CONSENT DECREE

FOR ANNULMENT for a NON-COVENANT MARRIAGE

To get the Decree when both parties agree

Forms and Instructions

LAW LIBRARY RESOURCE CENTER

Consent decree for annulment in a non-covenant marriage

CHECKLIST

You may use these forms if . . .

- ✓ You or your spouse filed a "Petition for Annulment in a Non-Covenant Marriage, AND
- ✓ You and your spouse agree to the annulment and on all terms of the annulment, including:
 - 1. Division of property and,
 - 2. Division of debt
- ✓ You and your spouse will provide your notarized signatures on the "Consent Decree" to indicate your agreement on all terms; AND
- ✓ You understand that <u>IF</u> both parties <u>are</u> in complete agreement on <u>all</u> terms of the annulment as stated in the "Petition":
 - 1. It is not necessary either:
 - a) for the Respondent to file a "Response", or
 - b) for the parties to file a "Consent Decree".
 - 2. If <u>no</u> response has been filed, the Petitioner may apply for a default decree at no extra cost.
 - 3. If a response <u>has</u> been filed and the parties later come to agreement on all issues, a Consent Decree may be filed *at no extra charge*.

★ DO NOT USE THESE FORMS IF:

You disagree on any terms of the annulment.

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 Law Library Resource Center website.

Law Library Resource Center

Consent decree for annulment for a non-covenant marriage

This packet contains court forms and instructions to file a consent decree for annulment for a non-covenant marriage. 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	DRAA7k	Checklist: You may use these forms if	1
2	DRAA7t	Table of Contents (this page)	1
3	DRAA7i	Instructions: How to fill out the consent decree:	1
4	DRAA7p	Procedures: Completing your papers and what to do next	3
5	DRSDS10f-a	Family Department Sensitive Data Cover Sheet without children DO NOT COPY (only if Respondent/Party B has not filed a Response)	1
6	DRNOL70f	Notice of Lodging	2
7	DRAA7f	Consent Decree	12

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

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How to fill out the consent decree form: Annulment in a non-covenant marriage

Instructions for filling out the consent decree:

- Fill in the information requested at top left for the Petitioner/Party A and the Respondent/Party B. The spaces marked "Representing" and "Laywer's Bar Number" are used only if an attorney is preparing this form.
- Fill in the names of the persons shown as the "Petitioner/Party A" and the "Respondent/Party B" and the case number as on the Petition for Annulment of a Non-Covenant Marriage.
- 1. Complete form: Fill out each page of this form according to the agreement and understanding of both parties.
- 2. Signatures: Only in the presence of the Clerk of Superior Court or Notarial Officer.
 - Photo identification: Be prepared to show photo identification to the Clerk or Notary when signing.
 - Statement to the Court: When you sign the Consent Decree forms you are making a statement to the Court that you have read, understand, and agree with the contents of the document you sign.
 - Request to the Court: When you sign the Consent Decree form you are requesting the Court to make this document the Court Order that governs your Annulment.
 - Caution: Read carefully before you sign the Consent Decree. Do not sign the form if you do not understand or do not agree to ALL terms of this Consent Decree.
 - Lawyer signatures: If either party is represented by an attorney, the attorney(s) must also sign.

Other important papers in this packet

Notice of Lodging

Fill out the Notice of Lodging. Attach the documents listed in this packet's Procedures to the Notice of Lodging.

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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 <u>Step 4</u>. If you will efile, Skip to <u>Step 7</u> below.
- Step 4: If submitting your forms on paper:
 - Make copies of the following documents after you have filled them out:
 - o 3 copies of Consent Decree (signed).
 - o 3 copies of Notice of Lodging.
 - o Additional papers: If the full agreement about division of property and debt is not in the Consent Decree, <u>also</u> make 3 copies of the signed Property Settlement Agreement.

Make one copy of the filing fee receipts: one copy of each filing fee <u>receipt</u> from the Petitioner/Party A <u>and</u> the Respondent/Party B, <u>or</u> 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 Set 2: For the Judge ORIGINAL, (only if Respondent/Party B Filed COPY Notice of Lodging has not previously filed one) Family Department Sensitive Data Coversheet ORIGINAL Consent Decree without Children ORIGINAL Notice of Lodging, with You must also provide 2 (two) 9"x12" following attached: business envelopes, one stamped and addressed to each party. • COPY Consent Decree Set 3: COPIES for You Set 4: COPIES for the Other Party Notice of Lodging Notice of Lodging Consent Decree Consent Decree

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, 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)

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 efiling 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.

