SUMMARY CONSENT DECREE PROCESS

for DIVORCE of a non-covenant marriage WITH MINOR CHILDREN

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To get a Consent Decree when both parties agree

Forms and Instructions

010126

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Summary Consent Decree Process for dissolution (divorce) of non-covenant marriage with minor children

CHECKLIST

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You may use the forms in this packet if . . .

- ✓ Both spouses want to get a divorce, AND,
- ✓ Both spouses agree to ALL the terms of the divorce and will work together to complete, sign and file the necessary papers, AND,
- ✓ You do not have a "covenant" marriage, (these papers will not work for a covenant marriage)* AND,
- ✓ Either spouse has lived in Arizona at least 90 days before you file the forms; or either spouse is a member of the armed forces and has been stationed in Arizona at least 90 days before you file AND,
- ✓ You have minor child(ren), AND they have resided (lived) in Arizona at least 6 months before you file the forms, or you talked to a lawyer who advised you that you could pursue the case in Arizona AND,
- ✓ You believe that the marriage is irretrievably broken (you and your spouse cannot make this marriage work) AND,
- ✓ Either spouse has tried to resolve your marital problems through Conciliation Services, or there is no point in trying to resolve your marital problems.

*What is a "Covenant Marriage?" As of August 21, 1998, the Arizona Legislature created a type of marriage called "covenant" marriage. To have a covenant marriage, both spouses would have had to:

1. sign papers asking to have a covenant marriage; AND
2. attend pre-marital counseling; AND
3. the marriage license says it's a "Covenant Marriage."

If you were married before August 21, 1998 and have not signed papers to convert your marriage to a covenant marriage, you do not have a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

Summary Consent Decree Process for Divorce of a non-covenant marriage with minor children

This packet contains court forms and instructions to file for a divorce by the summary consent decree process. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

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Instructions: How to fill out papers for the summary consent decree process

Domestic Violence: Domestic violence can be part of any marriage. Domestic violence includes physical violence such as hitting, slapping, pushing or kicking or threats of physical violence directed against you and/or your children and/or verbal abuse used to control you and/or your children.

Court documents request your address and phone number. If you are a victim of domestic violence, and you do not want your address to be known to protect yourself or your children from further violence, you must file a "Request for Protected Address" and ask that your address not be disclosed on court papers. With that Order, you do not need to put your address and phone number on your divorce papers. Just write "protected" in the space on the form where you are asked for this information. You must tell the Clerk of Superior Court your address and phone number as soon as possible so the court can get in touch with you. The court will keep your address protected.

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General information about filling out forms:

- Type or print all forms in black ink.
- You must fill out the top left of the first page on every form. This tells the Court who is filing the document. This will be the Petitioner/Party A's information, except when noted below.
- You will not have a Case Number, unless you have a court order for Child Support. If so, use that Case Number. Otherwise, leave the space blank for the Clerk of Superior Court to assign a new Case Number.
- Whomever is the "Petitioner/Party A" will remain the "Petitioner/Party A" throughout the whole case. This will never change.
- Whomever is the "Respondent/Party B" will remain the "Respondent/Party B" throughout the whole case. This will never change.

Complete the following forms:

✓ Family Department Sensitive Data Cover Sheet

Both parties need to complete their own Cover Sheet.

- If you have minor children, use the form "with children." If you do not have minor children, use the form "without children."
- The top left information is for the party filing the form.
- No copies are needed; neither party will provide a copy to the other party. This form is information just for the Court.

✓ Preliminary Injunction

- This document tells the parties things they cannot do until the Court enters the decree.
- A copy must go to the responding party.

- ✓ Notice of Your Rights About Health Insurance Coverage
  - This is an important document that explains what to do about health care coverage for yourself and any minor child(ren). Read it carefully.
  - A copy must go to the responding party.
- ✓ Notice Regarding Creditors
  - This is an important document that tells both spouses that each is responsible for community debts to creditors even though the court order or decree says that only one of you are responsible. Read this notice to find out how to obtain information from your creditors about account balances.
  - A copy must go to the responding party.
- ✓ Notice of Intent to File Consent Decree for Dissolution of a Non-Covenant Marriage
  - Both parties sign and date the form.
- ✓ Petition and Response for Dissolution of a Non-Covenant Marriage
  - Numbers correspond to numbered paragraphs or sections on the form.
    1. Complete Party A's name, address, date of birth, job title and years/month lived in Arizona.
    2. Complete Party B's name, address, date of birth, job title and years/month lived in Arizona.
    3. Complete information about the marriage, including:
       - Date of marriage. If you do not know this information, and you were married in Yuma County, you may get a copy of your marriage license from the Clerk of Superior Court (250 W. Second St., Yuma, AZ) If you were married in another county in Arizona, go to the Clerk of Superior Court at the county seat where you were married.
       - City and State of marriage. If married outside the United States, indicate the Country where married.
       - Read the statements that follow the checkboxes. Check the box for each statement that is TRUE. If any statement is NOT true or if you fail to check the box to indicate the statement is true, your case may not proceed.
         - Check the first box to indicate that you do <u>not</u> have a "covenant" marriage. Read the Checklist in this packet for more information on covenant marriages.
         - Check the second box to indicate your marriage is irretrievably broken. "Irretrievably broken" means that your marriage is broken beyond repair and there is no chance of getting back together with your spouse.
         - Check the third box to indicate you and your spouse have attended a free conference with trained staff through the Court – or that it would not help.

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- If the fourth box (regarding legal decision-making) is not checked, the Court will not be able to enter orders regarding legal decision-making of the children. Generally, the children must have lived in Arizona for the past six (6) months, or since birth if younger than 6 months.

4. 90-day requirement. At least one of the parties must have lived in Arizona for at least 90 days before filing the papers. Or, at least one party must have been stationed in Arizona while a member of the Armed Forces for at least 90 days before filing the papers. Before you file for Divorce, this statement MUST be true. If it is not true, you cannot file for divorce in Arizona until it becomes true.
5. If you have minor children, list their name, date of birth, and address.
6. Statement and Waivers. These statements are necessary to proceed with the summary consent decree process.
   a. This waiver means the Respondent will not require the Petitioner to formally serve them under Arizona law, and both parties agree that they have settled all issues in their divorce.
   b. This waiver means both parties understand they have a right to request free conciliation services to try to resolve issues to remain married. However, they choose not to use those services.
   c. This waiver means both parties understand the Petitioner could proceed by default if a Petition was filed instead. Default is when the Petitioner makes requests of the Court and the Respondent chooses not to disagree and not file a response; the Petitioner can then apply to enter "default" and submit a Default Decree to make orders of the requests in the Petition. Some parties proceed by default to save money on the filing fee of the Response. Proceeding with the summary consent decree process means both parties will be required to a pay a filing fee and will submit a Consent Decree for the Judge to sign into orders.
   d. This statement means that when Respondent/Party B signs the "Petition and Response," it has the same effect as if the Respondent had been served a Summons. This means the Respondent will not need to be "served" with the divorce.
   e. This means the parties understand if they wish to withdraw their agreement, the party who no longer agrees must file a motion with the Court no later than 60 days after filing of the "Petition and Response." If you change your mind, see the instructions and procedures and form for a "Motion to Withdraw Notice of Intent."
   f. This means the parties are filing the joint "Petition and Response" instead of filing separate "Petition" and "Response" forms.
7. Written Agreement. This is stating that the parties are attaching a copy of their agreement, i.e., Consent Decree, to the "Petition and Response." The agreement tells the Court information about the case and what the parties are asking the Court to sign as an order.

- Joint Requests to the Court.

A. Under this section, the parties are stating they wish the Court to grant their request for a divorce.

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B. This means the parties are asking the Court to enter orders as detailed in the Consent Decree.

- Oath or affirmation and verification. Both parties are required to sign in front of a Clerk of Superior Court or a notary public. By doing so, you are telling the Court that everything contained in the "Petition and Response" is true, under penalty of perjury.

✓ Consent Decree

- See the separate instructions about how to fill out the Consent Decree.

Complete the following forms when you have minor children:

✓ Affidavit Regarding Minor Children

- You must complete this document. Fill in the information completely and to the best of your knowledge.

