

Name of Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Day/Evening Phone Number: _____
Attorney Bar Number (if Applicable) _____
Representing: Self, Without a Lawyer OR
Attorney for: Petitioner Respondent

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

Regarding the Matter of:

Case Number: _____

Petitioner non-parent seeking legal decision making

**PETITION BY NON-PARENT TO
ESTABLISH LEGAL DECISION
MAKING** A.R.S. § 25-409

Petitioner (spouse of non-parent seeking legal decision making if applicable)

Respondent (Mother of child)
 deceased parental rights severed

Respondent (Father of child)
 deceased parental rights severed

Respondent (Legal Guardian – if applicable)

GENERAL INFORMATION:

1. INFORMATION ABOUT ME (OR US), THE NON-PARENT APPLICANT(S) FOR LEGAL DECISION MAKING:

Name(s): _____

Address: _____

County of Residence: _____

Date(s) of Birth: _____

My/Our relationship to minor child(ren) for whom I (we) want the LEGAL DECISION MAKING order:

- | | |
|---|--|
| <input type="checkbox"/> Parent of mother of child(ren) | <input type="checkbox"/> Grandparent of mother of child(ren) |
| <input type="checkbox"/> Parent of father of child(ren) | <input type="checkbox"/> Grandparent of Father of child(ren) |
| <input type="checkbox"/> Other: (explain): _____ | |

2. INFORMATION ABOUT THE MOTHER OF THE MINOR CHILD(REN):

Name: _____
Address: _____
County of Residence: _____
Telephone: _____
Date of Birth: _____

3. INFORMATION ABOUT THE FATHER OF THE MINOR CHILD(REN):

Name: _____
Address: _____
County of Residence: _____
Telephone: _____
Date of Birth: _____

4. INFORMATION ABOUT OTHER LEGAL GUARDIANS OF MINOR CHILD(REN), IF ANY:

Name: _____
Address: _____
County of Residence: _____
Telephone: _____
Date of Birth: _____

5. INFORMATION ABOUT MINOR CHILDREN FOR WHOM I / WE WANT THE LEGAL DECISION MAKING ORDER:

Name: _____	Name: _____
Birth Date: _____	Birth Date: _____
Street Address: _____	Street Address: _____
City, State, Zip Code: _____	City, State, Zip Code: _____
County of Residence: _____	County of Residence: _____
Living with <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other	Living with <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other

Name: _____	Name: _____
Birth Date: _____	Birth Date: _____
Street Address: _____	Street Address: _____
City, State, Zip Code: _____	City, State, Zip Code: _____
County of Residence: _____	County of Residence: _____
Living with <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other	Living with <input type="checkbox"/> Father <input type="checkbox"/> Mother <input type="checkbox"/> Other

Case No. _____

Name: _____

Name: _____

Birth Date: _____

Birth Date: _____

Street Address: _____

Street Address: _____

City, State, Zip Code: _____

City, State, Zip Code: _____

County of Residence: _____

County of Residence: _____

Living with Father Mother Other

Living with Father Mother Other

6. LEGAL DECISION MAKING, SUPPORT OR PARENTING TIME/VISITATION CASES RELATED TO MINOR CHILD(REN):

(Check One): **I DO HAVE** **I DO NOT HAVE** information about a legal decision making, support or parenting time/visitation court case relating to any of the minor children named above that is pending in this state or in any other state (if so, explain below. Attach extra pages if necessary). IF "NOT" skip to #7).

WARNING: If there is already a case pending or a signed Court Order for paternity, legal decision making, support, parenting time or visitation of the minor children for whom you are seeking legal decision making, STOP! This Petition will not work for your situation. See the checklist at the beginning of this packet and consult an attorney about filing as a third party intervenor in the existing case to modify the existing Court Order.)

Name of each child: _____

Court state _____

Court location _____

Court case number _____

Current status _____

How the child is involved: _____

Summary of any court order: _____

7. LEGAL DECISION MAKING OR VISITATION CLAIMS:

(Check One): **I DO KNOW** **I DO NOT KNOW** a person other than the Petitioner(s) or the Respondent(s) who has physical custody or who claims custody (now known as legal decision making) rights to any of the minor children named in this Petition. (If so, explain below. Attach extra pages if necessary, IF 'NOT' GO ON).

Name of each child: _____

Name of person with the claim: _____

Address of person with claim: _____

Nature of the claim: _____

STATEMENTS TO THE COURT:

8. VENUE: This is the proper court to bring this lawsuit under Arizona law because it is the county of residence of any minor children named in this Petition or any minor children named in this Petition are currently present in this county.

9. LEGAL REASONS I / WE SHOULD BE AWARDED LEGAL DECISION MAKING:

(A, B, C, and at least one of the choices under D **MUST BE TRUE** for the court to grant your request for legal decision making. EXPLAIN why A, and B are true. If you cannot, the court may not grant your request. If C is not true, **STOP!** This form will not work for your situation.)

A. I (we) stand *in loco parentis* (in the position of a parent) to the minor child(ren). I (we) have a longstanding relationship with the minor child(ren) in which I (we) have treated them as my (our) own child(ren) and the minor child(ren) have treated me (us) as parents. **Explain:**

B. It would be significantly harmful to the minor child(ren) to remain or be placed in the legal decision making of either of the living parents, guardian or other person who wish to obtain or retain legal decision making. **Explain:**

C. There is NO Court Order for legal decision making, support, parenting time or visitation for any of the minor children named in this Petition and there is no Court Order for paternity.

D. I understand that at least one of the following must be true for me (us) to qualify for legal decision making and have marked the box(es) to indicate which are true:

- One of the legal parents is deceased.
- The minor child(ren)'s legal parents were not married to each other when this Petition was filed.
- The parents were married to each other when this Petition was filed but their divorce or legal separation case has been filed and is pending (not final). The Court Order has not been signed.

**OATH OR AFFIRMATION OF NON-PARENT(S)
PETITIONING FOR LEGAL DECISION MAKING**

I (We) affirm under penalty of perjury the information provided on this document is true and correct.

Signature of Non-Parent Petitioner

Date

Printed Name

Signature of Other Non-Parent Parent (if any)

Date

Printed Name