

DIVORCE WITH MINOR CHILDREN For Petitioner Only



PINAL COUNTY NON-COVENANT MARRIAGE

**TO FILE FOR DISSOLUTION (DIVORCE)
OF MARRIAGE WITH CHILDREN**

INSTRUCTIONS AND FORMS
Provided as a Public Service by
CHAD A. ROCHE
Clerk of the Superior Court

REPRESENTING YOURSELF IN FAMILY COURT

It is not easy to represent yourself in Family Court, but many people do it for financial and other reasons. This brief guide provides some very basic information to help you understand the proceedings. It does not tell you everything about family law or family court, and it is no substitute for understanding Title 25 of the Arizona Revised Statutes, the Arizona Rules of Family Law Procedure, and the Arizona Rules of Evidence. For more information, you should go to the Pinal County Superior Court website (www.pinalcountyz.gov/Departments/JudicialBranch/) or consult a lawyer.

Proceedings In Family Court

Proceedings in Family Court follow the *Arizona Rules of Family Law Procedure*.

In a divorce or paternity case, you may be referred to an Early Resolution Conference, Mediation, a Parenting Conference, or a Settlement Conference (sometimes called an Alternative Dispute Resolution or “ADR”). These proceedings are designed to help the parties reach agreement on all or some of their disputes. They generally are not conducted by your assigned Judge.

You may also have to appear before the Judge for a pretrial hearing. The most common pretrial hearings are (1) a *Resolution Management Conference*, which helps the Judge manage the case by, among other things, setting deadlines and a trial date; and (2) a *Temporary Orders Hearing*, at which the Judge may issue temporary orders to govern the case until the trial.

If you do not reach a settlement of all issues, there will be a *trial*. This is the single hearing where the Judge will hear your evidence and make final decisions on disputed issues.

Disclosure And Discovery

To help parties prepare for the trial, the Arizona Rules of Family Law Procedure have *disclosure* and *discovery* requirements.

Disclosure requirements are in Rule 49. Each party must voluntarily provide certain information to the other party. You have an obligation to disclose such information to the other party, and you have a right to insist that the other party disclose such information to you. Failure to disclose as required may result in sanctions, including being barred from offering evidence that was not timely disclosed.

If you need information that is not voluntarily disclosed, you may engage in *discovery*, such as requesting documents from a party or subpoenaing documents from non-parties. Rules 51 through 65 of the Arizona Rules of Family Court discuss the requirements for discovery.

What Is A Trial?

A trial is the time for you and for the other party to present *evidence* on disputed issues.

General Issues If Children Are Involved In Your Case:

- Legal custody (decision-making authority over major matters concerning the children).
- Parenting time (what time each parent will spend with the children).
- Child support.

Additional Issues If Your Case Involves A Divorce:

- Spousal maintenance.
- Division of community property and allocation of debts.

The Judge will decide these issues based on the evidence presented during the trial. *Only evidence you bring to the trial will be considered.*

After the trial, the Judge may issue a ruling in open court or may take the case “under advisement,” which means that the Judge will issue a written ruling at a later time.

The judge’s ruling may be a signed **decree** or **judgment**, which officially concludes the case. If the judge chooses, the judge may decide disputed issues and then require one or both of the parties to submit a decree for the judge’s signature.

Preparing For The Trial

When preparing for the trial, it is critical that you read the judge’s minute entries carefully. The minute entries typically contain the Judge’s requirements for the trial. These requirements may include: (1) Submitting a **pretrial statement** that describes the issues in the case and lists your witnesses and exhibits; and (2) Giving copies of your **exhibits** to the Clerk and to the other party before the trial.

Many Judges impose **time limits** at the trial. It is your responsibility to make sure you present all your evidence in the time allotted.

What Happens During The Trial?

The main thing that happens during the trial is the presentation of **evidence**. The Judge will make decision based on the evidence presented during the trial. Evidence is generally of two kinds: (1) Witness testimony and (2) Documents.

When you call a **witness** to testify, you must ask the witness questions. A witness may only answer questions that are asked. When the party who called a witness is done with questioning, the other party may “cross-examine” the witness by asking additional questions.

A party may testify as a witness on his or her own behalf. However, while a witness is on the stand, the parties may only ask questions. Arguing with a witness or commenting on the answers is not allowed.

Documents may be evidence at the trial, but you must follow the proper procedure. Before the trial (usually 5 days before), you must give documents that you want to use to the Clerk of the Court to be “marked” with an exhibit number. However, marking an exhibit does not mean it is evidence. Rather, during the trial, you must “offer” the exhibit by asking the judge to admit it into evidence. The judge then decides whether to admit the evidence. The judge will consider only evidence that is **admitted**.

Proper Court Behavior

Although family cases are often emotional, it is important that everyone act in an orderly and respectful way in court. Here are some “Do’s and Don’ts:”

- Do dress appropriately. Don’t wear hats, sunglasses, or ragged clothes.
- Do wait your turn to speak. Don’t interrupt or bicker while someone else is talking.
- Do treat others with respect. Don’t curse, make faces, or engage in confrontational behavior.
- Do be honest and candid with the judge. Don’t lie or try to hide things.
- Do make sure that friends and family who accompany you sit quietly. They are not allowed to speak unless called as a witness, and then only when they are testifying.

For Additional Information

This guide presents very basic information. For additional information, read the applicable statutes and rules, visit the Pinal County Superior Court website (www.pinalcountyz.gov/Departments/Judicial Branch) and if necessary, consult a lawyer.

PETITION FOR DISSOLUTION OF NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

CHECKLIST

You may use the forms and instructions in this packet if...

- ✓ You want to file a petition for divorce **AND**,
- ✓ You do **not** have a “covenant marriage” (These papers will not work for a covenant marriage)* **AND**,

***What is a “Covenant Marriage?” As of August 21, 1998, the Arizona Legislature created a new type of marriage called “covenant” marriage. To have a covenant marriage, both husband and wife would have had to:**

1. Sign papers **requesting** to have a covenant marriage;
2. Attend Pre-Marital counseling; **AND**
3. Your marriage license would say “Covenant Marriage.”

If you were married before August 21, 1998 and have not signed papers to convert your marriage to a covenant marriage, you do not have a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

- ✓ You and your spouse have minor children with each other OR the wife is pregnant by the husband **AND**,
- ✓ The minor child(ren) resided (lived) in Arizona at least 6 months before you file the petition or you talked to a lawyer who advised you that you could pursue the case in Arizona **AND**,
- ✓ Either spouse lived in Arizona at least 90 days before you file the Petition, or is a member of the armed forces and is stationed in Arizona at least 90 days before you file **AND**,
- ✓ You believe that the marriage is irretrievably broken (you and your spouse cannot make this marriage work) **AND**,
- ✓ You or your spouse has tried to resolve your marital problems through Conciliation Services, or there is no point in trying to resolve your marital problems.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing.

