

PROCEDURES: WHAT TO DO AFTER YOU HAVE COMPLETED THE PETITION AND FORMS TO STOP THE INCOME WITHHOLDING ORDER *without Agreement*

- STEP 1:** **Make 3 copies* (4 copies, if DES or DCSS is involved) of the:**
- **Petition to Stop the Income Withholding Order (“Petition to Stop”)**
 - **Order Stopping the Income Withholding Order (“Order Stopping”)**

STEP 2: **Separate your documents into 3 or *4 sets (*See Below)**

Set 1 – Originals & copies to file with clerk

- **Petition to Stop** (original)
- **Order Stopping** (original + 2 copies)
- **Income Withholding Data Form** (original)
- **Plus 2 self-addressed, stamped envelopes** (1 addressed to you and 1 addressed to the other party)

Set 2 – Copy for other party

- **(1) Petition to Stop**

Set 3 – Copy for you

- **(1) Petition to Stop**

Set 4* – Copy for Attorney General (*only if required*)

- **(1) Petition to Stop**

* **If either party already has a case with the State (DCSS or DES) involving the same children as in this case, notice of this action must also be given to the Attorney General’s Office, as instructed in Step 5 on next page.**

STEP 3: **File the Papers at the Court:** Take the original and copies to the Clerk of the Court’s filing counter. Hand over the originals and the appropriate number of sets of copies to the clerk and pay the filing fee. The clerk will keep the originals, stamp the copies to show that these are copies of papers you have filed with the court, and return the stamped copies to you. These stamped sets of copies are now called “conformed” copies.

You may file your papers at any of the following Superior Court locations:

Clerk of Superior Court
401 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

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the court. Cash, VISA/MasterCard debit or credit cards, money order, or personal in-state check made payable to the “Clerk of Superior Court” are acceptable forms of payment. You may go online at www.mohavecourts.az.gov for our current list of fees.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a **deferral** (payment plan) when you file your papers with the Clerk of the Court.

- STEP 4:** **Make sure you get back the following from the clerk:**
- Your copy

- The Other Party's Copy
- The copy for DES/DCSS* (if required)

STEP 5: **Serve the papers on the other party(ies).** The papers may be delivered by the Sheriff's Department, a licensed private process server, commercial delivery service or mail by which you can obtain an original or copy of the other party's signature confirming delivery, or by **Acceptance of Service**. (Forms may be found on-line at www.mohavecourts.az.gov)

* **SERVE PAPERS ON THE STATE:** If the State of Arizona is a party to your case, you must also serve notice on the Attorney General's Office with notice of any proceeding that may affect child support. The State of Arizona may be involved if any party received public assistance for the children or used the services of the State in establishing or collecting child support. If so, you may serve notice on the State as follows:

- (a) You may mail or personally deliver a copy of the "**Petition,**" and an "**Acceptance of Service**" form to the Office of the Attorney General ("the AG"), Division of Child Support Services (DCSS) assigned to your case. Also include a self-addressed, stamped envelope (addressed back to you).

The address of the Attorney General for Mohave County is:

**Office of the Attorney General
519 East Beale # 120
Kingman, Arizona 86401**

The AG staff will accept service by signing the Acceptance and returning or sending it back to you. You will not be required to pay any fees for service by this method. If you do not know what office your case is assigned to, you may mail the Petition and the Acceptance to:

**Office of the Attorney General
Child Support Services Section
P.O. Box 6123 – Site Code 775C
Phoenix, AZ 85005**

The state is not considered served until the AG's signed Acceptance of Service is filed with the Court.

Note: A party who is served with the papers in Arizona, whether a person or the State of Arizona (the AG / DCSS), has 20 days from the date of service to file a request for a hearing. A party who is served with the papers outside Arizona has 30 days from the date of service to file a request for hearing.

STEP 6: **WAIT** for the Court to let you know whether the Order was signed or the matter was set for a hearing. If the other party requests a hearing, either a hearing or a conference will be scheduled. You will receive written notice of when and where to appear (date, time, and location).

If the other party does not request a hearing, usually one of the following will happen:

- The "**Order Stopping the Income Withholding Order**" will be signed.
- A hearing or conference will be set.
- You will be notified by mail that your request was denied.