

DIVORCE WITH MINOR CHILDREN

For Respondent Only



PINAL COUNTY NON-COVENANT MARRIAGE

Response to Divorce Petition

Instructions and Forms

**Provided as a Public Service by
AMANDA STANFORD
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.pinalcountyaz.gov/Departments/Judicial Branch) and if necessary, consult a lawyer.

**RESPONSE TO PETITION AND PAPERS FOR DISSOLUTION
OF A NON-COVENANT MARRIAGE (DIVORCE)
WITH MINOR CHILDREN**

CHECKLIST

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

- ✓ You want to file a Response to a **“Petition for Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children,” AND**

- ✓ You and your spouse have minor children with each other **OR** the wife is pregnant by the husband or will be pregnant by the husband before the divorce is over.

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.

**DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE)
WITH MINOR CHILDREN
(FOR RESPONDENT ONLY)**

RESPONSE TO A PETITION

This packet contains court forms and instructions about how to respond to a "Petition for Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children." The documents should appear in the following order:

Order	Title	# of Pages
1	Checklist: Use these forms if...	1
2	Table of Contents (this page)	1
3	Procedures: When and How to File Your Written Response	1
4	Instructions: How to Respond to a Petition for Dissolution of a Non-Covenant Marriage with Minor Children	7
5	"Response"	9
6	"Parenting Plan"	7
7	"Child Support Calculator"	1

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.

PROCEDURES

How to File a Response with the Court

STEP 1: COMPLETE THE:
“RESPONSE, PARENTING PLAN & CHILD SUPPORT WORKSHEET”

STEP 2: Make 2 copies of the “*Response*” after you have filled it out.

STEP 3: SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS:

SET 1 Originals For Clerk Of Court:

- “Response”
- “Parenting Plan”
- Child Support Worksheet”

SET 2 Copies For Spouse:

- “Response”
- “Parenting Plan”
- Child Support Worksheet”

SET 3 Copies For You:

- “Response”
- “Parenting Plan”
- Child Support Worksheet”

STEP 4: FILE THE PAPERS AT THE COURT: Go to the court filing counter to file your papers. The court is open from 8am-5pm, Monday-Friday. You should go to the court at least **two hours** before it closes. You may file your court papers at the following Superior Court locations:

Pinal County Justice Complex
971 N. Jason Lopez Circle Bldg. A
Florence AZ 85132
(520) 866-5300
Fax (520) 866-5320

Apache Junction Office
575 N. Idaho Rd. Suite 109
Apache Junction, AZ 85119
(520) 866-5300
Fax (520) 866-6170

Casa Grande Office
820 E. Cottonwood Lane Bldg. B
Casa Grande, AZ 85122
(520) 866-5300
Fax (520) 866-7481

Mammoth Office
(Temporarily Closed)

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, AMEX/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.

Go online to <http://pinalcountyaz.gov/COSC> for a list of current fees.

If this is the first time one of the parties or his or her attorney has “appeared”, that is, filed papers in this case, a substantial “**appearance fee**” (also known as a “response” or “answer” fee) *will be due from that party* at the time of filing.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, if you qualify you may request a **deferral** (payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available for a \$26 fee.

PAPERS: Hand all three (3) sets of your court papers to the Clerk along with the filing fee.

MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your set of copies
- Your spouse's set of copies

STEP 5: Keep one copy for yourself, and mail or hand-deliver the other copy to the other person (or the person's attorney, if he/she is represented by an attorney. If the person is represented by an attorney, the attorney's name and address will be on the Petition in the upper left hand corner.)

STEP 6: WHAT WILL HAPPEN NEXT: You will receive notice to attend either a hearing or a conference.

INSTRUCTIONS

How to Respond to Papers for “Dissolution of a Non-Covenant Marriage (Divorce) with Minor Children”

DOMESTIC VIOLENCE: Domestic violence can be a part of any marriage. Domestic violence includes **physical violence** such as hitting, slapping, pushing, or kicking you and/or your child(ren) and/or **threats** of physical violence directed at you and/or your child(ren) and/or **verbal abuse** used to control you and/or your child(ren). Your spouse does **not** need to have been **convicted** of domestic violence or assault for you to be a domestic violence victim. You do **not** need to have sought medical care or been admitted to a hospital to be a victim of domestic violence.

