DIVORCE - WITH MINOR CHILDREN

3

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RESPONSE

Part 3: To Respond to a Divorce Petition

(Forms and Instructions)

Law Library Resource Center

RESPONSE TO PETITION AND PAPERS for DIVORCE ("DISSOLUTION") WITH MINOR CHILDREN

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CHECKLIST

You may use the forms and instructions if . . .

- ✓ Your spouse filed a ***"Petition for Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children"***, **AND**
- ✓ You want to file a ***"Response"*** to tell the Court whether you agree or disagree with something your spouse stated or requested in the ***"Petition for Dissolution"***, **AND**
- ✓ You and your spouse have minor children with each other.

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.

Law Library Resource Center

Divorce with minor children

Part 3 – Response to a petition

This packet contains court forms and instructions to file a Response to a petition for divorce with minor children only. 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.

Instructions: How to fill out the forms to respond to a petition for divorce with minor children

Domestic violence: Domestic violence can be a part of any marriage. Domestic violence includes physical violence such as hitting, slapping, pushing, or kicking you and/or your child(ren) and/or threats of physical violence directed at you and/or your child(ren) and/or verbal abuse used to control you and/or your child(ren). Your spouse does not need to have been convicted of domestic violence or assault for you to be a domestic violence victim. You do not need to have sought medical care or been admitted to a hospital to be a victim of domestic violence.

Court documents request your address and phone number. If you are a victim of domestic violence, are in a domestic violence shelter, or if you do not want your address 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. If the Court grants your Request, you do not need to put your address and phone number on your legal separation papers. If the Court grants your Request, you do not need to put your address and phone number on court papers. Just write "protected" where the form asks for this information and update the Clerk of Superior Court with an address and phone number as soon as possible so that the court can reach you. 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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How to complete your written Response to the Petition:

Most court documents can be filed electronically. For more information about eFiling, read the eFiling instructions first: https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

- Type or print in black ink only.
- Make sure your form is titled "Response to Petition for Dissolution of a Non-covenant Marriage (Divorce) with Minor Children."
- In the top left corner of the first page, fill out the following information: Your name; address (if not protected); city, state and zip code; telephone number;; Attorney Bar Number if represented by an attorney; and, whether you are representing yourself or if you are the attorney representing either Petitioner or Respondent.
- (B)Fill in the name of the "Petitioner/Party A" and "Respondent/Party B" the same way as it is on the Petition. You must do that for every document filed with the court regarding this case from now on. Use the case number that is stamped in the upper right-hand corner of the Petition. You must use that case number for every document filed with the court regarding this case from now on.

Statements to the Court, under oath or affirmation:

Section Instruction

1. Information about my spouse. Fill in your spouse's (name, address (if not protected), date of birth, occupation, and length of time domiciled (lived) in this state. This is basic information about your spouse.

2. Information about me. Fill in your name, address, date of birth, occupation, and length of time you lived in this state. This is basic information about you.

3. Information about our marriage. This is general information about your marriage. Fill in the date that you were married, and the city and state where you were married. Then check the box if you have a non-covenant marriage.

> * To have a "Covenant Marriage," both Party A and Party B 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.

If you have a covenant marriage, you should file a motion to dismiss, and then petition the court for dissolution of a covenant marriage, if you want a divorce. If you have a covenant marriage, attach a copy of the marriage license to show that you have a covenant marriage.

4. 90-day requirement. This tells the court that you and/or your spouse has lived in Arizona, or been stationed here while in the Armed Forces, for at least 90 (ninety) days prior to the date your spouse filed the divorce papers. Before your spouse filed for Divorce, this must be true. If it is not true, your spouse filed too soon, and the case must be dismissed. You or your spouse can file a Motion to Dismiss, then refile the divorce papers once the statement is true.

Information about our children under 18 years of age:

5. Domestic violence. This tells the court if domestic violence was in the marriage and affects a request for joint legal decision-making, (if you intend to ask for joint custody). If you are not sure what domestic violence means, see the first page of this document. Then, check the box that applies to your situation.

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6. Children of the parties who are less than 18 years of age. If you have no minor children common to you and your spouse, you should use the Petition for Dissolution of a Non-covenant Marriage - without Minor Children Packet.

    - If the minor children common to you and your spouse have lived with you in Arizona for more than 6 months, the Court has jurisdiction over you and your children.
    - Mark the box that states whether or not your minor children have lived with you in Arizona for more than 6 months.
    - Then, write the names of any child(ren) under age 18 common to you and your spouse, whether born to you and your spouse before or during your marriage or adopted by you and your spouse during the marriage. Include their birthdate(s), address(es), and length of time at the last address. If you do not have any children, you should be using the Response Packet without Children.

7. Pregnancy. If Party A or Party B is not pregnant at this time, check the correct box and go to paragraph 8. If Party A or Party B is pregnant, check the third box. Fill out the date the baby is due and fill in any information regarding the parents of the unborn child.

8. Summary of what I request concerning our minor child(ren) that is different from what my spouse requested in the Petition and Affidavit of Minor Child(ren). Since you are responding to what your spouse asked for in the Petition, you should now summarize for the Judge how what you request concerning the child(ren) is different from what your spouse asked for in both the Petition and Affidavit of Minor Children.

