

## Procedures: Completing your papers and what to do next for annulment consent decree for a non-covenant marriage

### Requirements

- ✓ **Paperwork and Signatures:** Both spouses must sign the Consent Decree before a Clerk of Superior Court or a Notarial Officer to show that both spouses have read, approved, and agreed to the items in the Decree. If either party is represented by an attorney, the attorney(s) must also sign the Decree. You must also file all other required paperwork.
- ✓ **Fees:** Both parties must pay the court fees. Currently, that includes the filing fee paid by the Petitioner/Party A at the beginning of the case, and the Respondent/Party B'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 order for initial deferral of fees.

Step 1: Read and complete all paperwork.

Step 2: Prepare the Notice of Lodging. You need this to submit your decree paperwork.

Step 3: Decide whether to submit your forms on paper or efile your forms. If submitting on paper, continue to Step 4. If you will efile, Skip to Step 7 below.

Step 4: If submitting your forms on paper:

- Make copies of the following documents after you have filled them out:
  - 3 copies of Consent Decree (signed).
  - 3 copies of Notice of Lodging.
  - Additional papers: If the full agreement about division of property and debt is not in the Consent Decree, also make 3 copies of the signed Property Settlement Agreement.

Make one copy of the filing fee receipts: one copy of each filing fee receipt from the Petitioner/Party A and the Respondent/Party B, or a copy of the initial Order Deferring Fees and Costs for a Petitioner/Party A or Respondent/Party B who has not paid the filing fee

Step 5: Separate your documents in 4 sets:

Set 1: For Clerk of Superior Court <ul style="list-style-type: none"> <li>• ORIGINAL, (only if Respondent/Party B has not previously filed one) Family Department Sensitive Data Coversheet without Children</li> <li>• ORIGINAL Notice of Lodging, with following attached: <ul style="list-style-type: none"> <li>• COPY Consent Decree</li> </ul> </li> </ul>	Set 2: For the Judge <ul style="list-style-type: none"> <li>• Filed COPY Notice of Lodging</li> <li>• ORIGINAL Consent Decree</li> </ul> <p>You must also provide 2 (two) 9"x12" business envelopes, one stamped and addressed to each party.</p>
Set 3: COPIES for You <ul style="list-style-type: none"> <li>• Notice of Lodging</li> <li>• Consent Decree</li> </ul>	Set 4: COPIES for the Other Party <ul style="list-style-type: none"> <li>• Notice of Lodging</li> <li>• Consent Decree</li> </ul>

Step 6: File the papers at the court:

Go to the Clerk of Superior Court filing counters at one of the following locations: The Court is open Monday through Friday, from 8:00 a.m. to 5:00 p.m. You should go to the Court at least 2 hours before it closes.

Central Court Building  
201 West Jefferson, 3<sup>rd</sup> floor  
Phoenix, Arizona 85003  
(To Family Administration)

Southeast Court Complex  
222 East Javelina Avenue, 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)

Step 7: If eFiling your forms:

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, Division of Child Support Services if they are involved in your case, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions:

<https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>

Step 8: What happens next? It is within the Judge's discretion whether to accept or reject the Decree, or to schedule a court hearing.

- If the Judge 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 may have.

If submitting your forms on paper:

- Acceptance: If your Consent Decree is accepted: the Judge will sign the original Decree and have it filed with the Clerk of Superior 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 annulment is now final. Your annulment is not final until the Judge/Commissioner signs the Decree.
- Rejection: 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 efilng your forms:

- You will not receive a copy of your accepted Consent Decree. Rather, the Court will issue a minute entry that you will have to access electronically, or by coming to Court in person.

All forms referenced in these procedures are available at the Law Library Resource Center or online at the Court's website.