

Instructions and procedures to dismiss Consent

Important: If you no longer want your Consent Decree, Parenting Plan or Child Support order to be entered, you must submit something to the Court before the sixty (60) day waiting period is up. The waiting period starts the day you file your initial papers.

If the parties have reconciled and no longer wish to divorce:

1. Complete, sign and file a “Stipulation to Dismiss.” Forms and instructions are available on the Law Library Resource Center’s Family Court Forms website.
2. Deliver a file-stamped copy to the assigned judge.
3. The Stipulation must be filed and delivered before the sixty (60) day waiting period is up.

Note: It is always best to consult with a lawyer before filing legal documents. The Law Library Resource Center website provides various resources that can help you find a lawyer at a reduced rate.

INSTRUCTIONS: HOW TO FILL OUT THE STIPULATION TO DISMISS

USE THIS FORM ONLY if you and the other party involved in your case wish to have your case dismissed in its entirety.

- STEP 1:** Make sure your form is titled "Stipulation to Dismiss". **Type or print using black ink ONLY.**
- STEP 2:** In the top left corner of the first page, fill out the following:
Your name, Address, City, State and Zip Code, Telephone Number and ATLAS Number (if you are receiving or have received AFDC from the Arizona Department of Economic Security).
- STEP 3:** Fill in YOUR name in the space that says "Petitioner" if you are the one who filed the original action. Whoever was the Petitioner for the original action is the Petitioner for any other papers related to this case. If the other party filed the original action, they will be the Petitioner. In the space that says "Respondent", fill in the name of the Respondent that has been used throughout your case. Whoever was the Respondent in the original action will be the Respondent for any other papers related to this case.
- STEP 4:** Fill in your case number where it says "Case No.". Your case number stays the same any time you file papers in your case.
- STEP 5:** Both you and the other party must sign the Stipulation in front of a Notary Public.
- STEP 6:** Complete the "Order to Dismiss" by following Steps 2 thru 4.
- NOTE:** **FAILURE TO FOLLOW THE ABOVE PROCEDURES COULD RESULT IN A FURTHER DELAY IN YOUR CASE.**

PROCEDURES: WHAT TO DO WITH THE STIPULATION TO DISMISS NOW THAT YOU HAVE FILLED IT OUT.

USE THIS FORM ONLY if you have filled out the Stipulation to Dismiss.

STEP 1:

COPIES AND ENVELOPES: Make 3 copies of the Stipulation to Dismiss. Make 2 copies of the Order to Dismiss. Prepare 2 addressed stamped envelopes, one addressed to yourself, the Petitioner, and one addressed to the Respondent.

FILE THE ORIGINAL Stipulation to Dismiss with the Clerk of the Court and ask to have the copies of the Stipulation stamped.

These are called “conformed copies” and is proof that the original was filed.
PROCESSING YOUR MOTION. Give the following documents to Family Court Administration and tell them it is for the Judge assigned to the case, or put the documents in the Judge’s mailbox, or mail the documents to the Judge.

- the original Order to Dismiss and 2 copies
- one copy of the Stipulation to Dismiss
- the addressed stamped envelopes

MAIL OR DELIVER A COPY of the Stipulation to Dismiss to the other party involved in your case and keep one copy for your records.

STEP 2:

WAIT TO RECEIVE A NOTICE FROM THE COURT.

Once you have delivered your Stipulation and Order, the Judge will sign the original Order and send you a copy.

**SUPERIOR COURT OF ARIZONA
IN YUMA COUNTY**

Stipulation to Dismiss

1. The parties agree this matter should be dismissed, in that the parties have reconciled their differences, and no longer wish to proceed.
2. The parties agree neither was influenced by any duress or coercion.

(notary seal)

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

In re: the Marriage of:

Petitioner

and

Respondent

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Case No. _____

Order to Dismiss

This matter having come before the Court on Stipulation of the parties, and good cause shown,

IT IS HEREBY ORDERED this matter is dismissed without prejudice.

DONE IN OPEN COURT THIS _____ day of _____ 20_____.

Judge/Commissioner of the Superior Court