

DIVORCE WITHOUT MINOR CHILDREN

1

To File for Divorce in a Non-Covenant Marriage
Without Minor Children

Part 1: Forms and Instructions

PETITION AND PAPERS FOR “DISSOLUTION OF MARRIAGE - (DIVORCE) WITHOUT MINOR CHILDREN”

CHECKLIST

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- ✓ You want to file a petition for divorce **AND**,
- ✓ You do **not** have a “covenant” marriage, or since you were married you have **not** agreed to change your marriage to a “covenant” marriage (These papers will **not** work for a covenant marriage).*

***What is a “Covenant Marriage”?** As of August 21, 1998, the Arizona Legislature created a new type of marriage called “covenant” marriage. To have a covenant marriage, both husband and wife would have had to:

1. sign papers requesting to have a covenant marriage;
2. attend pre-marital counseling; **AND**
3. your marriage license would say “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.

- ✓ You and your spouse have **no minor children** with each other, **AND**
- ✓ You or your spouse have lived in Arizona at least 90 days before you file the Petition, or one of you is a member of the armed forces and has been stationed in Arizona at least 90 days before you file, **AND**
- ✓ You believe that the marriage is irretrievably broken (you and your spouse cannot make the marriage work) **AND**
- ✓ You or your spouse has either tried to resolve your problems through Conciliation Court, or there is no point in trying to resolve your problems because the marriage is irretrievably broken.

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.

Divorce without minor children

Part 1 - Petition and first court papers

This packet contains court forms and instructions to file for dissolution of marriage (divorce) without minor children. 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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*No copies required. File original only. Do not serve on other party.

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.

Instructions: How to fill out divorce forms

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 child(ren). Domestic violence also includes verbal abuse used to control you and/or your child(ren).

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 in order 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 where the Court asks you for this information. You must tell the Clerk of Superior Court your address and phone number as soon as possible.

General Information:

- In order to file for divorce in Arizona and use this packet, the following statements must be true:
- you do not have a “covenant” marriage.
 - your marriage is irretrievably broken.
 - you have been to Conciliation Services – or that it would not help.
 - you OR your spouse has lived in Arizona, or been stationed in Arizona while in the Armed Forces, for at least 90 (ninety) days prior to the day you filed the “Petition for Dissolution of Marriage (Divorce) Without Children”

Note: To have a “Covenant Marriage”, both husband and wife would have had to:

1. sign papers requesting to have a covenant marriage or to convert to a covenant marriage,
2. attend pre-marital counseling (unless converting an existing marriage to a covenant marriage, AND
3. Your marriage license would say “Covenant Marriage.”

If you still have questions about whether you have a “covenant” marriage, contact a lawyer for help.

“Irretrievably broken” means that your marriage is broken beyond repair and there is no chance of getting back together with your spouse.

Information About Property and Debt:

- Community property is generally any property you and your spouse purchased during your marriage or paid for during the marriage, no matter who uses the property or who paid the money. Unless property was a gift or an inheritance or acquired after the Petition for Dissolution was served on your spouse, generally all property acquired during the marriage is community property, and both you and your spouse are entitled to roughly an equal share of this property.
- Community debts or bills are generally any debt you and your spouse acquired during your marriage, no matter who spent the money.
- Separate property and/or separate debt is generally any property you had or brought into the marriage. However, there are exceptions to these statements. Some property acquired during the marriage is still considered separate property. For example, if you were involved in an automobile accident, and received damages for pain and/or suffering or will receive damages for pain and suffering, the money you received, or will receive, for pain and suffering is your separate property.
- If you have questions, or have a lot of community property or debt, you should speak with an attorney before filing your Petition or other papers.

