

Motion to Appear by Telephone



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

GENERAL INFORMATION & Frequently Asked Questions

How do I use this packet?

This packet contains the following forms:

1. **Motion to Appear by Telephone**
2. **Notice of Hearing**
3. **Order: Appearance by Telephone**

Each form needs to be filled out and filed with the court. There are directions on how to file these forms at the end of the instructions. If you need a deferral or waiver of fees, you must file the request with this packet. For more information, see Packet #12, *Deferral/Waiver of Fees & Costs*.



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

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

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

When should I use these forms?

If you reside in the greater Pima County Arizona area, you will be expected to appear in person. However, if there is a hearing or trial set and you believe you and/or a witness are unable to appear in person for the hearing, you should file a *Motion to Appear by Telephone*.



Please Note:

- You or your witness must have a good reason for not appearing in person at a trial or hearing. This request is **not** automatically granted.
- If the other party objects to your request to appear by telephone, the court will hold a hearing to determine if you or a witness may appear by telephone.

- You must allow enough time to process the *Motion to Appear by Telephone*. Your motion may not be granted if it is filed too close to the date of the hearing or trial.

Do I need to serve these documents on the other party?

Any time you file a legal document with the court, you must “serve” the other person.

This is done to notify the other party about the proceedings and provides the opportunity to respond. Information on the proper service procedure is found in Packet #10, *Service of Papers*.



Instructions for Completing the *Motion to Appear by Telephone*

You may type on the forms or write on them using black ink

The Caption

The Caption is the information in the upper left hand side of the first page of each form.

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

If you are a domestic violence victim, do not write your address on this form. Instead, write “Protected Address” and complete the *Request for Protected Address form.*

- **Case No.** – Enter your Superior Court Number as found on the original Petition
 - **Petitioner** – Enter the Petitioner’s name, as found on the original Petition.
 - **Respondent** – Enter the Respondent’s name, as found on the original Petition.
 - **Assigned to** – Enter the name of the judge assigned to your case
1. Check the box to indicate that you are either the Petitioner or Respondent.
 2. Check the box to indicate the type of proceeding you have scheduled and fill in the date of the trial/hearing and the time. Circle either a.m. or p.m.
 3. Check the “I” box if you are requesting to appear by telephone. Check “a witness” If you are requesting that a witness appear by telephone. Provide the name of the witness. Check both boxes and write the name of the witness if you are requesting that both you and the witness appear by telephone.
 4. Write in the reason you are requesting that you and/or the witness appear by telephone. Use an additional page if necessary.
 5. If you know whether the other party has no objection to your request, check the first box. Check the second box if you know there is an objection to this request. If you do not know whether the other party objects to the request, check the third box.



If you checked the second or third box saying “The other party or his/her attorney objects to this request” OR “I do not know if the other party or his/her attorney objects to this request,” you **must** request a hearing to determine if your request to appear by telephone may be granted. The *Notice of Hearing* form is on page six (6) of this packet. If you checked the first box, you do not need to complete the *Notice of Hearing*.

6. Date and sign the Motion.
7. If the other party does not object to the request to appear by telephone, have that party date and sign the Motion.

Certificate of Service—This section certifies that you provided a copy of this motion to the other party.

1. Check the box for “mailed” if you mailed the motion. Check the box for “hand-delivered” if this is the method you used.
2. Provide the name of the person you mailed or delivered the motion to and check the box that best describes that person.
3. Provide the address you used to deliver the copy of the motion.
4. Provide the date you mailed or delivered the copy.

Name: _____
Address: _____
City, State, ZIP: _____
Daytime Telephone _____
Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Petitioner Case No. _____
and MOTION TO APPEAR BY TELEPHONE

Respondent
ASSIGNED TO: _____

I am the Petitioner Respondent in the above matter.

A Hearing Trial Pretrial Statement Settlement Conference currently set on:
_____ at _____ a.m./p.m.

I request that I and/or a witness named _____ be allowed to
appear at the trial/hearing by telephone for the following reason(s) (attach additional sheets if necessary):

I state as follows:

- The other party or his/her attorney does not object to this request.
- The other party or his/her attorney objects to this request. *
- I do not know if the other party or his/her attorney objects to this request. *

* If these boxes are checked, you must request a hearing to determine if your request to appear by telephone may be granted.

Dated: _____
_____ Petitioner Respondent

I have no objection to the Motion to Appear by Telephone:

Dated: _____
_____ Petitioner Respondent **OR**
Attorney for Petitioner Respondent

CERTIFICATE OF SERVICE:

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

Name: _____
 Petitioner Respondent or Attorney for Petitioner Respondent

Address: _____
Date: _____



Instructions for completing the *Notice of Hearing* Form

You may type on the forms or write on them using black ink



You only need to fill out this form if the other party objects to your request or if you do not know if they object.

