

# PATERNITY JUDGMENT



## Packet # 20



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) users' reliance upon the instructions or information provided.



## ***What is a Paternity Judgment?***

The paternity judgment (signed by a judge or commissioner) is a legal order from the court that will determine paternity. It also determines your rights and responsibilities towards the other parent. It includes decisions on:

- Paternity
- Legal decision-making
- Parenting time
- Child support

## ***Should you obey the Paternity Judgment?***

***YES!***

Yes, you must obey your paternity judgment. The paternity judgment has the same authority as any other court order and must be taken seriously. If either you or the other parent does not follow the paternity judgment, the other party can ask the court for help to enforce the terms.

Any party that does not follow the orders of the paternity judgment can be found in “contempt of court.” Contempt of court means that you have *disobeyed* or *disrespected* the authority of the court, and you could be ordered to pay a fine or serve time in jail.

## ***Important Reminders***

The court cannot order something in your paternity judgment that you did not ask for in your Petition.

There are two exceptions:

1. The other parent has already agreed to the change, or
2. The change is clearly a benefit to the other parent.

It is a good idea to have the Petition with you as a guide while you fill out this form. You will also need the completed Parenting Plan. See Packet # 9, *Legal Decision-Making and Parenting Time*.



You cannot establish paternity through service by publication. To get a paternity judgment, you must serve the other party correctly. See Packet # 21, *Service of Papers—Paternity*.

If you did not properly serve the other parent with the Paternity Petition, then the court cannot make any decisions about paternity or child support.

## What if I want something different from what was in my Petition?

If your situation has changed since you filed your Petition for Paternity, and now you want to make an adjustment, you cannot do so with the paternity judgment.

You must first:

- Fill out and submit Packet #18, *Petition to Establish Paternity* and include the changes that you want to make.
- Serve the amended Petition on the other parent, just as you did with the original. See Packet # 21, *Service on the Other Party—Paternity*.



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.

### Do I need a lawyer's help?

There are lawyers who will help you help yourself. This means that they will only charge you for giving you the help you need. You can complete the court papers on your own or ask the lawyer for help with your papers. For more information, call the [Law Library and Resource Center at \(520\) 724-8456](#).



## Instructions for Completing Judgment and Order for Paternity, Legal Decision-Making, Parenting Time, and Support

### The Caption

- **Personal information** – Fill in your name, street address, city, state, ZIP code, and telephone number
- **Case No.** – Enter your Superior Court “SP” Number, as found on your Petition
- **Petitioner** – Enter your name as the Petitioner
- **Respondent** – Enter the name of the other parent as the Respondent

### STOP!



If the other parent filed a Response to the Petition for Paternity, *only complete the caption of these forms*. You cannot complete the paternity judgment in advance if you have been ordered to attend a settlement conference and/or trial.

### THE COURT FINDS AS FOLLOWS:

#### 1-4. The Court Findings

- You do not need to do anything for these sections. They make clear some basic requirements for establishing paternity and state that the court has the legal power, or jurisdiction, to hear the issues.

#### 5. Name(s) and Birth Date(s) of Child(ren)

- Fill in the name(s) and birth date(s) for the child(ren) as they appear on the Paternity Petition

#### 6. Parenting Time

- Only complete this section if your Petition requested supervised or no parenting time for the other parent.
  - **Supervised Parenting Time** – Check “Respondent” if you want the other parent to have supervised parenting time. Then list the reason(s) why parenting time should be supervised.
  - **No Parenting Time** - Check “Respondent” if you want the other parent to have no parenting time at all. Then list the reason(s) why there should be no parenting time.

For a list of acceptable reasons to restrict parenting time, see Packet # 17, *Paternity – General Information*. Remember the paternity judgment cannot contain information that was not in your Petition.

## THE COURT ORDERS THAT:

This part of the paternity judgment is where the court makes specific decisions about paternity, legal decision-making, parenting time, and child support.

### 1. Paternity

- Write the full name of the father.

### 2. Birth Certificate

- The father's name will be added to the child(ren)'s birth certificate if necessary.

### 3. Last Names

- If you want the father's name added to the child(ren)'s last name, write that last name on the line.

### 4. Legal Decision-Making and Parenting Time

- Domestic Relations Education on Children's Issues Course—Check "Petitioner" if you have completed the required course.
- Check "Respondent" if you know that the other party also completed the course. Don't check the box if you are unsure. If Respondent has not completed the course, joint legal decision-making cannot be ordered.



The boxes that you mark in the following section must be the same as what you marked on the Petition, unless you and the other parent have signed a Parenting Plan. A copy of that Plan must be attached to this paternity judgment. If you need more information see Packet # 17, *Paternity-General Information*.

