

## GLOSSARY TERMS

(The following terms defined below are a guide and are not to constitute legal advice)

A.

**ATLAS (Arizona Tracking and Location Automated System):** A statewide computer system for child support enforcement.

**Absent Parent:** A person who is absent from the home and legally responsible for providing financial support for a dependent child.

**Adjudication:** (Civil law, Family Law) The determination of issues in a lawsuit, the judgment.

**Affidavit:** A written statement of facts made under oath before a notary public or other person authorized to administer oaths.

**Affidavit of Direct Payment:** A written statement, usually notarized, that is signed under oath or by affirmation. An Affidavit of Direct Payment is a form verifying money an obligor paid directly to an obligee to satisfy a support obligation. Obligee must complete and submit an Affidavit of Direct Payment for payments received directly from the Obligor to the child support department.

**Annulment:** A declaration that a valid marriage never existed (filed as a petition and processed along the same guidelines as a dissolution).

**Appeal:** To ask a higher court to reverse a lower court's decision; to seek review from a higher court.

**Appellant:** A party who appeals a decision or judgment to a higher court.

**Appellee:** A party against whom an appeal is taken to a higher court, usually the winning party in the lower court.

**Arbitrator:** An attorney selected to hear a case and settle the legal dispute without a formal trial.

**Arizona Tracking Location Automation System (ATLAS):** A statewide computer system for child support enforcement.

**Arrearages (Arrears):** Unpaid child support/spousal maintenance payments owed by a person obligated to pay support.

B.

**Best Interests Attorney:** (Formerly known as a Volunteer Guardian ad Litem) An attorney who volunteers to represent a child's best interests in a family law case. A "Child's Attorney" would be appointed in cases with serious concerns about the child's safety.

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C.

**CSAW (“see-saw”) (Child Support Arrest Warrant):** An arrest warrant issued for a person who has not paid or will not pay child support. The normally associated “bond” is set as a “purge” or “release” amount, which is an amount of support owed. When paid, the purge amount applies toward the past due support and is not returned as a bond in a criminal case would be.

**Certified Copy:** A copy of a document or record that is signed and certified as a true copy by an employee of the Clerk of the Court.

**Change of Venue:** The moving of a case begun in one county or state to another county or state.

**Child/Youth/Juvenile:** A person who is under 18 years of age.

**Child Protective Services (CPS):** The part of the Division of Children, Youth and Families under the Department of Economic Security that is mandated to protect children by responding to report of abuse and neglect. CPS provides serves to families to remedy problems and allow children to remain safely in their homes.

**Child Support:** A parent’s legal obligation to pay money toward his/her child’s care and maintenance.

**Child Support Arrest Warrant (CSAW):** An arrest warrant issued for a person who has not paid or will not pay child support. The normally associated “bond” is set as a “purge” or “release” amount, which is an amount of support owed. When paid, the purge amount applies toward the past due support and is not returned as a bond in a criminal case would be.

**Child Support Guidelines:** A formula to determine the child support amount based on both parent’s gross income. This formula uses a child support worksheet which must be submitted to the court.

**Child Support Order:** The document that sets: (1) an amount of money that is to be provided by a parent for the support of the parent’s children and/or (2) the responsibility to provide health insurance and/or medical support for those children. This amount or responsibility must be established by court order or administrative process, voluntary agreement (in States or Tribes where such agreements are filed in the court or agency of the administrative process as an order and are legally enforceable) or other legal process. It may include a judgment for child support arrears.

**Civil Arrest Warrant (Bench Warrant):** A warrant issued by a judge for failure to appear for a hearing or failure to comply with a court order in a civil matter.

**Civil Procedure:** The body of law and rules governing the methods and practices of civil litigation.

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**Clerk of the Court:** An elected official who is statutorily responsible for filing and processing all documents used in conjunction with superior court cases in accordance with mandated time limitations and archival standards. Provides a courtroom clerk for all sessions of court to record proceedings into minute entries that become permanent record. Receives, invests and disburses fines, fees, reimbursements, victim restitution and public/custodial trust funds.