All court documents will request your address and phone number. If you are a victim of domestic violence, are in a domestic violence shelter, or if you do not want your address known to protect yourself or your children from further violence, you **must** file and get an **“Order of Protection.”** With that Order, you do **not** need to put your address and phone number on court papers. Just write "protected" where the form asks for this information and update the Clerk of the Court with an address and phone number as soon as possible so that the court can reach you.

HOW TO COMPLETE YOUR WRITTEN RESPONSE TO THE PETITION:

1. Type or print in **BLACK INK ONLY**.
2. Make sure your form is titled **“RESPONSE TO PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN.”**
 - (A) In the top left corner of the first page, fill out the following information: YOUR name; address (if not protected); city, state and zip code; telephone number; and, your ATLAS number, if you are receiving or have received AFDC from the Arizona Department of Economic Security; Attorney Bar Number if represented by an attorney; and, whether you are representing yourself **or** if you are the attorney whether you are representing the Respondent.
 - (B) Fill in the name of the “Petitioner” and “Respondent” the same way as it is on the Petition. You must do that for every document filed with the court regarding this case from now on. Use the case number that is stamped in the upper right-hand corner of the Petition. You must use that case number for every document filed with the court regarding this case from now on.

STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:

SECTION INSTRUCTION

1. **Information about my spouse.** Fill in your spouse’s (the Petitioner’s) name, address (if not protected), date of birth, occupation, and length of time domiciled (lived) in this state. This is basic information about your spouse, the PETITIONER.
2. **Information about me.** Fill in your name, address, date of birth, occupation, and length of time domiciled (lived) in this state. This is basic information about YOU, the RESPONDENT.
3. **Information about my marriage.** This is general information about your marriage. Fill in the date that you were married, and the city and state where you were married. Then check the box if you have a non-covenant marriage. If you have a covenant marriage, you should file a motion to dismiss, and then petition the court for dissolution of a covenant marriage, if you want a divorce. If you have a covenant marriage, attach a copy of the marriage license to show that you have a covenant marriage.
4. **90-day requirement.** This tells the court that you and/OR your spouse have lived in Arizona, or been stationed here while in the Armed Forces, for at least 90 (ninety) days prior to the date your

spouse filed the divorce papers. Before your spouse filed for Divorce, this **MUST** be true. **IF IT IS NOT TRUE**, your spouse filed too soon and the case must be dismissed. You or your spouse can file a **"Motion to Dismiss,"** then refile the divorce papers once the statement is true.

INFORMATION ABOUT OUR CHILDREN UNDER 18 YEARS OF AGE

5. **Domestic Violence.** This tells the court if domestic violence was in the marriage and 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 first page of this document. Then, check the box that applies to your situation.
6. **Children of the Parties Who Are Less Than 18 Years of Age.** Write the names of any child(ren) under age 18 common to you and your spouse, whether born to you and your spouse during your marriage or adopted by you and your spouse during the marriage. Include their birthdate(s), address(es), and length of time at the last address. If you do not have any children, you should be using the Response Packet without Children.
7. **Pregnancy.** If the wife is **NOT** pregnant at this time, check the first box and go to paragraph 8. 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.
8. **Summary of What I Request Concerning Our Minor Child(ren) That is Different From What My Spouse Requested in the Petition and Affidavit of Minor Child(ren).** Since you are responding to what your spouse asked for in the Petition, you should now summarize for the judge how what you request concerning the child(ren) is different from what your spouse asked for in both the Petition and Affidavit of Minor Children.

