

Instructions: How to fill out the Motion to Set Trial Date and Certificate of Readiness and Family Informal Trial Election forms

Use these forms only if all the following are true:

- ✓ There has been a petition and an answer/response filed in your case.
- ✓ Discovery, the process of requesting and exchanging information among the parties before going to trial, is complete or can be completed within 60 days.
- ✓ You want the court to schedule a trial date.
- ✓ You have decided which type of trial you are requesting – informal or traditional.

Print or type using black ink only. Complete all fields and provide required information.

Form: Motion to Set Trial Date and Certificate of Readiness (“Motion to Set”)

1. In the top left corner of the first page, fill in the information about you—the person filing this motion. If you are represented by an attorney, Stop! The attorney must file the motion (and will use his or her own form).
2. Case Caption: Fill in the name of the Petitioner/Party A and Respondent/Party B or Party C and the case number as they appear on the petition that originally started this case. Whoever was the Petitioner/Party A, Respondent/Party B, or Party C for the filing of the original case remains Petitioner/Party A, Respondent/Party B, or Party C for all other papers filed under this case number. Your case number also stays the same for any papers filed in your case.
3. Judge’s Name: Fill in the name of the Judicial Officer (Judge or Commissioner) assigned to your case. If you do not know the name of the judicial officer assigned to your case, call Case Management Services at 520-724-8424.
4. Type of Trial: Check the box for the type of trial you are requesting. If you request an Informal Trial, all parties and the court must consent. The parties may elect an Informal Trial and waive a traditional trial on the record under oath or in writing using the Family Law Informal Trial Election form. Each party must file the election form.
5. Priority for trial. Per Rule 77 of the Arizona Rules of Family Law Procedure (ARFLP), your case is given preference by the court if it involves legal decision-making or parenting time of minor children. Check the appropriate box if your case is entitled to trial priority in scheduling.

6. Set your case for trial. Add a date at least 60 days from the date of the filing of this motion when your case will be ready for trial.
7. Short case. Some cases can be heard in an hour or less. If a lawyer has told you or you are otherwise fairly certain that your case can be heard in an hour or less, check the box for “yes”; otherwise, check the box for “no” or “not sure.”
8. Estimated length of trial. Indicate how long you think the trial will take. Generally, you may want to request “1 Day” if:
 - It is a divorce, paternity, or legal decision-making and parenting time trial,
 - If you will be having a lot of witnesses, experts, or
 - There is an attorney for the other side.

If there are no witnesses other than you and the other party, and you do not have a lot to tell the judge, you may ask for “2 Hours.” The court will decide how much time to schedule for the trial. If the trial takes longer than the time allowed, the judge can continue the trial to another date and time.

9. Certification of readiness. Put an “X” in this box if discovery has been completed (or there has been enough time and no request for discovery have been made) and your Domestic Relations/Family Court case is ready to proceed to trial. If you have questions about “discovery,” you should ask a lawyer for help or research the local rules and requirements at a law library.

Form: Family Law Informal Trial Election

Complete this form if you have not previously consented on the record or in writing to have an informal trial and you are requesting an informal trial.

Next step: After you have filled out the motion and informal trial election (if applicable) forms, read and follow the instructions on the Procedures: What to do