9. Information about property and debt.

    The information you give in paragraphs 9 and 10 tells the court about your property and debts, and how you think your property and debts should be divided. 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 inheritance, all property acquired during the marriage of after you were served with a copy of the Petition for Divorce is community property, and both you and your spouse are entitled to roughly an equal share of this property.

    Community debt or bills are generally any debt, you and your spouse, acquired during your marriage, no matter who spent the money. If you have questions, or have a lot of community property or debt, you should speak with a lawyer before you file your Response.

    It is very important that you be specific in your responses about the property and debt. Describe the property and debt that should go to or be paid by you in detail and describe the property and debt that should go to or be paid by your spouse in detail. Never list an item and check both Party A and Party B box.

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9.a. Property acquired during the marriage. Community property. If you and your spouse do not have any property from the marriage, check the first box. If you and your spouse have property together, check the second box. If you checked the second box, you must tell the court what property should go to you and what property should go to your spouse. Generally, the court will divide the property 50-50, unless there are good reasons not to.

It is unlikely that the court will give most or all of the property to either spouse, so put some thought into what you think would be a fair division before answering this question. Usually, if you and your spouse cannot decide which spouse should receive the property, the court will order that the property be sold and any money received divided between you and your spouse.

List the property that you want the court to award to your spouse and list the property that you want the court to award to you. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes and tell the court how much the property is worth (fair market value). You can use the brand name and model where applicable, and serial numbers.

Types of property:

- Real property (property or home). Check who you want to get the property. You can ask the court to give you the home, to give the home to your spouse, or to sell the 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 description. A cemetery plot is considered real property.
- Household furniture. This includes sofas, beds, tables, and so forth. Be specific.
- Household furnishings. This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth. Be specific.
- Other. List things that you want or you want your spouse to have that have not already been listed. Be specific.
- Pension/retirement fund/profit sharing/stock plans/401K. You and your spouse each generally have a right to up to one-half interest in the other spouse's plan, for the number of years you were married. 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.) Check this box if you want to divide your interest in a retirement or profit sharing/retirement/401K plan. If you check this box, you must see an attorney about a document called a Qualified Domestic Relations Order or QDRO. 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.
- Motor vehicles. List the vehicle identification number, the year and make of the car (Ford, Honda) and the model (Mustang, Lumina).

9.b. Property acquired before marriage. Separate property. If you did not have, or bring, any property into the marriage, or you did not receive any gifts, devises, or inheritances, check

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the first box. If your spouse did not have or bring any property into the marriage, or did not receive any gifts, devises, or inheritances, check the next box. If you or your spouse brought property into the marriage, or received gifts, devises, or inheritances, check the third and/or fourth box. If you checked the third and/or fourth box, you must tell the court what property you brought into the marriage and what property your spouse brought into the marriage.

List the property that you want the court to award to your spouse and list the property that you want the court to award to you. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. You can use the brand name and model where applicable, and serial numbers.

9.c. Debts incurred during the marriage. Community debts. If you and your spouse do not owe money on any debts from the marriage, check the first box and go directly to paragraph 9.d. If you and your spouse owe money on any debts from the marriage, check the second box. If you check the second box, tell the court which debts you should pay and which debts your spouse should pay. Generally, the court will attempt to make a fair division of the debts. If you get the property that has debt on it, you probably will be given the debt. Ordering one person to pay all the debt is unusual. Think about what is a fair division of the debts before answering this question. Put enough information to identify each debt.

If you and your spouse have been separated and have acquired new debts on your own before filing for divorce, you may want the court to order that each of you pay for any new debt after the date you separated. You can make this request on the last page of your Petition under Letter I "Community Debts."

9.d. Debts incurred prior to marriage. Separate debts. If you and your spouse did not owe money on any debts before you were married, check the first box and go ON to 10. If you owed money on debts before you were married, check the second box. If your spouse owed money on debts before you were married, check the third box. If either you or your spouse owe money on any debts you or your spouse brought into the marriage, describe the debts, and tell the court which debts you should pay and which debts your spouse should pay.

10. Summary of what I requested concerning property and debts that is different from what my spouse requested in the Petition. Tell the court what is different between your plans for the division of the property and debt and what your spouse asked for in the Petition.

11. Tax Returns: Decide what you want to do about any income tax refund. Check the box that applies to you. If you have questions about which box you can check, you should see a lawyer, an accountant, and/or contact the Internal Revenue Service (IRS).

12. Spousal maintenance/support is the term used to describe money paid from one spouse to the other spouse as part of a divorce. You may know the term as alimony. 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. 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.

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Spousal maintenance/support is paid separately from child support and is not a substitute for or a supplement to child support. Look at paragraph 12 to see if spousal maintenance/support applies to you or your spouse. Complete the Spousal Maintenance Worksheet (if applicable)

- 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.

13. Summary of what I want regarding spousal maintenance/support that is different from what my spouse asked for in the Petition. Since you are responding to what your spouse asked for in the Petition, you should now summarize for the court how what you want for spousal maintenance/support is different from what your spouse wants. You should do this because the Petition your spouse used might not be from the Law Library Resource Center, and it might be arranged differently than this form.