Descriptions of Types of Property:

- ✓ Real Property (property (land) or home). You can ask the Court to give you the property (land/home), to give the property (land/home) to your spouse, or to sell the property (land/home) and divide the proceeds. You should write the complete address of the property under "Real Estate Located at." Most property has a legal description such as "LOT 77, PINE TREE ACRES, according to Book 111 of Maps," which appears on your deed papers. You should use this legal description. A cemetery plot is considered real property.
- ✓ Household furniture. This includes sofas, beds, tables, and so forth.
- ✓ Household furnishings. This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth.
- ✓ Pension/retirement fund/profit sharing/stock plans/401K. You and your spouse each generally have a right to a one-half interest in the other spouse's plan, based upon the length of your marriage. The longer the marriage, the greater your financial interest in your spouse's plan. (Your interest, usually, includes up to 50 percent of the benefits/plan if you have been married the whole time the plan has existed.) You must see an attorney about a document called a Qualified Domestic Relations Order or QDRO in order to split the retirement plan. A QDRO is a very specialized legal document that requires professional assistance to prepare. The Law Library Resource Center and the Court do not have Qualified Domestic Relations Order forms.

Information About Spousal Maintenance/Support (Alimony):

- Spousal Maintenance/Support (Alimony) is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. You may know the term as alimony or spousal maintenance.
- Spousal Maintenance/Support is designed as a safety net for a spouse who cannot provide for their needs or who meets other requirements listed on the Petition under paragraph 8.
- The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared, and earned, by BOTH parties to a marriage.

Note: If you decide to request spousal maintenance, you must complete the Spousal Maintenance Worksheet.

- Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:

Website: <https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>

- After completing the worksheet, print it out and file it with your papers.

All forms: type or print in black ink

Most court forms can be filed electronically (eFile), and some forms in this packet may be auto generated by the eFiling system. If you will be eFiling your forms, you will not need to complete all forms in this packet. For more information about eFiling and which forms will be auto generated by the eFiling system, read the eFiling instructions first: <https://superiorcourt.maricopa.gov/media/7446/drefl3i.pdf>.

Petition for Dissolution of Marriage (Divorce) Without Minor Children

- A. Use this form ONLY if you are getting a divorce and there are no children under the age of 18, common to you and your spouse, whether by birth or adoption, AND you do not have a “covenant” marriage. Make sure your form is titled “Petition for Dissolution of Marriage (Divorce) Without Children.”
- B. In the top left corner of the first page, fill out the following: your name (if you are the person filling out the petition and filing the petition with the court); your address (if not protected); your city, state and zip code; your telephone number; Attorney Bar Number, if represented by a lawyer; then check the box to say whether you are representing yourself or not.

- C. Fill in your name in the space that says, "Name of Petitioner/Party A." Remember, you will be the Petitioner/Party A throughout the entire case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.) In the space that says, "Name of Respondent/Party B," fill in the name of your spouse. Your spouse will be the Respondent/Party B for throughout the entire case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.)
- D. Leave line blank for Case Number. When you file your papers, you will receive a case number from the Clerk of Superior Court.
- E. Wait to sign this form until you are in front of a notary or Clerk of Superior Court.

Family Department/ Sensitive Data Cover Sheet

- Write in the information requested about the Petitioner/Party A and the Respondent/Party B.
- Do not include mailing address on this form if requesting address protection.
- Case Type: Mark only one box that matches the legal procedure for which you are filing the documents in this packet: ☒ Dissolution (Divorce).
- Interpreter: Check "yes" or "no" to indicate whether an interpreter is needed. If "yes," write in what language(s).
- No additional copies needed. Do not serve this document on the other party.

Summons and Preliminary Injunction

Fill in the following information: Your name; street address (if not protected); city, state and zip code; telephone number; leave the ATLAS number blank; Attorney Bar Number if you are represented by an attorney; then check the box to say whether you are representing yourself or not. Then print the name of Petitioner / Party A (your name); name of Respondent/Party B (your spouse's name). Do not fill out the rest of the form, except on Page 2 of the "Preliminary Injunction" where you must provide a description of the other party. The Clerk of Superior Court will complete it later.

