

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

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

Petitioner/Party A

SUMMARY CONSENT PETITION AND  
RESPONSE FOR LEGAL SEPARATION OF A  
NON-COVENANT MARRIAGE WITH  
MINOR CHILDREN

Respondent/Party B

Petitioner/Party A and Respondent/Party B Petition the Court and state the following under oath or affirmation:

1. Information About Party A:

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

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

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

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

Party A has lived in Arizona for \_\_\_\_\_ years and/or \_\_\_\_\_ months.

2. Information About Party B:

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

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

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

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

Party B has lived in Arizona for \_\_\_\_\_ years and/or \_\_\_\_\_ months.

3. Information About Our Marriage:

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

City and State, or Country where we were married: \_\_\_\_\_

The following statements MUST BE TRUE for you to use this document and to qualify for legal separation in Arizona. Also, you must check the boxes to indicate that the statements are true, or your case may not proceed.

True False

- We do not have a covenant marriage. (If not sure, refer to the Instructions for information).
- Our marriage is broken beyond repair (“irretrievably broken”), or one or both parties desire to live separate and apart
- We have tried to resolve our problems through Conciliation Services or going to Conciliation Services would not work.
- This Court has jurisdiction to decide legal decision-making concerning the minor child(ren) common to the parties because the minor child(ren) has lived with Party A or Party B in Arizona for at least the past 6 months .

Names, birth dates and addresses of all living children (natural or adopted) that are common to the parties:

Name(s) of Minor Child(ren)

Date(s) of Birth

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Address(es) of Minor Child(ren):

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Information for additional children and/or addresses listed on attached page made part of this document by reference.

Party A    OR     Party B    is pregnant.

#### 4. Statements and Waivers

The parties make the following statements.

- a. Formal service of process is waived, and all issues are resolved by agreement pursuant to A.R.S. § 25-314.01.
- b. Party A and Party B hereby waive the conciliation court provision pursuant to A.R.S. § 25-381.01.
- c. Party A and Party B hereby waive the right to a default pursuant to Rule 44 A.R.F.L.P.
- d. By signing and filing this "Petition and Response," Respondent/Party B voluntarily appears in this matter and no Summons will be issued or served. This voluntary appearance has the same effect as if a Summons had been issued and served pursuant to Rule 40 A.R.F.L.P.
- e. Should either party wish to no longer enter into the Consent Decree, they must file a motion with the Court, within sixty (60) days of filing the Notice of Intent and Petition and Response.
- f. This Petition and Response and the attached Consent Decree constitute the Petition for Legal Separation as well as the required Response pursuant to Rule 23 A.R.F.L.P.

5. Written Agreement:

Party A and Party B have reached an agreement that includes orders about spousal maintenance, division of property and debt, and as applicable, where the children will live, legal decision-making, parenting time, and child support. A copy of the written agreement is attached as Attachment 1 in the form of a Consent Decree.

6. Joint Requests to the Court: The parties jointly request the Court issue Orders for the following:

- a. An Order for Legal Separation.
- b. Enter orders as detailed on the attached Consent Decree regarding:
  1. Restoration of name (if applicable);
  2. Paternity (if applicable);
  3. Minor children;
  4. Child support;
  5. Spousal Maintenance (if applicable);
  6. Community Property;
  7. Community Debts;
  8. Separate Property;
  9. Separate Debts; and
  10. Other orders (if applicable).

This signature page belongs to the form Summary Consent Decree Petition and Response for Legal Separation of a Non-Covenant Marriage with Minor Children.

Oath or Affirmation and Verification

Signatures

I swear or affirm my statements in this Petition and Response and my requests to the Court are true and correct under penalty of perjury.

Petitioner/Party A:

Respondent/Party B:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

STATE OF \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to or affirmed before me

Subscribed and sworn to or affirmed before me

this: \_\_\_\_\_ (date)

this: \_\_\_\_\_ (date)

by \_\_\_\_\_.

by \_\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

(Notarial Officer's Stamp or Seal)

(Notarial Officer's Stamp or Seal)