

DECREE

FOR DIVORCE OF MARRIAGE WITH CHILDREN



PINAL COUNTY

NON-COVENANT MARRIAGE

To Get the Divorce Order/Decree

INSTRUCTIONS AND FORMS

Provided as a Public Service by
AMANDA STANFORD
Clerk of the Superior Court

DECREE FOR DISSOLUTION FOR A NON-COVENANT MARRIAGE

This packet contains court forms and instructions to get a decree of divorce for a non-covenant marriage with children. The documents should appear in order as follows.

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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

Decree of Dissolution (Divorce) For a Non-Covenant Marriage with Minor Children

Use these instructions **only** with the “*Decree of Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children.*” If there are no minor children, by birth or adoption, common to you and your spouse, use the form for a “*Decree of Dissolution of a Non-Covenant Marriage without Minor Children.*”

What the Decree Means to You. The Decree is the Court Order that legally ends your marriage. The Decree, once the judge or commissioner has signed it, is important because it determines the rights and responsibilities of both you and your ex-spouse. It tells the parties what they can and cannot do. If either party does not do what the Decree tells him/her to do, then the other party may ask the court for help. **This is a very important document.** Once it has been signed by the judge, your rights and responsibilities are affected forever.

Failure to do what the Decree tells you to do could get you into trouble with the court. This does not mean that the court will police whether you are following the Decree. It does mean you or your ex-spouse can request a Contempt Order or an Order to enforce parts of the Decree if you or your ex-spouse fails to do what the Decree tells you to do.

Getting Your Divorce Finalized. Before your divorce can become final, a judicial officer must sign what we call a Decree of Dissolution of Marriage. The Decree tells you who will get the property, who pays the debts, who gets Legal Decision-Making, who pays support and so forth.

Divorce by Default. If you have a Default Hearing, you must repeat as closely as possible what you requested in your Petition. You cannot mark something different in the Decree from what you asked for in the Petition, unless your spouse has provided written consent. If you try to do this, the judicial officer will not sign the Decree. If you want to change your requests to the court, you must file an amended Petition. It is a good idea to have your Petition handy when you follow the instructions to fill out your Decree.

The Decree. Fill out the Decree before you go to your hearing or before you give it to the judge to sign. Do not fill in the judge's signature and date. If the judge disagrees with anything you have written, he or she will change it before signing the Decree.

INSTRUCTIONS FOR FILLING OUT THE DECREE

(The section number in front of each paragraph below corresponds with the section number on the Decree. For example: Read Section 1-3d below. Turn to Sections 1-3d on the Decree. Each section below will help you fill out each section of the Decree.) **TYPE OR WRITE IN BLACK INK ONLY.**

SECTION: INSTRUCTION

(A) Write in the name of the person filing the document or the lawyer's name, current address, city, state, zip code, and the telephone number. If you have an ATLAS number, write in the number. If you are represented by an attorney write in the lawyer's state bar number, then indicate whether you represent yourself or if you are the lawyer whether you represent Petitioner or Respondent.

(B) Write in the name of the Petitioner and the name of the Respondent and the case number in the space provided. This should appear the same way it does on the Petition.

(C) THE COURT FINDS:

1-3 a-d. This section tells you that before the judge or commissioner signs the Decree, he/she will have determined that the court has the legal power to make the orders in your case. It also says that the Petitioner or the Respondent lived in Arizona at least 90 days before the Petition for divorce was filed, and that the parties are unable to get back together and save their marriage.

Also, if you served the other party *by publication*, the court cannot sign a Decree that divides community property and/or debt, or orders the other party to pay spousal maintenance (alimony) or child support until you find and serve notice on your spouse. You will, however, be able to get a court order for Legal Decision-Making of your minor children and a divorce decree.

