

Information and instructions for completing a Notice of Issues and Pretrial Statement for Family Court

General Information

According to Arizona Rule of Family Law Procedure 76.1 (Rule 76.1), the court must hold a scheduling conference to formulate a plan for trial, including procedures for admitting evidence, presenting witnesses, and filing a pretrial statement.

A. Unless the court orders otherwise, the parties must file the following documents:

Document	Timing
Notice of Issues	20 days before trial
Pretrial Statement	5 days before trial

B. Pretrial Statement Timing – Parties may file a joint pretrial statement, or their own separate pretrial statements. If they file a joint statement:

1. Fifteen (15) calendar days before the trial, the party who initiated the action set for hearing will provide their outline for the pretrial statement to the opposing party.
2. At least eight (8) business days before the hearing, the parties will exchange their respective portions so that the positions can be merged.
3. No less than five (5) days before the hearing date, both parties will review and file the pretrial statement.

C. If the parties are self-represented and there is a history of domestic violence, the parties must file separate statements.

Notice of Issues

A. The Notice of Issues must contain a complete list of all remaining contested issues the filing party intends to present at the trial. Issues not raised previously cannot be raised for the first time in the Notice of Issues.

B. Each party must file a separate Notice of Issues.

C. Issues listed in the Notice of Issues are listed generally; specificity is reserved for the Pretrial Statement. Neither party is required to file a Notice of Issues before a hearing for temporary orders or other interim hearing.

Pretrial Statement

The Pretrial Statement must contain all the following information:

- Brief description of the nature of the action.
- Each party's name and address, if not confidential.
- Name and date of birth of each minor child.
- Parties' stipulations or agreements.
- Statement of uncontested facts or law.
- Detailed and concise statements of contested issues of fact and law.
- Position on each contested issue.
- If spousal maintenance is at issue, the amount and duration of support sought.
- If parenting time is at issue, the schedule of parenting time, including for holidays and vacations, each party maintains is in the best interest of the child.
- List of witnesses each party intends to call at the trial.
- Designation of deposition testimony under Rule 59(c)(2).
- Each party's list of objections to any witness, and the basis for each objection.
- List of the exhibits that each party intends to use at trial, specifying exhibits that the parties agree are admissible at trial or, if not in agreement, listing the objections and the specific grounds for each objection that a party will make if the exhibit is offered at trial.
- Statement by each party confirming that all pretrial discovery and disclosure has been completed by the trial date and that the parties have exchanged all exhibits and reports of experts who have been listed as witnesses.
- Statement as to whether the parties have in good faith discussed settlement, and if not, the reasons for not discussing settlement.
- Any request for attorney fees.
- Statement about how a verbatim record of the trial will be made.

Attachments to the Statement

The parties must attach the following documents to the statement:

- Where child support, spousal maintenance, or attorney fees are at issue:
 1. If submitted before a scheduling conference, a summary of income and expenses.
 2. If submitted before trial, an Affidavit of Financial Information.

- Where child support is at issue:

A fully completed Child Support Worksheet.

➤ For dissolution, legal separation, or annulment actions:

An Inventory of Property and Debts that lists or includes all the following information:

1. Community, joint tenancy, and other property and debts the parties held in common.
2. Each party's separate property and debts.
3. Any equitable lien claims regarding any separate property.
4. For each property, the title by which the property is held, the amount of encumbrances, and each party's position regarding the value of the property.
5. Each party's proposed distribution of property and debts.

Failure to List

Unless the court orders otherwise for good cause:

- A party may not present a witness or offer an exhibit during trial other than those listed and exchanged in a statement submitted before the scheduling conference or trial.
- A party may not present an issue not listed in either party's Notice of Issues at trial.

A party waives the right to object to a witness, exhibit, or claim at the trial or hearing if the specific objection is not raised in the statement submitted.

Filing with the Court

What to do after filling out the Scheduling Statement, Notice of Issues, or Pretrial Statement.

1. Make 3 copies.
2. File the original and 3 copies with the Clerk of Superior Court. The Clerk will keep the original and give you back 2 copies.
3. Mail and/or hand-deliver a copy to the Judge assigned to your case and the opposing party or party's attorney. Keep a copy for your records.

