Revised 1.1.15

DIVORCE WITHOUT CHILDREN

For Petitioner Only

PINAL COUNTY

NON-COVENANT MARRIAGE

TO FILE FOR DISSOLUTION OF MARRIAGE (DIVORCE) WITHOUT CHILDREN

INSTRUCTIONAL FORMS

Provided as a Public Service by
Amanda Stanford
Clerk of the Superior Court

DIVORCE WITHOUT MINOR CHILDREN

This packet contains general information and instructions about filing a divorce petition for a non-covenant marriage and other court papers when there are **no** minor children common to the parties. Be sure this packet contains the following documents:

Order	Title	# of Pages
1	Table of Contents (this page)	1
2	Representing Yourself in Family Court	2
3	Procedures: How to file Divorce Papers with the Court	2
4	"Petition for Dissolution of Marriage (Divorce) – Without Children"	10
5	"Sensitive Data Sheet" **(*NO COPIES REQUIRED)**	2
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7	"Preliminary Injunction"	2
8	"Notice of Right to Convert Health Insurance"	1
9	"Notice Regarding Creditors"	2
10	"Summons"	2

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

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

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.pinalcountyaz.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.

PROCEDURES

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

STEP 1: **Complete the forms – TYPE OR PRINT IN BLACK INK**

*** DO NOT INCLUDE your address if you are filing a "Request for Protected Address"**

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

- "Petition for Dissolution of marriage…"
- "Preliminary Injunction"
- "Notice of Right to Convert Health Insurance"
- "Notice Regarding Creditors"
- "Summons"

DO NOT COPY the "Family Court Coversheet" and the "Sensitive Data Sheet"

STEP 3: **Separate your documents into three (3) sets in the following order:**

SET 1 - ORIGINALS FOR CLERK OF COURT:

1. "Petition for Dissolution of Marriage…"
2. Sensitive Data Sheet
3. Family Law Coversheet
4. "Preliminary Injunction"
5. "Notice of Right to Convert Health Insurance"
6. "Notice Regarding Creditors"
7. "Summons"

SET 2 - COPIES FOR SPOUSE:

1. "Petition for Dissolution of Marriage…"
2. "Preliminary Injunction"
3. "Notice of Right to Convert Health Insurance"
4. "Notice Regarding Creditors"
5. "Summons"

SET 3 – COPIES FOR YOU:

1. "Petition for Dissolution of Marriage…"
2. "Preliminary Injunction"
3. "Notice of Right to Convert Health Insurance"
4. "Notice Regarding Creditors"
5. "Summons"

STEP 4: **FILE THE PAPERS WITH THE CLERK OF THE SUPERIOR COURT:**
Go to the Clerk of Court filing counters at one of the following locations: The court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.**

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

Mammoth Office
(Temporarily Closed)

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

*Closed for lunch between
12:00 pm – 1:00 pm

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

*Closed for lunch between
12:00 pm – 1:00 pm

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

If you cannot pay these fees, you may request the fee(s) to be deferred or waived. The Clerk of the Superior Court has the necessary forms to ask for a deferral or waiver. To obtain a "Deferral for Fees Application" go online to http://coscpinalcountyaz.gov/.

NOTE: With the Application for Deferral, there is a $27 fee and you must provide proof of income (copy of your last 2 most recent paystubs).

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

MAKE SURE YOU GET THE FOLLOWING BACK FROM THE CLERK:

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

STEP 5: **SERVE THE PAPERS ON THE OTHER PARTY. Different methods are required depending on whether the other party is willing to sign the "Acceptance of Service," is not in Arizona, location unknown, etc. To obtain the "Service of Court Papers" packet, which explains how to serve in various situations go online to** http://coscpinalcountyaz.gov/.

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

_____

Name of Respondent

CASE NUMBER: **DO** _____

(Leave Blank)

PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITHOUT MINOR CHILDREN

HONORABLE: _____

(Leave Blank)

SERVICE BY PUBLICATION:

If Respondent is served by publication and is not personally served, this Court may be unable to 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.

GENERAL INFORMATION

Information about me, the Petitioner:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

How long you have lived in Arizona: _____

Information about my spouse, the Respondent:

Name: _____

Address: _____

Date of Birth: _____

Job Title:_____

How long the Respondent has lived in Arizona: _____

Information about my marriage:

Date of Marriage: _____

Location of Marriage: _____

THIS IS A PETITION FOR A FINAL

"DECREE OF DISSOLUTION OF MARRIAGE WITHOUT MINOR CHILDREN."