- 3e. Community Property and Debt.** Mark the first box **only** if you and your spouse did not get any property together while you were married and do not owe money to anyone for property or services you got while you were married. Otherwise, mark the box that tells the court that the parties have not agreed to a division, but the community property is divided pursuant to the Decree.
- 3f. Pregnancy.** Mark the first box if the wife is not pregnant. Mark the second box if the wife is pregnant and then mark whether the husband is the father. Mark the third box if the parties had any children together that were born before the marriage. Then list the name and date of birth for those children.
- 3g. Spousal Maintenance/Support.** Mark this box if you have requested spousal maintenance/ support (alimony) in the Petitioner you have had a trial and the judge has ordered one party to pay spousal maintenance/support.
- 3h. Parent Information Program.** Mark this box only if the Petitioner has completed the Parent Information Program class and has filed the Certificate of Completion with the court. If the Petitioner has not attended the class, check the appropriate box. Follow the same instructions for the Respondent. Leave the box empty for the judicial officer to check as to whether the person will be denied any requested relief to enforce or modify the decree until the class has been completed.
- 3i. Deviation from Child Support.** Leave this section blank. The judicial officer will fill in this section if there is a deviation for child support.
- 3j. Physical Legal Decision-Making Adjustment.** Leave this section blank. The judicial officer will fill in this section if there is an adjustment.
- 3k. Ability to Pay Child Support.** Leave this section blank. The judicial officer will fill in this section.
- 3l. Legal Decision-Making of the Minor Child(ren).** Mark this box only if Legal Decision-Making was contested (you and the other party did not agree about Legal Decision-Making), or if you and the other party have agreed to joint Legal Decision-Making. You must write the reasons in the space provided.
- 3m. Supervised or No Parenting Time.** Mark this box only if you asked for supervised or no parenting time by the non-custodial spouse in your Petition, or the parties have agreed to this, or the judge has ordered supervised or no parenting time after a trial. You must have a very good reason for such a request and you must write the reasons in the space provided.
- 3n. Domestic Violence.** If the parties are going to have joint Legal Decision-Making of the child(ren), check the box to say whether there has been no domestic violence or if domestic violence has occurred it has not been significant. Then explain why joint Legal Decision-Making is in the best interest of the child(ren) even though domestic violence has occurred.

(D) THE COURT ORDERS:

- 1. MARRIAGE IS DISSOLVED.** This section ends your marriage.
- 2. NAMES.** Write in the former name of the wife/husband here **ONLY** if wife or husband wants to use and/or be called by the former/maiden name. (The law does not require you to use your former/maiden name.)
- 3. ENFORCEMENT OF TEMPORARY ORDERS.** If the court ordered temporary payment of child support, spousal maintenance/support (alimony), debt division, or other temporary orders, fill in the dates of ALL of the temporary orders. This section allows you to enforce nonpayment of those debts.

4. CHILD LEGAL DECISION-MAKING, PARENTING TIME, and CHILD SUPPORT. This section deals with child Legal Decision-Making, parenting time and child support, pregnancy and paternity.

4a. PREGNANCY and PATERNITY. If the wife is pregnant, write in the expected date of birth for the unborn child. You must also write the names of the minor child(ren) common to the marriage, either natural or adopted, and the child(ren)'s date(s) of birth in the space provided.

4b. CHILD LEGAL DECISION-MAKING. The Legal Decision-Making box you mark should be the same as what you asked for in your Petition for Dissolution, unless you and the other party have signed a Joint Legal Decision-Making Agreement and you are attaching it to the Decree OR you have had a trial and the judge has ordered something different than what is in your Petition.

i. For sole Legal Decision-Making of the child(ren), mark who is to have sole Legal Decision-Making, Petitioner or Respondent. Then mark **only** one of the three types of parenting time: 1) parenting time to the parent not having Legal Decision-Making; or 2) supervised; or 3) no parenting time. If both spouses agree to a Parenting Plan, both must complete the Plan and sign it. If only one spouse agrees to the Parenting Plan and you have a default divorce hearing, you still must complete the Parenting Plan and tell the Court what you think should be the parenting time arrangement. If parenting time is supervised and you have a default hearing or you agree, write in the name of person who will supervise the parenting time and any restrictions. Mark who will be paying for the costs of supervision. If no parenting time is to be given to the Petitioner or the Respondent, check this box.

ii. For Joint Legal Decision-Making you should not have marked box 1 above. Remember, you must attach a copy of the Joint Legal Decision-Making Agreement and Parenting Plan as Exhibit B signed by both parents, which the judicial officer must approve if you want Joint Legal Decision-Making. The Agreement will be included as part of the Court Order ending your marriage.

