

Instructions: How to fill out the Motion to Set Trial Date and Certificate of Readiness forms

Use these forms only if all the following are true:

- ✓ There has been a petition and an answer/response filed in your case.
- ✓ Discovery, the process of requesting and exchanging information among the parties before going to trial, is complete or can be completed within 60 days.
- ✓ You want the court to schedule a trial date.

Print or type using black ink only. Complete all fields and provide required information.

Form: Motion to Set Trial Date and Certificate of Readiness (“Motion to Set”)

1. In the top left corner of the first page, fill in the information about you—the person filing this motion. If you are represented by an attorney, Stop! The attorney must file the motion (and will use his or her own form).
2. Case Caption: Fill in the name of the Petitioner/Party A and Respondent/Party B or Party C and the case number as they appear on the petition that originally started this case. Whoever was the Petitioner/Party A, Respondent/Party B, or Party C for the filing of the original case remains Petitioner/Party A, Respondent/Party B, or Party C for all other papers filed under this case number. Your case number also stays the same for any papers filed in your case.
3. Judge’s Name: Fill in the name of the Judicial Officer (Judge or Commissioner) assigned to your case. If you do not know the name of the judicial officer assigned to your case, call Family Administration at 602-506-1561.
4. Priority for trial. Per Rule 77 of the Arizona Rules of Family Law Procedure (ARFLP), your case is given preference by the court if it involves legal decision-making or parenting time of minor children. Check the appropriate box if your case is entitled to trial priority in scheduling.
5. Set your case for trial. Add a date at least 60 days from the date of the filing of this motion when your case will be ready for trial.
6. Short case. Some cases can be heard in an hour or less. If a lawyer has told you or you are otherwise fairly certain that your case can be heard in an hour or less, check the box for “yes”; otherwise, check the box for “no” or “not sure.”

7. Estimated length of trial. Indicate how long you think the trial will take. Generally, you may want to request "1 Day" if:

- It is a divorce, paternity, or legal decision-making and parenting time trial,
- If you will be having a lot of witnesses, experts, or
- There is an attorney for the other side.

If there are no witnesses other than you and the other party, and you do not have a lot to tell the judge, you may ask for "2 Hours." The court will decide how much time to schedule for the trial. If the trial takes longer than the time allowed, the judge can continue the trial to another date and time.

8. Certification of readiness. Put an "X" in this box if discovery has been completed (or there has been enough time and no request for discovery have been made) and your Domestic Relations/Family Court case is ready to proceed to trial. If you have questions about "discovery," you should ask a lawyer for help or research the local rules and requirements at a law library.

Next step: After you have filled out the motion forms, read and follow the instructions on the Procedures: What to do

Procedures: What to do with the Motion to Set forms after you have filled them out

Follow these procedures if you have filled out the Motion to Set Trial Date and Certificate of Readiness (commonly called “Motion to Set”) and you want a trial to be scheduled in your case.

Step 1: Review the Motion to Set form to make sure it is complete and filled out in black ink. Sign and date the form before you make copies. You may want to wait until the day you file the form before filling in the dates you are planning to mail or deliver the copies as stated on page 3.

Step 2: Make 3* copies of the completed forms:

Set 1 – Originals for Clerk of Superior Court: <ul style="list-style-type: none">• Motion to Set	Set 2 – Copies for Judge assigned to your case: <ul style="list-style-type: none">• Motion to Set
Set 3 – Copies for Other Party: <ul style="list-style-type: none">• Motion to Set	Set 4 – Copies for you (keep for your records): <ul style="list-style-type: none">• Motion to Set

*If there is more than one other party, you will need a copy for each.

If you eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions: <https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>.

Step 3: File the papers at the court. Take the original and all copies to the Clerk of Superior Court filing counter.

Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032

Hand the original and all copies of the Motion to Set to the Clerk of Superior Court where you filed your case. The Clerk will stamp and file the original and return all copies to you. These are now called “conformed” copies to indicate that the copies conform to (appear to be the same as) the original document filed with the court.

