

## Procedures: How to file papers for a summary consent decree for divorce or legal separation with no minor children

STEP 1. Both parties must complete their own Family Department Sensitive Data Coversheet. You do not need to make a copy of this document unless you want one for your records.

STEP 2. Make copies of the following documents after you have filled them out. You will need the following:

- Notice of Lodging – 1 original, 3 copies
- Preliminary Injunction – 1 original, 2 copies
- Notice of Intent to File Summary Consent Decree – 1 original, 3 copies
- Summary Consent Petition and Response – 1 original, 3 copies
- Consent Decree – 1 original, 3 copies
- Spousal Maintenance Worksheet – 1 original, 3 copies
- Notice of Your Rights About Health Insurance Coverage – 1 original, 2 copies
- Notice Regarding Creditors – 1 original, 2 copies

STEP 3. Separate your documents into four (4) sets, as follows:

1. Take all sets to the Clerk of Superior Court. The Clerk will stamp the original and copies of the Notice of Lodging. The Clerk will keep Set 1, and return the Clerk-stamped copies of the Notice of Lodging and remaining sets to you.

### Set 1: To file with Clerk of Superior Court

- ORIGINAL Notice of Lodging  
Attach to Notice of Lodging:
  - COPY Consent Decree
  - COPY Spousal Maintenance Worksheet (if applicable)
- ORIGINAL Family Department Sensitive Data Cover Sheet (one from each Party)
- ORIGINAL Notice of Intent to File Summary Consent Decree
- ORIGINAL Summary Consent Petition and Response
- ORIGINAL Preliminary Injunction
- ORIGINAL Notice of Your Rights About Health Insurance Coverage
- ORIGINAL Notice Regarding Creditors

2. Prepare the remaining sets for the Judge.

Set 2: For the Judge

- COPY Notice of Lodging  
Attach to Notice of Lodging:
  - ORIGINAL Consent Decree
  - ORIGINAL Spousal Maintenance Worksheet (if applicable)
- COPY Notice of Intent to File Consent Decree
- COPY Summary Consent Petition and Response

You must also provide 2 (two) 9" x 12" business envelopes, one stamped and addressed to each party.

Set 3: COPIES for Party A to keep after Clerk of Superior Court stamps the documents

- Notice of Lodging
- Consent Decree
- Spousal Maintenance Worksheet (if applicable)
- Notice of Intent to File Summary Consent Decree
- Summary Consent Petition and Response
- Preliminary Injunction
- Notice of Your Rights About Health Insurance Coverage
- Notice Regarding Creditors

Set 4: COPIES for Party B to keep after the Clerk of Superior Court stamps the documents

- Notice of Lodging
- Consent Decree
- Spousal Maintenance Worksheet (if applicable)
- Notice of Intent to File Summary Consent Decree
- Summary Consent Petition and Response
- Preliminary Injunction
- Notice of Your Rights About Health Insurance Coverage
- Notice Regarding Creditors

STEP 4. File the papers. Pay the fees. Request an extra copy of the receipt if you want one for your records.

Go to the Clerk of Superior Court filing counters at one of the following locations. The Court is open from 8:00 a.m.-5:00 p.m., Monday-Friday. You should go to the Court at least two hours before it closes.

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

Clerk of Superior Court  
Southeast Court Facility  
222 East Javelina Avenue, 1st floor  
Mesa, Arizona 85210  
Clerk of Superior Court

Northwest Regional Court Center  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

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

The filing fee is due at the time of filing. The total fee is currently \$331.50. The amount is subject to change without notice. A list of current fees is available from the Clerk of Superior Court's website (<http://www.clerkofcourt.maricopa.gov/>).

The Clerk accepts the following forms of payment:

- cash,
- money order,
- wire transfer,
- credit cards, and
- debit cards (run as a credit card transaction).
- business checks are accepted from law firms, process servicers, runner services, and certified document preparers, only when it's a clearly identified business check, imprinted with the firm's business address.

If you cannot afford the filing fee, you may request a deferral (payment plan) when you file your papers with the Clerk. Deferral Applications are available at no charge from the Law Library Resource Center and Clerk's office.

STEP 5. Deliver Sets 2, 3, and 4 to the Family Department window. Include two (2) pre-stamped large envelopes with sufficient postage, one addressed to each party. These will be used to mail the final documents to each party.

Central Court Building  
201 West Jefferson, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85003

Southeast Court Facility  
222 East Javelina Avenue 1<sup>st</sup> Floor  
Mesa, Arizona 85210

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

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

STEP 6. There is a mandatory waiting period of 60 days from the date in which the documents are filed before a judge may enter the final decree. This is known as the "waiting period."

STEP 7. Wait for your judge to review the paperwork. By law, the Consent Decree will be held until the end of the waiting period of at least 60 days from the date of filing has passed.

If the parties reconcile, wish to change their consent decree or other final orders, or no longer agree to terms of settlement, they must complete and file a motion or stipulation before the 60-day waiting period is up. Forms and instructions for these processes are available on the LLRC website at: <https://superiorcourt.maricopa.gov/llrc/drsd/>.

What happens next? It is within the Judge's/Commissioner's discretion whether to accept or reject the Decree, or to schedule a court hearing.

1. If your consent decree is accepted, the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of Superior Court. The Court will send a copy of the signed Decree to each party using the envelopes you provided. This is your notification that your divorce or legal separation is now final. You are not divorced or legally separated until the Judge/Commissioner signs the Decree.
2. If your consent decree is rejected, the Court will send you a "Correction Notice" informing you of the mistakes with the documents. Follow the instructions on the "Correction Notice." If the mistakes cannot be corrected, see a lawyer for help.
3. If the Judge/Commissioner schedules a hearing, the Court will send notice of a scheduled date, time, and location for a hearing which both parties must attend to answer any questions the Judge/Commissioner may have.

Do not copy  
or file this page