**Commissioner:** A full time judicial officer appointed by the presiding judge and authorized to perform limited judicial functions.

**Conciliation Services:** A branch of the court that offers services such as marriage counseling, mediation, custody evaluation, etc., to litigants involved in family court cases.

**Court Order Number/Case Number:** The case number the Clerk of Superior Court assigns upon the opening of a case will *begin* with the letters DO and the year the case was opened (ex: DO2014). Cases prior to 2009 only relating to child support will *begin* with the letters SE and the year (example: SE2009).

**Custody Order:** An order entered by the court that states which parent a child will live.

- **Joint Custody:** Custody whereby both parents share important decisions about a child.
- **Sole Custody:** Custody whereby one parent has the sole authority to make important decision about a child
- **Custodial Parent:** The parent with legal custody and with whom a child lives.
- **Non-Custodial Parent:** The parent who does not have primary custody of a child but is responsible for financial support.
- **Primary Residential Parent:** In joint custody agreements, the parent with who a child resides the majority of the time.

### D.

**DCSS (Department of Child Support Services, f/k/a Department of Child Support Services (DCSS)).** A division of the Department of Economic Security that provides certain support services. Also referred to as the designated IV-D (four-D) agency.

**Debt (Child/Spousal Support):** A debt is a monthly obligation for current and past support with court-ordered payment terms that the obligor should be in compliance with. A term used when referring to a monthly amount owed in ATLAS.

**Decree:** The final order in a divorce, legal separation, or custody case. Signed by the judge/commissioner and filed with the Clerk of the Court. Can be in a form of a pleading or of a minute entry issued by the clerk after a hearing and signed by the judge/commissioner.

**Default:** The failure or neglect to answer a summons and complaint within the time allowed or the failure to appear in court.

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**Default Hearing:** The hearing scheduled for cases in which the defendant has failed to appear or answer; the hearing set for litigants when the petition for dissolution is uncontested.

**Default Order:** An order signed by a judge or commissioner because the other side failed to appear or contest the matter.

**Deferred Fees:** Court fees that must be paid at a later date.

**Direct Deposit:** Direct deposits are support payments sent electronically from the Support Payment Clearinghouse to the obligee's financial institution for deposit into the obligee's checking account and/or savings account.

**Disbursement:** The process of money being sent out to the custodial parent once child support has been received; the paying out of collected child support funds.

**Dismissal:** An order or judgment that dismisses a complaint or counterclaim without a complete trial of the issues.

**Dismissal with prejudice:** A final dismissal barring the right to bring an action on the same claim or cause.

**Dismissal without prejudice:** A final dismissal preserving a complainant's right to sue again on the same cause of action.

**Disposable Earnings:** Includes salary, compensation, bonuses or commissions a person received after deducting from such earnings those amounts required by law to be withheld. May include unemployment insurance compensation benefits, workmen's compensation benefits, social security benefits, retirement benefits, lottery winnings, etc.

**Divorce/Dissolution:** A process that terminates a couple's marriage through the court.

**Domestication:** See "Foreign Decree/Foreign Judgment/Domestication".

**E.**

**Emancipation:** A child ceases to be a dependent upon reaching the "age of majority" as determined by State or tribal law, however, depending on the State's provisions, may remain eligible for child support for a period after emancipation. Emancipation date would be the last day of the child's birth month on their 18<sup>th</sup> birthday. Child Support will continue until the child graduates from high school or turns 19, whichever comes first.

**Employer:** As it relates to Family Support, includes all persons or agencies obligated to make periodic payments to an obligee on behalf of an obligor.

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**Entitlements:** Monies due to an obligee.

**Electronic Payment Card (EPC):** bank card issued by the State of Arizona. Child support/Spousal Maintenance payments are posted to the card.

**Evidence:** Proof presented in court through exhibits, records, objects, written documents or a witness's testimony to persuade the judge or jury as to an alleged fact or position.

