

**In the Superior Court of the State of Arizona
In and For the County of _____**

Case Number _____

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney _____

Attorney Bar Number _____

Is Interpreter Needed? Yes No
If yes, what language:

Plaintiff's Name(s): (List all) _____ Plaintiff's Address: _____ Phone #: _____ Email Address: _____

(List additional plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All) _____

(List additional defendants on page two and/or attach a separate sheet)

EMERGENCY ORDER SOUGHT: Temporary Restraining Order Provisional Remedy OSC
 Election Challenge Employer Sanction Other _____
(Specify)

RULE 8(h) COMPLEX LITIGATION APPLIES. Rule 8(h) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties.

(Mark appropriate box on page two as to complexity, **in addition** to the Nature of Action case category.)

THIS CASE IS ELIGIBLE FOR THE COMMERCIAL COURT UNDER EXPERIMENTAL RULE 8.1. (Cochise County only.) Rule 8.1 defines a commercial case and establishes eligibility criteria for the commercial court. Generally, a commercial case primarily involves issues arising from a business contract or business transaction. However, consumer transactions are not eligible. A consumer transaction is one that is primarily for personal, family or household purposes. You must check this box if this is an eligible commercial case. **In addition, mark the appropriate box below in the "Nature of Action" case category.** The words "commercial court assignment requested" must appear in the caption of the original complaint.

NATURE OF ACTION

(Place an "X" next to the **one** case category that most accurately describes your primary case.)

100 TORT MOTOR VEHICLE:

- 101 Non-Death/Personal Injury
- 102 Property Damage
- 103 Wrongful Death

- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice – Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify) _____

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence
- 112 Product Liability – Asbestos
- 112 Product Liability – Tobacco
- 112 Product Liability – Toxic/Other
- 113 Intentional Tort

120 MEDICAL MALPRACTICE:

- 121 Physician M.D. 123 Hospital
- 122 Physician D.O. 124 Other

130 CONTRACTS:

- 131 Account (Open or Stated)
- 132 Promissory Note
- 133 Foreclosure
- 138 Buyer-Plaintiff
- 139 Fraud
- 134 Other Contract (i.e. Breach of Contract)
- 135 Excess Proceeds-Sale
- Construction Defects (Residential/Commercial)
 - 136 Six to Nineteen Structures
 - 137 Twenty or More Structures

150-199 OTHER CIVIL CASE TYPES:

- 156 Eminent Domain/Condemnation
- 151 Eviction Actions (Forcible and Special Detainers)
- 152 Change of Name
- 153 Transcript of Judgment
- 154 Foreign Judgment
- 158 Quiet Title
- 160 Forfeiture
- 175 Election Challenge
- 179 NCC-Employer Sanction Action
(A.R.S. §23-212)
- 180 Injunction against Workplace Harassment
- 181 Injunction against Harassment
- 182 Civil Penalty
- 186 Water Rights (Not General Stream Adjudication)
- 187 Real Property
- Special Action against Lower Courts
(See lower court appeal cover sheet in Cochise)

- 194 Immigration Enforcement Challenge
(§§1-501, 1-502, 11-1051)

150-199 UNCLASSIFIED CIVIL:

- Administrative Review
(See lower court appeal cover sheet in Cochise)
- 150 Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)
- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute- Other
- 190 Declaration of Factual Innocence
(A.R.S. §12-771)
- 191 Declaration of Factual Improper Party Status
- 193 Vulnerable Adult (A.R.S. §46-451)
- 165 Tribal Judgment
- 167 Structured Settlement (A.R.S. §12-2901)
- 169 Attorney Conservatorships (State Bar)
- 170 Unauthorized Practice of Law (State Bar)
- 171 Out-of-State Deposition for Foreign Jurisdiction
- 172 Secure Attendance of Prisoner
- 173 Assurance of Discontinuance
- 174 In-State Deposition for Foreign Jurisdiction
- 176 Eminent Domain– Light Rail Only
- 177 Interpleader– Automobile Only
- 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- 183 Employment Dispute- Discrimination
- 185 Employment Dispute-Other
- 195(a) Amendment of Marriage License
- 195(b) Amendment of Birth Certificate
- 163 Other _____
(Specify)

COMPLEXITY OF THE CASE

If you marked the box on page one indicating that Complex Litigation applies, place an "X" in the box of no less than one of the following:

