

Rule 44.1. Default Decree or Judgment by Motion and Without a Hearing

(a)-(d) [No change]

(e) When Children Are Involved or a Party is Pregnant. When the parties have children in common or a party is pregnant, the default decree must include the following:

- (1) whether either party is pregnant with a child common to the parties;
- (2) provisions for legal decision-making and parenting time, either within the default decree or by a separate parenting plan;
- (3) an “Education Order” substantially in conformity with Rule 97, Form 19 or Form 20, as appropriate, if the judicial officer finds it is in the children’s best interests for the Education Order to be issued;
- (4) a child support order supported by a child support worksheet, but if a party requests any deviation in the child support amount, the default decree or child support order must state the basis for deviation under the child support guidelines;
- (5) if either party is receiving benefits under Temporary Assistance for Needy Families (TANF) or the Title IV-D program, the parties must attach to the default decree the Attorney General's written approval of any specified child support amount;
- (6) a copy of the filing parent's certificate of completion of the parent information program, if it has not already been filed with the court;
- (7) a completed income withholding order, including the current employer information sheet;
- (8) if the parties are requesting joint legal decision-making, a statement as to whether domestic violence has occurred, and the extent of any such violence; and
- (9) for a paternity or maternity action, the identities of the natural mother and father and anyone who has lawful status as a parent or custodian of a child, including the court case conferring that status if it is not the current case.

(f) –(g) [No change]

Rule 45. Consent Decree, Judgment, or Order

(a)-(b) [No change]

(c) When Children Are Involved. When the parties have children in common or a party is pregnant with a child common to the parties, the consent decree, judgment, or order must include the following:

(1) provisions for legal decision-making and parenting time, either within the consent decree or by a separate parenting plan;

(2) an “Education Order” substantially in conformity with Rule 97, Form 19 or Form 20, as appropriate, if the judicial officer finds it is in the children’s best interests for the Education Order to be issued;

(3) a child support order supported by a child support worksheet, but if a party requests any deviation in the child support amount, the consent decree or child support order must state the basis for deviation under the child support guidelines;

(4) if either party is receiving Temporary Assistance for Needy Families (TANF) or services from the Title IV-D program, the parties must attach to the consent decree the written approval of the Attorney General or county attorney;

(5) copies of each parent's Certificate of Completion of the Parent Information Program, if not previously filed with the court;

(6) a completed income withholding order, including the current employer information sheet;

(7) if the parties are requesting joint legal decision-making, a statement as to whether domestic violence has occurred, and the extent of any such violence; and

(8) for a paternity or maternity action, the identities of the natural mother and father and anyone who has lawful status as a parent or custodian of a child, including the court case conferring that status if it is not the current case.

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Rule 78(g). Judgment, Attorney Fees, Costs, and Expenses.

(a)-(f) [No change]

(g) Entering Judgment.

(1) Written Document. All judgments must be in writing and signed by a judge or a court commissioner duly authorized to do so. When the parties have children in common and if the judicial officer finds it is in the children's best interests for an Education Order to be issued, the judgment must include an "Education Order" substantially in conformity with Rule 97, Form 19 or Form 20, as appropriate;

(2) [No change]

(h)-(i) [No change]

Rule 91.3. Post-Judgment Petition to Modify Legal Decision Making or Parenting Time; Education Order

(a) Generally. A petition for modification of legal decision-making or parenting time:

(1) must comply with Rule 91;

(2) must contain detailed facts supporting the modification;

(3) must be verified by the applicant or supported by affidavit(s) as required by A.R.S. § 25-411; and

(4) in actions in which the legal decision-making order or decree was not entered by an Arizona court, must include an affidavit required under A.R.S. § 25-1039.

(b) Service. In addition to complying with Rule 91(j), the applicant must comply with A.R.S. § 25-1035

(c) Education Order. Any order granting modification issued under this rule must include an "Education Order" substantially in conformity with Rule 97, Form 19 or Form 20, as appropriate, if the judicial officer finds it is in the children's best interests for an Education Order to be issued.