

MOTION FOR TEMPORARY MODIFICATION ORDERS WITHOUT NOTICE (Pre-Decree) (CHECKLIST)

You must complete and file papers for a “regular” modification with notice before the court can consider a motion for a modification without notice.

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

- You have already filed, or at the same time you file these papers you will be filing, a “regular” request for modification of custody and/or parenting time, AND:
- Someone is about to cause serious, immediate bodily harm to another person, or the health, safety, and welfare of a person is otherwise in serious and immediate jeopardy, AND
- You can give very specific facts about:
 - what the emergency is,
 - why the judge should hear your case before everyone else who has been waiting to see a judge,
 - why the situation is so serious that the court should take someone’s minor child(ren) away without providing:
 - 1) advance notice explaining why, OR
 - 2) opportunity for the person to defend his or her rights to the minor child(ren), AND

NOTE: If it turns out that what you said is not true or filed without good legal reason, the judge may find you in contempt of court, order payment to the court or to the other party for costs or damages resulting from the wrongful filing of this Motion, or impose other sanctions.

WARNING. If your *“Motion for Temporary Modification Orders Without Notice”* is turned down at one Superior Court location, you may not use these forms to re-file your request at another location.

READ: 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.