

Person Filing: (A) _____
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

(B) Petitioner

Case Number: _____

ATLAS Number: _____
(if applicable)

(B) Respondent

DECREE OF DISSOLUTION OF A NON- COVENANT MARRIAGE WITH MINOR CHILDREN

THE COURT FINDS: (B)

1. This case has come before this court for a final Decree of Dissolution of Marriage. The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.
2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to physical custody, authority for legal decision making (legal custody), parenting time, and support.

SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), 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, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

3. The Court finds that:

- a. **90 Day Requirement:** At the time this action was filed, one or both parties had lived in, or been stationed in Arizona while a member of the United States Armed Forces, for more than 90 days.
- b. **Conciliation provisions of A.R.S. §25-381.09 either do not apply or have been met.**
- c. **Irretrievably Broken:** The marriage is irretrievably broken. This marriage is not a covenant marriage.
- d. **Regarding Issues of Minor Children, Child Support and Spousal Maintenance, Division of Property and Debt:** Where it has the legal power and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to issues of legal decision making (legal custody), parenting time, child support, spousal maintenance (alimony), and the division of property and/or debts.

e. Community Property and Debt:

- The parties did **not** acquire any community property or debt 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 community property and debt, but all community property and debt is divided pursuant to this Decree.

f. Pregnancy and Paternity:

- Wife is **not** pregnant, **OR**
- Wife is **pregnant**, and the husband **IS** OR **IS NOT** the father of the child.
- The husband is the father of these children born to the parties *before* the marriage:

Name(s)	Date(s) of Birth
_____	_____
_____	_____
_____	_____

g. Spousal Maintenance/Support:

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

h. Parent Information Program:

1. **Mother** has attended the Parent Information Program as evidenced by the **“Certificate of Completion”** in the court file. **OR**
Mother has not attended the Parent Information Program and shall be denied any requested relief to enforce or modify this decree until Mother has completed the class.
2. **Father** has attended the Parent Information Program as evidenced by the **“Certificate of Completion”** in the court file. **OR**
Father has **not** attended the Parent Information Program and shall be denied any requested relief to enforce or modify this decree until Father has completed the class.

i. Deviation from Child Support: The court, having considered the best interests of the minor child(ren), deviates from the guidelines for the following reasons:

- Application of the guidelines is inappropriate
- Application of the guidelines is unjust

The court makes the following finding regarding the deviation:

- The child support order would have been \$ _____
- The child support order after deviation is \$ _____

j. Physical Custody Adjustment: Court Approved Discretionary Parenting Time Adjustment And/or other Adjustments: (The court must make written findings if any of these adjustments are made.)

k. Ability to Pay Child Support: The court finds that the person responsible for paying child support has the ability to pay child support:

- In the amount entered on Line 34 of the Worksheet for \$ _____
- In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$ _____

l. Legal Decision-Making Authority (Custody) for Minor Child(ren):

(Check/complete **only** if legal decision-making authority (custody) is contested or joint legal decision-making (custody) is ordered.)

- The legal decision-making authority (custody) order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)

REASONS:

m. Supervised or No Parenting Time: (Check and complete if applicable.)

(Check and complete **only** if supervised parenting time or no parenting time is ordered.)

- Supervised Parenting Time** between the minor children and Mother **OR** Father,
- OR**

- No Parenting Time** by Mother **OR** Father, **is in the best interests of the minor child(ren), for the following reasons:** (Explain the reasons)

REASONS:

n. Domestic Violence: If the court enters an order for joint legal decision-making (custody) for the minor child(ren), check box "1" or box "2" and explain.

1. Domestic violence has not occurred during this marriage, **OR**
2. Domestic violence has occurred, but the domestic violence **has not** been significant.

