

FAMILY LAW CASES TRIAL PREPARATION

Packet #14

*Separate forms from
packet before filing*

ARIZONA SUPERIOR COURT, PIMA COUNTY SELF-SERVICE PACKET

TRIAL PREPARATION IN FAMILY LAW CASES

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. Be sure the documents are in the following order. Look at the lower right-hand corner of the document for the document number. 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.

Description	Form Name
Use and Disclaimer (1 page)	trialprep-use and disclaimer.info
General information on trial preparation (4 pages)	trialprep-information.info
Motion to set and certificate of readiness (1 page)	trialprep-motion to set.form
Pretrial statement (6 pages)	trialprep-pretrial statement.form
Inventory of property and debt (4 pages)	trialprep-inventory.form
Affidavit of Financial Information (8 pages)	trialprep- affidavit of financial information
Child Support Financial Affidavit (2 pages)	trialprep-child support affidavit.form

ARIZONA SUPERIOR COURT, PIMA COUNTY SELF-SERVICE PACKET

GENERAL INFORMATION ON TRIAL PREPARATION

INTRODUCTION

If a divorce, legal separation or annulment petition has been filed and the Respondent has filed a Response and you and your spouse are not able to agree on all of the issues to have your divorce finalized, you must take steps to have your case set for trial. If you are either a Plaintiff or Defendant in a paternity case and not all of the issues are resolved, including custody, parenting time, and child support, you must take steps to have your case set for trial. If you do not take steps to have your case set for trial, the court will dismiss your case. If the case is dismissed, it means that you must start all over again with the filing of a new Petition or Complaint and paying any required fees. Please remember that preparing and trying a case can be complicated and confusing and you are strongly urged to seek a lawyer for help.

WHO CAN REQUEST THAT THE CASE BE SET FOR TRIAL?

Either party may request that a case be set for trial if both parties, the Petitioner and Respondent or Plaintiff and Defendant, have appeared in the case by filing a Response to the Petition for Dissolution, Legal Separation or Annulment or an Answer to the Paternity Complaint. To request that a matter be set for trial, you must file a **Motion to Set and Certificate of Readiness**.

SETTING CASES FOR TRIAL

Pima County Local Rule 8.2 governs the setting of family law cases for trial in Pima County.

If a Response or Answer is filed to a Petition or Complaint, one of the parties must file a Motion to Set and Certificate of Readiness within 180 days (6 months) of filing of the Petition or Complaint. If a Motion to Set is not filed, the case will be placed on the inactive calendar and will be dismissed 60 days thereafter, unless the judge continues the case on the inactive calendar for a good reason or a Motion to Set and Certificate of Readiness is filed.

Under Pima County Local Rule 8.2(b) trials are generally set within 2 – 4 months after the Motion to Set is received by Calendar Services and provided to the assigned judge. Therefore, you should not request the matter be set for trial until you have exchanged all the information you are required to exchange with the other party and have attended mediation or are scheduled to attend mediation, if custody or parenting time is an issue.

Under Pima County Local Rule 8.2(c) continuances will not be granted after the matter is set for trial unless a written motion setting forth grounds recognized by law exist or good cause is shown. Any motion to continue must be accompanied with a notice of hearing to be set by the judge to whom the case is assigned. A copy of the Motion to Continue and the original Notice of Hearing and copies of the notice for the court and the other parties must be provided to the assigned judges' office.

After a trial has been set, do not call the judge's office to request a continuance or adjustment of trial date. You must file a motion in writing with the notice of hearing. You must provide the other party with a copy of the motion and the notice of hearing with the hearing date by mailing it to the party or personally delivering a copy.

INSTRUCTIONS FOR COMPLETING MOTION TO SET AND CERTIFICATE OF READINESS

- Fill out the Certificate of Readiness indicating when the case will be ready for trial.
- Enter the caption and case number for the case.
- Check the nature of the case.
- Provide the information as to when the Petition or Complaint was filed.
- Under paragraph 3, estimate the length of the trial.

