

Procedures: How to get your decree of legal separation signed by the Judge

Requirements:

A decree is your final court order that states that you are legally separated. Before you get the decree, the following requirements must be completed.

- ✓ **Parent Information Program:** The Court must have a copy of your “Certificate of Completion” showing that you attended the Parent Information Program.
- ✓ **Fees:** Your court fees must be paid. This includes all filing fees. If you were granted a deferral (Payment plan), the payments must be current. Please note: you must attach to the Decree, proof of payment for fees in the form of a receipt, or a copy of the Order for initial Deferral of fees.
- ✓ **Time Frame:** It has been at least 10 business days since your Application and Affidavit for Entry of Default was filed, and no response has been filed by the other party.

If you completed the above requirements, follow the steps below.

Procedures:

Step 1: Complete the forms in the packet:

- Decree of Legal Separation.
 - Add to the last page of the Decree, the completed Exhibit A about the division of property and debt, if it is not a part of the Decree already.
 - Add to the last page of the Decree, the fee receipt, or if you requested waiver or deferral of your court fee, a copy of the Order Regarding Deferral or Waiver of Court Fees and Costs to show the “Paid” status of your case.
- Parenting Plan, signed by you.
- If applicable (required prior to January 1, 2025): Education Order (Choose only one: Sole Education Order or Joint Education Order. The Education Order you choose must match the type of legal decision-making you are asking for in your Parenting Plan.)

Gather the completed forms into one (1) set of Original forms.

Step 2: Complete

- ✓ the Child Support Worksheet, Child Support Order, and Current Employer Information online via:

ezCourtForms <http://www.superiorcourt.maricopa.gov/ezcourtforms2/>

Print out 1 copy of the completed Child Support Worksheet, Child Support Order, and Current Employer Information.

- ✓ If applicable, the Spousal Maintenance Worksheet online at the following site:

<https://www.superiorcourt.maricopa.gov/app/selfsuffcalc/>

Print out 1 copy of the completed Spousal Maintenance Worksheet

Step 3: If you are asking for a default hearing, then Family Department Administration must review your papers before you are granted a hearing.

A. You may email your original documents to Family Department Administration at: DefaultReview@jbazmc.maricopa.gov or if you are unable to email the documents, you may submit them to the department in person at any Superior Court location. The documents to provide include:

1. Decree of Legal Separation with Minor Children with “Exhibit A” about the division of property and debt, if it is not part of the decree
2. Spousal Maintenance Worksheet (if applicable)
3. Parenting Plan
4. Education Order (if applicable)
5. Child Support Worksheet
6. Child Support Order
7. Current Employer Information
8. Fee receipt (if applicable), or a copy of the Order Regarding Deferral or Waiver of Court Fees and Costs (if applicable).

B. Be sure to also provide Family Department Administration with:

1. Income information or wage paystubs for both parties.
2. Information about costs for children’s day care, medical insurance, special needs, etc.
3. Be sure your certification of attendance at a Parent Information Program class has been filed.

C. Family Department Administration will review the forms to see if you are ready to proceed to a default hearing.

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

If your forms are hearing-ready, the Family Department Administration will schedule a default hearing and provide any further instructions. If there are issues with your documents, the Family Department Administration will provide you information about what to fix. You will then need to resubmit your corrected documents.

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.