DOING BUSINESS WITH THE CLERK OF THE SUPERIOR COURT -- 2006

The Public Affairs & Education Office, Clerk of the Superior Court, produced this publication. It offers a brief introduction and quick reference guide for users of Clerk's Office services. It does not include all legal requirements for conducting court business.

This reference guide is updated periodically. If you have any comments about the information in this document, please contact Len Keso, Public Affairs Officer, at 602-506-6114 or LKeso@COSC.maricopa.gov.

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GENERAL OVERVIEW OF THE CLERK'S OFFICE

The Office of the Clerk of the Superior Court provides legally mandated services, including fiduciary, family support and court records information management in an accurate, timely and professional manner to the Superior Court and the public.

The primary purpose of the Office of the Clerk of the Superior Court is to ensure and preserve, for the Court and the public, unrestrained access to fair, accurate and independently established records of the Court's opinions, decisions and judgments.

Fascinating Facts

- More than 6.5 million pieces of paper are filed with the Clerk's Office annually.
- In one day, the Clerk's Office receives an average of more than 6,600 phone calls and 30,000 pieces of paper.
- The documents filed each month in the Clerk's Office equal two tons of paper.
- The Clerk's Office issues more than 23,000 marriage licenses and processes more than 22,000 passport applications each year.

Goals

- To provide the best possible level of service to both the Court and the public delivered with courtesy and professionalism.
- To insure sound financial management of all Court monies, maintain effective records management and information systems, and provide a support system for internal communication and technical assistance for all sections of the Office.
- To advance the interests of children and families by assisting in the processing of the Courts orders regarding financial support.

Community Impact

The Clerk of the Superior Court directly supports the Superior Court of Arizona by maintaining court files, records, and exhibits in a timely and accurate manner. The Clerk also provides a courtroom clerk for each Superior Court session. Some of the officials and agencies that the Clerk of the Court works with are the County Attorney, Attorney General, Indigent Defense Agencies, Sheriff, Department of Public Safety, Department of Corrections, Probation and Parole departments, and the Department of Economic Security. The Clerk's Office also offers programs that help families with child support, spousal support and parenting time matters.

Operating Authority

The Office of Clerk of the Superior Court is one of several independent, elected positions created by Article 6 of the Arizona State Constitution. Specific and special duties of the Clerk's Office are assigned by statute, the Arizona Supreme Court, and local and statewide court rules. Most of these duties are administrative in nature, although some judicial or para-judicial functions are also required.

WHO IS THE CLERK OF THE SUPERIOR COURT?

Michael K. Jeanes

In November 1998, Maricopa County voters elected Michael as the Clerk of the Superior Court. In November 2002, he was re-elected to the Office to serve a second four-year term.

Jeanes was born in Chicago, Illinois, but has lived over half of his life in Maricopa County. He earned a Bachelor of Arts degree in political science from Loyola University in Chicago in 1979, and a master of public administration degree from Arizona State University in 1985.

As Clerk, Michael is the official record keeper and financial officer for the Superior Court and is responsible for overseeing a staff of 720, servicing more than 140 judicial officers who are assigned to the Civil, Criminal, Family, Probate, Tax, and Juvenile Divisions of the Court, serving a constituency of more than 3.1 million, and operating an office that serves the fourth largest county and one of the 10 largest court systems in the nation. In effect, he is the public's liaison to the Superior Court in Maricopa County.

Prior to being the Clerk of the Court, he served nearly 11 years in the Clerk's Office as an Associate Clerk of Court Services. Other positions he has held include Court Services Administrator, Management Analyst for the Superior Court, and Management Analyst/Project Manager for Maricopa County.

Michael is a strong advocate for quality customer service evidenced by his initiative in taking significant steps toward improving service by forming a Customer Services Division that is devoted to all aspects of customer service, and by personally teaching a customer service class to all new employees. His desire to serve is also reflected in his professional and community involvement which includes being a member or former member of the:

Advisory Commission on the Rules of Judicial Conduct; American Bar, State Bar of Arizona, and Maricopa County Bar Associations; American Judicature Society; Arizona Association of Counties; Arizona Association of Superior Court Clerks (President); Arizona Courts Association (former president); Boulder Creek Elementary School PTO; Cactus Wren Republican Club; Child Support Coordinating Council; Committee on Superior Court; Conference of Chief Justices – Public Access to Court Records Committee; E-Government Council; Information Technology Steering Committee; Integrated Justice and Law Enforcement System (Chairman); International Association of Clerks, Recorders, Election Officials and

Treasurers; Maricopa County Star Call Center (chairman); Maricopa Limited Jurisdiction Oversight Council; National Association for Court Management; National Child Support Enforcement Association – Judicial Services Subcommittee; National Association of County Recorders, Election Officials, and Clerks; National Conference of Republican County Officials; Supreme Court Commission on Technology; Trunk and Tusk; volunteer arbitrator for the Maricopa County Better Business Bureau; and a volunteer coach for youth soccer, basketball, and baseball teams.

Michael's wife, Jill is a teacher in the Alhambra School District.

WHAT DOES THE CLERK OF THE SUPERIOR COURT DO?

The Clerk of the Superior Court is the:

Administrator of Court Records and Exhibits

All documents used in conjunction with Superior Court cases must be filed, processed and secured, in accordance with mandated time limitations and archival standards.

Fiduciary Officer of the Court

Statute and court order designate the Clerk as the court's fiduciary officer (financial trustee). The Clerk's Office receives records, invests and disburses approximately $180 million each year in fees, fines, reimbursements, victim restitution and public/custodial trust funds.

Judicial and Quasi-Judicial Officer

Serving in a quasi-judicial capacity, the Clerk issues writs, subpoenas, orders of assignment, voluntary paternities, and other court-related orders. Clerk's Office employees appointed by the court as probate registrars and special Commissioners perform some limited para-judicial functions pertaining to deferrals of fees and scheduling and signing orders to appear.

Elected Department Administrator

As the elected administrator of a county department, the Clerk of the Superior Court establishes policies and procedures. The Clerk's budget is established upon approval of the Maricopa County Board of Supervisors.

Family Support Advocate

Federal and state legislation in 1988 involved the Office of the Clerk more fully with family-related services. The Clerk's Office provides central locations where families can obtain assistance with child support and spousal support matters.

Ex-Officio Clerks of the Court

Arizona law requires that the Clerk be present at all court sessions to receive and record court documents and exhibits, and to establish an independent written record of court proceedings. To serve the needs of more than 130 Judges and Commissioners located throughout Maricopa County, the Clerk employs more than 160 deputy courtroom clerks.

OFFICE LEADERSHIP

There are four Associate Clerks, a Chief Deputy, and a Director of Strategic Planning and Change Management who help operate the Clerk's Office. They are:

Grace Colosimo, Associate Clerk - Administrative Services
Grace has served in the Clerk's Office for 13 years. For the past 10 years, she has been the Associate Clerk for Administrative Services. Prior to this position, she served three years as the assistant Associate Clerk for the Family Support Center.

Grace's division provides internal support to the Office. This division oversees all budget, human resources, training, auditing, facilities management, and supplies.

Gordon Mulleneaux, Associate Clerk - Financial Services
Gordon has been a part of the Clerk's Office for 14 years, 13 of them as the Associate Clerk for the Financial Services Division. Prior to the Clerk's Office, he worked as an administrator for a law firm in Pittsburgh, Penn.

Gordon's division performs the statutory fiduciary responsibilities of the Office by collecting fees and fines, allocating funds, disbursing exonerated bonds, processing payments from probationers, issuing restitution checks to victims and providing customer service related to research and maintenance of non IV-D child support payments.

Carol Schreiber, Associate Clerk - Customer Services Division
In 2005, Carol celebrated 30 years of experience in the Clerk's Office. In 1999, she was selected as the Associate Clerk for a newly created Customer Services Division. Prior to this appointment, she was the Assistant Associate Clerk for Administrative Services.

Carol's division receives documents for filing, processes cases from initiation and fee collection through archiving, provides support to more than 130 Judges and Commissioners, processes appeals and exhibits, issues marriage licenses, and processes passport applications. This division also documents court proceedings and distributes rulings.

Rich McHattie, Associate Clerk - Information Technology Group
Rich began working for the Clerk's Office in July 2005 as Director of Strategic Planning and Change Management to oversee the development and implementation of strategic planning and manage change in the office, including the office's conversion to an electronic record.

In December, 2005 he took on the additional duties of leading the Information and Technology Division (ITG). ITG provides development, implementation and support for technology initiatives throughout the office. The ITG division also provides coordination and oversight for voice and data telecommunications in addition to security.

Rich brings to the office extensive experience in strategic planning, project development, research and development, lobbying, and mass communications as a result of his prior work with local and international corporations.

Chris Kelly – Chief Deputy

Chris was appointed Chief Deputy in July 2005, and has extensive experience in communications, public relations, marketing and strategic planning. She is actively involved in communicating the Clerk's steady movement toward an electronic record. Chris interacts extensively with the legal and legislative communities, the media, law enforcement and the public. She coordinates internal and external communications for the Office and represents the Clerk's Office with Federal, State and Local officials. She is also involved in policy and legislative issues impacting the Office.

Prior to joining the Clerk's Office, Chris was an Associate Director of Valley Partnership, a trade organization with over 1,500 members throughout the state of Arizona.

Where is the Clerk's Office located?

In Phoenix

Central Court Building

201 W. Jefferson
Phoenix, AZ 85003
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-3676

Services Offered

Filing Counters

- Civil
- Criminal
- Family
- Fines and Other Payments
- External 24-Hour Filing Depository Box