4c. CHILD SUPPORT: Mark who is to pay the child support and how much to the other party based on the request in the Petition for Dissolution, or on the party's agreement. Otherwise, leave the space blank and the judicial officer will fill in the amount. Remember, if you are the person who filed for divorce, you are the Petitioner, and your spouse is the Respondent.

4d. MEDICAL, DENTAL, VISION CARE INSURANCE, PAYMENTS and EXPENSES: Mark who will be responsible for medical, dental and vision care insurance. Mark what percent each party will pay for uninsured expenses.

5. SPOUSAL MAINTENANCE (ALIMONY).

5a. Mark this box if neither party is requesting spousal maintenance.

5b. Mark this box if you requested spousal maintenance (alimony) in the Petition and you have a Default Hearing. (You cannot get spousal maintenance if the other party was served by publication.) **OR**, Mark this box if the parties agreed that one party would pay the other party spousal maintenance.

Then mark who is to pay the spousal maintenance and who will receive the spousal maintenance. If the parties agree, put in the amount and the date the spousal maintenance will end. Otherwise, you should leave the amount and number of months of spousal maintenance blank until the judge approves the request. Be prepared to tell the judge what amount you are asking for, for what period, and why.

6. PROPERTY, DEBTS and TAX RETURNS.

6a. Mark the first two boxes, if each party will pay the debts that are unknown to the other party. By marking the third box under 6.a., you are telling the court you do **not** want to pay for bills your spouse got after you separated. Write the approximate date you separated on the line provided.

6b. Mark this box if there is property and debts to be divided, even if you have already divided the

property. You can give the court this information on **“EXHIBIT A: COMMUNITY PROPERTY AND DEBTS”** that you must attach to the Decree if you mark this box. Instructions for Exhibit A are included at the end of this instruction.

- 6c.** This states that you and your spouse get to keep property that you owned from the marriage or that was a gift to you during the marriage. You also can keep any personal items, clothing, and any other property you own that is not considered community property.
- 6d.** This means either spouse can record the Decree if there is a transfer of title to certain property, like a house. This section also requires each spouse to sign documents to transfer other property, like titles to cars, and so forth. If you have a quit claim deed that transfers property from one spouse to the other spouse, attach a copy of the deed to the Decree, and check this box. Write in the date that both parties shall transfer all real and personal property.
- 6e.** Mark this box and tell the court whether the parties will file joint or separate tax returns for previous years if taxes have not been paid. For this calendar year, and future calendar years neither you nor your spouse can file joint tax returns. According to the IRS, State law governs whether you are married, divorced, or legally separated. If you are divorced under a final decree by the last day of the year, you are considered unmarried for the whole year. See a lawyer or accountant for advice if you are not sure which box to check OR call the **IRS** at **1-800-829-4477** or visit their INTERNET site at www.irs.ustreas.gov for help.
- 7. FINANCIAL INFORMATION EXCHANGES:** This shows that the parties must share/exchange financial information every 24 months. This information is important in determining amounts of child support or other related issues.
- 8. TAX EXEMPTIONS:** Decide which parent will claim the children on income tax forms, for which year. Federal and state laws apply here. If you are not sure what to do, ask a lawyer or an accountant for help.
- 9. CHILD(REN) TO WHOM THE DECREE DOES NOT APPLY:** Mark this box **only** if a child(ren) was born during the marriage, but is not common to the marriage. Mark which party should have no legal rights to the minor child(ren). If you mark this box, list the name of any such minor child(ren) with the date(s) of his/her birth(s) in the space provided. Also, mark if the wife is pregnant with a child not common to the marriage, and include the expected due date of the child.
- 10. FINAL APPEALABLE ORDER.** This decree/order/judgment is a final order and may be appealed.
- 11. OTHER ORDERS.** List any other orders that are not described in the Decree.
- (E) SIGNATURES SECTION:**
- Do not sign or date the Decree for the judge or commissioner
 - If there is a Default Hearing, you, the Petitioner, must mail a copy of the Decree to the Respondent, after the judge has signed it.
- (F) “EXHIBIT A: COMMUNITY PROPERTY and DEBT” SECTION:**
IF YOU MARKED the first box of **3.e.** ON YOUR DECREE AND HAVE NO COMMUNITY PROPERTY OR DEBTS, **STOP HERE;** you have completed your Decree. If you have community property or community debt listed in your Petition, copy that information from your Petition to **“Exhibit A”**. **REMEMBER:** If you are going by default, the division of property must be identical to the list in your petition. You cannot add new community property to the list, although you can give your spouse more property than is listed on your petition. Make sure it is **very clear** who gets what property. Describe the property **in detail** and then designate whether Petitioner or Respondent gets that property.

