

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Petitioner / Party A

Case No. _____

DECREE OF ANNULMENT in a NON-Covenant Marriage

for DEFAULT

for TRIAL

Respondent / Party B

THE COURT FINDS:

1. This case has come before this Court for a final Decree of Annulment 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.
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. §25-312 for annulment of marriage, have been met: At the time this action was filed, the 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.
6. **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.** Following is the effect, if any, of this Decree on any existing protective orders:

10. **Pregnancy and Minor Children.**

- There are no minor children common to the parties.
- Party A is NOT pregnant OR
- Party A is pregnant and the Party B is OR is NOT the parent of the child.
- Party B is NOT pregnant OR
- Party B is pregnant and Party A is OR is NOT the 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.
- 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.

12. **Other Findings:**

THE COURT ORDERS:

1. **ANNULMENT of the MARRIAGE.** The marriage of the parties is annulled because of the following ground(s):

The parties are restored to the legal status of single persons.

2. PROPERTY 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 B AND
- Each party is ordered to pay his or her debts incurred since _____ date.

- B. Each party is assigned their 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 _____ by 5:00 p.m.

NOTE: 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 Superior Court commanding the sheriff to put him or her in possession of the property.

- D. Other orders and relief relating to property or debt, if any, are contained in "Exhibit A", which is attached and incorporated into this Decree.

3. TAX RETURNS

Please mark appropriate boxes:

- 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.
- This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

4. NAMES: IF one or both 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 B's name is restored to _____. (Put only the last name here.)

5. OTHER ORDERS. (List any other orders.)

6. 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.

7. FINAL APPEALABLE ORDER. Pursuant to Rule 78, Arizona Rules of Family Law Procedure, this final judgment/decree is settled, approved and signed by the Court and shall be entered by the clerk.

Date

Judicial Officer

If this Decree/Judgment was issued as a "Default," I certify that within three (3) days of receiving this Decree/Judgment, I will mail a copy of this Decree/Judgment to the last known address of the party in default as follows:

Party B's Name: _____

Mailing Address: _____

City, State Zip Code: _____

By: _____

AWARD TO

COMMUNITY PROPERTY (Be specific)	Party A	Party B
<u>Cash, bonds of \$ _____</u>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continues on attached page(s).		

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:

- Party A or Party B
- OR**
- Shall be sold and the proceeds divided as follows:
_____ % or \$_____ to Party A
_____ % or \$_____ to Party B

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:

Party A or Party B

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A
 _____ % or \$ _____ to Party B

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 Party A	Amount to be paid by Party B
a. _____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____
d. _____	\$ _____	\$ _____	\$ _____
e. _____	\$ _____	\$ _____	\$ _____
f. _____	\$ _____	\$ _____	\$ _____
g. _____	\$ _____	\$ _____	\$ _____
h. _____	\$ _____	\$ _____	\$ _____
i. _____	\$ _____	\$ _____	\$ _____

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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 Party A or Party B, is assigned below:

Description	Value	To Party A	To Party B
_____	\$ _____	<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"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

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

Debt recognized as the separate debt of Party A or Party B, is assigned below:

Creditor Name	Debt Amount	Party A Pays	Party B 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"/>

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