- ❑ Under paragraph 4, indicate if custody is an issue. You should only check this box if you and the other parent do not agree to custody and parenting time issues. .
- ❑ Under paragraph 5, indicate if you will be ready for trial within 60 days. If there is a reason, such as unavailability of financial records, unavailability of one of the parties, or other reason more time is required, describe the reason(s).
- ❑ In paragraph 6, you must indicate how you are providing a copy of the Motion to Set and Certificate of Readiness to the other party or that party's attorney.
- ❑ You must file the original with the clerk and provide a copy of the motion with the Court Administrator, specifically with Calendar Services.
- ❑ You should provide your name, address and your day time phone number and sign and print your name on the motion.

GETTING A TRIAL DATE

Once you have filed a Motion to Set and Certificate of Readiness, the other side has ten (10) days to file a **Controverting Certificate**. The other side may file a Controverting Certificate if that party disagrees with information contained in the Motion to Set such as the length of the trial or when the matter will be ready for trial. If a Controverting Certificate is filed, the assigned judge will make a determination as to when the matter should be set for trial and the length of the trial.

After the filing of the Motion to Set and any ruling on any Controverting Certificate, the Judicial Administrative Assistant for the assigned judge will issue a trial notice. **PLEASE READ THE TRIAL NOTICE CLOSELY**. The trial notice contains important information including the date of the trial, the date your Pretrial Statement is due and the date of the settlement conference. If you do not file a Pretrial Statement or attend the settlement conference, you will be subject to sanctions (consequences) and may have the trial date vacated and your case dismissed.

MEDIATION

If custody is an issue, you are required to attend **mediation** before your case may go to trial. If you do not attend mediation before trial, and a trial date has been set, the trial date will be vacated. This means that your case will not go to trial when scheduled and may be dismissed in 60 more days. If you and the other parent have not attended mediation, you must request mediation through the Conciliation Court. See "**Mediation**" packet. Both parents must have completed the Domestic Relations Education Course on Children's Issues prior to mediation. If you have completed the course, but the other parent has not or it is unknown if the other parent has completed the class, you should request mediation.

PRETRIAL STATEMENT

Approximately one month prior to the Joint Pretrial Statement due date, the parties shall confer with each other to prepare a Joint Pretrial Statement. You must file a Joint Pretrial Statement under Pima County Local Rule 8.5, unless you are unable, after making a good faith effort, to confer with the other party about preparing a Joint Pretrial Statement. **IF THERE HAS BEEN DOMESTIC VIOLENCE BETWEEN YOU AND THE OTHER PARTY OR AN ORDER OF PROTECTION IS IN PLACE, DO NOT ATTEMPT TO CONFER WITH THE OTHER PARTY ABOUT PREPARATION OF A JOINT PRETRIAL STATEMENT. FILE A SEPARATE PRETRIAL STATEMENT.**

If neither party files a separate or joint Pretrial Statement, the settlement conference and trial will automatically be vacated and your case will be placed on the inactive calendar. If your case is placed on the inactive calendar, it will be dismissed unless you file another Motion to Set.

If a party does not file a Pretrial Statement or confer regarding the joint Pretrial Statement, the judge may order that the party not filing a Pretrial Statement be prevented from introducing evidence at the trial and/or be ordered to pay attorney's fees to the other side.

Please read Pima County Local Rules 8.5 and 8.6 about consequences for not following the rules.