DIVORCE WITH MINOR CHILDREN

This packet contains general information and instructions about filing a divorce petition for a non-covenant marriage and other court papers when there are minor children. Be sure this packet contains the following documents:

Order	Title	# of Pages
1	Checklist: Use these forms if...	1
2	Table of Contents (this page)	1
3	Instructions: How to Fill Out "Petition for Dissolution of Marriage with Children"	7
4	Procedures: How to file Divorce Papers with the Court	2
5	"Family Court Cover Sheet" (*NO COPIES REQUIRED)	2
6	"Sensitive Data Sheet" (*NO COPIES REQUIRED)	2
7	"Summons"	2
8	"Preliminary Injunction"	2
9	"Petition for Dissolution of Non-Covenant Marriage (Divorce) with Minor Children"	8
10	"Notice of Right to Convert Health Insurance"	1
11	"Court Order" for Parent Education Class & Conciliation Services (Provided at the time of Filing Petition with the Clerk's office)	2
12	"Affidavit Regarding Minor Children"	2
13	"Notice Regarding Creditors"	2
14	"Parenting Plan"	7
15	"Child Support Calculator"	1

***NO COPIES REQUIRED. File original only. Do not serve on other party.**

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

INSTRUCTIONS

How to Fill Out Papers for Dissolution of A Non-Covenant Marriage (Divorce) With Minor Children

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

Court documents request your address and phone number. If you are a victim of domestic violence, and you do **not** want your address to be known to protect yourself or your children from further violence, you **must file** a **“Petition for an Order of Protection”** and ask that your address **not** be disclosed on court papers. With that Order, you do not need to put your address and phone number on your divorce papers. Just write "protected" in the space on the form where you are asked for this information. You must tell the Clerk of the Court your address and phone number as soon as possible so the court can get in touch with you. The court will keep your address protected.

(ALL FORMS: TYPE OR PRINT IN BLACK INK)

FAMILY COURT COVER SHEET

- The Family Court Cover Sheet is **REQUIRED** to be completed and filed in Pinal County.
- Write in the information requested about the petitioner, respondent and any children under the age of 18.
- **DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION.**
- Case Type: Mark only one box that matches the legal procedure for which you are filing the documents in this packet: **[x] Dissolution (Divorce)**
- Interpreter: Check “yes” or “no” to indicate whether an interpreter is needed. If “yes,” write in what language(s).
- No additional copies needed. Do **NOT** serve this document on the other party.

SENSITIVE DATA SHEET

- Write in the information requested about petitioner, respondent, and any children under the age of 18.
- **DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION.**
- No additional copies needed. Do NOT serve this document on the other party.

SUMMONS AND PRELIMINARY INJUNCTION

Fill in the following information: Your name, street address (**if not protected**), city, state, zip code, telephone number, ATLAS number, name of Petitioner (your name, name of Respondent (your spouse's name). You will have an ATLAS number ONLY if you receive or have received AFDC or other public benefits for your minor child(ren) that are common to you and your spouse. If you are represented by an attorney, write in the attorney’s bar number. Tell the court whether you represent yourself or are represented by an attorney. For the **“Preliminary Injunction,”** be sure to fill out the description of the parties.

PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

- A.** Use this form **ONLY** if you are getting a divorce and there are children under the age of 18 years involved who are common to you and your spouse, and you have a non-covenant marriage. Arizona laws regarding “covenant” marriages went into effect August 21, 1998. See ARS §25-901. If you have a covenant marriage, you and your spouse were asked to sign an affidavit that included a statement similar to this: “We solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for as long as they both live. We have chosen each other carefully. We understand that a covenant marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling.

We declare that our marriage will be bound by Arizona law regarding covenant marriages and we promise to love, honor and care for one another as husband and wife for the rest of our lives.” (This paperwork will **not** work if you have a covenant marriage. If you have questions about whether you have a “covenant” marriage, look at your marriage license and/or see a lawyer for help.) Make sure your form is titled **“Petition for Dissolution of Non-Covenant Marriage (Divorce) With Children.”**

- B.** In the top left corner of the first page, fill out the following: your name (if you are the person filling out the petition and filing the petition with the court), your address (**if not protected**), your city, state, zip code, your telephone number; and your **ATLAS** number, if you are receiving or have received AFDC from the Arizona Department of Economic Security and the attorney bar number if you are represented by an attorney. Then check the box to say whether you are represented or not.
- C.** Fill in **your** name in the space that says "Name of Petitioner." Remember, you will be the PETITIONER through the whole case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.) In the space that says "Name of Respondent," fill in the name of your spouse. Your spouse will be the RESPONDENT for the rest of this case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.)
- D.** Leave the space for Case No. _____ blank. When you file your papers, you will receive a case number.

STATEMENTS MADE TO THE COURT, UNDER OATH OR BY AFFIRMATION:

- 1. INFORMATION ABOUT ME, THE PETITIONER.** Fill in your name, address (**if not protected**), date of birth, occupation, and length of time in Arizona.
- 2. INFORMATION ABOUT MY SPOUSE, THE RESPONDENT.** Fill in your spouse’s name, address, (if you know it) date of birth, occupation, and length of time in Arizona.
- 3. INFORMATION ABOUT YOUR MARRIAGE.** Fill in the date you were married, and the city and state where you were married. If you do not know this information, and you were married in Pinal County, you may get a copy of your marriage license from the Clerk of the Court at 971 N. Jason Lopez Circle, Bldg A, Florence AZ 85132. If you were married in another county in Arizona, go to the Clerk of the Superior Court at the county seat where you were married.

NEXT: Read the statements that follow the checkboxes. Check the box for each statement that is **TRUE**. If any statement is **NOT true** or *if you fail to check the box to indicate the statement is true*, your case may not proceed. If the fourth box (regarding legal decision-making) is not checked, the Court may not be able to enter orders regarding legal decision-making of the children.

Check the first box to indicate that you do not have a “covenant” marriage.*

Check the second box to indicate your marriage is irretrievably broken.*

Check the third box to indicate you have been to marital counseling – or that it would not help.*

Check the fourth box to indicate this court has the power to decide child legal decision-making issues.*

*** To have a “Covenant Marriage”, both husband and wife would have had to:**

- 1. Sign papers requesting** to have a covenant marriage or to convert to a covenant marriage,
- 2. Attend pre-marital counseling** (unless converting an existing marriage to a covenant marriage, **AND**
- 3. Your marriage license would say “Covenant Marriage”.**

If you still have questions about whether you have a “covenant” marriage, contact a lawyer for help.