Step 4: Provide a copy to the judge assigned to your case by:

1. Delivering a copy to Family Administration,
2. Placing it directly in the judge’s “in-basket” in the lobby of the:
 - Northwest Court Facility in Surprise or the
 - Northeast Court at 40th Street and Union Hills in Phoenix, or
3. By mailing it directly to the assigned judge.

Step 5: Mail one copy to the other party, or if the party is represented by an attorney, to their attorney instead. If there is more than one other party to the case, you will need to mail a copy to each.

Step 6: Wait to receive a notice from the court. After you have filed the Motion to Set, you should be contacted by the office of the judge assigned to your case to inform you of the dates of your Pretrial Conference and Trial. The document you will receive is called a Minute Entry, and it will give you instructions about what to file before the Trial.

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent
OR ☐ Third Party

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Name of Petitioner/Party A

Case No. _____

Name of Respondent/Party B

MOTION TO SET TRIAL DATE AND
CERTIFICATE OF READINESS

- ☐ Dissolution/Legal Separation/Annulment
☐ Paternity
☐ Other _____

Name of Third Party/Party C

Assigned to: _____
Judicial Officer's Name

I. Information about my case:

I request that the above-numbered case be set for trial and certify that:

- A. The Petition was filed on _____ (date) and a Response was filed on
_____ (date).
- B. ☐ I do not have a lawyer. (Note: If you have a lawyer, your lawyer must file this
motion.)
- C. Priority for trial. (Choose one)
1. ☐ Legal decision-making and parenting time are at issue, and the case is entitled
to trial priority.

- a. Each party has completed the Parent Information Program, and the Certificates of Completion are filed with the court. ☐ Yes ☐ No
- b. Mediation has been completed or does not apply. ☐ Yes ☐ No

2. ☐ This case is not entitled to be heard before other cases.

D. Set my case for trial.

1. My case will be ready for trial on or after (date) _____. (This date must be at least 60 days from the date this motion is filed.)
2. Each party has completed, or will have had a reasonable opportunity to complete, all procedures intended to be undertaken per the Arizona Rules of Family Law Procedure 10 days prior to trial. ☐ Yes ☐ No

E. ☐ This is a short case (may be heard in an hour or less);

OR

☐ This is not a short trial and the estimated length of trial is: _____ hour(s) or _____ day(s).

F. ☐ Certification of readiness: Each party has completed, or has had a reasonable opportunity to complete, discovery. By marking this box and signing this document, I am telling the court that I have obtained all of the facts and information I need from the other party, I have answered all discovery requests from the other party, and I am ready to proceed to trial.

II. Information about lawyers representing parties in this case:

A. ☐ Information about the other party or his/her lawyer. (If other party has a lawyer, enter the information about the other party's lawyer.)

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone: _____

III. Certification of mailing or delivery.

A. Judge's copy: I have provided or will provide a copy of this document to the assigned judge by:

1. ☐ Delivering a copy to Family Court Administration on this date _____.

(Month, Date, Year)

2. ☐ Mailing a copy to the judge on this date _____.

3. ☐ Delivering a copy to the judge's mailbox, on this date _____*

*Note: At the downtown Phoenix and Mesa courthouses, the judges' mailboxes are located at Family Court Administration. At the Northwest Court in Surprise and the Northeast Court at 40th Street and Union Hills in Phoenix, the judges' mailboxes are located in an area of the lobby open to public access.

You must also mail or deliver a copy of the Motion to Set and Certificate of Readiness to the other party or his/her lawyer. If there is a court order for the parties to not have contact, do not deliver in person to the other party.)

B. Other party/attorney's copy: A copy of the Motion and Certificate has been mailed or delivered to the other party or his/her attorney. ☐ Yes ☐ No

Date mailed or delivered: _____
(Month, Date, Year)

At this address: _____
_____.

I declare under penalty of perjury that the foregoing is true and correct.

Date _____

Signature

Printed Name