

# **FAMILY LAW CASES TEMPORARY ORDERS**

## **Packet #13**

*Separate forms from  
packet before filing*

# ARIZONA SUPERIOR COURT, PIMA COUNTY SELF-SERVICE PACKET

## TEMPORARY ORDERS IN DIVORCE/FAMILY LAW CASES

### PETITION AND FILING COURT PAPERS

#### USE AND DISCLAIMER

These forms shall not be used to engage in the unauthorized practice of law. The court assumes no responsibility and accepts no liability for actions taken by the users of these forms or in reliance upon the instructions or information provided.

Court cases can be very complicated, and even if you are representing yourself you should see a lawyer for legal advice as to how the law applies to you, and what is best in your particular situation. This might save you time, money, trips to the courthouse, and avoid serious mistakes. 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.

There are professional mediators in the community who can help you with your problems. They help you solve your present problem, and anticipate future problems and how to solve them. Mediators work with both parties in a dispute to help resolve areas of disagreement or trouble.

A list of individuals, agencies and other resources available to help people resolve legal problems is available at the Self-Service Center.

#### HOW TO ASSEMBLE THESE DOCUMENTS

This packet contains general information, instructions and court forms to complete and file. Look at the lower right-hand corner of the document for the document description. Documents that end with "info" are instructions and/or general information. Documents that end with "form" are court forms that MUST be completed and filed with the court.

Title	Form Name
Use and Disclaimer (1 page)	to-use and disclaimer.info
General Information on Temporary Orders (2 pages)	to-information.info
Instructions for Requesting Temporary Orders (4 pages)	to-instructions.info
Motion to Shorten Time and Order (2 pages)	to-motion/order to shortentime.form
Local Rule 8.4 (3 pages)	local rule 8.4.info
Verified Motion for Temporary Orders (4 pages)	to-verified motion for temporary orders.form
Order to Appear Temporary Orders – Pre-Judgment/Decree (2 pages)	to-order to appear-pre decree.form
Order to Appear Temporary Orders - Post-Judgment/Decree (2 pages)	to-order to appear-post decree.form
Proposed Dissolution Resolution Statement (4 pages)	to-resolution.form
Request for Order to Appear Hearing Date (1 page)	to-request for order to appear
Temporary Order (3 pages)	to-to.form
Spouse's Financial Affidavit (8 pages)	to-financial affidavit.form
Child Support Financial Affidavit (2 pages)	to-child support affidavit.form
Request for Protected Address	To-Request for protected address
Order to Protected Address	To-order for protected address

# GENERAL INFORMATION ON TEMPORARY ORDERS

## INTRODUCTION

Once a divorce petition has been filed and served on the other party, there is a minimum 60-day waiting period before the divorce can be finalized. This time period can be longer if the other party contests any portion of the divorce. Frequently, situations arise which may require the Court to issue orders directing one party or the other to do certain things while the divorce is pending. These are called **Temporary Orders**. For example, the Court may award one parent **temporary** custody of the minor children and order the other party to pay **temporary** child support to that parent until the final divorce decree is issued. If you are requesting custody of the child(ren), the judge is required to make orders regarding child support. The final decree or order may or may not be the same as the temporary order, although it usually is the same or similar.

In addition to child custody and support, the Court may issue temporary orders for parenting time, spousal maintenance (alimony), exclusive use of the family residence or vehicle, or it can even order one party to pay certain bills or debts.

## WHO CAN REQUEST TEMPORARY ORDERS?

You can request Temporary Orders only if the following factors apply to your situation:

- You or the other party has filed a Petition for Divorce, a Complaint for Paternity Judgment, or a Petition for an Order to Establish Child Custody, Parenting Time and/or Support AND
- You and the other party have children with each other OR the wife/mother is pregnant by the other party OR
- You need to get temporary court orders about property or debt, spousal maintenance (alimony), child custody/parenting time/support or some other matter while you wait for the divorce or other requested order to be final.

**If you are not sure if Temporary Orders apply to your situation, see a lawyer for help.**

## WHEN SHOULD YOU REQUEST TEMPORARY ORDERS?

Generally, you should not request Temporary Orders unless you really need them. Since many divorces will be decided by Default and become final in 60-70 days after the other party is served, it is usually better to wait it out and get what you want in the final decree. However, if you absolutely cannot wait this long, you can file a Motion for Temporary Orders any time after the divorce petition or Petition to Establish Custody was filed and until the final decree or other order is issued. There are, however, two logical times to request Temporary Orders: 1) at the beginning of the case, or 2) if the other party files a Response to the petition and contests it.

1. **At the Beginning** - If you are unable to support yourself or your children or if your spouse will not leave the family residence and you cannot live together while the divorce is pending, you may wish to request Temporary Orders at the same time you file your Petition for Dissolution (divorce) or Petition to Establish Custody.
2. **If the Other Party Files a Response** - If the other party files a Response to the petition, you cannot use default procedures. This means that the other party is contesting some portion of the petition and the final decree or order will probably not be issued in the usual time period. If you file for Temporary Orders after the other party files a Response and the court grants the Temporary Orders, the other party may be more willing to try to settle the case, since he/she may be paying temporary spousal maintenance and may not have to pay it permanently.

## STEPS FOR REQUESTING TEMPORARY ORDERS

Step 1. **File a Motion for Temporary Orders** - follow the instructions and forms in this packet. It will require more work on your part as you will have to “walk your request” through the court system, starting at the Clerk of the Court office. After reviewing your motion, the judge will schedule a hearing and issue an Order to Appear. The Order to Appear tells the other party that he or she must come to a hearing to tell the Court why the Temporary Orders should not be granted. Depending on your circumstances, you may request a **normal hearing** or an **expedited hearing**.

**Normal Hearing** - normally a hearing on a Motion for Temporary Orders is scheduled within 4-6 weeks. While this is a long time to wait, not all matters require the court’s immediate attention. Unless you specify an expedited or emergency hearing, the court will schedule the hearing for a date that it has available.

**Expedited Hearing** - if your situation is such that you need the Temporary Orders in a hurry, you can request an expedited hearing. These expedited hearings are set for 30 minutes only and are generally scheduled within 2 - 3 weeks. They may be set earlier if a genuine emergency exists, the judge’s calendar permits, and you can serve the other party.

Step 2. **Serve the Motion and the Order to Appear on the Other Party** - you are responsible for making sure that the other party receives a copy of the Motion for Temporary Orders and the Order to Appear. This is called “service.” If you request Temporary Orders at the beginning of the case, copies of these papers can be served on the other party along with the other divorce papers and paternity complaint. If you request Temporary Orders after the divorce papers and paternity complaint have been served on the other party, you must serve these papers on the other party. If the other party has filed a Response, you may serve the party by mailing the papers to the address the other party used in the Response or personally deliver them to the other party. You must mail these papers to the other party in sufficient time for him or her to attend the scheduled hearing. The Court will usually require that the other party have at least three (3) business days notice.

Step 3. **Attend the Hearing** - at the hearing, both parties will be given the opportunity to tell the Court why the Temporary Orders should or should not be granted. This hearing is generally short (30 minutes to an hour). If the hearing takes longer than the time allotted, the judge may continue the hearing to a later date. At the end of the hearing the judge may announce the decision in court or take the matter under advisement and issue a written decision at a later time. Take the Temporary Order form to the hearing for the judge to complete and sign after ruling.

## **INSTRUCTIONS FOR REQUESTING TEMPORARY ORDERS WHILE YOU WAIT FOR YOUR DIVORCE DECREE OR OTHER FINAL ORDER**

### **1. Complete the forms**

Fill out all the forms completely and in black ink. Make three (3) copies of the completed forms. The forms you will complete are:

#### **MOTION TO SHORTEN TIME and ORDER**

**IMPORTANT!! Use this form only if you are requesting an expedited hearing!**

- Fill out the top portion of the form with your name and address, the names of the parties, and the case number.
- Check all the appropriate blocks that apply to your situation as to why you need an expedited hearing.
- Check the "Other" block at the end of the form and write out very specific reasons why you need a hearing this fast. Be short but specific. This is your only opportunity to convince the judge to give you an expedited hearing.
- Sign the form and check whether you are the Petitioner or the Respondent in the divorce or other domestic relations case.