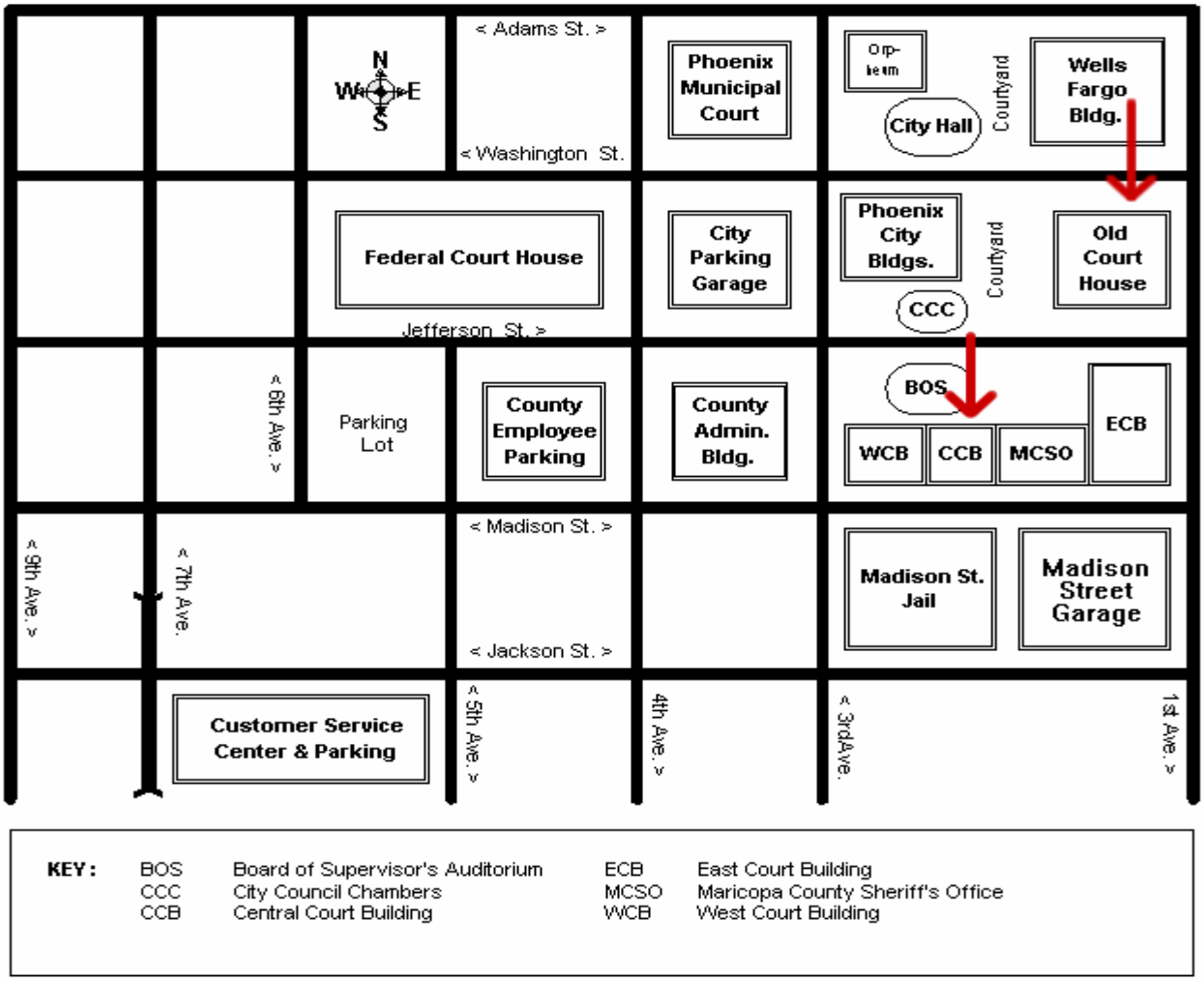
Old Courthouse

125 West Washington
Phoenix, AZ 85003
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-3676

Services Offered

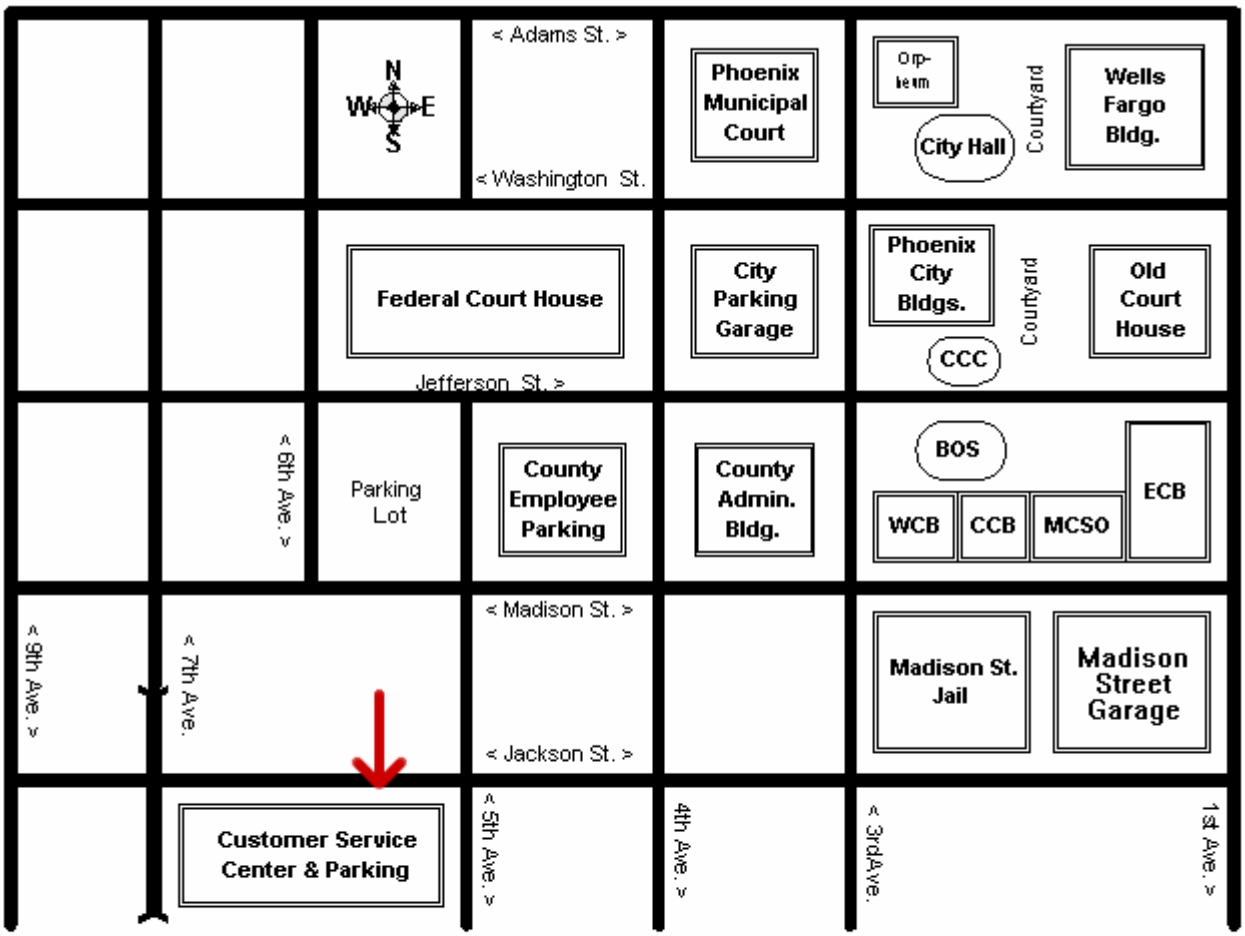
Filing Counters

- Tax
- Probate
- Mental Health



Customer Services Center

601 W. Jackson St.
Phoenix, AZ 85003
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-3360



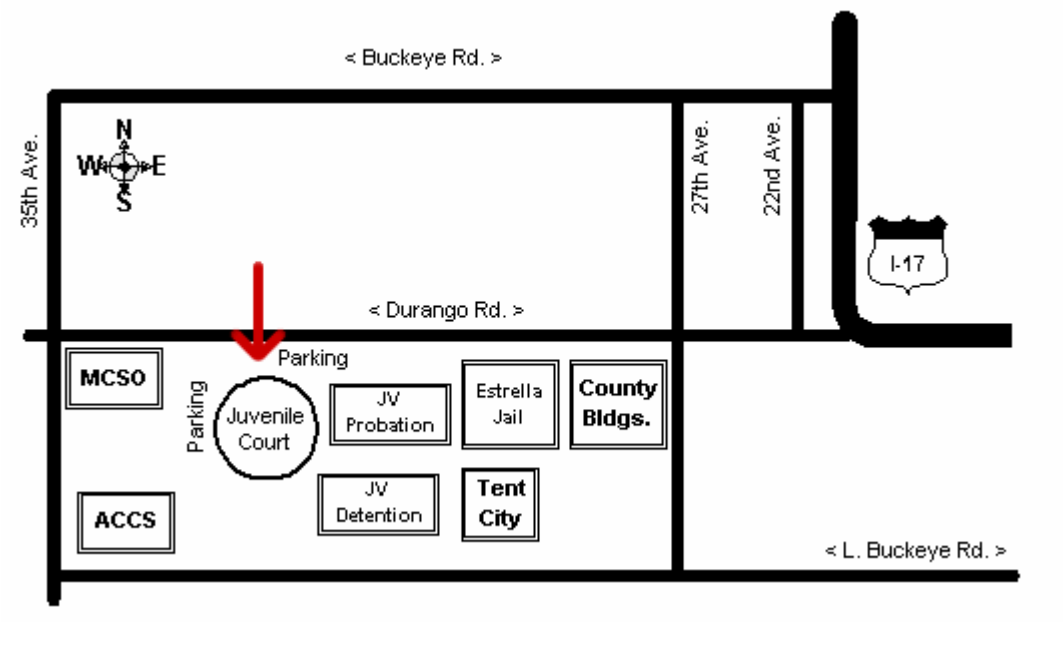
KEY:				
	BOS	Board of Supervisor's Auditorium	ECB	East Court Building
	CCC	City Council Chambers	MCSO	Maricopa County Sheriff's Office
	CCB	Central Court Building	WCB	West Court Building

Services Offered

- Court Records
- Media Desk
- Marriage Licenses
- Passport Processing

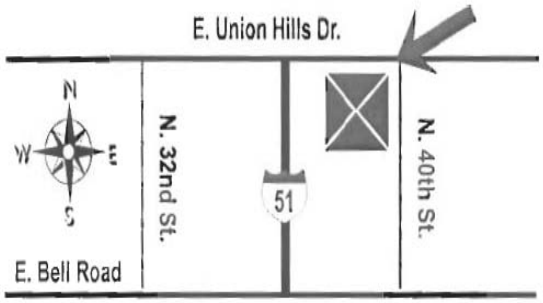
Juvenile Court Center – Durango Facility

3131 W. Durango
Phoenix, AZ 85009
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-4041



Northeast Regional Court Center

18380 N. 40th St., Suite 120
Phoenix, AZ 85032
Hours: 8 a.m. – 5 p.m. / Monday – Friday
602-506-3676



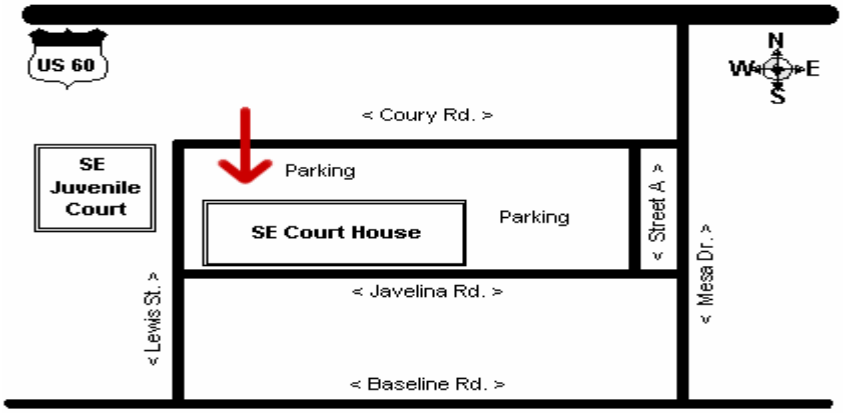
Services Offered

- Filing Counter
- Marriage Licenes
- External Filing Depository Box

In Mesa

Southeast Court Complex

222 E. Javelina
Mesa, AZ 85210
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-3360

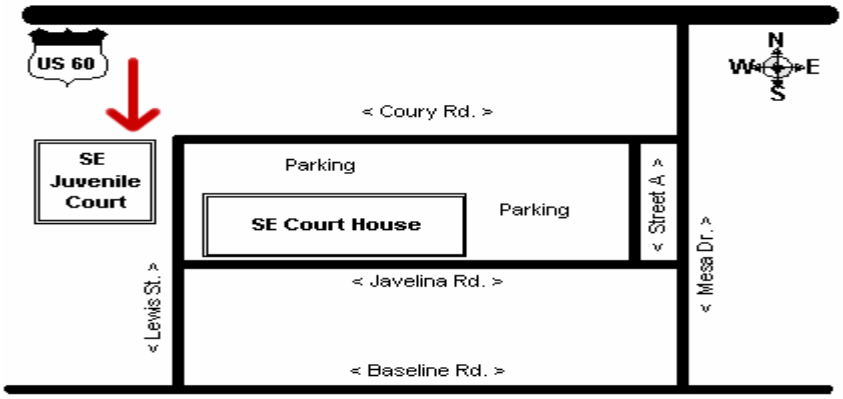


Services Offered

- Civil Filing Counter
- Criminal Filing Counter
- Family Filing Counter
- Probate Filing Counter
- External 24-Hour Filing Depository Box

Juvenile Court Center - Southeast Facility

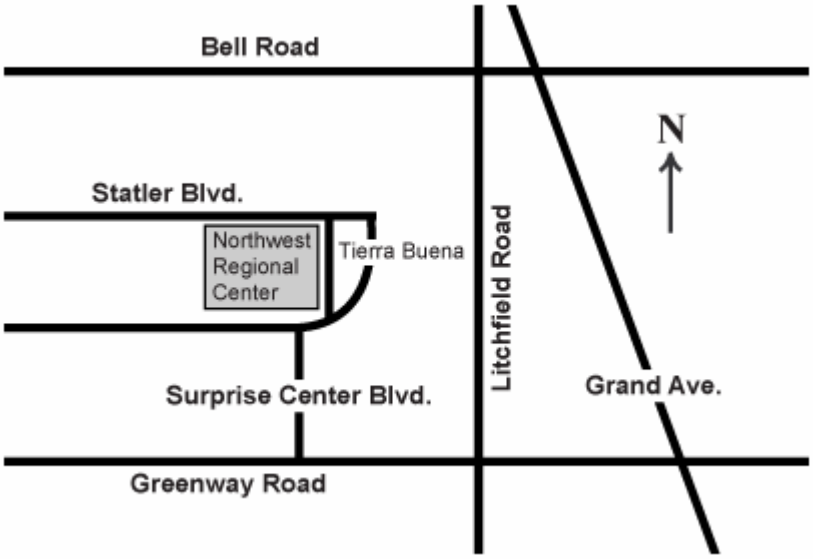
1810 S. Lewis
Mesa, AZ 85210
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-2850



In Surprise

Northwest Regional Court Center

14264 West Tierra Buena Lane
Surprise, AZ 85374
Hours: 8am - 5pm /Mon. - Fri.
(602) 506-3676



Services Offered

- Civil Filing Counter
- Family Filing Counter
- Probate Filing Counter

ACCESS TO MATERIALS FILED OR SUBMITTED TO THE CLERK OF THE SUPERIOR COURT'S OFFICE

Court Records

All court records, with the exception of juvenile, mental health, criminal histories, grand jury and sealed records are available for public viewing at the Customer Service Center or Southeast Facility. Actual court records cannot be removed from the Clerk's Office without a court order. (Refer to "Juvenile Matters" or "Mental Health" sections of this publication for information about access to those records. Refer to the "Technology, Paper, and the Clerk's Office" section for instructions on viewing and printing electronic images of court records).

Court records may be viewed or copies obtained with at least one of the following forms of case identification: (1) case number and/or (2) full names of the parties involved. It is also helpful if you can provide the year the action was filed.

Viewing Records

There is no charge for viewing files. To view documents or to obtain copies in person, you should visit the Clerk's Customer Services Center in Phoenix or the Southeast Court Complex in Mesa. Prior to visiting the Customer Service Center, please call 602-506-3360 to make sure the file you are looking for is available.

Copies of Records

You may obtain copies of many types of case records in person, by mail, fax or phone.

Copies in Person

Records can first be requested at the Clerk's Customer Services Center in Phoenix or the Southeast Court Complex in Mesa. Cases filed at the Northwest Regional Court Center and Northeast Regional Court Center can only be viewed at the Customer Service Center. If a record is not on file at the facility you visit, arrangements can be made to transfer the file from another facility, but this process will incur a delay.

Court and other government agencies should contact a Clerk's Office facility for specific instructions. Copying fees are $0.50 per page. In addition, there is an $18.00 charge to certify any document. If you are using the copy for legal or official purposes, a certified copy is usually required.

Copies by Mail

To obtain copies of public records by mail, please address your request to:

Correspondence Section
Clerk of the Superior Court
601 West Jackson
Phoenix, AZ 85003

Please include in your request:

- The specific documents you want to receive;
- The case number;
- The names of the parties at the time the case was filed;
- The filing date or year filed;
- The number of pages of the document to be copied;
- A self-addressed stamped envelope or a check for postage and handling in the amount of $5.00;
- Your daytime phone number, if there are any questions.

(If you do not have the above information, it may be necessary to assess a fee for each year to be researched and for each name researched.)

Copying fees are $0.50 per page. In addition, there is an $18.00 charge to certify any document. If you are using the copy for legal or official purposes, a certified copy is usually required.

Copies by Phone

To obtain copies of public records by phone, please call (602) 506-3360.

Please have the following information with your request:

- The specific documents you want to receive;
- The case number;
- The names of the parties at the time the case was filed;
- The filing date or year filed;
- The number of pages of the document to be copied;
- Your daytime phone number, if there are any questions.

(If you do not have the above information, it may be necessary to assess an $18.00 fee for each year to be researched and for each name researched.)

Also, you must have a debit card or a Visa or MasterCard - A debit or credit card will be necessary to use as the method of payment for the service fee(s). Copying fees are $0.50 per page. In addition, there is an $18.00 charge to certify any document and $5.00 for postage and handling. If you are using the copy for legal or official purposes, a certified copy is usually required. Requests by phone take approximately two weeks from the time the request is received.

Copies by Fax

To obtain copies of public records by fax, please fax your request to the Correspondence Section at (602) 506-7619.

Please include in your request:

- The specific documents you want to receive;
- The case number;
- The names of the parties at the time the case was filed;
- The filing date or year filed;
- The number of pages of the document to be copied;
- Your day-time phone number, if there are any questions;
- Your fax number.

(If you do not have the above information, it may be necessary to assess an $18.00 fee for each year to be researched and for each name researched.)

Please include debit or credit card number - A debit or credit card number, the security code (last 3-digits from the number on the reverse side of the credit card) and expiration date will be necessary to be used as the method of payment for the fee(s). The fee for faxing documents is $5.00 for handling and $0.50 per page faxed. If you are using the copy for legal or official purposes, a certified copy is usually required and one of the other methods described above will need to be utilized since we cannot fax a certified copy of a record.

Copies of Marriage Licenses

You may obtain a certified copy of a marriage license at the Customer Services Center, 601 W. Jackson, Phoenix or the Southeast Facility, 222 E. Javelina, Mesa. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

You also may write to the Correspondence Section, Clerk of the Superior Court, 601 W. Jackson St., Phoenix, AZ 85003.

Your request must include:

- The full legal name of the male and full legal name of the female prior to the marriage.

- It is helpful if you can provide us with the license number shown at the bottom of your copy of the license, or if you know the year of the marriage.

- If by mail, send a check or money order made payable to the Clerk of the Court (for $18.00 and $.50 per page). Also enclose a stamped, business-sized, self-addressed envelope or a check for $5.00 for postage and handling.

Requests by mail take approximately two weeks from the time the request is received.

For further assistance, you may call (602) 506-3360.

Certification

A certified copy is stamped and sealed to attest that the copy is a true and correct copy of the original on file in the Clerk's Office.

Types of Document Certifications

- Certified – one seal
- Authenticated – two seals
- Exemplified – three seals

The difference between the types of certification is in the number of seals and official statements affixed to a file or document. Documents bearing more seals cost more: $18.00 per seal. You may request that an entire file be certified or only selected documents from a file. However, the Clerk's Office will not certify partial documents. The exception is divorce decrees that can be certified without the attachments if requested.

The Clerk's Office is not permitted to advise you what type of certification you may require, if any. You should obtain this information from the person/agency to whom you are providing the document.

Discovery and Confidential Materials

The Clerk's Discovery and Confidential Materials Section receives depositions, transcripts and psychological/medical records. Depositions may or may not be introduced into the record, but if ordered by the court, they become part of the record. Depositions are stored and maintained separately from hard copy case files.

Confidential materials are sensitive documents, medical records or other types of records, which have been ordered sealed by the court as confidential or as required by statute or administrative order. They may not be released by the Clerk unless ordered by the court.

Location Only Materials

"Location Only" Materials are those pleadings submitted for filing that are excessively large or bound in such a fashion as to prevent their inclusion in the hard copy case file. Pleadings should NOT be presented for filing in any type of bound fashion, as they will be disassembled, when possible, to allow inclusion in the case file. Parties should be cautious of how documents are filed, eliminating tabs, bindings and fancy covers. Location Only materials are public record and may be viewed upon request.

Medical Records

Medical records come into the Exhibits and Classified Section as sealed items, after they have been subpoenaed from a medical facility. Once under the Clerk's control, these records may not be viewed or released without a court order on behalf of counsel or the court itself.

Medical facilities may file an objection to subpoenas of this type. They also may voluntarily honor the subpoena and send copies of the records to the Clerk, with an affidavit attesting to their completeness. If introduced into evidence, the records are marked as exhibits and maintained by the Clerk.

The Clerk's Office encourages parties to seek court-ordered release of medical records from the Clerk's custody when no longer needed. This reduces administrative and storage requirements.

Sealed Information

Sealed Files

A file may be ordered sealed by a Judge at the request of an attorney or party to the case and shall be accorded confidential processing by the Clerk's Office. Sealed files must be affirmed as such by a Court Order or minute entry attached to the front of an envelope containing the file, or by the Judge's signature on the outside of the envelope.

Sealed Documents

A document may be ordered sealed by a Judge at the request of an attorney, or a party to the case and shall be accorded confidential processing by the Clerk's Office. When filing documents into a file that is sealed, or filing a sealed document, attach a copy of the minute entry or court order sealing the specified document.

Documents filed under seal shall be sealed upon presentation of the filing when accompanied by the order.

Exhibits

When attorneys are confident that a case will go to trial, they are encouraged to deliver their exhibits in advance. By contacting the courtroom clerk in the division to which a case has been assigned, counsel can ensure that exhibits will be numbered, indexed and marked appropriately.

Not Guilty/Acquittal by Directed Verdict

Upon the return of a not guilty verdict in a criminal case, where there are no co-defendants, all exhibits will be immediately released to presenting counsel. Exhibits marked for a criminal trial that results in acquittal by virtue of a directed verdict, will be released to presenting counsel following a 30-day waiting period if no appeal has been filed.

Guilty Verdict

Upon the return of a:

- Guilty verdict in a criminal case (where there are no co-defendants);
- Verdict in a civil case; or the
- Conclusion of a hearing or ruling.

All exhibits marked, but not offered into evidence, will be immediately released to the presenting party/counsel to avoid further, unnecessary handling and storage. This may also speed the return of any personal property to the rightful owners. (Note: For cases on appeal, in accordance with Rule 11(a)(6) of Civil Appellate Procedure, the Clerk's Office shall notify the parties to retrieve those exhibits not transferred to the Appellate Court. Large, bulky exhibits are only forwarded to the Appellate Court upon the request of the Appellate Court. If so ordered by the Trial Court, the large exhibit may be withdrawn and a photograph submitted in place of the item. The photograph will be transmitted to the Appellate Court.)

