

# **DIVORCE WITHOUT MINOR CHILDREN**

# **3**

## **RESPONSE**

Part 3: Respond to a Divorce Petition

(Instructions and Forms)

# RESPONSE TO PETITION AND PAPERS FOR DIVORCE -- WITHOUT MINOR CHILDREN

## CHECKLIST

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- ✓ You want to file a **“Response”** to a petition for divorce for a non-covenant marriage. (If you have a covenant marriage **or** aren't sure if you have a covenant marriage, see a lawyer for help), **AND**
- ✓ You and your spouse have **no minor** children with each other.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

## Dissolution of a non-covenant marriage (divorce) without minor children

### Part 3 - Response to a Petition

This packet contains court forms and instructions to file dissolution of a non-covenant marriage without minor children. Items in **bold** are forms that you will need to file with the Court.

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

## Instructions: How to respond to divorce papers

**Domestic Violence:** Domestic violence can be part of any marriage. Domestic violence includes physical violence, such as hitting, slapping, pushing or kicking, and threats of violence and/or verbal abuse directed against you and/or your children.

Court documents request your address and phone number. If you are a victim of domestic violence, and you do not want your address to be known to protect yourself or your children from further violence, you must file a Request for Protected Address and ask that your address not be disclosed on court papers. With that Order, you do not need to put your address and phone number on your divorce papers; just write protected in the space where the Court asks you for this information. You must tell the Clerk of Superior Court your address and phone number as soon as possible.

Information about papers you should have received from your spouse with the petition for dissolution:

**Summons:** You have been summoned to appear in court. The Summons tells you how many calendar days you have to file a Response, depending on how you were served with the court papers. Be sure to file a written response on time. If the time for you to file a written response has passed, your spouse must complete an Application and Affidavit for Entry of Default and send you a copy of that. You will have 10 more court days from the date the application was filed with the Clerk of Superior Court in which to file your written response. If you do not file a written response on time, a default decree can be entered, which means you will not get to tell the judge your side of the story.

**Preliminary Injunction:** This is an order from the Court to both spouses about what you can and cannot do with property and other issues while the divorce is pending. If you or your spouse violate this order, the party who violates it can be in serious trouble with the court. If your spouse violates the order, see a lawyer for help on what to do. The Law Library Resource Center has a list of lawyers who will help you help yourself, and this list tells how much they charge to help you.

**Notice of Right to Convert Health Insurance:** This is an important document that explains what to do about health care coverage for yourself. Read it carefully.

**Information for Conciliation Court:** You may or may not have received a paper on this. Your spouse is not required to send you this document. In either case, the court has Conciliation and Mediation services available to couples to help them preserve their marriage. You can ask for an appointment to discuss your marriage with these professionals by filing a written Petition. You can get the forms for the appointment at the Law Library Resource Center.

Spousal Maintenance Worksheet: You may or may not have received a paper on this.

- Spousal Maintenance/Support (Alimony) is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. You may know the term as alimony or spousal maintenance.
- Spousal Maintenance/Support is designed as a safety net for a spouse who cannot provide for his/her needs or who meets other requirements listed on the Petition.
- The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared, and earned, by BOTH parties to a marriage.
- Note: If you decide to request spousal maintenance, you must complete the Spousal Maintenance Worksheet. To complete the Worksheet, review Part H, below.

**Petition for Dissolution of a Non-Covenant Marriage Without Minor Children:** This is the form your spouse completed to tell the court his/her side of the story about property, debt, spousal maintenance/support (alimony), minor children, pregnancy, and everything else about the marriage. Read every word very carefully and decide what you want to do. Here are your choices:

- Do nothing. This means your spouse can get a divorce and tell the judge his or her side of the story, without you telling your side at all. This is called a default. Even in these cases, the judge will try to decide what is best, but it is never a good idea to ignore the court proceeding and have a court order that you had no input on. You should see a lawyer for help before you decide to do nothing.
- Consent. Decide with your spouse how you want to handle everything: property, debt, spousal maintenance/support (alimony), and everything else about the marriage. Then you and your spouse file papers in the court stating your agreement on everything. This is called a Consent or Stipulation. This is often the best way to proceed, if you and your spouse believe the marriage is over, and you can talk about how you both want to handle the divorce. Mediators can help you with this. The Law Library Resource Center has a list of mediators, and how much they charge to help you.
- Disagree. File a Response stating your side of the story, and how you want to handle everything: property, debt, spousal maintenance/support (alimony), and everything else about the marriage. This will make your case a contested matter. But, even if you originally file a Response, you and your spouse can still decide to agree on something, or everything, and file court papers for a Consent or Stipulation. Mediators can help you with this, and the Law Library Resource Center has a list of mediators, and how much they charge to help you. If you file a Response and do not settle everything with your spouse, you must be sure to file the court papers you will need to set the case for trial.