“Irretrievably broken” means that your marriage is broken beyond repair and there is no chance of getting back together with your spouse.

“Power to decide legal decision-making.” Generally, the children must have lived in Arizona for the past six (6) months, or since birth if younger than 6 months.

4. **90-DAY REQUIREMENT.** Before you file for Divorce, this **MUST** be true. **IF IT IS NOT TRUE, YOU CANNOT FILE FOR DIVORCE** in Arizona until it becomes true.
5. **DOMESTIC VIOLENCE.** This tells the court if domestic violence was in the marriage, which affects a request for joint legal decision-making, (if you intend to ask for joint legal decision-making). If you are not sure what domestic violence means, see the "Domestic Violence" section on the first page of these instructions. Check the box that applies to your situation.
6. **CHILDREN COMMON TO THE PARTIES WHO ARE LESS THAN 18 YEARS OF AGE.** If there are no children under the age of 18 born to, or adopted by, you and your spouse, you should use the "*Petition for Dissolution of a Non-Covenant Marriage - Without Minor Children*" Packet. Otherwise, check the second box and provide the name, birth date and current home address including city, state, and zip code for each minor child born to, or adopted by, you and your spouse.
7. **PREGNANCY.** If the wife is **NOT** pregnant at this time, check the first box and go on. If the wife is pregnant, check the second box. Fill out the date the baby is due, and fill in any information regarding the parents of the unborn child.

INFORMATION ABOUT PROPERTY AND DEBT: The information you give in paragraphs 8a through 9b tells the court about your property and debts, and how you think your property and debts should be divided.

- Community property is generally any property you and your spouse purchased during your marriage or paid for during the marriage, no matter who uses the property or who paid the money.
- Unless property was a gift or inheritance, all property gotten (acquired) during the marriage up until the time when the Respondent is served with the Petition for Dissolution is generally community property, and both you and your spouse are entitled to roughly an equal share of this property.
- Community debts or bills are generally any debt you and your spouse acquired during your marriage up until the time the Respondent is served with the Petition for Dissolution, no matter who spent the money.
- If you have questions, or have a lot of community property or debt, you should speak with an attorney **BEFORE** filing your Petition and other papers.

- 8.a **PROPERTY ACQUIRED DURING THE MARRIAGE. COMMUNITY PROPERTY.** If you and your spouse do not have any property from the marriage, check the first box. If you and your spouse have property together, check the second box. If you checked the second box, you must tell the court what property should go to you and what property should go to your spouse. Generally, the court will divide the property 50-50, unless there are good reasons not to. It is unlikely that the court will give most or all of the property to either spouse, so put some thought into what you think would be a fair division before answering this question. Usually, if you and your spouse cannot decide which spouse should receive what property, the court will order that the property be sold and any money received divided between you and your spouse.

First, list the property that you want the court to award to you, the Petitioner, and list the property that you want the court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. Use the brand name, model and serial numbers, where applicable.

Types of property:

- a) **Real Property (property or home).** Check who you want to get the property. You can ask the court to give you the home, to give the home to your spouse, or to sell the home and divide the proceeds. You should write the complete address of the property under "Real estate located at" Most property has a legal description such as "LOT 77, PINE TREE ACRES, according to Book 111 of Maps," which appears on your deed papers. You should use this description. A cemetery plot is considered real property.

- b) **Household furniture.** This includes sofas, beds, tables, and so forth. Be specific.
- c) **Household furnishings.** This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth. Be specific.
- d) **Other.** List things that you want or you want your spouse to have that has not already been listed.
- e) **Pension/retirement fund/profit sharing/stock plans/401K.** You and your spouse each generally have an interest of up to 50% (one-half) of the other spouse's plan, for the number of years you were married. The longer the marriage, the greater your financial interest in your spouse's plan (up to 50 percent of the benefits/plan if you have been married the whole time the plan has existed.) Check this box if you want to divide your interest in a retirement or profit sharing/retirement/401K plan. If you check this box, you must see an attorney about a **document** called a **Qualified Domestic Relations Order or QDRO. A QDRO is a very specialized legal document that requires professional assistance to prepare.**
- f) **Motor vehicles.** List the vehicle identification number, the year and make of the car (Ford, Honda) and the model (Mustang, Lumina).

8.b. PROPERTY ACQUIRED BEFORE MARRIAGE. SEPARATE PROPERTY. If you did not have or bring any property into the marriage, check the first box. If your spouse did not have or bring any property into the marriage, check the next box. If you or your spouse brought property into the marriage or acquired property after the Respondent was served with the Petition for Dissolution, check the third and/or fourth box. If you checked the third and/or fourth box, you must tell the court what property you brought into the marriage and what property your spouse brought into the marriage. List the property that you want the court to award to you, the Petitioner and list the property that you want the court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. You can use the brand name and model and serial numbers where applicable.

9.a DEBTS INCURRED DURING THE MARRIAGE. If you and your spouse do not owe money on any debts from the marriage, check the first box and go on. If you and your spouse owe money on any debts from the marriage, check the second box. If you check the second box, tell the court which debts you should pay and which debts your spouse should pay. Generally, the court will attempt to make a fair division of the debts. If you get property that has debt on it, you will probably also be given the debt. Ordering one person to pay all the debt is unusual. Think about what is a fair division of the debts before answering this question. Put enough information to identify each debt.

If you and your spouse have been separated and have acquired new debts on your own since the separation and before filing for divorce, you may want the court to order that each of you pay for any new debt after the date you separated. You can make this request on the last page of your Petition under Letter I, "Community Debts."

9.b. SEPARATE DEBTS. DEBTS INCURRED PRIOR TO MARRIAGE. If you and your spouse did not owe money on any debts before you were married, check the first box and GO ON. If you owed money on debts before you were married, check the second box. If your spouse owed money on debts before you were married, check the third box. If either you or your spouse owe money on any debts you or your spouse brought into the marriage, describe the debts, and tell the court which debts you should pay and which debts your spouse should pay.

10. TAX RETURNS. Decide what you want to do about any income tax refund. Check the box that applies to you. If you have questions about which box you can check, you should see a lawyer, an accountant, and/or contact the Internal Revenue Service (IRS).

11. SPOUSAL MAINTENANCE /SUPPORT is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. You may know the term as alimony. Spousal maintenance/ support is designed as a safety net for a spouse who cannot provide for his/her needs or who meets other requirements listed on the Petition under paragraph 11. The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared and earned by **BOTH** parties to a marriage. Look at

paragraph 11 to see if spousal maintenance/support applies to you or your spouse. Check as many boxes that apply to your situation. Spousal maintenance/support is paid separately from child support and is **not** a substitute for or a supplement to child support.

