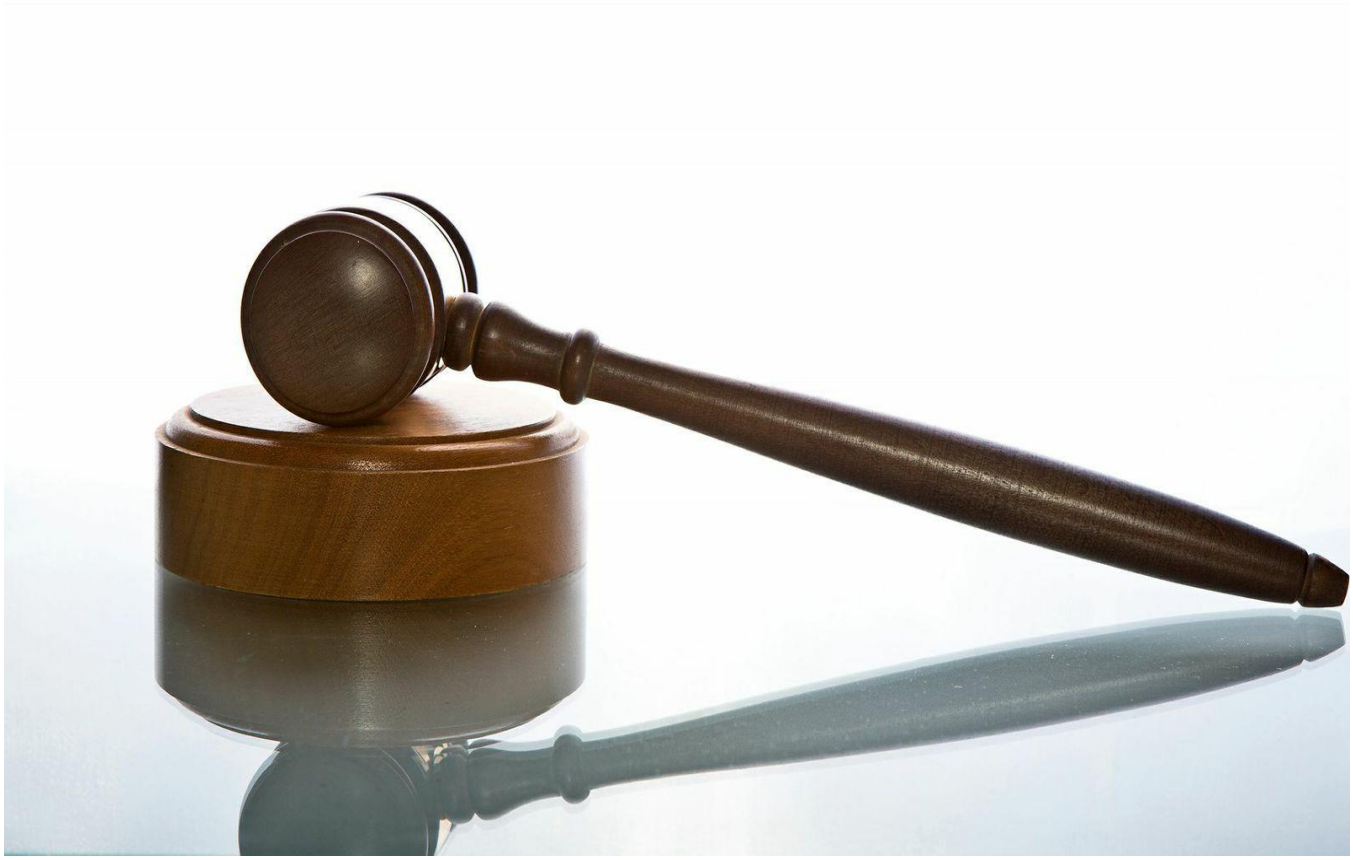
TRIAL PREPARATION



Packet #14

These forms must not be used to engage in the unauthorized practice of law. The court is not responsible for (1) actions taken by the users of these forms or (2) users' reliance upon the instructions or information provided.

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Are you the victim of domestic violence?

Important! Read this first…

Unfortunately, domestic violence may occur in any relationship and may be directed against you personally or against your children.

You are a domestic violence victim if you or your children have experienced:

- Physical acts like hitting, slapping, pushing, or kicking
- Threats of physical violence by phone or in person
- Abusive words and/or behavior used to control you or put you in any kind of danger
- Being followed around throughout the day or having your interaction with others monitored
- Being forbidden to leave your house, or being taken against your will and kept at any other location
- Having someone enter the house against your will, behave in a disorderly manner, and/or damage property
- Conduct that involves disobeying court orders, including interfering with your parenting time

- You **DO NOT** need to have been seen at a hospital or at a doctor's office.
- The other person **DOES NOT** need to have been convicted of domestic violence or assault.

You can get an IMMEDIATE Order of Protection to keep him or her away from you and your children by obtaining a Petition for Order of Protection from the clerk of the court on the first floor of the Pima County Superior Court, Room 131A. You may submit the Petition to any of the following court locations between the hours of 8 am and 4:30 pm.

Tucson City Court
103 E. Alameda St.
(520) 791-4971

Pima County Consolidated Justice Court
115 N. Church Avenue, 2nd floor
(520) 724-3171

Pima County Juvenile Court Center
2225 E. Ajo Way
(520) 724-2045

Pima Superior Court Clerk's Office
110 W. Congress, 1st floor
(520) 724-3210

To get an Order of Protection after hours or on weekends or holidays, call:

Tucson Police Department
(520) 741-4444

Pima County Sheriff's Department
(520) 724-4900

In case of emergency, call 911.

If you are in a protected location or shelter DO NOT put your address or phone number on the court documents!

If possible, get a P.O. Box or use another valid mailing address on the papers, and tell the clerk of the court about your existing Order of Protection and case number.

You can ask for a Protected Address with the *Request for a Protected Address* form. Both the *Request for a Protected Address* and *Order for a Protected Address* are included at the end of this packet.

You can find more information about Orders of Protection at the Clerk of Court located on the first floor of Pima County Superior Court (110 West Congress Street, Tucson Arizona 85701). They are open from 8:00 am to 5:00 pm Monday through Friday (except holidays). For more information, call (520) 724-3210.

The *Request for a Protected Address* is NOT the same form as the *Confidential Sensitive Data Form*.

GENERAL INFORMATION & Frequently Asked Questions

This packet will give you an overview of how to properly complete and file the necessary forms in order to take your Family Court case to trial. Whilethe legal process may seem overwhelming and intimidating, please know that this packet is written with your needs in mind, and is intended to makethis process as easy for you as possible.

If you take the time to read and follow the self-help instructions, and fill outthe forms correctly and completely, then your trial preparation will be fairly straightforward. The forms will walk you through the entire process so that you will be ready to present your case to the court when the time comes.

Other important forms and instructions for Family Court cases can be found online at: **http://www.sc.pima.gov/Default.aspx?tabid=119.** We recommend that you do not fill out all the forms in all the packets right away. If you complete only the forms that you need for the step you are currently working on, it will help to simplify the process.

There are times when more complicated legal problems will come up, and you may want to get the advice of a lawyer. There are lawyers who will help you help yourself. This means that they will only charge you for giving you the help you need, and you can complete the court papers on your own or ask the lawyer for help with your papers (see page 8). For more information, callthe **Law Library and Resource Center at (520) 724-8456.**

The Law Library and Resource Center has other resources you may want to use. They are located in Room 256, on the second floor of the Pima County Superior Court (110 West Congress Street, Tucson Arizona 85701). They are open from 8:30 a.m. to 5 p.m. Monday through Friday (except holidays). Call or email them at **lawlibrary@sc.pima.gov.**

This symbol is a warning. It can mean a few different things:

- The topic can be confusing and you may need to ask a lawyer for help
- You may need to make sure that something is done

Whenever you see this symbol, ***make sure*** you read the information carefully and understand it fully.

What about my children?

If this legal action involves minor children, you and the other party are required to attend the Domestic Relations Education on Children's Issues Course (Parent Education Class). You must complete this class within the first 45 days after your Divorce Petition was served on you.

