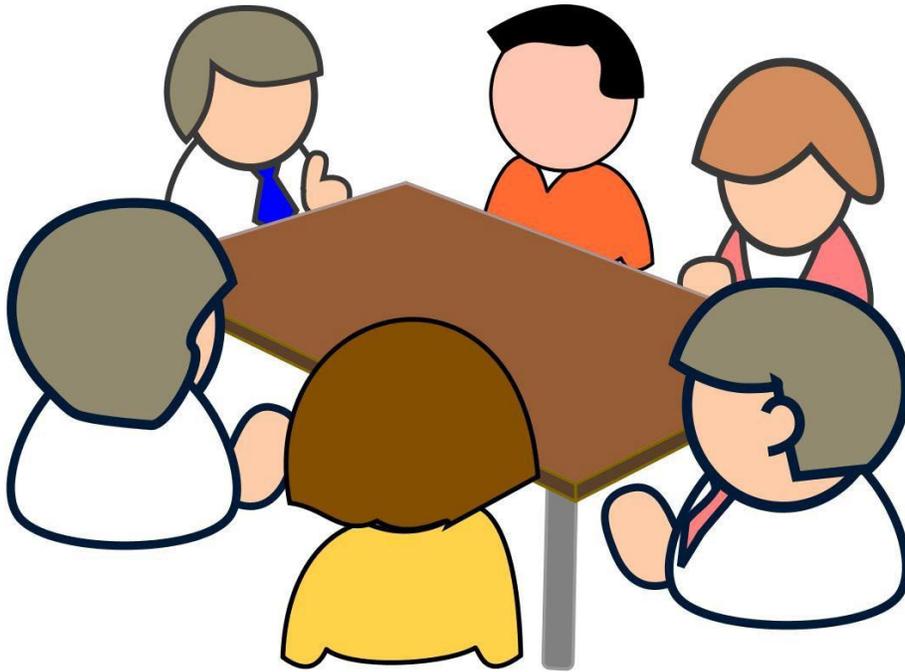


# PARENTING PLAN



## Packet #9



These forms must not be used to engage in the unauthorized practice of law.  
The court is not responsible for (1) actions taken by the users of these forms or  
(2) their reliance upon the instructions or information provided.

# General Information & Frequently Asked Questions



This symbol is a warning that the topic can be confusing. Please talk to an attorney if you need help.

This packet contains general information, instructions and court forms for you to complete and file with the court.

## When should I see a lawyer for help?

Court cases can be very complicated, and even if you are representing yourself you should see a lawyer for legal advice as to how the law applies to you, and what is best in your particular situation. This might save you time, money and trips to the courthouse, and help you to avoid serious mistakes.



There are lawyers who will help you. They will only charge you for giving you the help you need, and you can complete the court papers on your own or ask the lawyer for help with your papers. For more information, call the Law Library and Resource Center at (520) 724-8456 and ask how to find an attorney.

## Where is the Law Library and Resource Center?

The Law Library and Resource Center is located in Room 256, on the second floor of the Superior Court House [110 West Congress Street, Tucson Arizona 85701]. They are open from 8:30 am to 5 pm Monday through Friday (except holidays). For more information, call (520) 724-8456 or email [lawlibrary@sc.pima.gov](mailto:lawlibrary@sc.pima.gov).

## What if my spouse and I can't come to an agreement?

Mediation is for parents who need help in writing a parenting plan for their minor children. If you and your spouse cannot agree on how legal decisions will be made for your children or when the children will spend time with each of you, you will be required to attend mediation where you will meet with a neutral third party to work out a parenting plan. Mediation is a free service through the Conciliation Court. You can ask for mediation with Packet #15 *Mediation*.

### **What is Joint Legal Decision-Making?**

Joint Legal Decision-Making means that parents make decisions together about the children.

### **What is Sole Legal Decision-Making?**

Sole Legal Decision-Making means that only one parent makes decisions about the children.

### **What is Parenting Time?**

Parenting Time refers to the time that you physically have with your children. This time used to be known as visitation and it may be given to the parent who does not have legal decision making rights for the children. The amount of time given to each parent is decided with the children's age(s) in mind. Parenting time varies between marriages and will not always be the same for everyone.

### **What is Visitation?**

Visitation means a schedule of time that occurs with a child by someone other than a legalparent, such as a grandparent. This is not to be confused with parenting time.

When deciding how much parenting time to order, **the best interest of the children will always be kept in mind.**



Parenting time and legal decision-making are complicated issues and often require legal assistance and advice. This will help you understand your rights towards legal decision-making and parenting time, as well as what arrangements are in the best interests of the children.

The court may require that a parent's visitation with his or her children be supervised. Supervised parenting time is not meant to punish the parent, but to protect the child. Supervised parenting time may happen when there is:

Drugs or alcohol abuse

Violent or abusive behavior

If the parent does not have the parenting skills to care for the child.

The only time a parent receives no parenting time is when there is a court order saying that the parent shall not see the child. This can be because:

A parent has seriously abused the child.

A parent is a serious danger to the child's emotional and/or physical health.

### **What is a Parenting Time Plan?**

You must write a legal decision-making proposal for the judge. The proposal will include how you and your spouse plan to act in the best interests of the children. The Parenting Plan has to be included in your Dissolution of Marriage Decree if you have children.

It is important that you and your spouse work together in making this proposal. Disagreements and emotional situations should not get in the way of helping your children. Your children should always come first.

The **best interest of the child is ALWAYS** the court's main concern. Here is what the court will consider:

The past, present and potential future relationship between the parent and the child.

The family interactions and strength of relationships.