14. Drug/alcohol convictions. Place a mark in the box that best describes Party A and Party B's drug/alcohol convictions within the last 12 months.

- A conviction of any drug offense within 12 months of filing of the petition for legal decision-making, creates a rebuttable presumption that awarding either joint or sole legal decision-making to that parent is not in the child's best interest. This is because the court considers evidence of drug and alcohol convictions as being against the best interest of the child A.R.S. § 25-403.04.
- If the court finds evidence of a conviction of any drug/alcohol offense within 12 months of filing of a petition for legal decision-making has occurred, the court shall make arrangements for parenting time that best protect the child.

15. Child support. Place a check mark in the boxes about child support that are true in your situation. Arizona law declares that every person has the duty to provide all reasonable support for that person's natural and adopted minor, unemancipated children - regardless of the presence or residence of the child in this state A.R.S. § 25-501.

- Title IV-D program or Temporary Assistance for Needy Families (TANF) recipients NOTE: Mark the box if you or the other party are involved in the TANF or Title IV-D programs. In Part 4, you must obtain the written approval and signature of the Attorney General or county attorney assisting you on your TANF or IV-D case. You must include or attach the signature to the Final Decree. (Rule 45 (c) (3))

16. Other expenses. This section tells the Court how you want any uninsured medical, dental, vision or health expenses incurred for the minor child should be divided between the parties.

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17. Written agreement. Check this box only if you and your spouse have a written agreement regarding legal decision-making, parenting time (formerly known as "visitation") and support that both of you signed before you filed the Response to the Petition for Dissolution of Marriage. If you have only discussed these issues and do not have a written agreement, do not check this box. Attach a copy of the written agreement if you have a copy.

18. The Parent Information Program. This section tells the Court if you have completed the Parent Information Program yet. For further information see the Order and Notice to Attend the Parent Information Program Class you should have received from your spouse. If you did not receive this information, the Law Library Resource Center has the form.

The Parent Information Program is offered to provide information to divorcing parents, or parents involved in other domestic relations actions, concerning what their children may be experiencing during this emotionally difficult period (Pursuant to Arizona law (A.R.S. § 25-351: "Domestic Relations Education on Children's Issues").

- Completion of the Parent Information Program is a requirement for all parents involved in a divorce, legal separation, or paternity case in which a party requests that the Court determine Legal Decision-making, Parenting Time, or child support. Parties involved in other types of domestic relations actions, such as modification or enforcement of Legal Decision-making or Parenting Time, as well as child support matters, may also be ordered to attend the Parent Information Program at the Court's discretion.
- Both Party A and Party B must complete this class within 45 days from the date the Petition for Dissolution is served/ (A.R.S. § 25-352). Both spouses must register for and complete the course whether or not a "Response" or "Answer" to the Petition/Complaint is filed. Please be advised that a Certificate of Completion will be filed with the Yuma County Clerk of Superior Court by the approved class provider upon your completion of the class.

19. General denial. This section tells the Court that even if you did not answer everything said in the Petition, you deny all issues you did not address. This is extra protection for you.

Requests to the court. This section requests that the Court grant you and your spouse your divorce and tells the Court other requests you are making:

A. Dissolution. This is your request to end your marriage by a divorce or to dismiss the case because of one of the reasons listed. Check the box(es) that apply to your case.

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B. Restore name. Only write in this section if you want to use your maiden or former name. Write in your birth name or former last name in the space provided. If you are not the person who is requesting to have your former name restored, the court must have a written request from the party who wants their name restored to change the name.

C. Paternity and minor child(ren)'s names. Only write in this section if you and your spouse have minor child(ren) that was/were born before the marriage and both parties are the legal parents of the minor child(ren). Check which party you want the Court to declare as the legal parent of the minor child(ren) born prior to the marriage and write the name(s) of those minor child(ren).

D. Primary residence, parenting time, and legal decision-making

1. Primary residence: The physical place where the child is cared for, supervised, and sleeps overnight. If you want your residence to be the place the child sleeps overnight the majority of the time, check the box that applies to you. The write in the name(s) of the child(ren). This tells the court whether you want the primary residence of the minor child(ren) to be with you or your spouse.

2. 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.

   Check only one of the first three boxes. You can ask that the non-primary residential parent (the parent having less than equal parenting time with the child(ren)) have one of the following types of parenting time (If you want to know more about parenting time read the Parenting Time Guidelines in packet 4) Also, Note: (If you want to know more about parenting time, refer to "Planning for Parenting Time: Arizona's Guide for Parents Living Apart." 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' web page.

   - Reasonable parenting time. This suggests an amount of parenting time appropriate to the age of the minor child(ren). The court offers suggested amounts of parenting time, but the amount can vary by agreement of both parents.
   - Supervised parenting time to the non-primary residential parent. You should request supervised parenting time if the non-primary residential parent cannot adequately care for the minor child(ren) without another person present to ensure the child's safety. You may request this if the non-primary residential parent abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for the child(ren) without another adult present. Remember, supervised parenting time is not intended to punish the parent, but to protect the minor child(ren).
   - No parenting time to the non-primary residential parent. You should mark this option only if the non-primary residential parent has seriously harmed, abused, or otherwise is a serious danger to the child(ren)'s physical and emotional health, or if there is a criminal court order stating no contact between the minor child(ren) and the non-

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primary residential parent. You may use this as a last resort to protect the minor child(ren).

