

COCHISE COUNTY SELF-HELP CENTER

Procedures: How to file forms with the Court to Establish Legal Decision-Making (Legal Custody), Parenting Time and Child Support when paternity has already been established

**STEP 1:** Complete all the forms in this packet.

**STEP 2: Photocopy:** Make 2 copies of the following documents after you have filled them out.

- *“Petition to Establish Legal Decision-making, Parenting Time and Child Support”*
- *“Summons”*
- *“Preliminary Injunction”*
- *“Order and Notice for the Parent Information Program”*

**STEP 3:** Separate your documents into three (3) sets:

<p>SET 1 – <u>Originals</u> (For the Clerk):</p> <ul style="list-style-type: none"><li>• <i>“Family Department Cover Sheet”</i></li><li>• <i>“Petition to Establish...”</i></li><li>• <i>“Summons”</i></li><li>• <i>“Preliminary Injunction”</i></li><li>• <i>“Order and Notice for Parent Information Program”</i></li></ul>	<p>SET 2 -- <u>Copies</u> (For other Party):</p> <ul style="list-style-type: none"><li>• <i>“Petition to Establish...”</i></li><li>• <i>“Summons”</i></li><li>• <i>“Preliminary Injunction”</i></li><li>• <i>“Order and Notice for Parent Information Program”</i></li></ul>
<p>SET 3 -- <u>Copies</u> (For You):</p> <ul style="list-style-type: none"><li>• <i>“Petition to Establish...”</i></li><li>• <i>“Summons”</i></li><li>• <i>“Preliminary Injunction”</i></li><li>• <i>“Order and Notice for Parent Information Program”</i></li></ul>	

#### **STEP 4: FILE THE FORMS AT THE COURT:**

**FILE YOUR FORMS** at the Clerk of the Superior Court filing counters at one of the following locations: The Court is open from 8 a.m.-5 p.m., Monday-Friday. You should go to the court at least two hours before it closes.

Cochise County Clerk of the Court/Bisbee  
100 Quality Hill Road  
Bisbee, AZ 85603  
520-432-8600

Cochise County Clerk of the Court/Sierra Vista  
100 Colonia del Salud, Ste. 200  
Sierra Vista, AZ 85635  
520-803-3060

**FEES:** A list of current fees is available from the Clerk of the Superior Court's website.

<https://www.cochise.az.gov/clerk-superior-court/home>

If you cannot afford the filing fee and/or the fee for having the forms served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Superior Court. Deferral Applications are available at the Self-Help Center.

<https://www.cochise.az.gov/court-administration/waiverdeferral-fees-forms>

**PAPERS:** Hand all three (3) sets of your court forms to the Clerk of the Superior Court along with the correct filing fee.

Make sure you get the following back from the Clerk of the Superior Court:

- Your set of copies
- The other party's set of copies

**STEP 5: SERVE THE OTHER PARTY:** Read Step 2 of the packet called "Service of Court Papers" or contact the Self-Help Center to find out how to serve the other party.

**STEP 6: WAIT.** Depending on HOW and WHERE you served the forms on the other party (in-state, out of state, by publication, etc.), he or she has a certain number of days to file a RESPONSE to tell the Court that he or she disagrees with your facts, OR objects to the Orders you want the Court to make. You should receive a copy of the Response. You will then need to complete the "Motion to Set and Certificate of Readiness" form. By completing this form, you are telling the court that you want to go forward with a trial. The Court will mail you a notice with your trial date, time, and location.

If NO RESPONSE is filed, you must file forms to tell the Court the other party DEFAULTED - that is, the other party agrees with your request - or at least did not file forms to disagree, so the Court should move forward. See the Self-Help Center for "Default" forms and follow the timetable and procedures to apply for your default court order.