

Name of Person Filing _____
Mailing Address _____
City, State, Zip Code _____
Daytime Telephone Number _____
Representing Self _____

ARIZONA SUPERIOR COURT, PIMA COUNTY

Regarding: CASE NO. _____

Petitioner

**MOTION TO SET ASIDE
ADMINISTRATIVE ORDER OF DISMISSAL**

and

Respondent

ASSIGNED TO: _____
Judicial Officer

I am the Petitioner Respondent in the above matter.

A Petition for Dissolution of Marriage Paternity Complaint was filed on: _____ .

On _____ an Administrative Order of Dismissal was entered.

I request that the Administrative Order of Dismissal be set aside and the Petition for Dissolution of Marriage
 Paternity Complaint be reinstated for the following reason(s):

I request that the Petition for Dissolution of Marriage Paternity Complaint be reinstated and that the case
be placed on the inactive calendar. .

Dated: _____

 Petitioner Respondent

CERTIFICATE OF SERVICE:

I certify that a copy of this Motion was mailed delivered to:

Name: _____
 Petitioner Respondent or Attorney for Petitioner Respondent

Address: _____

Date: _____

Name of Person Filing _____
Mailing Address _____
City, State, Zip Code _____
Daytime Telephone Number _____
Representing Self _____

ARIZONA SUPERIOR COURT, PIMA COUNTY

Regarding: **CASE NO.** _____

Petitioner

and

Respondent

**ORDER SETTING ASIDE
ADMINISTRATIVE DISMISSAL**

ASSIGNED TO: _____

The Court has reviewed the Motion to Set Aside Administrative Dismissal filed by the

Petitioner Respondent and for good cause shown:

IT IS ORDERED that the Administrative Order of Dismissal entered _____
is **SET ASIDE** and this matter is restored to the inactive calendar for a period of _____ days.

Thereafter this matter will be dismissed unless:

- Service is made on the opposing party, or
- Default on the opposing party is entered and a Decree of Dissolution of Marriage or Judgment of Paternity is entered files a Motion to Set for Trial, or
- A Motion to Set for Trial is filed with the Court.

Dated: _____

Judicial Officer

INSTRUCTIONS FOR COMPLETING MOTION TO SET ASIDE ADMINISTRATIVE ORDER OF DISMISSAL AND ORDER

COMPLETE THIS FORM IF:

You have filed a Petition for Dissolution of Marriage or Paternity Complaint and you have received an Administrative Order of Dismissal of your case.

INFORMATION ABOUT ADMINISTRATIVE DISMISSAL OF A CASE:

After a Petition for Dissolution of Marriage or Paternity Complaint is filed with the Court, the Petitioner must serve the other party with a copy of the Petition for Dissolution of Marriage or Paternity Complaint within 60 days. If proof of service is not provided to the Court, the Petitioner will receive a Notice of Impending Dismissal, and the case will be administratively dismissed 60 days after the Notice is sent.

If the other party has been served and has not filed a response, the Petitioner has 60 days to enter an Application for Entry of Default and at the end of the appropriate waiting period, to enter a Decree of Dissolution of Marriage or Order of Paternity.

If an Application for Entry of Default and/or Decree of Dissolution of Marriage or Order of Paternity have not been entered, the Petitioner will receive a Notice of Impending Dismissal, and the case will be administratively dismissed 60 days after the Notice is sent.

If the other party has been served and has filed a response, the Petitioner or Respondent has xx days to file a Motion to Set for Trial. If a Motion to Set for Trial is not filed, the Petitioner will receive a Notice of Impending Dismissal, and the case will be administratively dismissed 60 days after the Notice is sent.

If the Petition for Dissolution of Marriage or Paternity Complaint is dismissed, all temporary orders are automatically voided.