The Caption The caption is the information in the upper left hand side of the first page of each form.

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

If you are a domestic violence victim, do not write your address on this form. Instead, write “Protected Address” and complete the *Request for Protected Address*.

- **Case No.** – Enter your Superior Court Number as found on the original Petition
- **Petitioner** – Enter the Petitioner’s name, as found on the original Petition.
- **Respondent** – Enter the Respondent’s name, as found on the original Petition.
- **Assigned to** – Enter the name of the judge assigned to your case



STOP: The Court will complete the rest of the form.

After you receive a signed copy from the Court, it is your responsibility to make sure a copy of the signed order is delivered to the other party. See Packet #10, *Service of Papers* for more information.

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Petitioner

Case No. _____

NOTICE OF HEARING

and

Respondent

Assigned to: _____

To: _____

Petitioner Respondent **OR**

Attorney for Petitioner Respondent

Please take notice that the Motion to Appear by Telephone will be heard:

Date: _____

Time: _____
*** All hearing times are Arizona times.**

Location: Arizona Superior Court, Pima County
110 W. Congress
Tucson, Arizona 85745
Judicial Officer: _____

Courtroom: _____

Dated: _____

Judicial Officer



Instructions for completing the *Order: Appearance by Telephone* Form

You may type on the forms or write on them using black ink

The Caption --The caption is the information in the upper left hand side of the first page of each form.

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

If you are a domestic violence victim, do not write your address on this form.

Instead, write “Protected Address” and complete the *Request for Protected Address.*

- **Case No.** – Enter your Superior Court Number as found on the original Petition
- **Petitioner** – Enter the Petitioner’s name, as found on the original Petition.
- **Respondent** – Enter the Respondent’s name, as found on the original Petition.
- **Assigned to** – Enter the name of the judge assigned to your case



STOP: The Court will complete the rest of the form.

After you receive a signed copy from the Court, it is your responsibility to make sure a copy of the signed order is delivered to the other party. See Packet #10, *Service of Papers* for more information.

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Petitioner

and

Respondent

Case No. _____

ORDER: APPEARANCE BY TELEPHONE

Assigned to: _____

The Court has considered the Motion to Appear by Telephone filed by the

Petitioner Respondent.

IT IS ORDERED:

The Motion to Appear by Telephone is Granted Denied

The Petitioner Respondent Witness may appear at the hearing by telephone by calling _____ at the time set for hearing.

The Petitioner Respondent Witness shall place and pay for the telephone call. The Court will not place the call.

The Petitioner Respondent Witness will be responsible to confirm any changes in time zones.

Dated: _____

Judicial Officer



1. Make two (2) copies of the following completed documents:

- You will need the original document plus **two** copies of:
 - *Motion to Appear by Telephone*
 - *Notice of Hearing*
 - *Order: Appearance by Telephone*

2. Separate the documents into 3 sets.

- **Set 1** goes to the clerk of the court
 - *Motion to Appear by Telephone* (original)
 - *Order for Telephonic Appearance* (original and two copies)
 - *Notice of Hearing* (original and two copies)
- **Set 2** will go to **the other party**
 - *Motion to Appear by Telephone* (copy)
 - *Order for Telephonic Appearance* (once signed by the judge)
 - *Notice of Hearing* (if applicable and only after completed by the judge)
- **Set 3** is **your set** of copies
 - Same as **Set 2**

3. File the papers at the court.

- Take your packet to the **Clerk of the Superior Court**. Arrive at least one hour before the court closes.

*First Floor
Superior Court Building
110 West Congress
Tucson, AZ 85701
Open 8 am to 5 pm, Monday through Friday (except legal holidays)*

4. Serve the court papers on the other parent

- Use Packet #10, *Service of Papers on the Other Party* for information on how to deliver **Set 2** of the documents to the other party. **YOU** are responsible for serving the other party your *Motion to Appear by Telephone* and signed *Notice of Hearing* or *Order: Appearance by Telephone*. Failure to provide the documents to the other

party may result in denial of your request or delay in the proceedings.

- If a hearing is set, you must attend this hearing so the court can determine if there is good cause to grant your *Motion to Appear by Telephone*. You may appear at the hearing by telephone without requesting separate approval to appear by telephone. After the hearing, the judge will sign the *Order* you prepared or deny your request.
- Once the judge signs the *Order*, you will receive a copy. Keep one copy for your records and provide a copy to the other party.
- If the judge grants your *Motion to Appear by Telephone*, either you or your witness will need to call the number provided on the *Order* at the time set for your hearing or trial. If you fail to call, you will be considered absent for that hearing or trial, which may result in a ruling being entered in your absence.