LEGAL SEPARATION WITHOUT MINOR CHILDREN

For Respondent Only

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3

Respond

Part 3: Respond to a Petition for Legal Separation

(Forms Packet)

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DRLSA3f – **5152** - 060116

SELF- SERVICE CENTER

RESPONSE TO PETITION AND PAPERS FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

CHECKLIST

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Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You want to file a response to a Petition for Legal Separation Without Minor Children, **AND**
- ✓ You and your spouse have no minor children with each other AND the wife is not pregnant by the husband, **AND**
- ✓ You do not agree with what your spouse wrote in the Petition.

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 Self-Service Center website.

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SELF-SERVICE CENTER

LEGAL SEPARATION WITHOUT MINOR CHILDREN

Part 3: Respond to a Petition for Legal Separation

(Forms Only)

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This packet contains court forms and instructions to file for a 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!

Order	File Number	Title	# pages
1	DRLSA3k	Checklist: *You may use these forms if . .*	1
2	DRLSA3ft	Table of Contents (this page)	1
3	DRSDS10f-A	***"Family Court / Sensitive Data Sheet in Cases Without Minor Children"***	1
4	DRLSA31f	***"Response to Petition for Legal Separation--Without Minor Children"***	7
5	DRAD10f	***"Alternative Dispute Resolution Statement to the Court"***	1

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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 MARICOPA COUNTY

_____
Petitioner

_____
Respondent

Case No. _____

ATLAS No. _____

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

Fill out. File with Clerk of Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLAP 43(G)(1).

A. Personal Information:	**Petitioner**	**Respondent**
Name		
Gender	☐ **Male** or ☐ **Female**	☐ **Male** or ☐ **Female**
Date of Birth (Month/Day/Year)		
Social Security Number		

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.

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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 MARICOPA COUNTY

_____
(Name of Petitioner)

Case Number:_____

RESPONSE TO PETITION FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

_____
(Name of Respondent)

STATEMENTS MADE TO THE COURT, UNDER OATH:

GENERAL INFORMATION

1. ABOUT MY SPOUSE, THE PETITIONER

Name:_____

Address:_____

Date of Birth:_____

Occupation:_____

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

2. ABOUT ME, THE RESPONDENT

Name:_____

Address:_____

Date of Birth:_____

Occupation:_____

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

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3. ABOUT OUR MARRIAGE

Date of Marriage:_____

City and state or country where we were married:_____

4. ABOUT THE LEGAL SEPARATION

☐ I want to be legally separated from my spouse, OR

☐ I do not want to be legally separated from my spouse because my marriage is over and I want to be divorced.

INFORMATION ABOUT PROPERTY AND DEBTS

Instructions: You must be specific. You must describe the property and debt that should go to you or be paid by you and then check the box. You must then describe the property and debt that should go to or be paid by 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 or to your spouse. Never list an item and check both the Petitioner and the Respondent box.

5.a. COMMUNITY PROPERTY: (check one box)

☐ My spouse and I did not acquire any community property during the marriage, **OR**

☐ My spouse and I acquired community property during our marriage, and we should divide it as follows:

	Description of property	**My Spouse** Petitioner	**Me** Respondent	**Value**
☐	Real estate at:_____ Legal Description:_____ _____	☐	☐	$_____
☐	Real estate at:_____ Legal Description:_____ _____	☐	☐	$_____
☐	Household furniture and appliances:			
	_____	☐	☐	$_____
	_____	☐	☐	$_____
	_____	☐	☐	$_____
	_____	☐	☐	$_____

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	My Spouse Petitioner	Me Respondent	Value
☐ Household furnishings:			
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
☐ Other items:			
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

DESCRIPTION OF PROPERTY

☐ Pension/retirement fund/profit sharing/stock plan/401K:			
_____	☐	☐	$_____
_____	☐	☐	$_____
☐ Motor vehicles:			
Make:_____	☐	☐	$_____
Model:_____			
VIN Number:_____			
Lien Holder:_____			
Make:_____	☐	☐	$_____
Model:_____			
VIN Number:_____			
Lien Holder:_____			

5.b. SEPARATE PROPERTY. (Check all boxes that apply.)

☐ I do not have any property that I brought into the marriage or separate property.

☐ My spouse, the Petitioner does not have any property that he or she brought into the marriage or separate property.

☐ I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described it below.

☐ My spouse, the Petitioner, has property that he or she brought into the marriage or has separate property. 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.)