✓ Order and Notice to Attend the Parent Information Program Class

- Both parents must attend and complete a class in the Parent Information Program. The purpose of the Parent Information Program is to give parents information about the impacts that divorce, the changes in the family unit, and court involvement may have on minor children involved in a divorce, paternity, or legal decision-making case. This Notice applies to all parents who file an action for dissolution of marriage or legal separation, or any proceeding in which a party has requested that the court determine legal decision-making, parenting time or support, and to all other domestic relations cases if ordered by the court. Make sure you read this order.

✓ Parenting Plan

- Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your parenting plan. The Guide is available for purchase at all Law Library Resource Center locations or may be viewed online and downloaded for free from the State Courts' webpage.

✓ Child Support Worksheet

- Use the free online Child Support Calculator at the website listed below to complete a Child Support Worksheet ezCourtForms http://www.superiorcourt.maricopa.gov/ezcourtforms2/
- To complete the child support worksheet, you will need to know:
  - Your monthly gross income and that of the other parent.
  - The monthly cost of medical insurance for the minor children who are the subject of this action.

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- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/support.

✓ Child Support Order

- You must complete this document. When you create a Child Support Worksheet using the ezCourtForms program, it will also generate a Child Support Order. Both parties must sign the form. Leave the date and signature for the judge blank.

✓ Current Employer Information

- You must complete this document. When you create a Child Support Worksheet using the ezCourtForms program, it will also generate this form.

NEXT STEP: After you fill out all the forms in this packet, read the document called Procedures: How to file papers with the court for a summary consent decree.

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PARENTING PLAN INFORMATION

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A.R.S. § 25-401 defines legal decision-making and parenting time as follows:

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.

2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

> **PARENTS PLEASE NOTE:** Per A.R.S § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.

4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

> You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

Drafting a Parenting Plan:

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

In order for the Court to approve a parenting plan, A.R.S. § 25-403.02 requires the Court to make the following findings:

a. The best interests of the minor child(ren) are served;
b. The plan designates legal decision-making as joint or sole;
c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;

e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;
f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the Court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?

2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.

3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.

4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?

5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?

6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?

7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?

8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?

9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

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How to complete a Child Support Worksheet

Use the **free** online child support calculator to produce the Child Support Worksheet that must be turned in along with your other court papers.

Using the online calculator is free (access to the Internet and a printer required).

If you do not have access to the Internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing. The online calculator is available at:

ezCourtForms https://www.superiorcourt.maricopa.gov/ezcourtforms2/

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Advantages of Using the Online Child Support Calculator

- The online calculator is free.
- The online calculator does the math for you.
- The online calculator produces a neater, more readable worksheet.
- The online calculator produces a more accurate child support calculation, **and**
- **You don't have to go through 35 pages of Guidelines and Instructions.**

If you want to perform the calculations yourself, you will need an additional 60 or more pages of guidelines, instructions, and the Child Support Worksheet form. These are available for separate purchase from the Law Library Resource Center as part of the "How to Calculate Child Support" packet, or may be downloaded for free from the Law Library Resource Center's web page (https://superiorcourt.maricopa.gov/llrc/family-court-forms/).

When you have completed all needed forms, go to the "Procedures" page and follow the steps.

How to fill out the consent decree for divorce or legal separation in a non-covenant marriage with minor children

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Instructions for filling out the Consent Decree:

1. Top left: On the first page, fill in the information requested at top left for the person filing the Consent Decree and Respondent/Party B. Use the spaces marked "Representing" and "Lawyer's Bar Number" only if an attorney is preparing this form.

2. ATLAS Number: Write the ATLAS number if one has been assigned to your case.

3. Names: Fill in the names of the persons shown as "Petitioner/Party A" and "Respondent/Party B" and the case number as on the Petition.

4. Complete: Fill out the remaining parts of this Consent Decree according to you and your spouse's agreements.

   - Title IV-D program or Temporary Assistance for Needy Families (TANF) recipients: If you or your spouse are or have been involved in the Arizona Title IV-D or TANF programs, and the Arizona Attorney General/Division of Child Support Services is currently involved in your case, you must obtain the written approval and signature of the Attorney General who has assisted with your case. You must attach or include the signature to the Consent Decree.

5. Meaning of signatures: When you and your spouse sign this Consent Decree, you state to the Court:

   - You have read, understand, and agree with the contents of the Consent Decree.
   - You agree to all the terms stated in the Decree.
   - You are requesting the Court to make this document a Court Order that governs your divorce or legal separation.

6. Signatures:

   - Be prepared to show photo identification before signing this document.
   - Do not sign this Consent Decree until you are in front of a Clerk of Superior Court or a Notarial Officer.
   - Read carefully before you sign this Consent Decree.

- You and your spouse may sign this Consent Decree only if you understand and agree to all the terms of the Decree.
- Lawyer Signatures: If you or your spouse is represented by an attorney, the attorney must also sign.
- If Arizona Attorney General/Division of Child Support Services is involved in your case, you must also obtain the signature of the Attorney General or County Attorney.

When minor children are involved, the following forms must also be completed:

- Parenting Plan
- Education Order (if applicable)
- Child Support Worksheet
- Child Support Order
- Current Employer Information Sheet

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1. Parenting Plan

   Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your parenting plan.

   The Guide is available for viewing online and downloaded for free from the State Courts' website.

   After completing the Parenting Plan, include it with your Decree.

2. Education Order (If applicable)

   (ONLY required prior to January 1, 2025.) After this date, an Education Order is not required unless otherwise ordered by the Court.

   You can find this document on the Law Library Resource Center website on the Family Department page.

   Use only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.

   - Read each numbered paragraph. Fill in the information requested.
   - Do not sign or date the judicial officer section at the end of the document.

   After completing the Education Order, include it with your Decree. (if applicable)

3. Child Support Worksheet

   This form is not in the packet. You must use the free online child support calculator at the following link to complete a child support worksheet.

   ezCourtForms http://www.superiorcourt.maricopa.gov/ezcourtforms2/

   To complete the Child Support Worksheet, you will need to know:

   - Your case number.
   - Your monthly gross income and that of the other parent.
   - The monthly cost of medical insurance for the minor children who are the subject of this action.
   - Monthly childcare amounts paid to others.
   - The number of days the minor child(ren) spend with the non-primary parent.
   - Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/support.

   After completing the child support calculator interview, print the Child Support Worksheet, Current Employer Information sheet, and Child Support Order and include them with your Decree.

   If the Arizona Attorney General/Division of Child Support Services is involved in your case, you must serve all filings on the Attorney General's Office, and you must get the written approval and signature of the Attorney General assisting you. You must include or attach the signature to the Final Order before filing it.

4. Child Support Order

   This form is not in the packet. When you complete the free online child support calculator, it will create the Child Support Order, which you will need to review and sign, if you agree.

5. Current Employer Information sheet

   This form is not in the packet. When you complete the free online child support calculator, it will create the Current Employer Information sheet too.

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You can lodge the Consent Decree at any time. However, the Court must wait at least 60 days after the date the Petition was personally served before the Court can enter a ruling.

In the Summary Consent Decree process, you submit your Consent Decree and other forms described here upon filing the initial papers. See specific procedures for the Summary Consent Decree Process.

Helpful Tips:

1. Be sure you signed the Consent Decree, Exhibit A, the Parenting Plan, and the Child Support Order.

2. Be sure to include the "EXHIBIT A" about property and debts to your Consent Decree.

3. Be sure to include a quit claim deed, if a quit claim deed has been signed.

4. If the Arizona Attorney General/Division of Child Support Services is involved in your case, get the Arizona Attorney General to approve and sign the Child Support Approval at the end of the Consent Decree and Child Support Order before you file these papers.

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Procedures: How to file papers with the court to ask for a summary consent decree for divorce or legal separation with children

STEP 1. Both parties must complete their own Family Department Sensitive Data Coversheet. You do not need to make a copy of this document unless you want one for your records.

STEP 2. Attach a COPY of the Consent Decree form to your Summary Consent Petition and Response for divorce or legal separation.

If the Arizona Division of Child Support Services (DCSS) is involved in your case, have a representative from the state attorney general's office sign the Summary Consent Decree signature page in the designated space.

STEP 3. Complete and submit a

- ✓ Child Support Worksheet. Please use the online form at the following website and print three copies.
  - ezCourtForms http://www.superiorcourt.maricopa.gov/ezcourtforms2/
- ✓ IF applicable, Education Order. You can find this document on the Law Library Resource Center website on the Family Department page.