This Court has jurisdiction over the parties under the law, and the provisions of this Petition are fair and reasonable under the circumstances.

***These statements (1-3) must be true and the boxes must be checked for your case to proceed using this paperwork.**

1. ***90 Day Requirement**

   ☐ At the time this action is filed, the Petitioner and/or the Respondent has lived in Arizona for more than 90 days, or had been stationed in Arizona while a member of the United States Armed Forces for more than 90 days.

2. ***Conciliation Court**

   You may request a free meeting with yourself, the other party and a counselor to determine if divorce is the right decision for you. You do not need the other party's consent to request this meeting. Please contact Family Services of Conciliation Court at 520 866 7349 for more information.

   ☐ We have tried to resolve our problems through Conciliation Services OR going to Conciliation Services would not work.

3. ***Irretrievably Broken**

   ☐ The marriage is irretrievably broken and there is no hope of reconciliation.

4. **Covenant Marriage**

   ☐ The marriage is **NOT** a covenant marriage.

   ☐ The marriage is a covenant marriage. (See Arizona Revised Statutes 25-901 and following).

5. **Pregnancy**

   ☐ Neither spouse is pregnant.

   ☐ Wife is pregnant and the other party **is** the natural father of the child.

   ☐ Wife is pregnant and the other party **is not** the natural father of the child.

6. **Domestic Violence**

INSTRUCTIONS: Check the relevant box below.

☐ Domestic violence has not occurred during this marriage.
☐ Significant domestic violence occurred during this marriage.
☐ Domestic violence has occurred during this marriage. Even though domestic violence has occurred, it was not significant or committed by both parties.

7. **Spousal Maintenance:** Money paid from one spouse to the other spouse after the divorce, also known as alimony.

INSTRUCTIONS: Check this box if you do not want either spouse to receive spousal maintenance.
☐ Neither party is entitled to spousal maintenance

INSTRUCTIONS: If you want the other party to pay you spousal maintenance, check the box that says "Petitioner". If you want to pay the other party spousal maintenance, check the box that says "Respondent".
☐ **Petitioner OR** ☐ **Respondent** is entitled to spousal maintenance because s/he

INSTRUCTIONS: You must also check at least one of the following four boxes explaining why spousal maintenance is appropriate.
☐ Lacks sufficient property, including given to him or her as part of this divorce, to provide for his or her reasonable needs.
☐ Is unable to be self-sufficient through appropriate employment or is the custodian of a child whose age or condition is such that the custodian should not be required to seek employment outside the home or lacks earning ability in the labor market adequate to be self-sufficient.
☐ Contributed to the educational opportunities of the other spouse.
☐ Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

REQUESTS THE COURT TO ORDER

1. **Marriage is Dissolved**
☐ The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **Name Change** *Optional*

INSTRUCTIONS: Check this box only if you want to use your maiden or former name. If you check the box, also check the box next to whoever is changing his or her name, either Petitioner or Respondent. In the first blank, write out the complete married name, including the middle name. In the second blank, write out the complete maiden name/former name.

☐ The name of the ☐ Petitioner **OR** ☐ Respondent, whose complete married name is:

_____

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

_____

3. Spousal Maintenance

INSTRUCTIONS: Earlier in the Petition you told the court whether or not one of the parties should receive spousal maintenance from the other party. Here, you tell the court how much per month and for how long that spouse should receive spousal maintenance or if neither party should pay spousal maintenance to the other party.

☐ Neither party to pay spousal maintenance to the other party.
OR
☐ Petitioner shall receive spousal maintenance from Respondent in the amount of $_____
per month and the payments to continue until the receiving party is remarried or deceased.
OR
☐ Petitioner shall receive spousal maintenance from Respondent in the amount of $_____
per month and the payments to continue until the receiving party is remarried or deceased or for _____ months, whichever comes first.
OR
☐ Respondent shall receive spousal maintenance from Petitioner in the amount of $_____
per month and the payments to continue until the receiving party is remarried or deceased.
OR
☐ Respondent shall receive spousal maintenance from Petitioner in the amount of $_____
per month and the payments to continue until the receiving party is remarried or deceased or for _____ months, whichever comes first.

INSTRUCTIONS: Do you want either the other party or yourself to be able to modify spousal maintenance in the future? If so, check the first box. If not, check the second box.

☐ Spousal maintenance shall be modified in accordance with Arizona law.
☐ Spousal maintenance shall NOT be modifiable for any reason.

