.** You must tell the Court of any other cases that might affect this case. If no other cases are going on right now, or you do not know of any cases, check the first box. If you know of a case that is going on right now, check the second box. Fill in the required information about the case(s).
7. **Legal Decision-Making or parenting time claims of any other person.** If you do not know of another person, **BESIDES THE OTHER PARTY IN THIS CASE**, who provides primary physical residence or claims legal decision-making or parenting time rights to any child(ren) listed in #4, check the first box. If you know someone who provides primary physical residence or claims legal decision-making, put required the information here.
8. **Statements about paternity.** Print the name of the father on the first line. Read each paragraph carefully and mark **one box** which explains why you believe the named person is the father of the child(ren).
9. **About marriage and husband.** Read both paragraphs carefully and mark **one box** that is true.

OTHER STATEMENTS TO THE COURT:

10. **Medical expenses.** This tells the Court whether there are medical expenses from the birth of the child(ren) which were not covered by insurance and if there are, which party you want to be ordered to pay them. Mark the correct box(es).
11. **Other expenses.** There is no box to mark here.
12. **The Attorney General may be a third party to your case if a party receives TANF (Temporary Assistance for Needy Families) or IV-D benefits.** Contact your local office if you are unsure whether or not their office is involved in your case.
13. **Written Agreements.** Check this box **ONLY** if you and the other party have a written agreement regarding legal decision-making, parenting time and child support that **both of you signed which you will file at the same time as this Petition.** File the **ORIGINAL** of the agreement. If you have only discussed these issues and do not have a written agreement, do **NOT** check this box.

REQUESTS TO THE COURT.

1. **PATERNITY.** Fill in the name of the father.
2. **BIRTH CERTIFICATE.** This tells the Court you want to have the father's name on the child(ren)'s birth certificate(s).
3. **LAST NAME.** This tells the Court you want to change the last name(s) of the child(ren).
4. **CHILD LEGAL DECISION-MAKING AND PARENTING TIME.**
 - A. **SOLE LEGAL DECISION-MAKING FOR CHILD(REN) AND PARENTING TIME.** If you want sole legal decision-making, check the box that applies, including the parenting time for which you are asking. Tell the Court whether you want legal decision-making for the child(ren) to go to you (the Petitioner) or the other parent (the Respondent).

PARENTING TIME: Check only one box. You can ask that the non-legal decision-making parent (the parent providing primary physical residence for the child(ren) less than 50% of the time) have one of the following types of parenting time (If you want to know more about legal decision-making and parenting time, read the Parenting Time Guidelines that you received with your packet):

Reasonable parenting time. This suggests an amount of parenting time appropriate to the age of the child. The Court offers suggested amounts of parenting time, but the amount can vary by agreement of both parents.

Supervised parenting time to the non-legal decision-making parent. You should request supervised parenting time if the non-legal decision-making parent cannot adequately care for the children without another person present. You may request this if the person not having legal decision-making abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for a child without another adult present. Remember, supervised parenting time is not intended to punish the parent, but to protect the child.

No parenting time to the non-legal decision-making parent. You should mark this option only if the non-legal decision-making parent has seriously harmed, abused, or otherwise is a serious danger to the child's physical and emotional health, or if there is a criminal Court Order stating no contact between the child and the non-legal decision-making parent. You may use this as a last resort to protect the child.

- B. **JOINT LEGAL DECISION-MAKING:** If you are asking for joint legal decision-making, you must file a Joint Legal Decision-Making Agreement signed by both parents that the Court must approve. This form is provided in this packet.
5. **CHILD SUPPORT:** Tell the Court who you think should pay child support. The person who has legal decision-making for the child(ren), or who has physical care of the child(ren) more than 50% of the time, is the person who should receive the support. The other parent, often called the "non-legal decision-making" parent, must pay the support. The income of the parties generally determines the amount of the support according to court guidelines. You will complete and file a Parent's Worksheet for Child Support Amount which is part of this packet.

Mark the next box if you want past child support to be paid, telling the Court how much you believe is owing and how much should be paid each month until that amount is paid.

6. **EXPENSES OF MOTHER.** Mark this box if you believe the mother had expenses relating to the birth(s) that were not covered by insurance and you believe these expenses should be paid by the father.

7. **INSURANCE AND HEALTH CARE EXPENSES FOR CHILD(REN):** Check only one box. Tell the Court which parent should provide insurance for the child(ren). Whichever parent has the most affordable insurance plan available through work generally should pay for insurance. Adjustments can be made to child support to reflect the costs of insurance for the child(ren).
8. **TESTING AND COSTS:** There is no box to mark here.
9. **OTHER ORDERS:** Tell the Court anything else you may want ordered that has not been covered in your Petition.

OATH AND VERIFICATION OF PETITIONER. Sign this form in front of a notary public. By doing so, you are telling the Court that everything contained in the Petition for Orders of Paternity, Legal Decision-Making, Parenting Time and Child Support is true.

ORDER AND NOTICE TO ATTEND PARENT EDUCATION PROGRAM CLASS

Read this Order. It is very important and unless you obey the Order your case cannot proceed.

Fill in your name as Petitioner, the other party's name as Respondent. Below "THE COURT FINDS" are three boxes. Mark the box for Paternity with Legal Decision-Making, Parenting Time or Child Support.

PARENTING COORDINATOR INFORMATION SHEET

Read this information. A form to request a Parenting Coordinator is available in the Self-Service Center.

RESOLUTION STATEMENT

This form is not needed unless the Court requests it or the other party files a response. If this happens, follow the instructions provided with the form.

CONSENT ORDER INFORMATION

If both parties are in agreement on dividing their property and the arrangements for legal decision-making, parenting time and child support, they may proceed by Consent Decree/Order (Rule 45, Arizona Rules of Family Law Procedure). Generally, this means that both parties (and their attorneys, if any) must sign the Order and any attachments. The Respondent must also pay an appearance fee to the Clerk of the Superior Court.

IMPORTANT!!

If either party is a TANF or Title IV-D recipient, the Attorney General must sign the Order or give you a separate document to attach that shows agreement with the Child Support amount.

IF A RESPONSE IS FILED:

DISCLOSURE AND DISCOVERY. Parties are generally required to exchange information and documents about the case. For more complete information, see Rules 49-65 of the Arizona Rules of Family Law Procedure (ARFLP). If your case proceeds to trial, the Self-Service Center has a PRETRIAL PACKET and WITNESS & EXHIBIT PACKET available.

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:

INSTRUCTIONS AND FORMS FOR

- 1. PARENT'S WORKSHEET FOR CHILD SUPPORT AMOUNT**
- 2. CHILD SUPPORT ORDER**
- 3. INCOME WITHHOLDING ORDER**
- 4. PARENTING PLAN**

GO ON TO: WHAT TO DO AFTER I HAVE COMPLETED ALL THE FORMS