1. **Division of Community Property.** Mark the first box about community property, if you have community property. Mark the box next to each type of community property you own, and describe the property. Then mark the box showing which party the property is being given to.
2. **Mark the box** “award each party the personal property in his or her possession,” if you want the court to order this. Mark the box “continued on reverse side or see attached list” if this is true.
3. **Retirement, Pension, Deferred Compensation.** Decide what you want to do about these assets. Generally, each spouse is entitled up to a half interest in the pension or retirement or deferred compensation benefits of the other spouse based upon the length of time the parties were married. This is **very complicated, and very important** to both spouses. If you are entitled to any interest in your spouse’s retirement assets, you may be required to file a **Qualified Domestic Relations Order**.

This is a very important document. The Court does not have this document. See a lawyer for help. Check the box that describes what you asked for in the Petition or what the parties have agreed to.
4. **Division of Real Property:** Use this section if you own a home or real estate together. This information, including the address and legal description should also be the same as what you provided in the Petition. Decide which spouse gets the property, OR whether it should be sold and any proceeds divided.
5. **Division of Debts:** List all debts you listed on your Petition for Dissolution. You can update the amounts owed, only if the amounts are less than those amounts in the Petition or the parties agree to update the amounts. Then put which debts are to be the responsibilities of which party.

Also, decide if you want the order to divide debts incurred by a spouse that are not listed to be paid by the spouse who incurred the debt. Remember, just because the Decree orders either spouse to pay debts does not mean that the creditor cannot pursue collection from the other spouse, even after the divorce decree.
6. **Separate Property.** List your separate property and the other party’s separate property. Then check the box to say who gets the property.
7. **Separate Debt.** List your separate debt and the other party’s separate debt. Then check the box to say who pays the debt.

PARENTING PLAN and JOINT LEGAL DECISION-MAKING AGREEMENT

Now you must complete the **Parenting Plan** to decide how Legal Decision-Making, parenting time, and all the details will work after the court order. The best thing to do is for both parents to complete this plan together.

Refer to “**Planning for Parenting Time: Arizona’s Guide for Parents Living Apart**” to help make your new parenting plan. The **Guide** may be viewed online and downloaded for **free** from the state courts’ web page at: <http://goo.gl/46aAw>

If you want Joint Legal Decision-Making, **both** parents must complete and sign the Parenting Plan AND the Joint Legal Decision-Making Agreement.

REMINDER:

1. **Be sure to attach “EXHIBIT A” about property and debts to your decree.**
2. **Be sure to attach the Child Support Worksheet, and the Parenting Plan, if you have marked joint Legal Decision-Making or if the parties have signed a Parenting Plan.**
3. **Be sure to include a quit claim deed, if a quit claim deed has been signed.**

(A)

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 (B) CASE NUMBER: _____

**DECREE OF DISSOLUTION OF MARRIAGE
 (DIVORCE) WITH MINOR CHILDREN**

 Name of Respondent HONORABLE: _____

THE COURT FINDS: (C)

1. This case has come before this court for a final “**Decree of Dissolution of Marriage with Minor Children.**” The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.
2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to Legal Decision-Making, parenting time, and support.

SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/support of either spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

3. THE COURT FURTHER FINDS THAT:

- a. **90 Day Requirement:** At the time this action was filed, the Petitioner or the Respondent had lived in Arizona for more than 90 days, or had lived in Arizona while a member of the United States Armed Forces for more than 90 days.
- b. **Conciliation Court:** The provisions relating to the Conciliation Court either do not apply or have been met.
- c. **Irretrievably Broken:** The marriage is irretrievably broken or the parties desire to live separate and apart. The marriage is not a covenant marriage.

d. **Legal Decision-Making, Support, Spousal Maintenance/Support, Division of Property and Debt:** Where it has the legal power and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to issues of child Legal Decision-Making, parenting time, child support, spousal maintenance/support (alimony), and the division of property and/or debts.

e. **Community Property and Debt:** (Select One)

- The parties **DID NOT** acquire any community property or debt during the marriage, **OR**
- The parties **HAVE** agreed to a division of community property and/or debt as evidenced by their signatures on "**Exhibit A**" attached to and incorporated into this Decree.
- The parties **HAVE NOT** agreed as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.

f. **Pregnancy or Paternity:** (Select one.)

- Wife is not pregnant, **OR**
- Wife is pregnant, and the husband **IS** **OR** **IS NOT** the father of the child.
- The husband is the father of these children born to the parties before the marriage:

Name(s)

Date(s) of Birth

g. **Spousal Maintenance/Support.** (Select one.)

- The Petitioner, **OR**
- The Respondent lacks enough property, including given to him or her as part of this divorce, to provide for his or her reasonable needs, and is unable to support himself or herself through an appropriate job, or he or she is providing the primary care to a child(ren) of young age or is of a condition that they should not be required to look for work outside the home, or lacks earning ability necessary to support himself or herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage that lasted a long time and is of an age that may severely limit the possibility of getting a job to support himself or herself.

h. **Parent Information Program.**

1. Petitioner has attended the Parent Information Program class as evidenced by the "**Certificate of Completion**" in the court file. **OR**
- Petitioner has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Petitioner has completed the class.
2. Respondent has attended the Parent Information Program class as evidenced by the "**Certificate of Completion**" in the court file. **OR**
- Respondent has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Respondent has completed the class.

i. **Deviation from Child Support.** The court, having considered the best interests of the minor child(ren), deviates from the guidelines for the following reasons:

- Application of the guidelines is inappropriate
- Application of the guidelines is unjust

The court makes the following finding regarding the deviation:

- The child support order would have been \$ _____
- The child support order after deviation is \$ _____

j. **Physical Legal Decision-Making Adjustment.** Court Approved Discretionary Parenting Time Adjustment and/or other Adjustments. (The court must make written findings if any of these adjustments are made.) :

k. **Ability to Pay Child Support.** The Court finds that the person responsible for paying child support has the ability to pay child support:

- In the amount entered on Line 34 of the Worksheet of \$ _____
- In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$ _____

l. **Legal Decision-Making of Minor Child(ren).** (Check/complete only if Legal Decision-Making is contested or joint Legal Decision-Making is ordered.)

The Legal Decision-Making order or agreement is in the best interests of the minor child(ren) for the following reasons: List the reasons.

m. **Supervised or No Parenting Time.** (Check and complete only if supervised or no Parenting Time is ordered.)

- Supervised Parenting Time** between the minor children and
 Petitioner **OR** Respondent,
 - OR**
 - No Parenting Time** by Petitioner **OR** Respondent, is in the best interest of the child(ren), for the following reasons: (Explain the reasons)
-
-
-

n. **Domestic Violence.** If the court enters an order for joint Legal Decision-Making of the child(ren), check box "1" or box "2" and explain.

