

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

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN _____ COUNTY

Name of Petitioner

Case No. _____

**APPLICATION AND AFFIDAVIT FOR
DEFAULT IN FAMILY COURT CASES**

Name of Respondent

NOTICE: THIS IS AN IMPORTANT COURT DOCUMENT.
When this document is properly completed and filed, Default has been applied for and entered. The Default will be effective ten (10) working days after the filing of this completed document, unless the Respondent files an Answer/Response or otherwise defends before the ten working days period expires.

1. I am the Petitioner in this court case. I understand and make the following statements under oath or by affirmation. I give notice that I am requesting entry of default against the other party, the Respondent, because the Respondent has not filed an Answer/Response.

2. Service of the court papers on Respondent has been accomplished as follows: (Check ONLY one box.)

 The Respondent has signed an "Acceptance of Service" and has accepted service of the "Summons," Complaint or Petition and other papers. The Respondent has not filed an "Answer/Response", or otherwise appeared or defended in this court case. Default may be entered.

OR
 I have served the Respondent according to law with the "Summons," Complaint or Petition and other papers. Respondent has not appeared, answered, responded, or otherwise

defended in the time required by law.

3. The Respondent is either not in the active military service of the United States or has otherwise waived his/her rights under the Service Members Civil Relief Act (formerly “Soldiers and Sailor’s Civil Relief Act”).
4. By completing the *Certificate of Mailing* (on the next page), I certify to the Court that on the date of filing this document I will mail a copy of this Application and Affidavit to the Respondent at his or her current or last known address *even if that is my own address* and/or I have served the other party by publication, and if applicable, to his or her attorney as notice that I have applied for default.
5. I UNDERSTAND THAT I WILL NOT QUALIFY FOR DEFAULT if:
 - I fail to mail this document, and/or
 - I fail to complete the Certificate of Mailing below.

CERTIFICATE OF MAILING

As required by Arizona Rules of Court (A.R.C.P. 55(a) and A.R.F.L.P. 44(A)), a copy of this *Application and Affidavit for Default* will be mailed on the day of filing, postage-prepaid to the Respondent* at his/her: [] current address OR [] last known address (if current address is unknown) of:

(street and number, including the apartment number, city and state, and zip code)

* Mailing to current or last known address must be done even if last known address is *your* address and/or you *know* the Respondent is no longer at the last known address.

[] I believe the Respondent is represented by an attorney and have *also* mailed a copy of this *Application and Affidavit for Default* to that attorney.

DECLARATION UNDER PENALTY OF PERJURY

I state to the court that the contents of this document are true and correct under penalty of perjury.

Date

Signature

Printed Name

WARNING

1. If the Respondent fails to file a responsive pleading or otherwise defend in this action within 10 working days of the filing of this Application, a default judgment will be entered.
2. *The Petitioner must still attend the default hearing at the court UNLESS you qualify, apply for, and complete the process to obtain a default decree without a hearing pursuant to A.R.F.L.P 44(B)(1).*
3. A DEFAULT HEARING WILL NOT BE SCHEDULED IF THIS APPLICATION AND AFFIDAVIT FOR DEFAULT IS MISSING INFORMATION OR NOT COMPLETED CORRECTLY.