**Evidentiary Hearing:** The presentation of facts and evidence to the court to decide an issue.

**Exemplify:** To make an official copy of a legal document.

**Exhibit:** A document or material produced and identified in court for the purpose of introducing it in evidence. Each document or produced material is numerically or alphabetically marked by the Clerk of the Court's deputy courtroom clerk in order to identify it for the record.

**Ex Parte:** Communication with the court by one party without the presence or knowledge of the other party.

**Ex Parte Order:** An order entered by the court at the request of only one party without notice to the other party.

### F.

**Fees:** Monies collected by the Clerk of the Court and set by the Arizona State Legislature. Fees may be waived or deferred if a party is eligible.

**Filing Fee:** The fee paid to the Clerk of the Court for the filing of a document.

**Foreign Decree/Foreign Judgment/Domestication:** The filing of a certified copy of a judgment or decree from another state, county or country in order for this county to have jurisdiction.

**Formal Proceedings:** Proceedings conducted before a judge with notice to interested persons.

### G.

**Garnishment:** A legal Income Withholding Order under which part of a person's wages and/or assets is withheld for payment of a debt ordered by or through the court. This term is usually used to specify that an income or wage withholding is involuntary.

*(also see: Income Withholding Order)*

**Gross Income:** Includes income from any source and may include but is not limited to income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, interest, trust income annuities and capital gains. May also include social security benefits, workmen's

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compensation benefits, unemployment insurance benefits, disability insurance benefits, gifts, prizes and spousal maintenance received.

**Guardian:** A person who has qualified as a guardian of a minor or incapacitated person pursuant to testamentary or court appointment except for anyone who is merely a guardian ad litem.

**Guardian ad Litem:** A guardian appointed by the court to defend for or prosecute a minor or incapacitated person in any lawsuit to which he/she may be a party. (family law) Known as a “Best Interests Attorney” and appointed by the court to represent a child’s best interests.

**Grounds:** Reason for divorce. The term is not used in Arizona; Arizona is a no-fault state. Arizona requires that the marriage be irretrievably broken with no reasonable prospect of reconciliation in order to grant a divorce.

H.

**Hearing:** A procedure before a judge sitting without a jury during which evidence may be presented and witnesses heard to determine an issue and come to a decision generally on a less formal basis than in a trial.

- **Evidentiary Hearing:** The presentation of facts and evidence to the court to decide an issue.

**Hearsay:** Testimony given by a witness who relates not what he or she knows personally but what others have said.

I.

**In Camera:** In chambers; in private.

**Inactive Calendar:** The calendar on which civil cases are placed by the Civil Court Administrator or a judge if no judgment has been obtained or if no service is made on the parties to the case. (See Arizona Rule of Family Law Procedure 46(b)).

**Intervener:** A person who intervenes as a third party in a legal proceeding.

**Income Withholding Order (IWO):** This form is the standard format prescribed by The Secretary in accordance with USC 42 §666(b)(6)(A)(ii). The federal Income Withholding Order (IWO – OMB 0970-0154) must be used in place of the Order of Assignment for wage garnishment effective no later than May 31, 2012. The IWO must be used for all non-IV-D and IV-D cases. As of June 1, 2012, the only form available for wage garnishment will be the federal IWO form.

J.

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**Judge:** The public officer authorized to preside over, hear and determine cases in a court of law.

**Judge Pro Tempore:** An individual assigned to perform the duties of a judge on a temporary basis.

**Judgment:** A decision by a court that establishes the rights of the parties in an action or proceeding; the formal decision of a court; the final determination of a case.

**Jurisdiction:** The court's ability to make decisions in a case by virtue of the parties' residence within the court's jurisdictional boundaries, or the domestication of a judgment from another jurisdiction for the sole purpose of allowing this county to rule in the case; the power of a court to render judgment and decide a case.

**Jurisprudence:** The science or philosophy of law.

### L.

**Legal Assistant:** A person who assists a lawyer in duties related to the practice of law but is not a licensed attorney.

**Legal Separation:** A court order establishing the terms of custody, support, etc., under which a married couple will live separately. The petition for legal separation is filed and processed the same way a dissolution petition is processed.