#### **PIMA COUNTY LOCAL RULE 8.4**

- You must serve a copy of this Rule and the other papers you complete on the other party.

#### **VERIFIED MOTION FOR TEMPORARY ORDERS**

- Write in your name address and phone number and the case number that has been assigned to your divorce or other family law case.
- Decide what you want temporary orders for, and check those boxes in the upper right hand corner of the page.
- Complete the rest of the Motion, checking the appropriate blocks and completing all the requested information.
- Check only those blocks and complete only those blanks that apply to your situation.
- You must sign the Motion under oath, which means you need to sign in front of a Notary Public or the Clerk of the Court.

#### **ORDER TO APPEAR: TEMPORARY ORDERS**

- This is the document the judge's administrative assistant will complete to schedule the hearing for the temporary orders. You should complete the top portion of this form with your name and address, the names of the parties and the case number of your divorce or other family law case, but leave the rest blank for the judge or court staff to fill out.

#### **REQUEST FOR ORDER TO APPEAR HEARING DATE**

- Fill out the top portion of the form with your name and address, the names of the parties, and the case number.

- ❑ Fill in the date on the first line with the date you filed the Verified Motion for Temporary Orders.
- ❑ 1. Check the block "Temporary Orders (Family Law)." **If you are requesting an Expedited Hearing**, check the block "Temporary Orders (Family Law)" and "Other" and write the words "Expedited Hearing" in the space provided.
- ❑ If you have had any previous hearings on this case, enter the name of the Judge/Commissioner, if you know it.
- ❑ Enter the estimated time you think the hearing may take. Remember, expedited hearings are generally limited to 30 minutes. Otherwise, 1 to 2 hours should be sufficient unless your situation is complicated.
- ❑ Generally, you should request a court reporter. If you wish to have a court reporter at the hearing, check "Yes." Some judges may use digital recordings instead of a court reporter for the record even if a court reporter is requested. This recording is a legal record.
- ❑ Mark the block "Temporary Orders" under "Relief Sought."
- ❑ If the other party is represented by an attorney, enter his/her name and address. Otherwise, write in the word "None."
- ❑ Sign and date this form and check whether you are the Petitioner/Plaintiff or the Respondent/Defendant in the divorce or other family law case.

#### **TEMPORARY ORDER**

- ❑ This is the document the judge will sign at the end of your scheduled court hearing. Complete the top part of the Order with your name and address, the names of the parties, and the case number. The Temporary Order is not valid until signed and dated by the judge at the court hearing, and you may not be granted all that you requested.

#### **FINANCIAL AFFIDAVIT**

- ❑ If you are requesting child support only, complete the Financial Affidavit entitled "**Child Support Financial Affidavit.**" If you are requesting spousal maintenance, use the financial affidavit entitled "**Spousal Maintenance Financial Affidavit.**" Use this Financial Affidavit even if you are also requesting child support.
- ❑ Make two (2) blank copies of the relevant Financial Affidavit before completing this form. These blank copies will be served on or sent to the other party.
- ❑ Everyone filing for temporary orders for any type of financial support (child support, spousal maintenance, etc.) or for attorney's fees must complete this document. Complete this form and sign it before a Notary Public or the Clerk of the Court.

#### **CHILD SUPPORT WORKSHEET**

- ❑ If you are requesting child support, please obtain the packet entitled **Child Support and the Child Support Guidelines.** You should calculate child support in accordance with the Parent Worksheet. You should bring that worksheet as well as a **Child Support Order, Order of Assignment and Obligee/Obligor Fact Sheet** for the judge to sign. **Please remember that if you are requesting custody, you must complete the documents related to child support.**

## 2. **Make copies of all the paperwork**

- Make 3 copies of the forms listed below that you have completed.
  - Verified Motion for Temporary Orders
  - Order to Appear Re: Temporary Orders
  - Relevant Financial Affidavit
  - Request for Temporary Orders Hearing Date
  - Motion to Shorten Time and Order (if applicable)

## 3. **Assemble the copies**

- Make 4 COMPLETE SETS -- the originals and 3 sets of copies -- one for you, one for the other party, one for the court file, and one for the judge.
- Put in the set for the other party the following additional documents:
- 2 blank copies of the relevant Financial Affidavit (if you are requesting temporary spousal maintenance or child support)
- 1 copy of court Rule 8.4

## 4. **File the papers at the court**

- GO TO THE CLERK'S OFFICE:** Take the **original and 3 copies** of the documents **to the Clerk of the Court**, on the first floor of the court, for processing.
- WHAT THE CLERK WILL DO:** The clerk will file the original of the Verified Petition for Order to Show Cause Re: Temporary Orders, and the Financial Affidavit. The clerk will give you back stamped copies of both documents to show the documents were filed.

## 5. **Get the Hearing on the Temporary Orders scheduled**

- Take the following documents to the Clerk of the Court, Superior Court Building:
  - 1 clerk-stamped copy of Verified Motion Re: Temporary Orders
  - Original and 1 copy of Order to Appear Re: Temporary Orders
  - 1 clerk-stamped copy of the completed FINANCIAL AFFIDAVIT
  - 1 copy of a completed Parent's Worksheet for Child Support, if you are asking for temporary child support
  - Original and 1 copy of the proposed Temporary Order
  - Original and 1 copy of the Request for Order to Appear Hearing Date
  - Original and 1 copy of the Motion To Shorten Time and Order
  - One stamped, self-addressed envelope
- Seven (7) days after filing (sooner if an expedited hearing is requested), call the Clerk of the Court at 740-3210 and ask if the Order to Appear Re: Temporary Orders has been signed by a judge. If so, the Clerk will mail you two (2) copies of all the documents you filed or you can come by the Clerk's office and pick them up.

**6. Serve the papers on the other party**

- You must now arrange for notice of the papers on the other party. If you are serving these papers along with the original Petition for Dissolution of Marriage, Complaint for Paternity, or Petition for Order to Establish Child Custody Parenting Time and/or Support, you may include these papers with the service.
- If you or the other party have already filed and served the divorce papers and the other party has filed a Response, you may serve these temporary orders papers on the other party by mailing them to the other party or his/her attorney, if represented. Be sure to serve or send these papers to the other party so the party has them at least three (3) business days prior to the scheduled hearing. If the other party has not filed a Response, you must serve the papers in the same manner as you served the original Petition or Complaint.
- These are the papers you must serve or send to the other party:
  - 1 copy of the Verified Motion for Temporary Orders
  - 1 copy of the completed Financial Affidavit
  - 2 blank copies of Financial Affidavit for the other party to complete
  - 1 copy of Local Rule 8.4
  - 1 copy of the Order to Appear Re: Temporary Orders
  - 1 copy of the Motion to Shorten Time and Order (if applicable)

**7. Before the hearing**

- Be sure that if these papers were served on the other party, the Affidavit of Service is completed and in the court file before your hearing date. If you cannot file the Affidavit of Service before the hearing, bring it to the hearing.

**8. At the hearing**

- Be sure to write down the date, time and place of the court hearing, and come to the hearing on time. Dress neatly. Do not wear shorts, halter tops, "suggestive" clothing or hats to court.