Address (if not protected):			
City, State, Zip Code:			
Telephone:			
Email Address:			
ATLAS Number:			
_awyer's Bar Number:		FOR	CLERK'S USE ONLY
Representing Self, without a Lawye	r or Attorney for Petitioner	OR Responde	nt
	RIOR COURT OF ARI		
-	Case No.	-	
Petitioner / Party A	Case No.		
	ATLAS No.		
Respondent / Party B	COVERSI	PARTMENT SEI HEET WITHOUT ONFIDENTIAL REC	CHILDREN
	Court. Social Security Numbers sh court forms. Access Confidential		
A. Personal Information:	Petitioner / Party A	Respond	lent / Party B
Name			
Gender	Male or Female	Male or	Female
Date of Birth (Month/Day/Year)			
,			
Social Security Number			
WARNING: DO N	OT INCLUDE MAILING ADDRES		RM
WARNING: DO N			RM
WARNING: DO N IF RE			RM
WARNING: DO N IF RE			RM
WARNING: DO N IF RE Mailing Address City, State, Zip Code			RM No texts
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above?	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name Employer Address Employer City, State, Zip Code	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name Employer Address	EQUESTING ADDRESS PROTEC	TION	
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name Employer Address Employer City, State, Zip Code Employer Telephone Number	Yes No texts	Yes	☐ No texts
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name Employer Address Employer City, State, Zip Code Employer Telephone Number Employer Fax Number 3. Type of Case being filed - Ma	Yes No texts	Yes	☐ No texts
WARNING: DO N IF RE Mailing Address City, State, Zip Code Contact Phone Receive texts from Court to contact phone number above? Email Address Current Employer Name Employer Address Employer City, State, Zip Code Employer Telephone Number Employer Fax Number	Yes No texts rk only one category. (*) Mark this be	Yes	☐ No texts

DO NOT COPY THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.

Person Filing:		
Address (if not protected):		
City, State, Zip Code:		
Telephone:		
Email Address:		For Clerk's Use Only
Lawyer's Bar Number:		
Representing Self, without a Lawyer OF	Attorney for Petitioner	OR Respondent
	COURT OF ARIZONA ICOPA COUNTY	
	Case No.	
Name of Petitioner/Party A	NOTICE OF LODGI	NC
	(ARFLP Rules 30; 43	
Name of Respondent/Party B		
	Assigned to: Judicial	Officer's Name
	Vacioni	
PLEASE TAKE NOTICE that, pursuant to	the Arizona Rules of Family Law	Procedure,
Petitioner/Party A and/or		
Respondent/Party B and/or		
☐ Third Party/Party C		
Lodge the following document(s) with the C	Court for signature and entry:	
Document:		

	Case Number:		
Document:			
Signature of Party A or Party A's Attorney		Date	
Signature of Party B or Party B's Attorney		Date	

Person Filing:	
Address (if not protected):	
City, State, Zip Code:	
Telephone:	
Email Address:	For Clerk's use only
Lawyer's Bar Number:	
Representing Self, without a Lawyer or Attorney for P	etitioner or Respondent
Respondent's Name or Lawyer's Name:	
Address (if not protected):	
City, State, Zip Code:	
Telephone:	
Email Address:	
Lawyer's Bar Number:	
Representing Self, without a Lawyer or Attorney for P	etitioner or Respondent
SUPERIOR COURT OF ARIZO IN MARICOPA COUNTY	ONA
Case No Name of Petitioner/Party A	
	DECREE OF ANNULMENT enant Marriage
Name of Respondent/Party B	
The Court Finds:	

- This case has come before this Court for a final Decree of Annulment. The Court has 1. taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree.
- This Court has jurisdiction over the parties under the law. 2.

