

## Instructions and procedures to submit the default decree for Dissolution of Marriage (divorce) without minor children

### Information about the Divorce Decree

- What the Decree means to you. The Decree is the Court Order that legally ends your marriage.
- Getting your Divorce Decree. Before your divorce can become final, a judge or commissioner must sign the Decree. The Decree states how the property (if any) is divided, how the debts and assets (if any) are divided, and the amount of spousal maintenance/support (alimony) (if any).
- Failure to do what the Decree tells you to do could get you into trouble with the Court. This does not mean that the court will police whether you are following the Decree. It does mean you or your spouse can request a Contempt Order or an Order to enforce parts of the Decree if you or your spouse fail to do what the Decree tells you to do.
- Divorce by Default. If you are seeking a Default Decree, you must repeat, as closely as possible, what you requested in your Petition. You cannot request something different in the Decree than what you requested in the Petition. If you try to do this, the judge or commissioner will not sign the Decree. If you want to change your requests to the Court, you must file an amended Petition. It is a good idea to have your Petition handy when you fill out your Decree so you can refer to it as needed.

### Instructions for filling out the Decree

- When filling out any court forms, type or print with black ink only.
- Do not fill in the spaces allocated for the judge's signature and date.
- If the judge disagrees with anything you have written, they may change it before signing the Decree or they may ask the parties to come to a hearing.
- If you are seeking a Default Decree, you must also promise to mail a copy of the Decree to the other party after the judge has signed it.

### Procedures: How to get your Decree signed by the Judge

#### STEP 1. Complete the forms, including:

- Decree.
- If applicable, Spousal Maintenance Worksheet:

- ✓ Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:  
<https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>
- ✓ After completing the worksheet, print it out and submit it with your papers.

STEP 2. If you are asking for a Default Decree with a hearing:

You must first submit your papers (Decree and if applicable, Spousal Maintenance Worksheet) for review to Family Department Administration before the default hearing may be granted. You may email your original documents to [DefaultReview@jbazmc.maricopa.gov](mailto:DefaultReview@jbazmc.maricopa.gov). If you are unable to email your papers, you may submit your papers in person at any Superior Court location.

STEP 3. Family Department Review. Family Department Administration will review the forms to see if you are ready to proceed to a hearing.

- If you present your Default papers in person, Family Department Administration may review while you are present.
- If you email your Default papers or the Family Department Administration is not able to review them with you present, they will review them within 3 business days of receipt.
- After the review, they will contact you by phone.

If your forms are hearing-ready, the Family Department will schedule a Default Hearing and provide any further instructions.

- However, if there are issues with your forms, the Family Department will provide you information about what to fix. You will then need to resubmit your corrected documents to Family Department Administration before your hearing will be scheduled.

STEP 4. The Default Hearing

- Will be set at least 60 days from the date the responding-party was served the divorce or legal separation papers. (A.R.S. § 25-329).
- Hearings are usually by video. Do not be late for your hearing. If you are late, your hearing will be rescheduled to a different day.

If you are using the default process and you wish to proceed without a hearing, see the procedures and forms to proceed by Motion.