4. Debt

INSTRUCTIONS: You must identify all of your debt as either community debt or separate debt. **Community debts** are debts that you or the other party incurred during the marriage. **Separate debts** are debts that you or the other party incurred before the marriage.

a. **Community Debt:** Community debts are debts incurred by either party during the marriage. You should see a lawyer about how to divide secured and unsecured debts. Community debts shall be divided as follows:

INSTRUCTIONS: Check this box if you do not have any community debt.
☐ My spouse and I do not have any community debts.

INSTRUCTIONS: Check this box if you have community debt. List all community debts, the total owed, and the amount OR percentage to be paid by each party. If you need more space attach an additional sheet of paper and check the box "The list continues on attached page."
☐ My spouse and I have community debts which shall be divided as follows:

Creditor Name	Amount Owed	Amount or Percent to be paid by Petitioner	Amount or Percent to be paid by Respondent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ The list continues on attached page.
☐ 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 incurred since (date) _____.
☐ 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.

b. Separate Debt: Separate debts are debts incurred before the marriage. Check ONLY one of the three boxes. If you check the last box, list your separate debts, the total owed, and the amount or percentage to be paid by each party. Separate debts shall be divided as follows:

☐ Neither my spouse nor I have any separate debt.
☐ My spouse and/or I have separate debts and Husband must pay his separate debt and Wife must pay her separate debt.
☐ My spouse and/or I have separate debts and they shall be divided as follows:

Creditor Name	Amount Owed	Amount or Percent to be paid by Petitioner	Amount or Percent to be paid by Respondent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Property

***IMPORTANT*: If there is a piece of property with a debt attached such as a car with a loan, you must list the property under "Property" and the debt under "Debt".**

INSTRUCTIONS: You must identify all of your property as either community property or separate property. **Community property** is property that you acquired during the marriage, but was not gifted to either you or the other party and that was not inherited. **Separate property** is property that you acquired before the marriage, property that was gifted to either you or the other party, or that was inherited.

a. Community Property: Community Property is property that was acquired during the marriage, which was not gifted to one party or inherited. Community Property shall be divided as follows:

☐ My spouse and I did not acquire any community property during the marriage.
OR
☐ My spouse and I acquired community property during the marriage and it should be divided as follows: *Include vehicles on this list.*

Description of Property	Awarded to Petitioner	Awarded to Respondent	Value
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____
_____	☐	☐	_____

b. Separate Property: Separate property is property acquired before the marriage, property that was gifted to one party, or that was inherited. Separate Property to be divided as follows:

☐ My spouse and I do not have separate property.
☐ My spouse and/or I have separate property and each party shall be awarded his or her own separate property.
☐ My spouse and/or I have separate property, which shall be divided as follows:

Description of Property	Awarded to Petitioner	Awarded to Respondent	Value
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____
_____	☐	☐	$_____

c. Real Property: Real property is the house and land you own. You can ask the court to give you the home, to give the home to the other party, or to sell the home and divide any loss or proceeds. Write the complete address of the property under "real property 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.

☐ My spouse and I do not have real property.
☐ My spouse and I have real property located at: _____ valued at approximately $_____. The legal description of the property is (this information is needed prior to an order being entered regarding real property):

_____

☐ The real property shall be sold and any loss or proceeds divided with Petitioner being awarded _____% and Respondent being awarded _____%.
☐ The real property shall be awarded to Petitioner.
☐ The real property shall be awarded to Respondent.
☐ The party being awarded the real property will refinance the real property solely in his or her name on or before _____ (insert date). If unsuccessful, the real property will be _____
_____

INSTRUCTIONS: Complete only if there is a second property.

☐ My spouse and I do not have additional real property.
☐ My spouse and I have additional real property located at: _____ valued at approximately $_____. The legal description of the property is (this information is needed prior to an order being entered regarding real property):

_____

☐ The real property shall be sold and any loss proceeds divided with Petitioner being awarded _____% and Respondent being awarded _____%.
☐ The real property shall be awarded to Petitioner.
☐ The real property shall be awarded to Respondent.
☐ The party being awarded the real property will refinance the real property solely in his or her name on or before _____ (insert date). If unsuccessful, the real property will be _____
_____.

d. Retirement:

WARNING: You should see a lawyer about your retirement accounts. 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. It is recommended that you consult with a lawyer to help you prepare these documents.
INSTRUCTIONS: A retirement account is considered property. Any part of the retirement that grew during the marriage is community property. Any part of the retirement that existed before the marriage, is separate property. You do not need to list the retirement under "Property" if you list it here.