3.	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 the division of property and/or debts.					
4.	The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the parties, and the division of property and debt is fair and equitable.					
5.	Arizona Residency. The requirements of A.R.S. §§ 25-302 and -312 for annulment of marriage, have been met: At the time this action was filed, Party A or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. Also, Party A or Party B was domiciled or stationed in Arizona for more than 90 days.					
5.	Conciliation Court. The provisions relating to Conciliation Court do not apply or have been met.					
7.	Covenant Marriage. This is a non-covenant marriage.					
8.	Ground(s) for Annulment: The requirements of A.R.S. § 25-301 have been met. The following ground(s) is the basis for this Annulment, which renders the marriage void:					
9.	Protective Orders. The effect, if any, of this Consent Decree on any existing protective orders is:					
10.	Pregnancy and Minor Children. There are no minor children common to the parties.					
	Party A and Party B are NOT pregnant — OR —					
	Party A is pregnant and Party B is or is NOT a parent of the child.					
	Party B is pregnant and Party A is or is NOT a parent of the child.					

11	•	Community Property and Debt. The Court has considered, approved, and made orders
		relating to the issues of property and debt. (Check the appropriate box(es)).
		☐ The parties did not acquire any community property during the marriage.
		The parties did not acquire any debt during the marriage.
		There is an agreement as to division of community property and debt. All community property and debt is divided pursuant to and incorporated into this Decree. If necessary, attach the Community Property (Exhibit "A") with the signature of both parties as evidence of this agreement.
12	•	Other Findings:
ть	C	ourt Orders:
111		ourt Orders.
1.	Ar	nulment of the Marriage: The marriage of the parties is annulled because of the
	fol	lowing ground(s):
2.	Pro	operty and Debts: (Select any that apply.)
	A.	Party A is ordered to pay all debts unknown to Party B, AND
		Party B is ordered to pay all debts unknown to Party A, AND
		Each party is ordered to pay his or her debts incurred sincedate.
	В.	Each party is assigned his or her separate property and Party A must pay his/her
		separate debt, and Party B must pay his/her separate debt.
	C.	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 financial institution accounts. The
		parties shall transfer all real and personal property as described in Exhibit
		A to the other party on or before (date): by 5:00 p.m.

	Case Number:
entitle to rec Execu	e party required to transfer the property has not transferred the property to the party ed to receive the property on or before the date and time listed above, the party entitled ceive the property is entitled upon application to a Writ of Assistance or Writ of aution to be issued by the Clerk of Superior Court commanding the sheriff to put him or a possession of the property.
Oth	er orders and relief relating to property or debt, if any, are contained in "Exhibit A", which is attached and incorporated into this Decree.
3. <u>Tax I</u>	Returns
	Each party shall give the other party all necessary documentation to file all tax returns.
	For previous calendar years, pursuant to IRS rules and regulations, the parties will file:
	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.
4. <u>Nam</u> e	Es: IF one <i>or both</i> parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.
	Party A's name is restored to (Put only the last name here.) Party A's date of birth is
	Party B's name is restored to (Put only the last name here.) Party B's date of birth is

5. Other Orders. (List any other orders.)

	Case Number:		
a	inal Appealable Order. There are no further matters that remain pending before the cour and this judgment is a final order under Rule 78(c) of the Arizona Rules of Family Law rocedure.		
Ē	Date Judicial Officer		
	Signatures of both parties under Oath or Affirmation		
or af	igning below, in the presence of a Deputy Clerk of Superior Court or Notary Public, I swear ffirm that everything in this document is true and correct to the best of my knowledge, mation and belief, including the following:		
1.	Non-Covenant Marriage. We do not have a covenant marriage.		
2.	Right to Trial is Waived. I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.		
3.	No Duress or Coercion. Complete Agreement. I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Decree. This Decree, with any attachments that I have signed, is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.		
4.	<u>Legal Advice</u> . I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Decree.		
5.	<u>Valid Ground for Annulment</u> . I agree that the following reason(s) is the basis for this Annulment		
6.	<u>Division of Property</u> . The agreement about division of property and debt attached as "Exhibit A", signed by both parties and made part of this document by reference, is fair		

and equitable.