NOTE: You must have an important reason to request that the Administrative Order of Dismissal be set aside, for example, serious illness, surgery, being unable to serve the other party and so forth. **The Court will not automatically grant a Motion to Set Aside an Administrative Order of Dismissal. If the Motion is not granted, you must refile an original Petition for Dissolution of Marriage or Paternity Complaint.**

You must provide a copy of the Motion to Set Aside Administrative Order of Dismissal to the other party. If the other party does not object, the Judicial Officer will consider your Motion and enter the appropriate Order. **It is important to file a Motion to Set Aside Administrative Order of Dismissal as soon as possible after receiving the Notice of Dismissal.**

WHAT YOU WILL NEED TO COMPLETE THIS PROCESS:

1. The Court case number and the date and time that the trial/hearing is currently scheduled.
2. The Motion to Set Aside Administrative Order of Dismissal Form.
3. The Order Setting Aside Administrative Dismissal Form.

HOW TO COMPLETE THESE FORMS:

TYPE OR PRINT NEATLY USING **BLACK** INK.

1. Type or print the name, mailing address, daytime telephone number of the person submitting this form.
2. Type or print the name of the person shown as the Petitioner and Respondent in the same order as is shown on the last Court Order. (**Note:** the order that the parties are listed does not change from the original documents, regardless as to which party is filing this form.)
3. Type or print the case number.
4. Check the box to indicate if you are the Petitioner or Respondent.
5. Check the box to indicate if whether a Petition for Dissolution of Marriage or Paternity Complaint was filed. Fill in the date the Petition for Dissolution of Marriage or Paternity Complaint was filed.
6. Check the box to indicate if you are requesting that the Administrative Order of Dismissal of the Petition for Dissolution of Marriage or Paternity Complaint be reinstated.
7. State the specific reason(s) that you are requesting that Administrative Order of Dismissal be set aside.
8. Check the box to indicate that you are requesting that the Petition for Dissolution of Marriage or Paternity Complaint be reinstated on the inactive calendar.
9. Date and sign the Motion to Set Aside Administrative Order of Dismissal and check the box to indicate if you are the Petitioner or Respondent.

10. Check the box to indicate if you are mailing or delivering the Motion to Set Aside Administrative Order of Dismissal to the other party. Fill in the name of the other party and check the box to indicate if that person is the Petitioner, the Respondent or the attorney for the Petitioner/Respondent. **Note:** if the other party is represented by an attorney, the Motion to Set Aside Administrative Order of Dismissal must be mailed/delivered to the attorney. Fill in the address of the person to whom you are mailing/delivering the Motion to Set Aside Administrative Order of Dismissal. Fill in the date you mailed or delivered the Motion to Set Aside Administrative Order of Dismissal
11. Make three copies of the Motion to Set Aside Administrative Order of Dismissal.
12. On the Order Setting Aside Administrative Dismissal form type or print the name of the person shown as the Petitioner and Respondent in the same order as is shown on the last Court Order.
13. Type or print the case number.
14. **Stop:** the rest of the Order will be completed by the Judicial Officer.

WHAT TO DO WHEN YOU HAVE COMPLETED THE ABOVE FORMS:

1. Take the original Motion to Set Aside Administrative Order of Dismissal and the Order Setting Aside Administrative Order of Dismissal forms to the Clerk of the Court for filing. If there is a fee for filing this form the Clerk will tell you the amount of the fee. The fee may be paid by cash, credit card or money order. No personal checks are accepted.

If you believe that you are entitled to a waiver or deferral of this fee, you may request the forms to waive or defer your filing fee, cost for process server and/or cost of the required Course in Domestic Relations Education on Children's Issues. These forms are available at the Pima County Library Self Service Center, packet #12, or on line at: www.sc.pima.gov in the Family Law Self Service Forms section.

