

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 Number: _____

ATLAS Number: _____
(if applicable)

Respondent/Party B

PETITION FOR DISSOLUTION OF A
NON-COVENANT MARRIAGE
(DIVORCE) WITH MINOR
CHILDREN

STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:

1. INFORMATION ABOUT ME:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

I have lived in Arizona for _____ years and/or _____ months

2. INFORMATION ABOUT MY SPOUSE:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

My spouse has lived in Arizona for _____ years and/or _____ months

3. INFORMATION ABOUT OUR MARRIAGE:

Date of Marriage: _____

City and state or country where we were married: _____

The following statements MUST BE TRUE for you to use this document and to qualify for divorce in Arizona AND you must check the boxes to indicate that the statements are true or your case may not proceed.

- We do not have a covenant marriage (If not sure, refer to the INSTRUCTIONS for information).
- Our marriage is broken beyond repair (“irretrievably broken”) and there is no hope of reconciliation.
- We have tried to resolve our problems through Conciliation Services or going to Conciliation Services would not work.
- This Court has jurisdiction to determine parenting time and authority for legal decision-making over our minor child(ren) common to the parties because the minor child(ren) has/have lived with Party A or Party B in Arizona for at least the past 6 months.

4. VENUE: (Check here if the following statement is true):

- This is the proper court to bring this lawsuit under Arizona law because it is the county of residence of either party or of the minor children.

5. 90 DAY REQUIREMENT: (This statement MUST be true before you can file for divorce in Arizona.)

- I OR my spouse have lived in Arizona or have been stationed in Arizona while a member of the Armed Forces, for at least 90 days before I filed this action.

6. DOMESTIC VIOLENCE: (If you intend to ask for joint legal decision-making authority, there must have been no significant domestic violence in your marriage. A.R.S. § 25-403.03. Check the box to make a true statement:

Significant domestic violence has or has not occurred during this marriage.

7. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD:

- There are no children under the age of 18 either born to, or adopted by, Party A or Party B.

Listed below are children still under the age of 18 born to or adopted by my spouse and me during our marriage, or where indicated, born before the marriage.

Child's Name: _____
Birthdate: _____ Born prior to marriage
Address: _____
Length of Time at Address: _____

Child's Name: _____
Birthdate: _____ Born prior to marriage
Address: _____
Length of Time at Address: _____

Child's Name: _____
Birthdate: _____ Born prior to marriage
Address: _____
Length of Time at Address: _____

Child's Name: _____
Birthdate: _____ Born prior to marriage
Address: _____
Length of Time at Address: _____

Child's Name: _____
Birthdate: _____ Born prior to marriage
Address: _____
Length of Time at Address: _____

8. PREGNANCY and PATERNITY: (Check one box.)

- Party A IS NOT pregnant, OR Party B IS NOT pregnant, OR
- Party A IS pregnant, OR Party B IS pregnant

The baby is due on _____ (date), (and, check one box below):

- Party A and Party B ARE the parents of the child, OR
- Party A or Party B IS NOT the parent of the child, OR
- A minor child or minor children were born before the marriage.
- Party A and/or Party B is/are the parent(s) of that minor child/those minor children named below:

9. INFORMATION ABOUT PROPERTY AND DEBTS:

WARNING: You must be specific. You must describe the property that should go to you, and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to Party A or to Party B. Never list an item and then check both Party A and Party B boxes.

9.a. COMMUNITY PROPERTY: (Property acquired during the marriage)

(Check the proper boxes.)

- Party A and Party B did not acquire any community property during the marriage,
OR
- Party A and Party B acquired community property during our marriage, and we should divide it as follows:

	Party A	Party B	Value
<input type="checkbox"/> Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$_____
Legal Description: (Quote from the DEED) _____			

	Party A	Party B	Value
<input type="checkbox"/> Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$_____
Legal Description: (Quote from the DEED) _____			

<input type="checkbox"/>	Household furniture and appliances:	Party A	Party B	Value
	_____	<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"/>	Household furnishings:	Party A	Party B	Value
	_____	<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"/>	Other items:	Party A	Party B	Value
	_____	<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"/>	Pension/retirement fund/profit sharing/stock plan/401K:	Party A	Party B	Value
	_____	<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"/>	Motor vehicles:	Party A	Party B	Value
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____	Year _____		
	VIN _____			
	Lien Holder _____			

		Party A	Party B	Value
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____	Year _____		
	VIN _____			
	Lien Holder _____			

9.b. SEPARATE PROPERTY: (Check all boxes that apply.)