**DO NOT BRING CHILDREN TO COURT.**

- Be prepared to present your evidence about why the Judge should order the temporary relief you requested. Tell the Judge about the case, and why the temporary orders are necessary. Bring all paperwork with you that you think is applicable, such as reports about the children, financial records, paycheck stubs, costs of medical and dental insurance for the children, etc.
- Be sure to have the proposed Temporary Order available for the judge to sign.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner/Plaintiff

and

\_\_\_\_\_  
Respondent/Defendant

Case No. \_\_\_\_\_

### MOTION TO SHORTEN TIME AND ORDER

Petitioner/Plaintiff  Respondent/Defendant respectfully petitions the Court to shorten the time for the hearing  
Re: Temporary Orders for the following reasons:

I am in dire need of funds with which to:

support myself and/or my minor child(ren)

pay my rent and/or utility bills and I face imminent eviction or loss of utility service

pay my mortgage payment and I face imminent foreclosure

pay my car payment and I face imminent repossession

Other (specify) \_\_\_\_\_

There has been domestic violence in our relationship and I fear for my safety and/or that of my child(ren).

I fear that the other party may abduct the minor child(ren) and remove the child(ren) from this jurisdiction.

Other (specify):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
 Petitioner/Plaintiff

Respondent/Defendant

**ARIZONA SUPERIOR COURT, PIMA COUNTY**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Plaintiff

and

\_\_\_\_\_  
Respondent/Defendant

**ORDER**

The Court has reviewed the Motion to Shorten Time, and good cause appearing,

IT IS THEREFORE ORDERED that the hearing on Temporary Orders be scheduled on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ (a.m.) (p.m.) at the Pima County Superior Court, 110 West Congress St., Tucson, Arizona.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of the Superior Court

# ARIZONA SUPERIOR COURT, PIMA COUNTY

## LOCAL RULE 8.4

### **(8.4) Affidavits Required; Pleading and Practice**

(a) Financial Affidavits; Production of Documents.

(1) *Forms of Financial Affidavits.*

There shall be two forms of Financial Affidavits, a "Financial Affidavit; Child Support" and a "Financial Affidavit; Spousal Maintenance". Wherever the term Financial Affidavit is used in this Rule, it shall refer to the relevant court-approved Financial Affidavit. In any proceeding where the establishment or modification of child support or a request for an award of attorney's fees and/or expenses is in issue, but not spousal maintenance, the "Financial Affidavit; Child Support" shall be filed. In all other proceedings where the establishment or modification of spousal maintenance alone, or in combination with child support or a request for an award of attorney's fees and/or expenses is in issue, the "Financial Affidavit; Spousal Maintenance" shall be filed. No filing or appearance fee shall be charged for the filing of the opposing party's Financial Affidavit, unless otherwise provided by law.

(2) *Duty to Document Change in Financial Circumstances in the Financial Affidavit.*

In any proceeding for establishment or modification of child support or spousal maintenance, a request for an award of attorney's fees and/or expenses, or a proceeding for failure to pay any of the foregoing, a party may not present to the court by way of testimony any change in his or her financial circumstances between the date of the Financial Affidavit and the date of the hearing or trial, unless an amended Financial Affidavit setting forth the changes has been filed or good cause is shown.

(3) *Documents to be Provided to the Other Party.*

(a) In any proceeding for establishment or modification of child support, spousal maintenance or attorney's fees and expenses, within the time provided by this Rule, each party shall provide to the other party copies of the following documents:

- (i) That party's most recently filed federal and state income tax returns;
- (ii) That party's four most recent consecutive wage statements from all employment;
- (iii) That party's most recent W-2, 1099, and K-1 forms;
- (iv) For establishment or modification of child support proceedings, employer provided statement of cost of health and dental insurance coverage for the parties' minor children.

The Order to Appear shall specifically direct both parties to comply with this Rule. The Order to Appear shall not require the production of any additional documents, but this does not preclude the applicant from requesting additional documents through discovery procedures.

(b) Time.

Wherever this Rule requires a party to provide documents or the relevant Financial Affidavit to the other party, it shall mean that a copy is to be provided to the other party no later than four (4) court days prior to the date set for hearing or two (2) court days after service of the Order to Appear, whichever is later.

(c) Order to Appear for Temporary Order.

Where a motion for an Order to Appear is being made for temporary spousal maintenance, child support, or a request for an award of attorney's fees and/or expenses, the applicant shall file the original petition and the relevant Financial Affidavit with the Clerk of the Superior Court. A copy of the petition and relevant Financial Affidavit shall be provided to the assigned division, if any, at the time of the request for issuance of the Order to Appear. A copy of each shall also be served upon the opposing party, along with a blank copy of the relevant Financial Affidavit and a copy of Rule 8.4. The opposing party shall respond by filing the relevant Financial Affidavit, a copy of which he or

she shall provide to the assigned division, applicant's attorney, or, if unrepresented, to the applicant within the time provided by this rule.

(d) Petition for Modification of Maintenance or Support.

(1) Petition for Modification of Spousal Maintenance

A petition for modification of a prior order for spousal maintenance shall set forth verbatim in the body of the petition the order sought to be modified or comply with Rule 8.3(c). The applicant shall file the original of the petition and two relevant Financial Affidavits: Spousal Maintenance. The first Financial Affidavit shall demonstrate the current financial circumstances of the party seeking the modification. The second Financial Affidavit shall demonstrate the financial circumstances of the party seeking the modification as of the date of the order sought to be modified, unless a copy was previously filed in the court file, in which case such Financial Affidavit shall be attached to the petition for modification. A copy of the petition and the Financial Affidavits shall be provided to the assigned division at the time of the request for issuance of the Order to Appear. A copy of each Financial Affidavit shall be served upon the opposing party, along with blank copies of the relevant Financial Affidavits and a copy of Rule 8.4. The opposing party shall respond by filing the relevant Financial Affidavits, which he or she shall provide to the applicant's attorney, or if unrepresented, the applicant, within the time provided by this Rule.

(2) Petition for Modification of Child Support

A petition for modification of a prior order for child support shall set forth the amount of child support which is currently in effect or shall set forth verbatim in the body of the petition the order sought to be modified or comply with Rule 8.3(c). The applicant shall file the original of the petition and a Financial Affidavit: Child Support, which reflects the current circumstances of the party seeking a modification of an existing child support order. A copy of the petition and the Financial Affidavit shall be provided to the assigned division at the time of the request for issuance of the Order to Appear. A copy of each shall be served upon the opposing party, along with a blank copy of the relevant Financial Affidavit and a copy of Rule 8.4. The opposing party shall respond by filing the relevant Financial Affidavit, which shall be provided to the applicant's attorney, or if unrepresented, the applicant, within the time provided by this Rule. This provision does not apply to modifications filed pursuant to the Simplified Procedures outlined in Section 22.b. of the Arizona Child Support Guidelines.

(e) Failure to Pay Child Support, Spousal Maintenance, or Attorney Fees and Expenses.

In an action for failure to pay child support, spousal maintenance, or attorney's fees and expenses, the opposing party shall file with the Court the relevant Financial Affidavit, which he or she shall provide to the applicant's attorney, or, if unrepresented, the applicant, within the time provided by this Rule, along with copies of the following documents:

- (1) That party's most recently filed federal and state income tax returns;
- (2) That party's four most recent consecutive wage statements from all employment;
- (3) That party's most recent W-2, 1099, and K-1 forms.

The Order to Appear shall specifically direct the respondent to comply with Rule 8.4. The Order to Appear shall not require the production of any additional documents, but this does not preclude the applicant from requesting additional documents through discovery procedures.

(f) Failure to Comply.

If either party fails to comply with any part of this Rule, upon the complying party's request or the court's own motion and in the absence of good cause shown, the court may: (1) vacate or continue the hearing; (2) enter an interim award of relief in favor of a complying party and against a non-complying party based on the complying party's Financial Affidavit; (3) award a complying party his or her attorney's fees and expenses incurred in preparing for and attending the hearing, and/or; (4) enter other appropriate relief. For purposes of making an interim award the court may, on its own motion, examine either party if it deems such examination necessary. The non-complying party may be precluded from introducing any evidence and cross-examining the complying party for purposes of making an interim award.