You are not responsible for the other party's attendance, but no request regarding Legal Decision-Making or Parenting Time will be granted to a non-attending party, and the course must be completed before attending Conciliation Court Mediation. There is a $45 fee for this class. You can register for the course at **www.sc.pima.gov/fccc/parented** or by calling **520-724-4949.**

What if the other party disagrees with me about the children?!

If you and the other party cannot agree on a plan for how each of you will spend time with the children or on who will make legal decisions for them, you will be required to attend Conciliation Court Mediation before your trial can be set. At Conciliation Court Mediation you and the other party will both meet with a neutral third party to get help in solving your problems and writing a Parenting Plan for your minor children (See Packet #9 *Legal Decision-Making and Parenting Time*). It does not deal with child support (see Packet #8 *Child Support*), spousal maintenance (alimony), or division of property or debts.

Mediation is offered as a free service only through the Conciliation Court.

When Does a Case Go to Trial?

If you and the other party cannot agree on the issues in your divorce or paternity case (including legal decision-making, parenting time, and child support), you must take steps to have your case set for trial.

Remember, if you and the other party cannot agree on a Parenting Plan for your minor children, you must attend Conciliation Court Mediation before you can ask for your trial to be set. (See details on page 4.)

How Do I Ask for a Trial?

Either the Petitioner or the Respondent may request that a case be set for trial after a Response has been filed. To request a trial, you must file the form Motion to Set and Certificate of Readiness which is included in this packet. Trials are generally set within 3 to 4 months after the Motion to Set and Certificate of Readiness is received.

- If a Motion to Set and Certificate of Readiness is not filed within 6 months (180 days) after the Petition is filed, the case will be placed on the inactive calendar and the court may dismiss it 60 days later.

  If the case is dismissed, you must restart the entire process with new filing fees.

After you file the *Motion to Set*, the other party can file a Controverting Certificate disagreeing with information contained in the *Motion to Set and Certificate of Readiness*, such as the length of trial or when the matter will be ready for trial. The assigned judge will then make a decision about when the trial will be set and issue a Trial Notice that includes either the trial date or a final Pre-Trial Conference date, the due date for your *Pre-Trial Statement*, and the date of the Settlement Conference.

When you receive the Trial Notice, please read it carefully.

What if I Can't Make My Trial Date?

After your trial date is set, any request to change it must be in writing by filing a Motion to Continue. Provide a copy of it to the assigned judge's office, along with the original Notice of Hearing, and mail copies of both documents to the other party. You can find the Motion to Continue at the Self Service Center in the library of Superior Court, or online at: **http://www.sc.pima.gov/Default.aspx?tabid=119**.

What Is a Pre-Trial Statement?

The *Pre-Trial Statement* is essentially an outline of what will go on at trial. You can use it during trial to help you present your case to the judge, so it is important that you fill it out as thoroughly as possible. It is also the next form to prepare for trial after you get the Trial Notice.
Normally, you and the other party must file a joint *Pre-Trial Statement*. This means you will have to meet with the other party to prepare the statement before its due date. There are two exceptions:

1) If there has been domestic violence, then each party may file a separate *Pre-Trial Statement*.

2) If previous attempts have proven that you and the other party are incapable of working together on a joint *Pre-Trial Statement*, then each party MUST file a separate *Pre-Trial Statement*.

- If neither party files a *Pre-Trial Statement*, your case will be placed on the inactive calendar and may be dismissed in 60 days.

If the case is dismissed you must restart the entire process with new filing fees.

- If a party refuses to work with the other to prepare a joint *Pre-Trial Statement*, then that party may be sanctioned by the judge at trial.
- If a party does not file either a joint or separate *Pre-Trial Statement*, then that party may not be able to present any evidence or witnesses at trial.

Why Do I Have to Go to a Settlement Conference?

After you file the *Pre-Trial Statement*, you and the other party must go to a Settlement Conference to make a final attempt at working out your disputes before trial with a settlement judge. If you and the other party come to some agreements, the settlement judge will make an order that will be used at trial and the trial will be shorter. If you reach a full agreement on all disputes, you will not need to go to trial and your divorce can be finalized that day.

If one party does not attend the Settlement Conference, that party will face substantial negative consequences at trial.

What Happens at Trial?

If you do not settle your case, you must appear for trial at the scheduled date and time. At trial, the Petitioner will go first in presenting evidence, which includes testifying and calling witnesses. The Respondent can then cross-examine (question) the Petitioner and any witnesses called.
After the Petitioner has presented all of their evidence, the Respondent will present evidence, and the Petitioner can then cross-examine.

The judge will consider evidence from reputable, trustworthy sources such as bank statements or letters from teachers or doctors. Letters from neighbors, friends, and family will generally not be considered by the court.

After each party has presented evidence, the judge may make a decision in court or, more likely, take the case under advisement. This means the judge will rule on your case within 60 days, and a copy of the ruling will be mailed to you.

Trying a family law case is a difficult and complicated task. You are strongly encouraged to consult a lawyer as soon as you know your case is going to trial.

Volunteer Lawyers Program Domestic Relations Clinic

Pima County Superior Court has a program through which free assistance is given to anyone representing themselves in a Family Court case, including anyone filing for a divorce or paternity case.

At the clinic, someone will review your pretrial information to help ensure these documents are complete and legally correct.

Making use of the Clinic is in your best interest. The judge will not sign any documents that are incorrect or incomplete. In such cases, you will have to leave, correct your documents and then schedule another hearing.

For information on scheduling an appointment you can call the Pima County Superior Court Law Library at **520- 724-8456**, or go in person to the library on the second floor of the Pima County Superior Court.

Additional Resources Available to You

Getting a divorce can be confusing and scary. If you feel you need help with parts of the divorce process, you can hire a "limited-scope attorney" who will only charge for giving the help you need. The Law Library and Resource Center and the Domestic Relations Clinic will help you review your documents if you prefer to complete them on your own.

To Find a Lawyer:
Pima County Bar Association Lawyer Referral Service and QUILT program: 520-623-4625
Law Library and Resource Center: 520-724-8456
Southern Arizona Legal Aid: 520-623-9465

Mediation Services and Parent Education:
Pima County Conciliation Court: 520-724-5590

- Provides free mediation services to residents of Pima County
- Administers Parent Education Classes

Model Parenting Time Plans:

http://www.azcourts.gov/portals/31/parentingTime/PPWguidelines.pdf.

Child Support Help:

Arizona DES Child Support Enforcement Division website:
https://https://des.az.gov/dcss

Child Support Calculator:

https://www.sc.pima.gov/law-library/child-support-calculator/

Other resources you may find helpful:

Arizona Revised Statutes (A.R.S.):
https://www.azleg.gov/arsDetail/?title=25

Pima County Bar Association Public Resource Page: http://www.pimacountybar.org/legal-resources

State Bar of Arizona:
https://azbar.legalserviceslink.com/

Law Library website:
https://www.sc.pima.gov/law-library/

There are six forms and instructions in this packet:

Please provide one-sided copies only

- Motion to Set Trial Date and Certificate of Readiness
- Family Law Informal Trial Election
- Pretrial Statement
- Inventory of Property and Debts
- Affidavit of Financial Information
- Child Support Financial Affidavit

If you do not understand any of the terms used in the instructions or forms, please consult *Packet #1, General Information* beginning on page 12.

At the end of the instructions there are directions on how to file these forms with the court once they are completed.

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.

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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.

Do not copy or file this page

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 ….

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Person Filing:_____

Address (if not protected):_____

City, State, Zip Code:_____

Telephone:_____

Email Address:_____

ATLAS Number:_____

Lawyer's Bar Number:_____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent OR ☐ Third Party

SUPERIOR COURT OF ARIZONA
IN PIMA COUNTY

_____
Name of Petitioner/Party A

_____
Name of Respondent/Party B

_____
Name of Third Party/Party C

Case No. _____

MOTION TO SET TRIAL DATE AND CERTIFICATE OF READINESS

☐ Dissolution/Legal Separation/Annulment
☐ Paternity
☐ Other _____

Assigned to: _____
Judicial Officer's Name

I. Type of Family Law Trial: What type of trial are you requesting? (Choose one)

☐ Informal Trial

OR

☐ Traditional Trial

II. Information about my case:

I request that the above-numbered case be set for trial and certify that:

A. The Petition was filed on _____ (date) and a Response was filed on _____ (date).

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B. ☐ I do not have a lawyer. (Note: If you have a lawyer, your lawyer must file this motion.)