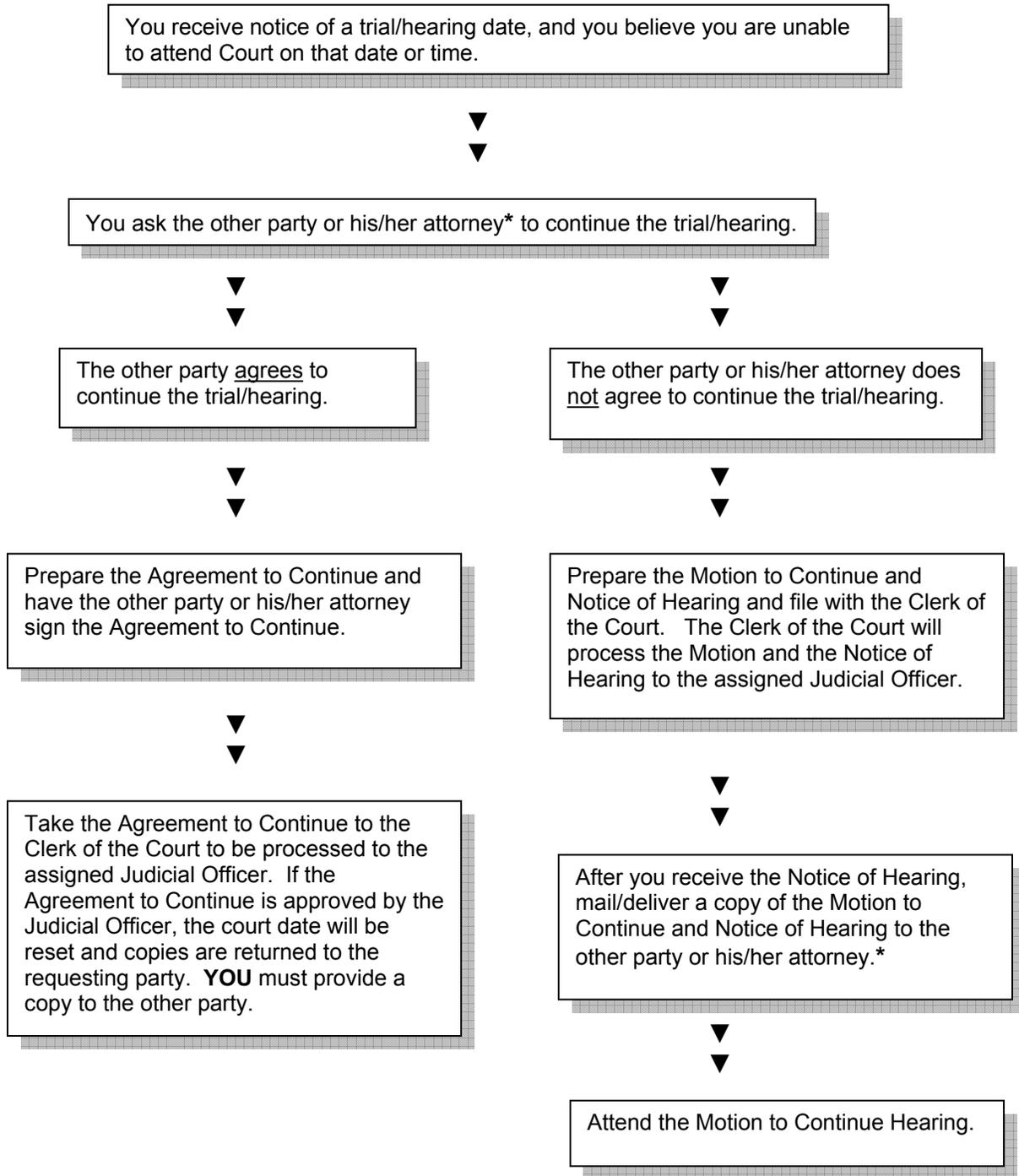
2. After you have filed the original forms with the Clerk of the Court, the Clerk will process the to Set Aside Administrative Order of Dismissal and the Order Setting Aside Administrative Order of Dismissal forms to the assigned Judicial Officer. You will receive a copy of the Order setting Aside Administrative Order of Dismissal.

4. **YOU** are responsible to have the Motion to Set Aside Administrative Order of Dismissal mailed or delivered to the other party or his/her attorney. The Clerk of the Court will not do this for you. If this is a IV-D Case and the hearing is regarding child support, a copy must also be mailed/delivered to the Arizona Attorney General.

WHAT TO DO AFTER YOU RECEIVE THE ORDER SETTING ASIDE ADMINISTRATIVE ORDER OF DISMISSAL:

1. Carefully read the Order and complete the necessary action required by the Order.
2. If you have questions, consult an attorney. Court personnel cannot give legal advice.

MOTION TO CONTINUE FLOW CHART



*If this is a IV-D Case, and the hearing is regarding child support, the Notice of hearing must also be mailed to the Arizona Attorney General.