

## **INSTRUCTIONS FOR COMPLETING AND FILING A MOTION**

A “motion” is a request for a judge to issue an order or judgment while a case is still active to enforce a duty, right or request of one or more of the parties in a case. A motion may be submitted to the court for a number of reasons: to continue/reschedule a hearing, to amend/modify an order or judgment, to request a hearing date, to make a party do or not do something, to request an order be upheld and for a number of other reasons.

Your motion will not be automatically granted. The judge must review your motion to make sure that: (1) there is some legal authority to grant your request; and (2) that you have given the judge enough facts to support your claim to legally justify the result you are asking for. The judge must find “good cause” to accept your motion and to grant your request for relief. If the judge does not find good cause, your motion will be denied.

The judge may take other action besides granting or denying your motion. If your case involves another party, the judge may send a copy of your motion to that party to allow them to submit a response to the judge. The judge may set a hearing to allow you and the other party to present additional evidence or testimony to the judge.

DO NOT file a motion if you are represented by an attorney or advocate. Please contact your attorney or advocate if you wish to file a motion and they will do so on your behalf.

### **PROCEDURES**

- Step 1:** Complete the motion form by filling in all the blanks. Please be specific and provide as much detail as possible. Attach additional sheets if necessary. Write legibly and remember to press hard when filling out the form so the information appears clearly on both copies. Your motion may be sent back to you if the judge cannot read the motion. Attach copies of any documents you wish the judge to see.
- Step 2:** File the original (and any attachments) with the Court Clerk. You may file your motion in person, by mail or fax. The Clerk will stamp the copies (which are called “conformed copies”) as proof that the original was filed. The Clerk will give you one conformed copy which is your copy. The other copy is for the other party.
- Step 3:** Wait to receive a notice from the Court. It may take a few days for the judge to decide. Once you have filed the motion, the judge will sign an order granting your motion, denying your motion, giving the other party a chance to respond, or setting the matter for a hearing. The judge’s order will explain the decision. Both parties will receive a copy of the judge’s order.

**NOTE: FAILURE TO FOLLOW THESE PROCEDURES MAY RESULT IN A DELAY IN YOUR CASE.**

**REMOVE THIS SHEET BEFORE SUBMITTING YOUR MOTION.**

\_\_\_\_\_  
(Your name)

\_\_\_\_\_  
(Mailing address)

\_\_\_\_\_  
(City, State and Zip Code)

Court use only.

**IN THE GILA RIVER INDIAN COMMUNITY COURT  
IN THE STATE OF ARIZONA**

\_\_\_\_\_  
**Plaintiff/Petitioner,**  
**vs.**

**Case No.** \_\_\_\_\_

\_\_\_\_\_  
**Defendant/Respondent.**

**MOTION**

I am the [ ] Plaintiff/Petitioner [ ] Defendant/Respondent in this case. I request this Court to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

The reason or basis for this request is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**WHEREFORE**, good cause having been shown, the moving party prays that the Court grant this Motion and issue its Order as requested above. I state under the penalty of law the above statement(s) are all true and correct to the best of my knowledge and belief.

**RESPECTFULLY SUBMITTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature of person filing)

**WHITE:** Court original

**CANARY:** Plaintiff/Petitioner

**PINK:** Defendant/Respondent