Write in the name of a person you would like to supervise the child-parent parenting time. Also, mark the box that shows who you think should pay for the supervisor.

3. Legal decision-making: "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. For the purposes of interpreting or applying any international treaty, federal law, a uniform code or the statutes of other jurisdictions of the United States, legal decision-making means legal custody A.R.S. § 25-401.

   In the context of legal decision-making, "sole" means one parent; "joint" mean both parents. First, place a mark in the box to show if you want sole or joint legal decision-making. Then, mark the Party (A or B or both) you want to be awarded the legal decision-making.

E. Child support: Tell the court who you think should pay child support. The income of the parties generally determines the amount of the support according to court guidelines. You must check only one box.

   Past Support is child support after a couple has separated but before any paperwork is filed or court orders issued. Indicate the party who owes past child support, if any is owed.

F. Insurance and health care expenses for children: Mark the box(es) to request the part(ies) who should be responsible for medical, dental and vision care for minor children.

G. Tax exemption: Decide how you and your spouse will declare the tax dependency exemptions, for which minor child(ren) for which years. Federal Tax law also determines this for you. If you are not sure, see a lawyer or an accountant for help.

H. Spousal maintenance/support. This tells the court that you or your spouse should pay money to the other spouse on a monthly basis to help with living expenses. Spousal maintenance is not a substitute for, or a supplement to, court ordered child support. Mark the appropriate boxes. Then:

   - Complete a Spousal Maintenance Worksheet (if applicable).
   - If you marked the box that requests the court to order spousal maintenance, decide which spouse (Party A or Party B) should pay, and then place a mark in that box. Then use the Spousal Maintenance Worksheet to determine the amount per month, and write it on the line. Write in how many months the money should be paid.

I. Community property. This tells the Court that you request a fair division of the property.

J. Community debt. This tells the Court that you request a fair division of the debt, and that the court should divide the debts as requested by you in your Response. If you have been separated from your spouse for enough time that you or your spouse may have additional debts, write the date of the separation on the line provided if you want each spouse to pay the debts acquired after you

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separated.

K. Separate property. This states that you are requesting the Court to order that each party keep the property they owned before the marriage, and that both Party A and Party B will keep all property acquired by gift, devise, inheritance, or after you were served with the Petition.

L. Separate debt. This states that you are requesting that each party will pay all of their separate debts.

M. Other orders: Anything else you may want the Court to order that has not been covered in your Response.

Oath or affirmation and verification. Sign this form in front of a notary public or a deputy Clerk of Superior Court. By doing so, you are telling the Court that everything contained in the Response to the Petition for Dissolution is true.

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Other important papers in this packet

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. After completing the Parenting Plan, file it with your Response.

Other important papers to be completed **not** in this packet

Child Support Worksheet:

You can 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 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 residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/ support.

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

Spousal Maintenance Worksheet (If applicable):

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

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

✓ After completing the worksheet, print it out and file it with your Response.

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:

https://azcourthelp.org/yuma-county-forms/family-law/frequent-family-forms

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.

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Helpful Information: How to file a response to a petition for divorce

IMPORTANT NOTICE to victims of 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.

Papers you should have received with this petition:

You should have received the following papers. If one or more papers are missing, you may obtain copies of the papers from the office of the Clerk of Superior Court, at any Yuma County Superior Court location.

1. SUMMONS: A summons is a legal notice to you that a court action against you was filed in the court issuing the summons. It also notifies you and that a judgment will be taken against you if don't answer the complaint or petition within a certain time.

    - The summons also tells you how many calendar days you have to file a response, depending on how you =were served with the court papers.
    - Be sure to file a WRITTEN RESPONSE on time.
    - If the time for you to file a WRITTEN RESPONSE has passed, the other party may complete an Application and Affidavit for Entry of Default and send you a copy. Then you have 10 more days in which to file your WRITTEN RESPONSE.
    - If you do not file a WRITTEN RESPONSE ON TIME a default judgment may be entered, and you miss your opportunity to tell the judge your side of the story.

2. PETITION for DISSOLUTION (Divorce): This is the form the other party completed to request a divorce, and tell the Court his/her side of the story about the marriage, property and/or debt, spousal maintenance, minor children, pregnancy, child support, parenting time, and family living situation. Read each and every word very carefully, and decide what you want to do. Here are your choices:

    A. Do nothing. This means the other party can tell the judge his/her side of the story, and get a court order without you telling your side at all. This is called a default. Even in these cases, the judge will try to decide what is best, but it is never a good idea to ignore the court papers and proceeding which results in a court order that you had no input on. See a lawyer for help before you choose this option.

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B. Work together. Decide with the other party how you want to handle everything about the property and/or debt, spousal maintenance, minor children, pregnancy, child support, child parenting time, and legal decision-making. Then you and the other party file papers in the court stating your agreement on everything. This is called a Consent or Stipulation. Mediators can help you with this, and the Law Library Resource Center has a list of mediators.

