

DIVORCE – WITHOUT MINOR CHILDREN

For Respondent Only

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File this Document

3

Response

Part 3: Respond to a Divorce Petition
(Forms Packet)

SELF-SERVICE CENTER

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

CHECKLIST

Use the forms and instructions in this packet **ONLY** 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 or not, see a lawyer for help), **AND**
- ✓ You and your spouse have **no minor** children with each other **AND** the wife is **not** pregnant by the husband.

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 Self-Service Center website.

SELF-SERVICE CENTER

**DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE)
WITHOUT MINOR CHILDREN
FOR RESPONDENT ONLY**

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. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File Number	Title	# pages
1	DRDA3k	Checklist: <i>You may use these forms if . . .</i>	1
2	DRDA3ft	Table of Contents (this page)	1
3	DRSDS10f-A	"Family Court / Sensitive Data Coversheet" * DO NOT COPY	1
4	DRDA31f	"Response"	6
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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.

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	Case No. _____
Respondent	ATLAS No. _____

**FAMILY COURT /SENSITIVE DATA
 COVERSHEET WITHOUT CHILDREN
 (CONFIDENTIAL RECORD)**

Fill out. File with Clerk of Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLAP 43(G)(1).

A. Personal Information:	Petitioner	Respondent
Name		
Gender	<input type="checkbox"/> Male or <input type="checkbox"/> Female	<input type="checkbox"/> Male or <input type="checkbox"/> 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		
Email Address		
Current Employer Name		
Employer Address		
Employer City, State, Zip Code		
Employer Telephone Number		
Employer Fax Number		

<p>B. Type of Case being filed - Check only one category. <i>*Check only if no other category applies</i></p> <p><input type="checkbox"/> Dissolution (Divorce)</p> <p><input type="checkbox"/> Legal Separation</p> <p><input type="checkbox"/> Annulment</p> <p><input type="checkbox"/> Order of Protection</p> <p><input type="checkbox"/> Other*</p>	<p>Interpreter Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, what language(s)? _____ _____</p>
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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

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Name of Petitioner

Case Number: _____

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

Name of Respondent

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT MY SPOUSE, THE PETITIONER:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Starting with today, number of months/years in a row, the Petitioner, has lived in Arizona: _____

2. INFORMATION ABOUT ME, THE RESPONDENT:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Starting with today, number of months/years in a row the Respondent has 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:	Petitioner	Respondent	Value
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Legal Description: _____			

<input type="checkbox"/>	Real estate located at:	Petitioner	Respondent	Value
	_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Legal Description: _____			

<input type="checkbox"/>	Household furniture and appliances:	Petitioner	Respondent	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:	Petitioner	Respondent	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"/>	Other items:	Petitioner	Respondent	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:	Petitioner	Respondent	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"/>	\$ _____

	Petitioner	Respondent	Value
<input type="checkbox"/> Motor vehicles:			
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	Petitioner	Respondent	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	Petitioner	Respondent	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"/>	\$ _____
_____	<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	Petitioner	Respondent	Amount Owed
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

7. TAX RETURNS: (Check this box if this is what you want).
 After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will pay federal and state taxes as follows: For previous years (the years we were married, not including the year the Decree was signed), the parties will file joint federal and state income tax returns. In addition, for previous calendar years, both parties will pay and hold the other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds. For the calendar year (the year that the Decree is signed) and all future calendar years, each party will file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

8. 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.)

9. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY): (Check the box that applies to you.)
 Neither party is entitled to spousal maintenance/support (alimony), OR
 Petitioner OR Respondent 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.)
 Person lacks sufficient property to provide for his/her reasonable needs;
 Person is unable to support himself /herself through appropriate employment;
 Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;
 Person lacks earning ability in the labor market adequate to support himself/herself; and,
 Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself/herself.

10. 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.)

11. PREGNANCY:
 Wife is **not** pregnant, OR
 Wife is pregnant
 The baby is due on _____ (date), (and, check one box below):
 The Petitioner and Respondent are the parents of the child, OR
 Petitioner is **not** the parent of the child, OR
 Respondent is **not** the parent of the child.

WARNING. If wife is pregnant and the Petitioner and the Respondent are the parents of the child, STOP. YOU MUST FILE THE PAPERS FOR DIVORCE WITH CHILDREN.

- 12. 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.
- 13. 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:

--	--	--

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

--	--	--

WARNING: If you are **not** the person who is requesting to have your former name restored, the court must have a written request from the party who wants his/her name restored, to change the name.

C. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

Order spousal maintenance/support to be paid by Petitioner, or Respondent through the Clerk of the 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 Petition.

E. COMMUNITY DEBTS:

Order each party to pay community debts as requested in the Petition, 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 parties separation on (date): _____ or the date the Respondent 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)

_____.

(notary seal)

Deputy Clerk or Notary Public

Copy of this document mailed to the other party on: _____
Month / Date / Year

To the following address: _____

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

Case No. _____

ATLAS No. _____

Respondent

ALTERNATIVE DISPUTE RESOLUTION STATEMENT TO THE COURT A.R.F.L.P. 66(E)

Check appropriate box below:

Petitioner's Statement

Respondent's Statement

Joint Statement (signed by both parties)

Pursuant to the Arizona Rules of Family Law Procedure, we hereby state the following, under penalty of perjury:

1. The parties agree to participate in the following Alternative Dispute Resolution (ADR) process and:
 - a. have selected the following ADR process:
 - Arbitration
 - Mediation
 - Settlement Conference
 - Other: _____
 - b. The parties will use a private provider OR
 The parties request a program provided through the court.
 - c. The person or company providing the ADR service is: _____
 - d. The parties expect to complete the ADR process by _____, ____.
2. The parties have been unable to agree on an ADR process.
 - The Petitioner Respondent believe(s) that the following ADR process would be appropriate: _____
 - The Petitioner Respondent request(s) a conference to discuss ADR.
 - The Petitioner Respondent believe(s) that an ADR process would not be appropriate for the following reason: _____

Date

Petitioner

Date

Respondent