STEP 4. Make copies of the following documents after you have filled them out. You will need the following:

- Preliminary Injunction – 1 original, 2 copies
- Notice of Intent to File Summary Consent Decree – 1 original, 3 copies
- Summary Consent Petition and Response with attached completed Consent Decree 1 original, 2 copies
- Consent Decree – 1 original, 3 copies (+ 1 copy for DCSS if applicable)
- Parenting Plan – 1 original, 3 copies
- Education Order (if applicable) – 1 original, 3 copies
- Child Support Worksheet – 1 original, 3 copies (+ 1 copy for DCSS if applicable)
- Child Support Order – 1 original, 3 copies (+ 1 copy for DCSS if applicable)
- Current Employer Information Sheet – 1 original, 3 copies
- Notice of Your Rights About Health Insurance Coverage – 1 original, 2 copies
- Notice Regarding Creditors – 1 original, 2 copies
- Affidavit of Minor Children – 1 original, 2 copies
- Order and Notice to Attend Parent Information Program Class – 1 original, 2 copies

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STEP 5. Separate your documents into four (4) sets, as follows: (Make an additional set of copies for DCSS if they are involved in your case.)

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge (when required). For more information about how to eFile your papers, read the eFiling instructions first: https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

- Set 1: To file with Clerk of Superior Court
- ORIGINAL Family Department Sensitive Data Cover Sheet
- ORIGINAL Preliminary Injunction
- ORIGINAL Notice of Intent to File Summary Consent Decree
- ORIGINAL Summary Consent Petition and Response
- ORIGINAL Notice of Your Rights About Health Insurance Coverage
- ORIGINAL Notice Regarding Creditors
- ORIGINAL Affidavit of Minor Children
- ORIGINAL Order and Notice to Attend Parent Information Program Class

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- COPY Notice of Intent to File Summary Consent Decree
  - ORIGINAL + 2 Copies - Consent Decree
  - ORIGINAL + 2 Copies - Parenting Plan
  - ORIGINAL + 2 Copies - Education Order (if applicable)
  - ORIGINAL + 2 Copies - Child Support Worksheet
  - ORIGINAL + 2 Copies -Child Support Order
  - ORIGINAL + 2 Copies - Current Employer Information Sheet

You must also provide 2 (two) 9" x 12" business envelopes, one stamped and addressed to each party.

Set 3: COPIES for Party A to keep after Clerk of Superior Court stamps the documents	Set 4: COPIES for Party B to keep after the Clerk of Superior Court stamps the documents
• Preliminary Injunction • Notice of Intent to File Summary Consent Decree • Summary Consent Petition and Response • Notice of Your Rights About Health Insurance Coverage • Notice Regarding Creditors • Affidavit of Minor Children • Order and Notice to Attend Parent Information Program Class	• Preliminary Injunction • Notice of Intent to File Summary Consent Decree • Summary Consent Petition and Response • Notice of Your Rights About Health Insurance Coverage • Notice Regarding Creditors • Affidavit of Minor Children • Order and Notice to Attend Parent Information Program Class
COPIES for Party A to keep after signed by the Judge • Consent Decree • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet	COPIES for Party A to keep after signed by the Judge • Consent Decree • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet
Set 5 (if applicable): COPIES for DCSS • Consent Decree • Child Support Worksheet • Child Support Order	

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NOTE: If the Division of Child Support Enforcement (DCSE) is involved in your case, you must mail a copy of all signed and filed documents to:

Office of the Attorney General

Child Support Services Section,

1800 E. Palo Verde St.

Yuma, AZ 85364

The Attorney General will file an Acceptance of Service with the Court. You should check to make sure this acceptance has been filed with the Court.

STEP 6. File the papers. Pay the fees. Request an extra copy of the receipt if you want one for your records.

Go to the Clerk of Superior Court filing counters at one of the following locations. The Court is open from 8:00 a.m.-5:00 p.m., Monday-Friday. You should go to the Court at least two hours before it closes.

Clerk of Superior Court
250 West Second St.
Yuma, Arizona 85364

The filing fee is due at the time of filing. The total fee is currently $386.50. The amount is subject to change without notice.

The Clerk accepts the following forms of payment:

- cash,
- money order,
- credit cards, and
- debit cards (run as a credit card transaction).
- business checks are accepted from law firms, process servers, runner services, and certified document preparers, only when it's a clearly identified business check, imprinted with the firm's business address.

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If you cannot afford the filing fee, you may request a deferral (payment plan) when you file your papers with the Clerk. Deferral Applications are available at no charge from the Law Library Resource Center and Clerk's office.

Hand the sets 1, 2 and 3 of your court papers to the Clerk of Superior Court along with the filing fee. The Clerk will file in the originals and give you back conformed copies. Each party should take one set.

STEP 7. Deliver Set 4 and 5 (if applicable) to the Information Desk. Include two (2) pre-stamped large envelopes with sufficient postage, one addressed to each party. These will be used to mail the final documents to each party. *If the Division of Child Support Services signed your forms, include another pre-stamped and addressed envelope for the Office of the Attorney General.

STEP 8. There is a mandatory waiting period of 60 days from the date in which the documents are filed before a judge may enter the final decree. This is known as the "waiting period."

You will need to complete the Parent Information Program during the waiting period. If you require more information about the program and how to enroll, see the document titled "Order and Notice for the Parent Information Program."

STEP 9. Wait for your judge to review the paperwork. By law, the Consent Decree will be held until the end of the waiting period of at least 60 days from the date of filing has passed.

If the parties reconcile, wish to change their consent decree or other final orders, or no longer agree to terms of settlement, they must complete and file a motion or stipulation before the 60-day waiting period is up.

Do not copy or file this page

What happens next? It is within the Judge's/Commissioner's discretion whether to accept or reject the Decree, or to schedule a court hearing.

1. If your consent decree is accepted, the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of Superior Court. The Court will send a copy of the signed Decree to each party using the envelopes you provided. This is your notification that your divorce or legal separation is now final. You are not divorced or legally separated until the Judge/ Commissioner signs the Decree.
2. If your consent decree is rejected, the Court will send you a "Correction Notice" informing you of the mistakes with the documents. Follow the instructions on the "Correction Notice." If the mistakes cannot be corrected, see a lawyer for help.
3. If the Judge/Commissioner schedules a hearing, the Court will send notice of a scheduled date, time, and location for a hearing which both parties must attend to answer any questions the Judge/Commissioner may have.



* Staple and group the documents according to the page numbers and document sections. Do not combine or staple all documents together. Each document should be stapled separately and kept in the correct page-number order.

* Please look for the line in the corner of each page. This line indicates where the documents should be separated and stapled.

* If you have any questions or need clarification, please contact the Law Library at 928-817-4165

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Petitioner / Party A

_____
Respondent / Party B

Case No. _____

ATLAS No. _____

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITH CHILDREN
(CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

A. Personal Information:	**Petitioner / Party A**	**Respondent / Party B**
Name		
Gender	☐ **Male or** ☐ **Female**	☐ **Male or** ☐ **Female**
Date of Birth (Month/Day/Year)		
Social Security Number		
Warning: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION		
Mailing Address		
City, State, Zip Code		
Contact Phone		
Receive texts from Court to contact phone number above?	☐ **Yes** ☐ **No texts**	☐ **Yes** ☐ **No texts**
Email Address		
Current Employer Name		
Employer Address		
Employer City, State, Zip Code		
Employer Telephone Number		
Employer Fax Number		

B. Child(ren) Information:

Child Name	**Gender**	**Child Social Security Number**	**Child Date of Birth**

C. Type of Case being filed: Mark **only one (1) category** below**.** (*****) Mark this box only if no other case type applies.

☒	**Dissolution (Divorce)**	☐	**Paternity**	☐	**Order of Protection**
☐	**Legal Separation**	☐	***Legal Decision-Making / Parenting Time**	☐	**Register Foreign Order**
☐	**Annulment**	☐	***Child Support**	☐	**Other**

D. Do you need an interpreter? ☐ **Yes or** ☐ **No. If Yes, what language?** _____

DO NOT COPY this document. DO NOT SERVE THIS DOCUMENT to the other party.

Person Filing:_____

Address (if not protected):_____

City, State, Zip Code:_____

Telephone:_____

Email Address:_____

ATLAS Number:_____

Lawyer's Bar Number:_____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Name of Petitioner/Party A

Case Number:_____

PRELIMINARY INJUNCTION

AND

_____
Name of Respondent/Party B

Warning: This is an official Order from the court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.

