FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

Case Number:_____

_____ **(A)**
(Petitioner)

DECREE OF DISSOLUTION OF MARRIAGE (Divorce) WITHOUT MINOR CHILDREN

_____
(Respondent)

THE COURT FINDS: (B)

1. This case has come before this court for a final ***"Decree of Dissolution of Marriage (Divorce) Without Minor Children."*** The court has taken all testimony needed to enter a final Decree, or has determined testimony is not needed to enter the final Decree.

2. This court has jurisdiction over the parties under the law, and the provisions of the Decree are fair and reasonable under the circumstances.

   SERVICE BY PUBLICATION:
   If Respondent was served by publication and was not personally served, this court cannot make legal orders, with respect to issues of community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/ support of either spouse, the disposition of community property or debts, and any other relief requested in the Petition or orders deemed necessary by the court.

3. **THE COURT FINDS:**

(a) That the marriage of the parties is not a "covenant" marriage.
(b) At the time this action was filed, one of the parties lived in Arizona for more than 90 days, or had lived in Arizona, while a member of the United States Armed Forces, for more than 90 days.
(c) The provisions of A.R.S. § 25-381.09 relating to Conciliation Court either do not apply or have been met.
(d) The marriage is irretrievably broken (the marriage is over).
(e) Where it has the legal power to do so and where it is applicable to the facts of this case, this court has considered, approved, and made orders relating to the issue of spousal maintenance/support, and the division of property and/or debts.

☐ The parties did **not** acquire any community property or debts during the marriage; **OR**,
☐ There **IS** an agreement as to division of community property and debt; all community property and debt is divided pursuant to this Decree.
☐ There is **NO** agreement as to division of property and/or debt, but all community property and/or debt is divided pursuant to this Decree.

(f) ☐ Wife **is not** pregnant; **OR,**
☐ Wife **is** pregnant, and the other party (husband) ☐ **IS** or ☐ **IS NOT** the father of the child.

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(g) ☐ The Petitioner, OR
☐ The Respondent

Lacks enough property, including property given to him/her as part of this divorce, to provide for his/her reasonable needs, and is unable to support himself/herself through an appropriate job, or he/she is providing the primary care to a child(ren) of young age or is of a condition that he/she should not be required to look for work outside of the home, or lacks earning ability necessary to support himself/herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage of long duration and is of an age which may severely limit the possibility of getting a job in order to support himself/herself.

THE COURT ORDERS: (C)

1. The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **NAMES:**

☐ The name of the ☐ Wife or ☐ The Husband, whose complete married name is :

Is restored to: (List the complete legal name or maiden name as before this marriage)

3. **ENFORCEMENT OF TEMPORARY ORDERS:** All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of **ALL** temporary orders here) _____ shall be satisfied in full or judgment is awarded against the party with the obligation, up to the amount due and owing as of the date of this Decree, together with the highest legal interest allowed by law.

4. **SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):**

(a) ☐ Neither party shall pay spousal maintenance/support (alimony) to the other party; **OR,**

(b) ☐ Petitioner, **OR**
☐ Respondent

Is ordered to pay ☐ Respondent, **OR** ☐ Petitioner the sum of $_____ per month spousal maintenance/support **BEGINNING THE FIRST DAY OF THE MONTH** after this Decree is signed. Each payment shall be made by the first day of each month thereafter and shall continue until the receiving party is remarried, deceased or for a period of _____months. All payments shall be made through the Support Payment Clearing House by an Income Withholding Order, until all required payments have been made under this Decree. Payments made shall be included in the receiving spouse's taxable income and may be tax deductible from the paying spouse's income, subject to IRS Rules and Regulations.

5. **PROPERTY AND DEBTS:**

(a) ☐ Petitioner is ordered to pay all debts unknown to Respondent.

(b) ☐ Respondent is ordered to pay all debts unknown to Petitioner.

(c) ☐ Each party is ordered to pay his/her debts which he/she incurred since the date of the parties' separation on _____ (date).

(d) ☐ Other orders and relief relating to the division of community property and/or debts which are contained in Exhibit A, is attached and incorporated into and made a part of this Decree.

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(e) ☐ Each party is assigned his/her separate property and debts as contained in Exhibit A, which is attached and incorporated into and made a part of this Decree.

(f) ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before_____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

(g) ☐ For previous calendar years, the parties shall file, subject to IRS Rules and Regulations,

☐ joint federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any,

OR

☐ separate federal and state income tax returns.

AND

☐ This calendar year and continuing thereafter, each party shall file separate tax returns.

AND

☐ Each party shall give the other party all necessary documentation to file all tax returns.

6. **FINAL APPEALABLE ORDER.** Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

DONE IN OPEN COURT this _____day of _____, _____. **(D)**

_____
JUDGE OR COURT COMMISSIONER

If this Decree was issued as a "Default," *and* the Petitioner served the papers to begin this case by any means *other than* by publication, a copy of this Decree shall be mailed or delivered to the Respondent within 24 hours of the court hearing as follows:

Respondent's Name: _____
Mailing Address: _____
City, State Zip Code: _____
By: _____
_____

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Case No. _____

EXHIBIT A: PROPERTY AND DEBTS (E)

1. DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

☐ **Award each party the personal property in his/her possession, or:**

☐ **The community property is awarded to each party as follows:**

2. LIST OF COMMUNITY PROPERTY

		AWARD TO: Petitioner	Respondent
☐	Household furniture/furnishings. (Be specific.)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	Appliances. (Be specific.)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	DVD/VCR/DVR. (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	TV. (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	Personal Computer. (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	Stereo. (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	Motor vehicle_____	☐	☐
☐	Motor vehicle_____	☐	☐
☐	Motor vehicle_____	☐	☐
☐	Cash, bonds of $_____	☐	☐
☐	Other: _____	☐	☐
☐	Other: _____	☐	☐
☐	**Continued on attached list**.		

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3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION

(WARNING. You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.)

☐ Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

_____

OR

☐ Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:

OR

☐ Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

4. DIVISION OF REAL PROPERTY: Section A is for one piece of property. Section B is for another piece of property. If you own more than two pieces of property, check the box and attach another sheet of paper with the information requested in Sections A and B.

A. Real property located at (address)_____ and which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION:_____

_____

_____

The real property as described above is:

☐ Awarded to ☐ Petitioner or ☐ Respondent as his/her sole and separate property.

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Petitioner.

_____% or $_____ to Respondent.

B. Real property located at (address)_____ and which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION:_____

_____

_____

_____

_____

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The real property as described above is:

☐ Awarded to ☐ Petitioner or ☐ Respondent as his/her sole and separate property.

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Petitioner.

_____% or $_____ to Respondent.

☐ More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

5. DIVISION OF COMMUNITY DEBTS: (You should see a lawyer about how to divide secured and unsecured debts.)

☐ The community debts shall be divided as follows:

Creditors	Amount Owed	Petitioner	Respondent
	$		
	$		
	$		
	$		
	$		
	$		
	$		
	$		

☐ **Continued on attached list.**

6. ☐ Any debts or obligations incurred by either party before the date of separation, that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

7. SEPARATE PROPERTY.

☐ The separate property is awarded to each party as follows:

Description	Value	Petitioner	Respondent
	$		
	$		
	$		
	$		
	$		
	$		

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8. SEPARATE DEBT:

☐ The separate debts shall be the responsibility of the person as described below.

Creditors	Amount owed	Petitioner	Respondent
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____

☐ **Continued on attached list.**

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