(g) Petitions to Modify Child Custody.

No hearing for modification of a child custody order or decree shall be set unless there is compliance with A.R.S. Section 25-411, Rule 91, A.R.F.L.P., and the following:

- (1) Any party seeking a modification of child custody shall file with the Clerk of the Court the following:
  - (i) Petition for Modification of Child Custody, either verified by the moving party or supported by the requisite affidavit(s) pursuant to A.R.S. Section 25-411; and
  - (ii) Form of notice to all persons entitled to notice pursuant to A.R.S. Section 25-1035; and
  - (iii) Affidavit required by A.R.S. Section 25-1039.
- (2) The Clerk of the Superior Court shall issue the Notice of Filing Petition for Modification of Child Custody.
- (3) The petition, affidavits and notice shall be served on all persons entitled to notice, pursuant to the appropriate provisions of Rules 40-43, A.R.F.L.P.
- (4) Unless otherwise ordered by the Court, all persons entitled to notice shall file within twenty (20) days from the date of service a response and/or controverting affidavits. A copy of each document shall be provided to the Presiding Judge of the Family Law Divisions and the opposing party's attorney or, if unrepresented, the opposing party.
- (5) No sooner than five (5) days after expiration of the time permitted for the filing of the response and/or the controverting affidavits, either party or attorney shall provide the approved form for a Request for Order Granting or Denying Custody Hearing to the Presiding Judge of the Family Law Divisions or a designee.
- (6) The court shall, in accordance with A.R.S. Section 25-411 and without argument or hearing, determine whether a hearing should be granted. A copy of the Court's determination shall be mailed by the court to all persons entitled to notice.

(h) Request for Order to Appear Hearing Form.

An approved form for a Request for Order to Appear Hearing shall be submitted with each Motion for Order to Appear or Request for Order to Appear, however designated. The Request for Order to Appear Hearing shall indicate, at a minimum, the nature of the proceeding, the identity of the judicial officer who heard any previous matters, the estimated time for the entire hearing, the relief sought, whether a court reporter is requested, and the identity of opposing counsel. A copy of the Request for Order to Appear Hearing shall be provided to the opposing party or counsel with his or her copy of the petition for order to show cause or request for order to appear, however designated.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner/Plaintiff

and

\_\_\_\_\_  
Respondent/Defendant

Case No. \_\_\_\_\_

### VERIFIED MOTION FOR TEMPORARY ORDERS

- For Spousal Maintenance (alimony)
- For Property and/or Debt
- For Child Custody/Parenting Time
- For Child Support
- Other

#### REQUIRED INFORMATION FROM ME, UNDER OATH:

- Information about the Petition for Dissolution (divorce), Paternity Complaint, or other Petition for Child Custody/Parenting time/Support that was filed **(NOTE: you cannot file for a temporary or a temporary/emergency order unless you or your spouse completed or are completing and filing all the paperwork for a divorce or you have filed a Paternity Complaint, Petition to Establish or Modify Child Custody, Parenting time and/or Support)**

a. Date petition was filed: \_\_\_\_\_

b. Name of court where petition was filed: \_\_\_\_\_

The allegations of the Petition for Dissolution, Paternity Complaint, or for Child Custody/Parenting Time/Support are incorporated herein by reference.

- (You must check here, and this must be true)** To the best of my knowledge, no temporary orders regarding these matters have been entered in any other court, and no court proceedings are pending for temporary orders.

- The minor children affected by this Petition, if any, are:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Birth date: \_\_\_\_\_

Birth date: \_\_\_\_\_

Current Address: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_  
County of residence: \_\_\_\_\_

\_\_\_\_\_  
County of residence: \_\_\_\_\_

Father: \_\_\_\_\_

Father: \_\_\_\_\_

Mother: \_\_\_\_\_

Mother: \_\_\_\_\_

Name: \_\_\_\_\_  
Birth date: \_\_\_\_\_  
Current Address: \_\_\_\_\_  
\_\_\_\_\_  
County of residence: \_\_\_\_\_  
Father: \_\_\_\_\_  
Mother: \_\_\_\_\_

Name: \_\_\_\_\_  
Birth date: \_\_\_\_\_  
Current Address: \_\_\_\_\_  
\_\_\_\_\_  
County of residence: \_\_\_\_\_  
Father: \_\_\_\_\_  
Mother: \_\_\_\_\_

4. I am the fit and proper person to be awarded temporary custody of the minor child(ren) and such custody is in the best interest of the child(ren).
5. The opposing party should be granted reasonable temporary parenting time or as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The opposing party should pay temporary child support to me in accordance with the Arizona Guidelines for Child Support.
7. I currently lack sufficient property to provide for my reasonable needs and/or I am unable to support myself through appropriate employment.
8. The opposing party is able bodied and employed or otherwise employable and thus is financially capable of providing temporary spousal maintenance to me.

**THIS IS WHAT I WANT THE COURT TO ORDER:**

9. **CHILD CUSTODY:** The temporary care, custody and control of the minor children common to or adopted by the parties who are identified above to be awarded to me.
10. **PARENTING TIME:** Temporary parenting time with the children by the opposing party as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. **CHILD SUPPORT:** An order requiring the opposing party to pay to me a reasonable sum for temporary child support as determined by the Arizona Child Support Guidelines, according to the Parent's Worksheet for Child Support that I am submitting with this Petition.
12. **SPOUSAL MAINTENANCE:** An order requiring the opposing party to pay to me a reasonable sum for temporary spousal maintenance in the amount of \$\_\_\_\_\_ per month, as supported by a review of the Affidavit of Financial Information I am submitting with this Petition.
13. **MEDICAL INSURANCE AND/OR COSTS:** An order requiring the opposing party to provide temporary medical, dental and health insurance for my benefit and for the children, at no cost to the moving party, OR to pay all the medical, dental and health expenses reasonably incurred by me for myself and minor children.

14. **PROPERTY:** An order granting the temporary exclusive use and possession of the following property:

A. To me: (list property)

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B. To my spouse (list property)

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15. **DEBTS:** An order requiring payment of the following debts, until further order of this court, as follows (attach additional pages if necessary):

**A. TO BE PAID BY ME:**

<b>DEBT</b>	<b>AMOUNT</b>	<b>TO WHOM OWED</b>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

**B. TO BE PAID BY MY SPOUSE:**

<b>DEBT</b>	<b>AMOUNT</b>	<b>TO WHOM OWED</b>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

16. **OTHER:** I further request the Court for an order as follows:

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

Case No. \_\_\_\_\_

### ORDER TO APPEAR

### PRE-JUDGMENT/DECREE (INCLUDING TEMPORARY ORDER)

READ THIS ORDER CAREFULLY: This is an important court order that affects your rights. If you do not understand this Order, contact a lawyer for help.

All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.

FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A CIVIL ARREST WARRANT, OR WHERE APPLICABLE, A CHILD SUPPORT ARREST WARRANT, FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL FOR NO MORE THAN 24 HOURS BEFORE A HEARING IS HELD.

Based on documents filed and pursuant to Arizona Law,

IT IS ORDERED THAT YOU \_\_\_\_\_ appear at the time and place stated below so the court can determine whether the relief asked for in the Motion should be granted.

#### INFORMATION ABOUT COURT HEARING TO BE HELD:

NAME OF JUDICIAL OFFICER: \_\_\_\_\_

DATE AND TIME OF HEARING: \_\_\_\_\_

PLACE OF HEARING: \_\_\_\_\_

TYPE OF HEARING:  Resolution Management Conference  
 Evidentiary Hearing  
 Other (specify): \_\_\_\_\_

TIME ALLOTTED FOR HEARING: \_\_\_\_\_

EVIDENCE [ ] WILL or [ ] WILL NOT be presented at the hearing.

