

YAVAPAI COUNTY
Self-Service Center

WHAT TO DO NEXT

INSTRUCTIONS: ENFORCING CHILD LEGAL DECISION-MAKING

(If the other parent is not following the terms of the Parenting Time Order and is not detaining the child(ren) in violation of the Legal Decision-Making Order, this section does not apply to you. See the Instruction section for enforcing Parenting Time below.)

Step 1: Make copies of the following documents:

- | | |
|--|---|
| * Petition for Enforcement | 2 |
| * Petition for Order to Appear | 2 |
| * Order to Appear | 2 |
| * Order to Enforce Legal Decision-Making or Parenting Time | 2 |

IF YOU REQUESTED:

- | | |
|---|---|
| * Order for Appearance of Person(s) with Physical Custody | 2 |
| * Application for Issuance of a Warrant | 2 |
| * Order for Issuance of a Warrant | 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/clerksupct.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 file to the judicial officer.

WHAT THE JUDICIAL OFFICER MAY DO: The judicial officer will review your Petition for Enforcement and determine if and when a hearing or conference will be scheduled.

If the judicial officer issues the Warrant without advance warning to the other party, Arizona law requires the Petition for Enforcement of a Child Legal Decision-Making Determination, the Application for Issuance of a Warrant to Take Physical Custody of Minor Child(ren), the Order for Issuance of a Warrant to Take Physical Custody of Minor Child(ren) and the Warrant to be served immediately after law enforcement executes the Warrant. **IT IS YOUR RESPONSIBILITY TO CHECK WITH LAW ENFORCEMENT OFFICIALS TO DETERMINE IF THEY WILL SERVE THESE DOCUMENTS WHEN THEY EXECUTE THE WARRANT.**

If a hearing or conference 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 along with a copy of the other papers you filed in STEP 2. 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.

A SERVICE PACKET is available in the Self-Service Center.

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 sure to write down the date, time, and place of the court hearing, and come to the hearing.
- 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.**

INSTRUCTIONS: ENFORCING PARENTING TIME

Step 1: Make copies of the following documents:

- | | |
|--|---|
| * Petition for Enforcement | 2 |
| * Petition for Order to Appear | 2 |
| * Order to Appear | 2 |
| * Order to Enforce Legal Decision-Making or Parenting Time | 2 |

Step 2: File the documents with the Clerk of Superior Court. See instructions above.

If a hearing or conference 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 along with copies of the other papers you filed in STEP 2. 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.

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