IMPORTANT: If you want to divide the retirement account(s) you must see an attorney about a document called a Qualified Domestic Relations Order (QDRO) or a Court Order Acceptable for Processing (COAP). A QDRO or a COAP is a very specialized legal document. It is recommended that you seek professional assistance to prepare the QDRO or COAP. Do not have this done until a judge signs your Decree.

☐ Neither party has a retirement account.
☐ 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.
☐ Divide retirement accounts as follows:

_____

_____

6. Taxes

INSTRUCTIONS: This question is asking how you and the other party have filed taxes during the time you were married.

a. For **previous** calendar years, pursuant to IRS rules and regulations, the parties have filed or will file:

INSTRUCTIONS: If you and the other party ever filed jointly, check this box and list the tax years you filed jointly.
☐ Joint federal and state income tax returns for (years) _____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.

INSTRUCTIONS: If you and the other party ever filed separately, check this box and list the tax years you filed separately.
☐ Separate federal and state income tax returns for (years) _____.

☐ Other: _____

☐ This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

Each party shall give the other party all necessary documentation to file all tax returns, unless that information is protected.

Other information and request(s) regarding taxes:

_____

_____

7. Other Requests:

INSTRUCTIONS: Use this space to ask the court for anything that you want the court to do but have not asked for yet.

_____

_____

_____

_____

OATH OR AFFIRMATION AND VERIFICATION

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

_____ _____

Date **Signature**

State of Arizona)
)
County of _____)

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

by _____
Name of Signer

_____ _____

Commission Expires **Notary Public**

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

SUPERIOR COURT OF ARIZONA
PINAL COUNTY

_____
Name of Petitioner

CASE NUMBER: _____

SENSITIVE DATA SHEET
(CONFIDENTIAL RECORD)

_____
Name of Respondent

HONORABLE: _____

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

A.	Personal Information:	Petitioner	Respondent
	Name		
	Gender	☐ Male or ☐ Female	☐ Male or ☐ Female
	Date of Birth (Month/Day/Year)		
	Social Security Number		
	Driver's License Number		

WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION

Mailing Address		
City, State, Zip Code		
Contact Phone		
Email Address		
Current Employer Name		
Employer Address		
Employer City, State, Zip Code		
Employer Telephone Number		
Employer Fax Number		

B. Child(ren) Information:

Child Name	Gender	Child Social Security Number	Child Date of Birth

Clerk of Court Issued:

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

Arizona Superior Court, Pinal County
Family Court Cover Sheet

Pursuant to Rule 4.1 Superior Court Local Rules - Pinal County, please provide the following information. *(Type or print)*

CASE NUMBER **DO 2** _____ ATLAS NUMBER(S) _____	Judge _____

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

ACTION REQUESTED Check only one box

DISSOLUTION (Divorce)
- ☐ D01 With Children
- ☐ D02 Without Children

- ☐ D11 Legal Separation
- ☐ D12 Paternity/Maternity
- ☐ D13 Annulment
- ☐ D14 Legal Decision-Making
- ☐ D15 Order of Protection
- ☐ D16 Foreign Judgment
- ☐ D17 Domesticated Decree
- ☐ D18 Foreign Judgment for Legal Decision-Making
- ☐ D19 Establish Support
- ☐ D20 Habeas Corpus
- ☐ D21 Visitation
- ☐ D40 Emergency Order of Protection
- ☐ D22 Other _____ (Specify)

I receive or have received public assistance which may include AFDC, TANF, or AHCCS for my child(ren) or me.

☐ Yes ☐ No

I have a case with the Division of Child Support Enforcement.

☐ Yes ☐ No

If yes, list the case number(s)

_____

Do you currently have ANY other Pinal County Superior Court cases?

☐ Yes ☐ No

If yes, list the case number(s)

_____

Have you ever had ANY other Pinal County Superior Court cases?

☐ Yes ☐ No

If yes, list the case number(s)

_____

PETITIONER'S DECLARATION OF INFORMATION FOR CONCILIATION COURT

The wife is pregnant: ☐ Yes ☐ No

The respondent is being served by publication: ☐ Yes ☐ No

Please enter the number of children under the age of 18 of either or both parties who are in legal decision-making of either or both parties: _____

NAMES OF MINOR CHILDREN & DATE OF BIRTH:	**NAMES OF MINOR CHILDREN & DATE OF BIRTH:**
_____	_____
_____	_____
_____	_____

There is an agreement as to the parenting arrangements of the minor children: ☐ Yes ☐ No

To the best of my knowledge, all information is true and correct.