Explain why joint legal decision-making (custody) is in the best interest of the child(ren) even though domestic violence has occurred:

THE COURT ORDERS: (C)

1. MARRIAGE IS DISSOLVED: 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) _____

are 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, with the highest legal interest allowed by law, for the total amount of \$ _____

4. PREGNANCY AND PATERNITY

A child who is common to the parties is expected to be born this date: _____
 All orders below as to primary residence, legal decision making (legal custody), parenting time (visitation), support, and medical insurance/expenses include this child and all other children named below.

a. CHILDREN: This Decree includes all minor children common to the parties as follows:

NAME(S) OF MINOR CHILD(REN)	DATE(S) OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____

b. PATERNITY: The husband is declared to be the father of the minor children named below, born before the marriage:

Children Born BEFORE the Marriage	DATE(S) OF BIRTH
_____	_____
_____	_____
_____	_____

FOR ANY ABOVE-NAMED MINOR CHILD BORN IN THE STATE OF ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

(List full name of husband/father as appears on his Social Security card or other government issued official document and as should appear on the children's birth certificate(s))

1. Add the name: (List one name only)

--	--	--

as the father on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.

2. NAME CHANGE: (Optional) The names of one or more of the minor children for whom paternity has been established above shall be changed as follows:

Current Legal Name	New Name (optional)
_____	_____
_____	_____
_____	_____
_____	_____

5. PRIMARY RESIDENTIAL PARENT, PARENTING TIME, and AUTHORITY FOR LEGAL DECISION MAKING (CUSTODY)

a. PRIMARY RESIDENTIAL PARENT:

In accord with the Parenting Plan signed by both parties **NEITHER** parent is designated as the primary residential parent, **OR**

Mother is designated the primary residential parent of: _____

Father is designated the primary residential parent of: _____

SUBJECT TO PARENTING TIME AS FOLLOWS:

b. PARENTING TIME:

Reasonable parenting time rights to the non-residential parent as described in the Parenting Plan attached as Exhibit B and made a part of this Decree, **OR**

NO PARENTING TIME RIGHTS to Mother **OR** Father, **OR**

SUPERVISED PARENTING TIME to Mother **OR** Father according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

No Parenting Time or Supervised Parenting Time is in the best interests of the child(ren) because: (Explain) _____

(IF supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by the:

the Mother, the Father, **OR** Shared equally by the parties

Restrictions on parenting time (if applicable): _____

c. AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY):

1. **SOLE AUTHORITY CONCERNING LEGAL DECISION-MAKING** for the minor children is awarded to:

Mother, **OR** Father,

OR

2. **JOINT LEGAL DECISION-MAKING (JOINT CUSTODY):** Mother and Father agree to act as joint legal decision makers regarding the minor child(ren), as set forth in the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan signed by both parties and attached to this Decree as **“Exhibit B.”** There having been no significant acts of Domestic Violence by either parent, or the court having found it in the best interests of the minor child(ren), the court adopts the terms of the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan, which is attached to and made party of this Decree.

6. CHILD SUPPORT: **Mother, OR** **Father** shall pay child support to the other party in the amount of \$ _____ per month, beginning **THE FIRST DAY OF THE MONTH** following the date this Decree is signed by the judge until further order of the court. Child Support is based on the information in the Child Support Worksheet attached and made part of this document by reference. All child support payments shall be made through the Support Payment Clearinghouse, and must include the statutory fee for the Income Withholding Order signed this date. Payments will be in equal installments made on the 1st and 15th of each month.

MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN:

- Mother** is responsible for providing: medical dental vision care insurance.
 Father is responsible for providing: medical dental vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expenses

- Mother** is ordered to pay: _____ %,
 Father is ordered to pay: _____ %,
 uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

7. SPOUSAL MAINTENANCE/SUPPORT:

- a. **Neither party shall pay spousal maintenance/support (alimony) to the other party, OR**
 b. **Wife, OR** **Husband** is ordered to pay the other party 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 after that and shall continue until the receiving party is remarried or deceased **or** until (date) _____ All payments shall be made through the Support Payment Clearinghouse by automatic income withholding order, until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance / support payments end if the receiving party is remarried or deceased.

8. PROPERTY, DEBTS AND TAX RETURNS:

- a. Petitioner is ordered to pay all debts unknown to Respondent, AND
 Respondent is ordered to pay all debts unknown to Petitioner, AND
 Each party is ordered to pay his or her debts from the following date, _____
 b. Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.
 c. Each party is assigned his or her separate property and Petitioner must pay his/her separate debt, and Respondent must pay his/her separate debt.