12. **WRITTEN LEGAL DECISION-MAKING AGREEMENT.** Check this box **ONLY** if you and your spouse have a written agreement regarding legal decision-making, parenting time and child support that **both** of you signed **BEFORE** you filed the ***"Petition for Dissolution of Marriage."*** If you have only discussed these issues and do **not** have a written agreement, do **NOT** check this box.

REQUESTS TO THE COURT. This section requests that the court grant you and your spouse your divorce and tells the court other requests you are making:

- A. **DISSOLUTION.** This is your request to end your non-covenant marriage by a divorce.
- B. **NAMES.** Write in this section only if you want to use your maiden or former name. Write in your maiden name or former last name in the space provided. 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 or her name restored in order to change the name.

C. **CHILD LEGAL DECISION-MAKING AND PARENTING TIME:**

- C.1. **SOLE LEGAL DECISION-MAKING OF MINOR CHILDREN AND PARENTING TIME.** If you want sole legal decision-making, check the box that applies, including the parenting time you are asking for. Tell the court whether you want legal decision-making of the minor child(ren) to go to you (the Petitioner) or your spouse (the Respondent).

PARENTING TIME: Check only one box. You can ask that the non-custodial parent (the parent having physical legal decision-making of the minor child less than 50% of the time) have one of the following types of parenting time. (If you want to know more about legal decision-making and parenting time, refer to ***"Planning for Parenting Time: Arizona's Guide for Parents Living Apart."*** The **Guide** is available to download for **free** from the state courts' web page at:

<http://azcourts.gov/Portals/31/ParentingTime/PPWguidelines.pdf>

Reasonable parenting time. This suggests an amount of parenting time appropriate to the age of the child(ren). The court offers suggested amounts of parenting time, but the amount can vary by agreement of both parents.

Supervised parenting time to the non-custodial parent. You should request supervised parenting time if the non-custodial parent cannot adequately care for the minor child(ren) without another person present. You may request this if the non-custodial parent has a problem with drugs or alcohol; is violent or abusive; or does not have the parenting skills to care for the minor child(ren) without another adult present. Remember, supervised parenting time is not intended to punish the parent, but to protect the minor child(ren).

No parenting time to the non-custodial parent. You should mark this option only if the non-custodial parent has seriously harmed, abused, or otherwise is a serious danger to the minor child(ren)'s physical and/or emotional health, or if there is a criminal court order stating no contact between the minor child and the non-custodial parent. You may use this as a last resort to protect the minor child.

OR

- C.2. **JOINT LEGAL DECISION-MAKING:** If you are asking for joint legal decision-making, you must file a Joint Legal decision-making Agreement signed by both parents that the court must approve.

- D. CHILD SUPPORT:** Tell the court who you think should pay child support. The person who has legal decision-making of the minor child(ren), or who has physical care of the minor child(ren) more than 50% of the time, is the person who should receive the support. The other spouse, often called the "non-custodial" parent, must pay the support. The income of the parties generally determines the amount of the support according to court guidelines. You must check only one box.
- E. INSURANCE AND HEALTH CARE EXPENSES FOR MINOR CHILDREN:** Check only one box. Tell the court which parent should provide insurance for the minor children. Whichever parent has the most affordable insurance plan available through work, generally should pay for insurance. Adjustments can be made to child support to reflect the costs of insurance for the children.
- F. TAX EXEMPTION.** Decide how you and your spouse will declare the tax dependency exemptions, for which child(ren), for which years. Federal Tax law also determines this for you. If you are not sure, see a lawyer and/or an accountant for help.
- G. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY).** This tells the court that you or your spouse should pay money to the other spouse on a monthly basis to help with living expenses. Check the first box if **YOU** (the Petitioner) will be paying spousal maintenance/support. Check the second box if **YOUR SPOUSE** (the Respondent) will be paying spousal maintenance/support. If you or your spouse should not pay spousal maintenance/support, do not check either box, and **GO ON. (You can check a box only if you checked the same box in the spousal maintenance/support section on page 5, paragraph 11.)** If you request spousal maintenance/support, choose what you believe to be a reasonable monthly amount and tell the court how long the money should be paid. Base the amount of any request on the receiving party's need and the income of the party paying this money.
- Spousal maintenance is not a substitute for, or a supplement to, court ordered child support.**
- H. COMMUNITY PROPERTY.** This tells the court that your division of the property is fair.
- I. COMMUNITY DEBT.** This tells the court that your division of the debt is fair, and that the court should divide the debts as requested by you in your Petition. If you have been separated from your spouse long enough that you or your spouse may have additional debts, write down the date of your separation on the line provided if you want each spouse to pay his/her debts incurred after you separated.
- J. SEPARATE PROPERTY and DEBTS.** This states that you will keep the property you owned before the marriage and that your spouse will keep the property he/she owned before the marriage. It also says that you will pay your separate debts and your spouse will pay his/her separate debts.
- K. OTHER ORDERS:** Tell the court anything else you may want ordered that has not been covered in your Petition.

OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER: Sign this form in front of a notary public. By doing so, you are telling the Court that everything contained in the Petition is true, under penalty of perjury.

NOTICE OF RIGHT TO CONVERT HEALTH INSURANCE

This is an important document that explains what to do about health care coverage for yourself and your minor child(ren). Read it carefully, and be sure a copy is served on your spouse, along with the other divorce papers.

AFFIDAVIT OF MINOR CHILDREN: You must complete this document. Fill in the information completely and to the best of your knowledge.

ORDER and NOTICE REGARDING THE PARENT INFORMATION PROGRAM: This is an important document. You and the other parent must attend and complete a class in the Parent Information Program. This is a very exciting and wonderful class. It was designed to help you. The purpose of the Parent Information Program is to give parents information about the impacts that divorce, the changes in the family unit and court

involvement have on minor children involved in a divorce, paternity, or legal decision-making case. This Notice applies to **all** parents who file an action for dissolution of marriage or legal separation, or any paternity proceeding, in which a party has requested that the court determine legal decision-making, parenting time or support, and to all other domestic relations cases if ordered by the court. **Make sure you read this order and notice and serve the other party with it.**

NOTICE REGARDING CREDITORS: This is an important document that tells you and your spouse that you are responsible for community debts to creditors even though the court order or decree says that only one of you (either you or your spouse) are responsible. This notice must be served on your spouse. In addition, read this notice to find out how to obtain information from your creditors about account balances.

OTHER IMPORTANT PAPERS IN THIS PACKET: Before you get an order from the Judge you must complete the court papers on what you want the Judge to order about child legal decision-making and parenting time, and for child support. These court forms, and those prepared by the other party, are what the Judge will use when it is time to sign the order about legal decision-making, parenting time and support. You can complete the papers about legal decision-making, parenting time and support now, and serve or provide copies to the other party. Or, you can complete the papers before the final court hearing date. The Family Support Center of the Clerk of the Court will help you with Child Support calculations for the Worksheet.