This signature page belongs to the form title Covenant Marriage" and cannot be used wit			
Petitioner/Party A:	Respondent/Party B:		
Date:	Date:		
Signature:	Signature:		
STATE OF	STATE OF		
COUNTY OF	COUNTY OF		
Subscribed and sworn to or affirmed before	Subscribed and sworn to or affirmed before		
me this: (date)	me this: (date)		
by	by		
Notarial Officer	Notarial Officer		
(Notarial Officer's Stamp or Seal)	(Notarial Officer's Stamp or Seal)		
If either party is represented by an attorney,	the attorney must sign.		
Date	Approved by Party A's Attorney		
Date	Approved by Party B's Attorney		

Signatures:

EXHIBIT A: PROPERTY AND DEBTS

•	<u>Division of Community Property</u> (prope	erty acquired d	uring the mar	riage)		
ζW	Award each party the the furniturare, and related items of personalty in h	_		lectibles, appliances,		
	Community property is awarded	to each party a	as follows:			
2.	<u>List of Community Property</u> (Be very sp	<u>List of Community Property</u> (Be very specific in your description of the property.)				
	Household furniture and appliances:	Party A	Party B	Value		
				\$		
				\$		
				\$		
				\$		
				\$		
				\$		
				\$		
	Video: TV/ DVD / DVR / VCR, etc.	Party A	Party B	Value		
				\$		
				\$ \$		
				¢		
		_ 🖂		\$ \$		
		_		D		
		_		\$		
	Audio: Stereo/ Radio (Household or Portable)	Party A	Party B	Value		
	, 			\$		
				\$		
				Φ		

Computer and Related Equipment:	Party A	Party B	Value \$ \$ \$
Motor vehicles: Make ModelYear VIN # Lien Holder	Party A	Party B	Value \$
Make Year VIN # Lien Holder			\$
Make Model Year VIN # Lien Holder			\$
Other Community Property Cash, bonds of \$	Party A	Party B	Value \$
Continues on attached page(s).			\$\$ \$\$ \$\$ \$\$

3.	Divisi	ion of Retirement, Pension, Deferred Compensation
	Warn	ing: 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 <u>waives and gives up</u> his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:
4.		ion of Real Property (Land and Buildings). Section A is for one piece of property. on B is for another, separate property.
	A.	Real property located at (address)
		The <i>legal description</i> of this property, <u>as quoted from the DEED</u> 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:
		Party A or Party B
		OR

		Shall be sold a	and 1	the proce	eds divideo	l as follows:		
		%	or	\$	to Pa	arty A		
			or	\$	to Pa	arty B		
В.	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.						
		real property ('erty of:	'B")	describe	ed above i	s awarded a	s the sole and separate	
		Party A OR		Party B				
		OR						
		Shall be sold and the proceeds divided as follows:						
			or	\$	to Pa	rty A		
		%	or	\$	to Pa	rty B		
		Community De not how to divide					iage) (You should see a	
DES	SCRIP	TION OF DEBT	Γ		Party A	Party B	Amount Owed	
							\$	
							\$	
							\$	
							\$	
					. 🗌		\$	
					. []		\$	
$\overline{\Box}$	Cont	inues on attache	d pa	ge.	_		\$	

5.

6.	a	re not identified in the	ne list above oligation and	or attache	ed, shall be	e date of separation, that paid by the party who nnify and hold the other			
7.	_	<u>e Property</u> . (Property arty.)	acquired be	fore the ma	arriage or b	y gift or bequest to one			
Prope	rty recog	nized as the separate p	property of the	ne Party A	or Party B,	is assigned below:			
	DESCR	IPTION OF DEBT]	Party A	Party B	Amount Owed			
						\$			
						\$			
						\$			
						\$			
						\$			
						\$			
						\$			
						Ψ			
8.	Separate	Debt: (Debt acquire	d before the	marriage.)					
	Debt recognized as the separate debt of Party A or Party B, is assigned below:								
	Creditor	Name]	Party A	Party B	Debt Amount			
						\$			
						\$			
						<u> </u>			
						\$			
						\$			
						\$			
						\$			
		Continued on attached	page.			Ψ			

Signature	of Both Parties (for Consent Decree)		
	reement of the parties as to the division of property and debt. and equitable and have been reached free of coercion, duress,		
	s to the Court under penalty of perjury that we have read and the information contained in the document is true and correct edge and belief.		
Party A's Signature	Date		
Party B's Signature	Date		
If either party is represented by an attorney, the attorney(s) must sign:			

Party A's Attorney

Party B's Attorney

Date

Date

Case Number: _____