Your spouse has filed a Petition for Dissolution (Divorce) or Petition for Annulment or Petition for Legal Separation with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Yuma County. This Order has the same force and effect as any order signed by the judge. You and your spouse must obey this Order. This Order may be enforced by any remedy available under the law, including an Order of Contempt of Court. To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. If you have any questions, you should contact a lawyer for help.

EXPLANATION: (What does this Order mean to you?)

1. ACTIONS FORBIDDEN BY THIS ORDER: From the time the Petition for Dissolution (Divorce) or Petition for Annulment or Petition for Legal Separation is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent shall not do any of the following things:

   ✓ You may not hide earnings or community property from your spouse, AND
   ✓ You may not take out a loan on the community property, AND

- ✓ You may not sell the community property or give it away to someone, UNLESS you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, AND
- ✓ Do not harass or bother your spouse or the children, AND
- ✓ Do not physically abuse or threaten your spouse or the children, AND
- ✓ Do not take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, before you take the minor children out of the State.
- ✓ Do not remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

STATUTORY REQUIREMENTS: Arizona Law, A.R.S. § 25-315(A) provides:

1(a). RESTRICTIONS ON PROPERTY OF THE MARRIAGE: That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, except if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.

1(b). REQUIREMENTS OF BEHAVIOR: That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.

1(c). RESTRICTIONS ABOUT YOUR MINOR CHILDREN: That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from this state without the prior written consent of the parties or the permission of the court.

1(d). RESTRICTIONS ABOUT INSURANCE: That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

2. EFFECTIVE DATE OF THIS ORDER: This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Court Order is effective until a final Decree of Dissolution, Legal Separation, or Annulment is filed or the action is dismissed.

3. ORDER TO PETITIONER: You must serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.

4. WARNING: This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.

5. LAW ENFORCEMENT: You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of Superior Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you must notify them of the changes. If you are the person that brought this action, you must also file evidence with the law enforcement agency that this Order was served on your spouse.

6. DESCRIPTION OF THE PARTIES:

Petitioner:

Name:_____ Gender: ☐ Male ☐ Female

Height:_____ Weight:_____

Driver's License (last 4 nos.)_____

Date of Birth:_____

Respondent:

Name:_____ Gender: ☐ Male ☐ Female

Height:_____ Weight:_____

Driver's License (last 4 nos.)_____

Date of Birth:_____

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this _____ day of _____ , _____.

CLERK OF SUPERIOR COURT

By: _____,
Deputy Clerk

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Petitioner / Party A

_____
Respondent / Party B

Case Number: _____

NOTICE OF INTENT TO FILE CONSENT DECREE FOR DISSOLUTION OF A NON-COVENANT MARRIAGE

Petitioner / Party A and Respondent / Party B hereby notify the Court that they intend to proceed using the Summary Consent Decree Process.

We understand this form may only be used at initial filing of our case and with the form called "Petition and Response for Dissolution of a Non-Covenant Marriage" as part of the Summary Consent Decree Process.

_____ _____
Petitioner / Party A Signature Date

_____ _____
Respondent / Party B Signature Date

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case Number: _____

_____
Petitioner/Party A

SUMMARY CONSENT PETITION AND RESPONSE FOR DISSOLUTION OF A NON-COVENANT MARRIAGE

_____
Respondent/Party B

Petitioner/Party A and Respondent/Party B Petition the Court and state the following under oath or affirmation:

1. Information About Party A:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Party A has lived in Arizona for _____ years and/or _____ months.

2. Information About Party B:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Party B has lived in Arizona for _____ years and/or _____ months.

3. Information About Our Marriage:

Date of Marriage: _____

City and State, or Country where we were married: _____

The following statements MUST BE TRUE for you to use this document and to qualify for divorce in Arizona AND you must check the boxes to indicate that the statements are true or your case may not proceed.

☐ We do not have a covenant marriage. (If not sure, refer to the Instructions for information).

☐ Our marriage is broken beyond repair ("irretrievably broken") and there is no hope of reconciliation.

☐ We have tried to resolve our problems through Conciliation Services or going to Conciliation Services would not work.

☐ We do NOT have minor children together. OR ☒ We DO have minor children and this Court has jurisdiction to determine parenting time and authority for legal decision-making over minor child(ren) common to the parties because the minor child(ren) has/have lived with Party A or Party B in Arizona for at least the past 6 months.

4. 90-Day Requirement: (This statement MUST be true before you can file for divorce in Arizona.)

☐ Party A OR ☐ Party B has lived in Arizona (OR has been stationed in Arizona while a member of the Armed Forces), for at least 90 days before we filed this action.

5. Names, birth dates and addresses of all living children (natural or adopted) that are common to the parties:

Name(s) of Minor Child(ren)	Date(s) of Birth
_____	_____
_____	_____
_____	_____
_____	_____

Address(es) of Minor Child(ren):

_____

_____

☐ Information for additional children and/or addresses listed on attached page made part of this document by reference.

☐ Party A OR ☐ Party B is pregnant.

6. Statements and Waivers

The parties make the following statements.

a. Formal service of process is waived and all issues are resolved by agreement pursuant to A.R.S. § 25-314.01.

b. Party A and Party B hereby waive the conciliation court provision pursuant to A.R.S. § 25-381.01.

c. Party A and Party B hereby waive the right to a default pursuant to Rule 44 A.R.F.L.P.

d. By signing and filing this "Petition and Response," Respondent/Party B voluntarily appears in this matter and no Summons will be issued or served. This voluntary appearance has the same effect as if a Summons had been issued and served pursuant to Rule 40 A.R.F.L.P.

e. Should either party wish to no longer enter into the Consent Decree, they must file a motion with the Court, within sixty (60) days of filing the Notice of Intent and Petition and Response.

f. This Petition and Response and the attached Consent Decree constitute the Petition for Dissolution as well as the required Response pursuant to Rule 23 A.R.F.L.P.

7. Written Agreement:

Party A and Party B have reached an agreement that includes orders about spousal maintenance, division of property and debt, and as applicable, where the children will live, legal decision-making, parenting time, and child support. A copy of the written agreement is attached as Attachment 1 in the form of a Consent Decree.

8. Joint Requests to the Court: The parties jointly request the Court issue Orders for the following:

A. Dissolve our marriage and return each party to the status of a single person.

B. Enter orders as detailed on the attached Consent Decree regarding:

1. Restoration of name (if applicable);

2. Paternity (if applicable);

3. Minor children (if applicable);

4. Child Support (if applicable);

5. Spousal Maintenance (if applicable);

6. Community Property;

7. Community Debts;

8. Separate Property;

9. Separate Debts; and

10. Other orders (if applicable).

Petitioner/Party A Oath or Affirmation and Verification

I swear or affirm my statements in this Petition and Response and my requests to the Court are true and correct under penalty of perjury.

_____ _____

Petitioner/Party A Signature Date

State of _____

County of _____

Subscribed and sworn to or affirmed to me this date _____ by

_____.

_____

Notarial Officer

(Notarial Officer's Stamp or Seal)

Respondent/Party B Oath or Affirmation and Verification

I swear or affirm my statements in this Petition and Response and my requests to the Court are true and correct under penalty of perjury.

_____ _____

Respondent/Party B Signature Date

State of _____

County of _____

Subscribed and sworn to or affirmed to me this date _____ by

_____.

_____

Notarial Officer

(Notarial Officer's Stamp or Seal)

For Clerk's Use Only

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

Representing ☐ **Self, without a Lawyer or** ☐ **Attorney for** ☐ **Petitioner OR** ☐ **Respondent**

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Name of Petitioner

Case Number: _____

ATLAS Number: _____
(if applicable)

_____
Name of Respondent

AFFIDAVIT REGARDING MINOR CHILDREN

NOTICE: This *"Affidavit Regarding Minor Children"* is required for all legal decision making (custody) cases. If you are asking to modify an existing Arizona legal decision making (custody) order, it is only required if the children have lived outside the state at some time in the last 5 years.

Fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD. The following child(ren) are under age 18 and were born to, or adopted by, me and the other party.

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

Name: _____ Name: _____

Birthdate: _____ Age: _____ Birthdate: _____ Age: _____

2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS (or since birth, if younger than 5).