No matter how you proceed, you can still get help from Conciliation Court, for either conciliation or mediation. You can ask for an appointment to discuss your marriage with these professionals, by filing a written Petition. The forms for an appointment are available at the Law Library Resource Center.

When must you file your response? If you decide to file the response, you have a limited time to file it. A calendar is helpful for you to find the last day you may respond.

- Look at the timetable below. On a calendar, begin counting on the day after the date of the event. End your calendar count using the number of days to respond. The calendar day you end on will be the date, which is your last day to respond. If the last day to respond falls on a Saturday, Sunday, or legal holiday, you do not count that day. Your last day to respond would be the next day. Include weekends and holidays in your count.

#### Timetable: Time to Respond

Service By	Count	Event
Acceptance in Arizona	20 Days	after the Acceptance of Service is filed
Acceptance out-of-state	30 Days	after the Acceptance of Service is filed
Signature Confirmation	20 Days	after you signed the delivery confirmation
Signature Confirmation out of state	30 Days	after you signed the delivery confirmation
Process Server in Arizona	20 Days	after you received papers from Server
Process Server out-of-state	30 Days	after you received papers from Server
Sheriff in Arizona	20 Days	after you received papers from Sheriff
Sheriff out-of-state	30 Days	after you received papers from Sheriff
Publication in Arizona	50 Days	after the 1st date of publication
Publication out-of-state	60 Days	after the 1st date of publication

#### Completing your response to the petition:

Most court documents can be filed electronically. For more information about eFiling, read the eFiling instructions first: <https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>.

- A. Make sure your form is titled Response to Petition for Dissolution of a Non-Covenant Marriage Without Minor Children.
- B. In the top left corner of the first page, fill out the following: your name; address (if not protected); city, state and zip code; telephone number; Attorney Bar Number if you are represented by an attorney; then check the box to tell the court whether you represent yourself or are represented by an attorney.

- C. Fill in the name of Petitioner/Party A and Respondent/Party B the same way as it looks on the Petition. Do that for every document you ever file with the court regarding this case from now on.
- D. Use the case number stamped in the upper right-hand corner of the Petition. Do that for all documents you ever file with the court regarding this case from now on.
- E. Covenant Marriage. If you disagree with the type of marriage your spouse says you had, attach a copy of your marriage license to the Response.
- F. 90-Day Requirement. You OR your spouse has lived in Arizona, or been stationed here while in the Armed Forces, for at least 90 (ninety) days before the Petition for Dissolution was filed. Before you file a Divorce, this must be true. If it is not true, the Petition was filed too soon, and the case must be dismissed until the 90 days passes. You or your spouse can file a motion to dismiss.
- G. Property and Debts: The information you give in paragraphs 5 and 6 tells the court about your property and debts and how you think property and debts should be divided.
- Community property is generally any property you and your spouse purchased during your marriage or that was paid for during the marriage, no matter who uses the property or who actually paid the money.
  - Unless property was a gift or inheritance, all property gotten during the marriage up until the day Party B is served with the Petition for Dissolution is community property, and both you and your spouse are entitled to a roughly equal share of this property.
  - Community debts are debts acquired during the marriage, and likewise, belong to both spouses, no matter who spent the money.
  - If you have questions, or have a lot of community assets, you may want to consult an attorney regarding issues of community property and debts before filing your Response and/or any other papers.

Description of types of property:

- a. Real estate (property or home) – You can ask the Court to give you the home, to give it to your spouse, or to sell the home and divide the proceeds. You should write the complete address of the property under Real estate located at. Most property also has a legal description such as LOT 77, Pine Tree Acres, according to Book 111 of Maps, etc. You should use this description, which will appear on your deed papers, if you have it. Cemetery plots are also considered real property.
- b. Household furniture - This includes sofas, beds, tables, etc.