Notice of Right to Convert Health Insurance

This is an important document that explains what to do about health care coverage for yourself. Read it carefully and be sure a copy is served with the other divorce papers on your spouse.

Notice Regarding Creditors

This is an important document that tells you and your spouse that you are both responsible for community debts to creditors even though the court order or decree says that only one of you (either you or your spouse) are responsible. This notice must be served on your spouse. In addition, read this notice to find out how to obtain information from your creditors about account balances.

How to complete a Spousal Maintenance Worksheet (Applies only to cases in which the original petition for dissolution or legal separation was filed on or after September 24, 2022)

In a dissolution of marriage (divorce) or legal separation, one party may request that the court order the other party to pay “spousal maintenance.” This is financial support paid by one party to the other party. The court considers certain statutory factors to decide whether a party is eligible for spousal maintenance. In these cases, either party may request that the other pay spousal maintenance.

Spousal Maintenance Guidelines:

For a case filed on or after September 24, 2022, if a person is eligible for spousal maintenance, then the court uses the Arizona Spousal Maintenance Guidelines to determine the amount and duration of the award for spousal maintenance.

The Guidelines can be found here:

<https://www.azcourts.gov/familylaw/Child-Support-Family-Law-Information/Spousal-Maintenance-Guidelines>.

Spousal Maintenance Calculator:

In any dissolution of marriage or legal separation case that was originally filed on or after September 24, 2022, when a party requests spousal maintenance, or requests to change a past spousal maintenance court order, a completed Spousal Maintenance Worksheet **must** be included when filing an Application for Entry of a Default Decree and the party seeking default proceeds by motion without a hearing (Rule 44.1, ARFLP).

The worksheet is created using the FREE online Spousal Maintenance Calculator. Access to the internet is required. The online Spousal Maintenance Calculator can be found here:

<https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>.

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.

Next Steps:

After completing the Spousal Maintenance Calculator, print out the Spousal Maintenance Worksheet in order to file it with your other paperwork.

When you have completed all necessary forms, go to the “Procedures” page and follow the steps.

Procedures: How to file divorce forms

STEP 1: Fill out all of the documents in this packet.

STEP 2: Make 2 copies of the following filled out documents.

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, and one for the judge (when required). You will also need to print out the forms auto generated by the eFile system to serve. For more information about how to eFile your papers, read the eFiling instructions:

<https://superiorcourt.maricopa.gov/media/7446/dref13i.pdf>.

- Summons
- Preliminary Injunction
- Petition for Dissolution of Marriage (Divorce) Without Minor Children (Petition)
- Notice of Right to Convert Health Insurance
- Notice Regarding Creditors
- Spousal Maintenance Worksheet (If applicable)

STEP 3: Separate your documents into three (3) sets.

Set 1 – originals (for the Clerk): • Family Department Cover Sheet • Summons • Preliminary Injunction • Petition • Notice of Right to Convert Health Insurance • Notice Regarding Creditors • Spousal Maintenance Worksheet (If applicable)	Set 2 – copies (for spouse): • Summons • Preliminary Injunction • Petition • Notice of Right to Convert Health Insurance • Notice Regarding Creditors • Spousal Maintenance Worksheet (If applicable)
Set 3 – copies (for you): • Summons • Preliminary Injunction • Petition • Notice Regarding Creditors • Notice of Right to Convert Health Insurance • Spousal Maintenance Worksheet (If applicable)	

STEP 4: File the papers at the court.

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

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

Fees: A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Hand all three (3) sets of your court papers to the Clerk along with the filing fee.

Make sure you get back the following from the Clerk:

* Your set of copies

* Your spouse's set of copies

STEP 5: Serve the other party.

Read the packet called "Service of Court Papers" that applies to your situation at the Law Library Resource Center to find out how to serve the other party.



