

**PETITION BY NON-PARENT TO ESTABLISH LEGAL  
DECISION MAKING  
(CHECKLIST)**

**To establish legal decision making by NON-PARENTS.**

**Use the forms if the following factors apply to your situation:**

- You want a court order for legal decision making of minor child(ren) and you are not the biological or adoptive mother or father of the minor child(ren) for whom you want the legal decision making order, **AND**,
- There is no court order for paternity, legal decision making, support, parenting time or visitation for the minor child(ren) for whom you are requesting legal decision making,\* **AND**,
- You stand “in loco parentis” (in the position of a parent) to the minor child(ren). This means you have a long-standing relationship with the minor child(ren) in which you have acted and been treated as a parent by the minor child(ren), **AND**,
- The minor child(ren) are permanent residents of this county or can presently be found in this county, **AND**,
- It would be significantly detrimental to the minor child(ren) to remain or be placed in the physical legal decision making of either of the child’s living legal parents who wish to retain or obtain legal decision making, **AND**,
- You can show by clear and convincing evidence that awarding legal decision making to a legal parent is not in the minor child’s best interest, **AND**,
- **At least one of the following is true:**
  - One of the legal parents is deceased.
  - The minor child’s legal parents are not married to each other at the time the petition is filed.
  - There is a pending proceeding (meaning no final decree or court order has been signed) for divorce or for legal separation of the legal parents at the time this petition is filed.

\* **You may NOT use this packet if there is already a court order for paternity, legal decision making, support, parenting time or visitation for the minor child(ren) of whom you are seeking legal decision making.**

\* **NOTE:** IF THERE IS AN EXISTING Court Order as described above about the minor child(ren) for whom you are requesting legal decision making, you would need to file as a “3<sup>rd</sup> Party Intervenor” in that case and using that case number. This packet will not work for that purpose.

IT IS IMPORTANT for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. You may view the list of lawyers by going to [www.azbar.org](http://www.azbar.org).

## USEFUL TIPS:

- Use black ink when filling out documents.
- Do not white out mistakes. Cross out and initial.
- Have your signature notarized before you make your copies.
- Leave blank the “Order” portion of any document – this will be completed by the judge and signed by him/her.
- Make 2 complete sets of copies of all documents you are planning to file.
- **File the papers at the court:** Take the original and 2 sets of copies to the Clerk of the Court filing counter. The Clerk will keep the originals, stamp the extra copies to show that these are copies of papers you have filed with the court, and return the stamped (now called “conformed”) copies to you.

**You may file your papers at one of the following locations:**

**Clerk of Superior Court**  
415 E. Spring St.  
Kingman, AZ 86401  
(928) 753-0713  
Monday-Friday  
8:00a-5:00p

**Clerk of Superior Court**  
2225 Trane Road  
Bullhead City, AZ 86442  
(928) 758-0730  
Monday-Friday  
8:30a-12:00p, 1:30p-4:30p

**Clerk of Superior Court**  
2001 College Drive  
Lake Havasu City, AZ 86404  
(928) 453-0701  
Monday-Friday  
8:30a-12:00p, 1:30p-4:30p

**NOTE:** If you cannot or do not want to file the documents in person, you can also mail the documents to the Clerk of the Court. Provide a self-addressed, stamped envelope with proper postage so that the Clerk can return your “conformed” (stamped by Court staff) copies to you.

**Mail to:** Clerk of Superior Court  
P.O. Box 7000  
Kingman, AZ 86402

There is a fee to file your paperwork at the court. You can find information regarding filing fees at our website at [www.mohavecourts.az.gov](http://www.mohavecourts.az.gov)