IT IS FURTHER ORDERED that a true copy of this "Order to Appear – Temporary Orders" and a true copy of the documents filed with the Motion shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with the Arizona Rules of Family Law Procedure, Rule 43.

IT IS FURTHER ORDERED that the parties and counsel shall meet and confer, comply with the disclosure requirements of Rule 49, and submit a written Resolution Statement that substantially complies with Form 4 or 5 as applicable, not less than five days prior to the date set for the Resolution Management Conference or evidentiary hearing. At least three days prior to an evidentiary hearing, the parties shall exchange any exhibits to be offered at the hearing, and a list of the names, addresses and telephone numbers of all witnesses who may testify.

Requests for reasonable accommodation for persons with disabilities must be made to the office of the assigned judicial officer five days before your scheduled court date.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

Case No. \_\_\_\_\_

### ORDER TO APPEAR

### POST JUDGMENT/DECREE

READ THIS ORDER CAREFULLY: This is an important court order that affects your rights. If you do not understand this order, contact a lawyer for help.

All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.

FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A CIVIL ARREST WARRANT, OR WHERE APPLICABLE, A CHILD SUPPORT ARREST WARRANT, FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL FOR NO MORE THAN 24 HOURS BEFORE A HEARING IS HELD.

Based on documents filed and pursuant to Arizona Law,

IT IS ORDERED THAT YOU \_\_\_\_\_ appear at the time and place stated below so the court can determine whether the relief asked for in the Petition should be granted.

#### INFORMATION ABOUT COURT HEARING TO BE HELD:

NAME OF JUDICIAL OFFICER: \_\_\_\_\_

DATE AND TIME OF HEARING: \_\_\_\_\_

PLACE OF HEARING: \_\_\_\_\_

TYPE OF HEARING:

- return order
- oral argument
- other (specify): \_\_\_\_\_
- evidentiary hearing
- post-decree or post-judgment conference

TIME ALLOTTED FOR HEARING: \_\_\_\_\_

EVIDENCE [ ] WILL or [ ] WILL NOT be presented at the hearing.

IT IS FURTHER ORDERED that a true copy of this "Order to Appear – Post Judgment/Decree" and a true copy of the documents filed with the Petition shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with Rules 40, 41, 42 or 43, as applicable *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that the parties and counsel file and exchange all documents and disclosure as required by Rule 91, within the time specified therein. Failure to comply may result in the imposition of sanctions as set forth in Rule 91(Q)..

Requests for reasonable accommodation for persons with disabilities must be made to the office of the assigned judicial officer five days before your scheduled court date.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

### ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

Case No. \_\_\_\_\_

#### PROPOSED RESOLUTION STATEMENT OF:

HUSBAND

WIFE

Date of Marriage: \_\_\_\_\_

The undersigned party provides the following positions on each of the issues in this case.

1. IV-D Case:

I receive or have received public assistance which may include AFDC, TANF, or AHCCCS for my child(ren) or me.

I have a case with the Division of Child Support Enforcement.

2. Custody: The parties have the following natural or adopted child(ren) in common. (If there are no minor or disabled child(ren) common to the parties, skip to paragraph 3)

Child(ren)'s Name(s)	Date(s) of Birth	Age(s)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The child(ren) should live primarily with Mother Father and have parenting time with Mother  Father as follows (check all that apply):

Generally in accordance with \_\_\_\_\_ County Guidelines for reasonable parenting time.

Model Parenting Time Plans (describe plan) \_\_\_\_\_

Every other weekend from \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

One-half of the holidays on an alternating basis.

For \_\_\_\_\_ weeks in the summer from \_\_\_\_\_ to \_\_\_\_\_ (inclusive).

Spring Break from school.

Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Mother  Father should have sole legal custody **OR**  Mother and Father should have joint legal custody.

3. Child Support: (If there are no minor or disabled children common to the parties and were no minor or disabled children from the date the parties separated, skip to paragraph 5.) The financial factors necessary to calculate child support under the *Arizona Child Support Guidelines* are as follows (complete in full):

Father's gross monthly income: \$ \_\_\_\_\_

Mother's gross monthly income: \$ \_\_\_\_\_

Father has \_\_\_\_\_ other child(ren) not listed above whom he is supporting who live(s) in his household.

Father has \_\_\_\_\_ other child(ren) not listed above for whom he pays court-ordered child support in the amount of \$ \_\_\_\_\_ per month.

Mother has \_\_\_\_\_ other child(ren) not listed above whom he is supporting who live(s) in his household.

Mother has \_\_\_\_\_ other child(ren) not listed above for whom he pays court-ordered child support in the amount of \$ \_\_\_\_\_ per month.

Medical insurance should be paid by  Mother {  Father. Monthly cost for the child(ren) in this case is \$ \_\_\_\_\_.

Dental insurance should be paid by  Mother {  Father. Monthly cost for the child(ren) in this case is \$ \_\_\_\_\_.

Vision insurance should be paid by  Mother {  Father. Monthly cost for the child(ren) in this case is \$ \_\_\_\_\_.

Monthly child care costs for \_\_\_\_\_ child(ren) in this case are \$ \_\_\_\_\_.

Extra education expenses or extraordinary child adjustments – I believe the court should add the following to the child support calculation (leave blank if none claimed):

Description of expense:	Monthly amount:
_____	\$ _____
_____	\$ _____

Uninsured medical/dental/vision expenses should be paid:

Pro rata based upon each party's income, as provided in the guidelines; or

Other: \_\_\_\_\_% paid by Father and \_\_\_\_\_% paid by Mother.

Tax exemptions for the child(ren) should be divided:

Pro rata bases upon each party's income, as provided in the guidelines; or

Other: \_\_\_\_\_

4. Past support should be paid by  Mother  Father for the period of \_\_\_\_\_ through \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

5. Spousal maintenance: My position on spousal maintenance is:

No spousal maintenance need be paid by either me or my spouse.

I should pay my spouse \$ \_\_\_\_\_ per month for \_\_\_\_\_ months.

I should receive from my spouse \$ \_\_\_\_\_ per month for \_\_\_\_\_ months.

6. Separate property: I believe the following property is my sole and separate property (describe):

\_\_\_\_\_

\_\_\_\_\_

7. Community liens on separate property: I believe I have a community interest in the following sole and separate property of my spouse:

\_\_\_\_\_

\_\_\_\_\_

8. Community property: I want to divide all of the community property (except tangible personal property) as follows:

Directions:

Column 1: List short description of each item or real and personal property.

Column 2: List you estimate of the fair market value of each item of property. List the loan or encumbrance amount(s) on the line directly below its value.

Column 3: List the amount of net value of each item you propose for Husband.



\_\_\_\_\_ We should make a list of all the tangible personal property and alternately select items from the list until all the property is divided.  
 \_\_\_\_\_ One of us should make two (2) lists of tangible personal property both equal in value, and the other one be awarded all property on the list of his or her choice.  
 \_\_\_\_\_ Other: \_\_\_\_\_

10. Debts: The community debts should be divided as follows (complete in detail):  
 All of the debt should be paid \_\_\_\_\_% by Husband and \_\_\_\_\_% by Wife; or  
 Each of us should pay the following debts and amounts:

Amount to be paid by Husband	Amount to be paid by Wife	Creditor	Total Amount
\$	\$		\$
\$	\$		\$
\$	\$		\$
\$	\$		\$
\$	\$		\$

11. Attorney's Fees: if the case is settled today, I want the court to order (choose one);  
 Each of us is to pay his/her own attorney's fees and costs.  
 My spouse should pay \$\_\_\_\_\_ of my attorney's fees and costs within \_\_\_\_\_ days.  
 I should pay \$\_\_\_\_\_ to my spouse for attorney's fees and costs within \_\_\_\_\_ days.