The Clerk's Exhibits Section holds most exhibits in other cases, until the time limit for filing an appeal has elapsed. The Clerk's Office holds exhibits in capital punishment cases permanently. Pursuant to Rules of Civil Procedure 2.8(d), the Clerk releases civil, probate and family court/domestic relations exhibits to parties. Criminal exhibits are returned pursuant to Rules of Criminal Procedure, Rules 28.1and 28.2.

The Clerk regularly sends letters requesting parties to pick up exhibits or to identify their rightful owners; if not retrieved within an established period, the Clerk's Office disposes of the exhibits. While the exhibits are in the possession of the Clerks Office Exhibit Area, they are public record and are available for public viewing, unless ordered sealed by the Court.

In most cases, exhibits are maintained until the time limit for filing an appeal has elapsed. Pursuant to Rules of Civil Procedure 2.8(d), the Clerk releases civil, probate, and family court/domestic relations exhibits to the party submitting the item. Letters are sent to the parties to notify them that their exhibits can be retrieved. If not retrieved by the date indicated in the letter, the exhibits will be destroyed.

Pursuant to Rules of Criminal Procedure 28.1 and 28.2, criminal exhibits are returned to the agency submitting the exhibit. Defendants are also notified to retrieve any exhibits that may have been submitted on their behalf. If defendants' exhibits are not retrieved by the date indicated on the notification, they will be destroyed.

Items, valued at $25.00 or more, that meet the release criteria and are unclaimed or abandoned, are submitted for auction.

Temporary Removal Restrictions

Court orders for removal of preliminary hearing transcripts, grand jury transcripts, hearing transcripts, or depositions cannot be honored if altered in any way, unless the Court itself made the alteration to the order then initialed the change. All temporarily removed items must be returned, to the Clerk, by a court-designated due date.

GENERAL FILING INFORMATION

New Complaints and Petitions

The "complaint" or "petition" usually is the first action filed in civil, criminal and family court/domestic relations cases. It is assigned a case number, and then entered into the automated docket. The docket lists the case number, the parties involved in the action, attorneys and type of action (such as Dissolution of Marriage, Felony, etc.). Any documents subsequently filed in that case are entered on the docket under the same case number.

Cover Sheets

The cover sheets on filings must be filled out completely and legibly. The Clerk's Office prefers that they be typed. Complete names of all parties to the action must be listed. (The back of the form may be used if there is not enough room on the front, or a separate sheet may be attached if the list is especially long.) No abbreviations such as "et al." or "etc." are allowed. Do not staple the cover sheet to the petition or complaint itself.

- Do not submit a cover sheet for juvenile cases.
- On the cover sheet include the complete name of the attorney and his or her state bar identification number.
- The nature of the legal action involved must be noted. If more than one legal issue is involved, circle the one that is most applicable.

Fees

Filing fees are required by Arizona statute for many actions described in this publication. The Fee Schedule at the back of this booklet lists those fees. Additional charges may apply.

NOTE: THE FEE SCHEDULE IN THIS BOOKLET IS CURRENT AS OF MARCH 1, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF FEES GO TO:
www.clerkofcourt.maricopa.gov/fees.asp

Fee Deferrals

In some cases involving indigents, fees for filing legal actions may be deferred. Contact the Filing Counter for specific information about individual cases.

Case Numbering/Identification

The most common non-criminal case types are listed below. Case prefixes and numbers for cases filed after January 1, 1987 begin with these letters:

- "CV" for Civil
- "PB" for Probate
- "TX" for Tax
- "TJ" for Transfer of Judgment
- "JV" for Juvenile Delinquency
  - "JD" for Dependency
  - "JS" for Severance
  - "JA" for Adoption

- “JG” for Guardianship of Minor
- “JE” for Emancipation
- "MH" for Mental Health
- “LC” for Lower Court
- “ST” For Small Tax

Criminal Cases

Cases filed from 1987-2002

- "CR"

These case numbers will display as follows: CR2000-123456A (Defendant A, B, C, etc.)

Cases filed in and after 2003

Criminal cases filed after 2003 have a “common case number.” The format of this case number is:

- A two-digit alpha case type prefix CR or LC;
- A four-digit year designator 2003;
- A six-digit case number 123456;
- A three-digit defendant identifier 001;
- In addition there will be a two-digit alpha location identifier following the number to tell the facility where the case is assigned, such as SE for Southeast and DT for Downtown.

The new number will display and print as follows: CR2003-123456-001 SE

Family/Domestic Relations Cases

Cases filed from 1987-2000

- “DR”

Cases filed in and after 2001

- “FN” for Family Court (without children); or
- “FC” for Family Court (with children)

The two letters are followed by the four digits of the filing year, followed by a five or six-digit number (e.g., FC2001-012345).

Cases Filed at Southeast Facility

Case prefixes for the Southeast facility begin with the same letters and year prefix, but the first two digits in the six-digit case number are "09" or “08” to designate its SE location (e.g., FC2002-098844).

Cases Filed at the Northeast Regional Court Center

Case prefixes for the Northeast facility begin with the same letters and year prefix, but the first two digits in the six-digit case number are “05” to designate its NE location (e.g., FC2002-058512).

Cases Filed at Northwest Regional Court Center

Case prefixes for the Northwest facility begin with the same letters and year prefix, but the first two digits in the six-digit case number are “07” to designate its NW location (e.g., FC2002-078512).

Subsequent Filings

Attorney Filings

All documents must be signed in black ink by the attorney (or the plaintiff/petitioner when citizens represent themselves). The following information must be included: Attorney name, address, telephone number, state bar identification number. The name of the party being represented must appear in the upper left corner of the document.

Non-Attorney Filings

If you are representing yourself (pro per), you also must complete the information listed above with the exception of a bar number. Answers to a petitioner's action should specify the name of each defendant who is participating in that particular answer.

Attachment Restrictions

Copies of documents previously filed in a case should not be attached as exhibits to a document subsequently filed. Reference to previously filed materials should be made in the body of the document filed at a later date (Local Rules 3.3(a) and (e)).

Documents for all juvenile matters should be presented at one of the Juvenile Offices.

Appeals

Definition

An appeal is the legal process used to ask a higher court to review a judgment made in a legal matter held in a lower trial court. There are two types of civil appeals processes: Lower Court (LC) to Superior Court and Superior Court to Court of Appeals.

Appellate Case Files

If a Superior Court case is appealed, the Clerk's Office Appeals Section processes the appeal and sends it to the Court of Appeals or the Arizona Supreme Court. When a criminal case is appealed, the entire case file is copied and sent to the Appellate Court.

When any civil case is appealed, the entire original Superior Court file is sent to the Appellate Court. Before sending the entire file, some documents must be copied, certified and sent to the Appellate Court.

(Note: Court reporters file their verbatim (word-for-word) transcripts directly with the Appellate Court. Accordingly, the index of the case record prepared by the Clerk's Office will not mention such transcripts.)

Location

Appeals to Superior Court are filed at the appropriate filing counter at the Central Court Building, 201 W. Jefferson, Phoenix or the Southeast Facility, 222 E. Javelina, Mesa. Office hours are 8 a.m. to 5 p.m. Monday through Friday.

For details on Justice Court/City Court appeals, call (602) 506-3427.

Filing Specifics

- Anyone who is a party to a case can file an appeal.

- There is no official form to file an appeal. Therefore, on a blank sheet of paper, a person must provide the following information.

  *** Appellant**
  Name and Address_____
  *** Case John Doe**
  v.
  Mary Doe
  *** Body of Appeal**
  (What ruling is being appealed. Date of Ruling and Appellant Signature)

  *** Case No._____**
  Notice of Appeal

  Once this is complete, take this Notice of Appeal form to the appropriate filing counter and pay the fee if required.

- In civil cases, an index and copies of documents specified in the Arizona Rules of Court, Rules of Civil Appellate Procedure, are transmitted to the Appellate Court on the 40th day from the date the Notice of Appeal was filed.

- In criminal cases**,** a copy of the record is transmitted to the Appellate Court 45 days after the Notice of Appeal was filed.

Case Happenings

Docket

The Clerk of the Superior Court, in conjunction with Superior Court, has made access to the docket available via the Internet. With a name or case number, users can obtain the Judge's name, type of case, and an index identifying the documents filed in the case. ***Please note that information available through this service is for adult case types only, not juvenile.***

To find civil case histories go to:
http://www.superiorcourt.maricopa.gov/docket/civil/caseSearch.asp

To find criminal case histories go to:
http://www.superiorcourt.maricopa.gov/docket/criminal/index.asp

To find family case histories go to:
http://www.superiorcourt.maricopa.gov/docket/family/index.asp

To find probate case histories go to:
http://www.superiorcourt.maricopa.gov/docket/probate/index.asp

Minute Entries

Over 160 courtroom clerks record minute entries documenting the decisions and actions of the Court for each court hearing and trial. The Clerk's Distribution and Duplicating Center handle distribution of the minute entries to counsel and parties. The Clerk's Office can deliver minute entries electronically for most case types. Please contact Courtroom Services at 602-506-3631 to sign up for this program.

Counsel or the party not represented by counsel, is responsible for notifying the Clerk's Office of any address changes pursuant to Superior Court Local Rule 2.10 to ensure receipt of minute entries.

To view minute entries online go to: http://www.courtminutes.maricopa.gov/search.asp

Legal Assistance

The Clerk of the Superior Court and the Clerk's Deputies are prohibited from practicing law. They may provide the public with information regarding documents routinely filed with the clerk. If you need advice, please contact an attorney. If you need assistance in selecting an attorney, call the Maricopa County Attorney Referral Service at (602) 257-4434 or the Maricopa County Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) at (602) 506-SELF.

CASE FILINGS

Civil Filings

Filing Locations and Hours

Civil documents may be filed with the Clerk of Superior Court at our Downtown location, 201 W. Jefferson, Phoenix, or our Southeast location, 222 E. Javelina, Mesa, or our Northwest Regional Court Center location at 14264 W. Tierra Buena Lane, Surprise, or at our Northeast Regional Court location at 18380 N. 40th St., Phoenix, Monday through Friday from 8 a.m. to 5 p.m. For your convenience, we also offer alternative filing services for those customers who do not want to stand in line at the Filing Counter, or who want to file after business hours. **For additional information, please see the section titled, "Alternative Filing Services", beginning on page 39 of this document**.

Forms

Some forms are available throughout the Clerk's eForms-On-Demand and Fax-On-Demand (see "Obtaining Forms from the Clerk's Office Electronically"). Many kits are available at bookstores and stationary stores or look in the Yellow Pages under legal forms. Also, some forms are available through the Self-Service Center, **www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp**, located on the 1st floor of the East Court Building, 101 W. Jefferson or at the Southeast Facility at 222 E. Javelina, Mesa; or at the Northwest Regional Court Center location at 14264 W. Tierra Buena Lane, Surprise, or at the Northeast Regional Court location at 18380 N. 40th St., Phoenix.

If you choose to prepare your own complaint, petition, answer, or response, your document must conform to Arizona Rules of Court. This book is available at your local library, bookstores and the Internet. You may file in Justice Court if the monetary amount is under $10,000. The blue pages of the phone book will provide the location of the Justice Court nearest you. Anything over $10,000 must be filed in Superior Court.

Filing Fees

NOTE: THESE FEES ARE CURRENT AS OF MARCH 1, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF FEES GO TO: www.clerkofcourt.maricopa.gov/fees.asp

Civil Fees

Complaint or petition	$245.00
Petition for Name change	$230.00
Answer or initial appearance	$191.00
Separate Answer	$191.00
Petition to take deposition	$230.00
Petition for stay or special action	$230.00
Filing intervenor	$245.00
Additional plaintiff's fee	$245.00
Additional defendant's fee	$191.00
Foreign judgment	$230.00

Answer of garnishee-defendant	n/c
Garnishee's contesting garnishment	$176.00
Filing Registrar's Order (ARS §32-1166.06)	n/c
Change of venue transmittal fee	$18.00
Change of venue for jurisdiction under §12-404 plaintiff/petitioner pays fee	$18.00
Change of venue to this county	$230.00
Order to show cause - to appear and do one or more of the following: (If no appearance fee has been previously paid) 1. Request affirmative or counter relief; 2. Attack process or proceedings; 3. Take other affirmative action.	$176.00
Injunction against harassment	n/c
Petition against workplace harassment	$230.00
Notice of appeal filing fee/ cross appeal	$61.00
Tax court case	$230.00
Civil traffic appeal	$133.00
Filing a process server application	$115.00

Selected Types of Case Filings

Petitions for Injunction Against Harassment/Against Workplace Harassment/Orders of Protection

The Superior Court at every regional court center allows a person to complete a computer-generated form to petition the court regarding one of these domestic violence situations. This process is completed in the office and there are no longer papers for customers to take home to complete and return. Once completed and printed, Petitions for Injunction Against Harassment are filed at the Civil Court filing counter (the Petition Against Workplace Harassment requires a filing fee). Petitions for Order of Protection are filed at the Family Court filing counter. These petitions are often confused with Restraining Orders, which are processed by the Justice Courts.

Citizens filing this domestic violence paperwork may request that their addresses be withheld from the public access portion of the case (this address should not be noted on documents that are filed into court files). Confidential status cannot be granted to an address that was a common residence of the plaintiff and defendant at any time during the five-year period prior to the request.

For additional information, you may call (602) 506-3754. You may also contact the Superior Court's Family Violence Prevention Center at (602) 506-5553.

Responding to a Summons

Pursuant to the Arizona Rule of Civil Procedure, if you have been served with a summons and complaint or petition and you wish to respond, you must do so in writing.

Liens

To create a lien, using a judgment from a Justice Court, the County Recorder's Office requires a certified copy of the judgment after it has been filed with the Clerk of Superior Court. To file your judgment with the Clerk's Office, you must provide us with a certified copy of your Justice Court judgment. This type of filing is known as a Transcript of Judgment.

Filing an Out-of-State or Foreign Judgment

In order to file an out-of-state or foreign judgment with the Clerk's Office, the Superior Court requires the following:

- An authenticated copy of the judgment from the Court in which it was issued;
- An affidavit setting forth the name and address of the Judgment Debtor and Judgment Creditor;
- A filing fee; and
- A civil cover sheet.

Detainers

Before filing a forcible detainer with the Clerk, a seven-day notice of eviction is required. Neither the Clerk's Office nor the Superior Court provides any forms for forcible detainers. Please look in the Yellow Pages under "legal forms" to find appropriate places to purchase these forms.

Filing for a Name Change

The Clerk's Office does not provide the forms for changing a name. The Superior Court's Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) has these forms available for purchase or to download free from the internet. You can also check the yellow pages under legal forms for locations to purchase these forms. Filing a Petition for name change for a minor is made by the parent or guardian. For additional information, contact an attorney.

Appealing a Civil Judgment

If you wish to appeal the civil judgment you received in the Superior Court to the Court of Appeals, the party appealing must file a written Notice of Appeal with the Clerk's Office in Superior Court. A filing fee is required. A cost bond is required to be posted with the Clerk's Office as well as a bond account charge. There are time restrictions that apply when filing an appeal.

When appealing a judgment from the Justice or City Court, your Notice of Appeal must be filed in the initiating court. After the appeal is filed, the fee paid and bond posted, if necessary, the initiating court will transfer your case to the Superior Court, and the Clerk's Office will notify the parties of any fees required.

Criminal Filings

Filing Locations and Hours

Initial criminal actions may only be filed by government law enforcement agencies. Documents may be filed with the Clerk of Superior Court at our downtown location, 201 W. Jefferson St. in Phoenix, or at our Southeast location, 222 E. Javelina, Mesa, Monday through Friday from 8 a.m. to 5 p.m.

Forms

The Clerk's Office does not provide any forms for criminal issues.

Filing Fees

There are no fees associated with criminal filings.

Selected Types of Case Filings

Civil Rights Restoration

People who were convicted of a felony, have served their sentences, and have paid all restitution, fines and fees ordered, may seek to restore their civil rights. Restoration of civil rights will allow a person to vote in government elections. This can be done through the Criminal Filing Counter, window one in the Central Court Building and at the Southeast Adult Facility, windows six, seven and eight.

To restore your civil rights, if you were convicted of a felony, you must provide a copy of the Absolute Discharge form or the Release from Probation form. There is no fee and you are not required to appear in court. The appropriate forms are available from the Clerk's Office. For additional information, you may call (602) 506-0547.

Filing Criminal Appeals

If you wish to appeal the criminal conviction imposed in the Superior Court to the Court of Appeals, the party appealing must file a written Notice of Appeal with the Clerk's Office in Superior Court. For additional information, you may call (602) 506-7775.