Person Filing: _____

Address (if not protected): _____

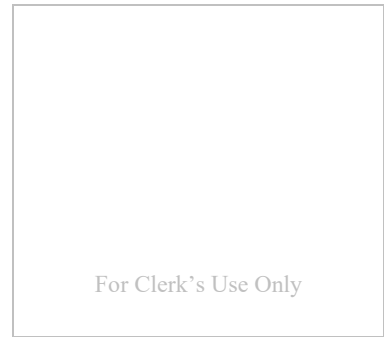
City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____



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

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Name of Petitioner

Case No. _____

and

NOTICE OF ISSUES

Name of Respondent

The Petitioner Respondent submits this Notice of Issues and states that the following issues are still contested, and the filing party intends to present these issues at the trial scheduled to take place on _____(date) at _____(time):

1. The annulment of the parties' marriage.
2. The dissolution of the parties' covenant non-covenant marriage.
3. The legal separation of the parties' covenant non-covenant marriage.
4. The establishment of the paternity maternity of the following minor adult children:

5. The establishment modification enforcement of legal decision-making authority and related orders regarding the following minor children:

6. The establishment modification enforcement of a parenting time schedule and related orders regarding the following minor children:

7. The establishment modification enforcement of child support payments and related orders regarding the following minor adult children:

8. The establishment modification enforcement of spousal maintenance payments made by the Petitioner Respondent to the Petitioner Respondent.

9. The division of community property and/or debts and the assignment/confirmation of separate property and/or debts.

10. The modification enforcement of an order dividing community property and/or debts and/or assigning/confirming separate property and debts.

11. The allocation of attorney fees and costs.

12. The establishment modification enforcement of third-party rights (including but not limited to “grandparents rights”) regarding the following minor children:

13. The registration of foreign orders regarding legal decision-making and/or parenting time (“custody”) child support spousal maintenance other _____.

14. Other relief authorized by statute (specify): _____

Dated: _____

Name: _____

Counsel for Petitioner Respondent

Self-Represented Petitioner Respondent

ORIGINAL of the foregoing filed with the Clerk of Superior Court

COPIES of the foregoing mailed delivered this _____ day of _____,

_____ to: The Honorable (Assigned Judicial Officer)

Counsel for the Petitioner the Respondent at the following address: _____

Other (specify): at the following address: _____

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

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

Regarding the matter of _____

Case No. _____

Name of Petitioner

FAMILY COURT PRETRIAL
STATEMENT

and

- Joint (Petitioner AND Respondent)
- OR Petitioner (separately)
- Respondent (separately)

Name of Respondent

The Arizona Rules of Family Law Procedure (ARFLP), Rule 76.1(c) require the filing of a Pretrial Statement.

1. In this case, the parties have conferred and are filing a Joint Pretrial Statement, OR

- This is a Separate Pretrial Statement submitted by Petitioner or Respondent (as indicated above) because:
 - Despite a good faith effort to do so, we were unable to file jointly; OR
 - Due to domestic violence, I am not required to file jointly. (ARFLP Rule 76.1(c))

2. This is an action for:

- Dissolution (Divorce)
- Legal Decision-making and/or Parenting Time
- Legal Separation
- Grandparent Visitation

- Annulment
- Modification of Legal Decision-making and/or Parenting Time
- Paternity/Maternity
- Support (Child Support or Spousal)
- Other: _____

3. Trial: This matter is currently scheduled for trial on _____ (Date)

Before the Honorable _____ (Name of Judge/Commissioner)

I/We believe the trial will take _____ hours OR _____ days.

4. The parties in this action are:

	Petitioner	Respondent
Name	_____	_____
Street Address	_____	_____
City, State	_____	_____
Age	_____	_____
Employer	_____	_____
Date of Marriage* (*if applicable)	_____ City & State of Marriage* (*if applicable)	_____ City & State of Marriage* (*if applicable)

5. Date of service of the Petition on Respondent: _____

6. Minor children born to or adopted by the parties (if any)

	Name	Date of Birth	Age
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____

7. Witnesses: (Check one or both if true)

Petitioner Respondent has (have) listed the name, address, telephone number, and a brief description of the expected testimony, of all persons he or she intends to call as a witness on an attached Petitioner's or Respondent's Witness List, and has listed his or her objections to the other party's proposed witnesses.