PROCEDURES

How to File Papers with the Court for Dissolution of a Non-Covenant Marriage (Divorce) – With Minor Children

STEP 1: Complete the “Family Court Coversheet” and the “Sensitive Data Sheet”
(Do not copy this document)

STEP 2: Make 2 Copies of the following documents after you have filled them out:

- “Summons”
- “Preliminary Injunction”
- “Petition for Dissolution of Non Covenant Marriage (Divorce) With Minor Children”
- “Notice of Right to Convert Health Insurance”
- “Order and Notice for the Parent Information Program”
- “Affidavit Regarding Minor Children”
- “Notice Regarding Creditors”
- “Parenting Plan”
- “Child Support Worksheet”

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

<u>SET 1 - ORIGINALS FOR CLERK OF COURT:</u>	
<ul style="list-style-type: none">• Family Court Coversheet• Sensitive Data Sheet• “Summons”• “Preliminary Injunction”• “Petition for Dissolution of Marriage...”• “Notice of Right to Convert Health Insurance”	<ul style="list-style-type: none">• “Order and Notice for Parent Information Program”• “Affidavit Regarding Minor Children”• “Notice Regarding Creditors”• “Parenting Plan”• “Child Support Worksheet”
<u>SET 2 - COPIES FOR SPOUSE:</u>	<u>SET 3 – COPIES FOR YOU:</u>
<ul style="list-style-type: none">• “Summons”• “Preliminary Injunction”• “Petition for Dissolution of Marriage...”• “Notice of Right to Convert Health Insurance”• “Order and Notice for Parent Information Program”• “Affidavit Regarding Minor Children”• “Notice Regarding Creditors”• “Parenting Plan”• “Child Support Worksheet”	<ul style="list-style-type: none">• “Summons”• “Preliminary Injunction”• “Petition for Dissolution of Marriage...”• “Notice of Right to Convert Health Insurance”• “Order and Notice for Parent Information Program”• “Affidavit Regarding Minor Children”• “Notice Regarding Creditors”• “Parenting Plan”• “Child Support Worksheet”

STEP 4: FILE THE PAPERS WITH THE CLERK OF THE SUPERIOR COURT:

GO TO the Clerk of Court filing counters at one of the following locations: The court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.**

Pinal County Justice Complex
971 N. Jason Lopez Circle Bldg. A
Florence AZ 85132
(520) 866-5300

Apache Junction Office
575 N. Idaho Rd. Suite 109
Apache Junction, AZ 85119
(520) 866-5300

Casa Grande Office
820 E. Cottonwood Lane Bldg. B
Casa Grande, AZ 85122
(520) 866-5300

Mammoth Office
(Temporarily Closed)

FEES: There is a filing fee for filing this Petition and there may be other charges associated with this case. Inquire with the Clerk's office regarding the filing fee amount or go online to <http://pinalcountyaz.gov/COSC> for a list of current fees.

If you cannot pay these fees, you may request the fee(s) be deferred or waived. The Clerk of the Superior Court has the necessary forms to ask for a deferral or waiver.

NOTE: With the Application for Deferral, there is a \$26 fee and you must provide proof of income (copy of your last 2 most recent paystubs).

PAPERS: Hand all three **(3)** sets of your court papers to the Deputy Clerk along with the filing fee. Cash, VISA/MasterCard debit or credit cards, money order, or personal in-state check **made payable to the "Clerk of Superior Court"** are acceptable forms of payment.

MAKE SURE YOU GET THE FOLLOWING BACK FROM THE CLERK:

- Your Set of Copies – Conformed stamped
- Your Spouse's Set of Copies – Conformed stamped

STEP 5: Read the packet called "Service of Court Papers" that applies to your situation. This will explain how to serve the other party. Remember to file your Affidavit, Waiver or Acceptance of Service as soon as the Respondent is served.

Arizona Superior Court, Pinal County Family Court Cover Sheet

CASE NUMBER <u>DO 2</u> ATLAS NUMBER(S) _____	Judge _____
--	-------------

<p style="text-align: center;">PETITIONER'S NAME AND ADDRESS</p> Name: _____ Address: _____ City/State/Zip: _____ Phone Number: _____ Email Address: _____ DOB: _____	<p style="text-align: center;">RESPONDENT'S NAME AND ADDRESS</p> Name: _____ Address: _____ City/State/Zip: _____ Phone Number: _____ Email Address: _____ DOB: _____
<p style="text-align: center;">PETITIONER'S ATTORNEY</p> Name/State Bar #: _____ Address: _____ City/State/Zip: _____ Phone Number: _____	<p style="text-align: center;">EMERGENCY ORDER SOUGHT</p> <input type="checkbox"/> Order of Protection <input type="checkbox"/> Temporary Order <input type="checkbox"/> Other _____ (Specify)
<p>Do you or the other party need an interpreter?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> If yes, what language: _____	<p>FEES: <input type="checkbox"/> PAID <input type="checkbox"/> NOT PAID - REASON</p> <input type="checkbox"/> Political Subdivision/Government Agency <input type="checkbox"/> Deferred <input type="checkbox"/> Waived

ACTION REQUESTED Check only one box

DISSOLUTION (Divorce)

- With Children
- Without Children

- Legal Separation
- Paternity/Maternity
- Annulment
- Legal Decision-Making
- Order of Protection
- Foreign Judgment
- Domesticated Decree
- Foreign Judgment for Legal Decision-Making
- Establish Support
- Habeas Corpus
- Parenting Time
- Emergency Order of Protection
- Other _____
(Specify)

Name of Person Filing: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

 Name of Petitioner

CASE NUMBER: _____

**SENSITIVE DATA SHEET
 (CONFIDENTIAL RECORD)**

 Name of Respondent

HONORABLE: _____

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 A.R.F.L.P. 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	_____	_____
	Driver's License 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	_____	_____

B. Child(ren) Information:			
Child Name	Gender	Child Social Security Number	Child Date of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Clerk of Court Issued:

***For Court Use Only. NOT Public Record. Do NOT Provide A Copy Of This Document To The Other Party.**

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

_____ CASE NUMBER: DO2
 Name of Petitioner

SUMMONS

_____ HONORABLE: _____
 Name of Respondent

WARNING: This is an official document from the court that affects your rights. Read this carefully. If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO _____
 Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this **“Summons.”**
2. If you do **not** want a judgment or order taken against you without your input, you must file an **“Answer”** or a **“Response”** in writing with the court, and pay the filing fee. If you do **not** file an **“Answer”** or **“Response”** the other party may be given the relief requested in his/her Petition or Complaint. To file your **“Answer”** or **“Response”** take, or send, the **“Answer”** or **“Response”** to the Office of the Clerk of the Superior Court, 971 Jason Lopez Circle Bldg A , Florence, Arizona 85132 or PO Box 2730, Florence, Arizona 85132-2730; or any satellite office. Mail a copy of your **“Response”** or **“Answer”** to the other party at the address listed on the top of this Summons.
3. If this **“Summons”** and the other court papers were served on you by a registered process server or the Sheriff, **within** the State of Arizona, your **“Response”** or **“Answer”** must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, **not counting the day you were served.** If this **“Summons”** and the other papers were served on you by a registered process server or the Sheriff **outside** the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, **not counting the day you were served.** Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.