Family Court Filings

Filing Locations and Hours

Documents may be filed with the Clerk of Superior Court at our downtown Phoenix location, 201 W. Jefferson St., or at our Mesa location at 222 E. Javelina, or at our Northwest Regional Court Center location at 14264 W. Tierra Buena Lane, Surprise, or at our Northeast Regional Court location at 18380 N. 40th St., Phoenix, Monday through Friday from 8 a.m. to 5 p.m. For your convenience, we also offer alternative filing services for those customers who do not want to stand in line at the Filing Counter, or who want to file after business hours.

Forms

Many forms may be obtained online through the Clerk's eForms on Demand and Fax-On-Demand. Some forms may be obtained at the Superior Court's Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court location at 18380 N. 40th St., Phoenix.

Also, forms may be obtained at bookstores, stationary stores, or by looking in the yellow pages under "legal forms."

Filing Fees

NOTE: THESE FEES ARE CURRENT AS OF MARCH 1, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF FEES GO TO: www.clerkofcourt.maricopa.gov/fees.asp

Family Court Fees

Petition for dissolution of marriage	$276.00
Response/initial appearance in dissolution	$231.00
Petition for legal separation	$276.00
Response/initial appearance in legal separation	$231.00
Petition for annulment	$276.00
Response to petition for annulment	$231.00
Petition for domestic relations case for which a fee is not specifically prescribed: Foreign Judgment for Custody Establish Support/Custody Intrastate Orders to This County	$206.00
Response for domestic relations for which a fee is not specifically prescribed: Foreign Judgment for Custody Establish Support/Custody Intrastate Orders to This County	$161.00

Petition for domestic relations case for which a fee is not specifically prescribed: Paternity Voluntary Paternity Maternity	$271.00
Response for domestic relations for which a fee is not specifically prescribed: Paternity Voluntary Paternity Maternity	$226.00
Post-adjudication petitions	$61.00
Order of protection	n/c
Change of venue transmittal fee	$18.00
Change of venue to this county	$230.00

Selected Types of Case Filings

Filing for Dissolution or Legal Separation

In all filings for dissolution or legal separation, **two** copies of the following must be included:

(1) The original, and two copies of the Preliminary Injunction and Petitions;
(2) Notice of Right to Convert Health Insurance, Summons and Affidavit regarding Minor Children (if filing with children);
(3) Child Support Information Sheet (if applicable and if filing with children);
(4) Notice and Order to Attend Parenting Class (if filing with children);
(5) Notice to Creditors; and
(6) Family Court Cover sheet (you only need one copy of this form).

Please note: If you are filing for dissolution or legal separation, with children, and you are filing a Child Support Information Sheet, include two pre-paid postage envelopes (addressed to both parties or counsel) for establishing temporary support orders. In most Family Court filings the Arizona Tracking and Locate System (ATLAS) 12-digit number is used as an identifier for support related issues.

Probate Filings

Filing Locations and Hours

Documents may be filed with the Clerk of Superior Court at our downtown location in the Old Courthouse at 125 W. Washington in Phoenix, or at our Southeast location, 222 E. Javelina, Mesa, or at our Northwest Regional Center location at 14264 W. Tierra Buena Lane, Surprise, or at the Northeast Regional Court location at 18380 N. 40th St., Phoenix, Monday through Friday from 8 a.m. to 5 p.m.

Forms

Many forms may be obtained online (www.clerkofcourt.maricopa.gov) through the Clerk's eForms on Demand and Fax-On-Demand. Some forms may be obtained at the Superior Court's Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St. Suite 120, Phoenix.

Also, forms may be obtained at bookstores, stationary stores, or by looking in the yellow pages under "legal forms."

The original Will of the deceased must accompany an Application for Informal Probate of Will. If the original Will is not available, a copy must be filed with a Petition for Formal Probate, and must be indicated on the petition. An Affidavit of Transfer of Real Property must be accompanied by a certified death certificate, along with the original Will.

Probate Letters of Appointment (designating executors, personal representatives, guardians or conservators) must be accompanied by a signed order from the Court, acceptance (from the executor, guardian, etc., agreeing to the terms of the order) and a surety bond (if required to protect the assets of an estate during probate). Surety bonds may be approved by the Registrar's Office upon presentation of the original bond and a certified copy of the Court Order.

All orders and statements of informal probate must incorporate Local Rule 5.10 (fiduciaries' change of address). These documents should be filed at the Probate Filing Counter in the Old Courthouse at 125 W. Washington; at our Southeast Adult Facility at 222 E. Javelina, Mesa, or at our Northwest Regional Court Center location at 14264 W. Tierra Buena Lane, Surprise, or at the Northeast Regional Court location at 18380 N. 40th St., Phoenix

Note: Petitions for Appointment of Temporary and/or Permanent Guardian of a Minor are filed in the Juvenile Divisions.

Filing Fees

NOTE: THESE FEES ARE CURRENT AS OF MARCH 1, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF FEES GO TO: www.clerkofcourt.maricopa.gov/fees.asp.

Petition in a formal testacy or appointment	$206.00
Application for informal probate or informal appointment	$206.00
Petition for supervised administration	$206.00
Petition for appointment of guardian	$206.00
Petition to appoint conservator or make protective order	$206.00
Single estate application or petition under Chapter 3, Title 14 (ARS §14-3938)	$206.00
Opposing petition in testacy or appointment proceedings or appointment of guardianship or guardianship/conservatorship	$206.00
Any person opposing a contested petition, if no prior payment	$161.00
Petition for transfer of real property by affidavit	$206.00
Investigation Fee (Required only on adult guardianships and conservatorships)	$350.00
Accounting Fee	$250.00
Post-judgment activities in probate cases	$61.00

Selected Types of Case Filings

Will/Probate Case

If you wish to create a Will, we recommend you contact an attorney. If you wish to file for Informal Probate, you must be named in the Will as Personal Representative, be an heir of the decedent or be a creditor. If you do not have the original Will, you must file a Formal Probate. You may file Probate documents in Phoenix at 125 W. Washington St., 1st floor; at our Southeast location, 222 E. Javelina, Mesa, at our Northwest Regional Court Center location at 14264 W. Tierra Buena Lane, Surprise, or at our Northeast Regional Court location at 18380 N. 40th St., Phoenix.

The Probate Registrar no longer files Wills for safekeeping. Citizens should entrust their Wills to their attorney or a safe deposit box.

Filing an Affidavit of Real Property or an Affidavit of Personal Property

To file an Affidavit of Real Property, the following conditions apply:

- Six months must have passed from the date of death;
- You must provide a certified copy of the death certificate;
- You must provide a valid Will if there is one; and
- The decedent's interest must not be valued in excess of $50,000.

To use an Affidavit of Personal Property, the following conditions apply:

- 30 days must have passed from the date of death; and
- The personal property must not be valued in excess of $50,000.

This form does not need to be filed with the Clerk of the Court. It must be signed before a notary public and presented to the party holding the asset. The Clerk's Office will provide these forms upon request.

Mental Health Filings

You can file these documents at our Probate Filing Counters located at the Old Courthouse at 125 W. Washington in Phoenix or at the Southeast location, 222 E. Javelina, Mesa. The Probate Registrar issues case numbers for filing mental health actions. Mental Health cases are confidential per Administrative Order 96-007.

Tax Filings

Maricopa County Superior Court is the designated tax court for all of Arizona. Special cover sheets are required when filing tax cases. Cases in which property value is less than $300,000 and the tax is less than $5,000 should be filed with the court as a small claims tax case. This should be filed at the Old Courthouse, 125 W. Washington or our Southeast location, 222 E. Javelina, Mesa, or Northwest Regional Court Center at 14264 W. Tierra Buena Lane, Surprise, or the Northeast Regional Court location at 18380 N. 40th St., Phoenix

A variety of court forms are available through the Superior Court Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court location at 18380 N. 40th St., Phoenix.

ALTERNATIVE FILING SERVICES

JUVENILE FILINGS WILL NOT BE ACCEPTED AT THESE LOCATIONS

External 24-hour Filing Depository Boxes

The Clerk of the Court's Office offers three external filing depository boxes which are available 24 hours a day, seven days a week for those customers who do not want to stand in line at a Filing Counter, or who wish to file after normal business hours.

Locations

Phoenix

The Downtown External 24-Hour Filing Depository Box is located inside the Madison Street Garage next to the Security Station, which is at the Eastside entrance of the garage (on 1st Avenue, South of Madison). At the entrance of the garage is a brown sign that says "Employee Entrance." Proceed through this entrance to the gate and push the call button to speak with the guard. Inform the guard you want to use the Filing Depository Box and he will lift the gate arm allowing you to enter the garage. Visitor parking is available to the left (or Southside) of the garage. The Depository Box is at the right of the entrance.

The Madison Street Garage is across the street (or south) from the Central Court Building (201 W. Jefferson) and East Court Building (101 W. Jefferson).

Northeast Phoenix

The Northeast External 24-Hour Filing Depository Box is located at the entrance of the Northeast Regional Court Complex, 18380 N. 40th St., Phoenix.

Mesa

The Mesa External 24-Hour Filing Depository Box is located at the north entrance of the Southeast Court Complex, 222 E. Javelina.

Instructions

- Time-stamp the original document and any copies through the time clock slot on the Box.
  Please stamp the first page of your document in the upper right hand corner and do not stamp over text;

- Attach the filing fee, if required, to the original document; *(Either a check or money order made payable to the Clerk of the Court. Please **do not** deposit cash payments.)*

- Secure the items with a clip, rubber band, or in an envelope; and

- Place the package in the Depository Filing Box Slot. *(The slot opening is 1 inch. Documents larger than one inch, should be grouped in sections such as "1 of 3," "2 of 3," and "3 of 3.")*

Clerk's Office Procedures

The Clerk's Office collects the documents each morning. Staff then processes the paperwork. Any documents that need to be returned to the customer or runner will be ready for pick-up at or by noon the following business day at the appropriate filing counter. The 24-Hour Filing Depository Box is available for Civil, Criminal, Family Court, Tax, and Probate filings. It is **NOT** available for any Juvenile filings.

Internal Filing Depository Boxes

The Clerk of the Court's Office offers internal filing depository boxes, which are available during normal business hours for those customers who do not want to stand in line at a Filing Counter.

Locations

Phoenix

In the:

- Mail Distribution Center - West Court Building, 111 S. 3rd Avenue, off of the Lobby
- Probate Court Lobby – Old Courthouse, 125 W. Jefferson, 1st Floor

Mesa

In the main lobby area of the Southeast Complex, 222 E. Javelina, Mesa.

Surprise

In the main lobby area of the Northwest Regional Court Center, 14264 W. Tierra Buena Lane, Surprise.

Instructions

- Time-stamp the original document and any copies through the time clock slot on the Box. Please stamp the first page of your document in the upper right hand corner and do not stamp over text;

- Attach the filing fee, if required, to the original document; (This must be either a check or money order made payable to the Clerk of the Court. Do not deposit cash payments.)

- Secure the items with a clip, rubber band, or in an envelope; and

- Place the package in the Depository Filing Box Slot. (The slot opening is 1 inch. Documents larger than one inch, should be grouped in sections such as "1 of 3," "2 of 3," and "3 of 3.")

Clerk's Office Procedures

The Clerk's Office collects the documents throughout the business day and processes the paperwork. Any documents that need to be returned to the customer or runner will be ready for pick-up by noon the following business day at the appropriate filing counter. The Internal Filing Depository Boxes are available for Civil, Criminal, Family Court, Tax, and Probate filings. **They are NOT available for any Juvenile filings.**

JUVENILE CASES

Juvenile Facility Services

Matters processed at juvenile facilities include delinquency, dependency, adoption certification, adoption, severance, and guardianships. Clerk of Court staff file documents, issue subpoenas and notices of hearings, maintain an electronic docket and active records, provide courtroom clerk services, respond to public requests for information, and collect fines, victim restitution payments and assessments (such as for attorney costs and placement costs).

Office Locations

Juvenile matters are handled from 8 a.m. to 5 p.m. Monday through Friday at the Juvenile Court Center Durango Facility, 3131 W. Durango in Phoenix and at the Southeast Facility, 1810 S. Lewis St. in Mesa. The telephone numbers for the facilities are (602) 506-4041 for Durango and (602) 506-2850 for Southeast.

Case Information /Confidentiality

Guardianship and Delinquency Files

Open Files

Petitions for Guardianship of a Minor are filed in the juvenile divisions and are open to the public.

Juvenile delinquency files where the juvenile was born on or after January 1, 1977 are open for public inspection.

Closed Files

Delinquency files where the juvenile was born before January 1, 1977 are opened only upon order of the Court.

Destruction of Records

If you need information about requesting the destruction of delinquency records, you may call (602)506-4041 or 506-2850.

Non-Delinquency Juvenile Files

Access to all other juvenile case files is restricted to the parties, attorneys of record, court staff, and others as authorized by court order and pursuant to statute. More information about access to juvenile records may be obtained through the Clerk's Office Juvenile Divisions in Phoenix and Mesa.

You may be granted access to case information depending upon your relationship to the case and the type of case it is. You may make a written request to the Court to release information to you. No case information is released over the telephone. Picture identification may be required before any information is released. There is a charge for research, copies and certification.

Selected Types of Case Filings

Adoptions

General Information

- There is no filing fee for adoption.

The Clerk of the Court's Office does not provide any forms. Forms are available at local bookstores, legal form stores, or from an attorney. A cover sheet is not required. A variety of other court forms are available through the Superior Court Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix; at the Southeast Court Facility at 222 E. Javelina, Mesa; at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court, 18380 N. 40th St., Suite 120 Phoenix.

- Adoptions are assigned to either the Durango Facility or the Southeast Facility, based upon the zip code of the petitioner. You may present documents for filing at either juvenile facility.

Adoption Requirements

Arizona State Law requires that a social study and report of the social study shall be conducted by a licensed adoption agency. You must advise the Court of the agency you have selected. The Arizona Department of Economic Security provides a list of local contacts and information. Licensed adoption agencies are also listed in the phone book. To become certified as suitable to adopt children, you must select a licensed adoption agency that will assist you with filing the application for certification. The application forms and specific information on the process of becoming certified suitable to adopt children can be provided by the agency you select.

Step-Parent Adoptions

For information or assistance on a step-parent adoption, contact the Maricopa County Attorney's Office at (480) 969-1551.

Information on Completed Adoptions

For information regarding a completed adoption matter, you may either contact the attorney who represented you or file a Motion to Open the adoption file with the Clerk's Office. Only non-identifying information may be provided. Your request for information must be forwarded to the Court for ruling before any information can be released.

You may come in person, to either facility, or request the form by mail or fax. A $42.00 deposit is required to cover the statutorily mandated fees for research ($18.00 per year searched), fax fee, if faxing is requested ($5.00 for handling and $0.50 per page faxed), copies ($0.50 per page), certification, if required ($18.00 for each document certified) and $5.00 for postage and handling. If a balance is due, you will be billed; any overpayment will be refunded to you.

Confidential Intermediary Program

If you are looking for a reunion with a birth parent or a child given up for adoption, you may want to contact the Confidential Intermediary Program through the Supreme Court. The Confidential Intermediary will be given permission to review files and records in order to locate a party (but cannot release identifying information to their client). If a party is located and agrees to meet the other party, a reunion can be arranged. If any party objects, there can be no reunion and information cannot be exchanged. The phone number is (602) 364-2378.

Dependency Matters

If Child Protective Services (CPS) has removed your child from your custody, you have the right to file a request for review of temporary custody. This must be done in writing. The form is available at either juvenile facility. You may also contact your caseworker or attorney.

CPS has 72 hours (excluding Sat/Sun and holidays) to either return the child or file a dependency petition with the Court. A preliminary protective conference and hearing will be held within five to seven days of the removal of the child.

If you do not have an attorney and want one, you must file a written request with the Court. Forms are available at either juvenile facility. Your request will be sent to the Court and you will be advised of the decision.

The Clerk's Office provides forms for dependency petitions and service (there is a fee of $4.00 per packet or free to download from the Clerk's eForms on Demand), requests for review of temporary custody (only in dependency) and requests for appointment of an attorney or court interpreter. Other forms may be available at local bookstores, legal form stores, or from an attorney. A cover sheet, which is provided by the Clerk's Office, is required. There is no filing fee.

A variety of other court forms are available through the Superior Court Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St., Phoenix. For further information, you may call (602) 506-4041 or 506-2850.

Petitions for Termination of Parental Rights (Severance)

General Information

- There is no filing fee for petitions for termination of parental rights.

The Clerk's Office does not provide forms. However, a variety of other court forms are available through the Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix; at the Southeast Court Facility at 222 E. Javelina, Mesa; at Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St., Phoenix, and at local bookstores, legal form stores, or from an attorney. A cover sheet is not required.

Location

Severances are assigned to either the Durango Facility or the Southeast Facility, based upon the zip code of the petitioner. You may present documents for filing at either juvenile facility.

Note: Petitions for Appointment of Temporary and/or Permanent Guardian of a Minor are filed in the Juvenile Divisions.