- Antitrust/Trade Regulation
- Construction Defect with many parties or structures
- Mass Tort
- Securities Litigation with many parties
- Environmental Toxic Tort with many parties
- Class Action Claims
- Insurance Coverage Claims arising from the above-listed case types
- A Complex Case as defined by Rule 8(h) ARCP

Additional Plaintiff(s)

Additional Defendant(s)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____



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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Petitioner

Case No.: _____

And

SUMMONS

Name of Respondent

**WARNING: This is an official document from the court that affects your rights. Read this carefully.
If you do not understand it, contact a lawyer for help.**

FROM THE STATE OF ARIZONA TO: _____
Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this "Summons".
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to the:

- Superior Court, 100 Quality Hill Road, Bisbee, Arizona 85603.

OR

- Superior Court, 100 Colonia de Salud Suite 200, Sierra, Vista, Arizona 85635.

Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons.

3. If this **“Summons”** and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your **“Response”** or **“Answer”** must be filed within **TWENTY (20) CALENDAR DAYS** from the date you were served, not counting the day you were served. If this **“Summons”** and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within **THIRTY (30) CALENDAR DAYS** from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, from the Clerk of the Superior Court's Customer Service Center:
 - Superior Court, 100 Quality Hill Road, Bisbee, Arizona 85603.

OR

 - Superior Court, 100 Colonia de Salud Suite 200, Sierra, Vista, Arizona 85635.
- 5 If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (custody) and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least ten (10) judicial days before your scheduled court date.
7. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this date _____
Amy J. Hunley CLERK OF COURT

By _____
Deputy Clerk

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

PLAINTIFF,

vs.

DEFENDANT.

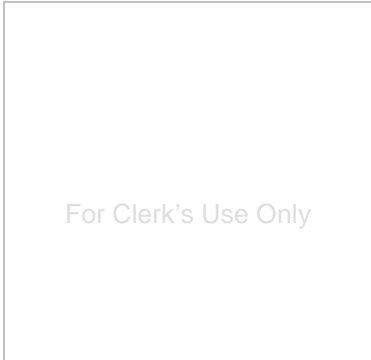
Case Number: _____

CERTIFICATE OF COMPULSORY ARBITRATION

The undersigned certifies that the largest award sought by the complainant, including punitive damages, but excluding interest, attorneys' fees, and costs **does / does not** exceed limits set by Local Rule for compulsory arbitration. This case **is / is not** subject to compulsory arbitration as provided in Rules 72 through 77 of the Rules of Civil Procedure.

SUBMITTED this _____ day of _____, 20_____.

BY _____



Person Filing: _____
 Address (if not protected): _____
 City, State, Zip Code: _____
 Telephone: _____
 Email Address: _____
 Lawyer's Bar Number: _____

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Plaintiff

Case Number: _____

Title: **CIVIL COMPLAINT**

Name of Defendant

Plaintiff hereby submits this complaint against Defendant(s) and alleges the following:

JURISDICTION and VENUE

1. Cochise County Superior Court has the legal authority to hear and decide this case because: *(Check all boxes that are true.)*

- The value of this case exceeds \$10,000 dollars.
- Replevin or other nonmonetary remedy will take place in Cochise County.
- The Plaintiff resides in Cochise County.
- The Defendant resides in Cochise County.
- The Defendant does business in Cochise County.
- The events, actions, or debts subject of this Complaint occurred in Cochise County.
- Other reason: _____

PARTIES

2. The Plaintiff in this case is _____

3. The Defendant in this case is _____

STATEMENT OF FACTS AND BREACH

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

(If you need more space, add an attachment labeled "Statement of Facts and Breach," and continue consecutive numbering.)

APPLICABLE LAW SUPPORTING CLAIMS

() _____

() _____

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Applicable Laws Supporting Claims," and continue consecutive numbering.)

INJURIES

() _____

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Injuries," and continue consecutive numbering.)

DEMAND FOR RELIEF

WHEREFORE, Plaintiff demands judgment against defendant(s), and each of them (if applicable) for the following dollars, interest, costs and expenses incurred herein, **or** non-monetary remedy, including reasonable attorneys' fees, and for such other and further relief as the Court may deem just and proper.

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Demand for Relief," and continue consecutive numbering.)

DEMAND FOR JURY TRIAL (Optional)

I request a jury trial, and wrote this in the "Title" below the words "Civil Complaint."