4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court at the address listed in Paragraph 2 above.
5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a Petition for Conciliation for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning Legal Decision-Making and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least five **(5)** days before your scheduled court date.

GIVEN UNDER MY HAND AND SEAL OF THE COURT

_____ **Date**

CHAD A. ROCHE
Clerk of the Superior Court

By

_____ **Deputy Clerk**

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

_____ CASE NUMBER: DO2
 Name of Petitioner

PRELIMINARY INJUNCTION

_____ HONORABLE: _____
 Name of Respondent

WARNING: This is an official Order from the court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.

Your spouse has filed a ***“Petition for Dissolution”*** (Divorce) or ***“Petition for Annulment”*** or ***“Petition for Legal Separation”*** with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Pinal County. This Order has the same force and effect as any order signed by the judge. You and your spouse **must** obey this Order. This Order may be enforced by any remedy available under the law, including an ***“Order of Contempt of Court.”*** To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

EXPLANATION: (What does this Order mean to you?)

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the ***“Petition for Dissolution”*** (Divorce) or ***“Petition for Annulment”*** or ***“Petition for Legal Separation”*** is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:
 - ✓ You may **not** hide earnings or community property from your spouse, **AND**
 - ✓ You may **not** take out a loan on the community property, **AND**
 - ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
 - ✓ Do **not** harass or bother your spouse or the children, **AND**
 - ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
 - ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.

- ✓ Do **not** remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

STATUTORY REQUIREMENTS: Arizona Law, A.R.S. 25-315(A) provides:

- 1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
- 1(b). **REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- 1(c). **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- 1(d). **RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.
2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.
3. **ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
4. **WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.
5. **LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.
6. **DESCRIPTION OF THE PARTIES:**

Petitioner:

Name: _____
 Height: _____
 Date of Birth: _____

Gender: Male Female
 Weight: _____

Respondent:

Name: _____
 Height: _____
 Date of Birth: _____

Gender: Male Female
 Weight: _____

GIVEN UNDER MY HAND AND SEAL OF THE COURT

_____ Date

CHAD A. ROCHE
Clerk of the Superior Court

By _____
 Deputy Clerk

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

Name of Petitioner	CASE NUMBER: <u>DO2</u>
Name of Respondent	PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN
	HONORABLE: _____

STATEMENTS MADE TO THE COURT, UNDER OATH OR AFFIRMATION:

GENERAL INFORMATION:

1. INFORMATION ABOUT ME, THE PETITIONER:

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

2. INFORMATION ABOUT MY SPOUSE, THE RESPONDENT:

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

3. INFORMATION ABOUT MY 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 divorce in Arizona **AND you must check the boxes** to indicate that the statements are true or your case may not proceed.

- We **DO NOT** have a covenant marriage (If not sure, refer to the INSTRUCTIONS for information).
- Our marriage is broken beyond repair (“irretrievably broken”) and there is no hope of reconciliation.
- We have tried to resolve our problems through Conciliation Services or going to Conciliation Services would not work.
- This court has jurisdiction to decide child legal decision-making matters under Arizona Law.

4. **90 DAY REQUIREMENT:** (This statement **MUST** be true before you can file for divorce in Arizona.)
 I OR my spouse have lived in Arizona or have been stationed in Arizona while a member of the Armed Forces, for at least 90 days before I filed this action.
5. **DOMESTIC VIOLENCE.** (If you intend to ask for joint legal decision-making, there must have been no “significant” domestic violence in your marriage. A.R.S. 25-403.03. Check the box to make a true statement):
 Significant domestic violence **has** OR **has not** occurred during this marriage.
6. **CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD** (check one box):
 There are **no** children under the age of 18 either born to, or adopted by, the parties.
NOTE: IF YOU CHECKED THIS BOX, STOP. YOU SHOULD BE USING THE PETITION PACKET TO GET A DIVORCE WITHOUT CHILDREN.

The following child(ren) are under age 18 and were born to or adopted by my spouse and me:
 (Attach extra pages if necessary).

Child’s Name: _____
 Birth Date: _____
 Address: _____
 Length of Time at Address: _____

Child’s Name: _____
 Birth Date: _____
 Address: _____
 Length of Time at Address: _____

Child’s Name: _____
 Birth Date: _____
 Address: _____
 Length of Time at Address: _____

Child’s Name: _____
 Birth Date: _____
 Address: _____
 Length of Time at Address: _____

7. **PREGNANCY and PATERNITY:** (check one box)
- 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

A minor child or minor children was/were born before the marriage. The husband is the father of that minor child / those minor children named below:

8. 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:

	Petitioner	Respondent	Value
<input type="checkbox"/> Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: (Quote from the DEED) _____			

	Petitioner	Respondent	Value
<input type="checkbox"/> Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: (Quote from the DEED) _____			

	Petitioner	Respondent	Value
<input type="checkbox"/> Household furniture:			
_____	<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"/>	\$ _____

	Petitioner	Respondent	Value
<input type="checkbox"/> Household furnishings:			
_____	<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"/>	\$ _____

	Petitioner	Respondent	Value
<input type="checkbox"/> Other Items:			
_____	<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"/>	\$ _____

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"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Motor vehicles:

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

B. SEPARATE PROPERTY: (check all boxes that apply)

- I do not have any property, or separate property, that I brought into the marriage.
- My spouse, the Respondent, 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, the Respondent, 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"/>	\$ _____

9. A. COMMUNITY DEBTS: (check one box)

- My spouse and I did not incur any community debts during the marriage, **OR**
- We should divide the responsibilities 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"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

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;
- 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 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"/>	_____

10. 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, subject to IRS Rules and Regulations, 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, 1/2 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, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

11. 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) that apply. At least one reason must apply to get spousal maintenance/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.

12. WRITTEN LEGAL DECISION-MAKING AGREEMENT: (Check the boxes that apply, if they apply)

- My spouse and I have a written agreement signed by both of us about the legal decision-making, parenting time, and child support for our child(ren).
- I have attached a copy of the written agreement.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

Dissolve our marriage and return each party to the status of a single person;

B. NAMES:

I took the name of my spouse at the time of marriage and I want to restore my last name to the name I used before this marriage or to my maiden name.