- * 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: _____

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

Case No. _____

ATLAS No. _____

Respondent / Party B

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITHOUT 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

Date of Birth (Month/Day/Year)

Social Security Number

☐ Male or ☐ Female

☐ Male or ☐ Female

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

☐ Dissolution (Divorce)

☐ Annulment

☐ Other*

☐ Legal Separation

☐ Order Protection

C. Do you need interpreter? ☐ No ☐ Yes 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 No.: _____

And

SUMMONS

Name of Respondent / Party B

**WARNING: This is an official document from the court that affects your rights. Read this carefully.
If you do not understand it, contact a lawyer for help.**

FROM THE STATE OF ARIZONA TO: _____
Name of Opposing Party

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this **"Summons."**
2. If you do not want a judgment or order entered against you without your input, you must file a written **"Answer"** or a **"Response"** with the court, and pay the filing fee. Also, the other party may be granted their request by the Court if you do not file an **"Answer"** or **"Response"**, or **show up in court**. To file your **"Answer"** or **"Response"** take, or send, it to the:
 - Office of the Clerk of Superior Court, 250 West Second Street, Yuma, Arizona 85364

After filing, mail a copy of your "Response" or "Answer" to the other party at their current address.

3. If this "*Summons*" and the other court papers were served on you by a registered process server or the Sheriff within the State of Arizona, your "*Response*" or "*Answer*" must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" within the State of Arizona, your "*Response*" or "*Answer*" must be filed within TWENTY (20) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. If this "*Summons*" and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" outside the State of Arizona, your "*Response*" or "*Answer*" must be filed within THIRTY (30) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, or from the Clerk of Superior Court's Customer Service Center at:
 - 250 West Second Street, Yuma, Arizona 85364
5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (legal custody) and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by the party needing accommodation or his/her counsel at least three (3) judicial days in advance of a scheduled proceeding.
7. Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

SIGNED AND SEALED this date _____

CLERK OF SUPERIOR COURT

By _____
Deputy Clerk of Superior Court

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

Name of Petitioner/Party A

AND

Name of Respondent/Party B

Case Number: _____

PRELIMINARY INJUNCTION

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: _____

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

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Name of Petitioner/Party A

AND

Name of Respondent/Party B

Case Number: _____

PETITION FOR DISSOLUTION OF
MARRIAGE (DIVORCE)
WITHOUT MINOR CHILDREN

STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION

1. INFORMATION ABOUT ME:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row you, have lived in Arizona.

2. INFORMATION ABOUT MY SPOUSE:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row your spouse has lived in Arizona.

3. INFORMATION ABOUT MY 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.

4. VENUE: (Check here if the following statement is true):

- ☐ This is the proper court to bring this lawsuit under Arizona law because it is the county of residence of either party or of the minor children.

5. 90 DAY REQUIREMENT:

- ☐ I OR ☐ my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before I filed this action. (WARNING: If this statement is not true, you cannot file for a divorce until it becomes true.)

6.a. COMMUNITY PROPERTY: (Check one box)

- ☐ My spouse and I did not acquire any community property during the marriage, OR
- ☐ My spouse and I did acquire community property during our marriage, and we should divide it as follows:

- ☐ Real estate located at: _____

Party A	Party B	Value
☐	☐	\$ _____

Legal Description: _____

Case Number: _____

☐ Real estate located at:	Party A	Party B	Value
_____	☐	☐	\$ _____

Legal Description: _____

☐ Household furniture and appliances:	Party A	Party B	Value
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

☐ Household furnishings:	Party A	Party B	Value
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

☐ Other items:	Party A	Party B	Value
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

☐ Pension/Retirement fund/profit sharing/stock plan/401K:	Party A	Party B	Value
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

Case Number: _____

	Party A	Party B	Value
☐ Motor vehicles:	☐	☐	\$ _____
Make: _____ Year: _____			
Model: _____			
VIN: _____			
Lien Holder: _____			
	Party A	Party B	Value
Make: _____ Year: _____	☐	☐	\$ _____
Model: _____			
VIN: _____			
Lien Holder: _____			

6.b. SEPARATE PROPERTY: (Check all boxes that apply.)