C. Priority for trial. (Choose one)

1. ☐ Legal decision-making and parenting time are at issue, and the case is entitled to trial priority.
   a. Each party has completed the Parent Information Program, and the Certificates of Completion are filed with the court. ☐ Yes ☐ No
   b. Mediation has been completed or does not apply. ☐ Yes ☐ No
2. ☐ This case is not entitled to be heard before other cases.

D. Set my case for trial.

1. My case will be ready for trial on or after (date) _____. (This date must be at least 60 days from the date this motion is filed.)
2. Each party has completed, or will have had a reasonable opportunity to complete, all procedures intended to be undertaken per the Arizona Rules of Family Law Procedure 10 days prior to trial. ☐ Yes ☐ No

E. ☐ This is a short case (may be heard in an hour or less);

OR

☐ This is not a short trial and the estimated length of trial is: _____ hour(s) or _____ day(s); and the following parties have consented to proceed with an informal family trial under Rule 77.1:

☐ Petitioner ☐ Respondent ☐ Third Party, if applicable

F. ☐ Certification of readiness: Each party has completed, or has had a reasonable opportunity to complete, discovery. By marking this box and signing this document, I am telling the court that I have obtained all of the facts and information I need from the other party, I have answered all discovery requests from the other party, and I am ready to proceed to trial.

III. Information about lawyers representing parties in this case:

A. ☐ Information about the other party or his/her lawyer. (If other party has a lawyer, enter the information about the other party's lawyer.)

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Case No. _____

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone: _____

IV. Certification of mailing or delivery.

A. Judge's copy: I have provided or will provide a copy of this document to the assigned judge by:

1. ☐ Delivering 2 copies to Case Management Services on this date _____. (Month, Date, Year)
2. ☐ Mailing a copy to the judge on this date _____.
3. ☐ Delivering a copy to the judge's mailbox, on this date _____*

*Note: Judges' mailboxes are located at Case Management Services at the Information Booth on the 1st Floor or Court Administration on the 9th floor.

You must also mail or deliver a copy of the Motion to Set and Certificate of Readiness to the other party or his/her lawyer. If there is a court order for the parties to not have contact, do not deliver in person to the other party.)

B. Other party/attorney's copy: A copy of the Motion and Certificate has been mailed or delivered to the other party or his/her attorney. ☐ Yes ☐ No

Date mailed or delivered: _____

(Month, Date, Year)

At this address: _____

_____.

I declare under penalty of perjury that the forgoing is true and correct.

Date _____ _____

Signature

_____

Printed Name

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Person Filing:_____

Address (if not protected):_____

City, State, Zip Code:_____

Telephone:_____

Email Address:_____

ATLAS Number:_____

Lawyer's Bar Number:_____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent OR ☐ Third Party

SUPERIOR COURT OF ARIZONA
IN PIMA COUNTY

_____
Name of Petitioner/Party A

Case No. _____

FAMILY LAW INFORMAL TRIAL ELECTION

_____
Name of Respondent/Party B

_____
Name of Third Party/Party C

Use this form if you want an Informal Trial instead of a Traditional Trial. You must file this form 30 days before the trial date (or trial setting if no trial date is scheduled).

Here are some of the differences between the two types of trials:

- In a Traditional Trial, both parties are allowed to call witnesses and to cross-examine the opposing witnesses. If either party requests, the Rules of Evidence apply.

- In an Informal Trial, the judge—not the parties—questions the witnesses. Other than the parties, only expert witnesses are allowed. The Rules of Evidence do not apply. Instead, the process follows the rules for Informal Family Law Trials (see AO 2022-159, adopting Rule 77.1.) See Rule 77.1 on the court's family court website. Family Court (pima.gov)

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I have reviewed the document "Helpful Information about Family Law Trials."

1. I want an Informal Trial. I am the (check one): ☐ Petitioner/Party A ☐ Respondent/Party B ☐ Third Party/Party C.

   I understand that if the other party does not agree to an Informal Trial, we will have a Traditional Trial.

2. I understand that an Informal Trial works like this:
   - Each party will give a brief summary of the issues that need to be decided. Each party will speak to the judge under oath about the issues in the case (examples: how to divide property and debt, parenting plan, child support, spousal support).
   - Each party will have an opportunity to respond to the other party's statement and explain how the law applies to their case.
   - There is no cross examination. The judge may ask questions.
   - Most of the time, the parties to the case are the only witnesses in an Informal Trial. Sometimes a party needs an expert witness (someone with special training and education) to give an opinion, which is allowed in informal trials. The parties or their lawyers may ask experts questions. The expert's report will be received as an exhibit.
   - Non-expert witnesses are generally not allowed, unless the judge orders otherwise. Instead, each party may submit an affidavit or unsworn declaration under penalty of perjury from other people. Also, each party can submit any document or other evidence they want the judge to review.
   - If any professional has been appointed by the Court on the case, the individual may testify and answer questions from the Court.
   - The judge will decide what credibility and weight to give documents, physical evidence, and testimony that is entered as evidence during the Informal Trial. The judge is not bound by the Rules of Evidence.
   - The judge will follow the same law to decide the case, whether it is an Informal or Traditional Trial.

3. Expert witnesses (check one)

   ☐ I do not have expert witness to testify at my trial.

   ☐ I do have an expert to testify at my trial.

   (Name) _____ has expertise in and has information

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relevant to my case. ☐ I have filed the report they prepared for my case.

4. I give up my right to a Traditional Trial.

   By agreeing to an Informal Trial, I agree to the following:

   - Voluntary. My participation in an Informal Trial is strictly voluntary. No one can force me to agree to this process. I have not been threatened or promised anything for agreeing to an Informal Trial.

   - Format. The normal question-and-answer format of trial will not be used. The judge may ask me questions about the case. The other party and I can both tell the judge anything we feel is relevant.

   - Rules. The Rules of Evidence will not apply in this Informal Trial. I will follow the procedures of Rule 77.1, the rule on Informal Family Law Trials.

   - Evidence. Unless otherwise ordered, neither party will call any witnesses except for a court-appointed professional or expert.

   - No appeal of the process. I give up my right to appeal the judge's use of the Informal Family Law Trial process. I still have a right to appeal the final decision.

By signing below, I swear or affirm that the information above is true and correct.

_____ _____

Date Signature

_____

Printed Name

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Case No. _____

Certificate of Service

I filed the ORIGINAL of this document with the Clerk of the Superior Court in Pima County on: _____.

(Month Day Year)

I mailed/delivered a COPY of the document to the Judicial Officer assigned to my case,

Judge (or Commissioner) _____,
(Name of Judicial Officer assigned to your case)

on _____.
(Month Day Year)

I mailed/delivered a COPY of the document to the other party/parties to my case,

_____,
(Name of Party)

on _____.
(Month Day Year)

_____,
(Name of Party)

on _____.
(Month Day Year)

By signing below, I state to the Court, under penalty of law, that I have filed/mailed the document as shown above. I understand that if I do not file/mail the document as shown above, the Judge in my case will not read the document.

_____
Your signature

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Procedures: What to do with the Motion to Set and Family Law Informal Trial Election forms after you have filled them out

Follow these procedures if you have filled out the Motion to Set Trial Date and Certificate of Readiness (commonly called "Motion to Set") and you want a trial to be scheduled in your case.

Step 1: Review the Motion to Set form to make sure it is complete and filled out in black ink. Sign and date the form before you make copies. You may want to wait until the day you file the form before filling in the dates you are planning to mail or deliver the copies as stated on page 3.

Step 2: If you are requesting an informal trial, all parties must sign and file the Family Law Informal Trial Election form included in this packet.

