

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 Notary Public 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 for initial deferral of fees.
- ✓ TIME FRAME: The parties must wait at least 60 days after the date the Respondent / Party B was personally served with the documents before the parties can file the Consent Decree.

Procedures: Read and complete all paperwork.

1. COPY:

- The original signed “*Consent Decree*,” *make two copies.*
- Filing Fee Receipt; 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.

2. ASSEMBLE:

- Two self-addressed, stamped, 9" x 12" envelopes. Address one envelope to each party or his or her attorney. Provide the current address on both envelopes, including zip code. Make sure you put enough postage on the envelopes to ensure delivery.
- Additional papers: 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*.”

3. HAND DELIVER OR MAIL the envelopes, with the original documents and copies, to one of the Courts below, Monday through Friday, 8:00 a.m. through 5:00 p.m.

Central Court Building

201 West Jefferson, 3rd 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)

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

- 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 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.

All forms referenced in these instructions may be purchased from the Law Library Resource Center or obtained for free via internet.