

MEDIATION

Packet #7

Separate forms from packet before filing.

SOUTHERN ARIZONA LEGAL AID, INC

MEDIATION

GENERAL INFORMATION

USE AND DISCLAIMER

These forms shall not be used to engage in the unauthorized practice of law. Court cases can be very complicated, and even if you are representing yourself you should see a lawyer for legal advice as to how the law applies to you, and what is best in your particular situation. This might save you time, money, trips to the courthouse, and avoid serious mistakes. There are lawyers who will help you help yourself. This means that they will only charge you for giving you the help you need, and you can complete the court papers on your own or ask the lawyer for help with your papers.

There are professional mediators in the community who can help you with your problems. They help you solve your present problem, and anticipate future problems and how to solve them. Mediators work with both parties in a dispute to help resolve areas of disagreement or trouble.

HOW TO ASSEMBLE THESE DOCUMENTS

This packet contains court forms and instructions about Court Mediation Services. Be sure the documents are in the following order. Look at the lower right-hand corner of the document for the document number. Documents that end with "info" are general information or instructions. Documents that end with "form" are court forms that must be completed and filed with the court.

Title	Form Name
Use and Disclaimer (1 page)	mediation-use and disclaimer.info
Instructions for requesting mediation (pre-decree/order or stipulated post-decree/order mediation) (1 page)	mediation-instructions.info
Request for mediation (2 pages)	mediation-request.form
Instructions for filing request and supporting affidavit for post-decree/post-judgment mediation (1 page)	mediation-filing instructions.info

INSTRUCTIONS FOR REQUESTING MEDIATION

(Pre-decree/order or stipulated post-decree/order mediation)

To request mediation for disputes involving custody or parenting time of minor children, complete the attached REQUEST FOR MEDIATION in the following manner:

Write your Superior Court file number on the top right portion of the form. Most file numbers begin with **D-** or **SP-**. You must have a D-, SP-, DC-, G- or C- number before the Court can order mediation.

Complete the information in the box in the upper left hand corner of the form by placing the names of the petitioner and respondent in the box. If you filed for the divorce (or other court action), you are the Petitioner. Write your name just above "Petitioner," and the other parent's name above "Respondent." If the other parent filed for the original case, then you are the Respondent and the other party is the Petitioner.

If you have never been married to the other parent then write the name of the person who filed any court action above "Plaintiff" and the other parent's name above "Defendant."

Check the line next to the nature of the controversy between you and the other parent: **custody, parenting time, or both**. Check the line to indicate which party is requesting mediation: If you are the person requesting this mediation and you are/were the Petitioner of the divorce then put a check by petitioner. If you are the person requesting this mediation and you are the Respondent to the divorce filing, then put a check by respondent.

Check if a decree of dissolution (divorce) **has** or **has not** been granted by the court in this case. Enter the date of the decree. Check if there **is** or **is not** an action currently pending before the court.

If you are seeking to modify an existing custody and/or parenting time order or you were never married to the other parent and you wish to establish custody or parenting time and the other parent will not agree to mediation, refer to the enclosed materials entitled "INSTRUCTIONS FOR FILING REQUEST AND SUPPORTING AFFIDAVIT FOR POST-DECREE/POST-JUDGMENT MEDIATION".

If your case is not appropriate as outlined in the enclosed materials, you may need to petition the court for a hearing. The court may then order mediation. If this is the case, it is recommended that you seek further legal advice.

Check the line that asks if mediation **has** or **has not** previously been attempted in this case.

Check the line to indicate if you will need a Spanish-speaking mediator.

Date and sign the Request.

Fill in the number of children and their ages.

Print clearly the name, address and daytime phone number of yourself and the other party on the lower portion of the form.

Clearly print the name of your attorney and the attorney of the other party on the lines as indicated. If a party does not have an attorney write NONE.

Return the completed forms and attachments to:

CONCILIATION COURT
32 N. STONE, SUITE 1704
TUCSON, AZ 85701-1403
Phone: 520-740-5590

After receiving your request, the Conciliation Court will contact you regarding the action taken on your request.

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

Petitioner/Plaintiff

and

Respondent/Defendant

Case No. _____

REQUEST FOR MEDIATION (Pre-decree/Judgment or stipulated post-decree/Judgment)

There is a controversy or dispute between the parents concerning:

- child custody
- parenting time
- both (child custody and parenting time) and
mediation is requested by the (Petitioner/Plaintiff) (Respondent/Defendant).

A Decree of Dissolution/Judgment of Paternity (has) (has not) been granted. Date of decree/Judgment: _____

Presently there is is not a custody and/or parenting time action pending before the court.

Has mediation been previously attempted? Yes No

If so, where and when: _____

Briefly and specifically describe the current disagreement and what you would like to accomplish in mediation:

_____ If a Spanish speaking mediator is required please check (Si necesita un mediador que habla espanol, favor de indicarlo aqui)

RESPECTFULLY SUBMITTED THIS _____ DAY OF _____, 20 _____

Signature of Plaintiff/Petitioner and/or Respondent/Defendant

This request pertains to (number) _____ minor child(ren), age(s) _____, _____, _____, _____

Petitioner/Plaintiff:

Respondent/Defendant:

Name

Name

Mailing Address

Mailing Address

City, State and Zip Code

City, State, and Zip Code

Daytime or Message Phone

Daytime or Message Phone

Name of Attorney for Petitioner/Plaintiff

Name of Attorney for
Respondent/Defendant