Juvenile Fees

Statute – Service - Fee		
12-313A4	Petition for appointment of guardian of a minor	$206.00
12-313C	Opposing petition for appointment of guardian of a minor	$206.00
12-313C	Any person opposing a contested petition, if no prior payment	$161.00
12-2451	Petition for Emancipation of a minor	$161.00
12-2451	Answer to Petition for Emancipation of a minor	$176.00
8-127	Petition or application for adoption	n/c
8-127	Contested adoption	n/c
8-127	Petition for application for adoption on a child who is a current ward of the Court in the care, custody and control of DES	n/c

FINANCIAL/SUPPORT SERVICES

www.familysupportcenter.maricopa.gov

Child Support and Spousal Maintenance Payments

General Information

When the Court enters a non IV-D Order for Support, the Clerk's Office is responsible for entering both the specifics of the court order and demographic information for the parties onto the Arizona Tracking and Locate Automated System (ATLAS).

The Clerk's Office is responsible for updating address information on ATLAS. It is imperative that the addresses of the parties are accurate if payments are to be promptly received by the person entitled to receive support. Addresses not sealed by the court will become public record unless the address is confidential in conjunction with the filing of a petition for an Order of Protection or Injunction Against Harassment, or confidential pursuant to Federal Regulation.

Orders of Assignment

Orders of Assignment have been mandatory since January 1, 1988, for all new child support orders and modifications of existing orders. In cases where there is not an existing Order of Assignment, citizens may file for an assignment on their own, as well as establish payments on arrears through the Clerk of the Court.

The Clerk's Office also mails Orders of Assignment to employers required to withhold support payments from wages for persons obligated to pay support. In most cases payments are required to be sent to the Clearinghouse where the payment amount is entered into ATLAS for the person entitled to receive support. **Direct support payments to:**

Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

The standard method of payment is through the Clearinghouse. Payments made at the Clerk's offices may incur a delay before being transmitted to the Clearinghouse for processing. Payments must include the name of the person making the payment, payor's name, the identifying DR/FC number which was assigned to the case when it was filed and the 12 digit ATLAS number.

Modifying Child Support

If Both Parties are in Agreement

If you would like to modify your child support order and you and the other party are in agreement regarding the changes, you can pick up the forms at the Superior Court Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix; at the Southeast Court Facility at 222 E. Javelina, Mesa; at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St. Suite 120, Phoenix. The stipulation consists of the terms of the current order and your requested change in child support.

Both parties will have to sign the Stipulation and have their signatures notarized. The Order is for the Judge to sign adopting the provisions of the Stipulation.

Steps to Follow

1. File the original Stipulation at the Family Court Filing Counter;
2. Take two copies of the Stipulation, original order, two copies of the Order of Assignment and two stamped, self-addressed envelopes to the Family Court Administrator's Office and get the Judge Assignment; and
3. Leave the documents in the Judge's box.

If Both Parties are not in Agreement

If you and the other party are **not** in agreement regarding the change, you may obtain the necessary forms at the Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St. Suite 120, Phoenix. You may also go to an office supply or legal form store to obtain the forms for filing for a modification. The forms consist of:

- Petition for Modification of.....,
- Order to Show Cause RE...., or Order to Appear,
- Two Affidavits of Financial Information, and
- Copy of Local Rule 6.4.

Steps to Follow

1. Fill out the forms;
2. Make three sets of copies of all the documents (except the one Affidavit of Financial Information and the copy of Local Rule 6.4);
3. File the original Petition and your Affidavit of Financial Information at the Family Court Filing Counter;
4. Leave the documents in the Judge's box; and
5. Hire a Process Server or arrange for a Sheriff's Deputy to serve a set of forms on the other party after a hearing has been set.

To calculate child support, call (602) 506-3762 to make an appointment with Support Orders.

Support Services

General Overview

The Clerk's Office Support Services Unit was established to accommodate the increasing number of citizens representing themselves in court on family court matters rather than using an attorney. The Court requires that all petitioners without attorneys in a default action involving children have their papers checked prior to their court date.

An appointment with the unit is scheduled approximately one week prior to the hearing date to review the documents, which include: ensuring the DR/FC number is on all documents, correct number of copies are made, Parent's Worksheet, Order of Assignment, Current Employer Information Sheet, Judgment Data sheet are completed, and a manila envelope is addressed to the Respondent.

The unit also provides simplified modification assistance in preparation of paperwork for filing the Request to Modify Child Support pursuant to the Guidelines' Simplified Procedure and parties requesting hearings pursuant to the Request to Modify. The unit provides tracking of Requests for Expedited Process Requests to Enforce, Motion to Revoke/Suspend Child Support Orders, Establishment of Child Support (pursuant to A.R.S. §25-502), Simplified Modification, Stop/Modify Order of Assignment, and Judgment of Arrears filings.

Locations and Hours

The Support Services Office is located at 201 W. Jefferson, Phoenix and 222 E. Javelina, Mesa. The Office hours are 8 a.m. to 5 p.m., Monday through Friday. The Office phone number is (602) 506-3762. The switchboard hours are 8 a.m. to 5 p.m. If you call the Support Services Office after business hours, there is recorded information available. You may also visit www.familysupportcenter.maricopa.gov.

Sending Payments

Mail a support or spousal maintenance payment to:

Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

The standard method of payment is through the Clearinghouse. Payments made at the Clerk's offices may incur a delay before being transmitted to the Clearinghouse for processing. Payments must include the name of the person making the payment, payor's name, the identifying DR/FC number which was assigned to the case when it was filed and the 12-digit ATLAS number. For additional information, you may call (602) 506-3762 or go to www.familysupportcenter.maricopa.gov.

Payment History

The Clerk's Office has two different payment history reports available - an Official Payment History and Summary Payment History.

Official Payment History

The Official Payment History is a detailed report containing several pages that is often used by the Court and other entities requiring a certified document. We will be able to give you a complete history from the first payment made to our Office or on the ATLAS system.

To obtain an Official Payment History, you may either come to the Clerk's Office in person at:

Downtown Court
Central Court Building
201 W. Jefferson Phoenix
Phoenix, AZ 85003
(602) 506-3762

Southeast Court
222 E. Javelina
Mesa, AZ 85210
(602) 506-3762

Northwest Regional Court Center
14264 West Tierra Buena Lane Surprise, AZ 85374
(602) 506-3676

Northeast Regional Court Center
18380 N. 40th St. Suite 120
Phoenix, AZ 85032
(602) 506-3676

Or write to:

Clerk of Superior Court
Support Order Division
201 W. Jefferson Street
Phoenix, AZ 85003

When visiting the office in person, the fee for an Official Payment History is $18.00. For written requests the fee for a mailed certified copy of your payment history is $18.00 and $5.00 for postage and handling. Written requests should include:

- The payor and payee names
- Case number
- The appropriate fees.

For additional information, you may call (602) 506-3762.

Summary Payment History

The Summary Payment History is available through a service called the Fax Back System. Through a fax machine a summary of payments listing the monthly amounts paid during the current year and the previous year is transmitted. This summary is a condensed version of the Official Payment History and may only be obtained for non IV-D cases.

To obtain a Summary Payment History from the Fax Back System:

- Dial (602) 506-4755;
- Enter court case number;
- Press 1 (if recipient of payment) or 2 (if payor);
- Enter zip code;
- Enter fax number where the payment history is to be sent; and
- The system will automatically make three attempts to send the summary at 10 minute intervals.

There is no cost for you to receive this report through the Fax Back System.
For additional information, you may call (602) 506-3762.

Payment Posting Information

To find out if your child support or spousal maintenance payment has been posted, dial (602) 506-1900. You will enter your 12-digit ATLAS number plus your zip code and will hear the last three payments that have posted. This service is only available for non IV-D cases.

Change of Name or Address

If you want to process a change of name and/or address for our payment processing records, you will need to either come in person to the Clerk's Office at:

In Phoenix:
201 W. Jefferson
Phoenix, AZ 85004

In Mesa:
222 E. Javelina
Mesa, AZ 85210

In Surprise:
14264 W. Tierra Buena Ln
Surprise, AZ 85374

In Northeast Phoenix:
18380 N. 40th St. Suite 120
Phoenix, AZ 85032
(602) 506-3676

Or visit: www.familysupportcenter.maricopa.gov

Or write to the:

Clerk of Superior Court
Support Finance Division
201 W. Jefferson
Phoenix, AZ 85003

For additional information and forms, please refer to the Fax-on-Demand service, eForms-On-Demand or Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp).

Fee

There is no cost for these services and all name and address changes may take up to three weeks to process. For additional information, please call (602) 506-3762.

MARRIAGE LICENSES

Standard Marriage License

Fee

The fee for a marriage license is $50.00. If you purchase the license from a Clerk's Office location, you may pay for it by Visa/Mastercard, cash, or check with a driver's license or bank guarantee card. If you are purchasing a license at the Justice Courts, they accept checks, money orders, or cashiers checks.

General Information

- A copy of a divorce decree is not required.
- There is no blood test required.
- You may be required to provide a driver's license as proof of age.
- There is no waiting period to get married.
- The marriage ceremony must be performed within one year of the issuance of a license or the license expires and a new license must be purchased.
- A certified copy of a marriage license costs $18.50.

Other Information

- If you are under the age of 18, you must either have a notarized parental consent form or have your parents accompany you, present the proper identification, and sign the parental consent form in front of the clerk issuing your license.

- If you are age 16 – 17, identification and one of the following documents showing proof of age is needed: a) certified copy of birth certificate; b) current driver's license; c) state or military I.D. card; or d) current passport.

- If you are age 15 or under, in addition to the required identification and parental consent, you must also have a court order signed by a Superior Court Judge. To obtain a court order you must contact Conciliation Court at (602) 506-3296.

Covenant Marriage License

Fee

The cost for the Covenant Marriage License is $50.00.

General Information

Couples Who Are Getting Newly Married

According to legislation (A.R.S. §25-901-906) which became effective Aug. 21, 1998, couples who are planning to apply for a Covenant Marriage License must provide a notarized statement from the clergy or marriage counselor who provided their premarital counseling.

The notarized attestation/statement should confirm that:

- The parties were advised about the nature and purpose of the marriage;
- The parties were advised regarding the limited reasons for ending marriage by legal separation or divorce; and
- The parties were given a copy of the pamphlet, Covenant Marriages in Arizona, published by the Arizona Office of the Courts (AOC).

At the Marriage License Issuing Office, the engaged couple will be asked to sign a marriage license affidavit and the "Declaration of Intent to Enter Into a Covenant Marriage" which states they met statutory requirements.

Converting an Existing Marriage to a Covenant Marriage

Couples who are already married may convert their existing marriage to a covenant marriage. It does not matter where their license was issued. Solemnization (a wedding ceremony) is not required to accomplish the conversion to a covenant marriage.

The married couple will be required to sign a marriage license affidavit and a "Declaration of Intent to Enter Into a Covenant Marriage" form at the Marriage License Office. The fee to convert a traditional license to a covenant marriage is $18.50.

Other Information

"Covenant Marriage in Arizona" Electronic Booklet

Individuals interested in obtaining the electronic version of the Covenant Marriage in Arizona booklet may contact a member of the clergy, a marriage counselor, or the Administrative Office of the Courts (AOC) at (602) 542-9250. You may visit the AOC's website for more information and/or to obtain an electronic version of the booklet at www.supreme.state.az.us/dr/text/covenant.htm).

PASSPORTS

General Information

As an authorized U. S. Passport Acceptance Agent, the Clerk's Office accepts completed application forms and fees. However, passports are issued by the U.S. Department of State, Office of Passport Services once they have received and processed all appropriate paperwork. The Clerk's Office provides forms for procedures such as new applications, renewals, replacements (lost/stolen) and modifications (name changes).

Applications

What you Need

- To apply for a passport you must present a **certified copy** of your birth certificate and a valid picture I.D., such as a driver's license or military I.D. with your passport application. A certified birth certificate may be obtained from the Bureau of Vital Statistics in the state in which you were born. The certificate is required to be sent with the application and will be returned to you with the passport. Expired passports may be substituted for a certified copy of the birth certificate.

- All applicants will be required to provide their social security number. Naturalized citizens must present their original naturalization papers.

- You must present two passport photos when applying for a passport. These photos must be made especially for your passport. Please consult your yellow pages under photographers or passports to obtain appropriate pictures.

- Picture bankcards or hospital birth registration certificates are not acceptable forms of identification.

- Family snapshots, portraits or school pictures are not acceptable as passport photos.

All forms necessary are available at the Clerk's Office or online at the U.S. Department of State website (http://www.travel.state.gov/passport/passport_1738.html).

Fees

NOTE: THESE FEES ARE CURRENT AS OF MARCH 8, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF PASSPORT FEES GO TO: http://www.travel.state.gov/passport/get/fees/fees_837.html .

Adult Fee

The passport fee for an adult is $97.00 ($55.00 for Passport Services, $12.00 security surcharge, and $30.00 Execution Fee for the Clerk of the Court). These fees are paid separately by check or cash. Credit cards can **only** be used at the Customer Services Center or the Southeast Facility and **only** for the Clerk fee. Passports for adults are issued for 10 years. For additional information, visit the U.S. Dept. of State website http://www.travel.state.gov/passport/passport_1738.html

Minor Fee

All children, even infants, must have a passport for international travel. All applicants must apply in person. Parents/guardians are advised to visit the U.S. Department of State website (http://www.travel.state.gov/passport/passport_1738.html) for detailed information regarding the passport application process for a minor child.

The passport fee for a minor (under 16 years old) is $82.00 ($40.00 for Passport Services, $12.00 security surcharge, and $30.00 Execution Fee for the Clerk of the Court). These fees are paid separately by check or cash. Credit cards can **only** be used at the Customer Services Center or the Southeast Facility and **only** for the Clerk of Court fee. Minor passports are issued for five years.

Forms

The necessary forms may be obtained in person from the Clerk's passport facilities, by mail or from the U.S. Department of State website (http://www.travel.state.gov/passport/passport_1738.html). To obtain applications by mail, send your request and a stamped, self-addressed envelope to:

Clerk of the Superior Court
Attention: Passport Services
601 W. Jackson, Phoenix, AZ 85003

Application forms include instructions on the method of submitting applications for renewal (DS-82) and provide information regarding the supporting documents which must be included. First time applicants must appear in person. Requests for renewal applications should be mailed directly to Passport Services of the U.S. Department of State. The address can be obtained from the back of the renewal application.

Change Name on Passport

Obtaining the Forms

If you want to change the name appearing on your passport, you may process this request directly with the U.S. Passport Agency. You may obtain the forms in person, by mail or from the U.S. Department of State website (http://www.travel.state.gov/passport/passport_1738.html).

In Person

Pick up the form in person at the Customer Services Center, 601 W. Jackson St. in Phoenix, or at the Southeast Facility, 222 E. Javelina Dr. in Mesa, or at the Northeast Facility at 18380 N. 40th St., Suite 120 in Phoenix.

By Mail

Write our office requesting an Amendment Application (DS-19). Please include with the request a stamped self-addressed envelope. The address is:

Clerk of the Superior Court
Attention: Passport Services
601 W. Jackson St., Phoenix, AZ 85003

What to Include

Along with your application, you must supply a certified copy of the document identifying the name change, such as a marriage license, Order for Name Change, Divorce Decree or Adoption papers. For further information, you may call (602) 506-3360 or (602) 506-2125.

Passport Renewal

Renewal for Adults

You may renew your passport if you are an adult (who is in possession of a 10-year passport that is less than 15 years old) and your passport was issued to you as an adult over 18 years old.

Renewal for Minors

A person who obtained a passport as a minor, but is now an adult may not renew their passport. They must apply for a new passport. A person who obtained a passport as a minor and is still a minor after the passport's five-year expiration may not renew their passport. They must apply for a new passport, and have their birth certificate showing both parents names. For further information, you may call (602) 506-3360 or 506-2125.

Ways to Renew

Renew by Mail

To renew your passport by mail, please write to us and request a Renewal Application (DS-82). With this request, please include a stamped, self-addressed envelope. Our address is:

Clerk of the Superior Court
Attention: Passport Services
601 W. Jackson St.
Phoenix AZ 85003

Renew in Person

You may pick up the Renewal Application in the Customer Services Center, 601 W. Jackson St. in Phoenix, or at the Southeast Facility, 222 E. Javelina Dr. in Mesa. You may visit the U.S. Department of State website (http://www.travel.state.gov/passport/passport_1738.html) for further information on passport renewal.

MONEY MATTERS

Restitution, Fines and Reimbursements

Defendant Payments

Payments of this type can be paid at the Adult Probation Offices throughout the Valley as specified by Adult Probation. If the party is not on probation, payments should be mailed to:

Adult Payments
Clerk of the Court
P.O. Box 29342
Phoenix, AZ 85038

Juvenile Payments
Clerk of the Court
P.O. Box 52132
Phoenix, AZ 85072-2132

Victim Address Information

The Clerk's Office must have current victim address information in order to forward payments to the recipient. Each year, thousands of dollars fail to reach the intended recipient because of inaccurate address information. Payments must be made by money order and include the case number and name of the payor or payee to receive credit for payment. Address changes should be sent to:

Clerk of the Court
Attention: CFO Processing
201 W. Jefferson
Phoenix, AZ 85003

Restitution Payment Issues

If you are not receiving payments as ordered by the court, you should consult an attorney, who will give you the necessary information and direction to file a civil suit, pursue the payor's probation officer (if on probation), or suggest other avenues that are available. The Clerk's Office only records the filings, receives payments, sends checks to recipients and maintains filings. These are also available to the public and the Clerk is there to assist in viewing/copying public records. For further information regarding restitution, please call (602) 506-8621.