Step 3: Make 4 copies of the completed forms:

Set 1 – Originals for Clerk of Superior Court: • Motion to Set • Family Law Informal Trial Election (if applicable)	Set 2 – Copies for Judge assigned to your case: • Motion to Set • Family Law Informal Trial Election (if applicable)
Set 3 – Copies for Other Party: • Motion to Set • Family Law Informal Trial Election (if applicable)	Set 4 – Copies for Case Management Services/Court Administration: • Motion to Set • Family Law Informal Trial Election (if applicable)
Set 5 – Copies for you (keep for your records): • Motion to Set • Family Law Informal Trial Election (if applicable)	

*If there is more than one other party, you will need a copy for each.

If you eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge, and Case Management Services. For more information about how to eFile your papers, read the eFiling instructions at https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

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Step 4: File the papers at the court. Take the original and all copies to the Clerk of Superior Court filing counter.

Superior Court in Pima County
110 W. Congress St
Tucson, AZ 85701

Hand the original and all copies of the Motion to Set to the Clerk of Superior Court where you filed your case. The Clerk will stamp and file the original and return all copies to you. These are now called "conformed" copies to indicate that the copies conform to (appear to be the same as) the original document filed with the court.

Step 5: Provide a copy to the judge assigned to your case by:

1. Delivering a copy to Case Management Services located at the Information Booth on the 1st Floor OR
2. By mailing it directly to the assigned judge.

Step 6: Mail one copy to the other party, or if the party is represented by an attorney, to their attorney instead. If there is more than one other party to the case, you will need to mail a copy to each.

Step 7: Wait to receive a notice from the court. After you have filed the Motion to Set, you should be contacted by the office of the judge assigned to your case to inform you of the dates of your Pretrial Conference and Trial. The document you will receive is called a Minute Entry, and it will give you instructions about what to file before the Trial.

Do not copy or file this page

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Instructions for Completing the Pre-Trial Statement

You may type on the forms or write on them in black ink.

The Caption:

- **Personal Information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

  If you are a Domestic Violence Victim and have a protected address write "Protected Address" here and in all other spaces that require your address.
- **Case No. –** Clearly print the Pima County Superior Court "D" and "SP" Number, which is the case number that appears on the Petition.
- **Petitioner –** Enter the name of the party who filed the original Petition.
- **Respondent –** Enter the name of the party who filed the original Response.
- **Check the correct box on the right hand side to indicate what kind of *Pre-Trial Statement* you are filing –** If you are filing a joint *Pre-Trial Statement*, check Joint. If youare filing a separate *Pre-Trial Statement*, check whether you are the Petitioner or Respondent.
- **Assigned To –** Write the name of the Judge assigned to your case. You can find this on the Petition.

Statement (Items 1-17):

1. Check the box to indicate whether this is a Joint *Pre-Trial Statement* or, if it is a Separate *Pre-Trial Statement*, check whether you are the Petitioner or Respondent. Then check the reason you are not filing a joint *Pre-Trial Statement*.
   - Remember, you can only file a separate *Pre-Trial Statement* if there is domestic violence in the case or if you and the other party tried to complete the joint *Pre-Trial Statement* in good faith but were unable to complete it.
2. Check the box to indicate what kind of case this is.
3. Enter the date of your pre-trial conference or trial. These dates can be found on the Trial Notice.
4. Enter how long you estimate the trial will take both parties to present their cases.
5. Enter the required information for yourself and the other party.

6. Enter the date and place of your marriage.
7. Enter the date that the Respondent was served the Petition or signed an Acceptance of Service.
8. Enter the minor children's names and ages, if applicable. You do not need to providedates of birth.
9. If you will be calling witnesses, check the applicable box. If you are filing a joint *Pre-Trial Statement* and both parties will be calling witnesses, both boxes should be checked.
    - Then, fill out the attached Witness List at the end of the *Pre-Trial Statement*. There are separate Witness Lists for the Petitioner and Respondent, so be sureto only fill out the Witness List that applies to you.
    - Enter the name, address, and telephone number of all of your witnesses on the Witness List. Under Summary of Testimony, write a brief description of what you expect your witness will say at trial.
10. If you will be providing exhibits, check the applicable box. If you are filing a joint *Pre-Trial Statement* and both parties will be providing exhibits, both boxes should be checked.
    - Then, fill out the attached Exhibit List at the end of the *Pre-Trial Statement*. Thereare separate Exhibit Lists for the Petitioner and Respondent, so be sure to only fill out the Exhibit List that applies to you.
    - Exhibits are documents or other things that you want the judge to look at. On the numbered lines of the Exhibit List, provide a name or description of each exhibit.
    - If you don't want the judge to look at one of the other party's exhibits, briefly explain why on the Objection line next to the exhibit. You may also leave the Objection lines blank. At trial you can explain to the judge why you object to anyof the other party's exhibits.
    - Check the box indicating that you will comply with Pima County Local Rule 8.5, as well as the boxes next to "Required Financial Affidavit" and "Inventory of Property." You will need to fill out a financial affidavit and an inventory of propertyform after you complete the *Pre-Trial Statement*. These forms are attached to this packet.
11. Enter any stipulations or agreements that both parties have reached. Stipulations are agreements that have been put in writing. For example, both parties may agree on aparenting time plan or agree that a piece of property is going to be considered community property.
12. For this section, enter the facts that neither party disputes. These could be things suchas: the date of marriage, the number of children from the marriage, or the results of a DNA test.
13. If you are the Petitioner, enter all the factual and legal issues or disputes that you wantthe court to resolve, as well as a brief description of your position on each.

- A factual issue or dispute may include the date property was acquired, whether domestic violence has occurred, or whether a child has a special need.
- A legal issue or dispute is something that could affect the court's ability to hearand decide the case. For example, jurisdiction could be an issue of law that would affect the court's ability to hear your case if neither party has lived withinArizona for at least 90 days. An issue or dispute of law that affects the court's ability to decide the case may include whether property is community or separate, whether you are a legal parent, or whether the marriage is valid.
- If Legal Decision-Making or Parenting Time issues need to be resolved, each party must submit a proposed Parenting Plan. Parenting Plans can be found inSelf Service Packet #9.

14. If you are the Respondent, enter all the factual and legal issues or disputes that you want the court to resolve, as well as a brief description of your position on each. See theabove instruction (#13) for guidance and additional information.
15. This statement means that both parties have shared all documents and information required by Rule 49 of the Rules of Family Law Procedure (ARFLP). This must happen before you go to trial. If you are filing a joint *Pre-Trial Statement*, check the box next to "Both" if you have shared all documents and information with each other. If you are filinga separate *Pre-Trial Statement*, check whether you are the Petitioner or Respondent. This rule and other rules can be found online at:! http://www.supreme.state.az.us/rules/ramd_pdf/r-05-0008.pdf.
16. If you are filing a joint *Pre-Trial Statement*, check "Both" to show that each party will receive a copy of the *Pre-Trial Statement* and will exchange all documents and any expert witness reports each party wishes to present to the judge. If you are filing a separate *Pre-Trial Statement*, check the appropriate box to show that you will exchangeall documents and any expert witness reports.
17. Check the box to indicate that you have made an effort to reach a settlement in yourdispute.
    - With the exception of domestic violence, generally both parties should be able towork together to reduce or settle the issues of their case. If you cannot meet in person, use other means of exchanging settlement offers such as email or letters. If an attorney represents your spouse, and you are representing yourself, it is very important that you contact their lawyer to see if you can settle any issues.

18. If you want to have a court reporter in addition to the digital recording of the trial, checkthe appropriate box.
19. Check the first box if both parties already have a copy of the *Pre-Trial Statement*. Checkthe second box if you will mail or hand-deliver a copy to the other party and write the date you

mailed or hand-delivered the copy.

20. If Legal Decision-Making or Parenting Time is an issue, complete and attach a Parenting Plan. The form can be found in Self Service Packet #9, *Parenting Plans*.

Sign and date your Statement

Along with the *Pre-Trial Statement*, you will need to fill out:

- *Inventory of Property and Debts* (unless yours is a Paternity action and the onlyissues are paternity, legal decision-making, or parenting time)
- *Affidavit of Financial Information* OR *Child Support Financial Affidavit*

Fill out the *Affidavit of Financial Information* if you are asking for spousal maintenance or attorney's fees. Fill out the *Child Support Financial Affidavit* ifchild support is the ONLY contested issue in your case.

