

**ESTABLISHMENT OF A COURT ORDER FOR
CHILD CUSTODY, PARENTING TIME
AND CHILD SUPPORT
(CHECKLIST)**

Use the forms if the following factors apply to your situation:

- You are the natural or adoptive parent of the minor child(ren), **AND**
- You are not legally married to the other parent, * **AND**
- Paternity has already been legally established because:
 - You already have a court order establishing paternity, **OR**
 - You have a court order for child support, **OR**
 - Both parents signing an Acknowledgement of Paternity through the Hospital Paternity Program or other means provided by law, and a birth certificate listing the name of the father was issued as a result, **AND**
- You want to file a ***“Petition to Establish Child Custody, Parenting Time, and Child Support”*** or you have a support order already (in which case the court will review the order if it orders custody) **AND**
- The minor child(ren) resided (lived) in Arizona at least 6 months (or since birth if younger than 6 months) before you file the petition or you talked to a lawyer who advised you that even so you could pursue the case in Arizona.

* If you ARE legally married to the other parent, you may only obtain an order for custody as part of an action for legal separation or divorce. A.R.S. §25-401(B) provides that:

“A CHILD CUSTODY PROCEEDING IS COMMENCED IN THE SUPERIOR COURT:

1. By a parent filing a petition for either of the following:
 - a) dissolution of marriage (divorce) or legal separation....”

NOTE: Consulting a lawyer before filing documents with the court may help prevent unexpected results. You may view the lists of lawyers by going to www.azbar.org.