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Description of Property	My Spouse Petitioner	Me Respondent	Value
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

6.a. COMMUNITY DEBTS: (check one box)

☐ My spouse and I did not incur any community debts during the marriage, OR

☐ We should divide the responsibility for the debts incurred during the marriage as follows:

Description of debt	My Spouse Petitioner	Me Respondent	Amount
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

6.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 separate debt,

OR

☐ I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below:

☐ My spouse has separate debt or debt that he or she incurred prior to the marriage that should be paid by my spouse as described below:

Description of debt	My Spouse Petitioner	Me Respondent	Amount
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

7. TAX RETURNS: (Check this box if this is what you want).

☐ After the Judge or Commissioner signs the Decree of Legal Separation, we will pay federal and state taxes as follows: For previous years the parties will file joint federal and state income tax returns. In addition, 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.

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For this calendar year (the year that the Decree is signed) and all future calendar years, each party will file ☐ Joint Tax Returns **or** ☐ Separate Tax Returns.

8. SPOUSAL MAINTENANCE (ALIMONY) (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/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 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 or herself; and,
- ☐ Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself/herself.

9. PREGNANCY

☐ Wife is not pregnant, **OR**

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

- ☐ The Petitioner and Respondent are the parents of the child, **OR**
- ☐ Petitioner is not the parent of the child, **OR**
- ☐ Respondent is not the parent of the child.

WARNING. If wife is pregnant and the Petitioner and the Respondent are the parents of the child, **STOP. YOU MUST FILE THE PAPERS FOR LEGAL SEPARATION WITH MINOR CHILDREN.**

10. SUMMARY OF WHAT I ASKED FOR THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

(Here summarize what is different between you want and what your spouse asked for.)

_____
_____
_____
_____

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11. CONCILIATION.

☐ True **or** ☐ False. (Check one box.) The conciliation requirements under Arizona law either do not apply or have been met. (This must be a true statement or you cannot file for Legal Separation.)

12. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted, qualified, or denied.

REQUESTS TO THE COURT:

A. LEGALLY SEPARATE OR CHANGE TO DIVORCE:

☐ Legally separate the parties or

☐ Change this case to a divorce case because my marriage is over and either I or my spouse has lived in Arizona for the last 90 days.

B. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

☐ Order spousal maintenance/support to be paid by:

☐ Petitioner, **or** ☐ Respondent through the Clerk of the Court/Clearinghouse 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 Decree of 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 Response.

D. COMMUNITY DEBTS:

☐ Order each party to pay community debts as requested in this Response, 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 DEBT:

☐ Award each party his/her separate property and debt.

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F. OTHER ORDERS I AM REQUESTING (Explain request here):

_____
_____
_____
_____
_____
_____
_____
_____
_____

UNDER OATH OR 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: _____
(date)

By _____.

_____
(notary seal) Deputy Clerk or Notary Public

Copy of the foregoing mailed to
the other party or his or her attorney on
_____ at
month/day/year

the following address:

_____

_____

_____

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

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

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

_____
Petitioner

Case No. _____

ATLAS No. _____

_____
Respondent

ALTERNATIVE DISPUTE RESOLUTION STATEMENT TO THE COURT
A.R.F.L.P. 66(E)

Check appropriate box below:
☐ **Petitioner's Statement**

☐ **Respondent's Statement**

☐ **Joint Statement (signed by both parties)**

Pursuant to the Arizona Rules of Family Law Procedure, we hereby state the following, under penalty of perjury:

1. ☐ The parties agree to participate in the following Alternative Dispute Resolution (ADR) process and:
   a. have selected the following ADR process:
      ☐ Arbitration
      ☐ Mediation
      ☐ Settlement Conference
      ☐ Other: _____
   b. ☐ The parties will use a private provider OR
      ☐ The parties request a program provided through the court.
   c. The person or company providing the ADR service is: _____
      _____
   d. The parties expect to complete the ADR process by _____, _____.

2. ☐ The parties have been unable to agree on an ADR process.
   ☐ The ☐ Petitioner ☐ Respondent believe(s) that the following ADR process would be appropriate: _____
   ☐ The ☐ Petitioner ☐ Respondent request(s) a conference to discuss ADR.
   ☐ The ☐ Petitioner ☐ Respondent believe(s) that an ADR process would not be appropriate for the following reason: _____
   _____

_____
Date

_____
Petitioner

_____
Date

_____
Respondent

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ADR

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