After completing all appropriate forms and making copies, follow the instructions at the endof this packet to file your forms and serve them on the other party.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No._____

PRE-TRIAL STATEMENT
☐ **JOINT**
☐ **PETITIONER**
☐ **RESPONDENT**
ASSIGNED TO:_____

The parties to this action submit:

1. ☐ This joint Pre-Trial Statement pursuant to Rule 76(C), Arizona Rules of Family Law Procedure and Pima County Local Rule 8.7
   OR
   The ☐ Petitioner ☐ Respondent submits this separate Pre-Trial Statement and states that:
   ☐ I am unrepresented and there has been domestic violence between the parties.
   ☐ I am unrepresented and both parties have attempted to work on a joint Pre-Trial Statement in good faith but were unable to complete a joint Pre-Trial Statement.

2. This is an action for:
   ☐ Dissolution of Marriage
   ☐ Annulment of Marriage
   ☐ Third Party Visitation
   ☐ Other _____
   ☐ Legal Separation of Marriage
   ☐ Establishment of Legal Decision-Making and/or Parenting time of Minor Children
   ☐ Modification of Legal Decision-Making and/or Parenting Time of Minor Children

3. This matter is currently set for trial or pre-trial conference on _____

4. I/We in good faith represent that the trial will require _____ ☐ Hours **OR** ☐ Days

5. **THE PARTIES ARE:**

Petitioner		Respondent	
Name	_____	Name	_____
Address	_____	Address	_____
Age	_____	Age	_____
Employer	_____	Employer	_____

6. Date of Marriage _____ Place of Marriage _____

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7. Date of Service of Petition on Respondent _____

8. **MINOR CHILDREN:**

Name	Age	
_____	_____	*Only provide Date of Birth on the Sensitive Information Sheet
_____	_____	
_____	_____	
_____	_____	

9. **WITNESSES:**

☐ The Petitioner has listed the name, address, and telephone number of all persons he/she intends to call as a witness on Petitioner's attached Witness List.

☐ The Respondent has listed the name, address, and telephone number of all persons he/she intends to call as a witness on Respondent's attached Witness List.

10. **EXHIBITS:**

☐ The Petitioner has listed with specificity all proposed Exhibits on Petitioner's attached Exhibit List and his or her objections to Respondent's proposed exhibits.

☐ The Respondent has listed with specificity all proposed exhibits on Respondent's attached Exhibit List and his or her objections to Petitioner's proposed exhibits.

☐ Pursuant to Rule 8.5, Pima County Local Rules, the following mandatory exhibits are filed with this Pretrial Statement:

☐ Required Financial Affidavit

☐ Inventory of Property

11. **STIPULATIONS AND AGREEMENTS:**

_____

_____

12. **UNCONTESTED ISSUES OF FACT WHICH THE PARTIES AGREE ARE MATERIAL:**

_____

_____

13. **PETITIONER'S DETAILED POSITION AND PROPOSAL FOR RESOLUTION OF CONTESTED ISSUES OF FACT AND LAW (attach more pages if needed):**

_____

_____

_____

_____

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14. **RESPONDENT'S DETAILED POSITION AND PROPOSAL FOR RESOLUTION OF CONTESTED ISSUES OF FACT AND LAW:**

_____

_____

_____

_____

15. DISCLOSURE:
☐ The Petitioner ☐ The Respondent ☐ Both state that all pre-trial disclosures under Rule 49, Arizona Rules of Family Law Procedure, have been completed and are up to date.

16. **EXCHANGE OF INFORMATION:**
☐ The Petitioner ☐ The Respondent ☐ Both state that each party has received a copy of the Pre-Trial Statement and that each party has exchanged true and correct copies of all exhibits and any written reports of experts who have been listed.

17. **SETTLEMENT:**
☐ The Petitioner ☐ The Respondent ☐ Both certify that I/we have in good faith discussed settlement.

18. **REQUEST FOR COURT REPORTER:**
☐ The Petitioner ☐ The Respondent ☐ Both request a court reporter to make a verbatim record.

19. **COPIES:**
☐ Each party has received a copy of this Pre-Trial Statement.
☐ On _____ I mailed/hand-delivered a copy of this Pre-Trial Statement. to: ☐ Petitioner ☐ Respondent ☐ Other _____

20. If decision-making and/or parenting time is an issue, complete and attach a Parenting Plan (Self Service Forms Packet #9).

Dated _____ Petitioner _____

Dated _____ Respondent _____

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Case No. _____

PETITIONER'S EXHIBITS

PETITIONER'S PROPOSED EXHIBITS:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

PETITIONER'S OBJECTIONS TO RESPONDENT'S PROPOSED EXHIBITS:

Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____
Respondent's Exhibit Number _____ Objection _____

☐ The Petitioner stipulates that any of Respondent's Exhibits which are not specifically objected to above may be admitted.

Case No. _____

RESPONDENT'S EXHIBITS

RESPONDENT'S PROPOSED EXHIBITS:

11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

RESPONDENT'S OBJECTIONS TO PETITIONER'S PROPOSED EXHIBITS:

Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____
Petitioner's Exhibit Number _____ Objection _____

☐ The Respondent stipulates that any of Petitioner's Exhibits which are not specifically objected to above may be admitted.

PETITIONER'S WITNESSES

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

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Case No. _____

RESPONDENT'S WITNESSES

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Witness Name _____
Witness Address _____
Witness Telephone No. _____
Day Evening

Summary of Testimony _____

Instructions for Completing Inventory of Property and Debts

You may type on the forms or write on them in black ink.

If yours is a Paternity action and the only issues are paternity, legal decision-making, or parenting time, you do not need to fill out this form.

The Caption:

- **Personal Information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

If you are a Domestic Violence Victim write "Protected Address" here and in all other spaces that require your address, and complete the Request for Protected Address and the Order for Protected Address found at the end of this packet.

- **Case No. –** Clearly print the Pima County Superior Court "D" and "SP" Number, which is the case number that appears on the Petition.
- **Petitioner –** Enter the name of the party who filed the original Petition.
- **Respondent –** Enter the name of the party who filed the original Response.
- **Check the correct box on the right hand side to indicate whether –** You are the PETITIONER or you are the RESPONDENT

This document will be a public record, so be sure to fill out the *Confidential Sensitive Data Form*, with the information you do not want the public to see, such as your bank account number. You can find the *Confidential Sensitive Data Form* in Self-Service Packet #2, *Divorce with Children*.

Item 1: Property

- List all property acquired during your marriage that both you and your spouse have an interest in keeping.
- Carefully read all sections before you start listing your inventory so that you put each item in the appropriate section. Use additional paper if necessary.
- Sections A through I
    - Write a short description of the items in the "Description" portion of the table. Examples are provided in each section to guide you.
        - If the description involves sensitive data, such as an account number, write "See Confidential Sensitive Data Form."
    - Under "Date Acquired," provide an approximate date for when you got the items listed.
    - Write the current fair market value of the items, minus any amounts owed, in the "Value" column.
    - If there is a dispute about whether or not both parties have an interest in a listed item, place a check in the "Contested Position" column.
    - In the column labeled "Proposed Allocation," mark whether the items being listed should go to the Petitioner (P) or the Respondent (R).

Item 2: Debts

- List all debts and installment payments that you currently owe. Use additional paper if necessary.
    - Under "Creditor Name," write the name of the bank/company you owe.
    - Explain the type of debt owed under "Purpose of Debt." (For example, student, personal, or business loans)
    - Write how much is still owed on the debt under the section labeled "Unpaid Balance."
    - Under "Min. Monthly Payment," state the minimum amount that the creditor asks you to pay each month. This could be different than the actual amount that you pay each month.
    - Under "Date of Last Payment," provide the date that your last payment was made on the debt.
    - If the debt is a contested issue, place a check in the "Contested Position" column.
    - In the column labeled "Proposed Allocation," mark whether the debts being listed should go to the Petitioner (P) or the Respondent (R).