INSTRUCTIONS FOR PREPARING PRETRIAL STATEMENT

- ❑ In preparing the caption, indicate whether the Pretrial Statement is joint, one filed by the Petitioner/Plaintiff or one filed by the Respondent/Defendant.
- ❑ Indicate the nature of the action.
- ❑ Indicate the estimated time for trial. This time must be no longer than what is stated in the trial notice. However, if you believe less time is needed please state that amount of time.
- ❑ State the date of trial.
- ❑ State the name of the judge to whom the case is assigned.
- ❑ Complete the party information.
- ❑ List the names and birth dates of any minor children.
- ❑ If this is an action for dissolution of marriage, legal separation, or annulment, list the date and place of the marriage.
- ❑ With respect to exhibits, complete appendix A and/or B. If any party objects to any exhibit being offered by the other party, that party must indicate on the appendix the objection and the reason for the objection. Also, copies of all exhibits must be provided to the other side.
- ❑ List witnesses for each side, including the witnesses' name, address and phone number.
- ❑ Please state any stipulations, agreements or admissions. Admissions are facts that one side agrees are true.
- ❑ In paragraph 12, list uncontested issues of fact. This could include such things as facts that a particular form of custody will not be contested, that a piece of property is the separate property of one of the spouses, etc.
- ❑ In paragraph 13, list all contested issues of fact that the court is to hear. In paragraph 13, both sides should list their position in all matters that the parties do not agree. Please attach additional sheets if necessary. **DO NOT WRITE ON THE BACK OF THE PAPER.** If it is an action for dissolution or legal separation, you must list a detailed proposal for distribution of property. This should be set forth in the **Inventory of Property and Debts**.
- ❑ List any issues of law that may exist. This may include issues such as one side is entitled to spousal maintenance, whether a particular piece of property is sole property of one spouse, etc.
- ❑ With your Pretrial Statement, you must also file the appropriate **Financial Affidavit** and **Inventory of Property and Debts**. Complete and file a **Child Support Affidavit** if the only financial issue is child support. If your case is a dissolution or legal separation and one of the parties is seeking spousal maintenance (even if child support is also requested), a completed **Spousal Maintenance Financial Affidavit** must be filed.
- ❑ After you have completed the Pretrial Statement, Financial Affidavit and Inventory of Property and Debts make copies of each document for yourself. Take the original to the court and file it with the clerk at the court. At the court, provide a copy to Calendar Services and a copy to the assigned judge. Provide a copy of the **Pretrial Statement** and your completed **Financial Affidavit** and **Inventory of Property and Debts** to the other party or his or her attorney, if represented. You may mail or deliver the copies. Show on each document the manner in which you provided a copy to the other side (mail or delivery) and the date of the mailing or delivery.

SETTLEMENT CONFERENCE

On the Friday before the date scheduled for your settlement conference, you must call the Court Administrator/Calendar Services office at the phone number listed in the Trial Notice to learn the time for your settlement conference. Your settlement conference will either be at 1:30 p.m., 2:30 p.m. or 3:30 p.m., depending on time and availability. You must appear at court on the date and time of the settlement conference. If neither party appears at the settlement conference, the trial may be vacated. If one party does not appear, the settlement conference judge or trial court judge may enter orders preventing the non-appearing party from introducing evidence at trial. Therefore, it is **VERY IMPORTANT** that you attend the settlement conference. At the settlement conference, you and the other party should try to settle all matters with the help of the settlement judge. This judge will be a different judge than the trial judge. You should take a copy of the form of **Decree** if your case is a dissolution or legal separation or a **Paternity Judgment** if your case is a paternity case in the event that you are able to settle the case. See the packet entitled "**Decree**" or "**Paternity Judgment**" for these forms.

After the settlement conference, the settlement conference judge will prepare an order setting forth any agreements reached, and if issues still remain for trial, what the issues are to be resolved at trial. If you and the other party settle your case, the judge will sign the Decree and Judgment and the Child Support Order and Order of Assignment if applicable.

THE TRIAL

If you do not settle your case, you must appear for trial at the date and time set for trial. The Petitioner/Plaintiff will go first presenting his or her evidence, which includes testifying and calling witnesses. The other party and/or his or her attorney, if represented, will have a chance to cross-examine (question) you and any witnesses you call to testify.

After the Petitioner/Plaintiff has presented all of his or her evidence, the Respondent/Defendant will have an opportunity to present his or her evidence. The Petitioner/Plaintiff will have the opportunity to cross-examine (question) the Respondent/Defendant and any witnesses called by the Respondent/Defendant.

Take a copy of the **Decree** or **Paternity Judgment** with the caption completed to trial. The judge will ask for a copy of the Decree or Judgment for the judge to complete and sign when making the decision. While the judge may make the formal ruling and orders in court at the end of the trial, judges commonly take the cases "under advisement". This means that the judge has sixty days to make a ruling in your case. A copy of any ruling will be mailed to you. If you are requesting child support, you must take a **Child Support Order, Order of Assignment, and Obligee/Obligor Sheet** to court for the judge to sign in connection with entering any orders. See the packet entitled "**Child Support.**"

Please remember that trials are governed by complex **Rules of Evidence**. The Rules determine what kind of information the judge is allowed to consider. If the judge does not hear or consider certain evidence that you want the judge to hear and consider, it may be that the judge is unable to consider the evidence under the Rules of Evidence that apply to family law cases. Please do not take it personally if the judge does not hear or consider certain evidence you wish to introduce at trial. The judge is just following the law.

