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ATLAS Number: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_



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

## SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

\_\_\_\_\_  
Name of Petitioner (in original case)

Case Number: \_\_\_\_\_

### ORDER MODIFYING LEGAL DECISION MAKING (CUSTODY), PARENTING TIME AND CHILD SUPPORT

\_\_\_\_\_  
Name of Respondent (in original case)

### THE COURT FINDS:

1. This case has come before this court for a final Order based upon the agreement of the parties.
2. This court has jurisdiction to change legal decision making (custody), parenting time, and support, and has jurisdiction over the parties. 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 (custody), parenting time and support.

3. **This Order applies to the following children:**

NAMES	BIRTH DATE / AGE
_____	_____
_____	_____
_____	_____

4. **GROUND FOR CHANGING LEGAL DECISION MAKING (CUSTODY) AND PARENTING TIME.** Based upon the stipulation (agreement) of the parties, it is in the best interest of the child(ren) to change custody and parenting time at this time.

5. **JOINT LEGAL DECISION MAKING (CUSTODY) CASES ONLY. Domestic Violence.** (If requesting *joint legal decision making (custody)*, this statement **must** be true (ARS § 25-403.03). Check box if a true statement.)

**There has been no domestic violence, or no significant domestic violence.**

**THE COURT ORDERS:**

1. The Order regarding legal decision making (custody), parenting time and support dated \_\_\_\_\_ is changed as follows:

**A. LEGAL DECISION MAKING (CUSTODY) AND PARENTING TIME.**

**Joint Legal Decision Making (Custody).** Mother and Father agree to act as joint legal decision makers of the minor child(ren) with parenting time and physical custody as set forth in the Joint Legal Decision Making (Custody) Agreement and Parenting Plan pursuant to A.R.S. Section § 25-403., signed by both parties and attached to and made a part of this Order. There have been no significant acts of Domestic Violence under A.R.S. 13-3601 by either parent. The Court adopts the agreed terms of the Joint Legal Decision Making (Custody) Agreement. **OR**

**Sole Legal Decision Making (Custody).** Mother is awarded sole legal decision making and physical custody of \_\_\_\_\_;

Father is awarded sole legal decision making and physical custody of \_\_\_\_\_, as described in the parenting time schedule in the attached Parenting Plan signed by both parties.

**B. CHILD SUPPORT.**  Mother or  Father shall pay child support to the other party in the amount of \$ \_\_\_\_\_ per month payable on the first day of each month, beginning the first day of the month following the signing of this Order. Child support is based on Exhibit 1 attached hereto and incorporated by reference. All child support payments shall be made through the Clerk of the Superior Court/ Clearinghouse, plus an applicable statutory fee by Order of Assignment.

**CHILD SUPPORT DEVIATION.** The court, having considered the best interests of the child(ren), deviates from the guidelines for the following reasons. (Describe reasons.)

\_\_\_\_\_  
\_\_\_\_\_

**C. MEDICAL AND DENTAL INSURANCE, PAYMENTS AND EXPENSES.**

Mother is responsible for providing:  medical  dental  vision care insurance.

Father is responsible for providing:  medical  dental  vision care insurance.

**The costs of medical/dental/vision care expenses not paid by insurance shall be shared as follows:**

**Mother \_\_\_\_\_ % Father \_\_\_\_\_ %.**

Even though the Court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the parent who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other parent's responsibility to carry health insurance on the child under the Divorce Decree.

**D. TAX DEDUCTIONS.**

The court allocates the federal tax exemption(s) for the dependent child(ren) as follows:

Child's Name	Date of Birth (Month, Day, Year)	Parent Entitled to Deduction	For Calendar Year
		<input type="checkbox"/> Mother <input type="checkbox"/> Father	
		<input type="checkbox"/> Mother <input type="checkbox"/> Father	
		<input type="checkbox"/> Mother <input type="checkbox"/> Father	

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

**E. MEDIATION.** The parties are required to pursue court sponsored or private mediation or some form of **ADR** (Alternative Dispute Resolution) prior to filing for any future modification of legal decision making (custody) or parenting time (if regarding non-parent: "visitation") unless filing by stipulation [agreement] of both parties.

**F. OTHER ORDERS.** This court makes further Orders relating to this matter as follows:

\_\_\_\_\_

\_\_\_\_\_

DONE IN OPEN COURT: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OR COURT COMMISSIONER

**ORDER MODIFYING  
LEGAL DECISION MAKING (CUSTODY), PARENTING TIME, and SUPPORT,  
or PARENTING TIME and SUPPORT**

Do not write or sign below this line until you are instructed to do so by Court Clerk or Notary.

**OATH OR AFFIRMATION OF THE PARTIES**

By signing this Agreement, I/We:

- Waive the right to trial on this matter.
- Acknowledge reading and understanding the terms of this stipulation and agree to the terms of the attached Order.
- Entering this agreement voluntarily and not due to any threat of force or harm, duress, undue influence or coercion from anyone, including the other party.
- Swear *or affirm* the information provided is true and correct, under penalty of perjury.

**SIGNATURES**

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Respondent's Signature

STATE OF \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to or affirmed before me this:  
\_\_\_\_\_  
(date)

Subscribed and sworn to or affirmed before me this:  
\_\_\_\_\_  
(date)

By \_\_\_\_\_.

By \_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk or Notary Public

\_\_\_\_\_  
Deputy Clerk or Notary Public

(notary seal)

(notary seal)

**If the State of Arizona is a party to your case, a representative of the Attorney General's Division of Child Support Enforcement (DCSE) must also sign before you file. (See Instructions)**

\_\_\_\_\_  
**Signature of Attorney General's representative**  
(Attorney Signatures –if applicable)

\_\_\_\_\_  
**Date**

**Petitioner's Attorney's:** \_\_\_\_\_

**Respondent's Attorney's:** \_\_\_\_\_