The child's possible adjustment to a new home, school and community.

The wishes of the child, if the child is old enough.

The mental and physical health of everyone.

Which parent is more likely to allow the child contact with the other parent.

If one parent has misled the court on purpose.

If there has been domestic violence or child abuse.

The nature and extent of pressure used by one parent in getting an agreement.

If one parent is convicted of false reporting of child abuse or neglect.

Whether a parent has attended the Domestic Relations Education Course on Children's Issues (Parent Information Program).



This plan must be REASONABLE and specific. Do not just write "reasonable parenting time" in the Parenting Plan. What is "reasonable" to one parent may not be "reasonable" to the other parent. This may cause disagreements later.

If you and the other parent are not able to work out a plan for decision-making through mediation,

then you may need to consult an attorney.

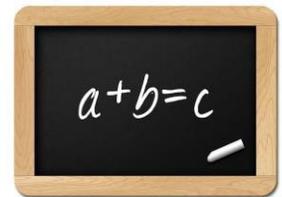
There are sample Parenting Time Plans and Pima County Access Guidelines at the Self- Service Center. The Law Library and Resource Center is located in Room 256, on the second floor of the Superior Court House [110 West Congress Street, Tucson Arizona 85701]. They are open from 8am to 5pm Monday through Friday (except holidays). For more information, call (520) 724-8456 or email [lawlibrary@sc.pima.gov](mailto:lawlibrary@sc.pima.gov).

Sample Parenting Time plans are also at the required Domestic Relations Education Course on Children's Issues or at:

<http://www.azcourts.gov/Portals/31/ParentingTime/PPWguidelines.pdf>.

### **PARENT INFORMATION PROGRAM**

In every divorce case that involves minor children, both parents must attend a "Domestic Relations Education Regarding Children's Issues" class. The purpose of this class is to help parents understand the affect that divorce or changes in legal decision- making (what used to be called Custody) and parenting time (what used to be called Visitation) can have on children.



There is a fee for this course but this fee may be deferred or waived along with other court fees if you qualify. See Packet #12 *Deferral/Waiver of Fees/Costs* for the forms and instructions to do this.



Attendance at this class is **mandatory** for both parents. You will not attend at the same time, and you are not responsible for the other parent's attendance. The court will not hear or grant any request for legal decision-making or parenting time by this parent until the class is completed.

For more information, you can call (520) 724-5590 or visit the Conciliation Court webpage at: [www.sc.pima.gov/fccc](http://www.sc.pima.gov/fccc)

### **PLEASE NOTE**

#### **Child Support:**

Receiving joint legal decision-making power of a child does not eliminate the fact that both

parents need to support the child. This means that even when the child has nearly equal time and contact with both parents, one parent may still have to pay child support to the other parent.



**Domestic Violence:** Joint legal decision-making is not awarded in situations where one parent has been convicted of domestic violence or if there is evidence that domestic violence occurred.

Parents who have a history of domestic violence may need to seek advice from an attorney because of the harm that family violence causes children.

**Criminal offenses:** If a parent has been convicted of a drug charge or a DUI, then the court may not put the child with that parent, as it may not be in the best interest of the child.

### **General Instructions for Completing this Packet**



You can type or write on these forms, but you must use black ink

This packet has the following form that must be filled out and submitted to the courts:

**Parenting Plan**

### **The Caption**

The caption is the information in the upper left hand side of the first page of each form. Fill in your name, street address, City, State, ZIP, telephone number

### **Case No.**

Clearly print your Superior Court “D” Number. You will get a “D” Number when ---

### **Petitioner/Plaintiff**

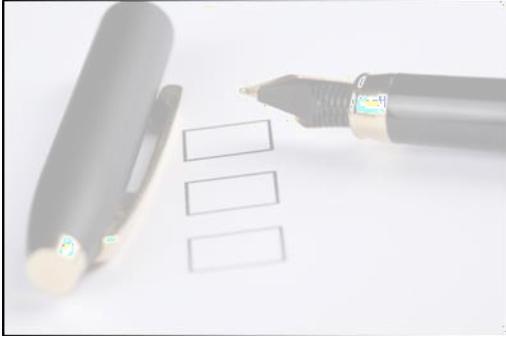
Enter your name as the Petitioner.

### **Respondent/Defendant**

Enter the name of your spouse as the Respondent

Below are the instructions on how to fill out the form.

At the end of the instructions, there are directions on how to file this form with the court once they are completed.



## Instructions for Completing the Parenting Plan Form

At the top of the form, fill in your name, street address, City, State, ZIP code and telephone number.

In the space that says “Petitioner,” fill in your name.

In the space that says “Respondent,” fill in your spouse’s name.

In the space that says “Case No.,” fill in your case number

Check if you have joint legal decision-making, sole legal decision-making, or an amended parenting plan.

### **GENERAL INFORMATION**

Fill in the name and birth date for each child.

Check every subsequent box that applies to you, your spouse, and your child(ren).

### **LEGAL DECISION MAKING**

Check each of the boxes that are true and in the best interest of your child(ren).

Provide any other information you think would be necessary.

### **HEALTH CARE**

Check each of the boxes that are true and in the best interest of your child(ren).

Provide any other information you think would be necessary.

### **RECORDS**

Check each of the boxes that are true and in the best interest of your child(ren).

Provide any other information you think would be necessary.

### **RELIGIOUS EDUCATION ARRANGEMENT**

Check each of the boxes that are true and in the best interest of your child(ren).

Provide any other information you think would be necessary.

**ADDITIONAL PROVISIONS**

Check each of the boxes that are true and in the best interest of your child(ren).  
Provide any other information you think would be necessary.