12. Name change: I want my name changed to \_\_\_\_\_.

13. Other issues: Briefly state the other issues that you believe must be resolved to fully settle this case.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

14. Settlement: I understand that I am required to personally meet and confer with the opposing party and their counsel at least five court days before my court date to resolve as many issues as possible unless there is a current court order prohibiting contact or a significant history of domestic violence between us. I verify that the above statements are true based on my best information and belief, and I am willing to settle and resolve this case based upon my positions as provided above. I will be prepared to show documentation to support my positions at the time of the conference or hearing.

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of  Husband  Wife  
 Attorney for  Husband  Wife

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_  
 Daytime Telephone No: \_\_\_\_\_  
 Evening Telephone No.: \_\_\_\_\_  
 Representing:  Self as Petitioner  Self as Respondent  Petitioner  Respondent  
 State Bar Number: \_\_\_\_\_

**ARIZONA SUPERIOR COURT, PIMA COUNTY**  
 110 W. Congress, Tucson AZ 85701 PH: (520) 740-4240 TDD: (520) 740-8887

\_\_\_\_\_  
 Petitioner  
 and  
 \_\_\_\_\_  
 Respondent

Case No. \_\_\_\_\_  
 Atlas No. \_\_\_\_\_

**REQUEST FOR ORDER TO  
 APPEAR HEARING DATE**

**It is hereby requested that, pursuant to Local Rule 8.4(d), the Order to Appear filed with the Clerk of the Court on \_\_\_\_\_ be set for hearing.**

1. Type of Order to Appear:

- Pre-Judgment/Pre-Decree  Post-Judgment/Post-Decree  
 Temporary Orders  Other: \_\_\_\_\_

2. Previous matters were heard by Judge/Commissioner \_\_\_\_\_

3. Estimated time for ENTIRE hearing \_\_\_\_\_

4. Court Reporter required?  Yes  No

5. Relief sought: (Check all that apply)

- |   |   |  |                                     |
|---|---|--|-------------------------------------|
| <input type="checkbox"/> Temporary Orders | <input type="checkbox"/> Child Custody  | <input type="checkbox"/> Spousal Maintenance | <input type="checkbox"/> Discovery  |
| <input type="checkbox"/> Decree/Judgment  | <input type="checkbox"/> Child Support  | <input type="checkbox"/> Wage Assignment     | <input type="checkbox"/> Injunction |
| <input type="checkbox"/> Modification     | <input type="checkbox"/> Parenting Time | <input type="checkbox"/> Contempt/Sanctions  | <input type="checkbox"/> ADR        |
| <input type="checkbox"/> Enforcement      | <input type="checkbox"/> Other: _____   |  |                                     |

6. Will this be an evidentiary hearing?  Yes  No

7. Contact information for opposing party (List attorney if opposing party is represented.)  
 Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_

DATED: \_\_\_\_\_  
 Petitioner  Respondent

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner/Plaintiff

and

\_\_\_\_\_  
Respondent/Defendant

Case No. \_\_\_\_\_

### TEMPORARY ORDER RE:

- For Spousal Maintenance
- For Property and/or Debt
- For Child Custody/Visitation
- For Child Support
- Other

**PENDING FINAL ORDER OR DECREE**

**NOTICE: THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ THIS ORDER CAREFULLY. IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.**

### FINDINGS OF THE COURT:

1. A Verified Motion for Temporary Orders was filed with the Court on (date) \_\_\_\_\_ by \_\_\_\_\_ . The Court read the Motion and associated documents, scheduled a hearing, took testimony as appropriate, considered all relevant matters, and issues a temporary order as follows.

2.  This order is in the best interest of the following children who are covered by this Order:

Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

### ORDER OF THE COURT:

It is hereby ordered, *pendente lite*, as follows:

1.  **SPOUSAL MAINTENANCE** in the amount of \$\_\_\_\_\_ shall be paid by \_\_\_\_\_ to \_\_\_\_\_ commencing on \_\_\_\_\_ 20\_\_\_\_.

2.  **MEDICAL INSURANCE AND/OR COSTS** for \_\_\_\_\_ and the minor children shall be paid by \_\_\_\_\_.

3.  **THE FOLLOWING PROPERTY SHALL BE GRANTED TO THE EXCLUSIVE USE AND POSSESSION OF** \_\_\_\_\_.  
(List property here) :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE FOLLOWING PROPERTY SHALL BE GRANTED TO THE EXCLUSIVE USE AND POSSESSION OF** \_\_\_\_\_.  
(List property here) :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.  **THESE COMMUNITY DEBTS** shall be paid by \_\_\_\_\_

DEBT	AMOUNT	TO WHOM OWED
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**THESE COMMUNITY DEBTS** shall be paid by \_\_\_\_\_

DEBT	AMOUNT	TO WHOM OWED
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5.  **CHILD CUSTODY:** The temporary care and custody of the minor children common to or adopted by the parties who identified above shall be awarded to \_\_\_\_\_

6.  **PARENTING TIME:** Temporary parenting time with the children shall be awarded to \_\_\_\_\_ as follows:

During the summer months:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For Holidays and Birthdays:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For Telephone Calls:

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Transportation will be provided by (name): \_\_\_\_\_

Other:

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7.  **CHILD SUPPORT** in the amount of \$\_\_\_\_\_ per month shall be paid by wage assignment to \_\_\_\_\_

8.  **OTHER:**

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**DONE IN OPEN COURT** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge/Commissioner of the Superior Court

## **Important Notice about the Affidavit of Financial Information**

Please read this before you give your Affidavit of Financial Information to the Clerk of the Superior Court.

You **must** give the Clerk of the Superior Court the Affidavit of Financial Information to be filed.

You are **not required** to give the Clerk of the Superior Court copies of your two most recent pay stubs, copies of your last three federal income tax returns, and W-2 and 1099 forms. Please **do not attach** these to the original affidavit that you file with the Clerk of the Superior Court.

You **must** give the other party or the other's party's lawyer a copy of the Affidavit of Financial Information, and copies of your two most recent pay stubs, copies of your last three federal income tax returns, and W-2 and 1099 forms.

You **must** bring copies of your two most recent pay stubs, copies of your last three federal income tax returns, and W-2 and 1099 forms to court for hearing.

Family law court files are public records. That means that if you do give copies of your two most recent pay stubs, copies of your last three federal income tax returns, and W-2 and 1099 forms to the Clerk of the Superior Court to be filed, **all** of that paperwork will be available for the public to see.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

Case No. \_\_\_\_\_

### **AFFIDAVIT OF FINANCIAL INFORMATION**

Affidavit of \_\_\_\_\_

(Name of Person Whose Information is on this Affidavit.)

#### **IMPORTANT INFORMATION ABOUT THIS DOCUMENT**

**WARNING TO PARTIES:** This Affidavit is an important document. You must fill out this Affidavit completely, and provide accurate information. You must provide copies of this Affidavit and all other required documents to the other party and to the judge.

I have read the following document and know of my own knowledge that the facts and financial information stated below are true and correct, and that any false information may constitute perjury by me. I also understand that, if I fail to provide the required information or give misinformation, the judge may order sanctions against me, including assessment of fees and expenses under Rule 31.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Affidavit

**INSTRUCTIONS**

- 1. Complete the entire Affidavit in black ink. If the spaces provided on this form are inadequate, use separate sheets of paper to complete the answers and attach them to the Affidavit. Answer every question completely! You must complete every blank. If you do not know the answer to a question or are guessing, please state that. If a question does not apply, write "NA" for "not applicable" to indicate you read the question. Round all amounts of money to the nearest dollar.
  
- 2. You must provide the other party with copies of the following:
  - A. Proof of your year to date income from all sources, including your two most recent pay stubs.
  - B. Complete copies of your federal income tax returns for the last three years with all schedules and attachments.
  - C. All W-2 and 1099 forms from all sources of income for the last three years.
  - D. If self-employed, a member of a partnership, or a shareholder of a closely held corporation, complete copies of the business federal income tax returns for the last three years with all schedules and attachments.

