

SELF-SERVICE CENTER

PROCEDURES: COMPLETING YOUR PAPERS AND WHAT TO DO NEXT

(For Divorce or Legal Separation Decree by Consent, for a Non-Covenant Marriage)

REQUIREMENTS

- ✓ **PAPERWORK and SIGNATURES:** Both spouses must sign the "**Consent Decree**" before a Clerk of Court or a Notary Public to show that both spouses have read, approved and agreed to the items in the Decree. If either party is represented by a lawyer, the lawyer(s) must also sign the "Decree". You must also file all other required paperwork.
- ✓ **PARENT INFORMATION PROGRAM:** If you filed for a divorce or legal separation *with minor children*, both spouses must attend the Parent Information Program and file a "**Certificate of Completion**" with the Clerk of the Court.
- ✓ **FEES: Both parties must pay the court fees.** Currently, that includes the filing fee paid by the Petitioner at the beginning of the case, and the Respondent's "Response" or "Answer" fee, in order for the Consent Decree to be accepted. Both parties must attach a receipt to prove payment or attach a copy of the Order for initial deferral of fees.

A list of current fees is available from the Self-Service Center and from the Clerk of Court's website at <http://clerkofcourt.maricopa.gov/fees.asp>

If you cannot afford the filing fees, you may request a deferral (payment plan) of the filing fees at the time you file your papers with the Clerk of the Court. The Self-Service Center and the Clerk's Filing Counter have the deferral forms.

- ✓ **TIME FRAME:** If you filed for divorce or legal separation, the parties must wait at least **60** days after the date the Respondent was personally served with the documents before the parties can file the Consent Decree.

PROCEDURES: READ AND COMPLETE ALL PAPERWORK. Deliver the original documents and/or number of copies as indicated below:

- The **original and two copies** of the signed "**Consent Decree**".
- **A copy** of each receipt for payment of the filing fees by *both* the Petitioner *and* the Respondent, **OR** a copy of the initial "**Order Deferring Fees and Costs**" for a Petitioner or Respondent who has not paid the filing fee.
- **Two self-addressed, stamped, 9" x 12" envelopes.** Address one envelope to the Petitioner or his or her attorney. Address the other envelope to the Respondent or his or her attorney. Provide the current addresses on both envelopes, including zip code. Make sure you put enough postage on the envelopes.
- **Additional papers included in this packet will be required if:**
 - ◆ The divorce or legal separation involves minor children.
 - ◆ Either party is paying spousal maintenance (alimony) or child support;

If the divorce or legal separation involves minor children, also include:

- The **original** and **2 copies** of the completed **“Joint Parenting Plan”** signed by both parties, **AND**
- The **original** and **2 copies** of the **“Joint Custody Agreement”** signed by parties if the parties are asking for joint custody, **AND**
- The **original** and **2 copies** of the completed **“Parent’s Child Support Worksheet,”**

If the full agreement about division of property and debt is not in the Consent Decree, also include the original and 2 copies of a signed “Property Settlement Agreement.”

NOTE: If the Decree must deal with the division of retirement funds, pensions or annuities, etc., you may also need a complex document called a “QDRO,” which will require the services of a specialized legal professional. The Self-Service Center does not have a “Property Settlement Agreement” or a “QDRO”. See a lawyer if you need these documents.

Hand-deliver or mail your documents as indicated below. Court hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Central Court Building
201 West Jefferson, 6th floor
Phoenix, Arizona 85003
(To *Family* Court Administration)

Southeast Court Complex
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210
(To Court Administration)

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374
(To Judge’s in-box)

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032
(To Judge’s in-box)

WHAT HAPPENS NEXT? It is within the Judge’s/Commissioner’s discretion whether to accept or reject the Decree, or to schedule a court hearing.

IF YOUR CONSENT DECREE IS ACCEPTED: the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of the Court. The Court will send a copy of the signed Decree to each party using the envelopes you provided. This is your notification that your divorce is now final. You are not divorced until the Judge/Commissioner signs the Decree.

IF YOUR CONSENT DECREE IS REJECTED: the Court will send you a **“Correction Notice”** informing you of the mistakes with the documents. Follow the instructions on the **“Correction Notice”**.
If the mistakes cannot be corrected, see a lawyer for help.

IF THE JUDGE/COMMISSIONER SCHEDULES A HEARING: the Court will send notice of a scheduled date, time and location for a hearing which both parties must attend to answer any questions the Judge/Commissioner may have.

* All forms referenced in these instructions may be purchased from the Self-Service Center or obtained for free via internet at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/forms/>