_____

Attorney / Pro Per Signature

NOTICE

Effective September 8, 1992 and pursuant to Superior Court (Pinal County), Administrative Order No. 92-15, the Superior Court requires that a "Cover Sheet", which categorizes the cause of action, accompany any new action filed with the Superior Court in Pinal County. **PLEASE DO NOT INCLUDE THIS FORM WITH CASES THAT HAVE ALREADY BEEN FILED.** This form can only be processed **at the time of filing** New Complaints and Petitions.

Revised 6/22/09

Name of Person Filing: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address: _____

ATLAS Number (if applicable) _____

☐ **Representing Self (No Attorney)** **or** ☐ **Represented by Attorney**

If Attorney, Bar Number: _____

SUPERIOR COURT OF ARIZONA
PINAL COUNTY

_____ **CASE NUMBER:** **DO2**

Name of Petitioner

PRELIMINARY INJUNCTION

_____

Name of Respondent **HONORABLE:** _____

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

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

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

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the ***"Petition for Dissolution"*** (Divorce) or ***"Petition for Annulment"*** or ***"Petition for Legal Separation"*** is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:

- ✓ You may **not** hide earnings or community property from your spouse, **AND**
- ✓ You may **not** take out a loan on the community property, **AND**
- ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
- ✓ Do **not** harass or bother your spouse or the children, **AND**
- ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
- ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.

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

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

1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.

1(b). **REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.

1(c). **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.

1(d). **RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.

3. **ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.

4. **WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.

5. **LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.

6. **DESCRIPTION OF THE PARTIES:**

Petitioner:
Name: _____ Gender: ☐ Male ☐ Female
Height: _____ Weight: _____
Date of Birth: _____

Respondent:
Name: _____ Gender: ☐ Male ☐ Female
Height: _____ Weight: _____
Date of Birth: _____

GIVEN UNDER MY HAND AND SEAL OF THE COURT _____
Date

Amanda Stanford
Clerk of the Superior Court

By _____
Deputy Clerk

SUPERIOR COURT OF ARIZONA
PINAL COUNTY

Name of Petitioner

CASE NUMBER: DO2

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

Name of Respondent

HONORABLE:

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

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

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

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

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

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

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

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

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

SUPERIOR COURT OF ARIZONA
PINAL COUNTY

_____
Name of Petitioner

CASE NUMBER: DO2

NOTICE REGARDING CREDITORS

_____
Name of Respondent

HONORABLE: _____

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

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

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

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

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

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

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

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: **Superior Court of Arizona in Pinal County**

Case Name: _____

Case Number: _____

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

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

_____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

_____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

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

Sincerely,

Your Name: _____

Your Signature: _____

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

SUPERIOR COURT OF ARIZONA
PINAL COUNTY

_____ **CASE NUMBER:** DO2
Name of Petitioner

SUMMONS

_____
Name of Respondent **HONORABLE:** _____

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

FROM THE STATE OF ARIZONA TO _____
Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this ***"Summons."***

2. If you do **not** want a judgment or order taken against you without your input, you must file an ***"Answer"*** or a ***"Response"*** in writing with the court, and pay the filing fee. If you do **not** file an ***"Answer"*** or ***"Response"*** the other party may be given the relief requested in his/her Petition or Complaint. To file your ***"Answer"*** or ***"Response"*** take, or send, the ***"Answer"*** or ***"Response"*** to the Office of the Clerk of the Superior Court, 971 Jason Lopez Circle Bldg A , Florence, Arizona 85132 or PO Box 2730, Florence, Arizona 85132-2730; or any satellite office. Mail a copy of your ***"Response"*** or ***"Answer"*** to the other party at the address listed on the top of this Summons.

3. If this ***"Summons"*** and the other court papers were served on you by a registered process server or the Sheriff, **within** the State of Arizona, your ***"Response"*** or ***"Answer"*** must be filed within TWENTY **(20)** CALENDAR DAYS from the date you were served, **not counting the day you were served**. If this ***"Summons"*** and the other papers were served on you by a registered process server or the Sheriff **outside** the State of Arizona, your Response must be filed within THIRTY **(30)** CALENDAR DAYS from the date you were served, **not counting the day you were served**. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty **(30)** days after the date of the first publication.

4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court at the address listed in Paragraph 2 above.

5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a Petition for Conciliation for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making and parenting time issues regarding minor children.

6. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least five **(5)** days before your scheduled court date.

GIVEN UNDER MY HAND AND SEAL OF THE COURT _____

Date

Amanda Stanford
Clerk of the Superior Court

By _____

Deputy Clerk