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

Child's Name:_____ Dates: From_____ To_____

Address:_____ Lived with:_____

City, State:_____ Relationship to Child:_____

3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE LEGAL DECISION MAKING (CUSTODY) AND/OR PARENTING TIME OF THE MINOR CHILD(REN). (Check one box.)

☐ I have or ☐ I have **not** been a party/witness in court in this state or in any other state that involved the legal decision making (custody) and/or parenting time of the child(ren) named above. (If so, explain on separate paper. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION-MAKING AUTHORITY (CUSTODY) OF THE MINOR CHILD(REN). (Check one box.)

☐ I do have or ☐ I do not have information about a legal decision making (custody) court case

relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child:_____

Name of Court:_____ Court Location:_____

Court Case Number:_____ Current Status:_____

How the child is involved:_____

Summary of any Court Order:_____

5. LEGAL DECISION-MAKING (CUSTODY) OR PARENTING TIME CLAIMS OF ANY PERSON. (Check one box.)

☐ I do know or ☐ I do not know a person other than the Petitioner or the Respondent who has physical custody or who claims legal decision-making (custody) or parenting time rights to any of the children named in this Affidavit. (If so, explain below. If not, go on.)

Name of each child:_____

Name of person with the claim: _____

Address of person with the claim:_____

Nature of the claim:_____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

_____ _____

Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by

(date)

_____.

_____

(notary seal) Deputy Clerk or Notary Public

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

For Clerk's Use Only

_____ **Case Number:** _____
Name of Petitioner

ORDER AND NOTICE TO ATTEND PARENT INFORMATION PROGRAM CLASS

_____
Name of Respondent

THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO OBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT.

THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- ☐ Dissolution of Marriage;
- ☐ Annulment
- ☐ Legal Separation; or
- ☐ Paternity with a Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Child Support;
- ☐ Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Support

THE COURT ORDERS pursuant to ARS § 25-352:

1. **ATTEND CLASS.** You must attend and complete the Parent Information Program Class, or if not in Arizona, its equivalent in your state of residence.

2. **WITHIN 45 DAYS.** Both the Petitioner and the Respondent **must** complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent **must** register for and complete the course whether or not a ***"Response"*** or ***"Answer"*** to the Petition/Complaint is filed.

3. **PAY THE CLASS FEE.** The class tuition of $40.00 is included as part of your Petition or Response filing fee.

4. **NOTICE TO THE OTHER PARTY.** The parent filing the Petition, Request, Motion or Complaint shall serve this document on the other parent.

5. **FAILURE TO ATTEND CLASS.** If you file a Petition/Complaint or ***"Response"*** or ***"Answer"*** and do **not** complete the Parent Information Program Class, the judge **may not** sign your papers and you **may not** get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a ***"Response"*** or ***"Answer,"*** and do not complete the Parent Information Program Class, you **may be denied** the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.



_____
Presiding Judge, Superior Court

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PARENT INFORMATION PROGRAM NOTICE

ATTENDANCE IS REQUIRED (A.R.S. 25-352)
You and the other parent must complete a class through the Parent Information Program. The purpose of the program is to give parents information about how children affected by matters that involve divorce, paternity, legal decision-making (custody) and/or parenting time.

If you do not complete the parent information class, the judge may not sign your papers, and you may not receive what you requested from the court. The judge may also find you in contempt of court.

APPROVED PARENT INFORMATION CLASS
A court-approved class that meets the requirements of the Parent Information Program is available in both English and Spanish. You may register for the class by contacting the following person.

To register, email Emily Matheron at
ematheron@courts.az.gov

Cost
The registration fee of $40.00 is included in your filing fee and is outlined on your payment receipt.

Special Needs and/or Questions
If you need special accommodations due to a disability to participate in this class, or if you have questions about the parent Information Program, please contact Conciliation Court Services at 928-817-4084.

Class Procedure
This online class requires a current email address. Please make certain you have a current email address before registering for a class.

A copy of the "***Certificate of Completion"*** will be available for you to print when you complete the class. After completing the class, email a copy of your certificate to ematheron@courts.az.gov, or drop off a copy at the Superior Court Information Desk.

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For Clerk's Use Only

NOTICE OF YOUR RIGHTS ABOUT HEALTH INSURANCE COVERAGE WHEN A PETITION FOR DISSOLUTION (DIVORCE) IS FILED (A.R.S. §20-1377 and §20-1408)

Petitioner/Party A: _____ **Case #:** _____

Respondent/Party B: _____

Warning: This is an important legal notice. Your rights to health insurance coverage could be affected after your divorce is final. Read this notice carefully. If you do not understand this notice, you should call an attorney for advice about your legal rights and obligations.

IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE'S INSURANCE PLAN: When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse's health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT: If you are covered by your spouse's health insurance, and you want to continue to be covered after the divorce is final, you must contact the insurance company as soon as possible, and you must start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

If you decide you want to be covered, the insurer can choose whether to continue coverage under the current policy, or to change the policy to your name. If the policy is changed to your name, it is called a "converted"; policy. If the policy is converted by the insurer, the insurer must provide you the same or the most similar level of coverage available, unless you ask for a lower level of coverage.

WHAT COVERAGE APPLIES TO YOUR CHILDREN: If you choose to continue coverage as a dependent spouse, you can also choose to continue coverage for your dependent children if you are responsible for their care or support.

PREEXISTING CONDITIONS OR EXCLUSIONS FROM INSURANCE COVERAGE: Whether the insurance is continued or converted, the insurance must be provided to you without proof of insurability and without exclusions for coverage other than what was previously excluded before the insurance was continued or converted.

LIMITS ON RIGHTS TO INSURANCE COVERAGE FOR YOU AND YOUR CHILDREN: You may not be entitled to continued or converted coverage if you are eligible for Medicare or for coverage by other similar types of insurance which together with the continued coverage would make you over-insured. However, dependent children of a person who is eligible for Medicare may be covered by a continuance or a conversion. If you have questions about coverage, check with the insurer and/or the spouse's employer.

OTHER OPTIONS FOR COVERAGE: Divorce is considered to be a life changing event that, under the federal Consolidated Omnibus Budget Reconciliation Act ("COBRA"), may qualify you and/or your dependents with the right to continue health coverage under the spouse's group plan, if the employer has 20 or more employees. To find out more about your COBRA rights, you can visit the United States Department of Labor ("USDOL") website at https://www.dol.gov/ and search for COBRA, or you can call the USDOL at 1-866-487-2365. Divorce is also a life-changing event under the federal Affordable Care Act, which qualifies you and/or your dependents for a special enrollment period to obtain an individual health insurance policy regardless of any health conditions. Additional information is available at https://www.healthcare.gov/ or by calling 1-800-318-2596.

Warning to the spouse filing the petition for dissolution (Divorce): This Notice must be served on your spouse together with the Petition for Dissolution, the Summons, and the Preliminary Injunction.

Person Filing:_____

Address (if not protected):_____

City, State, Zip Code:_____

Telephone:_____

Email Address:_____

ATLAS Number:_____

Lawyer's Bar Number:_____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____ Case Number:_____

Name of Petitioner/Party A

NOTICE REGARDING CREDITORS

_____

Name of Respondent/Party B

Arizona law requires all actions for Divorce, Annulment, or Legal Separation to include this Notice and for the person filing for Divorce, Annulment, or Legal Separation to serve this Notice on the other party. (ARS § 25-318(H)).

You and your spouse are responsible for community debts. In your property settlement agreement or decree of dissolution, annulment, or legal separation, the court may assign responsibility for certain community debts to one spouse or the other. Please be aware that a court order that does this is binding on the spouses only and does not necessarily relieve either of you from your responsibility for these community debts. These debts are matters of contract between both of you and your creditors (such as banks, credit unions, credit card issuers, finance companies, utility companies, medical providers and retailers). Since your creditors are not parties to this court case, they are not bound by court orders or any agreements you and your spouse reach in this case. On request, the court may impose a lien against the separate property of a spouse to secure payment of debts that the court orders that spouse to pay.

Contact creditors: You may want to contact your creditors to discuss your debts as well as the possible effects of your court case on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. Within thirty (30) days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to

provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor. You may wish to use the following form, or one that is similar, to contact your creditors:

Warning: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.

Do not file the next page with the court.

Case Number: _____

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You may use this form to request information about debt owed by you or your spouse. If so, send to the creditor. DO NOT FILE THIS PAGE WITH THE COURT.