**PARENTAL COMMUNICATION**

Check each of the boxes that are true and in the best interest of your child(ren).  
Provide any other information you think would be necessary.

**DISAGREEMENTS/VIOLATIONS/BREACHES OF THE AGREEMENT/ORDER FOR  
LEGALDECISION-MAKING OR PARENTING PLAN**

Check each of the boxes that are true and in the best interest of your child(ren).  
Provide any other information you think would be necessary.

**PARENTING TIME PLAN**

Check the Parenting Plan Option that is in the best interest of your child(ren).  
Within the option you choose,  
Provide any other information you think would be necessary.

**REGULAR RESIDENTIAL ARRANGEMENTS**

Check each of the boxes that are true and in the best interest of your child(ren).  
Provide any other information you think would be necessary.

**TRANSPORTATION/INFORMATION ABOUT EXCHANGES (INCLUDING  
HOLIDAYS ANDVACATIONS)**

Check each of the boxes that are true and in the best interest of your child(ren).  
Provide any other information you think would be necessary.

**SUMMER MONTHS**

Check the first box if there will be no change to the weekday and weekend scheduleduring the  
summer.

Check the second box if there will be a change, and follow the form to tell the court exactly when the child will be with the father and with the mother.

Make sure to fill in how much vacation time each parent will get, if the parents will keep each other informed of travel plans, and how long each parent can travel outside of Arizona without prior written approval from the other parent.

### **HOLIDAY SCHEDULE**

If the weekday and weekend schedule will change for one or more holidays, check the boxes you and your spouse agree to, and follow the form to tell the court exactly when the child will be with the father and with the mother.

### **TELEPHONE ACCESS**

Check the box or boxes you and your spouse agree to, and fill in “Other” if you need to.

### **IMPORTANT!**

Effective January 1, 2024, a new procedural rule requires that an Education Order be filed with the Court any time a final order regarding legal decision-making or parenting time is entered. The Arizona Rules of Family Law Procedure provide two standard Education Order forms (Form 19 and Form 20). These two forms have been provided at the end of this packet.

Complete Form 19 if you are requesting joint legal decision-making. Complete Form 20 if you are requesting sole legal decision-making. File the completed Education Order when you file your Parenting Plan with the Court.

It is **YOUR** (litigant/parent) responsibility to deliver the Education Order to the school once it has been signed by the judge. The Court does **not** send the Education Order to your child(ren)’s school.

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

## ARIZONA SUPERIOR COURT, PIMA COUNTY

Regarding the matter of:

Case No. \_\_\_\_\_

\_\_\_\_\_  
Petitioner  
 and  
 \_\_\_\_\_  
Respondent

### PARENTING PLAN

- Joint Legal Decision-Making
- Sole Legal Decision-Making
  - With Father
  - With Mother
- Amended Parenting Plan

ASSIGNED TO: \_\_\_\_\_

**GENERAL INFORMATION:** The child(ren) common to the parties are:

Name	Birth Date	Name	Birth Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Our child(ren) have resided continuously in Arizona for a period of not less than 6 months (if a child is less than 6 months old, this child has resided in Arizona from birth until the present).

There are no other legal proceedings involving our child(ren) (including domestic violence, enforcement, protective orders, termination of parental rights, adoptions, proceedings in any Tribal court or other country, or guardianship matters) in any other court.

Our child(ren) are not subject to any claim of parental kidnapping or wrongful abduction.

There are other legal proceedings, and those proceedings are in Case No. \_\_\_\_\_  
 in \_\_\_\_\_ Court. Describe the other proceedings: \_\_\_\_\_

There are claims of parental kidnapping or wrongful abduction, as follows: \_\_\_\_\_

Mother  Father has paid the appearance fee to the Court

Mother  Father have taken the parent education class and the certificate is in the Court file

If joint legal decision-making, please answer the following:

There is no history of domestic violence or child abuse, substance abuse issues, or any sexual offender issues sufficient to preclude the award of joint legal decision-making.

There are issues of domestic violence, child abuse, substance abuse, or sexual offender issues as follows: \_\_\_\_\_

Mother  Father has read, understands and will abide by the notification requirements of A.R.S. §25-403.05(B), requiring a parent or custodian of a child to immediately notify the other parent if he or she knows that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child(ren). This notice must be made by first class mail, return receipt requested or by electronic means.

### **LEGAL DECISION MAKING**

Legal decision-making means the legal right and responsibility to make all non-emergency legal decisions for a child(ren) including those regarding education, health care, religious training, and personal care decisions.

Mother  Father shall be awarded sole legal decision-making  for all child(ren)  for the following child(ren): \_\_\_\_\_

Mother and Father agree that they will share joint legal decision-making for all child(ren)  for the following child(ren): \_\_\_\_\_

We understand that joint legal decision-making authority does not necessarily mean equal parenting time. We agree that joint legal decision-making is logistically possible.

We agree that these decisions include but are not limited to, non-emergency medical, dental, psychiatric care; education decisions such as a change of school; personal appearance changes that are significant (i.e. tattoo, haircut, piercing, hair coloring); decisions such as when to obtain a driver's license for the child; decisions to have the child become indoctrinated in a specific religion such as being baptized or joining a church or place of worship as a member; and

We understand that this will require us to consult with each other on major decisions affecting our child(ren)'s well-being.

If we are agreeing upon joint legal decision-making, we have both taken the parent education course and the certificate is in the court file.

We agree that if we cannot reach an agreement about a major issue in raising the child(ren) after a good faith effort to reach an agreement  Mother  Father will have the right to make the final decision.