Notary Bonds

The Clerk's Office processes requests for, and maintains records of bonds required of Notary Publics. However, the Arizona Secretary of State is the agency that issues the Notary Certificates*. For information about applying for a Notary Bond, please call the Secretary of States Office at (602) 542-4758, or by writing:

Arizona Secretary of State
Notary Department
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

*Allow at least 30 days for processing of Notary Bond requests.

Posting Trust Deposit/Bonds

Cash bonds are processed by the Financial Services Division of the Clerk of the Court. Cash bonds may be paid by cash, cashier's check or local attorney's trust fund checks. Personal and business checks are not accepted. ("Paper" bonds, as obtained through a bail-bonding agency, are recorded and filed by the Clerk's Office, and are not processed through the accounting function as are cash bonds. The release of paper bonds also differs from that of cash bonds, as explained in the next section.)

Occasionally, the Clerk's Office may accept a certificate of deposit as bond, if so ordered by the court. The certificate must be approved by the court and be made out in the name of the Clerk of Court.

Using property as the basis for bond is a time-consuming process that is less preferable than referring the person to a bonding company. Requirements for property-as-bond include:

- an authoritative appraisal of the property to determine if its wholesale value is greater than the bond amount;
- documentation of the person's equity in the property, sufficient to cover the bond;
- a trust deed made out to the Clerk of the Court, and recorded in the County Recorder's Office, along with a promissory note pledging the property to the Clerk of the Court; and
- an order from the court authorizing the use of the specific property-as-bond, after the court has reviewed the previous items.

Additional information regarding the requirements for posting property bonds can be obtained by calling (602) 506-3587.

Release of Trust Monies

Cash Deposits

When monies used to post a cash bond are to be released at a later date, the Clerk's Office procedures are strict, for security purposes. For a criminal case, a certified copy of an Order of Exoneration (issued on behalf of the person who was the object of a complaint) must include a Judge's actual signature (not a facsimile stamp). For non-criminal cases, a certified copy of the signed order must be specific in the amount of money to be released and the name of the person to whom it is to be released.

Two sets of orders should be presented to the Court with a request that each be signed by the Judge and one designated as a "Duplicate Original for Certification." The Filing Counter or Customer Services Office will affix a certification stamp. The order should state “exonerate and release to” with the name of the party or firm receiving the money. The money will be released only in the form of an official Clerk of the Court check. Two forms of identification are required to claim the check and one must include at least a photo of the recipient and one bearing his or her signature. When check requests are made before 5:00 p.m., the checks will be released or mailed by 1:00 p.m. on the following day of business.

Paper Bonds

Release of paper bonds requires that the person, whose name appears on the bond, bring an Order of Exoneration, signed by a Judge, to the Public Records section in the Clerk's Office - not to the Filing Counter or Financial Services, as is the procedure for cash bonds. The order must include the statement "Release and Return to" and the name of the person to whom the bond is to be returned. Clerk's staff will make copies of the order and the original bond, which is contained in the person's case file. If all paperwork, including identification is in order, and the person's signature is obtained, the original bond may then be released to the appropriate party.

Wills

The Probate Registrar no longer files Wills for safekeeping. Citizens should entrust their Wills to their attorney or a safe deposit box.

Guardianships and Conservatorships

Guardians and conservators are often designated to handle the affairs and estates of others (especially members of their family). The Clerk's Probate Registrar ensures the legitimacy of letters appointing guardians and conservators in accordance with court orders. When surety bonds are required to protect the assets of an estate, the Probate Registrar must approve them.

Jury Fees

Usually the cost of compensating jurors for their time and mileage is paid by one or several parties in civil actions, as ordered by the court. To ensure these costs are paid, the full name and current address of the judgment debtor along with the attorney's name, should appear on all judgments. Before a satisfaction of judgment can be released, all fees must be paid. Even if a case is appealed, previously owed jury fees must be paid, unless judgment is vacated by a Judge. Interest on unpaid jury fees accrues at 10 percent annually until paid.

As public record, judgments are available for public viewing, and they are often reviewed by credit bureaus. Past due judgments may be noted in a debtor's credit rating. Liens may also be taken against a judgment debtor's real property, and held until all parties satisfy the jury fee debts.

Payment for jury fees may be mailed to:

Clerk of the Court
Attention: Billing Unit
P.O. Box 25426
Phoenix, AZ 85002

ATTORNEY SERVICES

Minute Entries

Over 160 courtroom clerks record minute entries documenting the decisions and actions of the Court for each court hearing and trial. The Clerk's Distribution and Duplicating Center handle distribution of the minute entries to counsel and parties. Counsel is responsible for notifying the Clerk's Office of any address changes pursuant to Superior Court Local Rule 2.10 to ensure receipt of minute entries.

The Clerk's Office can deliver minute entries electronically for most case types. Please contact Courtroom Services at 602-506-3631 to sign up for this program.

To view minute entries online go to: http://www.courtminutes.maricopa.gov/search.asp

Docket

The Clerk of the Superior Court in conjunction with Superior Court has made access to the docket, except for mental health, juvenile cases, and sealed cases available via the Internet. With a name or case number, users can obtain the Judge's name, the type of case, and an index identifying the documents filed in the case.

To find civil case histories go to:
http://www.superiorcourt.maricopa.gov/docket/civil/caseSearch.asp

To find criminal case histories go to:
http://www.superiorcourt.maricopa.gov/docket/criminal/index.asp

To find family case histories go to:
http://www.superiorcourt.maricopa.gov/docket/family/index.asp

To find probate case histories go to:
http://www.superiorcourt.maricopa.gov/docket/probate/index.asp

Attorney Calendar

Attorneys can check their scheduled court appearances on the "Attorney Court Calendar" by using a password and identification number. If you are an attorney and need a password to access the Court calendaring system, please contact the Superior Court at: http://www.superiorcourt.maricopa.gov/siteInfo/questions.asp.

Law Firm and Attorney Updates

When changing addresses, the attorney may submit a request by letter or use our Internet site (http://clerkofcourt.maricopa.gov/address_change_form.asp). When sending address change information by letter, please include your full name, bar number, new firm affiliation (if any), new address, fax number and telephone number. Please remember that you need to send in ONE change of address only. The system, once it is updated, will automatically update all cases assigned to that specific attorney.

If a law firm is changing its address, submit on firm letterhead, a request for a change of address. Please include all attorney names affected by the change of address, bar numbers and new address and telephone number.

All attorney and law firm change of addresses should be mailed to:

Clerk of the Court
Attention: Distribution Center
201 West Jefferson
Phoenix, AZ 85003

Arbitration File Access

For a case file to be released to an Arbitrator or an Arbitrator's designee, a "Notice of Appointment of Arbitrator" form must be presented to Public Records staff. (Note: those documents in a case assigned to arbitration still must be filed at the Filing Counter either in Phoenix or Mesa). Case files must be returned via hand-delivery to Public Records as soon as the court or counsel no longer needs them.

File only ONE originally signed Arbitration Award entitled "Arbitration Award" with the Clerk of the Court. Do not file with the Judge or Civil Court Administration. You may provide them with copies.

Arbitrators must return exhibits and depositions to the parties in a case upon its conclusion. Do not return them to the Exhibits Section of the Clerk's Office.

Self-Service Center

The Superior Court's Self-Service Centers are located at:

Downtown Court
Central Court Building
201 W. Jefferson, 1st Floor
Phoenix, AZ 85003
(602) 506-3762

Southeast Court
222 E. Javelina, 1st Fl.
Mesa, AZ 85210
(602) 506-3762

Northwest Regional Court Center
14264 West Tierra Buena Lane Surprise, AZ 85374
(602) 506-3676

Northeast Regional Court Center
18380 N. 40th St., Suite 120
Phoenix, AZ 85032
(602) 506-3676

Their website is: http://www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp.

TECHNOLOGY, PAPER AND THE CLERK'S OFFICE

http://www.clerkofcourt.maricopa.gov/ebusiness

Electronic Document Management System (EDMS)

General Overview

It has long been the vision of the Clerk of the Superior Court to include the use of electronic documents and images as a part of the court record. When fully implemented over the next few years, these images will be maintained in electronic form from inception to ultimate disposition and/or archiving. Many Court records will be accessible remotely and simultaneously by all qualified and necessary users, and document routing will be automated to maximize the efficiency of court operations.

Benefits of EDM Technology:

- Reduce labor and streamline processing through use of workflow features
- Reduce paper file maintenance and storage costs
- Provide more convenient and faster access to case files
- Allow multiple users to access the same file simultaneously
- Facilitate the public's access to court records at the courthouse. (The public may eventually be able to access many of the court's records from home via the Internet, but only when sufficient policies are in place to ensure the privacy rights of court litigants.)
- Eliminate misplaced files
- Streamline and speed up many internal and interagency communications
- Eliminate the logistical difficulties of moving voluminous files between locations of the Clerk and Court
- Reduce document processing and intake costs through electronic filing

How You Can Help

Please adhere to the following guidelines when filing documents with our office:

- Avoid attachments to pleadings which are already in the court file. (A copy of a previously filed document may be attached to the judge's copy of the pleading if the party wants to draw the judge's attention to it.)
- Avoid using colored paper, colored printing, and highlighted text. The scanners being used are black and white scanners. Colored text and paper may create images which are difficult or impossible to read, and in some cases highlighting actually redacts (blacks out) the text underneath during scanning.
- Avoid using legal size paper (larger than 8½ x 11). Attachments should be reduced in size for filing.
- Avoid using tabs on dividers - they do not scan. If you want to use them, use only on the copy sent to the judge.
- Avoid using blank pages as dividers. Scanning software deletes all blank pages from a document. Instead of tabs or blank pages, insert a page with text, such as, "Exhibit A."
- File each document separately.

- Do not staple multiple documents together.
- Use only black ink for all signatures.
- The upper right corner of documents must remain blank to allow for the Clerk's filing stamp. All other document stamps, captions, letterhead, etc. must be placed elsewhere on the document. Documents with anything in the upper right corner that interferes with the filing stamp may be rejected by the Clerk.

Public Access to and Printing of Electronic Images

The Integrated Court Information System (iCIS) public access enhancement allows full search capability of both iCIS cases and information available in the L-Index (an archival listing of past cases/documents, with minimal identifying information). This service allows the public to view case, party, docket and judgment information; additionally, the public can access images of documents in OnBase, the Clerk's electronic repository system. The images can be sent to a "public print queue" for printing and can be picked up at the Customer Service Center counter.

Public access terminals are in the Customer Service Center, located at 601 West Jackson Street in Phoenix. All terminals allow you to print court documents; most public access terminals have access to Court Minutes/Minute Entries, iCIS Public Access, Case History, and Marriage License Look Up. All linked images (documents) are available except those not allowed to be viewed, e.g. mental health, sealed, juvenile, etc. This means most images from adult cases initiated after January 2002 (and probate cases initiated after 1998) are available. For greater access and convenience, additional terminals will be added at the Customer Service Center and at the Southeast Adult facility in Mesa.

Effectively, the public access iCIS enhancement allows law office staff, runners, researchers, etc., immediate access to case information and documents without waiting for a paper file to be pulled or discovering the file is not available. Images can be sent directly to print, it is no longer necessary to stand in line and wait for copies to be made.

E-Filing in Complex Litigation Cases

On December 8, 2003, the pilot program for e-filing in certain complex litigation cases began. It is anticipated that once a case is designated as complex, the time-to-disposition will accelerate, allow for more effective utilization of court resources and permit improvements to the processing of civil cases generally.

Currently, only cases assigned to limited pilot projects will use the e-filing system. There are two ways for a case to be assigned to the complex court: 1) Parties may, by motion, request such designation; or 2) a judge assigned to a case may ask that the case be designate complex. Either way, the Civil Presiding Judge determines whether such a designation is appropriate. For additional information on the Complex Civil Litigation Court, please visit http://www.superiorcourt.maricopa.gov/index.asp. This site contains links to the applicable court rules and administrative orders for electronic filing and service.

Beginning with complex civil litigation, e-filing will allow speedier processes, greater efficiency, reduced costs, improved procedures and convenient access to court documents.

E-Filing in Criminal and DUI Courts

On April 25, 2005, the pilot program for e-filing began on a permissive basis in Judge Donahoe's criminal court division. Commissioners Nothwehr, Cunanan, and Aimee Anderson will also allow permissive E-Filing in DUI court. The initial beneficiaries of this efficient process are the Public Defender, County Attorney, Office of Contract Counsel, and Indigent Defense.

Anticipating a business model that allows E-Filing and an all-electronic casefile, the Clerk's Office, with Superior Court and other County partners, is piloting this E-File project in select criminal court divisions. The Clerk's Office processed nearly 84,000 criminal case type paper documents through its imaging process in February 2005.

Making sure you review the complete court record will be crucial in those cases affected by the transition from paper to electronic filing. When the Clerk begins accepting electronic filings, the hardcopy file in that case will no longer contain every document filed in that case. Pleadings that enter the Clerk's system in an electronic form (never in paper) will remain electronic, thus making the images in the repository the most complete record of the case. Electronic filings will not be printed to be placed in the hardcopy file. Parties, attorneys and the bench will need to access the electronic version of the case to see the entire casefile.

Currently the public may access electronic images on existing cases by using computer terminals at the Customer Service Center located in downtown Phoenix. These terminals allow the public to print the images found in the public record.

E-Filing in Civil Court

In June, 2005, the pilot program for e-filing begins in Judge Swann's civil division on a mandatory basis for a limited number of selected attorneys representing clients in that division. Not all cases, parties, or attorneys on the calendar in Judges Swann's division will take part in the civil court pilot project.

As part of the initiative to expand e-Filing in the courts, the Clerk's Office, with Superior Court and other County partners will begin its first pilot of a mandatory e-filing system. Administrative Order 2005-xxx requires the Clerk's Office to make its e-filing system available for those cases designated for mandatory e-filing. A password and ID system will identify the unique users of the system and act as their signature for e-filed documents. Documents filed electronically will receive a file stamp indicating, "electronically filed" to notify users that a paper copy will not appear in a physical casefile. Until future enhancements are implemented, any required fees on an electronically filed document will be billed to the filing party.

Initially, only parties and attorneys specifically notified by the court will take part in the mandatory e-filing pilot. Because the technology involved in the pilot must be set up with specific identifiers, parties and attorneys who are not mandated to take part in the pilot will not be allowed to e-file in civil cases. Traditional filing in all case types that are not identified for one of the e-filing pilots will continue and will not be affected by the civil e-Filing pilot.

Obtaining Forms from the Clerk's Office Electronically

eForms-On-Demand

eForms-On-Demand provides customers with frequently requested court forms through the office's website. eForms-On-Demand offers the following categories of forms: Civil, Family Court (Domestic Relations), Criminal, Juvenile, Financial, Probate Court, and Specialty Court Forms, as well as Frequently Requested Forms such as a Fee Schedule, and information on self-service packets.

To access eForms-On-Demand:

- Go to the Clerk of the Court's website at: www.clerkofcourt.maricopa.gov;
- Click on Court Forms;
- Click on "eForms on Demand;" and
- Click on the category or title of the form you want to see/print.

Fax-on-Demand

The Clerk's Office also has a service called Fax-on-Demand. Fax-on-Demand allows customers to pick up the telephone and order the court forms that are offered from the Fax-on-Demand catalogue. The requested item(s) will be sent to the designated fax machine. The system will make three attempts to transmit the item(s) at 10-minute intervals.

The categories from which customers will be able to order particular forms include:

- Civil Court Forms;
- Family Court Forms (Domestic Relations);
- Criminal Forms;
- Financial Forms;
- Probate Court Forms; and
- Specialty Court Forms.

Forms such as a Fee Schedule can be ordered from the "Frequently Requested Forms" section. Information on packets from the Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) is available through this system.

Fax-on Demand works as follows:

- Dial (602) 506-0034. Customers will be prompted through the procedure.

- Press "1" to order a catalogue of available court documents. Enter the fax number where the catalogue is to be transmitted.

- Press "2" to order court documents. Enter the catalogue number(s) of the documents wanted and enter the fax number where the documents are to be transmitted.

- Press "3" to receive instructions regarding how to use the system, followed by the option to again press "1" and "2".

FREQUENTLY ASKED QUESTIONS

Birth/Death Certificates

Can I get a copy of a birth/death certificate from your office?