Please remember that trying family law cases is a difficult and complex task. **You are strongly urged to consult a lawyer if your case is proceeding to trial.** You should consult a lawyer as early as possible in the process. Please do not count on hiring an attorney just before trial because the attorney may not be available on the trial date and the judge may not be willing to continue the case once it has been set for trial.

Name: _____

Address: _____

City, State, ZIP: _____

Telephone No: _____

Representing Self, Without A Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Petitioner

Case No. _____

and

Respondent

MOTION TO SET AND CERTIFICATE OF READINESS

Dissolution/Legal Separation/Annulment

Paternity

Other _____

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

1. The Petition was filed on _____ and thereafter a Response was filed.
2. The parties have completed, or will have had a reasonable opportunity to complete ten days prior to a trial scheduled 60 days from this date, all procedures intended to be undertaken per the Arizona Rules of Family Law Procedure.
3. The estimated length of trial is: _____hour(s) _____day(s)
4. Custody is an issue and the case is entitled to trial preference Yes No
 - (a) Domestic Relations Education on Childrens' Issues attended by both parties. Yes No
 - (b) Mediation has been completed, does not apply or has been waived. Yes No
5. This matter will be ready for trial 60 days from today's date Yes No
6. A copy of the Motion and Certificate has been delivered mailed to the opposing party or that party's attorney. (If the other party has an attorney, you must provide a copy to the attorney.)

Name: _____

Address: _____

Phone: _____

A COPY OF THIS MOTION MUST ALSO BE FILED WITH THE ASSIGNED TRIAL DIVISION AND CASE MANAGEMENT SERVICES.

Petitioner's/Plaintiff's/Respondent's/Defendant's Name: _____

Address: _____

Phone: _____

Dated: _____ Signature: _____

Printed Name: _____

Name: _____
Address: _____
City, State, ZIP: _____
Telephone No: _____
Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner/Plaintiff
and

Respondent/Defendant

PRE-TRIAL STATEMENT

- JOINT
- PETITIONER/PLAINTIFF
- RESPONDENT/DEFENDANT

The parties to this action submit:

1. This **Joint** Pretrial Statement according to Rule 8.5, Pima County Local Rules of Practice

OR

The Petitioner Respondent submits:

This **Separate** Pretrial Statement as I was not able, after a good-faith effort to do so, submit a Joint Pretrial Statement.

2. The nature of the action is:

- Dissolution
- Legal Separation
- Annulment
- Other _____
- Paternity
- Modification of Custody
- Custody of Minor Children

3. Estimated time for trial: _____

4. This case is currently set for trial on: _____

5. This case is assigned to the Honorable _____

6. **PARTIES**

Husband/Father's Name: _____

Address: _____

Employer: _____

Wife/Mother's Name: _____

Address: _____

Employer: _____

7. **NAME(S) AND BIRTH DATE(S) OF MINOR CHILDREN**

8. **DATE AND PLACE OF MARRIAGE** (If applicable) _____

9. **EXHIBITS:** The parties stipulate that the specifically described Exhibits listed on Appendix A for Petitioner/Plaintiff and on Appendix B for Respondent/ Defendant, attached hereto and incorporated herein by reference are all exhibits intended to be used by either party and on attached exhibits A and B are statements as to whether there is any objection to each exhibit and what the grounds for such objections are or whether such exhibits may be submitted without further foundation (refer to Rule 8.5, Pima County Local Rules). **The following mandatory exhibits are filed with this Pretrial Statement: Spousal Maintenance Financial Affidavit and/or Child Support Financial Affidavit and Inventory of Property (if a dissolution or legal separation).**

10. **WITNESSES**

For Petitioner/Plaintiff:

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

For Respondent/Defendant:

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. **STIPULATIONS (AGREEMENTS) AND ADMISSIONS**

12. **UNCONTESTED ISSUES OF FACT**

13. **CONTESTED ISSUES OF FACT DEEMED MATERIAL**

Petitioner/Plaintiff's position. If a dissolution or legal separation, list a detailed proposal for disposition of property.

Respondent/Defendant's position. If a dissolution or legal separation, list a detailed proposal for disposition of property.

14. **ISSUES OF LAW**

15. **DISCOVERY**: All pretrial disclosure and discovery under Rule 26-37, Arizona Rules of Civil Procedure, have been completed. All answers and supplemental answers to interrogatories under Rule 33, Arizona Rules of Civil Procedure, are complete and accurate to this date.