We agree that each parent may, during his/her scheduled parenting time, make routine personal care decisions including (but not limited to) hair trimming, bedtimes, and \_\_\_\_\_ for our child(ren).

We agree that any significant changes made in our child(ren)'s appearance, including (but not limited to) haircuts, hair coloring, piercing, tattoos, and \_\_\_\_\_ will be made jointly between the parents.

We agree to review the terms of this joint legal decision-making agreement and make any necessary or desired changes every \_\_\_\_\_ months from the date of this document. If we are unable to reach a mutual agreement regarding an issue, we will request mediation through Conciliation Court or a private mediator of our choice.

We will make decision about extracurricular activities as follows: \_\_\_\_\_

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### **HEALTH CARE**

Emergency care: We agree that each of us has the right to authorize emergency medical treatment, and the right to consult with physicians and other medical practitioners in cases of emergency. We agree to advise one another immediately of any emergency medical/dental care sought for the child(ren), to cooperate on health matters pertaining to the child(ren) and to keep one another reasonably informed. We agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care practitioners.

Other health care issues: \_\_\_\_\_

### **RECORDS**

We acknowledge that unless otherwise provided by court order or law, each of us, on reasonable request, are entitled to have equal access to prescription medication, documents and other information concerning our child(ren)'s education and physical, mental, moral, and emotional health including medical, school, police, court, and other records directly from the custodian of the records or from each other.

Other records issues: \_\_\_\_\_

### **RELIGIOUS EDUCATION ARRANGEMENTS**

Each of us may take the child(ren) to a church or place of worship of our choice during the time that the child(ren) is/are with either of us.

We agree that the child(ren) may be instructed in the \_\_\_\_\_ faith.

Other religious issues: \_\_\_\_\_

**ADDITIONAL PROVISIONS**

- Each of us will inform the other of any change of address and/or phone number in advance OR within \_\_\_\_\_ of the change.
- Each of us shall promptly inform the other of any emergency or other important event which involves the children.
- Each of us will consult and agree with one another regarding any extra activity which affects the children’s parenting time with the other.
- We agree to consider each other as care-provider for the children before making other arrangements.
- Neither of us will relocate with the child(ren) more than \_\_\_\_\_ miles from \_\_\_\_\_ area without prior written consent of the other, or a court ordered parenting plan.
- All communications regarding the children will be between us and we will not use the children to convey information or to set up parenting time changes.
- Each of us will encourage love and respect between the child(ren) and the other parent, and neither of us will do anything which may undermine the other’s relationship with the child(ren).
- We will exert our best efforts to work cooperatively in future plans consistent with the best interests of our child(ren) and to amicably resolve disputes as may arise.
- If either of us moves out of the area and returns at a later date, we will revert to using our most recent parenting plan prior to the move until other arrangements can be agreed to or ordered by the Court.
- If either of us is unable to follow through with this parenting plan, we will notify the other as soon as possible.
- If we wish to make a legal change to our court-ordered parenting plan, we will use the services of a Conciliation Services mediator or private mediator before any court proceeding is started.
- While a dispute is being resolved, neither of us will act in such a way that is inconsistent with the terms of this parenting plan.
- Other provisions: \_\_\_\_\_

**PARENTAL COMMUNICATION**

- We will communicate about the child(ren) at least  once a week;  once a month;
- other \_\_\_\_\_
- The method of communication shall be:  telephone;  email;  text;  fax;  in person;
- other \_\_\_\_\_

For emergency communication, we agree to use the telephone; or  \_\_\_\_\_

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We will communicate sufficiently in advance of a decision needing to be made so that both of us can get the necessary information we each need to make an informed decision.

Other communication issues: \_\_\_\_\_

### **DISAGREEMENTS OR VIOLATIONS OF OUR PARENTING PLAN**

If we have a disagreement about the child(ren) or believe the other is in violation of our Parenting Plan, we will:

Agree to attend mediation through Conciliation Court or a private mediator prior to filing an action with the Court (unless the issue is an emergency).

Communicate immediately with one another about the disagreement and attempt to work out the issue.

If either of us believes there is a disagreement with the other parent, this will be told to the other parent who will respond as soon as possible about the disagreement with suggestions on how to resolve it.

Other methods to resolve disagreements about our Parenting Plan: \_\_\_\_\_

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### **PARENTING TIME PLAN:**

It is recommended that you have specific beginning and ending times of parenting time schedules. You may agree to change these times with each other in writing, by e-mail or by text if you both agree to a change. There are sample parenting time schedules on the Arizona Supreme Court website: <https://www.azcourts.gov/portals/31/parentingTime/PPWguidelines.pdf>

### **REGULAR RESIDENTIAL ARRANGEMENTS:**

Regular residential arrangements are suspended during holidays or vacations unless otherwise agreed. The regular parenting time schedules resumed at the end of the holiday or vacation. Holidays will supersede vacation schedules if you have already prepared a separate parenting time schedule, you may attach it after this page.

#### **Option 1**

Every other Weekend – The child(ren) shall reside with  Mother  Father at all times except as expressly provided to the other parent.  Mother  Father shall have parenting time with the child(ren) every other weekend from  after school or p.m. on Friday until p.m. on Sunday. OR

other times as follows: \_\_\_\_\_

#### **Option 2**

Equal Parenting time – 5/2/2/5 – Mother and Father shall share equal parenting time on a 14-day (two weeks) schedule, which will repeat as follows:

Week One:

Father: Wednesday, Thursday, Friday, Saturday, Sunday

Mother: Monday and Tuesday

Week Two:

Father: Wednesday and Thursday

Mother: Friday, Saturday, Sunday, Monday, Tuesday

Each exchange time will be from school or at 6:00 p.m.