A: No. The Clerk's Office does not keep records of birth or death certificates. Contact the Arizona Department of Health Services, Vital Records, 1818 West Adams Street in Phoenix, or (602) 364-1300 for more information. http://www.azdhs.gov/vitalrcd/index.htm

Changing a Name

I am filing for a divorce. I would like my maiden name back. What do I do?

A: There is a section on your Petition for Dissolution of Marriage that addresses this issue. Please refer back to your instructions that came with your packet from the Self-Service Center. If you are the Respondent and you wish to have your maiden name restored, the packet contains a form entitled "Request to Restore Maiden Name" that you can fill out and have filed with the Family Court Filing Counter.

What if I am already divorced and I wish to have my maiden name given back to me?

A: Once the divorce has become final and the issue of restoring your maiden name was not addressed, you will need to file for a name change with the court. You will need to purchase a packet from an office supply or legal form store for filing a name change. The Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) may also have these forms.

I would like to change the name of my child and amend the birth certificate to reflect the new name. What do I do?

A: If you want to amend the birth certificate to reflect the father's last name and the parents were not married, you can file to establish paternity. If you want to legally change the name of a minor child, you can purchase the forms at the Self-Service Center, an office supply or legal form store and file them with the court. You must ask that the Birth Certificate be amended to reflect the new name. Since this is a civil matter, you will need to file at the Civil Filing Counter.

Child Support

Where do I go to get help about child support matters - if I cannot afford an attorney?

A: The Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) has forms and you can ask for the Lawyer Roster which gives fees, pro bono, etc., of Family Court attorneys. You can also be given names of other agencies that may be able to help if financial assistance is needed. Forms are also available at E-Forms-on-Demand. Additionally, you may contact the Family Lawyers Assistance Project (FLAP) at (602) 506-7948.

Divorce

What are the steps involved in filing a divorce?

1) If the party wishes to file their own divorce, they can pick up the forms at the Superior Court Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp), located in the East Court Building, 1st floor, 101 W. Jefferson, Phoenix, at the Southeast Court Facility at 222 E. Javelina, Mesa, at the Northwest Regional Court Center, 14264 West Tierra Buena Lane, Surprise, and at the Northeast Regional Court Center, 18380 N. 40th St. Suite 120**,** Phoenix, AZ 85032 (602) 506-3676 or buy them at either an office supply, legal forms store or any retail or bookstore that sells the forms. The forms come in packets.

2) The petitioning party will need to bring the completed, original packet of forms plus two complete sets of copies of the forms to the Family Court Filing Counter. Do not copy and file the instructions that come with the packet of forms.

3) The clerk at the counter will only file the documents necessary to start the divorce. They include: The Petition for Dissolution of Marriage; Cover Sheet; Summons; Preliminary Injunction; Affidavit Regarding Minor Child(ren) (if applicable), the Notice of Right to Convert Health Insurance, Child Support Information Form (if applicable), Notice to Creditors and the Notice and Order to attend the Parenting Program (if applicable).

4) Once the initial papers have been processed, the petitioning party will need to have the respondent served with one set of the copies. If the respondent agrees to accept service, he/she can sign the Acceptance of Service form contained in the service packet either at the time the divorce is filed or anytime after the divorce proceedings have begun. If the respondent will not accept service, the petitioner will need to make arrangements with a Process Server or the Sheriff's Office to have the papers served.

5) The respondent has 20 days from the date of service to file a response to the divorce action (thirty days if out-of-state), not counting the date the person was served.

6) If the respondent does not file a written response contesting the divorce, the petitioner will need to file the Application and Affidavit of Default at the File Counter after 24 days (if in state) or 34 days (if out-of-state) of service upon the respondent. They also will need to schedule their hearing with the Family Court Administrator's Office on the 6th floor of the Central Court Building, 201 W. Jefferson, or call (602) 506-7879, or with the Southeast Court Administration Office on the 2nd Floor, 222 E. Javelina, Mesa, or call (602) 506-2021.

I need to serve my spouse, but he/she is out-of-state. What do I do?

A: You can serve the papers on your spouse by Registered Mail. Only your spouse can sign the Green Receipt Card as proof of service. You will then need to file that Green Receipt Card and Affidavit of Service by registered mail, which can be obtained at the Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp)

I need to serve my spouse but I don't know where he/she is. What do I do?

A: You will need to publish a copy of the Summons in a local newspaper that publishes legal notices. The publication must run once a week in the newspaper for four consecutive weeks. At the end of the publication period, you should receive the newspaper clipping showing the ad as it was published and an Affidavit showing the dates publication took place. You will need to file the Affidavit with the newspaper clipping attached to it with the Clerk of the Court's Office and an Affidavit of Service by Publication, which can be obtained at the Superior Court's Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp)

Is it necessary for the respondent to file a response?

A: No, it is not. However, if the respondent does not agree with information contained in the Petition for Dissolution of Marriage, he/she will need to prepare a written response and file it with the Clerk's Office. The respondent is required to provide a copy of the response to the Petitioner or to the Petitioner's attorney.

Do both parties have to sign the divorce papers?

A: No, only the Petitioner will need to sign the papers with the exception of the Acceptance of Service. The Respondent can sign the Acceptance of Service after the divorce has been filed with the Court. If the Respondent refuses to sign the Acceptance of Service, you will need to hire a Process Server or the Sheriff's Office to serve the papers.

If I cannot afford to pay the fees, can I have my fees deferred or waived?

A: You can request a deferral or waiver by filling out an Application for Deferral of Filing Fee. You can also obtain an order to defer the service fees for the Sheriff's Office to serve the documents for you. While the Clerk's Office will process your request for deferral or waiver, the amount deferred or waived, if any, is the Court's decision.

I have been married for a week. Can I file for an annulment?

A: We cannot answer your question on what the statutory grounds (qualifications) are for filing for an annulment in this state. You may want to seek advice from an Attorney to answer this question.

Exhibits & Classified Materials

Do I need a court order to see exhibits stored in the Exhibits & Classified Materials Section?

A: No, you do not need a court order. Before you can access all exhibits, which are public record, you must first determine if that case was processed at the Southeast Facility in Mesa or at the Downtown Phoenix location.

If the case was processed in Mesa, the exhibits are located in the Exhibits & Classified Materials Section at the Southeast Adult Facility at 222 E. Javelina.

If the case was processed in Downtown Phoenix, you will need to come to the Exhibits & Classified Materials Section, lower level, Central Court Building. Both offices are open from 8 a.m. to 5 p.m. weekdays. For a fee, copies can be made of paper exhibits and transcripts.

A court order must be obtained only to view confidential materials or documents sealed by order of the court. The sealed materials include sealed files, sealed documents, and sealed exhibits, special warrants and any grand jury materials. The confidential materials include adult adoptions, protected addresses, and mental health files.

How can I get documents or exhibits released to me from the Exhibits and Classified Materials Section?

A: You will need a court order and valid identification (driver's license or other picture I.D.) to remove materials from this section.

How long do you keep exhibits?

A: There are strict criteria that have to be met in order to return exhibits or dispose of them. There is no set time for a case; only specific criteria that must be met to determine when an individual case closed.

1. At the conclusion of a hearing, exhibits not offered into evidence or received in evidence by the court, can be returned to the respective parties. If the matter is taken under advisement, exhibits can be returned at the time of ruling.

2. There is a different method of return for exhibits offered into evidence or received in evidence by the court.

3. In civil cases, Local Rule of Maricopa County 2.8(d) is used to determine that the case is closed for all parties. When a case is determined closed, including such considerations as a final judgment or decree, all appeal times are over, complete, dismissal of the case, etc., exhibits can be released to the parties or disposal can occur.

4. In criminal cases, Arizona Rules of Court - Rules of Criminal Procedure 28.1 and 28.2 and Local Rules of Maricopa 2.8(d) are used to determine that the case is closed for all parties. When a case is determined to be closed, including such considerations as all appeal times are over, all post-conviction relief time is over, all sentences have been completed, etc., exhibits may be returned to the parties. If exhibits cannot be returned to the parties, they can be released to the agencies that seized them.

Will the Discovery and Confidential Section have transcripts of <u>all</u> hearings?

A: No. The presence of a court reporter taking down the proceedings in a hearing does not automatically mean that the court reporter is going to prepare a written transcript of the proceedings. Unless the court reporter is requested to transcribe the transcript and is paid to do so or by rule or court order, only the notes of the hearing are kept by the court reporter. If the Discovery and Confidential Section does not have a transcript on file, it will be necessary to contact the court reporter to have one transcribed.

Juvenile Matters

Can a juvenile be emancipated?

A: The Governor signed into law effective August, 2005 a provision that allows a minor to file for emancipation under certain circumstances. A filing fee applies, which may be waived or deferred if the filing party qualifies. See Arizona Revised Statutes sections 12-2451 through 12-2456 for specific requirements.

I can't control my child, what can I do?

A: Contact the Juvenile Probation Intake Office at (602) 506-4284 to obtain information on counseling and/or filing an incorrigibility packet. Families in need of services may contact (602) 506-4308.

Orders of Assignment

When do Orders of Assignment become effective?

A: An Order of Assignment is effective immediately upon receipt by any employer and any future employer. Any employer shall begin withholding no later than fourteen days after receipt of an Order of Assignment. The employer may begin withholding sooner than the fourteen day period if a payment to the obligor is due sooner.

An Ex Parte Order of Assignment is effective on any employer or other future employers, immediately on receipt. The first employer shall not withhold or deduct amounts specified in the Order of Assignment for fourteen calendar days to allow the obligor an opportunity to contest the Order of Assignment. Any future employers shall begin withholding not later than fourteen days after receipt but, may begin withholding sooner than fourteen days if a payment to the obligor is due.

Packets to initiate an Order of Assignment Without Notice are available from the Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp).

How do I notify the Clerk of the Court of a change in employment for the payor?

A: You must submit in writing the following information: Family Court case number, ATLAS number, name of the payor, social security number of the payor (if known), name of the new employer, and the complete payroll mailing address for the employer. This information should be mailed to Clerk of Superior Court, Attn: Support Finance, 201 W. Jefferson, Phoenix, AZ 85003 or faxed to (602) 506-1937. Additionally, the current employer information form may be completed on the Support Services website: http://www.familysupportcenter.maricopa.gov/employer/newchange.html .

How is an Order of Assignment stopped?

A: A Motion to Stop the Order of Assignment must be filed with the Clerk of the Court or, if parties agree to stop the Order of Assignment, parties may file a Stipulation with the Clerk of Court. Forms are available at the Self-Service Center and online at www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp

Paternity

I need to get the father of my child's name on the birth certificate. What do I do?

A: You can file a Voluntary Paternity action with the Superior Court. Both parents have to be in agreement and if the mother was married at the time she gave birth or in the 10 months before the birth of her child, her spouse must sign an affidavit that he is not the father. The forms for this are available at the Superior Court's Self-Service Center (http://www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) Both parents can go to the Self-Service Center together, fill out the forms and file them. The Deputy Clerk at the Family Court Filing Counter will sign the Order Establishing Paternity at the time of filing.

What if I don't qualify for a voluntary paternity?

A: You can go to the Self-Service Center or visit to an office supply or legal form store to purchase the forms for establishing paternity. The Self Service Center website is (http://www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp)

The Petitioner should have the original documents plus at least two sets of copies. The Paternity/Maternity documents are filed at the Family Court Filing Counter. After it has been filed, the petitioner will need to hire a Process Server or the Sheriff's Office to have it served if the responding party refuses to sign the Acceptance of Service.

I need to establish paternity, but the mother/father is deceased. What do I do?

A: We do not have any information regarding how to establish paternity when one of the parents is deceased. You will need to contact an Attorney for assistance in establishing paternity.

I have established paternity. I need to establish an Order for Child Support, Custody, etc. What do I do?

A: To get information about this matter, you can go to the Superior Court Self-Service Center (http://www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) or go to an office supply, legal form store or a document preparation service to obtain the forms for establishing post paternity orders. After you obtain the forms, you will need to file them at the Family Court Filing Counter. You should have an original set of the forms plus two sets of copies. After the documents have been filed, you will need to hire a Process Server or the Sheriff's Office to serve the copies of the documents to the respondent.

If both of the parties are in agreement regarding the issues, they can draft their own Stipulation and Order Establishing Child Support, Custody, etc. or have an attorney or paralegal prepare the forms for them. Both parties will need to sign the Stipulation and have their signatures notarized.

An order for the Judge to sign adopting the provisions of the Stipulation will need to be prepared. The parties will need to file the original Stipulation at the Family Court Filing Counter. The parties will need to contact the Family Court Administrator's Office to get the Judge assignment. Two copies of the Stipulation, along with the original Order and two copies of the Order and two stamped, self-addressed envelopes will need to be submitted to the Judge. His/her judicial assistant will let you know when you can expect the Judge to review the Stipulation and sign the Order.

Self-Service Center

What is the Self-Service Center and where is it located?

A: The Superior Court in Maricopa County has established a Service Center for self-represented litigants. The Self-Service Center is designed to help people assist themselves through a variety of information and referral services. The Self-Service Center is located in:

- **Phoenix**: In the East Court Building, 101 W. Jefferson, 1st floor in the Law Library;
- **Northest Phoenix**: In the Northeast Regional Court Center location at 18380 N. 40th St.
- **Mesa**: on the 1st floor of the Southeast Facility, 222. W. Javelina; and
- **Surprise**: at the Northwest Regional Court Center location at 14264 W. Tierra Buena Lane.

They are on the Internet at: www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp.

The Self-Service Center offers forms and information to the public on a variety of topics, specifically in the Family Court and Probate areas. The Self-Service Center charges a fee for these packets of forms. There is no fee for forms downloaded from the Internet.

The Self-Service Center (www.superiorcourt.maricopa.gov/ssc/info/gen_info.asp) has a phone system that provides recorded information about the court system, filing instructions, available forms, community services, referrals and much more. The phone number for the Self-Service Center is (602) 506-SELF (7353).

Support Services

How do I sign up for Direct Deposit of my support payments?

A: You may call the Direct Deposit Unit at (602) 506-8868.

How do I get an ATLAS number?

A: You may call Support Services at (602) 506-3762.

What must I do to change my address with you?

A: You may call Support Services at (602) 506-3762.

When was my last support payment? When will my next payment be posted? Why does my payment take so long to process?

A: You may call Support Services at (602) 506-3762 or (602) 506-1900.

What if I have additional questions: Who can I call?

A: The STAR Call Center answers and routes telephone calls for participating county agencies, including the Clerk of the Superior Court. The STAR Call Center handles routine phone contact for the Public Records Division at (602) 506-3360.

Address Change

What if I represent myself in my case and I change my address?

A: To ensure the accuracy of the Court and Clerk's records, it is extremely important that individuals representing themselves (Pro Per) inform the court of name/address changes as soon as possible. This is especially important for those persons receiving support and/or restitution payments. Checks of this nature will not be forwarded by the post office. A Request to Change Name/Address form is available at all Clerk's Office Filing Counters, or by using our Fax-on-Demand system at (602) 506-0034. You may also access our e-Forms on Demand at: http://clerkofcourt.maricopa.gov/faxondemand/CATALOG.htm or go to the Support Services website: www.familysupportcenter.maricopa.gov.

You may also change the address for your child support or spousal maintenance checks by faxing or mailing a letter with the following information: old address, new address, Family Court case number, ATLAS case number, and signature. You must send this information promptly to the following address:

Clerk of the Court
Attention: Support Services File Maintenance
201 West Jefferson
Phoenix, AZ 85003
FAX (602) 506-1937

FEES

NOTE: THESE FEES ARE CURRENT AS OF MARCH 1, 2005. SOME FEES MAY HAVE CHANGED. FOR THE MOST CURRENT LISTING OF FEES GO TO: www.clerkofcourt.maricopa.gov/fees.asp.