- d. 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.

- e. For previous calendar years, pursuant to IRS rules and regulations, the parties will file
- joint federal and state income tax returns and hold the other harmless from half of all additional income taxes and other costs, if any, and each will share equally in any refunds, OR
 - separate federal and state income tax returns. AND,
 - This calendar year and continuing thereafter, each party will file separate federal and state income tax returns. AND,

9. FINANCIAL INFORMATION EXCHANGES: The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months. Each party shall give the other party all necessary documentation to file all tax returns.

10. TAX EXEMPTION: The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim minor child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Name of minor child	Parent entitled to claim		in Tax Year
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	_____
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	_____
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	_____
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	_____
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	_____

11. **MINOR CHILDREN TO WHOM THIS DECREE DOES NOT APPLY:** It is ordered that **Wife**, OR **Husband** has no legal obligation or right to the minor child(ren) born during the marriage but **not** common to the marriage. These minor children include: (Use additional paper if necessary)

Name: _____ Birth date: _____
Name: _____ Birth date: _____
Name: _____ Birth date: _____

Child expected to be born this date: _____

12. **OTHER ORDERS.** (List any other orders.)

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: _____ . (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 Petitioner: _____
Date: _____

EXHIBIT A: PROPERTY AND DEBTS (Refer to section "E" in instructions)

1. DIVISION OF COMMUNITY PROPERTY (property acquired during the marriage)

- Award each party the personal property in his/her possession.
- Community property is awarded to each party as follows:

2. LIST OF COMMUNITY PROPERTY (Be very specific in your description of the property.)

		AWARD TO	
		Petitioner	Respondent
<input type="checkbox"/>	Household furniture / furnishings: (Be specific.) _____ _____ _____ _____	<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"/>	Appliances: (Be specific.) _____ _____ _____ _____	<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"/>	Video: TV /DVD /VCR: (Be specific) _____ _____ _____ _____	<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"/>	Audio: Stereo/ Radio: (Be specific) _____ _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	Computers and Related Equipment: (Be specific) _____ _____ _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	Other Electronics: (Be specific) _____ _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	Motor Vehicles: Year, Make, Model: _____ Last 4 digits of VIN #: _____ Year, Make, Model: _____ Last 4 digits of VIN #: _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

COMMUNITY PROPERTY

AWARD TO:

Petitioner Respondent

Motor Vehicles - continued

Year, Make, Model: _____

Last 4 digits of VIN #: _____

Cash, bonds of \$ _____

Other: _____

Other: _____

Other: _____

Other: _____

Continues on attached page.

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.

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

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:

4. DIVISION OF REAL PROPERTY (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address) _____.
The **legal description** of this property, **as quoted from the DEED to the property*** is:

*** If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.**

The real property ("A") described above is awarded as the sole and separate property of:

Petitioner or **Respondent** **OR**

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to **Petitioner.**

_____ % or \$ _____ to **Respondent.**

B. Real property located at (address) _____
 The *legal description* of this property, *as quoted from the DEED to the property* is:*

*** If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.**

The real property ("B") described above is awarded as the sole and separate property of:

Petitioner or **Respondent**

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner.

_____ % or \$ _____ to Respondent.

Continues on attached page.

5. DIVISION OF COMMUNITY DEBT (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Petitioner	Amount to be paid by Respondent
a.	\$	\$	\$
b.	\$	\$	\$
c.	\$	\$	\$
d.	\$	\$	\$
e.	\$	\$	\$
f.	\$	\$	\$
g.	\$	\$	\$
h.	\$	\$	\$
i.	\$	\$	\$
j.	\$	\$	\$

Continues on attached page.

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.** (Property acquired before the marriage or by gift or bequest to one party.)
Property recognized as the separate property of the Petitioner or Respondent, is assigned below:

Description	Value	To Petitioner	To Respondent
	\$	<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"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>

8. **SEPARATE DEBT:** (Debt acquired before the marriage.)

Debt recognized as the separate debt of the Petitioner or Respondent, is assigned below:

Creditor Name	Debt Amount	Petitioner Pays	Respondent Pays
	\$	<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"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>