The chart shows which parent has the child(ren) overnight.

SUN	MON	TUES	WED	THURS	FRI	SAT
			F	F	F	F
F	M	M	F	F	M	M
M	M	M	F	F	F	F
F	M	M	F	F	M	M
M	M	M				

**Option 3**

The child(ren) will be with Mother every week \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ from \_\_\_\_\_ until \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_. The child(ren) will be at \_\_\_\_\_ for this exchange. (If more exchanges are required for this plan, include them here or attach extra sheets: \_\_\_\_\_)

The child(ren) will be with Father every week from \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ until \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_. The child(ren) will be at \_\_\_\_\_ for this exchange. (If more exchanges are required for this plan, include them here or attach extra sheets: \_\_\_\_\_)

**Option 4: Alternating Two Week Schedule**

Week One:

The child(ren) will be with Mother on these days at these times: \_\_\_\_\_

The children will be with Father on these days at these times: \_\_\_\_\_

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Week Two:

The child(ren) will be with Mother on these days at these times: \_\_\_\_\_

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The child(ren) will be with Mother on these days at these times: \_\_\_\_\_

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**Option 5: Alternating Weeks**

We will alternate the child(ren) every other week starting at \_\_\_\_\_ a.m./p.m. every \_\_\_\_\_ (day of the week).

**Option 6**

See parenting plan on separate page following this page.

**TRANSPORTATION AND INFORMATION**

The person receiving the child(ren) will pick up the child(ren)  from the other parent OR  from school OR  from day care OR  from \_\_\_\_\_ (name of person/agency who will have the child(ren)).

We will meet at \_\_\_\_\_ to exchange the child(ren).

Father  Mother will do all the transportation of the child(ren).

**HOLIDAYS AND VACATIONS**

**SUMMER MONTHS**

The regular parenting schedule will continue for all 12 calendar months, with no change during the summer.

OR

Summer shall begin on the first Friday following the last day of the school year. If the last day of the school year is on a Friday, that Friday shall be the start of summer. The parent who would have had parenting time that weekend under the regular schedule shall have the first week of summer. The other parent shall have the second week. The parties shall follow this every other week schedule during the summer.

The summer schedule shall end at 6:00 p.m. on the Friday that immediately precedes the start of school for the next school year.

The weekend immediately before school begins shall be assigned to the parent who will have parenting time on Monday under the regular schedule above.

Neither of us will schedule vacation travel during the other parent's week without written consent of the other parent.

During the summer months, the child(ren) will be in the care of Father as follows: (explain specifically the plan with beginning and ending dates and times and where the exchanges will be. If there is a change in transportation, explain the change here). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

During the summer months, the child(ren) will be in the care of Mother as follows: (explain specifically the plan with beginning and ending dates and times and where the exchanges will be. If there is a change in transportation, explain the change here). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Each of us is entitled to a \_\_\_\_\_ week period of exclusive vacation time with the child(ren). We will each notify one other of our request for vacation time by \_\_\_\_\_ of each year (i.e. April 1). In odd numbered years, the Mother Father will have priority for vacation if both parents select the same vacation time. This priority will alternate each year. If we select the same vacation time, the non-priority parent will provide an alternate selection to the other no later than \_\_\_\_\_ (i.e. May 1). Vacation time shall not interfere with the holiday schedule.

Whenever either of us travels with the child(ren), an itinerary of travel dates, destinations, and places where the parent and/or child(ren) can be reached, will be provided to the other. Whenever either of us travels without the child(ren), the traveling parent will provide either a telephone number to the other or how we can reach the other while traveling.

Neither of us will travel with the child(ren) outside of Arizona for longer than \_\_\_\_\_ days without the prior consent of the other or order of the Court.

Neither of us will travel with the child(ren) outside of the United States without the prior written consent of the other or order of the Court.

Mother  Father shall maintain the passports for the child(ren). Upon an agreement for out of country travel, the passports shall be transferred to the traveling parent. Upon return to the country, the passport shall be returned to the parent who maintains the passports within \_\_\_\_\_ days.

If either of us resides out of the Pima County area, and significant travel will be required for parenting time, airplane travel or other travel arrangements will be made (i.e. how long in advance tickets/plans will be made and the time frame for travel – departures and arrivals), payment responsibility and whether reimbursement of all or a portion of the costs will be required. For out of area/out of state travel for parenting time, we agree as follows: \_\_\_\_\_

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## HOLIDAY SCHEDULE

Holidays take priority over the regular and vacation parenting time schedule. Following a holiday, we will return to our regular parenting time schedule.

Check the holidays that apply and indicate the days and times of exchanges and the transportation arrangements. Mark the applicable boxes if the holiday is to be an alternating schedule.

On three-day weekends (Memorial Day, Labor Day, Columbus Day, and President's Day) the children will remain in the care of whichever of us has the children for the weekend. The exchange time will be on Monday \_\_\_\_\_ and transportation shall be the at \_\_\_\_\_ responsibility of  Mother  Father,  the parent receiving the children,  the parent having the children for the weekend, or  we will meet at \_\_\_\_\_.

Winter Break will be divided in half, with each of us alternating the first and second halves of the break. The break is defined as the morning after the last day of school through the evening before return to school. Father shall have the first half in  odd years  even years and Mother shall have the first half of the break in  odd years  even years. The parent not having the first half will have the second half. We will exchange the child(ren) \_\_\_\_\_ a.m./p.m. on the at \_\_\_\_\_ mid-point of the break. In the event there is an uneven number of days in the winter break, the parent with the second half shall have the extra day. we recognize that this means one of us will not see the children on Christmas Eve/Day and the other parent will not see the children on New Year's Eve/Day.

