

DISSOLUTION OF MARRIAGE WITHOUT CHILDREN



MARICOPA COUNTY SUPERIOR COURT OF ARIZONA

WHAT WILL BE DECIDED AT TRIAL?

- 1. Division of community property**
- 2. Division of community debt**
- 3. Spousal maintenance, if applicable**
- 4. Change of name for wife, if desired**

DIVISION OF COMMUNITY PROPERTY

1. Real property

- Your house
- Other real estate

2. Personal property

- Motor vehicles, trailers, boats, ATVs, and similar items
- Bank accounts
- Household items
- Retirement accounts
- Personal items

The Court only divides **community property**.

Community property is property acquired by either a husband or wife during the marriage. It does not include property that is acquired by gift or inheritance, or that is acquired after service of a petition for dissolution.

Separate property is property that is (1) owned by a husband or wife before marriage, or (2) acquired by a husband or wife during the marriage by gift or inheritance, or (3) acquired by a husband or wife after service of the petition for dissolution.

DIVISION OF COMMUNITY DEBT

1. Mortgages
2. Credit cards
3. Motor vehicle loans
4. Other loans
5. Taxes owed
6. Other debts/loans/liabilities

SPOUSAL MAINTENANCE

To qualify for spousal maintenance, the Court must find that you meet one of the following criteria:

1. You lack sufficient property, including property apportioned to you in the Decree of Dissolution, to provide for your reasonable needs.
2. You are unable to be self-sufficient through appropriate employment or are the custodian of a child whose age or condition is such that you should not be required to seek employment outside the home or you lack earning ability in the labor market adequate to be self-sufficient.
3. You contributed to the educational opportunities of your spouse.
4. You had a marriage of long duration and are of an age that may preclude

the possibility of gaining employment adequate to be self-sufficient.

If the Court finds one of the above facts exist, it may order spousal maintenance. If the Court determines an order of spousal maintenance is appropriate in your case, it will set an amount and the number of months/years spousal maintenance must be paid to you based upon the thirteen factors set forth in Arizona Revised Statutes §25-319(B).

CHANGE OF NAME

If you would like your name restored to your maiden name, you may make that request to the Court and the Court will include the name change in the Decree of Dissolution.