Date and Sign the Inventory of Property and Debts

- Date and sign the form above the designated lines at the bottom of the page and check the appropriate box identifying you as either the Husband or Wife.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No._____

INVENTORY OF PROPERTY AND DEBTS
☐ PETITIONER
☐ RESPONDENT

PROPERTY

List all property acquired during your marriage in which you or your spouse claims to have a community interest. If there is a dispute as to whether there is a community interest or obligation, indicate under "Contested Position." Value of the property is its current fair market value, minus any encumbrances. Use additional paper if necessary.

Description	Date Acquired	Value	Contested Position	Proposed Allocation [H or W]
A. Cash and Financial Institution Accounts: savings, checking, money market, etc. Include financial institution's name, and branch.				
1.				
2.				
3.				
4.				
5.				
B. Investments: stocks, bonds, notes, certificates of deposit, mortgages, deeds of trust, etc.				
1.				
2.				
3.				

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Description	Date Acquired	Value	Contested Position	Proposed Allocation [H or W]
C. Life Insurance: company name, owner, insured, beneficiary, death benefits, and cash surrender value (if any)				
1.				
2.				
3.				
4.				
5.				
D. Retirement Plans: pension, profit-sharing, 401(k), deferred compensation				
1.				
2.				
3.				
4.				
5.				
6.				
E. Real Property				
1.				
2.				
3.				
4.				
F. Business Interests: corporations, partnerships, limited liability corporations, joint ventures, proprietorships				
1.				
2.				
3.				
4.				
G. Vehicles: cars, motorcycles, motor homes, boats, trailers, etc.				
1.				
2.				
3.				
4.				
5.				
6.				

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Description	Date Acquired	Value	Contested Position	Proposed Allocation [H or W]
H. Personal Property over $100 in Value: household goods, personal effects, antiques, objects of intrinsic value				
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
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21.				
22.				
23.				
24.				
25.				
26.				
27.				
28.				
29.				
30.				

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Description	Date Acquired	Value	Contested Position	Proposed Allocation [H or W]
I. Miscellaneous Assets				
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

DEBTS

List all debts and installment payments you currently owe. Use additional paper if necessary.

Creditor Name	Purpose of Debt	Unpaid Balance	Min. Monthly Payment	Date of Last Payment	Contested Position	Proposed Allocation [H or W]
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

_____ _____

Date

Signature of
☐ Husband ☐ Wife
☐ Attorney for ☐ Husband ☐ Wife

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Instructions for Completing Financial Affidavit

Complete this form if you are requesting spousal maintenance or attorney's fees. If you are ONLY requesting orders for child support, use the *Child Support Financial Affidavit* included in this packet.

The financial affidavit helps the court determine whether to grant spousal maintenance and attorney's fees. It does not guarantee the court will grant the request.

The court cannot order spousal maintenance or attorney's fees without this information. Also, failing to provide the information that this form requires could result in sanctions against you. Sanctions can include the assignment of court costs and attorney fees and a charge of contempt.

The Caption:

- **Personal information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

If you are a Domestic Violence Victim write "Protected Address" here and in all other spaces that require your address, and complete the Request for Protected Address and the Order for Protected Address found at the end of this packet.

- **Case No. –** Enter your Superior Court Number, as found on the Petition.
- **Petitioner –** Enter the Petitioner's name.
- **Respondent –** Enter the Respondent's name.
- **Prepared By –** Check whether you are "Petitioner" or "Respondent."
- **Current As Of –** Write the date you completed the form. This tells the court that all information you provide below is an accurate description of your financial status up to and including that date.

NECESSARY MONTHLY EXPENSES (page 1, left column)

- For each item, write the amount you pay monthly. These amounts should only include expenses for yourself and your minor children who reside with you. Some categories will require you to estimate

an average amount. Your amounts must be accurate statements of actual expenses. Proof may be required to verify the expenses (for example, your rental agreement), and you should bring those documents with you to the hearing.

Total Monthly Expenses (page 2, left column)

- Add the amounts from the left columns on pages 1 and 2, and write the total on the line.

MONTHLY PAYMENTS/DEBTS (page 1, right column)

This section is for other debts that you may owe and the payments you make on these debts, such as on credit cards.

- Write the creditor, the balance remaining, and the amount you pay each month. Use the space on page 3 under "**Additional Debts**" and additional paper if necessary.

Total Monthly Payments (page 1, right column)

- Add the debt payment amounts, including those listed under "**Additional Debts**" on page 3, and write the total on the line.

Total Expenses, Payments (page 1, right column)

- Add "**Total Monthly Expenses**" (from the left column on page 2) to "**Total Monthly Payments**" (from the right column on page 1) and write the total on the line.
-

INCOME (page 1, right column)

- Write the total amount of money you make in each paycheck, before any deductions. This is your "GROSS PAYCHECK."
- Check how often you receive this paycheck.

Note that receiving a paycheck every two weeks is different from receiving a paycheck twice a month.

- Write how much is taken out of your paycheck for: Federal taxes, State taxes, Social Security & Medicare**,** Insurance**,** Savings, Retirement Plans, and any other deductions (write the reason on the line).

Total Deductions (page 1, right column)

- Total all deductions and write the amount on the line.

Net Paycheck (page 1, bottom of right column)

- Subtract "**Total Deductions**" from "GROSS PAYCHECK" and write the amount on the line.
-

OTHER GROSS MONTHLY INCOME (page 2, top of right column)

- Write how much monthly income, if any, you receive from the listed items or any other monthly income not already mentioned (write the sources on the line).

The term "gross income" DOES NOThave the same meaning here as it does when used for tax purposes.

NOTE: Any child support payments you receive should not be included in income.

Total *other* gross income (page 2, right column)

- Add the amounts in this section and write the total on the line.

TOTAL GROSS MONTHLY INCOME (page 2, left side)

- Add "**Net Paycheck**" (on page 1) to "**Total *other* gross income"** and write the total on the line.

Present Occupation

- Write your current occupation, the date you started, and the name, address, and telephone number of your current employer.
- If you are not currently employed, write "N/A" on the first line.

Prior Occupation

- Write your prior occupation, the date you started working, your monthly income at that job, the date the job ended, and the name, address, and telephone number of your prior employer.
- If you do not have a prior occupation, write "N/A" on the first line.

Not Employed (if you are currently employed, leave this section blank)

- If you are not currently employed, explain why.
- Check "Yes" if you expect to work and "No" if you do not expect to work in the future.
- If you expect to work in the future, write the date you plan to start working.
- Write the occupation you anticipate having in the future.

All Minor Children

- Write the full name(s) and age(s) of your biological and adopted minor children who live with you. This includes children not connected to this case, but does not include stepchildren. You may attach an additional page, if needed.
- If there are no minor children living with you, write "N/A" on the line.

Pregnancy

- Check "Yes" if you or the other party is pregnant, otherwise mark "No."
- If you or the other party is pregnant, write the expected delivery date on the line.

Disability or Disease

- If you or any of your minor children suffer from any disability or disease, explain the situation in the space provided. You may attach an additional page, if needed.
- If not, write "N/A."

Disability or illness can affect your finances, so the court needs to take this information into account when determining whether or not to grant temporary orders for spousal maintenance and attorney's fees.

Bank Accounts

Here you will tell the court about all bank accounts (1) in your name, (2) in the names of you and the other party, and (3) in which you have an interest. You may have an interest in an account, meaning a right, claim, or legal share in the account, even if it isn't in your name.

The court needs to know about your checking and savings accounts, money market accounts, accounts at credit unions, any certificates of deposit you might have, and any other accounts. If you need more room, attach an additional sheet of paper.

For each account write the:

- Name of the bank and the branch location you use
- Kind of account (for example, checking, savings, money market, etc.)
- Last four digits **ONLY** of the account number
- Account's average balance. This information can often be found on monthly statements. On the lines, list information for:
- All cash, stocks, shares, and bonds that are in your name (either alone or with the other party) or in which you have an interest.

Attorney's Fees & Court Costs

- Write how much you have paid an attorney for assistance with this case.
- Write how much you have paid for court costs (such as filing fees).

Additional Debts

- Write who you owe under "creditor," the balance you owe, and the monthly payment for each debt. This section should include the debts already listed on the form, on page 1.

