

**YAVAPAI COUNTY
Self-Service Center**

**DECREE OF ANNULMENT OF MARRIAGE
[WITHOUT CHILDREN]**

You can use this Decree when you do not have minor children with your spouse **AND**:

1. You will have a Default Hearing **OR**
2. You will have a Short Cause Hearing **OR**
3. You had a Trial and the Court told you to file a Decree **OR**
4. All requirements of Rule 45, ARFLP have been met, and a Consent Decree is to be entered.

YOUR MARRIAGE IS NOT ANNULLED UNTIL THE JUDGE/COMMISSIONER SIGNS THE DECREE. The Decree shows who gets what property, who pays which debts, etc. Failure to follow the Decree may result in the other party requesting a Contempt Order or Order of Enforcement from the Court.

INSTRUCTIONS: COMPLETING THE DECREE OF ANNULMENT OF MARRIAGE WITHOUT MINOR CHILDREN

Write in all information requested above **THE COURT FINDS** section.

TYPE OR WRITE IN BLACK INK ONLY

If your annulment is being obtained by...

Complete the Decree by...

- Default.....
- Short Cause Hearing.....
- Trial.....
- Consent.....

- Copying exactly what you wrote in the Petition.
- Inserting the agreement you and your spouse reached and both of you signing the Decree in front of a notary.
- Writing in the decisions made by the judge at trial and then both of you signing the Decree in front of a notary.
- Inserting the agreement reached with your spouse and both of you signing the Decree in front of a notary.

INSTRUCTIONS: COMPLETING THE "COURT FINDS" SECTION OF THE DECREE

- (1) to (4) No instructions needed.
- (5) Mark all boxes that apply.
- (6) Mark the one box that applies.
- (8) Mark this box if this is a Consent Decree.

INSTRUCTIONS: COMPLETING THE "COURT ORDERS" SECTION OF THE DECREE

- (1) No instructions needed.
- (2) Mark all boxes that apply.
- (3) Mark the one box that applies.
- (5) List any other orders that are not already described in the Decree.

INSTRUCTIONS FOR COMPLETING EXHIBIT A

- File **EXHIBIT A** if there is community property or debts or you are proceeding by Consent Decree.
- If you don't need EXHIBIT A, your Decree is complete. Go to **WHAT TO DO NEXT**

INSTRUCTIONS: COMPLETING EXHIBIT A - PROPERTY AND DEBT

If your annulment is being obtained by...

Complete Exhibit A by...

Default

Copying exactly what you wrote in section 5 of the Petition.

Short Cause Hearing

Inserting the agreement you and your spouse reached and both of you signing Exhibit A in front of a notary.

Trial.....

Writing in the decisions made by the judge at trial and then both of you signing Exhibit A in front of a notary.

Consent

Inserting the agreement reached with your spouse and both of you signing Exhibit A in front of a notary.

- (1a)** Mark this box if there is community property to be divided.
- (1b)** Mark the boxes in front of the name of the types of community property you and your spouse acquired during the marriage. Describe the property then mark the box showing which party will get it or if it will be sold and the money split between the parties.
- (1c)** Mark the box that describes how retirement, pension, deferred compensation or 401(k) plans are to be awarded. Write in all requested information.
- (1d)** Use this section if you and your spouse have community property real estate (home, etc.). **IF YOU DO NOT PROVIDE THE LEGAL DESCRIPTION, YOU MAY HAVE TO GO BACK TO COURT AT A LATER DATE TO AMEND YOUR DECREE. THERE IS A FEE TO DO THIS.**
- (1e)** You can update the amounts owed, only if the amounts are less than those amounts in the Petition or the parties agree to update the amounts. Then put which debts are to be the responsibility of which party. **REMEMBER, JUST BECAUSE THE DECREE ORDERS ONE SPOUSE TO PAY A DEBT, THAT DOES NOT MEAN THE CREDITOR CANNOT PURSUE COLLECTION FROM THE OTHER SPOUSE, EVEN AFTER THE DECREE IS SIGNED BY THE JUDGE.**
- (2a)** Describe the types of separate property you and your spouse acquired during the marriage and how it is to awarded.
- (2b)** List the separate debts of each party and who is to be ordered to pay.
- (2)-(3)** Check boxes only if this is a Consent Decree.

SIGNATURES

The Petitioner must sign in front of a notary. If there has been a trial, or a short cause hearing is set or this is Consent Decree, the Respondent is required to sign in front of a notary. If either party has an attorney, s/he must also sign.

WHAT TO DO NEXT

- File the papers listed in the table below with the Clerk of the Superior Court.

Clerk of Superior Court
YAVAPAI COUNTY COURTHOUSE
120 S. Cortez Street
Prescott, AZ 86303

Clerk of Superior Court
YAVAPAI COUNTY SUPERIOR COURT
2840 N. Commonwealth Drive
Camp Verde, AZ 86322

If you are obtaining your annulment by.....

	<u>Default</u>	<u>Short Cause Hearing</u>	<u>After Trial</u>	<u>Consent</u>
Documents to file	<ul style="list-style-type: none"> * Application and Affidavit for Default * Motion and Affidavit for Default without a Hearing (if applicable) * Decree <p><u>Optional</u> (file only if required)</p> <ul style="list-style-type: none"> * Exhibit A * Any other documents to be incorporated into the Decree 	<ul style="list-style-type: none"> * Request for a Short Cause Hearing * Decree <p><u>Optional</u> (file only if required)</p> <ul style="list-style-type: none"> * Exhibit A * Any other documents to be incorporated into the Decree 	<ul style="list-style-type: none"> * Decree <p><u>Optional</u> (file only if required)</p> <ul style="list-style-type: none"> * Exhibit A * Any other documents to be incorporated into the Decree 	<ul style="list-style-type: none"> * Exhibit A * Decree <p><u>Optional</u> (file only if required)</p> <ul style="list-style-type: none"> * Any other documents to be incorporated into the Decree

Copies: Two (2) sets of everything.

Envelopes: Two (2) envelopes with two (2) stamps each. Address one (1) to the Petitioner and the other to the Respondent.

Note: If you have already filed the final version of any of the papers listed above, and they are in your file, you do not need to file them again.

WHAT HAPPENS NEXT:

Default without a hearing.....	The judge/commissioner will review your file. If everything is in order, and the Default requirements are satisfied, s/he will sign the Decree and you and your spouse will receive a copy in the mail.
Default with a hearing.....	You will receive a notice in the mail of the date and time of the hearing.
Short Cause hearing	You will receive a notice in the mail of the date and time of the hearing.
After Trial	Follow the instructions given by the judge/commissioner.
Consent	
Wait to hear from the court (this will take at least 30 days). You will receive copies of the Decree in the mail if the judge/commissioner has signed the Decree. If the judge/ commissioner has not signed the Decree, and a hearing has been set, you will be	<p>notified of the time and date of the hearing. You will also be notified if the Petition is denied without a hearing being set.</p> <p>IF YOU DO NOT HEAR FROM THE COURT WITHIN A REASONABLE TIME, CONTACT THE COURT TO SEE IF THERE IS SOMETHING ELSE YOU MUST DO.</p>