1. Domestic violence has not occurred during this marriage, **OR**
 2. Domestic violence has occurred during this marriage.
Explain why joint Legal Decision-Making is in the best interest of the minor child(ren) even though domestic violence has occurred:
-
-

THE COURT ORDERS: (D)

1. **MARRIAGE IS DISSOLVED:** The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **NAMES:**

The name of the Wife OR The Husband, whose complete married name is:

Is restored to: (List the complete legal name or maiden name as before the marriage)

3. **ENFORCEMENT OF TEMPORARY ORDERS:** All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of ALL temporary orders here)

are satisfied in full OR judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of \$ _____

4. **CHILD LEGAL DECISION-MAKING, PARENTING TIME, AND CHILD SUPPORT:**

a. **PREGNANCY AND PATERNITY:**

A child who is common to the parties is expected to be born this date: _____. All orders below as to Legal Decision-Making, parenting time, support, and medical insurance/expenses include this minor child and all other minor children named below.

i. **MINOR CHILDREN:** This Decree includes all minor children common to the parties as follows:

Name(s) Of Minor Child(ren)

Date(s) of Birth

ii. **PATERNITY:** The husband is declared to be the father of the minor children named below, born before the marriage:

Children Born BEFORE the Marriage

Date(s) of Birth/Social Security No.

FOR ANY MINOR CHILD(REN) BORN IN THE STATE OF ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

iii. The father's name shall be entered on the minor child's birth certificate.

NAME CHANGE: (Optional) The names of one or more of the minor children for whom paternity has been established above shall be changed as follows:

Current Legal Name

New Name

b. CHILD LEGAL DECISION-MAKING: (Select one)

i. **SOLE LEGAL DECISION-MAKING:** Sole Legal Decision-Making of the minor child(ren) is awarded to: Petitioner, **OR** Respondent, subject to Parenting Time as follows:

Parenting Time to the parent not having Legal Decision-Making, according to the terms of the Parenting Plan attached as "**Exhibit B**" and made a part of this Decree. **OR,**

No Parenting Time rights to Petitioner **OR** Respondent. **OR**

Supervised Parenting Time to Petitioner **OR** Respondent according to the terms of the Parenting Plan attached as "**Exhibit B**". Parenting Time may only take place in the presence of another person, named below or otherwise approved by the court.

(See Option b.ii for Joint Legal Decision-Making)
Name of supervisor (if applicable):

Restrictions on parenting time (if applicable):

OR

ii. **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/Parenting Plan by the parties, signed by both parties and attached to this Decree as "**Exhibit B**." There have been no significant acts of Domestic Violence by either parent. The court adopts the terms of the Joint Legal Decision-Making Agreement/Parenting Plan describing the Legal Decision-Making and Parenting Time agreement between the parties. By attaching the Joint Legal Decision-Making Agreement/Parenting Plan to the Decree, the Agreement becomes part of the Decree and carries the same legal weight as the Decree.

c. **CHILD SUPPORT:** Petitioner **OR** Respondent shall pay child support to the other party in the amount of \$ _____ per month, beginning **THE FIRST DAY OF THE MONTH** following the date this Decree is signed by the judge until further order of the court. Child Support is based on the information in the Parent's Worksheet for Child Support Amount attached hereto and incorporated by reference. All child support payments shall be made by wage assignment (if

applicable) through the Support Payment Clearinghouse, and must include the statutory fee by the Order of Assignment signed this date. Payments will be in equal installments made on the 1st and 15th of each month.

d. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN:

- Petitioner** is responsible for providing: Medical Dental Vision Care Insurance
 Respondent is responsible for providing: Medical Dental Vision Care Insurance

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

NON-COVERED EXPENSES:

- Petitioner** is ordered to pay _____%
 Respondent is ordered to pay _____%

Of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

5. SPOUSAL MAINTENANCE/SUPPORT:

- a. **Neither party shall pay** spousal maintenance/support (alimony) to the other party, **OR**
b. **Petitioner OR**

Respondent

Is ordered to pay to the other party the sum of \$_____ per month in spousal maintenance/support **BEGINNING THE FIRST DAY OF THE MONTH** after this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased or until (date) _____. All payments shall be made through the Clerk of this Court by automatic wage assignment, until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance/support payments end if the receiving party is remarried or deceased.