{ } YES [ ] NO I have provided the other party with copies of the documents described above. If no explain your answer:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**1. GENERAL INFORMATION**

- A. Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_
- B. Current Address: \_\_\_\_\_
- C. Date of Marriage: \_\_\_\_\_ Date of Divorce: \_\_\_\_\_
- D. Last date when you and the other party lived together: \_\_\_\_\_
- E. Full names of child(ren) common to the parties (in this case), their dates of birth, and Social Security Number(s) (last four digits only):

Name	Date of Birth	Social Security Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

F. The name, date of birth, relationship to you, and gross monthly income for each individual who lives in your household:

Name	Date of Birth	Relationship to You	Income
_____	_____	_____	_____
_____	_____	_____	_____

G. Any other person for whom you contribute support:

Name	Age	Relationship to You	Reside With You (Y/N)	Court Order to Support (Y/N)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

H. Attorney's Fees paid in this matter \$\_\_\_\_\_ Source of funds\_\_\_\_\_

**2. EMPLOYMENT INFORMATION**

A. Your job/occupation/profession/title: \_\_\_\_\_

Name and address of current employer: \_\_\_\_\_

Date employment began? \_\_\_\_\_

How often are you paid:      Weekly    Every other Week    Monthly    Twice a Month  
   Other \_\_\_\_\_

B. If you are not working, why not? \_\_\_\_\_

C. Previous employer name and address: \_\_\_\_\_

D. Total gross income from last three (3) years' tax returns.

Year \_\_\_\_\_ \$\_\_\_\_\_     Year \_\_\_\_\_ \$\_\_\_\_\_     Year \_\_\_\_\_ \$\_\_\_\_\_

E. Your total gross income from January 1 of this year to the date of this Affidavit (year-to-date income):

\$\_\_\_\_\_

**3. YOUR EDUCATION/TRAINING:** List name of school, length of time there, year of last attendance, and degree earned.

A. High School: \_\_\_\_\_

B. College: \_\_\_\_\_

C. Post-Graduate: \_\_\_\_\_

D. Occupational Training: \_\_\_\_\_

**4. YOUR GROSS MONTHLY INCOME:**

- List **all** income you receive from **any** source, whether private or governmental, taxable or not.
- List all income payable to you individually and all non-wage income payable jointly to you and your spouse.
- Use a monthly average for items that vary from month to month.
- Multiply weekly income by 4.33 to arrive at the monthly total. Multiple bi-weekly income by 2.165 to arrive at the monthly total.

A. Gross salary/wages per month	\$_____
• <b>Attach copies of your two most recent pay stubs.</b> Rate of pay: \$_____ per <input type="checkbox"/> hour <input type="checkbox"/> week <input type="checkbox"/> month <input type="checkbox"/> year	
B. Expenses paid for by your employer:	
1. Automobile (provision or allowance)	\$_____
2. Auto expenses, such as gas, repairs, insurance	\$_____
3. Lodging	\$_____
4. Other (explain) _____	\$_____
C. Commissions/bonuses	\$_____
D. Tips	\$_____
E. Self-employment income (see below.)	\$_____
F. Social Security benefits	\$_____
G. Worker's compensation and/or disability income	\$_____
H. Unemployment compensation	\$_____
I. Gifts/prizes	\$_____
J. Payments from prior spouse	\$_____
K. Rental income (net after expenses)	\$_____
L. Contributions to household living expenses by others	\$_____
M. Other (explain) _____ (Include dividends, pensions, interest, trust income, annuities or royalties)	\$_____
<b>TOTAL \$</b>	<b>_____</b>

**5. SELF-EMPLOYMENT INCOME (if applicable):**

If you are self-employed, a member of a partnership, or a shareholder of a closely held corporation, provide the following information:

**If self-employed, provide the following information:**

Name, address and telephone no. of business: \_\_\_\_\_

Type of business entity: \_\_\_\_\_

State and date of Incorporation/formation: \_\_\_\_\_

Nature of your interest: \_\_\_\_\_

Nature of business: \_\_\_\_\_

Percent ownership: \_\_\_\_\_

Number of shares of stock: \_\_\_\_\_

Total issued and outstanding shares: \_\_\_\_\_

Gross sales/revenue last 12 months: \_\_\_\_\_

**INSTRUCTIONS**

Both parties must answer item 6 if either party asks for child support. These expenses include only those expenses for children who are common to the parties, which means one party is the birth/adoptive mother and the other is the birth/adoptive father of the children.

**6. SCHEDULE OF ALL MONTHLY EXPENSES FOR CHILDREN:**

- **DO NOT LIST** any expenses for the other party, or child(ren) who live(s) with the other party, unless you are paying those expenses.
- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (\*) next to the estimated amount.

**A. HEALTH INSURANCE**

- 1. Total monthly cost \$ \_\_\_\_\_
- 2. Premium cost to insure you alone \$ \_\_\_\_\_
- 3. Premium cost to insure child(ren) common to the parties \$ \_\_\_\_\_
- 4. *List all people covered by your insurance coverage:*

\_\_\_\_\_  
\_\_\_\_\_

- 5. Name of insurance company and policy/group number:

\_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

**B. DENTAL/VISION INSURANCE**

- 1. Total monthly cost \$ \_\_\_\_\_
- 2. Premium cost to insure you alone \$ \_\_\_\_\_
- 3. Premium cost to insure child(ren) common to the parties \$ \_\_\_\_\_
- 4. *List all people covered by your insurance coverage:*

\_\_\_\_\_  
\_\_\_\_\_

- 5. Name of insurance company and policy/group number:

\_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

**C. UNREIMBURSED MEDICAL AND DENTAL EXPENSES:**

(cost to you after, or in addition to, any insurance reimbursement)

- 1. Drugs and medical supplies: \$ \_\_\_\_\_
- 2. Other \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

**D. CHILD CARE COSTS:**

- 1. Total monthly child care costs (do not include amounts paid by D.E.S.) \$ \_\_\_\_\_
  - 2. Name(s) of child(ren) cared for and amount per child:
    - \_\_\_\_\_ \$ \_\_\_\_\_
    - \_\_\_\_\_ \$ \_\_\_\_\_
    - \_\_\_\_\_ \$ \_\_\_\_\_
  - 3. Name(s) and address(es) of child care provider(s):
    - \_\_\_\_\_ \$ \_\_\_\_\_
    - \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**E. EMPLOYER PRETAX PROGRAM:**

Do you participate in an employer program for pretax payment of childcare expenses (Cafeteria Plan)? [ ] Yes [ ] No

**F. COURT ORDERED CHILD SUPPORT:**

- 1. Court ordered current child support for child(ren) **not common to the parties** \$ \_\_\_\_\_
- 2. Amount of any arrears payment \$ \_\_\_\_\_
- 3. Amount per month actually paid in last 12 mos. \$ \_\_\_\_\_
  - **Attach proof that you are paying**
- 4. Name(s) and relationship of minor child(ren) who you support or who live with you, but are **not** common to the parties.
  - \_\_\_\_\_
  - \_\_\_\_\_

**G. COURT ORDERED SPOUSAL MAINTENANCE/SUPPORT (Alimony):**

- 1. Court ordered spousal maintenance/support you actually pay to previous spouse: \$ \_\_\_\_\_

**H. EXTRAORDINARY EXPENSES:**

- 1. For **Children** (educational /special needs/other): \$ \_\_\_\_\_  
Explain: \_\_\_\_\_
- 2. For **Self**: \$ \_\_\_\_\_  
Explain: \_\_\_\_\_

**INSTRUCTIONS**

*You must answer items 7 and 8 if either party is requesting:*

- Spousal Maintenance
- Division of expenses
- Attorneys' fees and costs
- Adjustment of deviation from the child support amount
- Enforcement

- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (\*) next to the estimated amount.

