

LAW LIBRARY RESOURCE CENTER

PROCEDURES: WHAT TO DO WITH THE FAMILY DEPARTMENT MOTION

STEP 1: FILLING OUT THE MOTION AND ORDER

The Motion is your chance to explain what you want the Judge to do and why. The Order, or “proposed order” is an **optional** step in the motion process. You may fill out the Order form using your proposed language. This option requires you to provide pre-addressed, stamped envelopes for yourself and the other party. The Judge may then sign your proposed order and send a copy using your envelopes. **If you do not provide a proposed order** then a minute entry will be issued with the Judge’s decision and you do not need to provide envelopes.

STEP 2: COPIES AND ENVELOPES.

- Make three (3*) copies of the Motion that follows. *Additional copies may be needed if The State of Arizona is involved with your case.
- **If you prepared a proposed order**, make enough copies of the Order for all parties involved; and prepare pre-addressed stamped envelopes for each party.

FILE THE ORIGINAL MOTION with the Clerk of Court and ask to have all copies stamped as well. These are called “conformed copies” and serve as proof that the original was filed.

PROCESSING YOUR MOTION. Give the following to the Judge assigned to your case:

- One (1) conformed copy of the Motion;
- **If you prepared a proposed order**, the original plus the copies of the Order and all of the pre-addressed, stamped envelopes

MAIL OR DELIVER A COPY of the Motion to the other party in your case and keep one (1) copy for your own records.

STEP 3: WAIT TO RECEIVE A NOTICE FROM THE COURT. Once you have delivered your Motion, the Judge will either sign the original proposed Order OR issue a MINUTE ENTRY telling you whether or not your Motion has been granted. The court will mail a copy to you and the other party.

NOTE: FAILURE TO FOLLOW THE ABOVE PROCEDURES COULD RESULT IN A DELAY IN YOUR CASE.

PLEASE NOTE:

This blank motion form should not be used to start a court case. If you do not use the correct form, a judge may deny the motion. This may cause you to incur unnecessary filing fees and delay the time in getting your issue before the court. If the Law Library Resource Center website does not have the specific form or packet for a process that you need, you may contact the Law Library Resource Center in person, at 602-506-7353 or by email at: services@scll.maricopa.gov. A Law Librarian MAY BE ABLE TO explain the statutory and procedural requirements AND MAY BE ABLE TO provide a sample motion form to help you draft your own motion.

Note: It is always best to consult with a lawyer before filing legal documents. The Law Library Resource Center website provides various resources that can help you find a lawyer at a reduced rate.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Name of Petitioner/Party A

Case Number: _____
Atlas Number: _____

Title: _____

Name of Respondent/Party B

Explain what you want the Court to order. The Judge may grant, deny, or change your request (or "motion"). A ruling will be issued by "minute entry."

**This page must be completed and attached
to the LAST page of your Motion/Request**

I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Maricopa County on: _____
Month Date Year

I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned
 to my case, Judge (or Commissioner): _____, on
(Judicial Officer assigned to your case)
Month Date Year

I mailed/delivered a COPY of the attached document(s) to The Office of the Attorney General (The State of Arizona) on this date (if applicable):
Month Date Year Address

I mailed/delivered a COPY of the attached document(s) to the Opposing Party and/or his/her Attorney on:
Month Date Year

Name of Other Side Name of Other Side's Lawyer

Address Lawyer's Address

City, State, Zip City, State, Zip

(You must mail a copy of all documents to the other side and his/her lawyer)

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the Judge in my case will not read the attached document.

Your signature

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Name of Petitioner/Party A

Case Number: _____

Atlas Number: _____

ORDER

Name of Respondent/Party B

When you submit a motion [a request] to the Court, you *may* submit your own proposed version of the Order you want the Judge to sign. IF this motion is a *stipulation* [an agreement or joint request] presented by two or more parties, you **MUST** submit your own proposed version of the Order. [Maricopa County Local Rule 3.2 (i)(1)].

The Judge will make a decision on your request and may sign the page that you submitted, or more likely will direct the Clerk to make a "minute entry" recording the decision. A "minute entry" is a note in the records of the Court's proceedings. The minute entry will be printed, reviewed, approved and signed by the Judge, and sent to all parties.

If you have prepared your own proposed Order, you **must** include a copy of the Motion/Request and Order and a stamped envelope addressed to each party who has "entered an appearance" in the case. This means named parties or anyone that has filed papers in the case. [Maricopa County Local Rule 3.2 (i)(1)].

IT IS ORDERED THAT:

DONE IN OPEN COURT: _____

JUDGE/COMMISSIONER