

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: <u> S1100DO </u> DECREE OF DISSOLUTION OF MARRIAGE (DIVORCE) WITHOUT 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 medical and dental insurance, payments, expenses for 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, 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 Without 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.

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. **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

8. **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.

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

a. 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"/>	\$ _____

b. 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 _____

c. 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 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: _____