For Clerk’s Use Only

Person Filing:

Address (if not protected):

City, State, Zip Code:

Telephone:

Email Address:

Representing [ ] Self or [ ] Attorney for

Lawyer’s Bar Number:

**SUPERIOR COURT OF ARIZONA**

**IN**   **COUNTY**

|  |  |  |
| --- | --- | --- |
|  **Name of Petitioner** **Name of Respondent** |  | **Case Number:**   **PETITION** **FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITHOUT MINOR CHILDREN** |

**STATEMENTS THE COURT, UNDER OATH OR AFFIRMATION:**

1. **INFORMATION ABOUT ME:**

Name:

Address:

Date of Birth:

Job Title:

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

1. **INFORMATION ABOUT MY SPOUSE:**

Name:

Address:

Date of Birth:

Job Title:

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

1. **INFORMATION ABOUT OUR MARRIAGE:**

Date of Marriage:

City and state or country where we were married:

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

[  ] We do not have a covenant marriage.

[  ] Our marriage is broken beyond repair (“irretrievably broken”) and there is no hope of reconciliation.

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

1. **90-DAY RESIDENCY REQUIREMENT: (**This statement MUST be true before you can file for divorce in Arizona.)

[  ] **I have** OR [  ] **my spouse has** lived in Arizona or have been stationed in Arizona while a member of the Armed Forces, for at least 90 days before I filed this action.

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

[ ] Petitioner [ ] **is** OR [ ] **is not** pregnant.

OR

[ ] Respondent [ ] **is** OR [ ] **is not** pregnant.

If either party is pregnant, the baby is due on (date), (and, check one box below):

[  ] Petitioner and Respondent **are the parents** of the child,

OR

[  ] [ ] **Petitioner** or [ ] **Respondent** **is not a parent** of the child.

**6. INFORMATION ABOUT PROPERTY and DEBTS:**

**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 (Respondent), or to your spouse (Petitioner). Never list an item and then check both Petitioner and Respondent boxes.

**6.a.** **COMMUNITY PROPERTY.** (Property acquired during the marriage) (Check one box.)

[  ] Petitioner and Respondent **did not acquire** any community property during the marriage,

OR

[  ] Petitioner and Respondent **did acquire** community property during our marriage, and we 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.)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | **Petitioner** | **Respondent** | **Sell/Divide** | **Value** |
| [  ] | **Real estate located at:** | [  ] | [  ] | [  ] | **$** |
|  |  |
|  | **Legal Description:**  |
|  |  |
|  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  | **Petitioner** | **Respondent** | **Sell/Divide** | **Value** |
| [  ] | **Real estate located at:** | [  ] | [  ] | [  ] | **$** |
|  |  |
|  | **Legal Description:** |
|  |  |
|  |  |

|  | **Petitioner** | **Respondent** | **Value** |
| --- | --- | --- | --- |
| **Household furniture and appliances:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] |  |
| **Household furnishings:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] |  |
|  | [  ] | [  ] |  |
| **Other items:** |  |  |  |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] |  |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
| **Pension/retirement fund/profit sharing/stock plan/401K:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
| **Motor vehicles:** |  |  |  |
| Make | [  ] | [  ] | $ |
| Model |  |  |  |
| VIN |
| Lien Holder |
| Make | [  ] | [  ] | $ |
| Model |  |  |  |
| VIN |
| Lien Holder |

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

[  ] **Petitioner does not have** any separate property.

OR

[  ] **Petitioner has** separate property that was brought into this marriage. Award this property to Petitioner as described below.

[  ] **Respondent does not have** any separate property.

OR

[ ] **Respondent has** separate property that was brought into this marriage. Award this property to Respondent 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.)

|  | **Petitioner** | **Respondent** | **Value** |
| --- | --- | --- | --- |
| **Description of Separate Property:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |

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

[  ] Petitioner and Respondent **did not incur** any community debts during the marriage,

OR

[  ] Petitioner and Respondent **should divide** the responsibility for the debts incurred during the marriage as follows:

|  | **Petitioner** | **Respondent** | **Amount Owed** |
| --- | --- | --- | --- |
| **Description of Community Debt:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |

**6.d. SEPARATE DEBTS.** (Check all boxes that apply.)

[  ] Petitioner and Respondent **do not have** any debts that were incurred prior to the marriage or separate debt,

OR

[  ] **Petitioner has** separate debt or debt was incurred prior to the marriage which should be paid by Petitioner as described below.

[  ] **Respondent has** separate debt or debt that was incurred prior to the marriage that should be paid by Respondent as described below.

|  | **Petitioner** | **Respondent** | **Amount Owed** |
| --- | --- | --- | --- |
| **Description of Separate Debt:** |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |
|  | [  ] | [  ] | $ |

**7.** **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 costs 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.

**8.** **SPOUSAL MAINTENANCE/SUPPORT:** (Check the box that applies to you.)

[  ] **Neither party** is entitled to spousal maintenance/support (alimony),

OR

[  ] [ ] **Petitioner** OR [ ] **Respondent** 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/support.

[  ] Person **lacks sufficient property** to provide for his/her reasonable needs.

[  ] Person is **unable to support himself/herself** through appropriate employment.

[  ] Person is the **custodian of a child(ren)** whose age or condition is such that the person should not be required to seek employment outside the home.

[  ] Person **lacks earning ability** in the labor market adequate to support himself/herself.

[  ] Person made a **significant financial or other contribution** to the education, training, vocational skills, career, or earning ability of the other spouse.

[  ] Person had a **marriage of long duration** and is now of an age that precludes the possibility of gaining employment adequate to be self-sufficient.

[  ] Person has **significantly reduced their income or career opportunities** for the benefit of the other spouse.

**9. WRITTEN AGREEMENT:**

[  ] Petitioner and Respondent have a written agreement signed by both parties about the maintenance of a spouse, and division of property/debt, AND I have attached a copy of the written agreement.

**REQUESTS TO THE COURT:**

**A.** **DISSOLUTION** **(DIVORCE):**

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

**B. RESTORE NAME:** (Optional) 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 legal 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/her name restored, to change the name.

**C. SPOUSAL MAINTENANCE/SUPPORT:**

[  ] **Do not order** spousal maintenance.

[  ] **Order** spousal support to be paid by [  ] **Petitioner** OR [  ] **Respondent** 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 remarries or either party is 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.

**D. COMMUNITY PROPERTY:**

[  ] Make a fair division of all community property as requested in this Petition.

1. **COMMUNITY DEBTS:**

[  ] Order each party to pay community debts as requested in the Petition, 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 Petitioner or Respondent:

[  ] since the **parties’ separation** on (date),

OR

[  ] the date **Respondent was served** with the Petition for Dissolution.

1. **SEPARATE PROPERTY:**

[  ] Award Petitioner’s separate property to Petitioner.

[  ] Award Respondent’s separate property to Respondent.

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

**H. 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.

Date Signature

STATE OF

COUNTY OF

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

by .

(notary seal) Deputy Clerk or Notary Public