Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number: _____
Representing [ ] Self or [ ] Attorney for _____
Lawyer's Bar Number: _____

Clerk's Use Only

SUPERIOR COURT OF ARIZONA IN _____ COUNTY

_____
Name of Petitioner

AND

_____
Name of Respondent

Case Number: _____

PARENTING PLAN FOR:

[ ] **JOINT LEGAL DECISION-MAKING (JOINT CUSTODY) WITH JOINT LEGAL DECISION-MAKING**

OR

[ ] **SOLE LEGAL DECISION-MAKING (SOLE CUSTODY)**
[ ] **to Petitioner**
[ ] **to Respondent**

INSTRUCTIONS

This document has 4 parts: **PART 1)** General Information; **PART 2)** Legal Decision-Making (Custody) and Parenting Time; **PART 3)** Danger to Children Notification Statement; and **PART 4)** Joint Legal Decision-Making (Joint Custody) Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. If only one parent is submitting the Plan: that parent must sign at the end of PART 2 and 3.

b. If both parents agree to legal decision-making (custody) and parenting time arrangements but not to joint legal decision-making (joint custody): Both parents must sign the Plan at the end of PART 2 and 3.

c. If both parents agree to joint legal decision-making (joint custody) and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 2, 3, and 4.

PART 1: GENERAL INFORMATION:

MINOR CHILDREN. This Plan concerns the following minor children: (Use additional paper if necessary.)

_____	_____
_____	_____
_____	_____
_____	_____

PART 2: LEGAL DECISION-MAKING AND PARENTING TIME: Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. THE FOLLOWING LEGAL DECISION-MAKING (CUSTODY) ARRANGEMENT IS REQUESTED:

(Choose ONE of 1, 2, 3, 4.) (If you chose "sole legal decision-making authority" [1 or 2], you have the option of also requesting restrictions on the parenting time of the other party.

1. [ ] **SOLE LEGAL DECISION-MAKING (SOLE CUSTODY) BY AGREEMENT.** The **parents agree** that sole legal decision-making authority (sole custody).

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages.

2. [ ] **SOLE LEGAL DECISION-MAKING (SOLE CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The **parents cannot agree** to the terms of legal decision-making (custody) and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

(Optional, if you marked 1 or 2 above)

[ ] **RESTRICTED, SUPERVISED, OR NO PARENTING TIME.** The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition or Response.

3. [ ] **JOINT LEGAL DECISION-MAKING (JOINT CUSTODY) BY AGREEMENT.** The **parents agree** to joint legal decision-making (joint custody) and request the Court to approve the joint legal decision-making (joint custody) arrangement as described in this Plan.

4. [ ] **JOINT LEGAL DECISION-MAKING AUTHORITY (JOINT CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The **parents cannot agree** to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

B. THE FOLLOWING PARENTING TIME ARRANGEMENT IS REQUESTED.

1. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

[ ] The minor children will be in the care of **Petitioner** as follows: (Explain.)

_____

_____

_____

[ ] The minor children will be in the care of **Respondent** as follows: (Explain.)

_____

_____

_____

[ ] Other parenting time arrangements are as follows: (Explain.)

_____

_____

_____

[ ] **Transportation** will be provided as follows:

[ ] Petitioner [ ] Respondent will pick the minor children up at ___ o'clock [ ] a.m. [ ] p.m.

[ ] Petitioner [ ] Respondent will drop the minor children off at __ o'clock [ ] a.m. [ ] p.m.

Parents may change their parenting time arrangements by agreement with at least _____ days' notice in advance to the other parent.

2. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

[ ] During summer months or school breaks that last longer than 4 days, **no changes** shall be made. OR,

[ ] During summer months or school breaks that last longer than 4 days, the minor children will be in the care of **Petitioner**: (Explain.)

_____

_____

_____

[ ] During summer months or school breaks that last longer than 4 days, the minor children will be in the care of **Respondent**: (Explain.)

_____

_____

_____

[ ] Each parent is entitled to a _____ week period of **vacation time** with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

3. TRAVEL

[ ] Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

[ ] Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

4. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular parenting time schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/parenting time schedule.

Holiday	**Even Years**		**Odd Years**	
New Year's Eve	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
New Year's Day	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Spring Vacation	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Easter	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
4th of July	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Halloween	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Veteran's Day	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Thanksgiving	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Hanukkah	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Christmas Eve	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Christmas Day	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Winter Break	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Child's Birthday	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Mother's Day	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent
Father's Day	[ ] Petitioner	[ ] Respondent	[ ] Petitioner	[ ] Respondent

[ ] Each parent may have the children on his or her birthday.

[ ] Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

[ ] Other Holidays (Describe the other holidays and the arrangement):

_____

_____

_____

[ ] Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain.)

_____

_____

_____

[ ] Other (Explain.):

_____

_____

_____

5. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. §25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral, and emotional health including medical, school, police, court, and other records. A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request. A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

6. EDUCATIONAL ARRANGEMENTS:

[ ] Both parents have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.

[ ] **Both parents** will make major educational decisions together. (optional)

If the parents do not reach agreement, then:

_____

_____

_____

OR / *(O)*

[ ] Major educational decisions will be made by [ ] **Petitioner** [ ] **Respondent** after consulting other parent.