You must mark **ONLY ONE** of the next two types of decision-making. If you and the other parent cannot agree on a Parenting Plan, then you still must complete a Parenting Plan and write what you think the parenting arrangements should be.

- **Sole Legal Decision-Making** – Check "Petitioner" if you are requesting sole legal decision-making for the child(ren). Check "Respondent" if you are requesting that the other parent have sole legal decision-making for the child(ren).

OR

- **Legal Decision-Making and Parenting Time according to Parenting Plan** - Check this box if you and the other parent agreed to a plan for reasonable parenting time and shared legal decision-making. The signed Parenting Plan must be attached.

OR

- **Supervised Parenting Time** – Check this box if you want the other parent to have supervised parenting time.

- Write down the name of the supervising person or agency.
- Write down what restrictions you would like the court to place on the parenting time. For example, “In the child’s home only.”
- You can also state who should pay for the supervision. Check “Petitioner” if you want to pay. Check “Respondent” if you want the other parent to pay, or check shared equally if you will both pay.

OR

- **No Parenting Time** - Check “Respondent” if you want the other parent to have no parenting time at all.

If you and the other parent are **requesting Joint Legal Decision-Making**:

- Check “Joint Legal Decision-Making”
  - You must attach a Parenting Plan that is signed by both parents.
  - The court must approve the Parenting Plan at the final hearing.

### 5. Child Support

Complete a Child Support Order and the court will sign it. For more information, see Packet # 8, *Child Support*.

- Check “Petitioner” if you believe you should pay child support. Check “Respondent” if you believe the other parent should pay child support. Then check the box that indicates which parent is to receive the payments.
- Using the Child Support Order, fill in the amount of monthly child support
- Write the month and year that the payments are to begin
- Write the amount of past unpaid child support
- Check the box that shows who will pay the past unpaid child support
- Write the amount to be paid each month

### 6. Expenses of Mother

- Check “Petitioner” if you believe you should pay expenses incurred from the birth of the child(ren). Check “Respondent” if you believe the other parent should pay the expenses.
- Write the amount that should be paid and check which parent is to receive the payment.

### 7. Medical and Dental Insurance, Payments, and Expenses

- Check “Petitioner” if you will pay the health care expenses for the child(ren). Check “Respondent” if the other parent will pay.
- Write the percentage each of you will pay for any medical or dental costs that are not covered by insurance.
- Write the amount of past medical expenses and put a check mark in the box that shows who will pay.
- Write the amount of past medical expenses that should be paid monthly.

## **8. Financial Information Exchanges**

- You do not need to do anything for this section. This section states that you and the other parent **MUST** share your financial information with each other every 24 months. This is so child support amounts can be adjusted if there are changes in the income of either you or the other parent.

## **9. Tax Exemption**

- For each child, mark the box to show which parent will claim the child on income tax forms and for which year. If you are not sure what to do here ask a lawyer or accountant for advice.

## **10. Testing and Costs**

- Check the appropriate party. If the court ordered genetic testing because the father denied paternity, and the test proved he was the father, then the father may be required to pay for the test.

## **11. Other Orders**

- If there is something extra that you want the judge to order, you can describe it here. Otherwise, leave it blank.

## **Judge's Signature and Copy for the Other Party**

You do not have a valid court order until the judge signs and dates the paternity judgment, which will occur at the hearing. Be sure to get a certified copy of the signed paternity judgment for your records. Also, you must mail a signed and dated copy of the paternity judgment to the other parent within 3 business days.

Person Filing: \_\_\_\_\_  
 Address (if not protected): \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 ATLAS Number: \_\_\_\_\_  
 Lawyer's Bar Number: \_\_\_\_\_  
 Representing  Self, without a Lawyer or  
 Attorney for  Petitioner OR  Respondent

## ARIZONA SUPERIOR COURT, PIMA COUNTY

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

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

### JUDGMENT AND ORDER FOR PATERNITY, LEGAL DECISION- MAKING, PARENTING TIME, AND SUPPORT

**THE COURT FINDS AS FOLLOWS:**

1. This case has come before this Court for a final Order. The Court has taken all testimony needed to enter final orders.
2. This Court has jurisdiction over the parties under the law.
3. This Court has jurisdiction under A.R.S. § 25-1031 over the child(ren) in this matter.
4. Where it has the legal power to do so and where it is applicable to the facts of this case, this Court has considered, approved, and made orders relating to legal decision-making, support, parenting time, and expenses related to birth of the child(ren).
5. Petitioner and Respondent are natural parents of these children:

NAME	BIRTHDATE	NAME	BIRTHDATE
_____	_____	_____	_____
_____	_____	_____	_____

6. **Check and complete only if supervised or no parenting time is ordered**  
 SUPERVISED PARENTING TIME between the children and the  
 Petitioner  Respondent  