- ☐ I do not have any property, or separate property, that I brought into the marriage.
- ☐ My spouse, Party B, does not have any property, or separate property, that he/she brought into the marriage.
- ☐ I do have property, or separate property, that I brought into the marriage. I want this property awarded to me as described below.
- ☐ My spouse, Party B, does have property, or separate property, that he/she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

Description of Separate Property	Party A	Party B	Value
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

7.a. COMMUNITY DEBTS: (check one box)

- ☐ My spouse and I did not incur any community debts during the marriage, OR
- ☐ My spouse and I did incur community debts during the marriage and we should divide the responsibility for these debts as follows:

Case Number: _____

Description of Debt	Party A	Party B	Amount Owed
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

7.b. SEPARATE DEBTS: (Check all boxes that apply.)

- ☐ My spouse and I do not have any debt, or separate debt, that were incurred prior to the marriage.
- ☐ I do have debt, or separate debt that I incurred prior to the marriage, that should be paid by me as described below.
- ☐ My spouse, Party B, does have debt, or separate debt that he/she incurred prior to the marriage, that should be paid by my spouse as described below.

Description of Debt	Party A	Party B	Amount Owed
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____
_____	☐	☐	\$ _____

8. TAX RETURNS: (Check the boxes that you want)

- ☐ After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.
- ☐ For previous years (the years we were married, not including the year the Decree was signed), (check one box)
- ☐ The parties will file joint federal and state income tax returns. For previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs and each will share equally in any refunds. OR

- ☐ The parties will file separate federal and state income tax returns. For previous calendar years, each party will pay and hold the other harmless from any income taxes and/or incurred as a result of the filing of that party's tax return and each party will be awarded 100% of any refund received as a result of the filing of that party's tax return.

9. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY): (Check the box that applies to you):

- ☐ Neither party is entitled to spousal maintenance/support (alimony), OR
- ☐ Party A OR Party B is entitled to spousal maintenance/support because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance/ support.)
- ☐ 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.

10. PREGNANCY:

- ☐ Party A IS NOT pregnant OR ☐ Party B IS NOT pregnant, OR
- ☐ Party A IS pregnant OR ☐ Party B IS pregnant,
- The baby is due on _____ (date), (and check one box below):
- ☐ Party A and Party B ARE the parents of the child, OR
- ☐ Party A or ☐ Party B IS NOT the parent of the child

11. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

- ☐ Party A and Party B have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children, parenting time, and child support, and I have attached a copy of the written agreement.
- ☐ Party A and Party B DO NOT have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children, parenting time, and child support.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

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

B. NAMES: My complete married name is: (Optional. Complete ONLY if you want to change your name)

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I want my legal name restored to: (List complete maiden name or legal name before this marriage)

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C. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

- ☐ Order spousal maintenance/support to be paid by ☐ Party A, ☐ Party B through the Support Payment Clearinghouse in the amount of \$_____ per month, plus the statutory fee, beginning with the first day of the month after the judge or commissioner signs the Decree of Dissolution and continuing until the person receiving spousal maintenance/support is remarried or deceased, or for a period of _____ months.

D. COMMUNITY PROPERTY:

- ☐ Make a fair division of all community property as requested in this Petition.

Case Number: _____

E. COMMUNITY DEBTS:

☐ Order each party to pay community debts as requested in the Petition, and to personally pay any other community debts unknown to the other party. Order each party to pay, and hold the other party harmless from, debts incurred by him/her since the parties' separation on _____ (date) or from the date Party B was served with the Petition for Dissolution.

F. SEPARATE PROPERTY and SEPARATE DEBT: ☐ Award each party his/her separate debt.

G. OTHER ORDERS I AM REQUESTING: (Explain request here):

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)

(Notarial Officer's Stamp or Seal)

Deputy Clerk or Notarial Officer

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: _____

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

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY

Name of Petitioner/Party A

Case Number: _____

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

Case Number: _____

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: _____