My complete married name is:

I want my name restored to: (List complete maiden 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 or her name restored to change the name.

PATERNITY and MINOR CHILD(REN)'S NAMES:

Declare the husband to be the father of the following named minor child(ren) born before the marriage and (optional) change the legal name of those minor children to the name listed on the right, below:

Current Legal Name	(OPTIONAL) Change the name of the child to: New Name
_____	_____
_____	_____
_____	_____
_____	_____

C. CHILD LEGAL DECISION-MAKING AND PARENTING TIME: Award legal decision-making and parenting time of the children under the age of 18 years and common to the parties, whether by birth or adoption, as follows: (Check either the sole legal decision-making box or the joint legal decision-making box. If you check the sole legal decision-making box, check only one box related to parenting time.)

C.1

SOLE LEGAL DECISION-MAKING of the minor child(ren) awarded to Petitioner **OR** Respondent, subject to parenting time as follows:

Reasonable Parenting Time rights to the parent not having legal decision-making, as will be described in the Parenting Plan attached to the Divorce Decree.

Supervised Parenting Time between the children and the Petitioner **OR** Respondent is in the best interest of the minor children because: (Explain the reasons for need for supervised parenting time. Use extra paper if necessary.)

Name of the agency/person who will supervise: _____

Requested restrictions on parenting time: (explain here) _____

The cost of supervised parent/child access will be paid by:

- The parent being supervised;
- The parent having legal decision-making;
- Shared equally by the parties.

- No Parenting Time** rights to the parent not having legal decision-making, is in the best interest(s) of the child(ren) because: (Explain the reasons for no parenting time. Use extra paper if necessary):

OR

C.2.

- JOINT LEGAL DECISION-MAKING:** Petitioner and Respondent agree to act as joint custodians of the minor child(ren) as set forth in the Joint Legal decision-making Agreement signed by the parties, if the court agrees with the Joint Legal decision-making Agreement. (For joint legal decision-making, there must have been no "significant" domestic violence in your marriage. A.R.S. 25-303.03)

D. CHILD SUPPORT: Order that child support will be paid by: Petitioner, **OR** Respondent in a reasonable amount as determined by the court under the Arizona Child Support Guidelines. Support payments will begin on the first day of the first month following the entry of the divorce decree. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse and collected by automatic wage assignment.

E. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN: Order that

Petitioner is responsible for providing: Medical Dental Vision care insurance

Respondent is responsible for providing: Medical Dental Vision care insurance

Petitioner and Respondent will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes.

F. TAX EXEMPTION: The parties will claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

<u>Parent entitled to claim</u>	<u>Name of minor child</u>	<u>Current tax year</u>	<u>Later tax years</u>
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____

G. SPOUSAL MAINTENANCE (ALIMONY):

Order spousal support to be paid by Petitioner, or Respondent in the amount of \$_____ per month, beginning with the first day of the month **after** the Judicial Officer signs the Decree of Dissolution and continuing until the person receiving spousal maintenance remarries or either party is deceased, or for a period of _____ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse.

H. COMMUNITY PROPERTY:

Make a fair division of all community property as requested in this petition.

I. 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 them since the parties separation on _____ (date) or from the date the Respondent was served with the Petition for Dissolution.

J. SEPARATE PROPERTY and DEBT:

Award each party their separate property and make each party pay their own separate debt.

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

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Date

Signature

State of Arizona)
)
County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20 _____
by _____
Name of Signer

Commission Expires

Notary Public

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

CASE NUMBER: DO2

Name of Petitioner

**NOTICE OF YOUR RIGHTS ABOUT HEALTH
INSURANCE COVERAGE WHEN A PETITION
FOR DISSOLUTION (DIVORCE) IS FILED
(A.R.S. 20-1377 AND 20-1408)**

Name of Respondent

HONORABLE: _____

WARNING: THIS IS AN IMPORTANT LEGAL NOTICE. YOUR RIGHTS TO HEALTH INSURANCE COVERAGE COULD BE AFFECTED AFTER YOUR DIVORCE IS FINAL. READ THIS NOTICE CAREFULLY. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CALL AN ATTORNEY FOR ADVICE ABOUT YOUR LEGAL RIGHTS AND OBLIGATIONS.

IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE'S INSURANCE PLAN: When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse's health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT: If you are covered by your spouse's health insurance, and you want to continue to be covered after the divorce is final, you **must** contact the insurance company as soon as possible, and you **must** start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

If you decide you want to be covered, the insurer can choose whether to continue coverage under the current policy, or to change the policy to your name. If the policy is changed to your name, it is called a "converted"; policy. If the policy is converted by the insurer, the insurer must provide you the same or the most similar level of coverage available, unless you ask for a lower level of coverage.

WHAT COVERAGE APPLIES TO YOUR CHILDREN: If you choose to continue coverage as a dependent spouse, you can also choose to continue coverage for your dependent children if you are responsible for their care or support.

PREEXISTING CONDITIONS OR EXCLUSIONS FROM INSURANCE COVERAGE: Whether the insurance is continued or converted, the insurance must be provided to you without proof of insurability and without exclusions for coverage other than what was previously excluded before the insurance was continued or converted.

LIMITS ON RIGHTS TO INSURANCE COVERAGE FOR YOU AND YOUR CHILDREN: You may **not** be entitled to continued or converted coverage if you are eligible for Medicare or for coverage by other similar types of insurance which together with the continued coverage would make you over-insured. However, dependent children of a person who is eligible for Medicare may be covered by a continuance or a conversion. If you have questions about coverage, check with the insurer and/or the spouse's employer.

WARNING TO THE SPOUSE FILING THE PETITION FOR DISSOLUTION (DIVORCE): This Notice must be served on your spouse together with the Petition for Dissolution, the Summons, and the Preliminary Injunction.

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

_____ CASE NUMBER: DO2
 Name of Petitioner

**AFFIDAVIT REGARDING
 MINOR CHILDREN**

_____ HONORABLE: _____
 Name of Respondent

NOTICE: This "Affidavit Regarding Minor Children" is required for all legal decision-making cases. You must fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD. The following child(ren) are under age 18 and were born to, or adopted by, me and the other party:

Name: _____	Name: _____
Birth Date: _____ Age: _____	Birth Date: _____ Age: _____
Name: _____	Name: _____
Birth Date: _____ Age: _____	Birth Date: _____ Age: _____

2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS: (Attach additional pages if necessary)

Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____
Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____
Child's Name: _____	Dates: From _____ To _____
Address: _____	Lived with _____
City, State: _____	Relationship to Child: _____

Name of Person Filing: _____
 Street Address: _____
 City, State, Zip Code: _____
 Telephone Number: _____
 Email Address: _____
 ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
 If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
 PINAL COUNTY**

 Name of Petitioner

CASE NUMBER: DO2

NOTICE REGARDING CREDITORS

 Name of Respondent

HONORABLE: _____

ARIZONA LAW REQUIRES all actions for **DIVORCE** or **LEGAL SEPARATION** to include this **NOTICE** and for the person filing for Divorce or Legal Separation to **SERVE** this **NOTICE** on the other party. (ARS 25-318(F)).

YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS. The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only, not the creditors**. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

CONTACT CREDITORS: You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty **(30)** days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you *may* choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You may use this form to request information about debt owed by you or your spouse.
If so, send to the creditor. **DO NOT FILE THIS PAGE WITH THE COURT.**

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: Superior Court of Arizona in Pinal County

Case Name: _____

Case Number: _____

Pursuant to Arizona State Law (ARS 25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. (Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.)

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your Name: _____

Your Signature: _____

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: _____

Name of Respondent

PARENTING PLAN FOR:

- JOINT LEGAL DECISION-MAKING WITH
JOINT LEGAL DECISION-MAKING
AGREEMENT
or
 SOLE LEGAL DECISION-MAKING
- To Mother
 To Father

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 *one* parent is submitting the Plan; that parent must sign at the end of PART 2 and 3.
- b. If both parents agree to Legal Decision-Making and parenting time arrangements *but not to joint Legal Decision-Making*: Both parents must sign the Plan at the end of PART 2 and 3.
- 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 PART 2, 3, and 4.

PART 1: GENERAL INFORMATION:

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

_____	_____
_____	_____
_____	_____
_____	_____

B. THE FOLLOWING LEGAL DECISION-MAKING ARRANGEMENT IS REQUESTED:

(Choose ONE of 1, 2, 3 4.) (If you chose "sole Legal Decision-Making" [1 or 2], you have the option of also requesting restrictions on parenting time of the other party.)

1. SOLE LEGAL DECISION-MAKING BY AGREEMENT. The parents agree that Sole Legal Decision-Making and primary physical Legal Decision-Making should be granted to Mother Father.

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 and parenting time according to this Plan.

(Optional, if you marked 1 or 2 above)

RESTRICTED, SUPERVISED, OR NO PARENTING TIME.

The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition.

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. Primary physical Legal Decision-Making will be with Mother Father, **OR**

4. JOINT LEGAL DECISION-MAKING 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 is deferred for the court's determination.

PART 2: LEGAL DECISION-MAKING AND 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 children will be in the care of the Father as follows: (Explain)

The children will be in the care of the Mother as follows: (Explain)

Other Legal Decision-Making arrangements are as follows: (Explain)

Transportation will be provided as follows:

Mother or Father will pick up the children up at _____ o'clock.

Mother or Father will pick up the children up at _____ o'clock.

Transportation exchanges shall occur:

curbside at school **OR** neutral 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 Father: (Explain).

During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Mother: (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.

<u>Holidays</u>	<u>Even Years</u>		<u>Odd Years</u>	
<input type="checkbox"/> New Year's Eve	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> New Year's Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Spring Vacation	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Easter	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> 4 th of July	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Halloween	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Veteran's Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Thanksgiving	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Hanukkah	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Christmas Eve	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Christmas Day	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Winter Break	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
<input type="checkbox"/> Child's Birthday	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Mother	<input type="checkbox"/> Father

Mother's Day will be celebrated with the Mother every year.

Father's Day will be celebrated with the Father every year.

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

Three-day weekends which include Martin Luther King Day, President's 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 child(ren)'s normal waking hours, **OR:** (Explain)

Other (Explain):

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. §25-403), 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 prior court order is subject to legal sanctions.

F. EDUCATIONAL ARRANGEMENTS:

Both parents have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.

Both parents will make major educational decisions together. (Optional) If the parents do not reach agreement, then: _____

OR

Major educational decisions will be made by Mother Father after consultation other parent.

G. 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: _____

OR

Major medical/dental decisions will be made by Mother Father after consultation other parent.

H. 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.

I. ADDITIONAL ARRANGMENTS 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 THE 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 THE CHILDREN. Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements.

OBTAIN WRITTEN CONSENT OR COURT ORDER BEFORE MOVING. The notice required by this section shall be made by certified mail, return receipt requested, or pursuant to the Arizona rules of family law procedure. The court shall sanction a parent who, without good cause, does not comply with the notification requirements of this subsection. The court may impose a sanction that will affect legal decision-making or parenting time only in accordance with the child's best interests. **A.R.S. 25-408 (B)**

COMMUNICATE. Each parent agrees that all communication 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.

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 PARENTS 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 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.

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

Signature of Mother: _____ Date: _____

Signature of Father: _____ Date: _____

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 against children may have access to the child.

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 exhibit on 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 causes 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.

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.

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(B) concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **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 shall NOT be awarded if there has been “a history of significant domestic violence”.

- Domestic Violence has **not** occurred between the parties,
OR
 Domestic Violence **has** occurred but it has not been “significant” or has been committed by both parties.*

B. DUI or DRUG CONVICTIONS:

- 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:**
Attach an extra page explaining why Joint Legal Decision-Making is still in the best interest of the children.

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 the / this agreement and make any necessary or desired changes every _____ months 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 interest 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 schedule of the physical residence of the minor children,, including holidays and school vacations is included in the Plan;
 - d. The Plan includes a procedure for periodic review;
 - e. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved;
 - f. A procedure for communicating with each other about the child, including methods and frequency.

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

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

CHILD SUPPORT CALCULATOR



The Court Help website offers a Free Child Support Calculator.

◆ Simple ◆ Quick ◆ Accurate

If you have a personal computer with Internet access, you can access the Child Support Calculator at:

<http://www.azcourts.gov/familylaw>

Calculate Support

Your computer must be attached to a printer. The Child Support Entry Form will open in Adobe Acrobat Reader. Begin by clicking the appropriate button for the Custodial Parent, then press the Tab button on your keyboard to move through the form, or click on each line with your mouse.

Enter the appropriate information on each blank. Not every blank needs to be completed in every case. If you are not sure whether you should complete a blank, click on the word next to the blank. You will be directed to additional information along with a link to the appropriate section in the [Arizona Child Support Guidelines](#).

When you have completed the Entry Form, click the "Calculate Support" button to get an estimate of the amount of child support that the noncustodial parent may have to pay to the custodial parent for the support of their child(ren).

After clicking on "Calculate Support" the following forms will automatically be filled in with the information from the Entry Form. Print forms and bring with you at the time of filing your initial paperwork.

- Parent's Worksheet for Child Support Amount
- Child Support Order
- Income Withholding Order/Notice for Support