OR

 NO PARENTING TIME by the  
 Petitioner  Respondent  
 is in the best interests of the children because: (explain here reasons for the requirement of supervised parenting time or no parenting time):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**THE COURT ORDERS THAT:**

1. **PATERNITY:** \_\_\_\_\_, is declared to be the natural father of the minor child(ren).
2. **BIRTH CERTIFICATE:** The father's name be added to each child's birth certificate. The records of the Office of Vital Records should be amended, if necessary, to reflect this adjudication of paternity.
3. **LAST NAMES:** The child(ren)'s last name shall be changed to the last name of \_\_\_\_\_

4. **LEGAL DECISION-MAKING AND PARENTING TIME:**

Petitioner  Respondent have completed the Domestic Relations Education on Children's Issues Course

**SOLE LEGAL DECISION-MAKING** of the minor child(ren) is awarded to:  
 Petitioner  Respondent subject to parenting time as follows:

**OR**

The parties will have legal decision-making for the children, pursuant to A.R.S. § 25-403, as set forth in the Parenting Plan attached. The Court adopts the Parenting Plan describing the legal decision-making and parenting time between the parties. By attaching the Parenting Plan to this Order, the Parenting Plan becomes part of the final Order and carries the same legal weight as any other order of this Court.

**OR**

Supervised parenting time between the children and Petitioner Respondent based on finding "5" above, according to the terms of the Parenting Plan attached to and made a part of this Judgment, but such parenting time is to take place only in the presence of another person named below or otherwise approved by the court.

Name of supervising person: \_\_\_\_\_

Restrictions to parenting time: \_\_\_\_\_

Cost to be paid by:  Petitioner  Respondent  shared equally by the parties.

**OR**

No parenting time right to  Petitioner  Respondent based on finding "5" above

**OR**

**JOINT LEGAL DECISION-MAKING:** The parties will have joint legal decision-making for the children, pursuant to A.R.S. § 25-403, as set forth in the Parenting Plan attached. There have been no significant acts of domestic violence under A.R.S. § 13-3601 by either parent. The Court adopts the Parenting Plan describing the legal decision-making and parenting time between the parties. By attaching the Parenting Plan to this Order, the Parenting Plan becomes part of the final Order and carries the same legal weight as any other order of this Court.

5. **CHILD SUPPORT:**

Petitioner  Respondent shall pay child support to Petitioner Respondent in the amount of \$ \_\_\_\_\_ per month, beginning \_\_\_\_\_ 20 \_\_\_\_\_, according to the Child Support Order attached. All child support payments shall be made through The Support Payment Clearinghouse. This support obligation shall end when a child reaches age 18, OR if still attending high school or a certified high school equivalency program, support shall continue to be provided while the child is actually attending high school or the equivalency program but only until the child reaches age 19, OR is otherwise emancipated, OR at his or her death.

Further, that costs for past child support and care for child(ren) in the amount of \$ \_\_\_\_\_ shall be paid by  Petitioner  Respondent in the amount of \$ \_\_\_\_\_ each month until paid in full. Payments shall be made as stated above.

6. **EXPENSES OF MOTHER:**

Petitioner  Respondent shall pay \$ \_\_\_\_\_ to  Petitioner  Respondent to cover unreimbursed expenses incurred by the mother related to the birth of each child.

7. **MEDICAL AND DENTAL INSURANCE, PAYMENTS, AND EXPENSES:**

Petitioner  Respondent is ordered to provide medical and dental insurance for the minor child(ren). Payment shall be according to the Child Support Order. The party ordered to pay shall keep other party informed of the insurance company name, address, and telephone number, and provide other party with documents necessary to submit insurance claims.

Petitioner is ordered to pay \_\_\_\_\_% and Respondent is ordered to pay \_\_\_\_\_% of all reasonable uncovered and/or uninsured medical, dental, prescription, and other health care charges for the minor child(ren), including co-payments.

Costs for past medical expenses for child(ren) in the amount of \$ \_\_\_\_\_ shall be paid by  Petitioner  Respondent in the amount of \$ \_\_\_\_\_ each month until paid in full. Payments shall be made as stated above.

8. **FINANCIAL INFORMATION EXCHANGES:**

The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

9. **TAX EXEMPTION:**

The parties shall claim as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of child	Current tax year	Later tax years
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____

10. **TESTING and COSTS:**

Petitioner Respondent must pay all costs and expenses of this lawsuit under Arizona law, A.R.S. § 25-809, including the costs of blood tests or other genetic testing; filing each child's birth certificate; attorney's fees and court costs.

11. **OTHER ORDERS:**

The Court further orders that: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DATED** \_\_\_\_\_

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

**Submitted by Petitioner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Approved by Respondent**  
**(if applicable):** \_\_\_\_\_ **Date:** \_\_\_\_\_