INFORMATION ABOUT PROPERTY AND DEBT: The information you give in paragraphs 9 and 10 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 or after the Respondent was served with a copy of the Petition for Divorce is community property, and both you and your spouse are entitled to roughly an equal share of this property. Community debt or bills are generally any debt, you and your spouse, acquired during your marriage, no matter who spent the money. If you have questions, or have a lot of community property or debt, you should speak with a lawyer **BEFORE** you file your Response.

- 9.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 the property, the court will order that the property be sold and any money received divided between you and your spouse.

List the property that you want the court to award to your spouse, the Petitioner, and list the property that you want the court to award to you, 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 and tell the court how much the property is worth (fair market value). You can use the brand name and model where applicable, and serial numbers.

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. Be specific.
- e) **Pension/retirement fund/profit sharing/stock plans/401K.** You and your spouse each generally have a right to up to one-half interest in 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. (Your interest, usually, includes 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.** The court **does not** have Qualified Domestic Relations Order forms.
- f) **Motor vehicles.** List the vehicle identification number, the year and make of the car (Ford, Honda) and the model (Mustang, Lumina).

9.b. Property acquired before marriage. Separate property. If you did **not** have, or bring, any property into the marriage, or you did not receive any gifts, devises, or inheritances, check the first box. If your spouse did **not** have or bring any property into the marriage, or did not receive any gifts, devises, or inheritances, check the next box. If you or your spouse brought property into the marriage, or received gifts, devises, or inheritances, 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 your spouse, the Petitioner, and list the property that you want the court to award to you, 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 where applicable, and serial numbers.

10.a Debts incurred during the marriage. Community Debts. If you and your spouse do **not** owe money on any debts from the marriage, check the first box and go directly to paragraph 10.b. 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 the property that has debt on it, you probably will 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 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."

10.b. Debts incurred prior to marriage. Separate debts. If you and your spouse did not owe money on any debts before you were married, check the first box and GO ON to 11. 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.

11. **Summary of What I, the Respondent, requested concerning property and debts that is different from what my spouse requested in the Petition.** Tell the court what is different between your plans for the division of the property and debt and what your spouse asked for in the Petition.
12. **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).

INFORMATION ABOUT SPOUSAL MAINTENANCE/SUPPORT (ALIMONY)

13. **Spousal Maintenance/Support** is the term used to describe money paid from one spouse to the other spouse as part of a divorce. 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 8. 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 13 to see if spousal maintenance/support applies to you or your spouse. Then, check the box that most applies to you. **Spousal maintenance/support is paid separately from child support and is not a substitute for or a supplement to child support.**
14. **Summary Of What I Want Regarding Spousal Maintenance/Support That Is Different From What My Spouse Asked For In The Petition.** Since you are responding to what your spouse asked for in the Petition, you should now summarize for the court how what you want for spousal maintenance/support is different from what your spouse wants. You should do this because the Petition your spouse used might be arranged differently than this form.

OTHER STATEMENTS TO THE COURT. Check only one box for each statement:

15. **Status of Marriage and Conciliation.** Your marriage is irretrievably broken. This means that your marriage is over and you do not believe you can get back with your spouse. **AND**, the conciliation requirements do not apply or have been met. This means that you do not think marriage counseling through the court will help you get back with your spouse. **OR**, Your marriage is not over **AND** the conciliation requirements either apply or have not been met. If this statement is true, you must tell the court why it is true.
16. **Child Legal decision-making Jurisdiction.** You are stating that the court has or does not have jurisdiction or the authority to decide child legal decision-making matters under Arizona law because the minor child(ren) has/have or has/have not lived in Arizona for at least 6 months before this Petition was filed. If you have children under the age of 18 who are common to you and your spouse and you are now divorcing, generally, you should have lived in the State of Arizona with the children for at least 6 months, or Arizona must be the child(ren)'s primary place of residence before your spouse files for divorce. If you have questions regarding this requirement or for other reasons why the court may not have jurisdiction, see a lawyer for help.
17. **General Denial.** This section tells the court that even if you did not answer everything said in the Petition, you deny all issues you did not address. This is extra protection for you.
18. **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 "Response to 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. Attach a copy of the written agreement if you have a copy.

