

YAVAPAI COUNTY
Self-Service Center

ENFORCING PROPERTY DIVISION ORDER

**WHAT TO DO WITH THE COURT DOCUMENTS
AFTER I HAVE COMPLETED THEM**

STEP 1: Make copies of the following document:

DOCUMENT	NUMBER OF COPIES
* Petition to Enforce Court Order about Property Division	2
* Petition for Order to Appear	2
* Order to Appear	2
* Order Enforcing Court Order Regarding Division of Property	2

STEP 2: File the papers at the Court:

GO TO: THE SUPERIOR COURT TO FILE YOUR PAPERS. The court is open from 8:00 a.m. – 5:00 p.m., Monday - Friday. **You should go to the court at least two hours before it closes. It is recommended that you not bring your children with you.** You may file your court papers at either of the following Superior Court locations:

Clerk of Superior Court
Yavapai County Courthouse
120 S. Cortez Street
Prescott, AZ 86303-4737

Clerk of Superior Court
Yavapai County Superior Court
2840 N. Commonwealth Drive
Camp Verde, AZ 86322

FEES: When you file with the court, there are fees for petitions, responses, requests, motions, objections and various other actions. The court will accept payment in the form of cash, VISA/MasterCard debit or credit cards, money orders, or personal checks made payable to “Clerk of Superior Court”. Personal checks will be accepted with current picture ID. To check out the current fees go online to <http://www.co.yavapai.az.us/clerkstupct.aspx> and find the link to the fees schedule on the top of the page, or call the Clerk’s Office in either Prescott at (928) 771-3312, or Camp Verde at (928) 567-7741.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a **deferral or waiver** (delay or completely waive fees and/or costs) when you file your papers with the Clerk of the Court. The **Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment Application** is available at **no charge** from the Clerk’s Office, though a fee for applying for the deferral will be added to your costs.

WHAT THE CLERK WILL DO: The Clerk will file and keep the original documents and stamp the two sets of copies for you. These are called “conformed” copies. The clerk will forward your original Petition and Order to Appear to the judge’s office. When a hearing date is set, the Clerk will mail you two copies of the Order to Appear: one for your records, one to serve on the

other party with the copy of the Petition you made in **STEP 1**. It may take up to a week or 10 days for a hearing to be set and for you to receive the Order to Appear in the mail. The original Order Enforcing Decree Regarding Property Division will remain in your file for possible use at the hearing.

STEP 3: Serve the documents on the other party and file proof of service with the Clerk.

- * Petition to Enforce Court Order about Property Division
- * Petition for Order to Appear
- * Order to Appear with hearing date, signed by judge

See the SERVICE PACKET, available from Yavapai County Self-Service Center, if you are unsure about how to complete this step.

DISCLOSURE AND DISCOVERY. Parties are generally required to exchange information and documents about the case. For more complete information, see Rules 47-65 and rule 91 of the Arizona Rules of Family Law Procedure (ARFLP). If your case proceeds to trial or hearing, 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.

IF THE JUDGE SETS A HEARING, PLEASE REMEMBER THE FOLLOWING:

- Be on time (10 to 15 minutes early is best).
- Dress neatly.
- Be prepared to show the Judge why you believe you are entitled to the relief for which you are asking.
- Unless you have been ordered by the judge to bring your child(ren) to court, **do not bring any child(ren) to court.**