C. Disagree with the court papers and file a RESPONSE stating your side of the story, and how you want to handle the issues. This is called a "contested" matter. But, even if you originally file a response, you and the other party can decide to agree on something, or everything, and file court papers for a Consent or Stipulation. Mediators can help you with this, and the Law Library Resource Center has a list of mediators, and how much they charge to help you. If you file a response and do not settle everything with the other party, you must be sure to file the court papers you will need to set the case for trial.

3. PRELIMINARY INJUNCTION: This is an order from the Court to both spouses about what you CAN and CANNOT do with property, minor children, and other issues while the Divorce petition is pending. If you or your spouse do not obey this order, the party who disobeys it can be in serious trouble with the court. If your spouse disobeys the order, see a lawyer for help on what to do. The Law Library Resource Center has a list of lawyers who will help you help yourself.

4. AFFIDAVIT Regarding MINOR CHILDREN: This form is required for all legal decision-making (legal custody) cases.

5. PARENT INFORMATION PROGRAM ORDER and NOTICE: These papers are important. You and the other parent must attend and complete a class in the Parent Information Program. The class was designed to help you parent your child through and beyond the court process. 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 have on minor children involved in a divorce, paternity, or legal decision-making (legal custody) case. This Order and Notice applies to all parents who file an action for dissolution of marriage, legal separation, or any paternity proceeding, in which a party has requested that the Court determine legal decision-making (legal custody) or parenting time on or after January 1, 1997, and to all other domestic relations cases if ordered by the Court. Make sure you read this order and notice and do what it says.

6. NOTICE of your RIGHTS about HEALTH INSURANCE COVERAGE: 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.

7. NOTICE REGARDING CREDITORS: Arizona law requires all actions for divorce or legal separation to include a Notice regarding the parties' responsibilities for community debts. This Notice provides you or your spouse the form to request account information from creditors about debt owed by you or your spouse.

8. PARENTING PLAN: This plan is a detailed plan that says how decisions will be made and when the child will be with each parent. The parenting plan may be developed by the parents, through mediation, with the help of court staff, lawyers, or by a judge after a trial or hearing.

9. CHILD SUPPORT WORKSHEET: This is the amount of child support that the other party believes the Court should order for the minor child(ren) including all of the information that the other party

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used to calculate the amount of child support owed.

When must you file your response? If you decide to file the response, you have a limited time to file it. A calendar is helpful for you to find the last day you may respond.

- Look at the last column, titled "Event". Begin counting on the day after the date of the Event. Include weekends and holidays. If the last day to respond falls on a Saturday, Sunday, or court holiday, do not count that day. You last day to respond would be the next court day.

SERVICE BY	COUNT	EVENT
Acceptance in Arizona	20 Days	after you signed & filed the Acceptance
Acceptance out-of-state	30 Days	after you signed & filed the Acceptance
Signature with Confirmation in Arizona	20 Days	after you signed the Confirmation
Signature with Confirmation out of state	30 Days	after you signed the Confirmation
Process Server in Arizona	20 Days	after you received papers from Server
Process Server out-of-state	30 Days	after you received papers from Server
Sheriff in Arizona	20 Days	after you received papers from Sheriff
Sheriff out-of-state	30 Days	after you received papers from Sheriff
Publication in Arizona	50 Days	after the 1st date of publication
Publication out-of-state	60 Days	after the 1st date of publication

When can you be sued in Arizona for divorce?

Generally a party must have resided in Arizona with the minor children for at least 6 months; or the minor child must have been born in Arizona if the minor child is less than 6 months old. If you have questions regarding this requirement, see a lawyer before filing.

A party can be sued in Arizona in a case about divorce, if at least ONE of the following is true:

- The person being sued is a resident of Arizona;
- The person was personally served in Arizona (See packet on service to know about this.);
- The person agrees to have the case heard here and files written papers in the court case;
- The person lived with the minor child in this state at some time;
- The person lived in this state and provided pre-birth expenses or support for the minor child;
- The minor child lives in this state as a result of the acts or directions of the person;
- The person had sexual intercourse in this state as a result of which the minor child may have been conceived;
- The person signed a birth certificate that is filed in this state;
- The person did any other acts that substantially connect the person with this state (see a lawyer to help you determine this).

WARNING: Jurisdiction over the responding party is very serious. If you have any doubts about whether it was proper for you to be sued in Arizona, you should see a lawyer IMMEDIATELY, BEFORE you file any written response, answer or other court paper.

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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 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.

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Procedures: How to file a response with the court

Most court documents can be filed electronically. For more information about eFiling, read the eFiling instructions first: https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf.

Step 1: Complete the Family Department Sensitive Data/Coversheet. (Do not copy this document or serve this to the other party).

Step 2: Complete the Child Support Worksheet online via ezCourtForms,

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

Print out 1 copy of the completed Child Support Worksheet.

Step 3: IF applicable, complete the Spousal Maintenance Worksheet online at the following site:

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

Print out 1 copy of the completed Spousal Maintenance Worksheet

Step 4: Make 2 copies of the Response and the Parenting Plan.
If applicable (required prior to January 1, 2025): Education Order (Choose 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.)

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Step 5: Separate your documents into three (3) sets:

Set 1 - Originals for Clerk of Superior Court: • Family Department Sensitive Data/Coversheet with Children • Response • Parenting Plan • Education Order (if applicable) • Child Support Worksheet	Set 2 - Copies for spouse: • Response • Parenting Plan • Education Order (if applicable) • Child Support Worksheet
Set 3 - Copies for you: • Response • Parenting Plan • Education Order (if applicable) • Child Support Worksheet	

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Step 6: File the papers at the Court:

Go to the Court filing counter to file your papers. The Court is open from 8:00 a.m. to 5:00 p.m., Monday-Friday. You should go to the Court at least two hours before it closes. You may file your court papers at the following Superior Court locations:

Clerk of Superior Court
250 West Second Street
Yuma, Arizona 85364

Deliver your Response papers (3 sets) to the Clerk of Superior Court at the filing counter.

Fees: Pay your fee to the Clerk of Superior Court. A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website. If you completed a Fee Deferral Application, give it to the Clerk.

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 of Superior Court along with the filing fee. The Clerk of Superior Court will date stamp and notarize the papers.

Make sure you get back the following from the Clerk:

- Your set of copies
- Your spouse's set of copies

Step 7: Keep one copy of your Response packet for yourself and mail or hand-deliver the other copy of your Response packet, to the other party (or their attorney, if they are represented by an attorney. If the person is represented by an attorney, the attorney's name and address may be found on the Petition in the upper left-hand corner.)

Step 8: What will happen next. You will receive notice to attend either a hearing or a conference from the Court.



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* 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?** _____

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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

ATLAS Number: _____
(if applicable)

RESPONSE TO PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

_____
Name of Respondent/Party B

STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:

1. INFORMATION ABOUT MY SPOUSE

Name: _____

Address: _____

Date of Birth: _____ Job Title: _____

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

_____

2. INFORMATION ABOUT ME

Name: _____

Address: _____

Date of Birth: _____ Job Title: _____

Starting with today, number of months/years in a row, I have lived in Arizona: _____

3. INFORMATION ABOUT OUR MARRIAGE

Date of Marriage: _____

City and state, or country where we were married: _____

(Check box below if true.)

☐ We have a covenant marriage. I have attached a copy of my marriage license to show that we have a covenant marriage. (Warning: If this statement is true, divorce cannot be granted based on a petition filed relating to a Non-Covenant marriage. You may skip to page 8, "Requests to the Court," (A), or file a separate motion to dismiss the Petition for Dissolution of Non-Covenant Marriage, and then petition the Court for a Dissolution of a Covenant Marriage, if you want a divorce.)

☐ Our marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (Our marriage is over.) The conciliation requirements under Arizona law, A.R.S. § 25-381.09 either do not apply or have been met.

OR

☐ Our marriage is not irretrievably broken and there are reasonable prospects of reconciliation. The conciliation requirements under Arizona law, A.R.S. § 25-381.09 either apply or have not been met. Explain to the Court why you disagree with my spouse's statement (that the marriage is irretrievably broken):

_____

_____

_____

_____

Summary of what I say about OUR MARRIAGE that is different from what my spouse said in the Petition:

_____

_____

_____

_____

4. 90 DAY REQUIREMENT: ☐ Neither I nor my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before my spouse filed this action. (WARNING: If this statement is true, your spouse cannot proceed. You may skip to page 8, "Requests to the Court," (A)) or simply file a separate motion to dismiss the case, and then petition the court for a divorce when the statement IS true.)

5. DOMESTIC VIOLENCE: (Check the box that is true. If you intend to ask for joint legal decision-making, there must have been no "significant" domestic violence. A.R.S. § 25-403.03):

☐ Domestic violence has not occurred, OR

☐ Domestic violence has occurred but it has not been significant.

☐ There has been significant domestic violence.

SUMMARY OF WHAT I SAY ABOUT DOMESTIC VIOLENCE THAT IS DIFFERENT FROM WHAT MY SPOUSE SAID IN THE PETITION:

_____

_____

_____

6. CHILDREN COMMON to THE PARTIES WHO ARE LESS THAN 18 YEARS OLD:

☐ There are no children under the age of 18 either born to or adopted by Party A and Party B. NOTE: if you checked this box, stop. You should be using the petition packet to get a divorce without children.

☐ This Court does not have jurisdiction to determine legal decision-making concerning minor child(ren) common to the parties under Arizona law because the minor children have not lived with Party A or Party B in Arizona for at least 6 months prior to the Petition being filed. Explain: (There are other reasons why the court may not have jurisdiction due to the residence of the children. See a lawyer for help.)

_____

_____

_____

☐ This Court has jurisdiction to determine legal decision-making concerning the minor child(ren) common to the parties under Arizona law because the minor child(ren) have lived with Party A or Party B in Arizona for at least the 6 months prior to the Petition being filed.

☐ Listed below are children still under the age of 18 born to or adopted by Party A and Party B, and where indicated, born before the marriage.

Child's Name: _____

Birthdate: _____ ☐ Born prior to marriage

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____ ☐ Born prior to marriage

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____ ☐ Born prior to marriage

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____ ☐ Born prior to marriage

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____ ☐ Born prior to marriage

Address: _____

Length of Time at Address: _____

☐ Information for additional children is listed on attached page(s), made part of this document.

7. PREGNANCY (Check box to indicate whether either party is currently pregnant, etc.)

☐ Party A ☐ is or ☐ is not pregnant, OR

☐ Party B ☐ is or ☐ is not pregnant,

If either party 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 a parent of the child.

8. SUMMARY OF WHAT I WANT OR SAY CONCERNING OUR MINOR CHILD(REN) THAT IS DIFFERENT FROM WHAT MY SPOUSE SAID OR ASKED FOR IN THE PETITION and AFFIDAVIT OF MINOR CHILDREN.

_____

_____

_____

9. INFORMATION ABOUT PROPERTY and DEBTS.

9.a. COMMUNITY PROPERTY: (Property acquired <u>during</u> the marriage) (Check one box.)

☐ Party A and Party B did not acquire any community property during the marriage, OR

☐ Party A or Party B did acquire community property during the marriage, and should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

WARNING: You must be specific. You must describe the property that should go to you, and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you, or to your spouse. Never list an item and then check both Party B and Party A boxes.

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

Legal Description: _____

_____

_____

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

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
_____	☐	☐	$_____
_____	☐	☐	$_____

	Party A	Party B	Value
☐ Motor vehicles:	☐	☐	$_____

Make _____

Model _____

VIN _____

Lien Holder _____

Motor vehicles:	Party A	Party B	Value
Make _____	☐	☐	$_____
Model _____			
VIN _____			
Lien Holder_____			

9.b. SEPARATE PROPERTY. (Check all boxes that apply.)

☐ Party A does not have any separate property.

☐ Party B does not have any separate property.

☐ Party A has separate property that was brought into the marriage. Award this property to Party A as described below.

☐ Party B has separate property that was brought into the marriage. Award this property to Party B 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
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

9.c. COMMUNITY DEBTS (Debt that was incurred during the marriage): (Check one box.)

☐ Party A and Party B did not incur any community debts during the marriage, OR

☐ Party A and Party B should divide the responsibility for the debts incurred during the marriage as follows:

DESCRIPTION OF DEBT:	Party A	Party B	Amount Owed
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

9.d. SEPARATE DEBTS. (Check all boxes that apply.)

☐ Party A and Party B do not have any debts that were incurred prior to the marriage or separate debt.

OR

☐ Party A has separate debt that was incurred prior to the marriage which should be paid by Party A as described below.

☐ Party B has separate debt that was incurred prior to the marriage that should be paid by Party B as described below.

DESCRIPTION OF DEBT:	Party A	Party B	Amount Owed
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

10. SUMMARY OF WHAT I REQUEST CONCERNING PROPERTY AND DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

_____

_____

11. TAX RETURNS: (Check this box if this is what 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.

12. SPOUSAL MAINTENANCE (ALIMONY): (Check the box that applies to you.)

☐ Neither party is entitled to spousal maintenance (alimony), OR

☐ Party A OR ☐ Party B is entitled to spousal maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance)

☐ 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.

13. SUMMARY OF WHAT I REQUEST REGARDING SPOUSAL MAINTENANCE THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

_____

_____

14. DRUG/ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS: (If you intend to ask for joint legal decision-making, check one box.)

☐ Neither party has been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months,

☐ One or both parties have been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months.

☐ Party A was convicted. ☐ Party B was convicted.

The legal decision-making and parenting time arrangement I am requesting appropriately protects the minor child(ren). Explain how this arrangement appropriately protects the minor child(ren).

_____

_____

Summary of what I say about DRUG OR ALCOHOL CONVICTIONS that is different from what my spouse said in the Petition:

_____

_____

_____

15. CHILD SUPPORT:

☐ There is an Order for Child Support, dated _____ from

(name of court) _____

☐ To my knowledge there is no child support order for the minor child(ren) and the Court ☐ should ☐ should not order child support in this case along with legal decision-making, and parenting time.

☐ ☐ Party A ☐ Party B made voluntary/direct support payments that need to be taken into account, if past support is requested.

☐ ☐ Party A ☐ Party B owes past support for the period between:

☐ the date the petition was filed and the date current child support is ordered.

OR

☐ the date the parties started living apart, but not more than three years before the date the petition was filed, and the date current child support is ordered.

☐ Title IV-D program or Temporary Assistance for Needy Families (TANF) Programs:

☐ Does not apply.

☐ 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.

16. OTHER EXPENSES:

☐ The parties should be ordered to divide between them any uninsured medical, dental, vision or health expenses, reasonably incurred for the minor child(ren), in proportion to their respective incomes.

Summary of what I say about CHILD SUPPORT AND EXPENSES that is different from what my spouse said in the Petition:

_____

_____

_____

17. WRITTEN AGREEMENT:

☐ Party A and Party B have a written agreement signed by both parties 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.

18. THE PARENT INFORMATION PROGRAM is required for persons seeking legal decision-making or parenting time. (Check one box.)

I ☐ have ☐ have not already completed the Parenting Information Program.

