

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 COCHISE COUNTY

Case Number: _____

Name of Petitioner/Parent A

MOTION FOR PRE-DECREE TEMPORARY ORDER WITHOUT NOTICE FOR LEGAL DECISION MAKING AND PHYSICAL CUSTODY

Name of Respondent/Parent B

Other: _____

I MAKE THE FOLLOWING STATEMENTS TO THE COURT UNDER OATH OR AFFIRMATION:

1. **MY NAME IS:** _____
(Name of Person asking for Emergency Order)

2. **REASONS WHY I NEED THIS ORDER.** Explain in detail the emergency facts which now exist, and what *irreparable injury* (serious or life-threatening injury or damage that cannot be prevented or undone) to you or the minor child(ren) that might occur without this Order (Use additional paper if necessary).

Check here if continued on attached page(s).

3. **PEOPLE INVOLVED.** This Motion concerns the following people:

Name of Parent A: _____
 Name of Parent B: _____
 Name of Other Person: _____
 Name of Other Person: _____
 Name(s) of Children: _____

4. **REQUIRED INFORMATION: NOTICE OR REASONS WHY NOTICE NOT ATTEMPTED.**

Actual Notice regarding a request that affects another party's rights concerning his or her minor children is normally required. Check the box to indicate whether you gave or attempted to give notice to any other parties or their attorneys.

I GAVE or ATTEMPTED TO GIVE NOTICE TO THE OTHER PARTY AS FOLLOWS:

Explain when, how, and to whom you attempted to give notice.

Check here if continued on attached page(s).

OR,

I DID NOT ATTEMPT TO GIVE NOTICE BECAUSE:

If you checked this box you **MUST** explain what injury, loss or damage you or the minor child(ren) would suffer if you gave the other party advance notice of this Motion.

Check here if continued on attached page(s).

5. **TEMPORARY ORDERS WITH NOTICE.**

I filed or I will file a ***“Motion for Pre-Decree Temporary Orders with Notice”*** in the Superior Court of Arizona in Cochise County on this date: _____, and I have attached a copy to the Judicial Officer's copy and to the other party's copy of this Motion.

OR,

I have **NOT** filed a ***“Motion for Temporary Orders with Notice”*** and I understand that:

- temporary orders **without** notice **expire in a matter of days, and**
- **if no temporary orders with notice have been issued by the Court before these orders expire, no court order will be in effect.**

Note: You **cannot** file this ***“Motion for Temporary Orders Without Notice”*** unless you or the other party has already filed one of the following petitions:

6. DIVORCE, LEGAL SEPARATION, ANNULMENT, LEGAL DECISION MAKING (CUSTODY) OR OTHER PETITION:

A. I or the other party filed in the Superior Court in Cochise County a (check one box)

- “Petition for Divorce, or Legal Separation, or Annulment”***
- “Petition for Paternity, and Legal Decision Making (Custody)”***
- “Petition for Legal Decision Making (Custody)/Parenting Time/Child Support”***
(where paternity and/or support already established)

B. Date Petition was filed:_____.

7. INFORMATION ABOUT OTHER EMERGENCY CASES INVOLVING THE SAME PARTIES OR CHILDREN: Check the boxes that apply and write in the information requested (next page).

- Current emergency cases:** To the best of my knowledge, there are no pending proceedings for emergency orders about these children in any other court. **(If this is *not* a true statement, this Court may not be able to enter an Order and you may want to consult a lawyer for advice.)**
- Past emergency cases:** Either or both parties have filed for emergency court orders in the past. (If so, complete the following information. Use additional paper if necessary.)

Names of Parties: _____

Date of Order, Judgment, Dismissal: _____ **Case No.** _____

Location of court (city and state): _____

Explain Type of Case: (Juvenile, Criminal, Order of Protection, etc.) _____

Explain what order or judgment said, or basis for dismissal: _____

8. ALL OTHER COURT CASES INVOLVING EITHER OR BOTH OF THE PARTIES: Describe all other court cases that involve either or both of the parties, whether pending or not, including criminal cases. Complete all the information for each court order (use extra paper if necessary).

Names of Parties: _____

Date of Order, Judgment, Dismissal: _____ **Case No.** _____

Location of court (city and state): _____

Type of Case: (Juvenile, Criminal, Order of Protection, etc.) _____

Explain what order or judgment said, or basis for dismissal: _____

Status of Case Now:

Final Order Entered; Case is Over. Date Order/Judgment signed: _____

Hearing Date Set On (date): _____ **at** (time): _____

Location/address: _____

Other (explain in detail): _____

9. ANY OTHER GOVERNMENT AGENCY INVOLVEMENT WITH EITHER OR BOTH THESE PARTIES, OR THESE CHILDREN: State whether there have been or are any complaints with or investigations by any government agency, including Child Protective Services, involving the parties or the minor child(ren). **If so, explain the agency, date, type of case, and status of case.**

Check here if continued on attached page(s).

10. CRIMES OF ANY PARTY: Explain here if any party involved with this case has been charged with committing a **dangerous crime** including child molestation or domestic violence:

Check here if continued on attached page(s).

I MAKE THE FOLLOWING REQUESTS TO THE COURT:

1. For a "Temporary Order Without Notice" as follows: Check the boxes that apply:

Awarding me Temporary Legal Decision Making and Physical Custody of the minor child(ren) until a full court hearing.

Other (explain): _____

2. For a court hearing when the parties can testify about the facts related to this "**Motion for a Temporary Order Without Notice**" and any "**Motion for Temporary Orders,**" so that the judge can decide whether to continue or modify the terms of the Emergency Order.

3. For any other order that is in the best interests of the minor children named above.

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

_____ Date _____ Signature

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal) _____ Deputy Clerk or Notary Public