Winter Break will be divided in half, with each of us alternating the first and second halves of the break. We will exclude Christmas Eve and Christmas Day and alternate those two days. The break is defined as the morning after the last day of school through the evening before return to school (excluding Christmas Eve and day). Father shall have the first half in  odd years  even years and Mother shall have the first half of the break in  odd years  even years. The parent not having the first half will have the second half. We will exchange the child(ren) at \_\_\_\_\_ a.m./p.m. on the mid-point. In the event there is an uneven number of days in the winter break, the parent with the second half shall have the extra day.  Mother shall have Christmas Eve in  odd years  even years. Christmas Eve is defined as starting at \_\_\_\_\_ a.m./p.m. and ending \_\_\_\_\_ a.m./p.m. on Christmas Day. The parent receiving \_\_\_\_\_ at \_\_\_\_\_ Christmas Day will have the children \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, at which until \_\_\_\_\_ December \_\_\_\_\_ time the winter break division will be resumed.

Winter Break will follow the regular parenting time without change.

Mother will have Christmas Eve in  odd years  even years. Father will have the children on Christmas Eve in  odd years  even years. Christmas Eve is defined as starting at \_\_\_\_\_ a.m./p.m. and ending at \_\_\_\_\_ a.m./p.m. on Christmas Day. The parent not receiving Christmas Eve will receive Christmas Day and will have the children \_\_\_\_\_ a.m./p.m. on December \_\_\_\_\_, with no other changes to the regular parenting time for the rest of the winter break.

Other arrangements for Winter Break/Christmas Eve/Christmas Day: \_\_\_\_\_

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Mother's Day and Father's Day the children will spend with the honored parent.  Each day will be the Sunday only \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m. OR  this holiday will from \_\_\_\_\_ include Friday prior to the Sunday \_\_\_\_\_ a.m./p.m. through  Sunday \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ at \_\_\_\_\_ OR  Monday at \_\_\_\_\_ a.m./p.m.

Memorial Day – We will alternate this holiday with Mother having this holiday in  odd years  even years and Father having the alternating year. This holiday is defined as Friday before the holiday \_\_\_\_\_ a.m./p.m. and continuing to  Monday at \_\_\_\_\_ a.m./p.m. OR  Tuesday at \_\_\_\_\_ a.m./p.m.

Other arrangements for Memorial Day: \_\_\_\_\_

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Labor Day – We will alternate this holiday with Mother having this holiday in  odd years  even years and Father having the alternating year. This holiday is defined as Friday before the holiday at \_\_\_\_\_ a.m./p.m. and continuing to Monday \_\_\_\_\_ a.m./p.m. OR Tuesday at \_\_\_\_\_ a.m./p.m.

Other arrangements for Labor Day: \_\_\_\_\_

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Columbus Day – We will alternate this holiday with Mother having this holiday in  odd years  even years and father having the alternating year. This holiday is defined as Friday before the holiday at \_\_\_\_\_ a.m./p.m. and continuing to  Monday \_\_\_\_\_ a.m./p.m. OR  Tuesday at \_\_\_\_\_ a.m./p.m.

Other arrangements for Columbus Day: \_\_\_\_\_

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President's Day – We will alternate this holiday with Mother having this holiday in  odd years  even years and father having the alternating year. This holiday is defined as Friday before the holiday at \_\_\_\_\_ a.m./p.m. and continuing to  Monday \_\_\_\_\_ a.m./p.m. OR

Tuesday at \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

Other arrangements for President's Day: \_\_\_\_\_

July 4<sup>th</sup> – Father will have this holiday in  odd years  even years and Mother will have the alternate year.

Other arrangements for July 4<sup>th</sup>: \_\_\_\_\_

### Spring Break and Easter

We will divide Spring Break in half (with the person receiving the second half having the extra day if there is not an even number of days). Mother will have the first half in  even years  odd years. Father will have the alternate year. This holiday is defined as  the day the children get out of school OR  the morning following the children being released from school through  return to school OR  the evening before return to school.

We will alternate Spring Break with Father having this holiday in  even years  odd years, and Mother having the alternate year. This holiday is defined as  the day the children get out of school OR  the morning following the children being released from school through  return to school OR  the evening before return to school.

We will alternate Easter. In the event Easter falls during the Spring Break,  Spring Break holiday supersedes Easter holiday  Easter holiday supersedes Spring Break holiday. Father will have this holiday in  even years  odd years, and Mother will have the alternating year. This holiday is defined as  the day the children get out of school OR  the morning following the children being released from school through  return to school OR  the evening before return to school. OR  This holiday is defined as just the Easter Sunday from \_\_\_\_\_ a.m. through \_\_\_\_\_ p.m.

Other arrangements for Spring Break/Easter: \_\_\_\_\_

### Rodeo

Rodeo is defined as Wednesday release from school at \_\_\_\_\_ a.m./p.m. through Sunday before return to school at \_\_\_\_\_ a.m./p.m. Father will have this holiday in  even years  odd years, and Mother will have the alternating year.

Other arrangements for Rodeo: \_\_\_\_\_

Thanksgiving

Thanksgiving is defined as Wednesday release from school at \_\_\_\_\_ a.m./p.m. through Sunday before return to school at \_\_\_\_\_ a.m./p.m. OR Thanksgiving is defined as just the day of Thanksgiving from \_\_\_\_\_ a.m. through \_\_\_\_\_ p.m. Mother will have this holiday in  even years  odd years, and Father will have the alternating year.