19. GENERAL DENIAL. I deny anything stated in the Petition that I have not specifically admitted, qualified or denied.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

☐ Dissolve the parties' marriage and return each party to the status of a single person;

☐ Deny the petition and refuse to dissolve the marriage because:

- ☐ We have a covenant marriage;
- ☐ Neither of us meets the 90-day residency requirement;
- ☐ Our marriage is not irretrievably broken**;**

☐ Dissolve the marriage and return each party to status of a single person, but refuse to decide child legal decision-making matters due to lack of jurisdiction because the minor children have not lived in Arizona for at least the 6 months prior to the Petition being filed.

B. RESTORE NAME:

I took the name of my spouse at the time of marriage and I want to restore my last name to the name I used before this marriage or to my maiden name.

My complete married name is:

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

WARNING: If you are not the person who is requesting to have your former name restored, the Court must have a written request from the party who wants his or her name restored to change the name.

C. PATERNITY and MINOR CHILD(REN)'S NAMES: (Check one box, if this is what you want.)

Declare ☐ Party A ☐ Party B to be a parent of the following named minor child(ren) born before the marriage and (optional) change the legal name of those minor child(ren) to the name listed on the right, below:

Current Legal Name	(Optional) Change the name of the child to:
_____	_____
_____	_____
_____	_____
_____	_____

D. PRIMARY RESIDENCE, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION-MAKING:

1. PRIMARY RESIDENCE: Declare which residence is designated as "Primary Residence" for each minor child as follows:

☐ Neither party's home is designated as the primary residence for the minor child(ren)

☐ Declare Party A's residence as the primary residence for the following named children:

_____

☐ Declare Party B's residence as the primary residence for the following named children:

_____

2. PARENTING TIME: Award parenting time as follows:

☐ Reasonable parenting time as described in the attached Parenting Plan, OR

☐ Supervised parenting time between the children and ☐ Party A OR ☐ Party B, OR

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

Supervised or no parenting time is in the best interests of the child(ren) because:

_____

_____

_____

☐ Explanation continues on attached pages made part of this document by reference.

a. Name this person to supervise: _____

b. Restrict parenting time as follows: _____

_____

c. Order cost of supervised parenting time (if applicable) to be paid by:
☐ Party A,
☐ Party B, OR
☐ Shared equally by the parties.

3. AUTHORITY FOR LEGAL DECISION-MAKING:

Award legal authority to make decisions concerning the child(ren) as follows:

☐ AWARD SOLE AUTHORITY FOR LEGAL DECISION-MAKING to:

☐ Party A OR ☐ Party B

OR

☐ AWARD JOINT AUTHORITY FOR LEGAL DECISION-MAKING to BOTH PARENTS. Party A and Party B will act as joint legal decision-makers concerning the minor child(ren). (Note: For the Court to order "joint" legal decision-making, there must have been no "significant" domestic violence according to Arizona law, A.R.S. § 25-403.03).

E. CHILD SUPPORT:

☐ Order that child support be paid by: ☐ Party A OR ☐ Party B in a reasonable amount as determined by the Court under the "Arizona Child Support Guidelines." Support payments will begin on the first day of the first month after the Judge or Commissioner signs the Decree with all payments, plus the statutory handling fee, to be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

☐ Order that past child support by paid by ☐ Party A OR ☐ Party B in an amount determined by using a retroactive application of the Arizona Child Support Guidelines taking into account any amount of temporary or voluntary/direct support that has been paid. Support to be paid as defined above.

The Child Support Order to be attached to the Decree of Dissolution of Marriage.

F. MEDICAL, DENTAL, VISION INSURANCE AND HEALTH CARE EXPENSES FOR MINOR CHILD(REN): Order that:

☐ Party A should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ Party B should be responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

The parties should pay for all reasonable unreimbursed medical, dental, vision care and health-related expenses incurred for the minor child(ren) in proportion to their respective incomes.

G. TAX EXEMPTION:

☐ Allocate tax exemptions for the minor child(ren) as determined by the Court under the Arizona Child Support Guidelines and in a manner that allows each party to claim allowable federal dependency exemptions proportionate to adjusted gross income in a reasonable pattern that can be repeated.

☐ The parties will, subject to IRS Rules and Regulations, claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of minor child	in Tax Year
☐Party A ☐Party B	_____	_____
☐Party A ☐Party B	_____	_____
☐Party A ☐Party B	_____	_____
☐Party A ☐Party B	_____	_____
☐Party A ☐Party B	_____	_____

☐ The Pattern above shall repeat for subsequent years.

H. SPOUSAL MAINTENANCE (ALIMONY):

☐ Do not order spousal maintenance.

☐ Order spousal maintenance to be paid by ☐ Party A or ☐ Party B in the amount of $_____ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance is remarried or deceased, or for a period of _____ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

I. COMMUNITY PROPERTY:

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

J. COMMUNITY DEBTS:

☐ Order each party to pay community debts as requested in this Response, and to 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 Party A or Party B:

☐ Since separation on _____ (date)

OR

☐ Since the date I was served with the Petition for Dissolution.

K. SEPARATE PROPERTY:

☐ Award Party A's separate property to Party A.

☐ Award Party B's separate property to Party B.

L. SEPARATE DEBT: Order each party to pay separate debt and hold the other party harmless from debts incurred before the marriage.

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

_____

_____

_____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information in 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

Copy of this document mailed to the other party on: _____
Month/Date/Year

To the following address: _____

_____

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.

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