Civil Fees

Complaint or petition	$245.00
Petition for name change	$230.00
Answer or initial appearance	$191.00
Separate Answer	$191.00
Petition to take deposition	$230.00
Petition for stay or special action	$230.00
Filing intervenor	$245.00
Additional plaintiffs fee	$245.00
Additional defendants fee	$191.00
Foreign judgment	$230.00
Answer of garnishee-defendant	n/c
Garnishee's contesting garnishment	$176.00
Filing Registrar's Order (ARS 32-1166.06)	n/c
Change of venue transmittal fee	$18.00
Change of venue for jurisdiction under §12-404 plaintiff/petitioner pays fee	$18.00
Change of venue to this county	$230.00
Order to show cause - to appear and do one or more of the following: (If no appearance fee has been previously paid) 1. Request affirmative or counter relief; 2. Attack process or proceedings; 3. Take other affirmative action.	$176.00
Injunction against harassment	n/c
Notice of appeal filing fee/cross appeal	$61.00
Tax court case	$230.00
Tax court case answer	$176.00
Small Claims Tax Case	$130.00
Civil traffic appeal	$133.00
Filing a process server application	$115.00

Family Court Fees

Petition for dissolution of marriage	$276.00
Response/initial appearance in dissolution	$231.00
Petition for legal separation	$276.00
Response/initial appearance in legal separation	$231.00
Petition for annulment	$276.00
Response to petition for annulment	$231.00
Petition for domestic relations case for which a fee is not specifically prescribed, such as:	$206.00

Foreign Judgment for Custody Establish Support/Custody Intrastate Orders to This County	
Response for domestic relations for which a fee is not specifically prescribed, such as: Foreign Judgment for Custody Establish Support/Custody Intrastate Orders to This County	$161.00
Petition for domestic relations case for which a fee is not specifically prescribed, such as: Paternity Voluntary Paternity Maternity	$271.00
Response to domestic relations case for which a fee is not specifically prescribed, such as: Paternity Voluntary Paternity Maternity	$226.00
Post-adjudication petitions	$61.00
Order of protection	n/c
Change of venue transmittal fee	$18.00
Change of venue to this county	$230.00

Juvenile Fees

Petition for appointment of guardian of a minor	$206.00
Opposing petition for appointment of guardian of a minor	$206.00
Any person opposing a contested petition, if no prior payment	$161.00
Petition for Emancipation of a minor	$161.00
Answer to Petition for Emancipation of a minor	$176.00
Petition or application for adoption	n/c
Contested adoption	n/c
Petition for application for adoption on a child who is a current ward of the Court in the care, custody and control of DES	n/c

Probate, Conservatorship, Guardianship & Fiduciary Fees

Petition in a formal testacy or appointment	$206.00
Application for informal probate or informal appointment	$206.00
Petition for supervised administration	$206.00
Petition to appoint guardian	$206.00
Petition to appoint conservator or make protective order	$206.00
Single estate application or petition under Chapter 3, Title 14 (§14-3938)	$206.00
Opposing petition in testacy or appointment	$206.00

proceedings or appointment of guardianship/ conservatorship	
Any person opposing contested petition, if no prior payment	$161.00
Petition for transfer of real property by affidavit	$206.00
Investigation Fee (Required only on adult guardianships and conservatorships)	$350.00
Accounting Fee	$250.00
Post-judgment activities in probate cases	$61.00

Miscellaneous Fees

Issuance of any writ	$18.00
Marriage license	$50.00
Certified copy of marriage license or application	$18.00
Notary public, oath and bond	$18.00
Copies per page	$0.50
Photographic or photostatic copies per page (includes appeals)	$0.50
Certification as to correctness of documents	$18.00
Comparison fee, per page, of documents furnished by party	$0.50
Exemplification (2 seals)	$36.00
Authentication (3 seals)	$54.00
Certification of official capacity of notary public/justice of the peace	$18.00
Certification of any matter not specifically provided	$18.00
Spousal maintenance/child support annual handling charge (per month)	$2.25
Payment history report	$18.00
Filing transcript of judgment from any court	$18.00
Demand for notice; or performing an act for which a specific fee is not provided by statue	$18.00
For services performed by the clerk that become part of a case or matter of record in the office of the clerk	$18.00
Issuance of each subpoena in civil cases	$18.00
Seal a court file	$18.00
Reopen a sealed court file	$18.00
Postage and handling	$5.00
Fax Fee (handling fee) and $0.50 per page faxed	$5.00
Returned check fee	$25.00
Retrieve bank record	$18.00
Stop payment on a check	$10.00
Reel of film/alpha index per year (plus per page fee)	$18.00

Alpha index per page	$0.50
Notary Services	$5.00
Research in locating a document each year/source searched	$18.00
Power of attorney	$18.00
Certification under one document certification	$18.00

Transfer from Justice Courts Fees

Appellant	$230.00
Appellee	$176.00
Ownership of real property becomes an issue (plaintiff/appellant)	$230.00
Ownership of real property becomes an issue (defendant)	$176.00
Jurisdiction exceeded appellee (within 20 days of filing)	$176.00

High Volume Filing Fee

Overview of High Volume Fee

On October 22, 2003, the Maricopa County Board of Supervisors approved the Multi-Page/Document Filing Fee for certain Superior Court cases. This fee was established in an effort to require those parties who more heavily use the court system to pay for the services they receive. On November 3, 2003, Administrative Order 2003-106 was signed by the Superior Court Presiding Judge implementing the fee. The Presiding Judge later requested the fee no longer be collected after December 17, 2004.

Effective Date

The fee only applied to cases filed between November 1, 2003 and December 17, 2004. Collections are being pursued in those cases, but no new fees were assessed after December 17, 2004.

Cases Impacted

All probate, tax, pre-decree family, and civil cases except for complex civil litigation cases were subject to the fee. Ninety percent of all civil cases are completed before reaching 25 pleadings.

Fee Amount and Who Pays

Each plaintiff and each defendant must pay a fee of $100.00 every 25 documents beginning on the 26th filing regardless of the side making the filing. However, in multi-party cases, each side shall not be charged more than $1,200.00 every 25 documents. (Plaintiff is one side; Defendant is the other side; an Intervenor is another side.)

Exemptions

Minute entries and orders signed by the Court are not included in the total number of

documents to which the fee is applied.

Waivers/Deferrals

A.R.S. 12-302 is applicable to this fee. The Court may also for good cause shown reduce the fee.

Billing/General Questions

Please contact Court Administration at 602-506-3205.

USEFUL CLERK'S OFFICE CONTACT INFORMATION

Phone numbers

Department	Service	Phoenix	Mesa or Long Distance
Family Court		(602) 506-3754	(602) 506-2137
Civil		(602) 506-2168	(602) 506-2106
Criminal		(602) 506-4919	(602) 506-2106
Court Records	Copies	(602) 506-3360	(602)-506-2127
Child Support	Address Change	(602) 506-3762	
	Enforcement	(602) 506-3762	
	Modification	(602) 506-3762	
	Payments	(602) 506-1900 (automated)	
	Orders of Assignment	(602)-506-3762	
Fax-On-Demand		(602) 506-0034	1-866-506-0034
Fees		(602)-506-3676	
Forms		(602)-506-3676	
Juvenile		(602)-506-4041	(602)-506-2850
Marriage Licenses		(602)-506-7400	(602)-506-2125
Office Administration	Hours/Locations	(602)-506-3676	
Passports		(602)-506-7400	(602)-506-2125
Probate/Tax		(602)-506-3763	(602)-506-2117

Case Histories/Minute Entries Online

To find minute entries go to:
http://www.courtminutes.maricopa.gov/search.asp

To find civil case histories go to:
http://www.superiorcourt.maricopa.gov/docket/civil/caseSearch.asp

To find criminal case histories go to:
http://www.superiorcourt.maricopa.gov/docket/criminal/index.asp

To find family case histories go to:
http://www.superiorcourt.maricopa.gov/docket/family/index.asp

To find probate case histories go to:
http://www.superiorcourt.maricopa.gov/docket/probate/index.asp

ARIZONA SUPERIOR COURT CLERKS PHONE AND ADDRESS LIST

APACHE COUNTY
Hon. Sue Hall
P.O. Box 365 St. John's, AZ 85936
(928) 337-7550 / FAX (928) 337-2771
www.co.apache.az.us/clerk

COCONINO COUNTY
Hon. Deborah Young
200 N. San Francisco St., Flagstaff, AZ 86001
(928) 779-6535 / FAX (928) 556-0530
http://co.coconino.az.us/courts/csc.asp

GRAHAM COUNTY
Hon. Darlee Maylen
800 Main St. , Safford, AZ 85546
(928) 428-3100 / FAX (928) 428-0061
http://206.169.149.67/county_offices.asp?id=1391&sub_id=1453

LA PAZ COUNTY
Hon. Sheri Newman
1316 Kofa, Suite 607, Parker, AZ 85344
(928) 669-6131 / FAX (928) 669-2186
http://www.co.la-paz.az.us/new/mainPages/mainClerkOfCourts.htm

MOHAVE COUNTY
Hon. Virlynn Tinnell
PO Box 7000, Kingman, AZ 86402
(928) 753-0713 / FAX (928) 753-0781
http://www.mohavecourts.com/clerk/homepage.htm

PIMA COUNTY
Hon. Patti Noland
110 W. Congress, 1st Floor, Tucson, AZ 85701
(520) 740-3201 / FAX (520) 798-3531
http://www.cosc.pima.gov

SANTA CRUZ COUNTY
Hon. Delfina E. Bauch
2150 N. Congress Dr., Nogales, AZ 85621
(520) 375-7700 / FAX (520) 761-7857
http://www.co.santa-cruz.az.us/clerk/index.html

COCHISE COUNTY
Hon. Denise Lundin
P.O. Drawer CK, Bisbee, AZ 85603
(520) 432-8570 / FAX (520) 432-4850
http://www.co.cochise.az.us/Court/ClerkOfCourt/Crtclerk.htm

GILA COUNTY
Hon. Anita Escobedo
1400 E. Ash St., Globe, AZ 85501
(928) 425-3231 / FAX (928) 425-7802
http://supreme.state.az.us/gilasc/clerk/clerk.html

GREENLEE COUNTY
Hon. Cheryl Bowen
P.O. Box 1027, Clifton, AZ 85533
(928) 865-4242 / FAX (928) 865-5358
http://www.co.greenlee.az.us/Courts/ClerkHomePage.aspx

MARICOPA COUNTY
Hon. Michael K. Jeanes
201 W. Jefferson, Phoenix, AZ 85003
(602) 506-3676 / FAX (602) 506-7684
www.clerkofcourt.maricopa.gov

NAVAJO COUNTY
Hon. Juanita Mann
P.O. Box 668, Holbrook, AZ 86025
(928) 524-4188 / FAX (928) 524-4261
http://www.co.navajo.az.us/clerk/clerk_start_page.aspx

PINAL COUNTY
Hon. Kristi Youtsey Ruiz
P.O. Box 2730, Florence, AZ 85232
(520) 866-5300 / FAX (520) 866-6252
http://co.pinal.az.us/clerkSC

YAVAPAI COUNTY
Hon. Jeanne Hicks
Yavapai County Courthouse
120 S. Cortez
Prescott, AZ 86303
(928) 771-3312 / FAX (928) 771-3111
http://www.co.yavapai.az.us/departments/Cls/ClsHome.asp

YUMA COUNTY
Hon. Beverly Frame
168 S. 2nd Ave., Suite B., Yuma, AZ 85364
(928) 329-2170 / FAX (928) 329-2007
http://www.co.yuma.az.us/courts/index.htm

ARIZONA COUNTY WEBSITES

Maricopa County - www.maricopa.gov

Superior Court – www.superiorcourt.maricopa.gov
Public Defender – www.pubdef.maricopa.gov
County Attorney – www.maricopacountyattorney.org
Sheriff – www.mcso.org
Legal Defender – www.maricopa.gov/legaldef
Justice Courts – www.justicecourts.maricopa.gov
Juvenile Court – www.superiorcourt.maricopa.gov/juvenileCourt
Adult Probation – www.superiorcourt.maricopa.gov/adultPro
Clerk of Court – www.clerkofcourt.maricopa.gov

Apache County - www.co.apache.az.us

Cochise County - www.co.cochise.az.us

Coconino County - http://co.coconino.az.us

Gila County - http://www.co.gila.az.us/default.aspx

Graham County - http://206.169.149.67/default.asp

Greenlee County - http://www.co.greenlee.az.us/

La Paz County - http://www.co.la-paz.az.us

Mohave County - http://www.co.mohave.az.us

Navajo County - http://www.co.navajo.az.us

Pima County - http://www.pima.gov

Pinal County - http://www.co.pinal.az.us

Santa Cruz County - http://www.co.santa-cruz.az.us

Yavapai County - http://www.co.yavapai.az.us

Yuma County - http://www.co.yuma.az.us

GLOSSARY OF COURT TERMS

ABSENT PARENT: Any individual who is absent from the home and is legally responsible for providing financial support for a dependent child.

AFFIDAVIT: A written statement of facts signed and confirmed by the oath of the person making it. It must be signed by a notary public or other official having authority to administer oaths.

ANNULMENT: A declaration that a valid marriage never existed.

APPEAL: Legal process used to ask a higher court to review a decision made in a legal matter from the trial court.

APPELLANT: The party appealing to an appellate court from a decision of a trial court.

APPELLATE COURT: A higher court than a trial court, usually consisting of three or more Judges, having jurisdiction to hear and decide appeals from trial courts, and to reverse, affirm or modify their decisions.

ARREARAGES (Arrears): Unpaid child support/spousal maintenance payments owed by a person who is obligated to pay support.

ATLAS: The Arizona Tracking Location Automated System is a statewide computer system for child support enforcement.

CAPTION: The heading of the pleading, or other court papers showing the name of the court paper, showing the name of the court, the names of the parties, and sometimes the number of the case.

CERTIFIED COPY: A copy of a document or record, signed and certified as a true copy by an authorized person.

CHANGE OF VENUE: The moving of a case begun in one county or state to another county or state.

CHILD SUPPORT: The legal obligation of a parent to pay money toward the care and maintenance of his/her child(ren).

CHILD SUPPORT GUIDELINES: A formula to determine the child support amount based upon gross income of both parents. This formula uses a child support worksheet that must be submitted to the court.

CLERK: The individual or agency in charge of recording court proceedings and keeping the court records.

COMPLAINANT: The party who initiates a suit; the plaintiff.

COMPLAINT: The first pleading in a civil case filed by the plaintiff. It alleges the material facts and legal theories to support the plaintiff's claim against the defendant.

CUSTODY ORDER: An order entered by the court that states which parent the child(ren) will live with.

a) Joint Custody - Both parents share important decisions about their child(ren).
b) Sole Custody - One parent is responsible for important decisions regarding the child(ren) living with them.
c) Custodial Parent - Person with legal custody and with whom the child lives.
d) Non-custodial Parent - Parent who does not have primary custody of a child but who is responsible for financial support.
e) Primary Residential Parent - In joint custody agreements a term which indicates the parent with whom the child(ren) reside the majority of the time.

DCSE (Division of Child Support Enforcement): A division of the Department of Economic Security which has responsibility to provide certain support services. It is also referred to as the designated IV-D agency.

DECREE: Final order ending a marriage signed by the Judge/Commissioner and filed with the Clerk of the Court.

DEFERRED FEES: Court fees which must be paid at a later date.

DISPOSITION: An orderly and final arrangement of pending matters.

DOCKET: A brief formal record of court proceedings and documents filed with the Clerk.

EXHIBIT: An article of tangible evidence introduced at a trial. Photographs, letters, and other documents are common examples. Others are murder weapons, samples of earth or chemicals, parts of automobiles or machinery or other material that is of assistance on proving a relevant fact.

FEES: Monies the court is required to collect. The fees are set by the Arizona State Legislature. Fees may be waived or deferred if the party is eligible.

FILED: The act of delivering a document to the Clerk for processing and placement in the case file.

FILING COUNTER: The filing counter is the starting point for the majority of court cases, including Criminal, Domestic Relations, Civil, Tax, Mental Health, and Probate and is where a deputy clerk accepts pleadings and other documents for filing.

IV-D CASES: Cases in which a party has requested services from the Department of Economic Security, or has been automatically referred to DES to collect child support.

JUDGMENT: A decision by a court which establishes the rights of the parties in an action or proceeding.

LEGAL SEPARATION: A court order establishing the terms of: custody, support, etc. under which a married couple will live separately.

MINOR CHILDREN: Children who are under the age of 18.

MINUTE ENTRY: An official paper or electronic record of what takes place in court.

MOTION: A request to a judge seeking a specific ruling or court order.

OBLIGEE/PAYEE: Person to whom support is owed.

OBLIGOR/PAYOR: Person ordered to pay support.

ORDER OF ASSIGNMENT (Wage Assignment): An order from the court directing that deductions be taken from wages or other income to pay current or past-due child support or spousal maintenance.

PARENTING TIME: The amount of time established by the court that the child(ren) spend with the non-custodial parent or grandparent.

PARTY: Person or governmental agency named in a case.

PETITION: A request to the court to take action.

PETITION FOR DISSOLUTION: The initial pleading that allows a party to ask the court to end or dissolve a marriage.

PETITIONER: The party who files the initial petition with the court.

PROBATE: The act of proving a will is genuine, usually done before the Judge or clerk of the probate court by witnesses to the will.

PRO PER (Pro Se): A person who does not hire a lawyer and appears for himself/herself in court.

RESPONDENT: The party who receives any document requesting action by the court.

SIMPLIFIED MODIFICATION: A procedure in which a person paying or receiving child support attempts to show a change in circumstances.

SPOUSAL MAINTENANCE: Court ordered monies paid to a spouse.

STIPULATION: A written agreement signed by both parties or counsel.

SUBSEQUENT EMPLOYER: Refers to any employer other than the first employer of an Obligor upon whom an Order of Assignment (Wage Assignment) has been served. A subsequent employer must honor the order of assignment as the first employer did.

SUPPORT ORDER: Any order entered by the court for the payment of support. Support may include payment for medical, dental, and other health care, childcare and education expenses as well as spousal maintenance.

WAIVED FEES: Court fees that are not required to be paid because of the party's financial condition.