**Lien:** A claim upon property to prevent sale or transfer of that property until a debt is satisfied.

**List of Witnesses and Exhibits:** A document filed by parties to a lawsuit listing all witnesses and exhibits intended to be used at trial.

**Litigant:** A person who chooses to litigate a domestic or legal matter within the court system. (*Re-litigant:* A person who has made it his/her life's mission to constantly use the court system to solve sometimes irrelevant and antiquated domestic issues.)

### M.

**Maternity:** The legal acknowledgment of the parental relationship between a mother and her child.

**Mediation:** A process by which parties are encouraged to reach agreements in their case prior to a court hearing.

**Mediator:** A neutral person appointed by the court to help disputing parties reach an agreement, not necessarily an attorney.

**Minor/Minor Child:** A person who is under 18 years of age.

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**Minute Entry:** An official record summarizing specific events of a court proceeding. Created by the courtroom clerk. Includes future court dates, findings and rulings on cases. Distributed to attorneys and/or parties, and the original is filed and placed in the court file.

**Modification:** A modification is a court-approved change in terms of an order for maintenance or support because of one of the following conditions:

- increased or decreased earnings of a party
- increased or decreased need of a party or the child
- extraordinary medical expenses of the child
- emancipation of the oldest child

**Moot:** A subject for argument; unsettled; undecided or no longer requiring decision. A moot point is one not settled by judicial decision.

**Mortgage:** (probate law) any conveyance, agreement or arrangement in which property is encumbered or used as security.

**Motion:** A written application to the court to obtain a ruling, order or direction; a formal written request to the court asking that a specific action be taken.

**Motion in Limine:** A motion often used to limit or exclude specific evidence or a specific issue from a trial.

N.

**Net Income:** Disposable earnings.

**Non Custodial Parent (NCP):** Also known as Obligor. The parent who does not have primary custody of a child but is responsible for financial support.

**Notice:** A notation to the court that an action has taken place or that a document has been filed.

**Notice of Appointment of Arbitrator:** A notice sent by court administration to the parties that an arbitrator has been appointed.

**Notice of Change of Judge:** A document that proclaims the right of each side in any action pending in court, except Arizona Tax Court, to a change of one judge and one court commissioner. See Rule 42(f)(1)(A), *Arizona Rules of Civil Procedure* and Rule 10.2, *Rules of Criminal Procedure*. The notice must be timely and filed and served by a party who has not waived the right.

**Notice of Change of Judge/Commissioner for Cause:** A document that proclaims a party's right to ask for a change in judicial officer due to an implied or perceived improper action committed by the judicial officer. These are handled by the departmental presiding judge.



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**Notice of Dismissal:** A document filed by a plaintiff advising a defendant that a suit is being dropped.

**Nunc Pro Tunc:** (“Now for then”) Used in minute entries to give retroactive effect to acts as though they had been done previously. Usually used to correct an oversight or error.

**Non IV-D Cases:** Cases where child support is established and maintained privately, such as following a divorce. Some Non IV-D cases become IV-D cases when they are referred to the Department of Child Support Services in an attempt to collect outstanding, unpaid child support.

O.

**OSC (Order to Show Cause):** A court order requiring a party to appear in court and show cause why the party applying for the order should not have requested relief.

**Obligee:** A person to whom support is owed.

**Obligor:** A person ordered to make support payments.

**Obligation:** An obligation is a legal duty imposed on a parent by the court to provide support.

**Oral Argument:** A hearing at which parties have an opportunity to make oral presentations of their positions to the court.

**Order:** A document signed by a judge/commissioner/hearing officer, enforceable by law.

**Order of Assignment/Wage Assignment:** A court order directing that deductions be taken from wages or other income to pay current or past due child support or spousal maintenance.

**Order to Appear:** (Commonly referred to as an Order to Show Cause) a legal document ordering a person to appear before the court and explain why the relief requested in a petition should not be granted.

**Order to Show Cause (OSC):** A court order requiring a party to appear in court and show cause why the party applying for the order should not have requested relief.

P.