- c. Household furnishings - This generally includes other things in the house other than furniture, e.g. dishes, small appliances, rugs, etc.
- d. Pension/retirement fund/profit sharing/stock plan - You and your spouse each generally have a right to an interest in each other's plan, only for the number of years you were married. The longer you have been married, the greater your financial interest in a spouse's plan, up to 50 percent if you have been together the whole period of the plan. If you or your spouse has one of these plans, you should see an attorney about a document called a Qualified Domestic Relations Order or QDRO. A QDRO is a very specialized legal document that requires a professional's assistance to prepare.

H. Spousal Maintenance/Support (Alimony). Spousal maintenance/support is the term used to describe money paid from one spouse to the other as part of a Divorce agreement or order. You may know the term as alimony.

If you decide to request spousal maintenance:

- Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:

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

- After completing the worksheet, print it out and file it with your papers.

Wait to sign this form until you are in front of a notary or the Clerk of Superior Court at the filing counter.

What to do next: See the Law Library Resource Center document in this packet titled: Procedures: How to file a response.



## How to complete a Spousal Maintenance Worksheet (Applies only to cases in which the original petition for dissolution or legal separation was filed on or after September 24, 2022)

In a dissolution of marriage (divorce) or legal separation, one party may request that the court order the other party to pay “spousal maintenance.” This is financial support paid by one party to the other party. The court considers certain statutory factors to decide whether a party is eligible for spousal maintenance. In these cases, either party may request that the other pay spousal maintenance.

### Spousal Maintenance Guidelines:

For a case filed on or after September 24, 2022, if a person is eligible for spousal maintenance, then the court uses the Arizona Spousal Maintenance Guidelines to determine the amount and duration of the award for spousal maintenance.

The Guidelines can be found here:

<https://www.azcourts.gov/familylaw/Child-Support-Family-Law-Information/Spousal-Maintenance-Guidelines>.

### Spousal Maintenance Calculator:

In any dissolution of marriage or legal separation case that was originally filed on or after September 24, 2022, when a party requests spousal maintenance, or requests to change a past spousal maintenance court order, a completed Spousal Maintenance Worksheet **must** be included under the following situations.

- When filing an Application for Entry of a Default Decree and the party seeking default proceeds by motion without a hearing (Rule 44.1, ARFLP)
- When the parties agree to spousal maintenance and are submitting either a Summary Consent Decree or Consent Decree for Court approval (Rules 45 and 45.1, ARFLP).

The worksheet is created using the FREE online Spousal Maintenance Calculator. Access to the internet is required. The online Spousal Maintenance Calculator can be found here:

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

If you do not have access to the internet and/or a printer, you may use the computers at any Law Library Resource Center location. There is a small, per-page charge for printing.

### Next Steps:

After completing the Spousal Maintenance Calculator, print out the Spousal Maintenance Worksheet in order to file it with your other paperwork.

When you have completed all necessary forms, go to the “Procedures” page and follow the steps.

## Procedures: How to file a Response to a Petition for divorce with no minor children

STEP 1: Complete the Family Department Sensitive Data / Coversheet without Children and the Response.

STEP 2: Make 2 copies of the Response only.

If you will eFile your forms, you may not need as many paper copies. You will need a paper set of the filed forms to serve on the other party, and one for your judge or Family Administration (when required). For more information about how to eFile your papers, read the eFiling instructions:

<https://superiorcourt.maricopa.gov/media/7448/dref93i.pdf>.

Note: Spousal Maintenance: Spousal maintenance is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. Spousal maintenance is designed as a safety net for a spouse who cannot provide for their needs or who meets other requirements listed on the Petition.

The idea behind spousal maintenance is that accomplishments during your marriage, including increases in earning potential and living standards, are shared and earned by both parties to a marriage. If you are considering a request for spousal maintenance:

- Use the free online spousal maintenance calculator at the following website to complete a spousal maintenance worksheet:

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

- After completing the worksheet, print it out and file it with your papers.

STEP 3: Separate your documents into three (3) sets:

<p>Set 1 - originals:</p> <ul style="list-style-type: none"><li>• Family Department Sensitive Data / Coversheet without Children</li><li>• Response</li><li>• Spousal Maintenance Worksheet (if applicable)</li></ul>	<p>Set 2 - copies for spouse:</p> <ul style="list-style-type: none"><li>• Response</li><li>• Spousal Maintenance Worksheet (if applicable)</li></ul>
<p>Set 3 - your copies:</p> <ul style="list-style-type: none"><li>• Response</li><li>• Spousal Maintenance Worksheet (if applicable)</li></ul>	

**STEP 4: File the papers at the court:**

Go to the Clerk of Superior Court filing counter. The court is open from 8:00 a.m.- 5:00 p.m., Monday to Friday.

You should go to the court at least two hours before it closes. You may file your court papers with the Clerk of Superior Court at the following locations:

Central Court Building  
201 West Jefferson, 1st floor  
Phoenix, Arizona 85003

Southeast Court Complex  
222 East Javelina Avenue, 1st floor  
Mesa, Arizona 85210

Northeast Regional Court Center  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

Northwest Court Complex  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

**Fees:** A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website. If this is the first time one of the parties or their attorney has appeared, that is, filed papers in this case, an appearance fee (also known as a response or answer fee) will be due from that party at the time of filing.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Hand all three (3) sets of your court papers to the Clerk of Superior Court along with the correct filing fee. Make sure you get back the following from the Clerk:

- Your set of copies
- Your spouse's copies

**STEP 5:** Keep one copy of your Response for yourself, and mail or hand-deliver the other copy of your Response (and Spousal Maintenance Worksheet, if applicable) to the other party (or their attorney, if they are represented by an attorney. If the party is represented by an attorney, the attorney's name and address may be found on the Petition in the upper left-hand corner.)

**STEP 6:** What will happen next: You will receive notice to attend either a hearing or a conference.

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

FOR CLERK'S USE ONLY

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

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Petitioner / Party A

Case No. \_\_\_\_\_

ATLAS No. \_\_\_\_\_

Respondent / Party B

### FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITHOUT CHILDREN (CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

#### A. Personal Information:

##### Petitioner / Party A

##### Respondent / Party B

Name

Gender

Date of Birth (Month/Day/Year)

Social Security Number

☐ Male or ☐ Female

☐ Male or ☐ Female

**WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM  
IF REQUESTING ADDRESS PROTECTION**

Mailing Address

City, State, Zip Code

Contact Phone

Receive texts from Court to  
contact phone number above?

☐ Yes ☐ No texts

☐ Yes ☐ No texts

Email Address

Current Employer Name

Employer Address

Employer City, State, Zip Code

Employer Telephone Number

Employer Fax Number

#### B. Type of Case being filed - Mark only one category. (\*) Mark this box only if no other case type applies

☐ Dissolution (Divorce)

☐ Annulment

☐ Other\*

☐ Legal Separation

☐ Order Protection

C. Do you need interpreter? ☐ No ☐ Yes If Yes, What language? \_\_\_\_\_

**DO NOT COPY THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.**

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

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA  
IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner/Party A

Case Number:\_\_\_\_\_

RESPONSE TO PETITION FOR  
DISSOLUTION OF MARRIAGE-  
(DIVORCE) WITHOUT MINOR  
CHILDREN

\_\_\_\_\_  
Name of Respondent/Party B

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT MY SPOUSE:

Name:\_\_\_\_\_

Address:\_\_\_\_\_

Date of Birth:\_\_\_\_\_

Job Title:\_\_\_\_\_

Starting with today, number of months/years in a row my spouse, has lived in Arizona:

\_\_\_\_\_

2. INFORMATION ABOUT ME:

Name:\_\_\_\_\_

Address:\_\_\_\_\_

Date of Birth:\_\_\_\_\_

Job Title:\_\_\_\_\_

Starting with today, number of months/years in a row I have lived in Arizona:

\_\_\_\_\_

## 3. INFORMATION ABOUT MY MARRIAGE: (Check the boxes that apply.)

Date of Marriage: \_\_\_\_\_

City and state or country where we were married: \_\_\_\_\_

☐ We do not have or ☐ We do have a covenant marriage. If you disagree with what your spouse said regarding the type of marriage you have, you should attach a copy of your marriage license to show what kind of marriage you have.

## 4. 90 DAY REQUIREMENT: (Check the boxes that apply.)

☐ I or ☐ my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before this action was filed or ☐ I or ☐ my spouse have not lived, or have not been stationed while a member of the Armed Forces, in Arizona for at least 90 days before this action was filed.

## 5.a. COMMUNITY PROPERTY: (Check one box.)

☐ My spouse and I did not acquire any community property during the marriage, OR

☐ My spouse and I acquired community property during our marriage, and we should divide it as follows:

<input type="checkbox"/> Real estate located at:	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Legal Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<input type="checkbox"/> Real estate located at:	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Legal Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<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"/>	<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"/>	<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 _____			
VIN _____			
Lien Holder _____			
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____			
VIN _____			
Lien Holder _____			

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

☐ I do not have any property that I brought into the marriage or separate property.

- ☐ My spouse does not have any property that he or she brought into the marriage or separate property.
- ☐ I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described below.
- ☐ My spouse has property that he or she brought into the marriage or has separate property. I want this property awarded to my spouse 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"/>	\$ _____

#### 6.a. COMMUNITY DEBTS: (Check one box.)

- ☐ My spouse and I did not incur any community debts during the marriage, OR
- ☐ We 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"/>	\$ _____

#### 6.b. SEPARATE DEBTS: (Check all boxes that apply.)

- ☐ My spouse and I do not have any debts that were incurred prior to the marriage or separate debt,
- OR
- ☐ I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below.
- ☐ My spouse has separate debt or debt that he or she or incurred prior to the marriage that should be paid by my spouse 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"/>	\$ _____

SUMMARY OF WHAT I ASK FOR ON PROPERTY AND DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Here summarize what is different between your plan for division of property and debt and what your spouse asked for.)

\_\_\_\_\_

\_\_\_\_\_

7. TAX RETURNS: (Check the box if it 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.

8. 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) below that apply. At least one reason must apply to get spousal 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.

SUMMARY OF WHAT I WANT REGARDING SPOUSAL MAINTENANCE/SUPPORT THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Summarize here what is different from your plan for spousal maintenance/support than what your spouse asked for in the Petition.)

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9. PREGNANCY: (Mark the box to show whether either party is currently pregnant, etc.)

☐ Party A ☐ is or ☐ is not pregnant, OR

☐ Party B ☐ is or ☐ is not pregnant,

If either party 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 a parent of the child.

10. OTHER STATEMENTS TO THE COURT UNDER OATH: (Check the boxes that apply.)

☐ My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (My marriage is over.)

☐ My marriage is not irretrievably broken and there is a reasonable prospect of reconciliation. (My marriage is not over.)

☐ My spouse and I have attempted to resolve our problem by using Conciliation Services, or going to Conciliation Services to try to resolve our problems would not work.

☐ My spouse and I have not tried to resolve our problems by using Conciliation Services, or going to Conciliation Services to try to resolve our problems would work.

## 11. WRITTEN AGREEMENT. CHECK 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, authority for legal decision-making concerning the children, parenting time, and child support, and I have attached a copy of the written agreement.
- ☐ Party A and Party B DO NOT have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children, parenting time, and child support.

## 12. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted, qualified, or denied.

## REQUESTS TO THE COURT:

## A. DISSOLUTION (DIVORCE):

- ☐ Dissolve our marriage and return each party to the status of a single person; OR
- ☐ Deny the petition and refuse to dissolve the marriage due to my answers above.

## B. NAMES: (Optional. Complete ONLY if you want your name restored to a former name)

My complete married name is:

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

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## C. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

- ☐ Order spousal maintenance/support to be paid by ☐ Party A or ☐ Party B through the Clerk of Superior Court/Clearinghouse in the amount of \$ \_\_\_\_\_ per month, and the statutory fee, beginning with the first day of the month after the judge or commissioner signs the Decree of Dissolution and continuing until the person receiving spousal maintenance/support is remarried or deceased, or for a period of \_\_\_\_\_ months.

## D. COMMUNITY PROPERTY:

- ☐ Make a fair division of all community property as requested in this Response.

E. COMMUNITY DEBTS:

- ☐ Order each party to pay community debts as requested in the Response, 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 him or her since the party's separation on (date): \_\_\_\_\_ or the date Party B was served with the Petition for Dissolution.

F. SEPARATE PROPERTY and SEPARATE DEBT:

- ☐ Award each party his or her separate property and order each party to pay his or her separate debt.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OATH OR AFFIRMATION

The contents of this document are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
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

Copy of this document mailed to the other party on: \_\_\_\_\_

\_\_\_\_\_  
Month/Date/Year

To the following address: \_\_\_\_\_

\_\_\_\_\_