Other arrangements for Thanksgiving: \_\_\_\_\_

Passover arrangements: \_\_\_\_\_

Hanukkah arrangements: \_\_\_\_\_

Child(ren)'s birthdays will follow the regular parenting plan.

Other arrangements for child(ren)'s birthdays: \_\_\_\_\_

Arrangements for parent's birthdays: \_\_\_\_\_

Other holidays: \_\_\_\_\_

**TELEPHONE ACCESS:**

Each parent will have telephone contact with the child(ren) during the child(ren)'s normal waking hours.

The child(ren) may contact the non-residential parent freely as they wish.

During times of extended time away from the other parent, such as vacations, the parent away from the children shall have the following telephone access: \_\_\_\_\_

Other telephone access provisions: \_\_\_\_\_

**This parenting plan is submitted by only one parent, without the consent or signature of the other parent. The submitting parent believes that this proposed plan is in the best interests of the child(ren).**

Parent submitting: \_\_\_\_\_

Date: \_\_\_\_\_

**This parenting plan is submitted by both parents. We agree that this plan is in the best interests of the child(ren). Both of us agree that all of the above decisions regarding legal decision-making and parenting time were made voluntarily and without undue influence and neither of us were under duress or coercion in making these decisions. This legal decision-making and parenting time plan is logistically possible.**

Father: \_\_\_\_\_

Mother: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

I, \_\_\_\_\_, Father, being duly sworn and under oath, state that I have read this Parenting Plan. All the statements in the Parenting Plan are true, correct, and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Father

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by

\_\_\_\_\_  
(Father's Name)

\_\_\_\_\_  
Notary Public

My Commission Expires:

I, \_\_\_\_\_, Mother, being duly sworn and under oath, state that I have read this Parenting Plan. All the statements in the Parenting Plan are true, correct, and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Mother

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by

\_\_\_\_\_  
(Mother's Name)

\_\_\_\_\_  
Notary Public

My Commission Expires:

# **EDUCATION ORDERS:**

## Form 19 and Form 20

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

## ARIZONA SUPERIOR COURT, PIMA COUNTY

In re the Matter of:

\_\_\_\_\_  
Petitioner/Parent A

v.

\_\_\_\_\_  
Respondent/Parent B

CASE NO. \_\_\_\_\_

### JOINT LEGAL DECISION-MAKING EDUCATION ORDER

(FORM 19)

Assigned to: \_\_\_\_\_

#### THE COURT FINDS AS FOLLOWS:

1. The parties have the following minor child(ren) (hereinafter the "minor child(ren)"):

Name: \_\_\_\_\_ Born: \_\_\_\_\_

**\*\*\*DO NOT WRITE BELOW THIS LINE – TO BE COMPLETED BY THE JUDICIAL OFFICER\*\*\***

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a "Parenting Plan") was entered by this Court on (insert date) \_\_\_\_\_.

3. A.R.S. § 25-401 defines two different types of legal decision-making. "Joint legal decision-making" means both parents share decision-making and neither parent's rights or responsibilities are

superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order. “Sole legal decision-making” means one parent has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded **joint legal decision-making** to the parents.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms shall apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parents, who are responsible for complying with its terms and the terms in the parenting plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

**IT IS HEREBY ORDERED AS FOLLOWS:**

**1. Delivery to School.**

The parents are required to provide a copy of this order to the minor child(ren)’s school(s).

**2. Joint Legal Decision-Making.**

The parents have been awarded joint legal decision-making. As it relates to this Education Order, legal decisions include school selection, enrollment/ withdrawal, and special services (IEP/504 Plans). In the event the parents cannot agree:

- Neither parent is entitled to any greater decision-making authority. No change can be made, nor any action taken, unless the parties agree or a court order resolves the issue.
- Subject to the terms set forth in the Parenting Plan, decisions will be made by (insert the name of parent with “presumptive” or “final” authority):

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**3. School Selection.**

Enrollment of the minor child(ren) in a particular school is subject to the school’s policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law. A parent may submit enrollment documentation to the school of choice solely for the purpose of reserving the minor child(ren)’s place at the school. Neither parent is restricted from selecting their preference of school for open enrollment purposes.

**4. Special Services.**

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services:

- An evaluation as to the minor child(ren)'s eligibility for special services shall proceed so long as at least one parent consents.
- Both parents are entitled to attend all meetings with school officials that parents are permitted to attend.
- Both parents are authorized to have access to all special services records and testing results.
- Upon completion of any evaluation or assessments, if there is no agreement between the parties regarding the provision of special education and related special services, the decision of how to proceed must be decided in accordance with the legal decision-making orders of the court.

#### **5. Parenting Time and Child Pick-Up.**

The school should not use the parenting schedule as a basis to deny either parent access to their minor child(ren), nor shall either parent instruct the school to limit contact, unless otherwise ordered. Each parent may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or another court order.

#### **6. Contact Information.**

Each parent's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the school must list any person requested by either parent until the parents reach an agreement or secure a court order to the contrary. In the event of an emergency, either parent may make decisions for the minor child(ren)'s immediate care.

#### **7. Access to School Grounds.**

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either parent's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

#### **8. Access to School Records and Parent Portal.**

Both parents are entitled to equal access to the minor child(ren)'s school records. Neither parent may restrict the other parent's access to information. Further, each parent is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parents are entitled to access the school's student information system or online parent portal(s) (e.g. ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each parent

to have an individual login account, the parents must create a joint login ID and password, which will not be changed or modified without the consent of the other parent.