Dated this _____.
(Date of signature)

(Signature of Plaintiff or Plaintiff's Attorney)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____
Licensed Fiduciary Number: _____

For Clerk's Use Only

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Case No: _____

(Name of Petitioner/Plaintiff)

ACCEPTANCE OF SERVICE A.R.C.P. Rule 4 (f)

(Name of Respondent/Defendant)

Read Carefully. By signing your name on the next page in the presence of a Notary Public or a Clerk of the Superior Court, you are stating under oath or affirmation that you have read this document and understand its contents and that you have received and accepted the documents listed.

Accepting these papers does not affect your right to disagree with them.

1. **ACCEPT AND WAIVE FORMAL SERVICE.** I waive formal service of process (service by a process server or sheriff), and understand by accepting these papers, it is the same as if I were personally served under Arizona Law Rule 4 (f), Arizona Rules of Civil Procedure].
2. **RESPONSE DEADLINE.** I understand that accepting service of these court papers does not affect my right to file a written Response or Answer to this action if I disagree. I understand that if I do not agree with any relief asked for in the Petition, I must Respond or Answer within **20** days from the day I signed the original of this Acceptance of Service if I accepted service in Arizona or within **30** days if I received the papers somewhere other than Arizona.
3. **DEFAULT JUDGMENT, ORDER OR DECREE.** I understand that if I do not appear and defend in this action in court, within the time allowed by law, that I may lose my right to be heard in this case. I understand that failure to Respond or Answer could result in the court giving the other party any and all things requested in his or her legal papers, through a Default Judgment, Order or Decree.

On the following page, describe the type of case the documents you have received relate to and list *each* individual document received.

Case Number: _____

4. **Type of Case:** (Title from case caption or describe) _____

I have received and voluntarily accept service of the legal documents listed below:
(List name/title of document. Example: "Petition", "Summons".)

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

UNDER OATH OR BY AFFIRMATION

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

Signature

Date

Printed Name

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____



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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Petitioner/Plaintiff

Case
Number: _____

AFFIDAVIT of SERVICE by CERTIFIED MAIL

Name of Respondent/Defendant

A.R.C.P. Rule 4.2(c)
(Non Family court cases only)

STATE OF ARIZONA)
County of Cochise)ss.

1. I am familiar with the facts stated in this Affidavit, and I make this Affidavit to show that I have served the court papers on the other party by certified mail, postage prepaid, return receipt requested, pursuant to Arizona Rules of Civil Procedure, Rule 4.2(c).

Person served (name of other party): _____

Address where other party was served: _____

Date of receipt by the other party: _____

Date of return of receipt to sender: _____

2. I know that the other party is located outside the State of Arizona. The following documents were sent to the other party by certified mail: (List all of the documents sent to the other party):

These court papers were received by the other party as shown by the receipt, a copy of which is attached to this Affidavit as required by Arizona Rules of Civil Procedure, Rule 4.2(c).

Sender's Signature

Date

Printed Name of Person Who Signed

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

For Clerk's Use Only

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Plaintiff

Case Number: _____

Name of Defendant

APPLICATION and AFFIDAVIT For DEFAULT (Civil Cases Only)

NOTICE: This is an important Court Document. Properly complete and file this Application and Affidavit. Filing of this Application constitutes "Entry" of Default. The Default is effective ten (10) working days after you file this completed Application, unless the Defendant files an Answer/Response or otherwise defends before the ten working day period expires.

APPLICATION FACTS:

1. IDENTIFICATION of PARTIES:

I am the Plaintiff in this court case. I understand and make the following statements under oath or by affirmation. I give notice that I am applying for default against the other party, the Defendant, because the Defendant has **not** filed an Answer/Response.

I am seeking a default against, Defendant, _____, in this case. (name of defendant)

(Check all that apply)

- Defendant has not filed an Answer/Response, and has failed to appear, or defend within the time allowed by A.R.C.P Rule 55.
- Defendant is not in the active military service of the United States, or has otherwise waived his/her rights under the Service Members Civil Relief Act (formerly "Soldiers and Sailor's Civil Relief Act").
- Defendant is not a minor and is not incompetent.
- Defendant's current mailing address is: _____

I do not know Defendant's current address, or the Defendant's whereabouts.

2. IDENTIFICATION of PARTIES' ATTORNEYS:

(Check One)

- I have no attorney.
- I am represented by an attorney whose name and address is:

(Check One)

- Defendant is not represented by an attorney that I know of.
- Defendant is represented by an attorney whose name and address is:

- I do not know the identity and address of the attorney known to represent the Defendant in this action or a related action.