Date: _____

Creditor's Name: _____

Creditor's Address: _____

Regarding: Superior Court of Arizona in Yuma County

Case Name: _____

Case Number: _____

Within thirty (30) days after receipt of this notice, you are requested to provide the balance and account status of any debt identified by account number for which the requesting party may be liable to you.

Information About Debtors/Spouses:

Your Name: _____

Your Address: _____

_____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

_____

Information About the Account:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: _____

Your signature: _____

Petitioner/Party A: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent

Respondent/Party B: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

Representing ☐ Self, without a Lawyer OR ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

_____
Name of Petitioner/Party A

Case Number: _____

CONSENT DECREE OF
☐ DISSOLUTION (DIVORCE)
☐ LEGAL SEPARATION
of a Non-Covenant Marriage
with minor children

_____
Name of Respondent/Party B

THE COURT FINDS:

1. This case has come before this court for a final Decree of Dissolution (Divorce) or Legal Separation. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree. This Consent Decree states the terms of the Parties' agreement.

2. This Court has jurisdiction over the parties under the law.

3. This Court has jurisdiction under A.R.S. § 25-1031 over the child(ren) in this matter.

4. Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved, and made orders relating to issues of spousal maintenance (alimony), the division of property and/or debts, legal decision-making, parenting time, and support of any minor child(ren).

5. The Parties agree to proceed by consent.

6. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the minor child(ren) and the division of property and debt is fair and equitable.

7. At least 60 days have passed between the time Party B was served with the summons and complaint and the time the Parties filed for this Decree.

8. Arizona Residency: The requirements of A.R.S. § 25-312 for dissolution of marriage, or A.R.S. § 25-313 for legal separation have been met: If this is an action for legal separation, at the time this action was filed, Party A and/or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce), Party A and/or Party B was domiciled or stationed in Arizona for more than 90 days.

9. Conciliation Court. The provisions relating to the Conciliation Court either do not apply or have been met.

10. Pregnancy and Paternity:

- ☐ Party A is not pregnant.
- ☐ Party A is pregnant and Party B ☐ is ☐ is not a parent of the child.
- ☐ Party B is not pregnant.
- ☐ Party B is pregnant and Party A ☐ is ☐ is not a parent of the child.

11. Irretrievably Broken or Separate and Apart. If dissolution, the marriage is irretrievably broken or if legal separation, the parties desire to live separate and apart.

12. Covenant Marriage. This is a non-covenant marriage.

13. Protective Orders: The effect, if any, of this Consent Decree on any existing protective orders is: _____

14. Community Property and Debt: (Select one.)

☐ The parties did not acquire any community property or debt during the marriage,

OR

☐ The parties have agreed to a division of community property and/or debt as evidenced by their signatures on "Exhibit A" attached to and incorporated into this Decree. All community property and debt is divided pursuant to this Decree.

15. Separate Property and Debt:

☐ The parties did not acquire any separate property or debt during the marriage,

OR

☐ There IS an agreement as to division of separate property and debt; all separate property and debt is divided pursuant to this Decree.

16. Spousal Maintenance/Support: (Select one.)

☐ Neither party is entitled to an award of Spousal Maintenance/Support,

OR

☐ A party is entitled to an award of Spousal Maintenance/Support for the reason that:

☐ Party A, OR ☐ Party B

☐ Lacks sufficient property, including property apportioned to the spouse, to provide for that spouse's reasonable needs.

☐ Lacks earning ability in the labor market that is adequate to be self-sufficient.

☐ Is the parent of a child whose age or condition is such that the parent should not be required to seek employment outside the home.

☐ Has made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability of the other spouse or has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.

☐ Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

If spousal maintenance is to be awarded, the parties further agree:

☐ The parties have reviewed the Spousal Maintenance Guidelines and acknowledge that the amount of Spousal Maintenance awarded is appropriate and just.

AND (Select one of the following)

☐ Spousal maintenance award shall be modifiable in accordance with Arizona law,

OR

☐ That the circumstances of their futures are unknown, but each desires that the spousal maintenance awarded by their agreement, not be modifiable in the future for any reason. The parties understand that if there is a change in their economic circumstances in the future during the term of the spousal maintenance award, neither party shall have the right to seek nor shall the court have the authority to modify the amount or duration of the award.

17. This decree applies to the following minor child(ren):

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

☐ Same information for additional children listed on attached page made part of this document by reference.

18. Parent Information Program:

A. Party A ☐ has attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(5))

OR

Party A ☐ has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party A has completed the class.

B. Party B ☐ has attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(5))

OR

Party B ☐ has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party B has completed the class.

19. Child Support: The court finds that Party A and Party B owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet and is attached hereto and incorporated herein by reference.

20. Title IV-D or Temporary Assistance for Needy Family (TANF) programs:
☐ Does not apply
OR
☐ Party A ☐ Party B is applying for or currently receiving TANF or services from the Arizona Title IV-D program.

Note: If one or both of the parties is or will be receiving TANF or Title IV-D support, you must obtain the Attorney General or county attorney approval by signature on the Final Order before you file it.

21. Legal Decision-Making and Parenting Time. The Court adopts the parties' stipulations in the Parenting Plan, which has been signed by the parties and submitted contemporaneous with this Decree. That Parenting Plan includes all information required by A.R.S. §§ 25-403.02 (parenting plan), 25-403 (best interests), 25-403.03 (domestic violence), 25-403.04 (drug or alcohol convictions by the parties), and 25-403.05 (sex offender status).

22. Domestic Violence:

If there has been domestic violence between the parties and legal decision-making is to be shared with or awarded to a parent who has committed an act of domestic violence, check appropriate box and explain. (A.R.S. § 25-403.03)

A. ☐ Domestic Violence has <u>not</u> occurred between the parties;

OR

B. ☐ Domestic Violence has occurred between the parties, but:

1. ☐ It was mutual (committed by both parties), (see A.R.S. § 25-403.03(D))

   OR

2. ☐ Neither party has committed an act of ***significant domestic violence*** (pursuant to A.R.S. § 13-3601); there has not been a ***significant history of domestic violence*** between the parties; and it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision-making to a parent who has committed domestic violence because: (Explain)

   _____

   _____

   _____

23. Drug or Alcohol Conviction within Last Twelve Months:

☐ Party A has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making.

☐ Party B has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making.

☐ Even though, as indicated above, Party A and/or Party B has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making, the legal decision-making and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

24. Legal Decision-making Authority for Minor Child(ren): (Check/complete only if joint legal decision-making is ordered.)

☐ The legal decision-making authority order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)
Reasons: _____

_____

_____

☐ Provisions for legal decision-making and parenting time, if not described in this Decree, are attached as the Parenting Plan, and incorporated into this Decree. (Rule 45(c)(1))

25. Supervised or No Parenting Time:
(Check and complete only if supervised or no parenting time is ordered.)

☐ NO Parenting Time OR
☐ Supervised Parenting Time with ☐ Party A ☐ Party B

No parenting time or supervised parenting time is in the best interests of the minor child(ren), for the following reasons:

_____

_____

_____

(If supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by:

☐ Party A, OR ☐ Party B, OR

☐ Shared equally by the parties

Restrictions on parenting time (if applicable): _____

_____

THE COURT ORDERS:

1. DISSOLUTION of Marriage:

☐ The marriage is dissolved, and the parties are restored to the legal status of single persons,

OR

LEGAL SEPARATION:

☐ The parties are legally separated.

2. NAME RESTORATION: (In a divorce case if one or both parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.)

☐ Party A's name is restored to: _____ (Put only the last name here.)

Party A's date of birth is: _____

☐ Party B's name is restored to: _____ (Put only the last name here.)

Party B's date of birth is: _____

3. ENFORCEMENT OF TEMPORARY ORDERS:

☐ Not applicable.

A. Temporary Orders:

☐ All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of all temporary orders here) _____ _____ are satisfied in full.

OR

☐ Judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of $ _____.

B. Protective Orders: This Consent Decree has the following effect on any existing protective orders (see # 13 above): _____

4. PREGNANCY AND PATERNITY:

A. Pregnancy:

☐ A child who is common to the parties is expected to be born _____ (date).

☐ The orders below as to legal decision-making, parenting time, child support, and medical insurance/expenses do not include this child; the court reserves jurisdiction to address these issues regarding this child when the child is born.

