

How to fill out the consent decree for divorce or legal separation in a non-covenant marriage with or without children

You may use these instructions only if you and the other party:

- do not have a “covenant” marriage; and
- have agreed on all terms of the divorce/legal separation; and
- have agreed to file and sign a Consent Decree.

Instructions for filling out the Consent Decree:

1. Top left: On the first page, fill in the information requested at top left for the person filing the Consent Decree and Respondent/Party B. Use the spaces marked “representing” and “state bar number” only if an attorney is preparing this form.
2. Names: Fill in the names of the persons shown as “Petitioner/Party A” and “Respondent/Party B” and the case number as on the Petition.
3. ATLAS Number: Write the ATLAS number if one has been assigned to your case.
4. Complete: Fill out the remaining parts of this Consent Decree according to you and your spouse’s agreements.
 - Title IV-D program or Temporary Assistance for Needy Families (TANF) recipients: If you or your spouse are involved in the Arizona Title IV-D or TANF programs, you must obtain the written approval and signature of the Attorney General or County Attorney who has assisted with your case. You must attach or include the signature to the Consent Decree.
5. Meaning of signatures: When you and your spouse sign this Consent Decree, you state to the Court:
 - You have read, understand and agree with the contents of the Consent Decree.
 - You agree to all the terms stated in the Decree.
 - You are requesting the Court to make this document a Court Order that governs your divorce or legal separation.
6. Signatures:

- Be prepared to show photo identification before signing this document.
- Do not sign this Consent Decree until you are in front of a Clerk of Superior Court or a Notary Public.
- Read carefully before you sign this Consent Decree.
- You and your spouse may sign this Consent Decree only if you understand and agree to all the terms of the Decree.
- Lawyer Signatures: If you or your spouse is represented by an attorney, the attorney must also sign.
- If either party is involved in the Arizona Title IV-D or TANF program, you must also obtain the signature of the Attorney General or County Attorney.

If you have minor children, you must also complete the following forms.

1. Parenting Plan

Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the “Planning for Parenting Time: Arizona’s Guide for Parents Living Apart” to help make your parenting plan.

The Guide is available for purchase at all Superior Court Law Library Resource Center locations or may be viewed online and downloaded for free from the State Courts’ webpage.

After completing the Parenting Plan, include it with your Decree.

2. Child Support Worksheet

This form is not in the packet. You must use the free online child support calculator at the following link to complete a child support worksheet.

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

To complete the Child Support Worksheet, you will need to know:

- Your case number.
- Your monthly gross income and that of the other parent.
- The monthly cost of medical insurance for the minor children who are the subject of this action.
- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/ support.

After completing the child support calculator interview, print out the Child Support Worksheet, Current Employer Information sheet, and Child Support Order and include them with your Decree.

3. Child Support Order

This form is not in the packet. When you complete the free online child support calculator, it will create the Child Support Order too.

4. Current Employer Information sheet: (Rule 45(c)(5)).

This form is not in the packet. When you complete the free online child support calculator, it will create the Current Employer Information sheet too.

Helpful Tips:

1. Be sure to attach “EXHIBIT A” about property and debts to your decree.
2. Be sure to attach a quit claim deed, if a quit claim deed has been signed.
3. Other Attachments to the Consent Decree, if children are involved:
 - Parent Information Program Certificate (if it is not yet on file with the Clerk of Superior Court)
 - Parenting Plan
 - Child Support Worksheet
 - Child Support Order
 - Current Employer Information
4. For TANF or IV-D Recipients: get the Arizona Attorney General to approve and sign the Child Support Approval at the end of the Consent Decree before you file these papers.

Wait: You must wait at least 60 days from the date the responding party was served or signed an “Acceptance of Service” for the divorce or legal separation papers before you file the Consent Decree. The judge cannot sign your decree until 60 days after the date of service or the date of acceptance of service (A.R.S. § 25-329. Waiting Period).