16. **COPIES**:

- Each party has received a copy of this Pretrial Statement.
- Each party has exchanged true and correct copies of all exhibits and any written reports of expert witnesses who have been listed as witnesses.

17. **SETTLEMENT**

Counsel and/or parties have, in good faith, discussed settlement.

Yes No If not, why not: _____

Dated this _____ day of _____, 20____.

Petitioner/Plaintiff

Respondent/Defendant

Copy mailed/delivered on the _____ day of _____, 20____ to:

Assigned Judge, The Honorable _____
Calendar Services, Pima County Superior Court

IF SEPARATE PRETRIAL STATEMENT:

Copy mailed/delivered on the _____ day of _____, 20____ to:

Other party's Name: _____

Address: _____

**APPENDIX A
PETITIONER/PLAINTIFF'S EXHIBITS**

<u>Description of Exhibit</u>	<u>Objection</u>	<u>Basis for Objection</u>
1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**APPENDIX B
RESPONDENT/DEFENDANT'S EXHIBITS**

<u>Description of Exhibit</u>	<u>Objection</u>	<u>Basis for Objection</u>
1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner

and

Respondent

INVENTORY OF PROPERTY AND DEBTS

HUSBAND

WIFE

I. 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, branch and account number.				
1.				
2.				
3.				
4.				
5.				
B. Investments: stocks, bonds, notes, certificates of deposit, mortgages, deeds of trust, etc.				
6.				
7.				
8.				

Description	Date Acquired	Value	Contested Position	Proposed Allocation [H or W]
C. Life Insurance: company name, owner, policy number, insured, beneficiary, death benefits and cash surrender value (if any)				
9.				
10.				
11.				
12.				
13.				
D. Retirement Plans: pension, profit-sharing, 401(k), deferred compensation				
14.				
15.				
16.				
17.				
18.				
19.				
E. Real Property				
20.				
21.				
22.				
23.				
F. Business Interests: corporations, partnerships, limited liability corporations, joint ventures, proprietorships				
24.				
25.				
26.				
27.				
G. Vehicles: cars, motorcycles, motor homes, boats, trailers, etc.				
28.				
29.				
30.				
31.				
32.				
33.				

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				
34.				
35.				
36.				
37.				
38.				
39.				
40.				
41.				
42.				
43.				
44.				
45.				
46.				
47.				
48.				
49.				
50.				
51.				
52.				
53.				
54.				
55.				
56.				
57.				
58.				
59.				
60.				
61.				
I. Miscellaneous Assets				
62.				
63.				
64.				
65.				
66.				
67.				
68.				
69.				
70.				
71.				

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

Date

Signature of
 Husband Wife
 Attorney for Husband Wife

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:

- 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 \$ _____
• **Attach copies of your two most recent pay stubs.**
Rate of pay: \$ _____ per [] hour [] week [] month [] 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)

TOTAL \$ _____

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 orfees \$ _____
 - 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
TOTAL OF LAST MONTHLY PAYMENTS: \$					

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

ARIZONA SUPERIOR COURT, PIMA COUNTY

and Petitioner, Respondent.	CASE NO. _____ <p style="text-align: center;">CHILD SUPPORT FINANCIAL AFFIDAVIT</p>	Assigned to:
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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:	
TOTAL DAYS:	

Present Occupation: _____ Starting Date: _____
Name, Address, phone number of present employer:

Prior Occupation: _____ Starting Date: _____ Monthly pay: _____ Ending Date: _____
Name, Address, phone number of prior employer:

If not employed, why? _____
When do you expect to work?

Full name(s) and age(s) of ALL minor child(ren) residing with you:

Physical defect or organic disease suffered by you or your minor children:

List all bank accounts, including checking, savings, credit union, certificates of deposit, in your name or in which you have an interest:

Bank/Branch	Type of Account	Account Number (last 4 numbers)	Average Balance

List all stocks, shares and/or bonds in your name or in which you have an interest.

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

STATE OF ARIZONA)
) **ss.**
County of Pima)

_____, 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.

DATED this ____ day of _____, 20____.

Signature: _____

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 20____.

My Commission Expires:

Notary Public

Party/Attorney's Name, Address, and Telephone: