

LEGAL SEPARATION WITHOUT MINOR CHILDREN

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To File for Legal Separation

Part 1: Petition and First Court Papers
(Forms and Instructions)

TO FILE FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

Part 1: Petition and First Court Papers

This packet contains court forms and instructions to file to file for legal separation without minor children. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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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.

PETITION AND PAPERS FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

CHECKLIST

You may use the forms and instructions in this packet if:

- ✓ You want to file for legal separation because:
 - ✓ You and your spouse desire to live separate and apart, **or**
 - ✓ Your marriage is irretrievably broken (can't be fixed) **but** you are **not** ready to file for divorce;
- (Note: You do not have to file for legal separation before filing for divorce); **AND**
- ✓ You do **not** have a "covenant" marriage, or since you were married you have **not** agreed to change your marriage to a "covenant" marriage (These papers will not work for a covenant marriage);* **AND**
- ✓ You and your spouse do **not** have minor children with each other, (There are separate forms and instructions for legal separation *with children*); **AND**
- ✓ You or your spouse either live in Arizona or are a member of the armed services and stationed in Arizona; **AND**
- ✓ You or your spouse have tried to make your marriage work, or have tried to resolve the issues related to the legal separation through Conciliation Court, or there is no point in trying to because the marriage is over and conciliation will not help.

Warning: If *the other party* does not want a Legal Separation, the Court may change the Petition for Legal Separation into a Petition for Divorce if you and/or your spouse have lived in Arizona for the last 90 days prior to filing the Petition for Legal Separation.

- *What is a "Covenant Marriage"? To have a covenant marriage, both husband and wife would have had to:
1. sign papers (essentially a contract) requesting a covenant marriage;
 2. attend pre-marital counseling; **AND**
 3. your marriage license would say "Covenant Marriage."

If you were married *before* August 21, 1998 and have not signed papers to *convert* your marriage to a covenant marriage, you do *not* have a covenant marriage.

See A.R.S. § 25-904 for requirements for legal separation for a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

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.

INSTRUCTIONS: HOW TO FILL OUT LEGAL SEPARATION WITHOUT MINOR CHILDREN

IMPORTANT INFORMATION about LEGAL SEPARATION:

- If your spouse does not want a Legal Separation, the Court will not order a legal separation. However, the Court can change the Petition for Legal Separation into a Petition for Dissolution of Marriage (divorce), if you and/or your spouse have lived in Arizona for the last 90 days prior to filing the Petition for Legal Separation and your spouse wants a divorce and not a legal separation.
- **Residency requirements.** You OR your spouse must have lived in Arizona, or been stationed in Arizona while in the Armed Forces, before the day you filed the Petition for Legal Separation. **IF IT IS NOT TRUE, YOU CANNOT FILE FOR LEGAL SEPARATION**
- **Desire to live separate and apart.** Your marriage must be irretrievably broken (over) or you and/or your spouse must desire to live separate and apart. If this is not a true statement, you cannot file for Legal Separation

DOMESTIC VIOLENCE:

- Domestic violence can be part of any marriage. Domestic violence includes physical violence directed against you or your children, such as hitting, slapping, pushing, or kicking. Domestic violence includes threats of physical violence against you and your children, or verbal abuse used to control you.
- 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, and the other party does not know where you live, **you must file a "Request for Protected Address" and ask that your address not be disclosed on court papers. With that Request, you do not need to put your address and phone number on your court papers.** Instead, write "protected" in the space where the Court asks you for this information. You must tell the Clerk of Superior Court your address and phone number as soon as possible so that the Court can get in contact with you.

INFORMATION ABOUT PROPERTY AND DEBT:

- Community property is generally any property you and your spouse purchased during your marriage or paid for during the marriage, no matter who uses the property or who paid the money. Unless property was a gift or inheritance, all property gotten (acquired) during the marriage is community property, and both you and your spouse are entitled to roughly an equal share of this property.
- Community debts or bills are generally any debt you and your spouse acquired during your marriage, no matter who spent the money.
- If you have questions, or have a lot of community property or debt, you should speak with an attorney **BEFORE** filing your Petition and other papers.
- You should also know that the Judge will order that the community property rights and liabilities acquired by marriage end as to all property, income, debts, liabilities received or incurred after the entry of a decree of legal separation, unless both parties agree to the contrary

- **Types of property:**

- a) **Real Property (property or home).** 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 in the Petition along with the complete address of the property. A cemetery plot is considered real property.
- b) **Household furniture.** This includes sofas, beds, tables, and so forth.
- c) **Household furnishings.** This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth.
- d) **Pension/retirement fund/profit sharing/stock plans/401K.** You and your spouse each generally have a right to a one-half interest in the other spouse's plan, 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.) If you or your spouse have one of these plans, 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.

INFORMATION ABOUT SPOUSAL MAINTENANCE/SUPPORT

- A term used to describe money paid from one spouse to the other spouse as part of a divorce, annulment, or legal separation. You may know the term as "alimony".
- Spousal maintenance/support is designed as a safety net for a spouse who cannot provide for his or her needs or who meets other requirements listed on the Petition under paragraph 7. 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.

GENERAL INSTRUCTIONS FOR FILLING OUT THE FORMS IN THIS PACKET

- **Print or type in black ink.**
- Fill in **your** name in the space that says "Name of Petitioner / Party A." Remember, you will be **PARTY A** through the whole case. (This includes any emergency petitions, temporary petitions, and divorce petitions.) In the space that says "Name of Respondent/Party B," fill in the name of your spouse. Your spouse will be **PARTY B** for the rest of this case. (This includes any emergency petitions, temporary petitions, and divorce petitions.)
- Leave the Case Number blank. When you file your papers, you will receive a case number.
- **WAIT** to sign the Petition until you are in front of a notary or deputy Clerk of Superior Court.

NEXT STEP: After you fill out all of the forms in this packet, read the form called Procedures: How to File Papers for Legal Separation without Minor Children.

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, it is recommended that the requesting party file a completed Spousal Maintenance Worksheet. The worksheet is created using the FREE online Spousal Maintenance Calculator. Access to the internet is required.

The online Spousal Maintenance Calculator can be found here:

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

If you do not have access to the internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing.

Next Steps:

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

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

**PROCEDURES:
HOW TO FILE PAPERS for LEGAL SEPARATION
WITHOUT MINOR CHILDREN WITH THE COURT**

STEP 1: FILL OUT FORMS AND MAKE 2 COPIES.

Make **2** copies of the following documents after you have filled them out:

- *"Summons"*
- *"Preliminary Injunction"*
- *"Petition for Legal Separation Without Minor Children"*
- *"Notice Regarding Creditors"*

STEP 2: SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS:

<p>SET 1 - ORIGINALS:</p> <ul style="list-style-type: none">• <i>"Family Department / Sensitive Data Coversheet"</i>• <i>"Summons"</i>• <i>"Preliminary Injunction"</i>• <i>"Petition for Legal Separation Without Minor Children"</i>• <i>"Notice Regarding Creditors"</i>	<p>SET 2 - COPIES FOR SPOUSE:</p> <ul style="list-style-type: none">• <i>"Summons"</i>• <i>"Preliminary Injunction"</i>• <i>"Petition for Legal Separation Without Minor Children"</i>• <i>"Notice Regarding Creditors"</i> <p>SET 3 - YOUR COPIES:</p> <ul style="list-style-type: none">• <i>"Summons"</i>• <i>"Preliminary Injunction"</i>• <i>"Petition for Legal Separation Without Minor Children"</i>• <i>"Notice Regarding Creditors"</i>
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STEP 3: FILE THE PAPERS AT THE COURT:

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

**Yuma County Justice Center
Clerk of the Superior Court**
250 W. 2nd Street
Yuma, Arizona 85364

FILE: Go to the Clerk of Superior Court filing counter.

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

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

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

MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your Set of Copies
- Your Spouse's Set of Copies

STEP 4: SERVE PAPERS ON YOUR SPOUSE: Read the packet called "Service of Court Papers" that applies to your situation at the Law Library Resource Center to find out how to serve the other party.

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Petitioner / Party A

Case No. _____

ATLAS No. _____

Respondent / Party B

FAMILY DEPARTMENT / SENSITIVE DATA COVERSHEET WITHOUT CHILDREN (CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

A. Personal Information:

Petitioner / Party A

Respondent / Party B

Name

Gender

Date of Birth (Month/Day/Year)

Social Security Number

☐ Male or ☐ Female

☐ Male or ☐ Female

**WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM
IF REQUESTING ADDRESS PROTECTION**

Mailing Address

City, State, Zip Code

Contact Phone

Email Address

Current Employer Name

Employer Address

Employer City, State, Zip Code

Employer Telephone Number

Employer Fax Number

B. Type of Case being filed - Check only one category.

**Check only if no other category applies*

- ☐ Dissolution (Divorce)
☐ Legal Separation
☐ Annulment
☐ Order of Protection
☐ Other*

Interpreter Needed:

☐ Yes ☐ No

If yes, what language(s)?