Children: This Decree includes all minor children common to the parties as follows:

NAME(S) of minor child(ren)	Date(s) of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

B. Paternity for Children Not in Common:

Minor children to whom this decree does not apply: It is ordered that:

☐ Party A, OR ☐ Party B has no legal obligation or right to the minor child(ren) born during the marriage but not common to the marriage. This decree does not include the following minor children:

NAME(S) of minor child(ren)	Date(s) of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Child expected to be born this date: _____

C. Paternity for Children in Common:

☐ Party A and Party B are the parents of these children born to the parties before the marriage:

Name	Date of Birth
_____	_____
_____	_____
_____	_____

☐ Birth Certificate(s): for any minor child(ren) named in this section who were born in the State of Arizona, the Clerk of Superior Court shall forward a copy of this order to the State Office of Vital Records, which is ordered to amend the birth certificate(s) as follows: (List full name of the party as appears on the party's Social Security card or other government issued official document and as should appear on the children's birth certificate(s)).

1. Add the name: (List one name only) _____ as a parent on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.

2. Name Change: (Optional) The name(s) of the minor child(ren) for whom paternity/maternity has been established above shall be changed as follows:

Current Legal Name	New Name (optional)

D. ADOPTION OF PARENTING PLAN ADDRESSING LEGAL DECISION-MAKING AND PARENTING TIME:

The Court adopts and merges into this Decree the parties' signed Parenting Plan submitted contemporaneously with this Decree. As set forth in the Parenting Plan, legal decision-making concerning the child(ren) is awarded as follows:

☐ Sole Legal Decision-making to: ☐ Party A ☐ Party B

OR

☐ Joint Legal Decision-making to both parents.
Both Party A and Party B agree to act as joint legal decision-makers of the minor children, pursuant to A.R.S. § 25-403. Neither parent has committed significant domestic violence, as defined by A.R.S. § 13-3601; there is no significant history of domestic violence; and it is in the best interests of the minor child(ren) to award joint legal decision-making despite any violence that occurred.

E. PRIMARY RESIDENCE AND PARENTING TIME:

1. Primary Residence:

☐ Neither parent's home is designated as the primary residence,

OR

☐ Party A's home as primary residence for following named child(ren):

_____

☐ Party B's home as primary residence for following named child(ren):

_____

2. Subject to Parenting Time as follows:

☐ Reasonable parenting time rights as described in the Parenting Plan submitted contemporaneous with this Decree and made a part of this decree,

OR

☐ No parenting time rights to ☐ Party A OR ☐ Party B,

OR

☐ Supervised parenting time to ☐ Party A OR ☐ Party B according to the terms of the Parenting Plan submitted contemporaneous with this Decree and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

(If supervised) Name of supervisor: _____

The cost of supervised parenting time (if applicable) shall be :

☐ paid by Party A, OR

☐ paid by Party B, OR

☐ shared equally by the parties

Parenting time shall be restricted as follows: (if applicable):

_____

_____

_____

F. CHILD SUPPORT:

☐ The Child Support Order, _____, is attached hereto and incorporated by reference. (date of order)

☐ Party A OR ☐ Party B shall pay child support to the other party in the amount of $_____ per month, payable the first day of the month following the date this Decree is signed by the judge until further order of the court.

G. SPOUSAL MAINTENANCE/SUPPORT:

1. ☐ Neither party shall pay spousal maintenance/support (alimony) to the other party,

OR

2. ☐ Party A OR ☐ Party B is ordered to pay to the other party the sum of $_____ per month in spousal maintenance/support beginning the first day of the month after this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased or until _____. (date)

All payments shall be made through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by Income Withholding Order, until all required payments have been made under this Decree. All spousal maintenance payments are governed by the applicable federal and state tax laws. It shall terminate upon the death of either party or remarriage of receiving party.

Spousal maintenance modification:

☐ The spousal maintenance award shall be modifiable in accordance with Arizona law,

OR

☐ The spousal maintenance award shall NOT be modifiable for any reason.

H. PROPERTY AND DEBTS: (Select any that apply)

1. ☐ Party A is ordered to pay all community debts unknown to Party B, AND

   ☐ Party B is ordered to pay all community debts unknown to Party A, AND

   ☐ Each party is ordered to pay his or her community debts starting the following date: _____.

2. ☐ Each party is assigned his or her separate property and Party A must pay his/her separate debt, and Party B must pay his/her separate debt.

3. ☐ Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.

4. ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and financial institution accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before (date): _____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of Superior Court commanding the sheriff to put him or her in possession of the property.

Other orders and relief relating to property or debt, if any, are contained in "Exhibit A," which is attached and incorporated into this Decree.

I. TAX RETURNS:

☐ Each party shall give the other party all necessary documentation to file all tax returns. For previous calendar years, pursuant to IRS rules and regulations, the parties will file:

☐ Joint federal and state income tax returns and hold each other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds,

OR

☐ Separate federal and state income tax returns.

☐ This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

J. FINANCIAL INFORMATION EXCHANGES: In cases in which child support or spousal maintenance are ordered, then until such time as those would end under the orders in this Consent Decree, the parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every 24 months or as follows: _____

_____

K. QUALIFIED DOMESTIC RELATIONS ORDER (QDRO):

☐ A QDRO is not necessary;

☐ A QDRO is submitted with this decree, OR

☐ A QDRO will be submitted to the Court as soon as practicable as or not later than _____ (date).

The Court shall retain jurisdiction over the subject matter of the QDRO.

L. OTHER ORDERS: (List any other orders.)

_____

_____

_____

M. FINAL APPEALABLE ORDER: There are no further matters that remain pending before the court and this judgment is a final order under Rule 78(c) of the Arizona Rules of Family Law Procedure.

_____ _____

Date Judicial Officer

SIGNATURES OF BOTH PARTIES UNDER OATH or AFFIRMATION

By signing below, in the presence of a Deputy Clerk of Superior Court or Notarial Officer, I swear or affirm that everything in this document is true and correct to the best of my knowledge, information and belief, including the following:

1. Non-Covenant Marriage. We do not have a covenant marriage.

2. Right to trial is waived. I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.

3. No duress or coercion. Complete agreement. I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Decree. This Decree with any attachments that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.

4. Legal advice. I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Decree.

5. Irretrievably broken marriage. I agree that our marriage is irretrievably broken. There is no reasonable prospect of reconciliation [or we desire to live separate and apart if this is a Legal Separation case].

6. Division of property. The agreement about division of property and debt attached as "Exhibit A," signed by both parties and made part of this document by reference, is fair and equitable.

Case No. _____

Signatures

This signature page belongs to the form Consent Decree for Dissolution or Legal Separation with minor children and cannot be used with any other documents.

Petitioner/Party A:

Date: _____

Signature: _____

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before this: _____ (date) by _____.

_____
Notarial Officer

(Notarial Officer's Stamp or Seal)

Respondent/Party B:

Date: _____

Signature: _____

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me me this: _____ (date) by _____.

_____
Notarial Officer

(Notarial Officer's Stamp or Seal)

If either party is represented by an attorney, the attorney must sign.

_____
Date

_____
Approved by Party A's Attorney

_____
Date

_____
Approved by Party B's Attorney

If the Arizona Division of Child Support Services (DCSS) is involved in your case, a representative of the Attorney General's Office must approve the child support amount and sign below.

_____
Signature of DCSS Representative

_____
Date

Case No. _____

EXHIBIT A: PROPERTY AND DEBTS

1. Division of Community Property: (property acquired during the marriage)

☐ Award each party the furniture, furnishings, artwork, collectibles, appliances, cookware, and related items of personalty in his/her possession.

☐ Community property is awarded to each party as follows:

2. List of Community Property: (Be very specific in your description of the property.)

	AWARD TO: Party A	Party B
Household Furniture and Appliances: (Be specific.)		
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
Video: TV /DVD / DVR/ VCR, etc: (Be specific)		
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
Audio: Stereo/ Radio (Household or Portable): (Be specific)		
_____	☐	☐
_____	☐	☐
_____	☐	☐

AWARD TO:
Party A Party B

Computers and Related Equipment: (Be specific)

_____ ☐ ☐

_____ ☐ ☐

_____ ☐ ☐

Motor Vehicles: (Be specific)

1. Year, Make, Model:_____ ☐ ☐

   Last 4 digits of VIN #_____

2. Year, Make, Model:_____ ☐ ☐

   Last 4 digits of VIN # _____

3. Year, Make, Model: _____ ☐ ☐

   Last 4 digits of VIN # _____

Cash, bonds of $_____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

☐ Continued on attached page.