8. Exhibits: (Check one or both if true)

Petitioner Respondent has (have) listed and described in detail each and every Exhibit on an attached Petitioner's or Respondent's Exhibit List and his or her objections to the other party's proposed exhibits.

The following exhibits are filed with this Pretrial Statement if required by Arizona Rules of Family Law Procedure, Rule 76.1(h)*:

- Affidavit of Financial Information (AFI) (*Required in all cases)
- Inventory of Property & Debt (*Required for divorce, legal separation, and annulment)
- Child Support Worksheet (*Required if child support is involved)

9. Stipulations and admissions. We agree on the following:

10. Uncontested facts. The parties agree on the following material (relevant and important) facts Attached, or below:

1. _____
2. _____
3. _____
4. _____

11. Detailed and concise statement of contested issues of fact and/or law, below, or Attached.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

12. Petitioner's detailed proposal for resolution of contested issues of fact and law, below, or Attached.

13. Respondent's detailed proposal for resolution of contested issues of fact and law, below, or Attached.

14. Discovery and Disclosure.

All pretrial discovery and disclosure has been completed or will be completed by this date _____, and all answers to interrogatories (written questions submitted by one party to the other) are believed to be factual and correct as of the date of this Pretrial Statement.

15. Exchange of Information.

I/We ("We," if filed jointly) state that each party has received a copy of the Pretrial Statement and that each party has exchanged true and correct copies of all exhibits and any written reports of experts included on the list of witnesses.

16. Settlement Statement.

The parties have in good faith discussed settlement.

The Joint/Separate ADR Statement was filed on: _____

The parties have not discussed settlement because:

17. Verbatim Record.

I/We ("We," if filed jointly) certify that a verbatim record of the proceedings will be made as follows: _____

18. Copies of this Pretrial Statement were mailed or delivered:

To:	On this Date:	By (How delivered?)
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	<input type="checkbox"/> Mail <input type="checkbox"/> Hand <input type="checkbox"/> Fax
<input type="checkbox"/> Assigned Judicial Officer	_____	<input type="checkbox"/> Mail <input type="checkbox"/> Hand <input type="checkbox"/> Fax
<input type="checkbox"/> Other: _____	_____	<input type="checkbox"/> Mail <input type="checkbox"/> Hand <input type="checkbox"/> Fax

Attorney Information and Signature(s) (if either party is represented by an attorney)

	Petitioner's Attorney	Respondent's Attorney
Name	_____	_____
Address	_____	_____
Telephone	_____	_____
FAX	_____	_____
E-mail	_____	_____

_____	_____	_____	_____
Dated	Petitioner's Attorney Signature	Dated	Respondent's Attorney Signature

If Self-represented

	Petitioner	Respondent
Name	_____	_____
Address*	_____	_____
Telephone	_____	_____

*unless "protected"

_____	_____	_____	_____
Dated	Petitioner's Signature	Dated	Respondent's Signature

Petitioner's Exhibits

(Do not file with, or attach your exhibits to, this document.)

Petitioner's Proposed Exhibits:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____

Petitioner objects to the following proposed exhibits of the Respondent:

Respondent's	My objection is:
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____

The petitioner stipulates that any of Respondent's Exhibits not specifically objected to above may be admitted.

Respondent's Exhibits
(Do not file with, or attach your exhibits to, this document.)

Respondent's Proposed Exhibits:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

Respondent objects to the following proposed exhibits of the Petitioner:

Petitioner's	My objection is:
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____
Exhibit Number _____	Objection _____

The respondent stipulates that any of Petitioner's Exhibits not specifically objected to above may be admitted.

Petitioner's Witnesses

Witness

Name _____

Address _____

Telephone No. _____

Day

Evening

Name _____

Address _____

Telephone No. _____

Day

Evening

Name _____

Address _____

Telephone No. _____

Day

Evening

Name _____

Address _____

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Name _____

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Day

Evening

Name _____

Address _____

Telephone No. _____

Day

Evening

Respondent's Witnesses

Witness

Name _____

Address _____

Telephone No. _____

Day

Evening

Name _____

Address _____

Telephone No. _____

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