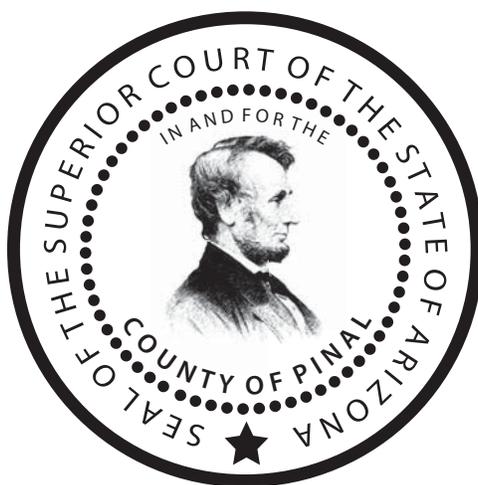


DECREE OF LEGAL SEPARATION WITHOUT CHILDREN



PINAL COUNTY

FORMS

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

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 _____ Date of Birth _____ Name of Respondent _____ Date of Birth	CASE NUMBER: DO2 DECREE OF LEGAL SEPARATION WITHOUT CHILDREN <input type="checkbox"/> By Consent <input type="checkbox"/> By Default <input type="checkbox"/> By Trial HONORABLE: _____
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THE COURT FINDS:

1. This case has come before this court for a final Decree of Legal Separation. The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.
2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances.
3. **The Court 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. **Live Apart.** The marriage is irretrievably broken or the parties desire to live separate and apart.

- d. **No Objections.** The other party does not object to the Decree of Legal Separation.
- e. **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 spousal support (alimony), and the division of property and/or debts.
- f. **Community Property and Debt.**
 - 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, **OR**
 - There is no agreement as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.
- g. **Pregnancy.**
 - Wife is **not** pregnant, **OR**
 - Wife is pregnant, and the husband **IS** OR **IS NOT** the father of the child.
- h. **Spousal Maintenance/Support.**
 - The Petitioner, **OR** The Respondent Lacks enough property, including property given to them as part of this divorce, to provide for their reasonable needs, and are unable to support themselves through an appropriate job, or they are 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 themselves, 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 themselves.

THE COURT ORDERS:

- 1. **LEGAL SEPARTATED:** The parties are legally separated.
- 2. **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 with the highest legal interest allowed by law, for the total amount of \$_____.

- 3. **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 Respondent or Petitioner the sum of \$_____ per month 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.

4. PROPERTY, DEBTS AND TAX RETURNS:

- a. Petitioner is ordered to pay all debts unknown to Respondent, AND
 Respondent is ordered to pay all debts unknown to Petitioner, AND
 Each party is ordered to pay his or her debts from the following date, _____
- b. Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.
- c. Each party is assigned their separate property and Petitioner must pay their separate debt, and Respondent must pay their 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 bank 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 the other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds, **OR**
 Separate federal and state income tax returns. **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.

5. 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.

6. LIMITATION ON JURISDICTION: This court cannot make a legal order, without personal service on Respondent, with respect to issues of community property or debt, or spousal maintenance / support.

7. OTHER ORDERS. (List any other orders.)

DONE IN OPEN COURT this _____ day of _____, 20____.

SUPERIOR COURT JUDGE

APPROVED BY PETITIONER:

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

If You Are Filing A Consent Decree Or If There Has Been A Trial, The Respondent Must Sign:

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

If Either Party Is Represented By A Lawyer, The Lawyer Must Sign:

Petitioner's Lawyer: _____ Date: _____

Respondent's Lawyer: _____ Date: _____

(If you are the Petitioner and have a Default Hearing, and the Respondent was served with the court papers by signing an Acceptance of Service, or by Registered Process Server or Sheriff, you must mail or give a copy of the Decree to the Respondent after the Judge has signed it. You must tell the court you will do this.)

By signing below, Petitioner promises that a copy of the Decree will be mailed to Respondent at the following address:

Respondent's Name: _____

Address: _____

City, State, Zip code: _____

Email: _____

Petitioner's signature: _____

Date: _____

EXHIBIT A: PROPERTY AND DEBTS

1a. DIVISION OF COMMUNITY PROPERTY:

The following community property is awarded to each party as follows:

1b. LIST OF COMMUNITY PROPERTY. Be specific

AWARD TO:
Petitioner Respondent

<input type="checkbox"/>	Household furniture/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"/>	Appliances _____	<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"/>	VCR _____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	TV _____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Personal Computer	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Stereo	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	State Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Federal Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cash, bonds of \$ _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>

Award each party the personal property in his or her possession.

Continued, see attached list.

1c. 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.)

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

Petitioner's: _____

Respondent's: _____

OR

The Plan Administrator and the parties have approved the Qualified Domestic Relations Order (QDRO) attached as Exhibit(s) _____. Do not check this box without first seeking the help of a lawyer.

OR

Each party **WAIVES AND GIVES UP** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party:

Signature of Petitioner: _____

Signature of Respondent: _____

OR

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

1d. DIVISION OF REAL PROPERTY. Section A is for one piece of property. Section B is for another piece of property. If you own more than two pieces of property, check the box below and attach another sheet of paper with the information requested in A and B.

More than 2 pieces of property are involved. See attached sheet listing the same information as in A and B.

A. Real property located at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

Awarded to Petitioner **OR** Respondent as his or her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner.

_____ % or \$ _____ to Respondent.

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 titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.

_____ is appointed real estate commissioner to sell this real property.

B. Real property at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

Awarded to Petitioner **OR** Respondent as his or her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner.

_____ % or \$ _____ to Respondent.

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 titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.

_____ is appointed real estate commissioner to sell this real property.

1e. DIVISION OF COMMUNITY DEBTS. (You should see a lawyer about how to divide secured and unsecured debts.) The following community debts shall be divided as follows:

Creditor(s)	Amount owed	Petitioner	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"/>

Continued on attached list.

Any debts or obligations incurred by either party, before the Respondent was served with the Petition for Dissolution, 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.

2a. SEPARATE PROPERTY. The following separate property is awarded as follows: (Be specific)

Description of Property. Be specific.	Petitioner	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"/>

2b. SEPARATE DEBT. The parties are each ordered to pay his or her separate debt as follows:

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

SIGNATURES:

APPROVED BY PETITIONER:

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

If You Are Filing A Consent Decree Or If There Has Been A Trial, The Respondent Must Sign:

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

If Either Party Is Represented By A Lawyer, The Lawyer Must Sign:

Petitioner's Lawyer: _____ Date: _____

Respondent's Lawyer: _____ Date: _____