6. PROPERTY, DEBTS AND TAX RETURNS: (Select any that apply.)

- a. Petitioner is ordered to pay all debts unknown to Respondent.
 Respondent is ordered to pay all debts unknown to Petitioner.
 Each party is ordered to pay his or her debts from the following date, _____.
- b. Other orders and relief relating to property or debt, if any, are contained in "**Exhibit A**", which is attached and incorporated into this Decree.
- c. Each party is assigned his or her separate property and Petitioner must pay his/her separate debt, and Respondent must pay his/her separate debt.
- d. This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and financial institution accounts. The parties shall transfer all real and personal property as described in "**Exhibit A**" to the other party on or before _____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive

the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

- e. For previous calendar years, pursuant to IRS rules and regulations, the parties will file:
- Joint federal and state income tax returns and hold each other harmless from half of all income taxes and costs, if any, and each party will share equally in tax refunds, if any,
 - OR**
 - Separate federal and state income tax returns.
 - AND**
 - This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.
 - AND**
 - Each party shall give the other party all necessary documentation to file all tax returns.

7. FINANCIAL INFORMATION EXCHANGES: The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

8. TAX EXEMPTION: The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim minor child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Parent Entitled To Claim	Name of Child	Tax Year
<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	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____

9. MINOR CHILDREN TO WHOM THIS DECREE DOES NOT APPLY: It is ordered that

- Petitioner, **OR**
- Respondent has no legal obligation or right to the minor child(ren) born during the marriage but not common to the marriage. These minor children include: (Use additional paper if necessary)

Name: _____ Birth Date: _____
 Name: _____ Birth Date: _____
 Child expected to be born this date: _____

10. FINAL APPEALABLE ORDER: Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

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

SIGNATURES (E)

DONE IN OPEN COURT: _____

JUDGE OR COURT COMMISSIONER

If this Decree was issued as a “Default,” *and* the Petitioner served the papers to begin this case by any means other than by publication, a copy of this Decree shall be mailed or delivered to the Respondent within 24 hours of the court hearing as follows:

Respondent’s Name: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
By Petitioner: _____
Date: _____

COMMUNITY PROPERTY: - continued (Be specific) **AWARD TO**
Petitioner Respondent

Cash, bonds of \$ _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>

Continues on attached page(s).

3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

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

- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- OR**
- Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

OR

- Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:

4. DIVISION OF REAL PROPERTY: (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address)

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

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

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

- Petitioner** or **Respondent** **OR**
- Shall be sold and the proceeds divided as follows:**

_____ %	or \$ _____	To Petitioner.
_____ %	or \$ _____	To Respondent.

B. Real property located at (address)

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

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

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

- Petitioner** or **Respondent** OR
 Shall be sold and the proceeds divided as follows:

_____% or \$_____ **To Petitioner.**
_____% or \$_____ **To Respondent.**

Continues on attached page.

5. DIVISION OF COMMUNITY DEBT: (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Petitioner	Amount to be paid by Respondent
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

Continues on attached page.

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

6. SEPARATE PROPERTY: (Property acquired before the marriage or by gift or bequest to one party.)

Property recognized as the separate property of the Petitioner or Respondent, is assigned below:

Description	Value	To Petitioner	To Respondent
_____	\$ _____	<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"/>

7. SEPARATE DEBT: (Debt acquired before the marriage.)

Debt recognized as the separate debt of the Petitioner or Respondent, is assigned below:

Creditor Name	Debt Amount	Petitioner Pays	Respondent Pays
_____	\$ _____	<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"/>