

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: S1100DO

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

Name of Respondent

HONORABLE: _____

SERVICE BY PUBLICATION:

If Respondent was served by publication and was 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.

THE COURT FINDS:

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

3. 90-Day Requirement: At the time this action was filed, Petitioner or Respondent had 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.

4. Conciliation Court: The provisions relating to the Conciliation Court either do not apply or have been met.

5. Irretrievably Broken: The marriage is irretrievably broken and there is no hope of reconciliation.

6. Covenant Marriage: The marriage is not a covenant marriage.

7. Paternity:

INSTRUCTIONS: If any of the minor children, common to the parties, were born **BEFORE** your marriage, check the box and list the name(s) and date of birth(s) of those children. If all of your children were born during the marriage, skip this question.

Husband is the natural father of the following child(ren) born to the parties **BEFORE** the marriage:

Name(s)

Date of Birth(s)

_____	_____
_____	_____
_____	_____
_____	_____

8. Domestic Violence:

INSTRUCTIONS: Domestic violence may affect a request for legal decision-making. 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 and joint legal decision-making is in the best interest of the minor child(ren) because:

9. Substance Abuse:

INSTRUCTION: Substance abuse may affect a request for legal decision-making. Check the relevant boxes below.

- Neither party has abused drugs or alcohol or has been convicted of a drug offense or drug violation within the twelve months before the Petition was filed.
- Petitioner has abused drugs or alcohol or has been convicted of a drug offense or drug violation within the twelve months before the Petition was filed.
- Respondent has abused drugs or alcohol or has been convicted of a drug offense or drug violation within the twelve months before the Petition was filed.

10. Minor Children:

INSTRUCTIONS: List **all** children under the age of 18 that are common to you and the other party. Here, it does not matter whether they were born before or during the marriage. List all addresses where the child(ren) have lived within the past six months. Use and attach additional pages if necessary.

Child's Name: _____ **Birth Date:** _____

Addresses for the last 6 months:

Address: _____
 _____ Length of time at address: _____

Address: _____
 _____ Length of time at address: _____

Child's Name: _____ **Birth Date:** _____

Addresses for the last 6 months:

Address: _____
 _____ Length of time at address: _____

Address: _____
 _____ Length of time at address: _____

Child's Name: _____ **Birth Date:** _____

Addresses for the last 6 months:

Address: _____
 _____ Length of time at address: _____

Address: _____
Length of time at address: _____

Child's Name: _____ Birth Date: _____

Addresses for the last 6 months:

Address: _____
Length of time at address: _____

Address: _____
Length of time at address: _____

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

INSTRUCTIONS: Check this box if neither spouse will receive spousal maintenance.

Neither party is entitled to spousal maintenance

INSTRUCTIONS: Check the box next to the person who will RECEIVE spousal maintenance.

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.

12. Child Support Deviation

INSTRUCTIONS: Within this packet you will find a child support calculator form for the Parent's Worksheet. You must fill out the child support calculator entry form online; there are

instructions in this packet. **Fill this section out ONLY if the child support to be ordered is a different amount than what is given on the child support calculator.**

- First, fill in the amount the child support calculator gives.
- Second, give reasons why the amount of child support should be different.
- Third, fill in the amount of child support that should be ordered.

The amount of child support based on the Parent's Worksheet for Child Support is \$_____, however, this amount is inappropriate or unjust and not in the best interest of the child(ren) because _____

The amount of child support should be \$_____.

13. Ability to Pay Child Support: The court finds that the person responsible for paying child support has the ability to pay the child support amount on the child support order attached hereto and incorporated herein.

14. Parent Information Program:

- Petitioner has attended the Parent Information Program class.
- Petitioner has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this Decree until Petitioner has completed the class.
- Respondent has attended the Parent Information Program class.
- Respondent has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this Decree until Respondent has completed the class.

15. Supervised or No Parenting Time:

INSTRUCTIONS: Check and complete only if supervised or no parenting time is ordered. If supervised or no parenting time is ordered, reasons must be listed.

Supervised parenting time between the minor child(ren) and Petitioner **OR** Respondent for the following reasons: _____

No Parenting Time by Petitioner **OR** Respondent is in the best interest of the child(ren) for the following reasons: _____

THE COURT ORDERS:

1. Marriage is Dissolved

The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. Parenting Time Plan

There is a parenting time plan attached with this Petition which addresses parenting time and legal decision-making.

3. 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)

Children's Names *Optional*

INSTRUCTIONS: If you are changing your child(ren)'s last name(s), list each child's current legal name and the new name you are requesting.

The names of one or more of the minor children shall be changed as follows:

Current Legal Name

New Name

4. Financial Information Exchanges

INSTRUCTIONS: Under Arizona law it is REQUIRED that parties with minor children exchange financial information every 24 months.

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

5. Child Support

The Child Support Order is attached hereto and incorporated by reference.

This Court cannot make a legal order, without personal service on the Respondent, with respect to issues of child support, or medical, dental and vision care insurance for the minor child(ren). The court reserves jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the Respondent.

6. Medical, Dental, and Vision Insurance for Minor Children

INSTRUCTIONS: Tell the court who will be paying for medical, dental, and vision insurance for the children.

Petitioner is responsible for providing Insurance: Medical Dental Vision

Respondent is responsible for providing Insurance: Medical Dental Vision

The child(ren) are on AHCCCS. Both parents are responsible for providing medical insurance for the minor children as soon as it becomes accessible and available at a reasonable cost, as neither parent currently has the ability to obtain such insurance.

The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

7. Uncovered Medical, Dental, and Vision Expenses

INSTRUCTIONS: Tell the court who will pay for medically necessary (as defined by Internal Revenue Service Publication 502) uncovered medical, dental, and vision expenses such as co-pays. You can request that each party pays a percentage of any uncovered medical expenses or that you each pay in proportion to your respective incomes.

All reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments shall be allocated as follows:

Petitioner and Respondent are to pay in proportion to their respective incomes according to the child support calculator.

OR

Petitioner to pay _____%

Respondent to pay _____%

8. Tax Exemptions

INSTRUCTIONS: The child support calculator provides guidelines regarding who should claim the child(ren) as tax exemptions each year. If you wish to deviate from these guidelines check the “other” box and write in what you are requesting.

The parents shall claim the child(ren) as income tax dependency exemptions on federal and state tax returns as follows:

- Petitioner **OR** Respondent will claim the children every year.
 - Petitioner **OR** Respondent will claim the children every odd year.
 - Petitioner **OR** Respondent will claim the children every even year.
 - Other: _____
-
-

The parent required to pay child support is only entitled to claim the child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for theyear.

9. 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.

10. 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

11. 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
_____	<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"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

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
_____	<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"/>	\$ _____

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 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 _____

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:
-
-

12. 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:

13. Other Orders:

INSTRUCTIONS: Use this space to add any more Orders the court is making.

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

DONE IN OPEN COURT: _____

JUDGE OR COURT COMMISSIONER

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

Respondent’s Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Email Address: _____

By Petitioner: _____

Date: _____

Petitioner’s Signature: _____