

Instructions: How to fill out the forms for a post-decree temporary order with notice

Use black ink. Write clearly

Most court documents can be filed electronically. For more information about eFiling, read the eFiling instructions first: <https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>.

STEP 1: Fill out the forms.

Form: Motion for Post-Decree Temporary Order with Notice

- Fill in the information about you in the top left corner. Place a check in the box next to “Self” if you are representing yourself. Write in the name of the Petitioner/Party A, the name of the Respondent/Party B, and your Case Number. The name of the Petitioner/Party A should be the same as the Name of the Petitioner in the Order you are trying to modify.
- Check the box(es) to indicate whether you are asking for a temporary change to legal decision-making and/or parenting time and/or third-party visitation.
- If you have an emergency and can state specific facts to tell the court why you need a hearing sooner (called an expedited hearing), check this box. You will have to provide your specific facts later in the form.

Match the numbered instruction below to the matching number on the form.

1. This tells the Court that you are including everything you said in your Petition to Modify without repeating it in this motion for Temporary Order with notice.
2. Jurisdiction. Place a mark in the box(es) that states the reason(s) the Court has the power to hear your case.
3. Venue. Place a mark in the box(es) that state the best reason(s) why Maricopa County is the proper location to bring your case.
4. Legal basis for request. You must explain why it’s in the best interest of the children for the court to make a change to your orders on a temporary basis. State specific facts.
5. Expedited hearing. If you checked the box on the first page of the form to request an expedited hearing, check this box also. Then, you must explain what the emergency is that requires you have a hearing sooner. You must state specific facts to explain the situation.

6. Underlying Petition. These statements tell the Court when you filed the Petition to Modify. Write in the answers to the information requested.
7. Children Involved. Write in the names and birthdates of the children involved in this request on the lines provided.

Requests to the Court

- A. Temporary legal decision-making. If you are asking that the Court temporarily award you and the other party joint legal decision-making, mark the first box. (Only the legal parents of the minor child(ren) can be awarded joint legal decision-making authority.) If you are requesting that the Court temporarily award you or the other party sole legal decision making, mark the second box. If you requested sole legal decision-making, write the names of the children and mark whether you want Party A, Party B or someone else to have sole legal decision-making for that child. Finally, write the reason(s) for your request to temporarily modify legal decision-making.
- B. Temporary parenting time. If you are asking the Court to temporarily modify parenting time, you will need to tell the Court what parenting time schedule you want. Check the box. You must also complete and file a Parenting Plan that explains in detail what parenting time schedule you are requesting for yourself and the other party. Explain the reason for your request to temporarily modify/change parenting time.
- C. Temporary third-party visitation. If you are not a parent of the minor child(ren), and you are asking for temporary third-party visitation, check this box. Explain what visitation schedule you are request. Explain the reasons for your request for temporary third-party visitation.
- D. Other. If you have additional requests or information to provide to the Court, write it in the lines provided.

Wait before signing. Sign the document in front of a Deputy Clerk of Superior Court or other Notarial Officer (such as a Notary Public). The Notarial Officer will also date and sign the document.

Form: Parenting Plan

You will need to fill out the Parenting Plan form. It is important to be specific when filling out the Parenting Plan. You may refer to the Planning for Parenting Time: Arizona's Guide for Parents Living Apart to help make your parenting plan. The Guide is available at all Law Library Resource Center locations, or may be viewed online and downloaded from the State Courts' webpage. After completing the Parenting Plan, keep it with the other papers in the Temporary Motion packet.

Form: Order to Appear

This is the document the Judge's staff will complete to set the hearing for the temporary order. Complete the top part of the Order to Appear with the names of the parties, and the case number. Leave the rest blank for the Judge to fill out.

STEP 2: When you have completed the forms, follow the Procedures in this packet (DRMCN11p).

Do not copy
or file this page