DO NOT COPY THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.

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

For Clerk's Use Only

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Name of Petitioner / Party A

Case No.: _____

And

SUMMONS

Name of Respondent / Party B

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

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

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

- Office of the Clerk of the Superior Court, 250 West 2nd Street, Suite B, Yuma, Arizona 85364

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

3. If this “*Summons*” and the other court papers were served on you by a registered process server or the Sheriff within the State of Arizona, your “*Response*” or “*Answer*” must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by “Acceptance of Service” within the State of Arizona, your “*Response*” or “*Answer*” must be filed within TWENTY (20) CALENDAR DAYS from the date that the “Acceptance of Service was filed with the Clerk of Superior Court. If this “*Summons*” and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by “Acceptance of Service” outside the State of Arizona, your “*Response*” or “*Answer*” must be filed within THIRTY (30) CALENDAR DAYS from the date that the “Acceptance of Service was filed with the Clerk of Superior Court. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, or from the Clerk of Superior Court’s Customer Service Center at:

250 WEST 2ND STREET, SUITE B, YUMA, ARIZONA 85364
5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (legal custody) and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by the party needing accommodation or his/her counsel at least three (3) judicial days in advance of a scheduled proceeding.
7. Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

SIGNED AND SEALED this date _____

CLERK OF SUPERIOR COURT

By _____
Deputy Clerk of Superior Court

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

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Name of Petitioner / Party A

Case Number: _____

PRELIMINARY INJUNCTION

AND

Name of Respondent / Party B

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

Your spouse has filed a ***"Petition for Dissolution"*** (Divorce) or ***"Petition for Annulment"*** or ***"Petition for Legal Separation"*** with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Yuma County. This Order has the same force and effect as any order signed by the judge. You and your spouse **must** obey this Order. This Order may be enforced by any remedy available under the law, including an ***"Order of Contempt of Court."*** To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

EXPLANATION: (What does this Order mean to you?)

- ACTIONS FORBIDDEN BY THIS ORDER:** From the time the ***"Petition for Dissolution"*** (Divorce) or ***"Petition for Annulment"*** or ***"Petition for Legal Separation"*** is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:

- ✓ You may **not** hide earnings or community property from your spouse, **AND**
- ✓ You may **not** take out a loan on the community property, **AND**
- ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
- ✓ Do **not** harass or bother your spouse or the children, **AND**
- ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
- ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.
- ✓ Do **not** remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

STATUTORY REQUIREMENTS: Arizona Law, A.R.S. §25-315(A) provides:

- 1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
- 1(b). **REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- 1(c). **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- 1(d). **RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.
2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.

3. **ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
4. **WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.
5. **LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.
6. **DESCRIPTION OF THE PARTIES:**

Petitioner:

Name: _____

Gender: ☐ Male ☐ Female

Height: _____

Weight: _____

Driver's License (last 4 nos.) _____

Date of Birth: _____

Respondent:

Name: _____

Gender: ☐ Male ☐ Female

Height: _____

Weight: _____

Driver's License (last 4 nos.) _____

Date of Birth: _____

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this ____ day of _____, _____.

CLERK OF SUPERIOR COURT

By: _____, Deputy Clerk

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

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

SUPERIOR COURT OF ARIZONA YUMA COUNTY

Name of Petitioner / Party A

Case Number: _____

AND

PETITION FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

Name of Respondent / Party B

STATEMENTS MADE TO THE COURT, UNDER OATH:

GENERAL INFORMATION:

1. INFORMATION ABOUT ME,

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

I have lived in Arizona for _____ years and/or _____ months in a row.

2. INFORMATION ABOUT, MY SPOUSE

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

My spouse has lived in Arizona for _____ years and/or _____ months in a row.

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____

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

- 4. RESIDENCY REQUIREMENT:** When I file this document with the Court, either ☐ I or ☐ my spouse live, or are stationed while a member of the Armed Forces, in Arizona.
(WARNING: If this statement is not true, you cannot file for legal separation until it becomes true.)

- 5. DESIRE TO LIVE SEPARATE AND APART.** My marriage is irretrievably broken (my marriage is over) or I and/or my spouse desire to live separate and apart. (This must be a true statement or you cannot file for a Petition for Legal Separation.)

6. PREGNANCY. (Mark the box if it is true)

☐ Party A **IS NOT** pregnant, OR ☐ Party B **IS NOT** pregnant, OR

☐ Party A **IS** pregnant, OR ☐ Party B **IS** pregnant

The baby is due on _____ (date), (and, check one box below):

☐ Party A and Party B **ARE** the parents of the child, OR

☐ Party A or ☐ Party B **IS NOT** the parent of the child, OR

7. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY). (Check the boxes that apply to you):

☐ Neither party is entitled to Spousal Maintenance/Support (alimony), OR

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

☐ Person lacks sufficient property to provide for his or her reasonable needs;

☐ Person is unable to support him or herself through appropriate employment;

☐ Person lacks earning ability in the labor market adequate to support himself or 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; and/or

☐ Person has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.

INFORMATION ABOUT PROPERTY AND DEBTS:**8(a) PROPERTY ACQUIRED DURING THE MARRIAGE: (Check one box)**

- ☐ My spouse and I did not acquire community property during the marriage, OR
- ☐ My spouse and I acquired 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.)

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 furnishing 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 A box and Party B box.

DESCRIPTION OF PROPERTY / VALUE OF PROPERTY:	(Party A)	(Party B)	Value
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Household furniture and appliances: _____ _____ _____ _____	(Party A) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(Party B) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Value \$ _____ \$ _____ \$ _____ \$ _____
<input type="checkbox"/> Household furnishings: _____ _____ _____ _____ _____ _____	(Party A) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(Party B) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Value \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____

	(Party A)	(Party B)	Value
<input type="checkbox"/> Other items:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
 <input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
 <input type="checkbox"/> Motor vehicles:			
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____			
Lien Holder _____.			
 Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____.			
Lien Holder _____.			

8(b) PROPERTY ACQUIRED BEFORE MARRIAGE. (Check all boxes that apply.)

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

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

DESCRIPTION OF PROPERTY / VALUE OF PROPERTY:	(Party A)	(Party B)	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

9(a) DEBTS INCURRED DURING THE MARRIAGE: (check one box)

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

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	(Party A)	(Party B)	Amount
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

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

- ☐ My spouse and I do not have any debts that were incurred prior to the marriage, **OR**
- ☐ I have separate debt that I incurred prior to the marriage which should be paid by me as described below:
- ☐ My spouse has separate debt that he or she incurred prior to the marriage which should be paid by my spouse as described below:

DESCRIPTION OF DEBT	(Party A)	(Party B)	AMOUNT OF DEBT:
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

10. TAX RETURNS: (Check the box if it 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.

11. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

- ☐ My spouse and I have a written agreement signed by both of us about the maintenance of a spouse, and division of property/debt, and I have attached a copy of the written agreement.

12. CONCILIATION REQUIREMENTS. The conciliation requirements under Arizona law either do not apply or have been met. (This statement must be true or you cannot file a Petition for Legal Separation. If you do not understand this section, read the instructions that go with this Petition.)**REQUESTS TO THE COURT:****A. LEGAL SEPARATION:** An order of legal separation.**B. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY)**

- ☐ Not applicable. **OR**
- ☐ Order spousal maintenance/support to be paid by ☐ Party A, **OR** ☐ Party B through the Clerk of Superior Court in the amount of \$_____ per month, and the statutory fee, beginning with the first day of the month after the Judge or Commissioner signs the Legal Separation and continuing until the person receiving the spousal maintenance/support is deceased, or for _____ months.

- C. COMMUNITY PROPERTY:** Make a fair division of all community property as requested in this Petition.
- D. 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 him or her since the parties separation on (date):
- E. SEPARATE PROPERTY AND DEBTS:** Award each party his or her separate property and debt.
- F. OTHER ORDERS I AM REQUESTING** (Explain request here): _____

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

 Date

 Signature

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

 Deputy Clerk or Notary Public

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

For Clerk's Use Only

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

SUPERIOR COURT OF ARIZONA IN YUMA COUNTY

Name of Petitioner / Party A

Case Number: _____

NOTICE REGARDING CREDITORS

Name of Respondent / Party B

ARIZONA LAW REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party. (ARS §25-318(F)).

YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS. The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only, not the creditors**. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

CONTACT CREDITORS: You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty **(30)** days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.
DO NOT FILE THE NEXT PAGE WITH THE COURT.

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You may use this form to request information about debt owed by you or your spouse.
If so, send to the creditor. **DO NOT FILE THIS PAGE WITH THE COURT.**

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: Superior Court of Arizona in Yuma County

Case Name: _____

Case Number: _____

Pursuant to Arizona State Law (ARS §25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. (Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.)

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: _____

Your signature: _____