



## Salt River Pima-Maricopa Indian Community Court

10040 E. Osborn Road, Scottsdale, Arizona 85256

Phone (480) 362-6315

\_\_\_\_\_,  
(Print Full Name) Petitioner,

v.

\_\_\_\_\_,  
(Print Full Name) Respondent.

Case No.: \_\_\_\_\_

### NOTICE OF CHANGE OF JUDGE

COMES NOW, \_\_\_\_\_ and requests, as a matter of right, a change of judge.

1. The judge to be changed is: \_\_\_\_\_;
2. This notice for change of judge is timely filed: it is filed no more than five (5) days after the date on which the answer to the complaint is to be filed, and the assigned judge has not made a ruling on an issue of law or fact in the proceedings or in any earlier related case or proceeding; and
3. The requesting party has not previously requested a change of judge in this case.

\_\_\_\_\_  
Party's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Party's Printed Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Mailing Address

### CERTIFICATE OF MAILING/DELIVERY

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, I served a true and correct copy of the foregoing request by first-class U.S. mail/ hand delivery to:

\_\_\_\_\_  
Your signature

## **INSTRUCTIONS FOR NOTICE OF CHANGE OF JUDGE AS OF RIGHT**

These instructions are provided for informational purposes only to assist pro se litigants with completing the forms. The instructions do not create any rights, duties or obligations under the law.

### **GENERAL INFORMATION**

In civil cases, including family, juvenile, and probate cases, any party may request a change of judge as a matter of right. This means that a party does not have to state a reason for the request. SRP-MIC Code Sec. 4-36(a) (1). However, a change of judge as a matter of right is subject to some limitations under SRP-MIC Code Sec. 4-36(d). For example, a request for change of judge must be timely filed, no more than five days after the date on which the answer to the complaint is to be filed; or after the assigned judge has ruled on any substantive matter in the proceedings or has ruled in an earlier related case or proceeding.

### **HOW TO COMPLETE THE STANDARD FORM**

1. In the upper left-hand caption box, print the names of the Petitioner and Respondent. The names and case number should be the same as on the petition.
2. In the introductory paragraph, identify yourself by name and your party designation (i.e., Petitioner, Plaintiff, Respondent or Defendant).
3. In Paragraph 1, identify the judge who is assigned to your case.
4. In Paragraph 2, the statement confirms that the notice is timely filed. The request for change of judge will be immediately honored so long as the request was filed no more than five (5) days after the date on which the answer to the complaint is to be filed under the Salt River Rules of Civil Procedure, Rule 5-14.2. Please ask a court clerk for assistance if you are unsure of the date on which the answer was due.
5. In Paragraph 2, the statement confirms that the assigned judge has not made a ruling on a substantive matter in the proceedings or in any other earlier related case or proceeding. This means that you never appeared before this judge in a different case in which the judge decided your issue, for example, determined paternity of a child and now the same child is the subject of this current case. It also means, that the judge in this case did not rule earlier on a substantive matter such as whether to admit certain evidence.
6. In Paragraph 3, the statement confirms that you have not previously exercised a right to change of judge.
7. Sign the request and provide your name, mailing address and phone number(s) so that you may be contacted. Please note that it is your responsibility to notify the Court of any changes to this information. You will be deemed to have received notice of any documents mailed to the address provided.
8. Complete the Certificate of Mailing/Delivery, and sign. You are responsible for the delivery of the Notice to the other party.

If you have questions about you whether may file this notice, seek legal counsel for advice.