

**YAVAPAI COUNTY
Self-Service Center**

INFORMATION: FILING FOR ANNULMENT

INTRODUCTION:

There are several steps to getting an annulment. The process is identical to, and costs the same as, getting a divorce.

- File your case **AND**
- Service (legal notice) of the annulment papers to your spouse **AND**
- File for Default and get a Default Hearing - only if your spouse does not file a Response within certain time limits **OR**
- Go to trial if your spouse files a written Response with the Court disagreeing with what you say you want in the Petition for Annulment **OR**
- Reach an agreement with your spouse on the disputed issues in your Petition and get a Short Cause Hearing or proceed by Consent Decree **AND**
- Get a Decree of Annulment of Marriage

TO FILE FOR ANNULMENT IN ARIZONA, THIS IS A REQUIREMENT:

- You or your spouse must have made Arizona your home, or been stationed in Arizona while a member of the Armed Forces, for at least 90 (ninety) days before the Annulment Petition is filed.

THERE IS A SPECIFIC GROUND FOR AN ANNULMENT IN ARIZONA:

- There must be an impediment that makes the marriage void. Some possible impediments may be:
 - Undissolved prior marriage
 - One of the parties is underage
 - There is a blood relationship pursuant to A.R.S. § 25-101
 - Intoxication
 - Duress
 - Fraud

THERE ARE OTHER POSSIBLE IMPEDIMENTS. IF YOU ARE NOT SURE WHETHER YOUR SITUATION IS APPROPRIATE FOR AN ANNULMENT, CONTACT AN ATTORNEY FOR ADVICE.

IMPORTANT TERMS TO KNOW:

Generally, because you are filing the Petition, YOU will **ALWAYS** be called the PETITIONER on all documents relating to your case now and on any filings in the future. YOUR SPOUSE will **ALWAYS** be called the RESPONDENT on all documents.

The forms and instructions will refer to your “**purported spouse**” and your “**purported marriage**”. This is because you are saying you believe the marriage to be void. While the other party may have the “**appearance**” of being your spouse, and the marriage may have the “**appearance**” of being a legal marriage, the judge may declare it void.

DEFERRAL OF FILING FEES OR SERVICE COSTS:

The Court charges a filing fee to file for an annulment. If you believe you are unable to afford the fees and/or service costs, you may request a deferral. This means you will be making regular payments on the amount you owe the Court for filing and/or service. If the Court denies your request for a deferral, you must pay all filing fees at the time of filing and for service after filing.

ADVICE AND HELP FROM ATTORNEYS AND MEDIATORS:

Even if you are representing yourself in court, it is always a good idea to ask an attorney to look over the papers to see if they are correct. An attorney can also help you decide many important legal issues. Many lawyers WILL HELP YOU HELP YOURSELF.

There are people in the community who will help you with your problems in addition to, or sometimes instead of, a judge. They are called mediators. They help you solve your present problem, and anticipate future problems and how to solve them, too. Mediators work with both parties in a dispute, to help resolve the areas of disagreement or trouble. You can check the Yellow Pages in your phone directory for names of attorneys and mediators.

REMEMBER: Contact an attorney if you are not sure whether an annulment is right for your situation. You may follow all the correct procedures and get all the way to your hearing, only to find the judge does not agree that you have grounds for an annulment. If that happens, you must begin all over again to get a divorce instead. It could save you time and money to have legal advice before you begin.