Date & Signature

- You can write your name on the first line and check whether you are "Petitioner" or "Respondent" beneath the second line, **but do not sign except in front of a notary**. When you file the papers with the court, you can sign the form in front of the clerk. The clerk will notarize your signature for free. You must bring a valid, government-issued picture ID (such as a driver's license) so the clerk knows whose signature is being verified.

Additional Documentation

In order to show the court that the information you provided on the form is accurate, you are **REQUIRED** to bring the following additional documentation to the hearing. You are also **REQUIRED** to provide copies of this additional documentation to the other party, but **DO NOT** file it with the clerk.

- Proof of past income (past two years of completed tax returns, W-2 forms, 1099 forms, and K-1 forms).
- Up-to-date income information for current year (a pay stub showing year-to-date earnings, and proof of any other source of income—including but not limited to salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, disability insurance benefits, recurring gifts, prizes, and spousal maintenance).
- Proof of payments for court-ordered child support or spousal maintenance NOT connected to this case.
- Proof of all medical, dental, and vision insurance premiums paid for you and any child connected to this case.
- Proof of any child care expenses paid for any child connected to this case.
- Proof of any payments for private or special schools or other particular education needs for any child connected to this case.
- Proof of payments for a child with special needs connected to this case.
- Proof of payments for necessary monthly expenses (bills for mortgage/rent, home and car repairs, utilities, food and household supplies, lunches, insurance, clothing and laundry, childcare, licenses, etc.).

Family law court files are public records. That means that if you give copies of your pay stubs, income tax returns, etc., to the clerk of the court to be filed, **all** of that paperwork will be available for the public to see. So DO NOT ATTACH financial documents to the *FINANCIAL AFFIDAVIT*.

After completing the *Financial Affidavit*, you **MUST** give it to the clerk to be filed along with the *Pre-Trial Statement*.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____ Petitioner

and

_____ Respondent

Case No._____

ATLAS No._____

FINANCIAL AFFIDAVIT

INSTRUCTIONS: Prepare this form following the instructions on the attached instruction sheet. Failure to provide the information required may result in the Court imposing sanctions against you pursuant to Rule 71 and/or 76D, Arizona Rules of Family Law Procedure.

NECESSARY MONTHLY EXPENSES (For yourself and minor children who reside with you)

House (mortgage/rent)	$
Repair/Upkeep	$
Utilities	
Electricity	$
Gas	$
Water & Sewer	$
Phone	$
Garbage	$
Food & Household Supplies	$
Work/School Lunch	$
Medical, Dental, Drugs, Supplies	$
Insurance not deducted from pay	$
Clothing	$
Laundry/Dry Cleaning	$
Childcare/Sitter	$
Support paid for spouse and/or minor children of prior relationship	$
Car Repair/Maintenance	$
Car Insurance	$
Gas/Oil	$
Vehicle License	$

MONTHLY PAYMENTS/DEBTS

Creditor	Balance	Payment
	$	$
	$	$
	$	$
Total Monthly Payments		$

Total Expenses, Payments $ _____

INCOME

GROSS PAYCHECK $ _____

☐ Weekly ☐ Twice/mo.*

☐ Monthly ☐ Every 2 weeks

*For example, the 1st and 15th

Less: Federal Taxes	$
Less: State Taxes	$
SS & Medicare	$
Insurance	$
Savings, etc.	$
Other	$
Other	$
Total Deductions	$
Net Paycheck	$

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Public Transportation $_____
Other $_____
$_____

Total Monthly Expenses $_____

OTHER GROSS MONTHLY INCOME

Pension/Retirement $_____
Social Security/SSI $_____
Dividends/Interest $_____

GA/TANF $_____
Other_____ $_____
Total *other* gross income $_____

TOTAL GROSS MONTLY INCOME $_____

Present Occupation _____ Starting Date: _____
Name of present employer _____
Address _____
Telephone No. _____

Prior Occupation _____ Starting Date: _____
Monthly Pay: _____ Ending Date: _____
Name of prior employer _____
Address _____
Telephone No. _____

If not currently employed, why? _____
Do you expect to work? ☐ yes ☐ no When? _____ Anticipated Occupation _____

Full name(s) and age(s) of **ALL minor child(ren)** residing with you (attach an additional page, if needed):

_____

_____

Are you or your spouse **pregnant?** ☐ yes ☐ no If yes, estimated delivery date: _____

Physical defect or organic disease suffered by you or your minor children: (attach an additional page, if needed):

_____

_____

List all **bank accounts** in your name, in the names of both spouses, or in which you have an interest, including checking, savings, credit union and certificates of deposit.

Bank and Branch Location	Type of Account	Account # (last 4 digits)	Average Balance

List all cash under your control and any stocks, shares, and/or bonds in your name, in the names of both spouses, or in which you or both you and your spouse have an interest.

_____

_____

Attorney fees paid to date $ _____ Court costs paid to date $ _____

Additional Debts: (also include monthly payments from page 1)

Creditor	Balance	Payment	Creditor	Balance	Payment

STATE OF ARIZONA

County of _____

_____, being first duly sworn, deposes and says that he/she has read the foregoing Financial Affidavit and knows the contents thereof, and that the allegations therein contained are true in substance and in fact, except those made on information and belief, which are believed to be true.

Signature: _____

☐ Petitioner ☐ Respondent

Subscribed and Sworn/Affirmed to, before me on: _____.

_____

Notary Public

My Commission Expires: _____

Instructions for Completing Child Support Financial Affidavit

You should complete this short form if you are ONLY requesting orders for child support. If you are requesting orders for spousal maintenance or attorney's fees, complete the longer *Financial Affidavit*.

This financial affidavit helps the court determine whether to grant child support. It does not guarantee the court will grant the request.

Failing to provide the information that this form requires could result in sanctions against you. Sanctions can include dismissal of your claim, assignment of court costs and attorney fees, and a charge of contempt.

The Caption

- **Personal information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

If you are a Domestic Violence Victim write "Protected Address" here and in all other spaces that require your address, and complete the Request for Protected Address and the Order for Protected Address found at the end of this packet.

- **Case No. –** Enter your Superior Court Number, as found on the Petition.
- **Petitioner –** Enter the Petitioner's name.
- **Respondent –** Enter the Respondent's name.
- **Prepared By –** Check whether you are "Petitioner" or "Respondent."
- **Current As Of –** Write the date you completed the form. This tells the court that all information you provide below is an accurate description of your financial status up to and including that date.

NECESSARY MONTHLY EXPENSES (left column)

Many of the amounts on this form will be the same as those you will include in the *Parent's Worksheet for Child Support Amount*. See Packet # 8, *Child Support*.

For each item, write the amount you pay monthly. These amounts should only include expenses for minor children involved in this case. Some categories will require you to estimate an average amount.

Your amounts must be accurate statements of actual expenses. Proof may be required to verify the expenses (for example, your childcare bill), and you should bring those documents with you to the hearing.

- "Extraordinary Child Expenses" are expenses for gifted children or children with disabilities, and you should list exactly what these monthly expenses are.

Total Monthly Expenses (left column)

- Add the expense amounts and write the total on the line.

INCOME (right column)

- Write the total amount of money you make in each paycheck, before any deductions. This is your "GROSS PAYCHECK."
- Check how often you receive this paycheck.

Note that receiving a paycheck every two weeks is different from receiving a paycheck twice a month.

OTHER GROSS MONTHLY INCOME (right column)

- Write how much monthly income, if any, you receive from the listed items or any other monthly income not already mentioned (write the sources on the line).

The term "gross income" DOES NOThave the same meaning here as itdoes when used for tax purposes.

Note: Any child support payments you receive should not be included in income.

Total *other* gross income (right column)

- Add the amounts of your other gross monthly income and write the total on the line.

ANNUAL PARENTING TIME DAYS:

- Write on the lines how many parenting time days you have with the child(ren) each year during the time periods listed.
- Add the days and write the total on the line.

Present Occupation

- Write your current occupation, the date you started, and the name, address, and telephone number of your current employer.
- If you are not currently employed, write "N/A" on the first line.