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 marriage by a divorce or to dismiss the case because of one of the reasons listed. Check the box that applies to your case.
- B. Names.** ONLY write in this section if you want to use your maiden or former name. Write in your birth 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 to change the name.
- C. Child Legal decision-making And Parenting Time.**
- C.1. Sole Legal decision-making of 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 child(ren) to go to your spouse (the Petitioner) or you (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 child(ren) 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 read the Parenting Time Guidelines in packet 4):
- Reasonable parenting time.** This suggests an amount of parenting time appropriate to the age of the minor 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 person not having legal decision-making abuses drugs or alcohol; is violent or abusive; or, does not have the parenting skills to care for the 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 child(ren)'s physical and emotional health, or if there is a criminal court order stating no contact between the minor child(ren) and the non-custodial parent. You may use this as a last resort to protect the minor child(ren), **OR**,
- C.2. Joint Legal decision-making:** If you are asking for joint legal decision-making, you must file before your court hearing 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 Children:** Check only one box. Tell the court which parent should provide insurance for the minor child(ren). 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 minor child(ren).
- F. Tax Exemption:** Decide how you and your spouse will declare the tax dependency exemptions, for which minor child(ren) for which years. Federal Tax law also determines this for you. If you are not sure, see a lawyer or an accountant for help.

- G. Spousal Maintenance/Support.** 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 your spouse (the Petitioner) will be paying spousal maintenance/support. Check the second box if you (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 section on page 5, paragraph 13.)** 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 spouse paying this money. Spousal maintenance/support 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 Response. If you have been separated from your spouse for enough time that you or your spouse may have additional debts, write the date of the separation on the line provided if you want each spouse to pay the debts acquired after you separated.
- J. Separate Property And Debt.** 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, and that you will keep all property acquired by gift, devise, inheritance, or after you were served with the Petition, and that the Petitioner will keep all property acquired by gift, devise, inheritance, or after you were served with the Petition. You will also pay all of your separate debts, and Petitioner will pay all of his/her separate debts.
- K. Other Orders:** Tell the court anything else you may want ordered that has not been covered in your Response.

OATH OR AFFIRMATION AND VERIFICATION OF RESPONDENT. Sign this form in front of a notary public or a deputy clerk of the Superior Court. By doing so, you are telling the court that everything contained in the Response to the Petition for Dissolution is true.

PARENT EDUCATION CLASS. Remember to attend the Parent Education Class. For further information please contact our Clerk's office at 520.866.5300.

(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**

(B)

Name of Petitioner

CASE NUMBER: _____

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

Name of Respondent

HONORABLE: _____

STATEMENTS MADE TO THE COURT, UNDER OATH OR AFFIRMATION:

1. INFORMATION ABOUT MY SPOUSE, THE PETITIONER:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row your spouse has lived in Arizona: _____

2. INFORMATION ABOUT ME, THE RESPONDENT:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row you have lived in Arizona: _____

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____

City and state or country where we were married: _____

We have a covenant marriage. I have attached a copy of my marriage license to show that I have a covenant marriage. **(WARNING:** If this statement is true, divorce cannot be granted based on a petition filed relating to a NON-Covenant marriage. You may skip to page 6, "Request to the Court," (A), or file a separate motion to dismiss the Petitioner's case, and then petition the court for a Dissolution of a Covenant Marriage, if you want a divorce.)

4. **90 DAY REQUIREMENT:** Neither I nor my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before my spouse filed this action. (**WARNING:** If this statement is true, the petitioner cannot proceed. You may skip to page 6, "Requests to the Court," (A) or simply file a separate motion to dismiss the Petitioner's case, and then petition the court for a divorce when the statement IS true.)

