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8 **IN THE SUPREME COURT**  
9 **STATE OF ARIZONA**

10 PETITION TO AMEND RULE 97,  
11 ARIZONA RULES OF FAMILY LAW  
12 PROCEDURE

Supreme Court No. R-

**Petition to Amend Rule 97, Arizona  
Rules of Family Law Procedure**

13 Pursuant to Rule 28 of the Rules of the Arizona Supreme Court, the State Bar  
14 of Arizona hereby petitions this Court to amend Rule 97, Arizona Rules of Family  
15 Law Procedure.

16 Family Law Rule 97 is an appendix containing a number of useful standard  
17 forms for family court litigants. One such form (Form 7) provides sample uniform  
18 interrogatories. This proposal would amend the following three interrogatories:

19 **Interrogatory 3. EMPLOYMENT**

- 20 c. State the monthly net take home income (or pay) from your current  
21 employment.

22 **Interrogatory 9. LEGAL DECISION-MAKING CHILD CUSTODY**

- 23 a. Do you believe that you and your spouse can reach an agreement  
24 concerning legal decision-making custody and parenting time without  
25 the intervention of the court or conciliation services? (Y/N) \_\_\_\_\_
- c. How do you propose making the following decisions regarding your  
child(ren)?

1 6. Activities ~~and/or~~ including, but not limited to, sports, arts, music or  
2 other extracurricular activities.

3 **Interrogatory 26. SPOUSAL AFFIDAVITS AND INVENTORIES**  
4 **AFFIDAVIT AND INVENTORY**

- 5 a. If there are minor children common to the parties, complete an  
6 Affidavit of Financial Information and a Proposed Child Support  
7 Worksheet and/or if either party is asking for spousal maintenance,  
8 attorneys' fees or costs, or for temporary orders to exclude a party from  
9 a residence, to divide community property or to order payment of debt,  
10 expenses or attorneys' fees, ~~complete and attach Form 2,~~ an Affidavit of  
11 Financial Information.
- 12 b. Complete the attached List of Personal Property, inventory of securities  
13 including vehicles and other personal property owned by you, including  
14 vehicles, having a value greater than \$200.00~~100.00~~, owned by you.

15 The correction to Interrogatory 3(c) is largely grammatical and clarifies that  
16 the colloquialism 'take home' truly refers to income.

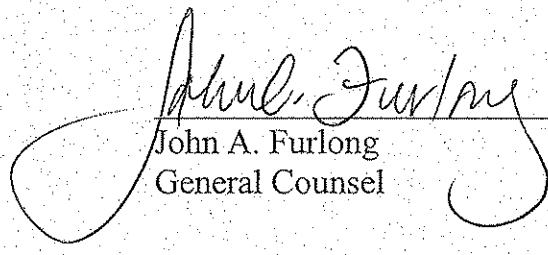
17 Interrogatory 9 should conform to 2012 SB 1127, which abolished the term  
18 'custody' in Title 25, Chapter 4, Article 1 in favor of 'legal decision-making.' The  
19 proposed amendment also offers broader examples (especially helpful to pro se  
20 litigants) of the types of decisions contemplated by this interrogatory.

21 Lastly, the proposed change to Interrogatory 26 better suggests the form a  
22 litigant should complete for the issues in subsection "a." And by elevating the  
23 property value 'cutoff' from \$100.00 to \$200.00, the amendment hopes to encourage  
24 parties to focus on property of real value.

25 IN CONCLUSION, the State Bar of Arizona respectfully requests amendment  
of ARIZ. R. FAM. L. P. 97, Form 7 as set forth above.

RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of December,  
2013.

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John A. Furlong  
General Counsel

Electronic copy filed with the Clerk  
of the Supreme Court of Arizona this  
13<sup>th</sup> day of December, 2013.

By: Kathleen A. Lundgren