3. Division of Retirement, Pension, Deferred Compensation:

Warning: You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.

☐ Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

OR

☐ Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

_____

OR

☐ Each party waives and gives up his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party.

4. Division of Real Property: (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address) _____

_____.

The legal description of this property, as quoted from the DEED to the property* is:

_____

_____

_____

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("A") described above is awarded as the sole and separate property of:

☐ Party A or ☐ Party B

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Party A

_____% or $_____ to Party B

B. Real property located at (address) _____

_____.

The legal description of this property, as quoted from the DEED to the property* is:

_____

_____

_____

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

☐ Party A or ☐ Party B

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Party A

_____% or $_____ to Party B

☐ Continued on attached page(s).

5. Division of Community Debt: (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Party A	Amount to be paid by Party B
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$

☐ Continued on attached page.

6. ☐ Any debts or obligations incurred by either party before the date of separation, that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation, and that party shall indemnify and hold the other party harmless from such debts.

7. Separate Property: (Property acquired before the marriage or by gift or bequest to one party.)

   Property recognized as the separate property of Party A or Party B, is assigned below:

Description	Value	To Party A	To Party B
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

☐ Continued on attached page.

8. Separate Debt: (Debt acquired before the marriage.)

   Debt recognized as the separate debt of Party A or Party B, is assigned below:

Creditor Name	Debt Amount	Party A Pays	Party B Pays
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

☐ Continued on attached page.

Signature of Both Parties

This "Exhibit A" represents the agreement of the parties as to the division of property and debt. The terms of the agreement are fair and equitable and have been reached free of coercion, duress, or threat of force.

By signing below, each of us states to the court under penalty of perjury that we have read and understand Exhibit A, and that the information contained in the document is true and correct to the best of our individual knowledge and belief.

_____ _____

Party A's Signature Date

_____ _____

Party B's Signature Date

If either party is represented by an attorney, the attorney(s) must sign:

_____ _____

Party A's Attorney Date

_____ _____

Party B's Attorney Date

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner ☐ or Respondent

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Case No. _____

_____
Petitioner/Party A

PARENTING PLAN FOR

☐ JOINT LEGAL DECISION-MAKING

_____
Respondent/Party B

OR

☐ SOLE LEGAL DECISION-MAKING

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-making and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-making Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. If only one parent is submitting the Plan: that parent must sign at the end of PART 2 and 3, and the Affidavit under Section 5.

b. If both parents agree to legal decision-making and parenting time arrangements but not to joint legal decision-making: Both parents must sign the Plan at the end of PART 2 and 3, and the Affidavits under Section 5.

c. If both parents agree to joint legal decision-making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PARTS 2, 3, and 4, and the Affidavits under Section 5.

Case No. _____

PART 1: GENERAL INFORMATION:

A. MINOR CHILDREN. This Plan concerns the following minor children:
(Use additional paper if necessary)

_____ _____

_____ _____

_____ _____

B. THE FOLLOWING LEGAL DECISION-MAKING ARRANGEMENT IS REQUESTED:
(Choose ONE of 1, 2, 3, 4.)

☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

The parents agree that sole legal decision-making authority should be granted to ☐ Party A ☐ Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

☐ 2. SOLE LEGAL DECISION-MAKING REQUESTED BY THE PARENT SUBMITTING THIS PLAN. The parents cannot agree to the terms of legal decision-making and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

OR

☐ 3. JOINT LEGAL DECISION-MAKING BY AGREEMENT. The parents agree to joint legal decision-making and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

☐ 4. JOINT LEGAL DECISION-MAKING AUTHORITY REQUESTED BY THE PARENT SUBMITTING THIS PLAN.

The parents cannot agree to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

PART 2: PARENTING TIME. Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

☐ The minor children will be in the care of Party A as follows: (Explain).

_____

_____

☐ The minor children will be in the care of Party B as follows: (Explain).

_____

_____

☐ Other parenting time arrangements are as follows: (Explain).

_____

_____

☐ Transportation will be provided as follows:

☐ Party A or ☐ Party B will pick the minor children up at _____ o'clock.

☐ Party A or ☐ Party B will drop the minor children off at _____ o'clock.

Parenting-time exchanges will occur at the following exchange location :

_____

_____

_____

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

_____

☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. OR,

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain)

_____

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B:(Explain)

_____

☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

☐ Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

Holiday	Even Years		Odd Years	
New Year's Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
New Year's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Spring Vacation	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Easter	☐ Party A	☐ Party B	☐ Party A	☐ Party B
4th of July	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Halloween	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Veteran's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Thanksgiving	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Hanukkah	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Winter Break	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Child's Birthday	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Mother's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Father's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B

☐ Each parent may have the children on his or her birthday.

☐ Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

☐ Other Holidays (Describe the other holidays and the arrangement):

_____

☐ Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain)

_____

☐ Other (Explain):

_____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records.

- A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request.
- A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. MEDICAL AND DENTAL ARRANGEMENTS:

☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:

_____

OR

☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting the other parent.

G. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.

☐ Both parents agree that the minor children may be instructed in the faith.

☐ Both parents agree that religious arrangements are not applicable to this plan.

H. ADDITIONAL ARRANGEMENTS AND COMMENTS:

☐ NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within _____ days of the change.

☐ NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.

☐ TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

☐ ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

☐ OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the Yuma metropolitan area without prior written consent of the other parent, or a court-ordered Parenting Plan. A.R.S. 25-408 (B)

☐ COMMUNICATE. Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.

☐ METHOD OF COMMUNICATION. Each parent agrees to use the following means of communication:

_____

☐ FREQUENCY OF COMMUNICATION. Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be

_____

and will be by the following methods: ☐ Phone ☐ Email ☐ Other

☐ PRAISE OTHER PARENT. Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.

☐ COOPERATE AND WORK TOGETHER. Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

☐ NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME. If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

☐ PARENTING PLAN. Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.

☐ MEDIATION. If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: Do not deviate from Parenting Plan until dispute is resolved.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets to enforce a court order.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice (by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided) to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

(a) Second degree murder.
(b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
(c) Sexual assault.
(d) Molestation of a child.
(e) Sexual conduct with a minor.
(f) Commercial sexual exploitation of a minor.
(g) Sexual exploitation of a minor.
(h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
(i) Kidnapping.
(j) Sexual abuse.
(k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
(l) Child prostitution as prescribed in section 13-3212.
(m) Involving or using minors in drug offenses.
(n) Continuous sexual abuse of a child.
(o) Attempted first degree murder.
(p) Sex trafficking.
(q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
(r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
(s) Luring a minor for sexual exploitation.
(t) Aggravated luring a minor for sexual exploitation.
(u) Unlawful age misrepresentation.

Case No. _____

PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 4: JOINT LEGAL DECISION-MAKING AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority shall NOT be awarded if there either has been "significant domestic violence" pursuant to A.R.S. § 13-3601 OR "a significant history of domestic violence."

☐ Domestic Violence has not occurred between the parties, OR

☐ Domestic Violence has occurred between the parties, but one of the following applies: (1) it has not been "significant domestic violence"; (2) there has not been a "significant history of domestic violence, (3) and/or domestic violence has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

☐ Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR

☐ One of the parties HAS been convicted of driving under the influence or a drug offense within the past 12 months, but the parties feel Joint Legal Decision-making is in the best interest of the children.*

* IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:

Explain below why Joint Legal Decision-making is still in the best interest of the children.

_____

_____

_____

_____

_____

C. JOINT LEGAL DECISION-MAKING AGREEMENT: If the parents have agreed to joint legal decision-making, the following will apply, subject to approval by the Judge:

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.

2. CRITERIA. Our joint legal decision-making agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:

   a. The best interests of the minor children are served;
   b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
   c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
   d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
   e. The Plan includes a procedure for periodic review;
   f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
   g. A procedure for communicating with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Case No. _____

This signature page belongs to the form titled "Parenting Plan" and cannot be used with any other documents.

PART 5: AFFIDAVITS

I declare under penalty of perjury the foregoing is true and correct.

_____ _____

Petitioner's/Party A's Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____
(Date)

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

_____ _____

Respondent's/Party B's Signature Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____
(Date)

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer