CONSENT DECREE

FOR DIVORCE or LEGAL SEPARATION for a NON-COVENANT MARRIAGE

WITH CHILDREN

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4

To get the Decree when both parties agree

Forms and Instructions

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DR7 – **5010** – 010126

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Consent Decree for divorce or legal separation with minor children

Checklist

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You may use these forms if . . .

- ✓ You or your spouse filed a Petition for divorce or legal separation in a non-covenant marriage with minor children, AND
- ✓ You and your spouse agree to the divorce or legal separation, and you agree on all terms of the divorce or legal separation, including:
  - Division of property and debt,
  - Spousal Maintenance (if applicable),
  - Legal Decision-making, Parenting and Support of minor children

  AND
- ✓ You and your spouse will provide your notarized signatures on the Consent Decree to indicate your agreement on all terms.

- ✖ Do not use these forms if:
  - ✖ You disagree on any terms of the divorce or legal separation,
  - ✖ The filing fee for a Response has not been paid by either party, and you prefer to proceed with a Default Decree in order to not pay the Response fee.

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 can be found on the Law Library Resource Center website.

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Consent Decree for divorce or legal separation with minor children

This packet contains court forms and instructions to file a consent decree for divorce or legal separation with children for a non-covenant marriage. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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Order	File Number	Title	# Pages
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8	DR71f	**Consent Decree** (including "Exhibit A" on property & debt)	21
9	DRCVG11f	**Parenting Plan**	11
You will need to use the FREE Online Child Support Calculator to produce the **Child Support Worksheet, Child Support Order** and **Employer Information Sheet** that must accompany this Decree. For more information, refer to the "Instructions" document in the packet.			

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.

How to fill out the consent decree for divorce or legal separation in a non-covenant marriage with minor children

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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 "Lawyer's Bar Number" only if an attorney is preparing this form.

2. ATLAS Number: Write the ATLAS number if one has been assigned to your case.

3. 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.

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 or have been involved in the Arizona Title IV-D or TANF programs, and the Arizona Attorney General/Division of Child Support Services is currently involved in your case, you must obtain the written approval and signature of the Attorney General 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 Notarial Officer.
   - Read carefully before you sign this Consent Decree.

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- 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 Arizona Attorney General/Division of Child Support Services is involved in your case, you must also obtain the signature of the Attorney General or County Attorney.

When minor children are involved, the following forms must also be completed:

- Parenting Plan
- Education Order (if applicable)
- Child Support Worksheet
- Child Support Order
- Current Employer Information Sheet

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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 viewing online and downloaded for free from the State Courts' website.

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

2. Education Order (If applicable)

   (ONLY required prior to January 1, 2025.) After this date, an Education Order is not required unless otherwise ordered by the Court.

   You can find this document on the Law Library Resource Center website on the Family Department page.

   Use 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.

   - Read each numbered paragraph. Fill in the information requested.
   - Do not sign or date the judicial officer section at the end of the document.

   After completing the Education Order, include it with your Decree. (if applicable)

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3. 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 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 the Child Support Worksheet, Current Employer Information sheet, and Child Support Order and include them with your Decree.

   If the Arizona Attorney General/Division of Child Support Services is involved in your case, you must serve all filings on the Attorney General's Office, and you must get the written approval and signature of the Attorney General assisting you. You must include or attach the signature to the Final Order before filing it.

4. 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, which you will need to review and sign, if you agree.

5. Current Employer Information sheet

   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.

<u>Other important papers in this packet:</u>

Notice of Lodging

Fill out the Notice of Lodging. Attach the documents listed in this packet's Procedures to the Notice of Lodging.

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You can lodge the Consent Decree at any time. However, the Court must wait at least 60 days after the date the Petition was personally served before the Court can enter a ruling.

In the Summary Consent Decree process, you submit your Consent Decree and other forms described here upon filing the initial papers. See specific procedures for the Summary Consent Decree Process.

Helpful Tips:

1. Be sure you signed the Consent Decree, Exhibit A, the Parenting Plan, and the Child Support Order.

2. Be sure to include the "EXHIBIT A" about property and debts to your Consent Decree.

3. Be sure to include a quit claim deed, if a quit claim deed has been signed.

4. If the Arizona Attorney General/Division of Child Support Services is involved in your case, get the Arizona Attorney General to approve and sign the Child Support Approval at the end of the Consent Decree and Child Support Order before you file these papers.

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PARENTING PLAN INFORMATION

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A.R.S. § 25-401 defines legal decision-making and parenting time as follows:

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.

2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

> **PARENTS PLEASE NOTE:** Per A.R.S § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.

4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

> You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

Drafting a Parenting Plan:

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

In order for the Court to approve a parenting plan, A.R.S. § 25-403.02 requires the Court to make the following findings:

a. The best interests of the minor child(ren) are served;
b. The plan designates legal decision-making as joint or sole;
c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;

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e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;
f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the Court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?

2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.

3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.

4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?

5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?

6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?

7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?

8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?

9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

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Procedures: Completing your papers and what to do next

For divorce or legal separation by Consent Decree
in a non-covenant marriage with minor children

Requirements

a. Paperwork and Signatures:
   - Both Party A and Party B must sign the Consent Decree and the Parenting Plan before a Clerk of Superior Court or a Notarial Officer to show that both spouses have read, approved, and agreed to the items in the Decree.
   - If either party is represented by a lawyer, the lawyer(s) must also sign the Decree. Both Party A and Party B and their lawyers, if any, must also sign the last page of the "Exhibit A" attached to the decree to separately indicate agreement with the terms of division of property and debt as contained in that document.
   - You must also file all other required paperwork.

b. Parent Information Program:
   - Both Party A and Party B must attend the Parent Information Program (PIP) and file a Certificate of Completion with the Clerk of Superior Court.

c. Fees:
   - Both Party A and Party B must pay the court fees.
   - This includes the filing fee paid by the party at the beginning of the case, and the other party's Response or Answer fee, for the Consent Decree to be accepted.
   - Both parties must attach a receipt to prove payment or attach a copy of the Order for initial deferral of fees.

A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

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

d. Time Frame:
   - You can file the Consent Decree at any time. However, the Court must wait at least 60 days after the date the Petition was personally served before the Court can enter a ruling.

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General Procedures

Step 1 Complete all forms in the packet.

- Consent Decree.
  - 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 a copy of the Order for Initial Deferral to show the "Paid" status of your case.
  - If the Arizona Attorney General/Division of Child Support Services is involved in your case, have the Arizona Attorney General sign in the space provided.
- Parenting Plan, signed by you and your spouse.
- Education Order.

  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.)
- Notice of Lodging.

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Step 2 Complete.

✓ The Child Support Worksheet, Child Support Order, and Current Employer Information online using ezCourtForms:

http://www.superiorcourt.maricopa.gov/ezcourtforms2/

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

Step 3 Proceed to section "Submitting Your Decree on Paper" OR If you will eFile your documents, skip to section "eFiling Your Decree."

Note: If the Decree deals with the division of retirement funds, pensions or annuities, etc., you may also need a complex document called a "QDRO," which will require the services of a specialized legal professional. The Law Library Resource Center does not have a QDRO form. Your pension provider may have a QDRO form or you may need to consult a lawyer to create this document.

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Submitting Your Decree on Paper

Step 1 If you will be submitting your forms on paper, make three (3) copies of the set of original forms. Make four (4) copies if the Arizona Attorney General/Division of Child Support Services is involved in your case.

Step 2 Separate your documents into 4 sets: (5 sets, if the Arizona Attorney General's Office is involved in your case):

1. Take all sets to the Clerk of Superior Court. The Clerk will stamp the original and copies of the documents. 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 with Exhibit A about the division of property and debt, if it is not part of the decree
  - COPY Parent Information Program Certificate of Completion (if it is not yet on file with the Clerk of Superior Court)
  - COPY Parenting Plan
  - COPY Education Order (if applicable)
  - COPY Child Support Worksheet
  - COPY Child Support Order
  - COPY Current Employer Information

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2. Prepare the remaining sets for the Judge.

Set 2: For the Judge	Set 3: COPIES for You
• COPY of Notice of Lodging • ORIGINAL Consent Decree with Exhibit A about the division of property and debt, if it is not part of the decree • ORIGINAL Parent Information Program Certificate of Completion (if it is not yet on file with the Clerk of Superior Court) • ORIGINAL Parenting Plan • ORIGINAL Education Order (if applicable) • ORIGINAL Child Support Worksheet • ORIGINAL Child Support Order • ORIGINAL Current Employer Information You must also provide 2 (two) 9" x 12" business envelopes, one stamped and addressed to each party.	• Notice of Lodging • Consent Decree with Exhibit A about the division of property and debt, if it is not part of the decree • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet
Set 4: COPIES for the Other Party	(Only if applicable) Set 5: COPIES for Arizona Attorney General's Office
• Notice of Lodging • Consent Decree with Exhibit A about the division of property and debt, if it is not part of the decree • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet	• Notice of Lodging • Consent Decree with Exhibit A about the division of property and debt, if it is not part of the decree • Parenting Plan • Education Order (if applicable) • Child Support Worksheet • Child Support Order • Current Employer Information Sheet

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NOTE: If the Arizona Attorney General/Division of Child Support Services is involved in your case, Set 5 must be mailed to:

Office of the Attorney General
Child Support Services Section,
2005 N. Central Avenue – Mail Drop 7611
Phoenix, AZ 85004-2926

Step 3 Large Envelopes.

Address two 9"x12" envelopes: 1) to you, or your attorney, and 2) to the other Party or their attorney. If the Arizona Attorney General/Division of Child Support Services is involved in your case, address a 3rd 9"x12" envelope to the Arizona Attorney General.

- Be sure you put enough postage on the 9" x 12" envelopes.

Step 4 Clip or rubber band all sets of your originals, copies and envelopes together in a package.

Step 5 Deliver the package (copy of Notice of Lodging, sets of originals and copies, and envelopes) to Family Administration. Hand-deliver or mail as indicated below. Court hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Central Court Building
201 West Jefferson, 3rd floor
Phoenix, Arizona 85003
(To Family Department Administration)

Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210
(To Family Department Administration)

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374
(To Family Conference Center)

Northeast Court Complex
18380 North 40th Street
Phoenix, Arizona 85032
(To Family Conference Center)

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Step 6 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.

- If your consent decree is <u>accepted</u>:

  The Judge/Commissioner will sign the original Decree and other paperwork and have them filed with the Clerk of Superior Court. The Clerk will mail a copy of the signed Decree and paperwork to each party using the envelopes you provided. This is your notification that your divorce/legal separation is now final. You are not divorced or legally separated until the Judge/Commissioner signs the Decree.

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- If your consent decree is rejected:

  The Judge/Commissioner will issue an Order Rejecting Consent Decree which explains the mistakes with the documents. The Court will mail the Order along with all the originals copies submitted in the envelopes provided. Follow the instructions on the Order to make corrections. If the mistakes cannot be corrected, see a lawyer for help.

- 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.

eFiling Your Decree

Step 1 If you will eFile your documents, review and follow the instructions for eFiling on the Clerk of Superior Court website:

https://www.clerkofcourt.maricopa.gov/services/efiling-information/efiling-family-court-consent-decrees
and
https://www.clerkofcourt.maricopa.gov/home/showpublisheddocument/5405

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Step 2 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.

- If your consent decree is accepted:

  The Judge/Commissioner will electronically sign and file the Consent Decree package. The Clerk will mail a courtesy copy to each party (or their attorney) to their address on record. This is your notification that your divorce/legal separation is now final. You are not divorced or legally separated until the Judge/Commissioner signs the Decree.

- If your consent decree is rejected:

  The Judge/Commissioner will issue a Minute Entry Order which explains the mistakes with the documents. The Clerk will mail the Order to each party (or their attorney) to their address on record. Follow the instructions on the Minute Entry Order to correct the errors. If the mistakes cannot be corrected, see a lawyer for help.

- 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.

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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

_____
Petitioner / Party A

_____
Respondent / Party B

Case No. _____

ATLAS No. _____

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITH 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	☐ **Male or** ☐ **Female**	☐ **Male or** ☐ **Female**
Date of Birth (Month/Day/Year)		
Social Security Number		
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. Child(ren) Information:

Child Name	**Gender**	**Child Social Security Number**	**Child Date of Birth**

C. Type of Case being filed: Mark **only one (1) category** below**.** (*****) Mark this box only if no other case type applies.

☐	**Dissolution (Divorce)**	☐	**Paternity**	☐	**Order of Protection**
☐	**Legal Separation**	☐	***Legal Decision-Making / Parenting Time**	☐	**Register Foreign Order**
☐	**Annulment**	☐	***Child Support**	☐	**Other**

D. Do you need an interpreter? ☐ **Yes or** ☐ **No. If Yes, what language?** _____

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Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

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

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

_____
Name of Petitioner/Party A

_____
Name of Respondent/Party B

Case No. _____

NOTICE OF LODGING
(ARFLP Rules 30; 43.1; 44.1; 45)

Assigned to: _____
Judicial Officer's Name

PLEASE TAKE NOTICE that, pursuant to the Arizona Rules of Family Law Procedure,

☐ Petitioner/Party A and/or

☐ Respondent/Party B and/or

☐ Third Party/Party C

Lodge the following document(s) with the Court for signature and entry:

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

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Case Number: _____

Document: _____

Document: _____

Document: _____

Document: _____

Document: _____

_____ _____

Signature of Party A or Party A's Attorney Date

_____ _____

Signature of Party B or Party B's Attorney Date

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Petitioner/Party A: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

ATLAS Number: _____

Lawyer's Bar Number: _____

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

Respondent/Party B: _____

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

_____
Name of Petitioner/Party A

Case Number: _____

CONSENT DECREE OF
☐ DISSOLUTION (DIVORCE)
☐ LEGAL SEPARATION
of a Non-Covenant Marriage
with minor children

_____
Name of Respondent/Party B

THE COURT FINDS:

1. This case has come before this court for a final Decree of Dissolution (Divorce) or Legal Separation. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree. This Consent Decree states the terms of the Parties' agreement.

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2. This Court has jurisdiction over the parties under the law.

3. This Court has jurisdiction under A.R.S. § 25-1031 over the child(ren) in this matter.

4. Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved, and made orders relating to issues of spousal maintenance (alimony), the division of property and/or debts, legal decision-making, parenting time, and support of any minor child(ren).

5. The Parties agree to proceed by consent.

6. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the minor child(ren) and the division of property and debt is fair and equitable.

7. At least 60 days have passed between the time Party B was served with the summons and complaint and the time the Parties filed for this Decree.

8. Arizona Residency: The requirements of A.R.S. § 25-312 for dissolution of marriage, or A.R.S. § 25-313 for legal separation have been met: If this is an action for legal separation, at the time this action was filed, Party A and/or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce), Party A and/or Party B was domiciled or stationed in Arizona for more than 90 days.

9. Conciliation Court. The provisions relating to the Conciliation Court either do not apply or have been met.

10. Pregnancy and Paternity:

☐ Party A is not pregnant.

☐ Party A is pregnant and Party B ☐ is ☐ is not a parent of the child.

☐ Party B is not pregnant.

☐ Party B is pregnant and Party A ☐ is ☐ is not a parent of the child.

11. Irretrievably Broken or Separate and Apart. If dissolution, the marriage is irretrievably broken or if legal separation, the parties desire to live separate and apart.

12. Covenant Marriage. This is a non-covenant marriage.

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13. Protective Orders: The effect, if any, of this Consent Decree on any existing protective orders is: _____

14. Community Property and Debt: (Select one.)

☐ The parties did not acquire any community property or debt during the marriage,

OR

☐ The parties have agreed to a division of community property and/or debt as evidenced by their signatures on "Exhibit A" attached to and incorporated into this Decree. All community property and debt is divided pursuant to this Decree.

15. Separate Property and Debt:

☐ The parties did not acquire any separate property or debt during the marriage,

OR

☐ There IS an agreement as to division of separate property and debt; all separate property and debt is divided pursuant to this Decree.

16. Spousal Maintenance/Support: (Select one.)

☐ Neither party is entitled to an award of Spousal Maintenance/Support,

OR

☐ A party is entitled to an award of Spousal Maintenance/Support for the reason that:

☐ 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.

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☐ Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

If spousal maintenance is to be awarded, the parties further agree:

☐ The parties have reviewed the Spousal Maintenance Guidelines and acknowledge that the amount of Spousal Maintenance awarded is appropriate and just.

AND (Select one of the following)

☐ Spousal maintenance award shall be modifiable in accordance with Arizona law,

OR

☐ That the circumstances of their futures are unknown, but each desires that the spousal maintenance awarded by their agreement, not be modifiable in the future for any reason. The parties understand that if there is a change in their economic circumstances in the future during the term of the spousal maintenance award, neither party shall have the right to seek nor shall the court have the authority to modify the amount or duration of the award.

17. This decree applies to the following minor child(ren):

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

☐ Same information for additional children listed on attached page made part of this document by reference.

18. Parent Information Program:

A. Party A ☐ has attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(5))

OR

Party A ☐ has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party A has completed the class.

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B. Party B ☐ has attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(5))

OR

Party B ☐ has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party B has completed the class.

19. Child Support: The court finds that Party A and Party B owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet and is attached hereto and incorporated herein by reference.

20. Title IV-D or Temporary Assistance for Needy Family (TANF) programs:
☐ Does not apply
OR
☐ 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.

21. Legal Decision-Making and Parenting Time. The Court adopts the parties' stipulations in the Parenting Plan, which has been signed by the parties and submitted contemporaneous with this Decree. That Parenting Plan includes all information required by A.R.S. §§ 25-403.02 (parenting plan), 25-403 (best interests), 25-403.03 (domestic violence), 25-403.04 (drug or alcohol convictions by the parties), and 25-403.05 (sex offender status).

22. Domestic Violence:

If there has been domestic violence between the parties and legal decision-making is to be shared with or awarded to a parent who has committed an act of domestic violence, check appropriate box and explain. (A.R.S. § 25-403.03)

A. ☐ Domestic Violence has <u>not</u> occurred between the parties;

OR

B. ☐ Domestic Violence has occurred between the parties, but:

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1. ☐ It was mutual (committed by both parties), (see A.R.S. § 25-403.03(D))

   OR

2. ☐ Neither party has committed an act of ***significant domestic violence*** (pursuant to A.R.S. § 13-3601); there has not been a ***significant history of domestic violence*** between the parties; and 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)

   _____

   _____

   _____

23. Drug or Alcohol Conviction within Last Twelve Months:

☐ Party A has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making.

☐ Party B has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making.

☐ Even though, as indicated above, Party A and/or Party B has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making, the legal decision-making and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

24. Legal Decision-making Authority for Minor Child(ren): (Check/complete only if joint legal decision-making is ordered.)

☐ The legal decision-making authority order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)
Reasons: _____

_____

_____

☐ Provisions for legal decision-making and parenting time, if not described in this Decree, are attached as the Parenting Plan, and incorporated into this Decree. (Rule 45(c)(1))

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25. Supervised or No Parenting Time:
(Check and complete only if supervised or no parenting time is ordered.)

☐ NO Parenting Time OR
☐ Supervised Parenting Time with ☐ Party A ☐ Party B

No parenting time or supervised parenting time is in the best interests of the minor child(ren), for the following reasons:

_____

_____

_____

(If supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by:

☐ Party A, OR ☐ Party B, OR

☐ Shared equally by the parties

Restrictions on parenting time (if applicable): _____

_____

THE COURT ORDERS:

1. DISSOLUTION of Marriage:

☐ The marriage is dissolved, and the parties are restored to the legal status of single persons,

OR

LEGAL SEPARATION:

☐ The parties are legally separated.

2. NAME RESTORATION: (In a divorce case if one or both parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.)

☐ Party A's name is restored to: _____ (Put only the last name here.)

Party A's date of birth is: _____

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☐ Party B's name is restored to: _____ (Put only the last name here.)

Party B's date of birth is: _____

3. ENFORCEMENT OF TEMPORARY ORDERS:

☐ Not applicable.

A. Temporary Orders:

☐ All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of all temporary orders here) _____ _____ are satisfied in full.

OR

☐ Judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of $ _____.

B. Protective Orders: This Consent Decree has the following effect on any existing protective orders (see # 13 above): _____

4. PREGNANCY AND PATERNITY:

A. Pregnancy:

☐ A child who is common to the parties is expected to be born _____ (date).

☐ The orders below as to legal decision-making, parenting time, child support, and medical insurance/expenses do not include this child; the court reserves jurisdiction to address these issues regarding this child when the child is born.

Children: This Decree includes all minor children common to the parties as follows:

NAME(S) of minor child(ren)	Date(s) of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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B. Paternity for Children Not in Common:

Minor children to whom this decree does not apply: It is ordered that:

☐ Party A, OR ☐ Party B has no legal obligation or right to the minor child(ren) born during the marriage but not common to the marriage. This decree does not include the following minor children:

NAME(S) of minor child(ren)	Date(s) of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Child expected to be born this date: _____

C. Paternity for Children in Common:

☐ Party A and Party B are the parents of these children born to the parties before the marriage:

Name	Date of Birth
_____	_____
_____	_____
_____	_____

☐ Birth Certificate(s): for any minor child(ren) named in this section who were born in the State of Arizona, the Clerk of Superior Court shall forward a copy of this order to the State Office of Vital Records, which is ordered to amend the birth certificate(s) as follows: (List full name of the party as appears on the party's Social Security card or other government issued official document and as should appear on the children's birth certificate(s)).

1. Add the name: (List one name only) _____ as a parent on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.

2. Name Change: (Optional) The name(s) of the minor child(ren) for whom paternity/maternity has been established above shall be changed as follows:

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Current Legal Name	New Name (optional)

D. ADOPTION OF PARENTING PLAN ADDRESSING LEGAL DECISION-MAKING AND PARENTING TIME:

The Court adopts and merges into this Decree the parties' signed Parenting Plan submitted contemporaneously with this Decree. As set forth in the Parenting Plan, legal decision-making concerning the child(ren) is awarded as follows:

☐ Sole Legal Decision-making to: ☐ Party A ☐ Party B

OR

☐ Joint Legal Decision-making to both parents.
Both Party A and Party B agree to act as joint legal decision-makers of the minor children, pursuant to A.R.S. § 25-403. Neither parent has committed significant domestic violence, as defined by A.R.S. § 13-3601; there is no significant history of domestic violence; and it is in the best interests of the minor child(ren) to award joint legal decision-making despite any violence that occurred.

E. PRIMARY RESIDENCE AND PARENTING TIME:

1. Primary Residence:

☐ Neither parent's home is designated as the primary residence,

OR

☐ Party A's home as primary residence for following named child(ren):

_____

☐ Party B's home as primary residence for following named child(ren):

_____

2. Subject to Parenting Time as follows:

☐ Reasonable parenting time rights as described in the Parenting Plan submitted contemporaneous with this Decree and made a part of this decree,

OR

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☐ No parenting time rights to ☐ Party A OR ☐ Party B,

OR

☐ Supervised parenting time to ☐ Party A OR ☐ Party B according to the terms of the Parenting Plan submitted contemporaneous with this Decree and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

(If supervised) Name of supervisor: _____

The cost of supervised parenting time (if applicable) shall be :

☐ paid by Party A, OR

☐ paid by Party B, OR

☐ shared equally by the parties

Parenting time shall be restricted as follows: (if applicable):

_____

_____

_____

F. CHILD SUPPORT:

☐ The Child Support Order, _____, is attached hereto and incorporated by reference. (date of order)

☐ Party A OR ☐ Party B shall pay child support to the other party in the amount of $_____ per month, payable the first day of the month following the date this Decree is signed by the judge until further order of the court.

G. SPOUSAL MAINTENANCE/SUPPORT:

1. ☐ Neither party shall pay spousal maintenance/support (alimony) to the other party,

OR

2. ☐ Party A OR ☐ Party B is ordered to pay to the other party the sum of $_____ per month in spousal maintenance/support beginning the first day of the month after this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased or until _____. (date)

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All payments shall be made through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by Income Withholding Order, until all required payments have been made under this Decree. All spousal maintenance payments are governed by the applicable federal and state tax laws. It shall terminate upon the death of either party or remarriage of receiving party.

Spousal maintenance modification:

☐ The spousal maintenance award shall be modifiable in accordance with Arizona law,

OR

☐ The spousal maintenance award shall NOT be modifiable for any reason.

H. PROPERTY AND DEBTS: (Select any that apply)

1. ☐ Party A is ordered to pay all community debts unknown to Party B, AND

   ☐ Party B is ordered to pay all community debts unknown to Party A, AND

   ☐ Each party is ordered to pay his or her community debts starting the following date: _____.

2. ☐ Each party is assigned his or her separate property and Party A must pay his/her separate debt, and Party B must pay his/her separate debt.

3. ☐ Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.

4. ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and financial institution accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before (date): _____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of Superior Court commanding the sheriff to put him or her in possession of the property.

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Other orders and relief relating to property or debt, if any, are contained in "Exhibit A," which is attached and incorporated into this Decree.

I. TAX RETURNS:

☐ Each party shall give the other party all necessary documentation to file all tax returns. For previous calendar years, pursuant to IRS rules and regulations, the parties will file:

☐ Joint federal and state income tax returns and hold each other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds,

OR

☐ Separate federal and state income tax returns.

☐ This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

J. FINANCIAL INFORMATION EXCHANGES: In cases in which child support or spousal maintenance are ordered, then until such time as those would end under the orders in this Consent Decree, the parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every 24 months or as follows: _____

_____

K. QUALIFIED DOMESTIC RELATIONS ORDER (QDRO):

☐ A QDRO is not necessary;

☐ A QDRO is submitted with this decree, OR

☐ A QDRO will be submitted to the Court as soon as practicable as or not later than _____ (date).

The Court shall retain jurisdiction over the subject matter of the QDRO.

L. OTHER ORDERS: (List any other orders.)

_____

_____

_____

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M. FINAL APPEALABLE ORDER: There are no further matters that remain pending before the court and this judgment is a final order under Rule 78(c) of the Arizona Rules of Family Law Procedure.

_____ _____

Date Judicial Officer

SIGNATURES OF BOTH PARTIES UNDER OATH or AFFIRMATION

By signing below, in the presence of a Deputy Clerk of Superior Court or Notarial Officer, I swear or affirm that everything in this document is true and correct to the best of my knowledge, information and belief, including the following:

1. Non-Covenant Marriage. We do not have a covenant marriage.

2. Right to trial is waived. I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.

3. No duress or coercion. Complete agreement. I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Decree. This Decree with any attachments that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.

4. Legal advice. I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Decree.

5. Irretrievably broken marriage. I agree that our marriage is irretrievably broken. There is no reasonable prospect of reconciliation [or we desire to live separate and apart if this is a Legal Separation case].

6. Division of property. The agreement about division of property and debt attached as "Exhibit A," signed by both parties and made part of this document by reference, is fair and equitable.

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Case No. _____

Signatures

This signature page belongs to the form Consent Decree for Dissolution or Legal Separation with minor children and cannot be used with any other documents.

Petitioner/Party A:

Date: _____

Signature: _____

STATE OF _____

COUNTY OF _____

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

_____
Notarial Officer

(Notarial Officer's Stamp or Seal)

Respondent/Party B:

Date: _____

Signature: _____

STATE OF _____

COUNTY OF _____

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

_____
Notarial Officer

(Notarial Officer's Stamp or Seal)

If either party is represented by an attorney, the attorney must sign.

_____
Date

_____
Approved by Party A's Attorney

_____
Date

_____
Approved by Party B's Attorney

If the Arizona Division of Child Support Services (DCSS) is involved in your case, a representative of the Attorney General's Office must approve the child support amount and sign below.

_____
Signature of DCSS Representative

_____
Date

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Case No. _____

EXHIBIT A: PROPERTY AND DEBTS

1. Division of Community Property: (property acquired during the marriage)

☐ Award each party the furniture, furnishings, artwork, collectibles, appliances, cookware, and related items of personalty in his/her possession.

☐ Community property is awarded to each party as follows:

2. List of Community Property: (Be very specific in your description of the property.)

	AWARD TO: Party A	Party B
Household Furniture and Appliances: (Be specific.)		
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
Video: TV /DVD / DVR/ VCR, etc: (Be specific)		
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐
Audio: Stereo/ Radio (Household or Portable): (Be specific)		
_____	☐	☐
_____	☐	☐
_____	☐	☐

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AWARD TO:
Party A Party B

Computers and Related Equipment: (Be specific)

_____ ☐ ☐

_____ ☐ ☐

_____ ☐ ☐

Motor Vehicles: (Be specific)

1. Year, Make, Model:_____ ☐ ☐

   Last 4 digits of VIN #_____

2. Year, Make, Model:_____ ☐ ☐

   Last 4 digits of VIN # _____

3. Year, Make, Model: _____ ☐ ☐

   Last 4 digits of VIN # _____

Cash, bonds of $_____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

Other: _____ ☐ ☐

☐ Continued on attached page.

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3. Division of Retirement, Pension, Deferred Compensation:

Warning: You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.

☐ Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

OR

☐ Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

_____

OR

☐ Each party waives and gives up his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party.

4. Division of Real Property: (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address) _____

_____.

The legal description of this property, as quoted from the DEED to the property* is:

_____

_____

_____

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("A") described above is awarded as the sole and separate property of:

☐ Party A or ☐ Party B

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Party A

_____% or $_____ to Party B

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B. Real property located at (address) _____

_____.

The legal description of this property, as quoted from the DEED to the property* is:

_____

_____

_____

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

☐ Party A or ☐ Party B

OR

☐ Shall be sold and the proceeds divided as follows:

_____% or $_____ to Party A

_____% or $_____ to Party B

☐ Continued on attached page(s).

5. Division of Community Debt: (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Party A	Amount to be paid by Party B
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$
	$	$	$

☐ Continued on attached page.

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6. ☐ Any debts or obligations incurred by either party before the date of separation, that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation, and that party shall indemnify and hold the other party harmless from such debts.

7. Separate Property: (Property acquired before the marriage or by gift or bequest to one party.)

   Property recognized as the separate property of Party A or Party B, is assigned below:

Description	Value	To Party A	To Party B
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

☐ Continued on attached page.

8. Separate Debt: (Debt acquired before the marriage.)

   Debt recognized as the separate debt of Party A or Party B, is assigned below:

Creditor Name	Debt Amount	Party A Pays	Party B Pays
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

☐ Continued on attached page.

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Signature of Both Parties

This "Exhibit A" represents the agreement of the parties as to the division of property and debt. The terms of the agreement are fair and equitable and have been reached free of coercion, duress, or threat of force.

By signing below, each of us states to the court under penalty of perjury that we have read and understand Exhibit A, and that the information contained in the document is true and correct to the best of our individual knowledge and belief.

_____ _____

Party A's Signature Date

_____ _____

Party B's Signature Date

If either party is represented by an attorney, the attorney(s) must sign:

_____ _____

Party A's Attorney Date

_____ _____

Party B's Attorney Date

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Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

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

Case No. _____

_____
Petitioner/Party A

PARENTING PLAN FOR

☐ JOINT LEGAL DECISION-MAKING

_____
Respondent/Party B

OR

☐ SOLE LEGAL DECISION-MAKING

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-making and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-making Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

a. If only <u>one</u> parent is submitting the Plan: that parent must sign at the end of PART 2 <u>and</u> 3.

b. If both parents agree to legal decision-making and parenting time arrangements <u>but not</u> to joint legal decision-making: Both parents must sign the Plan at the end of PART 2 <u>and</u> 3, and the Affidavits under Section 5.

c. If both parents agree to joint legal decision-making and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PARTS 2, 3, and 4, and the Affidavits under Section 5.

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Case No. _____

PART 1: GENERAL INFORMATION:

A. MINOR CHILDREN. This Plan concerns the following minor children:
(Use additional paper if necessary)

_____ _____

_____ _____

_____ _____

B. THE FOLLOWING LEGAL DECISION-MAKING ARRANGEMENT IS REQUESTED:
(Choose ONE of 1, 2, 3, 4.)

☐ 1. SOLE LEGAL DECISION-MAKING BY AGREEMENT.

The parents agree that sole legal decision-making authority should be granted to ☐ Party A ☐ Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

☐ 2. SOLE LEGAL DECISION-MAKING REQUESTED BY THE PARENT SUBMITTING THIS PLAN. The parents cannot agree to the terms of legal decision-making and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

OR

☐ 3. JOINT LEGAL DECISION-MAKING BY AGREEMENT. The parents agree to joint legal decision-making and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

☐ 4. JOINT LEGAL DECISION-MAKING AUTHORITY REQUESTED BY THE PARENT SUBMITTING THIS PLAN.

The parents cannot agree to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

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PART 2: PARENTING TIME. Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

☐ The minor children will be in the care of Party A as follows: (Explain).

_____

_____

☐ The minor children will be in the care of Party B as follows: (Explain).

_____

_____

☐ Other parenting time arrangements are as follows: (Explain).

_____

_____

☐ Transportation will be provided as follows:

☐ Party A or ☐ Party B will pick the minor children up at _____ o'clock.

☐ Party A or ☐ Party B will drop the minor children off at _____ o'clock.

Parenting-time exchanges will occur at the following exchange location :

_____

_____

_____

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months EXCEPT:

_____

☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. OR,

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain)

_____

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☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B:(Explain)

_____

☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

☐ Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

Holiday	Even Years		Odd Years	
New Year's Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
New Year's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Spring Vacation	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Easter	☐ Party A	☐ Party B	☐ Party A	☐ Party B
4th of July	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Halloween	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Veteran's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Thanksgiving	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Hanukkah	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Eve	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Christmas Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Winter Break	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Child's Birthday	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Mother's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B
Father's Day	☐ Party A	☐ Party B	☐ Party A	☐ Party B

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☐ Each parent may have the children on his or her birthday.

☐ Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

☐ Other Holidays (Describe the other holidays and the arrangement):

_____

☐ Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, OR: (Explain)

_____

☐ Other (Explain):

_____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records.

- A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request.
- A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. MEDICAL AND DENTAL ARRANGEMENTS:

☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:

_____

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☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting the other parent.

G. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.

☐ Both parents agree that the minor children may be instructed in the faith.

☐ Both parents agree that religious arrangements are not applicable to this plan.

H. ADDITIONAL ARRANGEMENTS AND COMMENTS:

☐ NOTIFY OTHER PARENT OF ADDRESS CHANGE. Each parent will inform the other parent of any change of address and/or phone number in advance OR within _____ days of the change.

☐ NOTIFY OTHER PARENT OF EMERGENCY. Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.

☐ TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES. Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.

☐ ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

☐ OBTAIN WRITTEN CONSENT BEFORE MOVING. Neither parent will move with the minor children out of the Phoenix metropolitan area without prior written consent of the other parent, or a court-ordered Parenting Plan. A.R.S. 25-408 (B)

☐ COMMUNICATE. Each parent agrees that all communications regarding the minor children will be between the parents and that they will not use the minor children to convey information or to set up parenting time changes.

☐ METHOD OF COMMUNICATION. Each parent agrees to use the following means of communication:

_____

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☐ FREQUENCY OF COMMUNICATION. Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be

_____

and will be by the following methods: ☐ Phone ☐ Email ☐ Other

☐ PRAISE OTHER PARENT. Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children.

☐ COOPERATE AND WORK TOGETHER. Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

☐ NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME. If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.

☐ PARENTING PLAN. Both parents agree that if either parent moves out of the area and returns later, they will use the most recent "Parenting Plan/Access Agreement" in place before the move.

☐ MEDIATION. If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: Do not deviate from Parenting Plan until dispute is resolved.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets to enforce a court order.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

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PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice (by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided) to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

(a) Second degree murder.
(b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
(c) Sexual assault.
(d) Molestation of a child.
(e) Sexual conduct with a minor.
(f) Commercial sexual exploitation of a minor.
(g) Sexual exploitation of a minor.
(h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
(i) Kidnapping.
(j) Sexual abuse.
(k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
(l) Child prostitution as prescribed in section 13-3212.
(m) Involving or using minors in drug offenses.
(n) Continuous sexual abuse of a child.
(o) Attempted first degree murder.
(p) Sex trafficking.
(q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
(r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
(s) Luring a minor for sexual exploitation.
(t) Aggravated luring a minor for sexual exploitation.
(u) Unlawful age misrepresentation.

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PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 4: JOINT LEGAL DECISION-MAKING AGREEMENT (IF APPLICABLE):

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority shall NOT be awarded if there either has been "significant domestic violence" pursuant to A.R.S. § 13-3601 OR "a significant history of domestic violence."

☐ Domestic Violence has not occurred between the parties, OR

☐ Domestic Violence has occurred between the parties, but one of the following applies: (1) it has not been "significant domestic violence"; (2) there has not been a "significant history of domestic violence, (3) and/or domestic violence has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

☐ Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR

☐ One of the parties HAS been convicted of driving under the influence or a drug offense within the past 12 months, but the parties feel Joint Legal Decision-making is in the best interest of the children.*

* IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:

Explain below why Joint Legal Decision-making is still in the best interest of the children.

_____

_____

_____

_____

_____

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C. JOINT LEGAL DECISION-MAKING AGREEMENT: If the parents have agreed to joint legal decision-making, the following will apply, subject to approval by the Judge:

1. REVIEW: The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.

2. CRITERIA. Our joint legal decision-making agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:

   a. The best interests of the minor children are served;
   b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
   c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
   d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
   e. The Plan includes a procedure for periodic review;
   f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
   g. A procedure for communicating with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

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This signature page belongs to the form titled "Parenting Plan" and cannot be used with any other documents.

PART 5: AFFIDAVITS

I declare under penalty of perjury the foregoing is true and correct.

_____ _____

Petitioner's/Party A's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

_____ _____

Respondent's/Party B's Signature Date

STATE OF _____

COUNTY OF _____

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

by_____.

_____

(Notarial Officer's Stamp or Seal) Notarial Officer

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