

# INSTRUCTIONS: HOW TO FILL OUT FORMS TO REQUEST COURT ORDER FOR NON-PARENT VISITATION

## **WHEN TO USE THIS FORM:**

Use this form if you are not a legal parent and want to get a court order for visitation.

**When filling out any court forms please type or print with black or blue ink only!**

## **FAMILY COURT SENSITIVE DATA FORM:**

Write in the information requested about the petitioner, the respondent, and any children under the age of 18.

**DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION.**

**Case Type:** Check only one box that matches the legal procedure for which you are filing the documents.

**Interpreter:** Check “yes” or “no” to indicate whether an interpreter is needed. If “yes”, write in what language(s).

## **SUMMONS:**

**Fill in information in the caption and the name of the defendant(s). The Clerk will issue the summons and return it to you.**

## **ORDER TO APPEAR:**

**Fill in information in the caption and leave hearing information blank. The judge will fill in the hearing date and return this form to you.**

## **PETITION:**

- A. In the top left corner of the first page, fill out the following: YOUR name; address (if not protected); city, state and ZIP code; telephone number.
  - B. Fill in YOUR name in the space that says “Name of Non-Parent Requesting Visitation.” If more than one person is the non-parent who wants visitation, put both names here. Fill in the Mother’s and Father’s names as they appeared in the original divorce or paternity case.  
**WARNING: IF THE COURT HAS ASSIGNED A CASE NUMBER FOR DIVORCE, LEGAL SEPARATION, CHILD LEGAL DECISION MAKING OR PATERNITY IN MOHAVE COUNTY, DO NOT GET A NEW CASE NUMBER WHEN FILING YOUR CASE! USE THE EXISTING CASE NUMBER. IF YOU DO NOT KNOW THE EXISTING CASE NUMBER, ASK THE CLERK FOR THE EXISTING CASE NUMBER BEFORE YOU FILE YOUR PETITION.**
1. **Information about you:** Fill in your name, address (if not protected) and date of birth. This is basic information about YOU, the NON-PARENT, and your relationship to the children for whom you want the order.
  2. **Information about the mother:** Fill in the information about the mother, including address and date of birth.

3. **Information about the father:** Fill in the information about the father, including address and date of birth.
4. **Information about the legal guardian (if any):** Fill in the information about any legal guardian for the children, including address and date of birth.
5. **Information about the minor child(ren):** Fill in information about all the minor child(ren) for whom you want this order. The same persons should be the custodial adult for all the minor child(ren) for whom you want this order. If the minor child(ren) have different adults who have legal decision making, name all the adults with legal decision making as respondents in the caption, and complete all the information about them in numbers 2, 3 and/or 4 above.
6. **Legal reasons you should have visitation:** Under the law, non-parents can only have visitation orders in certain cases. Read all the choices and decide which one applies to you. Then complete all the information about the choice you selected. If your situation does not fit one of the choices, do not file the Petition. You can ask a lawyer for help to see if there is some other legal ground upon which you can ask for visitation.
7. **Relationship with minor child(ren):** Explain here what your relationship with the minor child(ren) has been for the past 6 months, and why it is best for the child(ren) to have visitation with you.
8. **Your visitation plan:** Explain here specifically what visitation arrangements you think are best for the child(ren).
9. **More information about the minor child(ren):** Fill out where the minor child(ren) from this action have been living **for the past 5 years**; if any child(ren) are under age 5, simply put information since their birth. Write each child's name; the relationship of that person to the child. While you may not remember exact dates when the minor child(ren) moved from one location to another, fill this information out as completely as possible.
10. **Other cases about the minor child(ren):** You must tell the court if there are prior cases involving the minor child(ren) that don't involve legal decision making or visitation, e.g. personal injury cases involving the child(ren). If there are no other cases, mark the first box and GO ON. If there is another case, mark the second box and give as much information as possible. This information could affect you or the minor child(ren)'s rights in this case.
11. **Other legal decision making, visitation, support cases about the minor child(ren):** The court **MUST** know if there have been other cases involving legal decision making, visitation or child support of the minor child(ren) of this case. If there are no other legal decision making or visitation cases, or you don't know of any, mark the second box and GO ON. If you have been involved in any way with this type of court case, mark the first box and give the information where requested. Tell the court what happened and what is going on now in the other cases(s).
12. **Legal decision making rights of others as to the minor child(ren):** If you do not know of another person OTHER THAN THE OPPOSING PARTY who is claiming legal decision making or visitation rights to any of the minor child(ren), mark the first box and GO ON. If you do know of such a person, put the information here, including the child's name and the person who believes they have a legal decision making or visitation claim.
13. Write down any other information you feel is important for the court to know in deciding whether to grant you visitation with the minor child(ren).
14. **Proper location for this court case:** The non-parents, parent/custodian, or minor child(ren) must live in Mohave County for this to be a proper county for you to pursue your court case.

**REQUESTS MADE TO THE COURT**

- 1. FOR COURT ORDER FOR NON-PARENT VISITATION**
- 2. OTHER ORDERS THE COURT DEEMS JUST AND FAIR**

**AFFIRMATION AND SIGNATURE(S) OF PETITIONER(S):**

**By signing this form you are telling the court that everything contained in the Petition for Non-parent Visitation is true, under penalty of perjury.**