**9. Parent-Teacher Conferences.**

Each of the parents shall have the equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parents may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

**10. Future Litigation.**

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

**11. Additional Education-Related Orders:**

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Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

By: \_\_\_\_\_

**Judicial Officer**  
Superior Court of Pima County

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

## ARIZONA SUPERIOR COURT, PIMA COUNTY

In re the Matter of:

\_\_\_\_\_  
Petitioner/Parent A

v.

\_\_\_\_\_  
Respondent/Parent B

CASE NO. \_\_\_\_\_

### SOLE LEGAL DECISION-MAKING EDUCATION ORDER

(FORM 20)

Assigned to: \_\_\_\_\_

#### THE COURT FINDS AS FOLLOWS:

1. The parties have the following minor child(ren) (hereinafter the "minor child(ren)"):

Name: \_\_\_\_\_ Born: \_\_\_\_\_

**\*\*\*DO NOT WRITE BELOW THIS LINE – TO BE COMPLETED BY THE JUDICIAL OFFICER\*\*\***

2. An order regarding legal decision-making and/or parenting time in the best interests of the minor child(ren) (also referred to as a "Parenting Plan") was entered by this Court on (insert date) \_\_\_\_\_.

3. A.R.S. § 25-401 defines two different types of legal decision-making. "Joint legal decision-making" means both parents share decision-making and neither parent's rights or responsibilities are

superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order. “Sole legal decision-making” means one parent has the legal right and responsibility to make major decisions for a child. In this case, the Court has awarded **sole legal decision-making** to one parent.

4. It furthers the best interests of the minor child(ren) for this Court to enter the following school-specific order that reflects relevant provisions under the Parenting Plan. This order serves to supplement, but not modify or replace, the provisions set forth in the Parenting Plan. If there is a conflict between this order and the current Parenting Plan, the Parenting Plan controls. For purposes of this order, the terms shall apply equally to schools, pre-schools, and institutional childcare providers.

5. This order is binding upon the parents, who are responsible for complying with its terms and the terms in the parenting plan. It is not binding on a school but is provided as guidance for the child(ren)’s schools.

Based thereon,

**IT IS HEREBY ORDERED AS FOLLOWS:**

**1. Delivery to School.**

The parents are required to provide a copy of this order to the minor child(ren)’s school(s).

**2. Sole Legal Decision-Making.**

Sole legal decision-making authority has been awarded to (insert the name of the parent with sole legal decision-making):

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As it relates to this Education Order, legal decisions include school selection, enrollment/withdrawal, and special services (IEP/504 Plans).

**3. School Selection.**

Only the parent with sole legal decision-making authority has the authority to select the minor child(ren)’s school. However, enrollment of the minor child(ren) in a particular school is subject to the school’s policies or rules, space availability, enrollment restrictions set by the school or school district or its authorizer (if a charter school), and state law.

**4. Special Services.**

If the minor child(ren) is/are eligible for or being considered for a 504 Plan, an Individualized Education Program (IEP), an Individualized Service Plan (ISP), or other special services, only the parent with sole legal decision-making has the authority to consent to evaluation and/or the child(ren)’s participation in special education and related special services.

Both parents are entitled to attend all meetings with school officials that parents are permitted to attend. Both parents are authorized to have access to all special services records and testing results.

## **5. Parenting Time and Child Pick-Up.**

The school should not use the parenting schedule as a basis to deny either parent access to their minor child(ren), nor shall either parent instruct the school to limit contact, unless otherwise ordered. Each parent may pick up the minor child(ren) from school and each may authorize other individuals to pick up the minor child(ren), unless there are limitations under the terms of the current Parenting Plan or other court order.

## **6. Contact Information.**

Each parent's home address, e-mail, cell phone and any other contact information must be provided to the school and listed by the school as the contact information for the minor child(ren). Additional emergency contacts may be listed, but in the event of a dispute between the parties, the

school must list any person requested by either parent until the parents reach an agreement or secure a court order to the contrary. In the event of an emergency, either parent may make decisions for the minor child(ren)'s immediate care.

## **7. Access to School Grounds.**

Subject to the policies of the school, or any provisions set forth in the Parenting Plan or other order of the court, there are no restrictions on either parent's right to participate in school activities or events, or engage in any parent volunteer activities, that parents are generally permitted to participate in.

## **8. Access to School Records and Parent Portal.**

Both parents are entitled to equal access to the minor child(ren)'s school records. Neither parent may restrict the other parent's access to information. Further, each parent is individually responsible for contacting the school and requesting to be included on any mailing or distribution list.

Both parents are entitled to access the school's student information system or online parent portal(s) (*e.g.* ParentVUE, Google Classroom, Infinite Campus, etc.). Unless the school allows each parent to have an individual login account, the parents must create a joint login ID and password, which will not be changed or modified without the consent of the other parent.

## **9. Parent-Teacher Conferences.**

Each of the parents shall have the equal right to confer with teachers and counselors concerning the minor child(ren)'s education and other activities. The parents may request joint or separate parent-teacher conferences, and the school may or may not accommodate the request.

## **10. Future Litigation.**

The parties must make best efforts to agree upon the admission of school records or communications without the need for foundational testimony or agree upon the submission of an affidavit from the custodian of records to authenticate the records in lieu of testimony, whenever possible. If a teacher or school official is required for substantive testimony, the scheduling of such testimony will, when possible, be set at a time that is least disruptive to the school, its other students, and its operations. Presumptively, accommodations will be made to allow virtual appearances by the teacher or school official.

**11. Additional Education-Related Orders:**

---

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Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

By: \_\_\_\_\_

**Judicial Officer**

Superior Court of Pima County