7. MEDICAL AND DENTAL ARRANGEMENTS:

[ ] Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

[ ] **Both parents** will make major medical decisions together, except for emergency situations as noted above. (optional)

If the parents do not reach an agreement, then:

_____

_____

_____

OR

[ ] Major medical/dental decisions will be made by [ ] **Petitioner** [ ] **Respondent** after consulting other parent.

8. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

[ ] Each parent may take the minor children to a church or place of worship **of his or her choice** during the time that the minor children is/are in his or her care.

[ ] Both **parents agree** that the minor children may be instructed in the _____ faith.

[ ] Both parents agree that religious arrangements are **not applicable** to this plan.

9. ADDITIONAL ARRANGEMENTS AND COMMENTS:

[ ] **NOTIFY OTHER PARENT OF ADDRESS CHANGE.** Each parent will inform the other parent of any change of address and/or phone number in advance OR within ___ days of the change.

[ ] **NOTIFY OTHER PARENT OF EMERGENCY.** Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.

[ ] **TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES.** Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

[ ] **ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN.** Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

[ ] **RELOCATION.** If either parent intends to relocate outside the state or more than 100 miles within the state with the minor child(ren), they will provide at least 45 days advance written notice to the other parent and adhere to the provisions set forth in A.R.S. § 25-408(B), including the requirement that all parties continue to comply with current court orders, regardless of distance moved or notice required, unless otherwise ordered by the Court.

[ ] **COMMUNICATE.** Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.

[ ] Each parent agrees to use the following means of communication:

_____

_____

_____

[ ] **FREQUENCY OF COMMUNICATION.** Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be:

_____

_____

_____

and will be by the following methods: [ ] Phone [ ] Email [ ] Other: _____

[ ] **PRAISE OTHER PARENT.** Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.

[ ] **COOPERATE AND WORK TOGETHER.** Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

[ ] **NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME.** If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

[ ] **PARENTING PLAN.** Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.

[ ] **MEDIATION.** If the parents are unable to reach an agreement regarding a legal change to their parenting orders, including a proposed relocation of a child, they shall participate in mediation through the court or a private mediator of their choice.

NOTICE: DO NOT DEVIATE FROM PLAN UNTIL DISPUTE IS RESOLVED.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the "To enforce a court order" packet from the Law Library Resource Center for help.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

_____ _____

Signature of Petitioner **Date**

_____ _____

Signature of Respondent **Date**

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. § 25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

- Second degree murder.
- Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- Sexual assault.
- Molestation of a child.

- Sexual conduct with a minor.
- Commercial sexual exploitation of a minor.
- Sexual exploitation of a minor.
- Child abuse as prescribed in section § 13-3623, subsection A, paragraph 1.
- Kidnapping.
- Sexual abuse.
- Taking a child for prostitution as prescribed in section § 13-3206.
- Child prostitution as prescribed in section § 13-3212.
- Involving or using minors in drug offenses.
- Continuous sexual abuse of a child.
- Attempted first degree murder.
- Sex trafficking.
- Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
- Bestiality as prescribed in section § 13-1411, subsection A, paragraph 2.
- Luring a minor for sexual exploitation.
- Aggravated luring a minor for sexual exploitation.
- Unlawful age misrepresentation.

PART 3: SIGNATURE OF ONE OR BOTH PARTIES (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

_____ _____

Signature of Petitioner **Date**

_____ _____

Signature of Respondent **Date**

PART 4: JOINT LEGAL DECISION-MAKING (JOINT CUSTODY) AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (joint custody) shall NOT be awarded if there has been "a history of significant domestic violence."

[ ] Domestic Violence **has not occurred** between the parties, OR

[ ] Domestic Violence **has occurred** but it has not been "significant" or has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

[ ] **Neither party has been convicted** of driving under the influence or a drug offense within the past 12 months, OR

[ ] **One of the parties HAS been convicted** of driving under the influence or a drug offense within the past 12 months but the parties feel Joint Legal Decision-Making (Custody) is in the best interest of the children.*

*** IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:** Attach an extra page explaining why Joint Legal Decision-Making (Custody) is still in the best interest of the children.

C. JOINT LEGAL DECISION-MAKING (JOINT CUSTODY) AGREEMENT: If the parents have agreed to joint legal decision-making (joint custody), the following will apply, subject to approval by the Judge:

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.

2. CRITERIA. Our joint legal decision making (joint custody) agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:

a. The **best interests of the minor children** are served;
b. Each **parent's rights and responsibilities** for personal care of the minor children and for decisions in education, health care and religious training are designated in

this Plan;

c. A **practical schedule of the parenting time** for the minor children, including holidays and school vacations is included in the Plan;

d. A procedure for the **exchange(s)** of the child(ren) including location and responsibility for transportation.

e. The Plan includes a procedure for **periodic review**;

f. The Plan includes a procedure by which **proposed changes**, including relocation of where a child resides with either parent pursuant to A.R.S. §25-408, disputes and alleged breaches may be mediated or resolved.

g. A procedure for **communicating** with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (JOINT CUSTODY) (as instructed on page 1)

_____ _____

Signature of Petitioner **Date**

_____ _____

Signature of Respondent **Date**