**Paralegal:** A person who assists a lawyer in duties related to the practice of law but is not a licensed attorney.

**Parent:** The lawful and natural father or mother of a person; the word does not mean grandparent or ancestor, but can include an adoptive parent as a replacement for a natural parent.

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**Parenting Time:** (Commonly referred to as Visitation) the time that a parent is scheduled to spend with a child pursuant to court order.

**Party:** A person or governmental agency named in a case; a person engaged in a lawsuit; a plaintiff/petitioner or defendant/respondent.

**Paternity:** A court action to determine whether an alleged father is biologically the father of a child and, as such, responsible for support and entitled to parenting time or custody.

**Payor:** The person or agency who pays or is obligated to make periodic payments to an obligor; a trustee, insurer, business entity, employer, government, governmental agency or subdivision or any other person authorized or obligated by law or a governing instrument to make payments.

**Pendente Lite:** “Pending litigation.”

**Person:** A person or an organization.

**Petition for Dissolution:** The initial pleading that allows a party to ask the court to end or dissolve a marriage.

**Petitioner:** A person bringing an action by petition rather than by complaint; the party who filed a petition with the court. The party who files the first petition in any action is deemed the petitioner for the pendency of the case, even though either party may file a petition on separate issues at later times under the same case number.

**Pleading:** The formal written allegations setting forth the claims and defenses of the parties to a lawsuit.

**Post Decree/Judgment:** An action taking place in a case after the initial decree or judgment has been entered which would ordinarily have terminated the case.

**Pre-Decree/Judgment:** An action taking place in a case prior to the entering or signing of a final decree or judgment which would terminate the case.

**Prevention:** The creation of conditions, opportunities and experiences that encourage the development of healthy, self-sufficient children and that occur before the onset of problems.

**Prima Facie:** A fact presumed to be true unless disproved by some other evidence.

**Pro Bono Publico:** For the welfare of the whole; an attorney may take a case “pro bono”.

**Proceeding:** An action at law and suit in equity.

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**Pro Hac Vice (pro-hock-vee-chay):** A request by an out-of-state attorney not admitted to practice in Arizona, through an Arizona attorney, to practice on a limited basis for a particular party/case. See Rule 33(d), *Rules of the Supreme Court*.

**Pro Per/Pro Se:** A person who does not hire a lawyer and appears for himself/herself in court.

**Property:** Both real and personal property or any interest in real and personal property and anything that may be the subject of ownership.

- **Personal Property:** Includes money, goods, chattels, dogs, things in action and evidences of debt. A.R.S. § 1-215.
- **Real Property:** Coextensive with lands, tenements and hereditaments. A.R.S. § 1-215.
- **Community Property:** Property, other than a gift or inheritance to one party, that spouses acquire during the marriage. Each spouse has a one-half interest in community property, regardless of who has title to it.
- **Separate Property:** Property that a spouse acquired before the marriage, or during the marriage through a gift or an inheritance. Separate property belongs entirely to that one spouse.
- **Insurance:** Certain types of insurance policies have a cash value, which can be divided between the spouses at the time of the divorce.
- **Retirement/Work Related Benefits:** Any pension, profit sharing, 401K or retirement plan or IRA account which is given to a spouse by an employer. If these benefits are given during the marriage, the court may give each spouse

**Purge:** Upon the issuance of a Child Support Warrant the Court shall order a purge amount. The purge amount applies toward the past due support and is not returned as a bond in a criminal case would be.

### Q.

**QDRO (Qualified Domestic Relations Order):** A document signed by the court after a decree is granted ordering an employer to divide certain retirement/work-related benefits between the former spouses.

**Qualified Domestic Relations Order (QDRO):** A document signed by the court after a decree is granted ordering an employer

**Quash:** (family law) to stop or end an order, commonly used in reference to an order of assignment.

**Quid Pro Quo:** “Something for something.”

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### R.

**Release Order:** An order prepared by the clerk and signed by the judge releasing a defendant from custody.

**Remand:** (civil law, family law) to send a case back to another court or agency for further action.

**Request for Assignment:** A request for an order of assignment to deduct from an obligor's wages in order to pay support.

**Request to Stop:** A motion to quash as it relates to a wage assignment.

**Resolution Management Conference:** An initial hearing before a judicial officer in an effort to resolve issues prior to the final entry of decree or judgment in a contested case.

**Respondent:** The receiving or defendant party in a case; a person who answers a petition.

**Response/Answer:** A written reply to any document requesting court action.

**Revoke:** To cancel or nullify a legal document.

### S.

**Sanction:** A penalty or punishment provided as a means of enforcing obedience to a law.

**Satisfaction of Judgment:** A satisfaction of judgment is a legal document stating that the full amount due on a judgment has been paid in full. A document stating that a portion of the judgment has been paid is a partial satisfaction and indicates that part of the debt is still owed. A filed partial satisfaction of judgment authorizes the court to amend the docket to reflect the amount paid and the amount that remains due from the person who owes the judgment. A Satisfaction of Judgment is also recorded with the County Recorder's Office. The release of lien only applies to the original Recorded Judgment/ Judgment date.

**Separate Property:** Property that a spouse acquired before the marriage, or during the marriage through a gift or an inheritance. Separate property belongs entirely to that one spouse.

**Service/Service of Process:** The legally required method of delivering notice or documents; the delivery of a summons, subpoena, writ or other legal document to the opposing party in a lawsuit. The most common method of service is personal service by a private process server or the sheriff. Process servers are listed in the yellow pages. Other methods of service are available.

**Set Aside:** (expungement) to annul or vacate a judgment or order.

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**Settlement:** (probate law) as it relates to a decedent's estate, includes the full process of administration, distribution and closing. (Civil law) No agreement or consent between parties or attorneys in any matter is binding if disputed, unless made in writing or orally in open court or entered in the minutes. See Rule 80(d), *Arizona Rules of Civil Procedure*. (Family law) Agreements between parties shall be binding if they are in writing or made or confirmed on the record before a judge, commissioner, judge pro tempore, court reporter or other person authorized by local rule or administrative order to accept such agreements. See Rule 69, *Arizona Rules of Family Law Procedure*.

**Simplified Modification:** A procedure in which a person paying or receiving child support attempts to show that, because of a change in circumstances, the current child support order should be modified.

**Special Master:** A person appointed by the court to help parents resolve disputes about what is best for a child.

**Spousal Maintenance:** (Commonly referred to as **Alimony**) Court ordered monies paid from one spouse to the other.

**Statutory Received Date (SRD):** A term used when a custodial parent calls to inquire about a payment being received and processed.

**State:** A state, district, territory, possession or commonwealth of the United States.

**Stay:** A temporary stop or delay in a judicial proceeding.

**Stipulation:** An agreement or joint motion between the parties in a lawsuit or legal action.

**Strike:** To delete or cancel.

**Subpoena:** An order to a witness to appear and give testimony in court or at a deposition; an order to appear in court.

**Subpoena Duces Tecum:** An order to a witness to produce documents.

**Subsequent Employer:** Any employer, other than the first employer of an obligor upon whom an order of assignment (wage assignment) has been served. A subsequent employer must honor the order of assignment as the first employer did.

**Summons:** Written notification served on a person warning that person to answer or appear in court within a specified period of time; a document ordering a party to appear in court by way of a filed answer.

**Superior Court (General Jurisdiction):** A general jurisdiction court; has the authority to hear all legal actions not exclusively assigned to another court.

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**Supervised Parenting Time:** Parenting time by a parent with that parent's child while another adult, usually a person other than the custodial parent, is present.

**Support Order:** Any order entered by the court for the payment of support. Support may include payment for medical, dental and other health care; child care and education expenses as well as spousal maintenance.

**Support Payment Clearinghouse:** Central Support payment processing center that is an independent third party located in Phoenix, Arizona. Processes payments throughout the State of Arizona.

**Suppress:** To forbid the use of evidence at a trial because it is improper or was improperly obtained.

**Supreme Court:** The highest court in the State of Arizona; the Court of Last Resort; hears cases appealed to the supreme court from lower courts and death penalty cases from superior court.

### T.

**TANF (Temporary Aid to Needy Families):** State financial assistance to low income families.

**Temporary Aid to Needy Families (TANF):** State financial assistance to low income families.

**Temporary Order:** An order issued by the court to establish certain issues until a final judgment or decree is entered.

**Title IV-D Cases:** Cases where the custodial parent is receiving some sort of assistance from the Department of Child Support Services. This may include locating the non-custodial parent, establishing paternity, or establishing and enforcing a child support order.

**Title IV-A Cases:** Cases where the custodial parent is receiving public assistance from the state. In order to defray the costs of supporting the family, the state will automatically refer IV-A cases to the Department of Child Support Services in order to attempt to collect child support directly from the non-custodial parent.

**Title IV-E Cases:** Cases where the child/ren are being cared for by someone other than a parent, such as another relative or the foster care system. These cases are also automatically referred to the Department of Child Support Services in order to attempt to recoup costs from the non-custodial parent(s).

**Transcript:** The official verbatim record of testimony at a trial or hearing taken by a court reporter.

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**Trial:** A proceeding in court to decide a controversy whereat parties may be called upon to testify and evidence is taken; may be to the court (before only a judge) or to a jury; a court hearing when all contested issues are presented to the judge for a decision.

U.

**UCCJEA (Uniform Child Custody Jurisdiction and Enforcement Act):** A law that helps the court determine which state has jurisdiction regarding custody.

**URESA (Uniform Reciprocal Enforcement Act):** A law that provides a way to establish and enforce support obligations when the obligor lives in one state and the obligee and child live in another, allowing one state to honor and enforce another state's orders. Reciprocal matters involving both interstate and local support issues in this state are commonly handled by the Attorney General's Office.

**Uncontested:** Matters before the court in which parties have not expressed disagreements.

**Under Advisement:** After hearing oral argument, the judge may rule while on the bench or later in chambers. When ruling later in chambers, the matter is referred to as "taken under advisement."

**Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA):** A law that helps the court determine which state has jurisdiction regarding custody.

**Uniform Reciprocal Enforcement Act (URESA):** A law that provides a way to establish and enforce support obligations when the obligor lives in one state and the obligee and child live in another, allowing one state to honor and enforce another state's orders. Reciprocal matters involving both interstate and local support issues in this state are commonly handled by the Attorney General's Office.

V.

**Vacate:** To remove a hearing from the court's calendar.

**Venue:** The county, city, judicial district or geographical area over which a certain court has power to exercise jurisdiction.

**Visitation:** (Now referred to as Parenting Time or Access) the amount of time established by the court that a child spends with a non-custodial parent or grandparent.

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### W.

**Wage Assignment:** (family law) A court order to attach a person's pay check for payment of child support, spousal maintenance or arrearages of child support or spousal maintenance.

**Waived Fees:** Court fees that are not required to be paid because of the financial condition or situation of the party.

**Warrant:** An order to law enforcement to take a person into custody.

**Warrant for Immediate Production:** (Formerly known as a Writ of Habeas Corpus in family court) an action of one party attempting to retrieve a child from another party. Oftentimes, a party without proper authority to have a child will remove the child from the proper jurisdiction and bring the child to Arizona. The party with authority to have custody will follow and attempt to retrieve the child by filing their orders with the Clerk of the Court (domesticating a foreign judgment) and approaching the judicial officer with a request to have the child returned.

**With Prejudice:** Charges dismissed "with" prejudice cannot be re-filed against a defendant. See "Dismissal with Prejudice".

**Without Prejudice:** Charges dismissed "without" prejudice can be re-filed against a defendant. See "Dismissal without Prejudice".

**Witness:** One, who testifies under oath at a trial or hearing about what he/she has seen, heard, knows or has an opinion about.

**Writ:** A formal order of the court ordering a person to do or not to do something.

**Writ of Execution:** A writ to put in force the judgment or decree of the court.