- Party A does not have any separate property.
- Party B does not have any separate property.
- Party A has separate property that was brought into this marriage. Award this property to Party A as described below.
- Party B has separate property that was brought into this marriage. Award this property to Party B as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

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

9.c. COMMUNITY DEBTS: (Debt acquired during the marriage) (Check the proper boxes)

- Party A and Party B did not incur any community debts during the marriage, OR
- Party A and Party B should divide the responsibility for the debts incurred during the marriage as follows:

DESCRIPTION OF DEBT	Party A	Party B	Amount Owed
_____	<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"/>	\$ _____

9.d. SEPARATE DEBTS: (Check all boxes that apply.)

- Party A and Party B do not have any debts that were incurred prior to the marriage or separate debt;
- Party A has separate debt or debt incurred prior to the marriage that should be paid by Party A as described below;
- Party B has separate debt or debt that Party B incurred prior to the marriage that should be paid by Party B as described below.

DESCRIPTION OF DEBT	Party A	Party B	Amount Owed
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

10. TAX RETURNS: (Check this box if this is what you want).

- After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.
- For previous years (the years we were married, not including the year the Decree was signed), (check one box)
 - The parties will file joint federal and state income tax returns. For previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs and each will share equally in any refunds. OR

- The parties will file separate federal and state income tax returns. For previous calendar years, each party will pay and hold the other harmless from any income taxes and/or incurred as a result of the filing of that party's tax return and each party will be awarded 100% of any refund received as a result of the filing of that party's tax return.

11. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY) (check the box that applies to you):

- Neither party is entitled to spousal maintenance/support (alimony), OR
- Party A OR Party B is entitled to spousal maintenance/support because: (Check one or more of the box(es) on the next page that apply. At least one reason must apply to get spousal maintenance/support.)
 - Party A, OR Party B
 - Lacks sufficient property, including property apportioned to the spouse, to provide for that spouse's reasonable needs.
 - Lacks earning ability in the labor market that is adequate to be self-sufficient.
 - Is the parent of a child whose age or condition is such that the parent should not be required to seek employment outside the home.
 - Has made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability of the other spouse or has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.
 - Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

12. WRITTEN AGREEMENT: (Check box only if true.)

- Party A and Party B have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, legal decision-making, parenting time, and child support, and I have attached a copy of the written agreement.

OTHER STATEMENTS TO THE COURT

13. THE PARENT INFORMATION PROGRAM is required for persons seeking legal decision-making or parenting time. (Check one box.)

- I have have not already completed the Parenting Information Program.

14. DOMESTIC VIOLENCE: (If you intend to ask for joint legal decision-making, check one box.)

- Domestic Violence has not occurred in this relationship.
- There has been domestic violence in this relationship and no legal decision-making should be awarded to the party who committed the violence.
- Domestic Violence has occurred but it was committed by both parties or it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision-making to a parent who has committed domestic violence because: (Explain.)

15. DRUG/ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS: (If you intend to ask for joint legal decision-making, check one box.)

- Neither party has been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months,
- One or both parties have been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months.
 - Party A was convicted. Party B was convicted.

The legal decision-making and parenting time arrangement I am requesting appropriately protects the minor child(ren). Explain how this arrangement appropriately protects the minor child(ren).

16. CHILD SUPPORT:

- There is an Order for Child Support, dated _____ from (name of court) _____
- To my knowledge there is no child support order for the minor child(ren) and the court should order child support in this case along with legal decision-making and parenting time.
 - Party A Party B made voluntary/direct support payments that need to be taken into account, if past support is requested.
 - Party A Party B owes past support for the period between:

the date this petition was filed and the date current child support is ordered.

OR

the date the parties started living apart, but not more than three years before the date this petition was filed and the date current child support is ordered.

Title IV-D program or Temporary Assistance for Needy Families (TANF) Programs:

Does not apply.

Party A Party B is applying for or currently receiving TANF or services from the Arizona Title IV-D program. NOTE: If one or both of the parties is or will be receiving TANF or Title IV-D support, you must obtain the Attorney General or county attorney approval by signature on the Final Order before you file it.

17. OTHER EXPENSES. The parties should be ordered to divide between them any uninsured medical, dental, or health expenses, reasonably incurred for the minor child(ren), in proportion to their respective incomes.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

Dissolve our marriage and return each party to the status of a single person;

RESTORE NAME:

I took the name of my spouse at the time of marriage and I want to restore my last name to the name I used before this marriage or to my maiden name. My complete married name is:

--	--	--

I want my name restored to: (List complete maiden or legal name before this marriage):

--	--	--

WARNING: If you are not the person who is requesting to have your former name restored, the court must have a written request from the party who wants his or her name restored to change the name.

B. PATERNITY and MINOR CHILD(REN)'S NAMES: Declare Party A or Party B to be a legal parent of the following named minor child(ren) born before the marriage and (optional) change the legal name of those minor children to the name listed on the right, below:

Current Legal Name

(OPTIONAL) Change the name of the child to:

_____	_____
_____	_____
_____	_____
_____	_____

C. PRIMARY RESIDENCE, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION- MAKING:

C.1. PRIMARY RESIDENCE: Declare the "Primary Residence" for each minor child as follows:

- Neither party's home is designated as the primary residence for the minor child(ren)
- Declare Party A's home as the primary residence for the following named children:

- Declare Party B's home as the primary residence for the following named children:

C.2. PARENTING TIME: Award parenting time as follows:

- Reasonable parenting time as set forth in the Parenting Plan filed with this Petition, OR
- Supervised parenting time between the children and, Party A or Party B OR
- No parenting time rights to Party A or Party B

Supervised or no parenting time is in the best interests of the child(ren) because:

Explanation continues on attached pages made part of this document by reference.

a. Name this person to supervise: _____

b. Restrict parenting time as follows: _____

c. Order cost of supervised parenting time (if applicable) to be paid by:

- Party A
- Party B, OR
- Shared equally by the parties.

C.3. AUTHORITY FOR LEGAL DECISION-MAKING: Award legal authority to make decisions concerning the child(ren) as follows:

AWARD SOLE AUTHORITY FOR LEGAL DECISION-MAKING to:

Party A or Party B

OR

AWARD JOINT LEGAL DECISION-MAKING AUTHORITY to BOTH PARENTS.

Party A and Party B will act as joint legal decision makers concerning the minor child(ren).

(For the court to order “joint” legal decision-making, there must have been no “significant” domestic violence according to Arizona law, A.R.S. § 25-403.03).

Provisions for LEGAL DECISION-MAKING and PARENTING TIME to be within or attached to the Decree as a Parenting Plan. (Rule 45 (c)(1))

D. CHILD SUPPORT:

1. Order that child support will be paid by: Party A OR Party B in a reasonable amount as determined by the court under the Arizona Child Support Guidelines.

Support payments will begin on the first day of the first month after the Judge or Commissioner signs the Decree; with all the payments, plus the statutory handling fee to be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

2. Order that past child support be paid by Party A OR Party B in an amount determined by using a retroactive application of the Arizona Child Support Guidelines taking into account any amount of temporary or voluntary/direct support that has been paid. Support to be paid as defined above.

The Child Support Order to be attached to the Decree of Dissolution of Marriage.

E. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN: Order that

- Party A is responsible for providing: medical dental vision care insurance.
- Party B is responsible for providing: medical dental vision care insurance.

Party A and Party B will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes.

F. TAX EXEMPTION: Allocate tax exemptions for the minor child(ren) as determined by the court under the Arizona Child Support Guidelines and in a manner that allows each party to claim allowable federal dependency exemptions proportionate to adjusted gross income in a reasonable pattern that can be repeated.

The parties will claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of minor child	in Tax Year
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____

Pattern shall repeat for subsequent years.

G. SPOUSAL MAINTENANCE (ALIMONY):

- Do not order Spousal maintenance

- Order spousal support to be paid by Party A or Party B in the amount of \$_____ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance remarries or either party is deceased, or for a period of _____ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

H. COMMUNITY PROPERTY: Make a fair division of all community property as requested in this Petition.

I. COMMUNITY DEBTS: Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by Party A or Party B:

since the parties' separation on _____ (date) or

the date my spouse was served with the Petition for Dissolution.

J. SEPARATE PROPERTY:

Award Party A's separate property to Party A.

Award Party B's separate property to Party B.

K. SEPARATE DEBT. Order each party to pay separate debt and hold the other party harmless from debts incurred during the marriage.

L. OTHER ORDERS I AM REQUESTING (Explain request here):

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(Notarial Officer's Stamp or Seal)

Notarial Officer