

and K-1 forms).

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

After completing the form, you **must** give it to the clerk for it to be filed. You **do not** have to give the clerk the other financial documents listed above. **Do not attach** the other financial documents listed above to the original affidavit that you file with the clerk.



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

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

ARIZONA SUPERIOR COURT, PIMA COUNTY

 Petitioner

Case No. _____

v.

**CHILD SUPPORT
 FINANCIAL AFFIDAVIT**

Prepared By Petitioner Respondent

 Respondent

Current As Of _____

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

NECESSARY MONTHLY EXPENSES (For minor children in this case)

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

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

OTHER GROSS MONTHLY INCOME
 Social Security/SSI \$ _____
 Dividends/Interest \$ _____
 GA/TANF \$ _____
 Spousal Maintenance \$ _____
 Other _____ \$ _____
Total other gross income \$ _____

ANNUAL PARENTING TIME DAYS

Summer periods: _____ Holidays, school breaks: _____
 Weekends: _____ Weekdays: _____
 Other: _____ Please explain: _____

Total Annual Parenting Time Days: _____

Present Occupation _____ Starting Date: _____

Name of present employer _____
 Address _____
 Telephone No. _____

Prior Occupation _____ Starting Date: _____

Monthly Pay: _____ Ending Date: _____

Name of prior employer _____
 Address _____
 Telephone No. _____

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

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

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

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

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

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

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

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

STATE OF ARIZONA)
) **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, when are believed to be true.

DATED this _____ day of _____, 20____.

Signature: _____
 Petitioner Respondent

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

My Commission Expires: _____

 Notary Public

8.5 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) a child support financial affidavit and, b) a spousal maintenance financial affidavit as permissible alternatives to the Affidavit of Financial Information in the Appendix to Rule 97, Arizona Rules of Family Law Procedure. 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 fees and/or expenses is in issue, but not spousal maintenance, a child support financial affidavit 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 fees and/or expenses is in issue, a spousal maintenance financial affidavit 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. In all cases a party may choose to use the Affidavit of Financial Information in the Appendix to Rule 97, Arizona Rules of Family Law Procedure.

(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 fees and/or expenses, or a proceeding for failure to pay any of the foregoing, a party may not present testimony regarding any change in his or her financial circumstances between the date of the most recent 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. The documents listed below shall not be filed with the Clerk of the Court, or attached to any papers filed with the Clerk of the Court, but must be provided to the other party. 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:

- (a) that party's most recently filed federal and state income tax returns;
- (b) that party's four most recent consecutive wage statements from all employment;
- (c) that party's most recent W-2, 1099, and K-1 forms;
- (d) 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. Whenever this rule requires a party to provide documents or the relevant financial affidavit, a copy shall be provided to the other party no later than 4 court days prior to the date set for hearing or 2 court days after service of the Order to Appear, whichever is later.

(C) Order to Appear for Temporary Orders. When a request for an Order to Appear is made for temporary spousal maintenance, child support, or a request for an award of attorney fees and/or expenses, the applicant shall file the original petition and the required financial affidavit

with the Clerk of the Court. A copy of the petition and required 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 also be served upon the opposing party, along with a blank copy of the required financial affidavit and a copy of Pima County Local Rule 8.5. The opposing party shall file the required financial affidavit, a copy of which shall be provided to the applicant's attorney, or, if unrepresented, to the applicant within the time provided by this rule.

(D) Petition for Modification of Spousal Maintenance or Child 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 shall comply with Pima County Local Rule 8.2(C). The applicant shall file the original of the petition and two required spousal maintenance financial affidavits. 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. If a financial affidavit reflecting a party's financial circumstances at that time was previously filed with the Court a copy 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 required financial affidavits and a copy of Pima County Local Rule 8.5. The opposing party shall file the required financial affidavits, and provide a copy 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 child support shall set forth the amount of child support currently in effect or shall set forth verbatim in the body of the petition the order sought to be modified, or shall comply with Pima County Local Rule 8.2(c). The applicant shall file the petition to modify and a child support financial affidavit, which reflects the current circumstances of the party seeking a modification. 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 required financial affidavit and a copy of Pima County Local Rule 8.5. The opposing party shall file the required financial affidavit, and provide a copy 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 Procedure set forth in the Arizona Child Support Guidelines. An agency authorized by law to request a modification of an existing Order on behalf of the State of Arizona shall not be required to strictly comply with the provisions of this local rule requiring a child support financial affidavit if the information is not reasonably available to the agency prior to filing the petition.

(3) Stipulation to Modify Child Support. Should the parties reach an agreement and submit a stipulation to the court to modify child support they shall submit a proposed form of Child Support Order, Order of Assignment and a worksheet containing detailed information supporting compliance with or a deviation from the 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 fees and expenses, the opposing party shall file with the Court the required financial affidavit and provide a copy to the applicant's attorney, or if unrepresented, the applicant, within the time provided by Pima County Local Rule 8.5. The documents listed below shall not be filed with the Clerk of the Court or attached to any papers filed with the Clerk of the Court but must be provided to the

other party. The opposing party shall also provide the applicant's attorney, of if unrepresented, the applicant, 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.

These documents shall not be filed with the Clerk of the Court.

The Order to Appear shall specifically direct the respondent to comply with Pima County Local Rule 8.5. 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 with Pima County Local Rule 8.5. If either party fails to comply with any part of Pima County Local Rule 8.5, upon the complying party's request or the court's own motion and in the absence of good cause, 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 fees and expenses incurred in preparing for and attending the hearing;
- (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/or cross-examination for purposes of making an interim award.

(G) Petitions to Modify Legal Decision-Making.

(1) A party seeking and a party responding to a Petition for Modification of Legal Decision-Making shall file with the Clerk of the Court an Affidavit Regarding Minor Children required by A.R.S. § 25-1039.

(2) Five 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 Legal Decision-Making Hearing, and a separate Order Granting or Denying Request for Legal Decision-Making Hearing to the Presiding Judge of the Family Law Bench.

(3) The Presiding Judge of the Family Law Bench shall rule on the Request for Order Granting or Denying Legal Decision-Making Hearing or refer the matter to the assigned division for a ruling.

(4) Copies of the Petition, Response, or Controverting Affidavits shall not be provided to the

Presiding Judge of the Family Law Bench or the assigned division.

A trial for modification of a legal decision-making order or decree shall not be set unless there is compliance with A.R.S. § 25-411 and Rule 91(d), Arizona Rules of Family Law Procedure.

(H) Hearings. Matters set for hearing shall proceed by oral argument only, without testimony or other evidence, unless notice has been given that testimony or other evidence will be presented.