3. PROOF OF SERVICE: I served Defendant as follows:

(Check One)

- Defendant signed an **"Acceptance of Service"** form, and accepted service of the **"Summons"**, **"Complaint"**, and other papers.
- I attached the **"Acceptance of Service"** form to this Application as proof of service.
- I served the Defendant by process server, alternative service, or by publication, with the **"Summons"**, **"Complaint"**, and other papers.
- I attached the proof of service to this Application.

4. NOTICE:

(Check all that apply)

- To the Defendant**
- I know the Defendant's address, and mailed a copy of the **"Application and Affidavit for Default"** to his/her last known address giving NOTICE of default; even if the Defendant is represented by an attorney who has entered an appearance in this action.
- I have not mailed a copy of this **"Application and Affidavit"** to the Defendant because I do not know Defendant's address or whereabouts, and I do not believe the Defendant is represented by an attorney. (You can only check this box, if you served the Defendant by publication.)
- To the Attorney of the Defendant:** I mailed a copy of the **"Application and Affidavit"** to Defendant's attorney, giving NOTICE of Default whether or not the attorney has formally appeared in this action.
- To Other Parties (If applicable):** I mailed a copy of the **"Application and Affidavit"** to all other parties who have appeared in this action, which gives the parties NOTICE of default.
- Time of Notice:** I mailed a copy of this **"Application and Affidavit"** to the Defendant on the date that I filed this Application, or as soon as practicable after its filing, thus giving NOTICE. Please see the Affidavit and Certificate of Mailing or Delivery at the bottom of this form.

APPLICATION REQUEST:

- 1. I file this Application and Affidavit to give notice to all parties in this action, and the Court, that I am beginning default proceedings against the named Defendant, who has failed to answer, plead, or otherwise defend this action.
- 2. With this document, I apply for Entry of Default. I understand my filing of this document at the Office of the Clerk of the Superior Court constitutes "Entry of Default."

AFFIDAVIT:

I, _____, the Plaintiff in this action, hereby swear or affirm that:

- _____ is the Defendant in this action.
- I served the Summons, Complaint, and other court documents to the above-named Defendant according to law.
- Defendant is the party against whom I seek a judgment for affirmative relief.
- Defendant has failed to answer, plead or otherwise defend in this action.
- I filed this Application and Affidavit for Default on _____ (date) which constitutes the official Entry of Default.

This Affidavit is executed in support of the above Application for Entry of Default.

 Plaintiff Signature Date

STATE OF _____

COUNTY OF _____

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

(notary seal)

Deputy Clerk or Notary Public

CERTIFICATE OF MAILING: On (date) _____ 20_____, a copy of this Application and Affidavit for Default was mailed, postage-prepaid, to the Defendant at:

current address (as listed below),

(address, city, state)

OR (if current address is unknown)

his/her last known address, as listed below:

(address, city, state)

IF I know the Defendant, who I claim to be in default, is represented by an attorney, I have **also** mailed a copy of this Application and Affidavit to that attorney.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA COCHISE COUNTY

Name of Plaintiff

Case No. _____

ORDER TO APPEAR

Name of Defendant

READ ME: This is an important Court Order that affects your rights. Read this Order carefully. If you do not understand this Order, contact a lawyer for help.

Based on the _____, the documents filed with it, and pursuant to Arizona Law,

IT IS ORDERED THAT YOU _____ (name) appear at the time and place stated below so the court can determine whether the relief asked for in the Motion/Petition should be granted.

NAME OF JUDICIAL OFFICER: _____

DATE AND TIME OF HEARING: _____

PLACE OF HEARING: Cochise County Superior Court

ADDRESS: _____

IT IS FURTHER ORDERED that a true copy of this "**Order to Appear**" and a true copy of the Motion/Petition and documents filed with the Motion/Petition shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with Arizona Rules of Civil Procedure, Rule 5.

Requests for reasonable accommodation for persons with disabilities must be made to the office of the Judge or Commissioner scheduled to hear this case ten (10) judicial days before your scheduled court date.

Requests for an interpreter for persons with limited English proficiency must be made to the office of the Judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

DONE IN OPEN COURT: _____
Judge/Commissioner of the Superior Court

READ ME. This is a 15-minute proceeding with the court. The court will determine if more time is needed. All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.