5. **DOMESTIC VIOLENCE.** (If you intend to ask for joint legal decision-making, check the box that makes 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), common to the parties, 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:**

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

8. **SUMMARY OF WHAT I WANT CONCERNING OUR MINOR CHILD(REN) THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION and AFFIDAVIT OF MINOR CHILDREN.**

9. **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 and 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"/>	\$ _____

	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"/>	\$ _____

	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"/>	\$ _____

	Petitioner	Respondent	Value
<input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

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

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

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

- I do not have any property (separate property) that I brought into the marriage.
- My spouse does not have any property (separate property) that he/she brought into the marriage.
- I have property (separate property) that I brought into the marriage. I want this property awarded to me as described below.
- My spouse has property (separate property) that he/she brought into the marriage. 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"/>	\$ _____

10. 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

OR

- I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below.

- My spouse has separate debt or debt that he/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"/>	\$ _____

11. SUMMARY OF WHAT I, THE RESPONDENT, REQUEST CONCERNING PROPERTY AND DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION.

12. 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.

13. SPOUSAL MAINTENANCE (ALIMONY): (check the box that applies to you)

- Neither party is entitled to spousal maintenance (alimony), **OR**
- Petitioner **OR** Respondent is entitled to spousal maintenance because: (Check one or more of the box(es) that apply. At least one reason must apply to get spousal maintenance.)
- 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.

14. SUMMARY OF WHAT I REQUEST REGARDING SPOUSAL MAINTENANCE THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION.

OTHER STATEMENTS TO THE COURT:

15. STATUS OF MARRIAGE AND CONCILIATION: (Check only one box).

- My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (My marriage is over.) The conciliation requirements under Arizona law, A.R.S. 25-381.09 either do **not** apply or have been met. (This means that we have obtained marriage counseling through Conciliation Services, or going to marriage counseling would not help), **OR**
- My marriage is not irretrievably broken and there are reasonable prospects of reconciliation. The conciliation requirements under Arizona law, A.R.S. 25-381.09 either apply or have **not** been met. **Explain** to the court why you disagree:

16. CHILD LEGAL DECISION-MAKING JURISDICTION. (Check only one box).

- This court has jurisdiction to decide child legal decision-making matters under Arizona law because the minor children have lived in Arizona for at least 6 months before the Petition was filed or if the minor children are younger than 6 months old, that they have lived in the State of Arizona since birth.
- This court does not have jurisdiction to decide child legal decision-making matters under Arizona law because the minor child(ren) have not lived in Arizona for at least 6 months before the Petition was filed. **Explain:** (There are other reasons why the court may **not** have jurisdiction due to the residence of the minor children. See a lawyer for help.)
-
-

17. GENERAL DENIAL. I deny anything stated in the Petition that I have not specifically admitted, qualified or denied.

18. 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 minor child(ren).
- I have attached a copy of the written agreement.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

- Dissolve the parties' marriage and return each party to the status of a single person;
- Deny the petition and refuse to dissolve the marriage due to my answers in:
- Number 3 about covenant marriage;
 - Number 4 about domicile for 90 days;
 - Number 15 about the marriage not being irretrievably broken;
 - Dissolve the marriage and return each party to status of a single person, but refuse to decide child legal decision-making matters due to lack of jurisdiction as stated in number 16 above.

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 requesting to have your own former name restored, the court must have a written request from the party who wants his or her name restored to change the name.

C. CHILD LEGAL DECISION-MAKING AND PARENTING TIME: Award legal decision-making and parenting time of the children under the age of 18 and common to the parties, 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 minor children and the Petitioner OR Respondent is in the best interest of the minor children because: (Explain the reasons for supervision or no parenting time. Use extra paper if necessary.)
Name of the 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 interests of the minor 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. INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN: Order that:
 Mother should be responsible for providing: medical dental vision care insurance.
 Father should be responsible for providing: medical dental vision care insurance.
 The costs of medical/dental/vision care expenses not paid by insurance should be shared as follows:
Mother _____ % **Father** _____ %

F. TAX EXEMPTION: The parties will, subject to IRS Rules and Regulations, claim the minor children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of child	Current tax year	Later tax years
<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 maintenance 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 and continuing until the person receiving spousal support remarries, 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.

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.

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.

Holidays

Even Years

Odd Years

<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