**A. HOUSING EXPENSES:**

- 1. House payment:
    - a. First mortgage \$ \_\_\_\_\_
    - b. Second mortgage \$ \_\_\_\_\_
    - c. Homeowners association fee \$ \_\_\_\_\_
    - d. Rent \$ \_\_\_\_\_
  - 2. Repair & upkeep \$ \_\_\_\_\_
  - 3. Yardwork/pool/pest control \$ \_\_\_\_\_
  - 4. Insurance & taxes not included in house payment \$ \_\_\_\_\_
  - 5. Other (explain) \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**B. UTILITIES:**

- 1. Water, sewer and garbage \$ \_\_\_\_\_
  - 2. Electricity \$ \_\_\_\_\_
  - 3. Gas \$ \_\_\_\_\_
  - 4. Telephone \$ \_\_\_\_\_
  - 5. Mobile phone/pager \$ \_\_\_\_\_
  - 6. Internet provider \$ \_\_\_\_\_
  - 7. Cable/satellite television \$ \_\_\_\_\_
  - 8. Other (explain) \_\_\_\_\_ \$ \_\_\_\_\_
  - 9. Meals outside home \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**C. FOOD:**

- 1. Food, milk, and household supplies \$ \_\_\_\_\_
  - 2. School lunches \$ \_\_\_\_\_
  - 3. Meals outside home \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**D. CLOTHING:**

- 1. Clothing for you \$ \_\_\_\_\_
  - 2. Uniforms or special work clothes \$ \_\_\_\_\_
  - 3. Clothing for children living with you \$ \_\_\_\_\_
  - 4. Laundry and dry-cleaning \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**E. TRANSPORTATION OR AUTOMOBILE EXPENSES:**

- 1. Car insurance \$ \_\_\_\_\_
  - 2. List all cars and individuals covered:  
\_\_\_\_\_  
\_\_\_\_\_
  - 3. Car payment, if any \$ \_\_\_\_\_
  - 4. Car repair and maintenance \$ \_\_\_\_\_
  - 5. Gas and oil \$ \_\_\_\_\_
  - 6. Bus fare/parking fees \$ \_\_\_\_\_
  - 7. Other (explain): \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL: \$ \_\_\_\_\_**

**F. MISCELLANEOUS:**

- 1. School tuition \$ \_\_\_\_\_
- 2. School supplies \$ \_\_\_\_\_
- 3. School activities or fees \$ \_\_\_\_\_
- 4. Extracurricular activities of child(ren) \$ \_\_\_\_\_
- 5. Church/contributions \$ \_\_\_\_\_
- 6. Newspapers, magazines and books \$ \_\_\_\_\_
- 7. Barber and beauty shop \$ \_\_\_\_\_
- 8. Life insurance (beneficiary: \_\_\_\_\_) \$ \_\_\_\_\_
- 9. Disability insurance \$ \_\_\_\_\_
- 10. Recreation/entertainment \$ \_\_\_\_\_
- 11. Child(ren)'s allowance(s) \$ \_\_\_\_\_
- 12. Union/professional dues \$ \_\_\_\_\_
- 13. Voluntary retirement contributions and savings deductions \$ \_\_\_\_\_
- 14. Family gifts \$ \_\_\_\_\_
- 15. Pet expenses \$ \_\_\_\_\_
- 16. Cigarettes \$ \_\_\_\_\_
- 17. Alcohol \$ \_\_\_\_\_
- 18. Other (explain): \_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

**8. OTHER DEBTS:** List all debts and installment payments you currently owe, that are **not listed** above. Follow the format below. Use additional paper if necessary.

Creditor Name	Purpose of Debt	Unpaid Balance	Minimum Monthly Payment	Date of Your Last Payment	Amount Of Your Payment
<b>TOTAL OF LAST MONTHLY PAYMENTS: \$</b>					

**8. TOTAL OF ALL MONTHLY EXPENSES FROM ITEMS 6 & 7 ABOVE:** \$ \_\_\_\_\_

## ARIZONA SUPERIOR COURT, PIMA COUNTY

and  Petitioner,  Respondent.	CASE NO.  <b>CHILD SUPPORT FINANCIAL AFFIDAVIT</b>	Assigned to:
---	--	--------------

NAME: \_\_\_\_\_ BIRTH DATE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

**MONTHLY EXPENSES:**

Child(ren)'s Medical & Dental Insurance Cost:	
Child Care (average annually)	
Support paid to former spouse	
Support paid for other children	
Education Expenses	
Extraordinary Child Expenses: (itemize)	

**INCOME:**

GROSS PAYCHECK \$  
 weekly  twice mo.  
 monthly  every 2 weeks

**OTHER MONTHLY INCOME:**

Pension/Retirement \$  
 Social Security/SSI \$  
 Dividends/Interest \$  
 GA/AFDC \$  
 Spousal Maintenance \$  
 Rec'd. for minor child(ren) not of  
 this marriage under your care \$  
 Other: \_\_\_\_\_ \$  
 TOTAL OTHER INCOME \$

**VISITATION DAYS PER YEAR:**

Summer periods	
Holiday & School break periods	
Weekend periods	
Midweek periods	
Other:	
<b>TOTAL DAYS:</b>	



Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone No: \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

Case No. \_\_\_\_\_

### REQUEST FOR PROTECTED ADDRESS

I reasonably believe that physical or emotional harm may result to me or my minor child(ren) if my address is not protected from disclosure, and I request that the court order that my address be protected from public disclosure, for the following reasons:

I have a valid Order of Protection against a party in this case issued by the following court (a copy is attached if available):

\_\_\_\_\_

I have a valid Order of Protection against a party in this case issued by this court:

\_\_\_\_\_

I have a valid Order of Protection against a person not involved in this case issued by the following court (a copy is attached if available):

\_\_\_\_\_

I do not have a valid Order of Protection, but want my address protected for the following reasons:

\_\_\_\_\_

My address is currently unknown to the other party. I have listed my address on a separate sheet of paper for court use.

I understand that I have a continuing duty to provide the clerk of the court with a current and correct mailing address where I can be served with process until one of the following events stated in Rule 7(D), Arizona Rules of Family Law Procedure, occurs.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Requestor's Signature

PERSON WHOSE ADDRESS IS PROTECTED:

\_\_\_\_\_  Petitioner  Respondent

ADDRESS TO BE PROTECTED:

Street:

\_\_\_\_\_

City:

\_\_\_\_\_

State, Zip Code:

\_\_\_\_\_

Telephone Number:

\_\_\_\_\_

**ARIZONA SUPERIOR COURT, PIMA COUNTY**

Case No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

**ORDER FOR  
PROTECTED ADDRESS**

Upon request of [ ] Petitioner [ ] Respondent, and good cause appearing,

IT IS ORDERED that:

The address of [ ] Petitioner [ ] Respondent shall be protected from public disclosure until further order of this court.

The Clerk of the Court shall protect the address of [ ] Petitioner [ ] Respondent from public disclosure until further order of this court.

The Clerk and the parties hereto shall comply with the requirements of Rule 7, Arizona Rules of Family Law Procedure, as follows:

Any person required under these rules to serve a response or other document upon a person whose address is ordered protected from disclosure under this rule may serve the same by delivering true and correct copies of the documents to be served, together with the proper fee established by administrative order to cover the cost of service, to the clerk of the court. The clerk shall promptly mail the documents by regular first-class to the most recent protected address provided to the clerk, and service shall be deemed complete upon mailing. The clerk shall promptly file a written statement verifying the documents that were mailed and the date of mailing to the protected address signed by the clerk or deputy clerk who mailed the documents. All documents mailed to a protected address shall bear the clerk's return address, and a notation of any process returned as undeliverable shall be made in the court file.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer