

**INSTRUCTIONS FOR FILING PETITIONS FOR  
JUDICIAL CONSENT TO ABORTIONS  
PURSUANT TO A.R.S. §36-2152(B)**

If you are a pregnant minor, are unmarried and live with a parent, A.R.S. §36-2152(B) requires written consent from one of your parents, your guardian, or your conservator for you to obtain an abortion. These instructions will tell you how to petition a superior court judge to authorize an abortion without parental consent and how the Arizona courts will hear and decide your Petition. The proceedings are confidential. No information about you or your Petition will be available to the public. There is no cost to you in seeking a judicial order.

**1. Filing the Petition.** You must complete the form of Petition attached to these instructions by printing or typing the information needed and file it with a clerk of the superior court (see list of addresses, attached). You may use a fictitious name such as “Jane Doe” or initials such as “J.D.” on the Petition, and you do not need to sign the Petition with your real name. However, you must put your real name and how the clerk can reach you on the Data Sheet. This Data Sheet with your real name will be kept separate from your case file; your true name will be kept confidential as required by the statute.

If you file the Petition in person, you must do so at the office of a clerk of the superior court (see list of addresses). After you file the Petition, the clerk will ask you to wait while the file is opened and a hearing date is scheduled.

If you file the Petition by mail, you must include a copy of the Data Sheet with your contact information so the clerk will know how to reach you. You should call the clerk of the superior court if you do not receive a Notice of Hearing within 48 hours of mailing the Petition.

**2. Guardian ad Litem.** Pursuant to state statute, the court is required to appoint a guardian ad litem to make recommendations to the judge regarding what is in your best interest.

**3. Right to an Attorney.** Pursuant to the statute, you have a right to be represented by an attorney at no expense to you. If you want to have a court-appointed attorney, please check the appropriate line on the Petition form. If possible, the clerk will inform you while you are waiting for the file to be opened of the name, address, and phone number of your court-appointed attorney. That attorney will represent you at the hearing and on any further appeal, if required.

**4. The Hearing.** When you file your Petition, the clerk will notify the assigned judge to arrange for a hearing. You have a right to a hearing and a ruling on your Petition within 48 hours of filing the Petition, excluding weekends and holidays. Before you leave the counter, if possible the clerk will give you a Notice stating the time and date of the hearing. If you mail your Petition to the clerk, or if you file it in person and no judge is available the same day, the clerk will inform you as soon as possible using the means you designate on the Data Sheet of the date and time of your hearing. Failure to attend the hearing may result in the Petition being denied.

At the hearing, the judge must determine whether you are mature and capable of giving informed consent to the abortion. If you do not claim to be mature, or if the judge finds you are not mature, the judge must determine whether an abortion without consent from one of your parents, a guardian, or a conservator is in your best interests. The judge may ask you questions, and you have the right to introduce evidence at the hearing, concerning both of these determinations.

The judge will appoint a guardian ad litem to recommend to the judge what is in your best interests. There is no expense to you for the appointment of a guardian ad litem and such appointment will not delay the hearing unless you agree to a postponement.

**5. The Ruling.** Within 48 hours of filing your Petition, excluding weekends and holidays, the judge will issue his or her decision. If the judge finds you are mature and can give informed consent to the abortion, or that an abortion without consent from one of your parents, a guardian, or a conservator is in your best interests, the judge will enter an Order authorizing the abortion. If the judge grants your Petition, the clerk specialist will prepare a certified copy of the Order for you to provide to your doctor.

If the judge denies your Petition, the clerk will provide a copy of the Order to you, on the same day it is issued, using the means you designate on the Data Sheet. You will also receive information about your right to appeal. See ¶¶ 5-7, below.

If you do not receive a ruling within 48 hours of the hearing, you should call or come to the clerk's office. If the judge does not enter a ruling within 48 hours of your filing the Petition, the Petition is considered granted and the clerk specialist will prepare a document entitled Certification of the Clerk for you to provide to your doctor.

**6. Appeal Rights.** If you are dissatisfied with the ruling, you have a right to an appeal. If you want to appeal, you should do so as soon as possible. A Notice of Appeal must be received by and filed in the superior court clerk's office no later than 15 days after the file-stamped date on the superior court Order or you will lose your right to appeal. If the 15<sup>th</sup>

day falls on a weekend or a date the superior court is closed, the last day to appeal will be the next day the superior court clerk's office is open.

Prepare the Notice of Appeal form as you did the Petition and file it with the superior court clerk. There is no charge for filing an appeal. If you did not ask to be represented by a court-appointed attorney for the superior court hearing and want to be so represented on appeal at no charge to you, check the appropriate line on the Notice of Appeal.

If you deliver your Notice of Appeal in person, the clerk will call and inform the appellate court clerk that an appeal has been filed. The court of appeals will set a hearing on your appeal to be held within 48 hours of filing the appeal form, excluding weekends and holidays. If possible, the superior court clerk will inform you of the location, time and place of that hearing while you wait. If that is not possible, the court of appeals clerk will contact you with that information using the means designated on the Data Sheet. If you mail the Notice of Appeal to the superior court clerk, you must provide contact information so you can be advised of the date and time of the appellate hearing.

The superior court clerk will send you or your attorney a copy of the recording or transcript of the superior court hearing so that you have it prior to any appellate hearing. There is no cost to you for preparing the transcript or for the recording.

**7. The Appeal Hearing.** The court of appeals will hold the appeal hearing and issue a ruling on your appeal within 48 hours of the filing of your Notice of Appeal, excluding weekends and holidays. You may attend the appeal hearing in person or by telephone. If you indicate on the Notice of Appeal that you will attend the hearing by phone, the court of appeals will call you at the phone number you provide on the date and time indicated on the Notice of Hearing on Appeal. The court of appeals' decision will be provided to you using the means designated on the Data Sheet.

**8. Further appellate review.** If you are dissatisfied with the court of appeals' decision, you may file a Petition for Review to the Arizona Supreme Court. If you want the supreme court to review the matter, you should file a Petition for Review as soon as possible, but no later than 30 days after the court of appeals' ruling is filed. All of the procedures for filing the Notice of Appeal also apply to the Petition for Review, except the Petition for Review should be filed with the clerk of the court of appeals. A ruling must be issued within 48 hours of the filing of your Petition for Review, excluding weekends and holidays.

## MINOR ABORTION FORMS/INSTRUCTIONS

### CLERKS OF THE SUPERIOR COURT

<b>Superior Court in Apache County</b>	70 West 3rd South St. Johns, AZ 85936 Phone: (928) 337-7550 <a href="http://www.co.apache.az.us/Departments/ClerkCourt/Main.htm">http://www.co.apache.az.us/Departments/ClerkCourt/Main.htm</a>
<b>Superior Court in Cochise County</b>	100 Quality Hill Bisbee, AZ 85603 Phone: (520) 432-8570 <a href="http://cochise.az.gov/cochise_clerk_court.aspx?id=194">http://cochise.az.gov/cochise_clerk_court.aspx?id=194</a>
<b>Superior Court in Coconino County</b>	County Courthouse 200 N. San Francisco Flagstaff, AZ 86001 Phone: (928) 679-7600 <a href="http://www.coconino.az.gov/courts.aspx?id=295">http://www.coconino.az.gov/courts.aspx?id=295</a>
<b>Superior Court in Gila County</b>	1400 E. Ash Globe, AZ 85501 Phone: (928) 425-3231 <a href="http://www.supreme.state.az.us/gilasc/clerk/clerk.html">http://www.supreme.state.az.us/gilasc/clerk/clerk.html</a>
<b>Superior Court in Graham County</b>	County Courthouse 800 Main St. Safford, AZ 85546 Phone: (928) 428-3100 <a href="http://www.graham.az.gov/Graham_CMS/Clerk.aspx?id=420">http://www.graham.az.gov/Graham_CMS/Clerk.aspx?id=420</a>

**Superior Court in Greenlee County**

County Courthouse  
223 Fifth Street  
Clifton, AZ 85533  
Phone: (928) 865-4242  
<http://www.co.greenlee.az.us/courts/clerkhome.aspx>

**Superior Court in La Paz County**

1316 Kofa Ave, Ste. 607  
Parker, AZ 85344  
Phone: (928) 669-6131  
<http://www.co.la-paz.az.us/>

**Superior Court in Maricopa County**

Juvenile Court Center  
(Durango)

3131 W. Durango  
Phoenix, AZ 85009  
Phone: (602) 506-4533

Juvenile Court Center  
(South East Facility)

1810 S. Lewis  
Mesa, AZ 85210  
Phone: (602) 506-2544  
<http://www.superiorcourt.maricopa.gov/SuperiorCourt/JuvenileCourt/Index.asp>

**Superior Court in Mohave County**

401 E. Spring Street  
Kingman, AZ 86402  
Phone: (928) 753-0713  
<http://www.mohavecourts.com/clerk/homepage.htm>

**Superior Court in Navajo County**

County Courthouse  
100 E. Code Talkers Drive  
South Highway 77  
Holbrook, AZ 86025  
Phone: (928) 524-4188  
<http://www.navajocountyaz.gov/clerk/>

## **Superior Court in Pima County**

Juvenile Court Center

2225 E. Ajo Way  
Tucson, AZ 85713

Phone: (520) 740-3201

<http://www.pcjcc.co.pima.az.us/index.asp>

## **Superior Court in Pinal County**

County Justice Complex  
971 Jason Lopez Circle  
Bldg. A / Hwy. 79  
Florence, AZ 85132  
Phone: (520) 866-5300

<http://pinalcountyyaz.gov/Departments/JudicialBranch/ClerkoftheSuperiorCourt/Pages/Home.aspx>

## **Superior Court in Santa Cruz County**

Santa Cruz County Complex  
2150 N. Congress Drive  
Nogales, AZ 85621  
Phone: (520) 375-7700

<http://www.co.santa-cruz.az.us/clerk/index.html>

## **Superior Court in Yavapai County**

County Courthouse  
120 S. Cortez  
Prescott, AZ 86303  
Phone: (928) 771-3312

<http://www.co.yavapai.az.us/clerksupct.aspx>

## **Superior Court in Yuma County**

County Courthouse  
250 West 2<sup>nd</sup> Street, Ste. B  
Yuma, AZ 85364  
Phone: (928) 817-4222

<http://www.yumacountyaz.gov/index.aspx?page=125>



Address \_\_\_\_\_  
Telephone number \_\_\_\_\_

5. I believe I am \_\_\_\_\_ weeks pregnant or my expected due date is \_\_\_\_\_.
6. I want to terminate my pregnancy by abortion.
7. \_\_\_\_\_ I am mature and capable of giving informed consent to the proposed abortion; AND/OR **[both paragraphs 6 and 7 may be checked, if applicable]**
8. \_\_\_\_\_ It is in my best interests to have an abortion without the consent of my parent(s), guardian, or conservator.

For the reasons above stated, I respectfully request that this Court authorize a physician to perform an abortion at my request, without the consent of a parent, guardian, or conservator.

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Petitioner's signature, using true name OR  
fictitious name OR initials)

DATA SHEET

Judicial Consent to Abortions for Minors  
Pursuant to A.R.S. § 36-2152(B)

Petitioner's true name: \_\_\_\_\_

Fictitious name to be used (if any): \_\_\_\_\_

Name of attorney (if any): \_\_\_\_\_

Attorney's address: \_\_\_\_\_

Attorney's phone number: \_\_\_\_\_

Please indicate which of the following methods you wish to have the court use to contact you regarding this proceeding. **In making your decision as to how you want to be contacted, please keep in mind that the court must keep this matter strictly confidential.**

\_\_\_\_\_ The court may telephone me at the following number: \_\_\_\_\_

\_\_\_\_\_ The court may contact me by mail at the following address:  
Street Address: \_\_\_\_\_  
City, State, and Zip Code: \_\_\_\_\_

\_\_\_\_\_ The court may contact me at the following e-mail address: \_\_\_\_\_

\_\_\_\_\_ The court may contact me at the following fax number: \_\_\_\_\_

\_\_\_\_\_ I only want to be contacted personally and I am responsible for appearing in person at the office of the clerk of the superior court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner (Please use true name)

**SUPERIOR COURT OF ARIZONA**

\_\_\_\_\_ **COUNTY**

IN THE MATTER OF: \_\_\_\_\_ )  
 )  
 )  
 a minor )  
 [Use fictitious name if petitioner )  
 has so requested] )  
 \_\_\_\_\_ )

CASE NO. \_\_\_\_\_

**CERTIFICATION OF THE CLERK**

The petitioner in this matter has filed a Petition to Authorize Physician to Perform Abortion, pursuant to A.R.S. § 36-2152(B). According to A.R.S. § 36-2152(E), if the Court has not held the hearing on the petition and issued a ruling within forty-eight hours after the petition was filed, excluding weekends and holidays, the petition is deemed to have been granted and the consent requirement is waived. The Clerk of this Court hereby certifies as follows:

1. The petition in this matter was filed on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_.m.
2. The Court was required to hold a hearing and issue a ruling on or before \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_.m.
3. No ruling in this matter was issued within the time required by A.R.S. § 36-2152(E).

DATED: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Superior Court

**SUPERIOR COURT OF ARIZONA**

\_\_\_\_\_ **COUNTY**

IN THE MATTER OF: \_\_\_\_\_ )  
\_\_\_\_\_ )  
a minor )  
[Use fictitious name if petitioner )  
has so requested] )  
\_\_\_\_\_ )

CASE NO. \_\_\_\_\_

**NOTICE OF HEARING**

1. Your hearing date is: \_\_\_\_\_
2. The location of your hearing is: \_\_\_\_\_
3. The time of your hearing is: \_\_\_\_\_
4. Your hearing judge is: \_\_\_\_\_
5. Your guardian ad litem is: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_
6. Your attorney is (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_

**You are advised that failure to appear at the hearing at the time and date above may result in the denial of your petition.**

DATE: \_\_\_\_\_

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Deputy Clerk

Mailed/hand-delivered to  
petitioner/petitioner's attorney  
on \_\_\_\_\_, 20\_\_.

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Mailed/hand-delivered to  
guardian ad litem  
on \_\_\_\_\_, 20\_\_.

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**SUPERIOR COURT OF ARIZONA**

\_\_\_\_\_ **COUNTY**

IN THE MATTER OF: \_\_\_\_\_ )  
 )  
 )  
 a minor )  
 )  
 [Use fictitious name if petitioner )  
 has so requested] )  
 )  
 )  
 \_\_\_\_\_ )

CASE NO. \_\_\_\_\_

**NOTICE OF HEARING AND  
APPOINTMENT OF COUNSEL**

1. Your hearing date is: \_\_\_\_\_.
2. The location of your hearing is: \_\_\_\_\_.
3. The time of your hearing is: \_\_\_\_\_.
4. Your hearing judge is: \_\_\_\_\_.
5. Your appointed guardian ad litem is: \_\_\_\_\_.  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_.
6. Your appointed attorney is: \_\_\_\_\_.  
Address: \_\_\_\_\_  
Phone number: \_\_\_\_\_.

**You are advised that failure to appear at the hearing at the time and date above may result in the denial of your petition.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

Mailed/hand-delivered to  
petitioner/petitioner's attorney  
on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Mailed/hand-delivered to  
guardian ad litem  
on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_





A copy hereof was  
hand-delivered/mailed  
to petitioner/petitioner's attorney,  
this \_\_ day of \_\_\_\_\_, 20\_\_.

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Mailed/hand-delivered to  
guardian ad litem  
on \_\_\_\_\_, 20\_\_.

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**SUPERIOR COURT OF ARIZONA**  
**\_\_\_\_\_ COUNTY**

IN THE MATTER OF:  _____, a minor <b>[Use true name of petitioner]</b>  _____	) ) ) ) ) ) ) ) ) )	CASE NO. _____  <b>ORDER GRANTING PETITION</b>
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A hearing was held on a Petition to Authorize Physician to Perform Abortion on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The petitioner was present. The record was kept by\_\_\_\_\_. The name of the court reporter, if applicable, is \_\_\_\_\_. The petitioner was sworn and testified.

Based on the evidence presented, THE COURT FINDS AS FOLLOWS:

1. \_\_\_\_\_ was appointed by the court to act as a guardian ad litem for petitioner.
  
2. \_\_\_\_ The petitioner was represented by an attorney, \_\_\_\_\_, who was present at the hearing; OR  
  
 \_\_\_\_ The petitioner was advised of her right to court-appointed counsel and has knowingly and intelligently waived her right to counsel.
  
3. \_\_\_\_ The petitioner is mature and capable of giving informed consent to the proposed abortion; OR  
  
 \_\_\_\_ The petitioner is not mature, but it is in the petitioner’s best interests to have the proposed abortion without having to obtain consent from one of her parents or her guardian or conservator, based on the following factors:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DATE: \_\_\_\_\_

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Judge of the Superior Court

A copy hereof was  
hand-delivered/mailed  
to petitioner/petitioner's attorney,  
this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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Mailed/hand-delivered to  
guardian ad litem  
on \_\_\_\_\_, 20\_\_.

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