Prior Occupation

- Write your prior occupation, the date you started working, your monthly income at that job, the date the job ended, and the name, address, and telephone number of your prior employer.
- If you do not have a prior occupation, write "N/A" on the first line.

Not Employed (if you are currently employed, leave this section blank)

- If you are not currently employed, explain why.
- Check "Yes" if you expect to work and "No" if you do not expect to work in the future.
- If you expect to work in the future, write the date you plan to start working.
- Write the occupation you anticipate having in the future.

All Minor Children

- Write the full name(s) and age(s) of your biological and adopted minor children who live with you. This includes children not connected to this case, but does not include stepchildren. Use additional paper if necessary.
- If there are no minor children living with you, write "N/A" on the line.

Pregnancy

- Check "Yes" if you or the other party is pregnant, otherwise check "No."
- If you or the other party is pregnant, write the expected delivery date on the line.

Disability or Disease

- If you or any of your minor children suffer from any disability or disease, explain the situation on the lines. You may attach an additional page, if needed.
- If not, write "N/A."

Disability or illness can affect your finances, so the court needs to take this information into account when determining whether or not to grant orders for child support.

Bank Accounts

Here you will tell the court about all bank accounts (1) in your name, (2) in the names of you and the other party, and (3) in which you have an interest. You may have an interest in an account, meaning a right, claim, or legal share in the account, even if it isn't in your name.

The court needs to know about your checking and savings accounts, money market accounts, accounts at credit unions, any certificates of deposit you might have, and any other accounts. If you need more room, attach an additional sheet of paper.

For each account write the:

- Name of the bank and the branch location you use
- Kind of account (for example, checking, savings, money market, etc.)

- Last four digits **ONLY** of the account number
- Account's average balance. This information can often be found on monthly statements. On the lines, list information for:
- All cash, stocks, shares, and bonds that are in your name (either alone or with your spouse) or in which you have an interest.

Attorney's Fees & Court Costs

- Write how much you have paid an attorney for assistance with this case.
- Write how much you have paid for court costs (such as filing fees).

Date & Signature

- You can write your name on the first line and check whether you are "Petitioner" or "Respondent" beneath the second line, **but do not sign except in front of a notary**. When you file the papers with the court, you can sign the form in front of the clerk. The clerk will notarize your signature for free. You must bring a valid, government-issued picture ID (such as a driver's license) so the clerk knows whose signature is being verified.

Additional Documentation

In order to show the court that the information you provided on the form is accurate, you are **REQUIRED** to bring the following additional documentation to the hearing. You are also **REQUIRED** to provide copies of this additional documentation to the other party, but **DO NOT** file it with the clerk.

- Proof of past income (past two years of completed tax returns, W-2 forms, 1099 forms, and K-1 forms).
- Up-to-date income information for current year (a pay stub showing year-to-date earnings, and proof of any other source of income—including but not limited to salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, disability insurance benefits, recurring gifts, prizes, and spousal maintenance).
- Proof of payments for court-ordered child support or spousal maintenance NOT connected to this case.
- Proof of all medical, dental, and vision insurance premiums paid for you and any child connected to this case.
- Proof of any child care expenses paid for any child connected to this case.
- Proof of any payments for private or special schools or other particular education needs for any child connected to this case.
- Proof of payments for a child with special needs connected to this case.
- Proof of payments for necessary monthly expenses (bills for mortgage/rent, home & car repairs,

utilities, food & household supplies, lunches, insurance, clothing & laundry, childcare, licenses, etc.).

Family law court files are public records. That means that if you give copies of your pay stubs, income tax returns, etc., to the clerk of the court to be filed, **all** of that paperwork will be available for the public to see.

After completing the *Child Support Financial Affidavit*, you **MUST** give it to the clerk to be filed along with the *Pre-Trial Statement*.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No._____

CHILD SUPPORT
FINANCIAL AFFIDAVIT
Prepared by ☐ Petitioner ☐ Respondent
Current As Of _____

INSTRUCTIONS: Prepare this form following the instructions on the attached instruction sheet. Failure to provide the information required may result in the Court imposing sanctions against you pursuant to Rule 71 and/or 76D, Arizona Rules of Family Law Procedure.

NECESSARY MONTHLY EXPENSES (For minor children in this case)

Child(ren)'s Medical & Dental Insurance	$
Childcare/Sitter	$
Other Spousal Maintenance	$
Child Support for Other Child(ren)	$
Child(ren)'s Education	$
Pension/Retirement	$
Extraordinary Child Expenses (please list)	
	$
	$
	$
Total Monthly Expenses	**$**

INCOME

GROSS PAYCHECK $
☐ weekly ☐ twice mo.*
☐ monthly ☐ every 2 weeks
*For example, the 1st and 15th

OTHER GROSS MONTHLY INCOME

Social Security/SSI	$
Dividends/Interest	$
GA/TANF	$
Spousal Maintenance	$
Other _____	$
Total *other* gross income	**$**

ANNUAL PARENTING TIME DAYS
Summer periods _____ Holiday, school breaks: _____
Weekends: _____ Weekdays: _____
Other: _____ Please explain: _____

Total Annual Parenting Time Days: _____

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Present Occupation _____ Starting Date: _____
Name of present employer _____
Address _____
Telephone No. _____

Prior Occupation _____ Starting Date: _____
Monthly Pay: _____ Ending Date: _____
Name of prior employer _____
Address _____
Telephone No. _____

If not currently employed, why? _____
Do you expect to work? ☐ yes ☐ no When? _____ Anticipated Occupation _____

Full name(s) and age(s) of **ALL minor child(ren)** residing with you (attach an additional page, if needed):

_____

_____

Are you or your spouse **pregnant?** ☐ yes ☐ no If yes, estimated delivery date: _____

Physical defect or organic disease suffered by you or your minor children: (attach an additional page, if needed):

_____

_____

List all **bank accounts** in your name, in the names of both spouses, or in which you have an interest, including checking, savings, credit union and certificates of deposit.

Bank and Branch Location	Type of Account	Account # (last 4 digits)	Average Balance

List all cash under your control and any stocks, shares, and/or bonds in your name, in the names of both spouses, or in which you or both you and your spouse have an interest.

_____

_____

Attorney fees paid to date $ _____ Court costs paid to date $ _____

STATE OF ARIZONA

County of _____

_____, being first duly sworn, deposes and says that he/she has read the foregoing Financial Affidavit and knows the contents thereof, and that the allegations therein contained are true in substance and in fact, except those made on information and belief, which are believed to be true.

Signature: _____

☐ Petitioner ☐ Respondent

Subscribed and Sworn/Affirmed to, before me on: _____.

_____

Notary Public

My Commission Expires: _____

Remember: You must file your papers with the court and mail a copy to the other party!

After all of the needed paperwork is filled out, you must go to the Pima County Superior Court to file the Response and related papers, and you must also mail them to the other party.

HOW TO FILE YOUR PACKET:

Make FOUR copies of:

- *Pre-Trial Statement*
- *Inventory of Property and Debts* (if used)
- *Financial Affidavit*
- *Child Support Financial Affidavit* (if used)

Now distribute the documents:

Go to the Office of the Clerk of the Court at Pima County Superior Court, 110 West Congress between 8:00 a.m. to 5:00 p.m., Monday through Friday. Arrive at the court at least an hour before closing, to allow time to process your papers.

- ✓ ORIGINALS are filed with the Clerk of the Court on the first floor of the Pima County Superior Court, Room 131A.
- ✓ ONE SET OF COPIES is given to the judge.
- ✓ ONE SET OF COPIES is given to Calendar Services.
- ✓ ONE SET OF COPIES is mailed or hand delivered to the other party.
- ✓ ONE SET OF COPIES is kept for your records.

Be sure to promptly mail copies to the other party.

What Happens Next?

On the Friday before your scheduled Settlement Conference date you must call Calendar Services at the phone number listed in your Trial Notice in order to get the exact time of your Settlement Conference.

It is very important that you attend the Settlement Conference.

If you don't attend, the judge may prevent you from presenting evidence at your trial.

If you do not settle your case during the Settlement Conference, your case will continue to court and you will appear at the date and time set for your trial.