

Name: _____

Mailing Address: _____

Daytime Telephone: _____

Representing Self, Without a Lawyer



For Clerk's Use Only

IN THE SUPERIOR COURT OF ARIZONA, YAVAPAI COUNTY

Regarding the matter of

1300DO

Petitioner

and

Respondent

**RESPONSE TO PETITION
FOR DISSOLUTION OF NON-
COVENANT MARRIAGE**

WITHOUT MINOR CHILDREN

STATEMENTS TO THE COURT, UNDER OATH

GENERAL INFORMATION:

1. INFORMATION ABOUT MY SPOUSE, THE PETITIONER

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

How long I, the Petitioner, have lived in Arizona: _____ years. _____ months.

2. INFORMATION ABOUT ME, THE RESPONDENT

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

How long my spouse, the Respondent, has lived in Arizona: _____ years. _____ months.

3. INFORMATION ABOUT OUR MARRIAGE

Date of Marriage: _____ City and state or country where married: _____

We do not have a covenant marriage.

4. 90-DAY RESIDENCY REQUIREMENT:

I have, and/or my spouse has, lived or been stationed while a member of the Armed Forces, in Arizona for at least 90 days before my spouse filed this action. **(IF THIS STATEMENT IS NOT TRUE, THE PETITIONER CANNOT PROCEED. YOU SHOULD FILE A MOTION TO DISMISS. THE PETITIONER CAN THEN RE-FILE THE DIVORCE PAPERS WHEN THE STATEMENT IS TRUE.)**

INFORMATION ABOUT PROPERTY AND DEBTS:

5a. PROPERTY ACQUIRED DURING THE MARRIAGE: (check one box)

- My spouse and I did not acquire any community property during the marriage. **Go on to 5b.**
- My spouse and I acquired community property during our marriage, and we should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

| DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY: | HUSBAND | WIFE | SELL & SPLIT |
|---|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Real estate address: _____ Legal Description: _____ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Real estate address: _____ Legal Description: _____ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Household furniture and appliances (attach additional list if necessary) _____ _____ _____ _____ | <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"/> Household furnishings: (attach additional list if necessary) _____ _____ _____ _____ | <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"/> Other items: _____ _____ _____ | <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"/> Pension/retirement fund/profit sharing/stock plan/401K: _____ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | HUSBAND | WIFE | SELL & SPLIT |
|--|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Motor vehicles: | | | |
| Make _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Model _____ | | | |
| VIN _____ | | | |
| Lien Holder _____ | | | |
| Make _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Model _____ | | | |
| VIN _____ | | | |
| Lien Holder _____ | | | |

5b. PROPERTY ACQUIRED BEFORE MARRIAGE (Separate Property): (Check all boxes that apply.)

- I do not have any property that I brought into the marriage.
- My spouse does not have any property that he or she brought into the marriage.
- I have property that I brought into the marriage. I want this property awarded to me as described it below.
- My spouse has property that he or she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

| DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY: (attach additional list if necessary) | HUSBAND | WIFE |
|--|--------------------------|--------------------------|
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |

5c. SUMMARY OF WHAT I, THE RESPONDENT, ASK FOR ON PROPERTY THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Summarize what is different between your plan for division of property and what your spouse asked for in the Petition.)

6a. DEBTS INCURRED DURING THE MARRIAGE: (check one box)

- My spouse and I did not incur any community debts during the marriage.
- We should divide the responsibility for the debts incurred during the marriage as follows:

| DESCRIPTION OF DEBT/ AMOUNT OF DEBT: (attach additional list if necessary) | HUSBAND | WIFE |
|---|---------|------|
| _____ | [] | [] |
| _____ | [] | [] |
| _____ | [] | [] |

6b. SEPARATE DEBTS: (Check all boxes that apply.)

- My spouse and I do not have any debts that were incurred prior to the marriage, **OR**
- I have separate debt that I incurred prior to the marriage that should be paid by me as described below:
- My spouse has separate debt that he or she or incurred prior to the marriage that should be paid by my spouse as described below:

| | | |
|-------|-----|-----|
| _____ | [] | [] |
| _____ | [] | [] |
| _____ | [] | [] |

6c. SUMMARY OF WHAT I, THE RESPONDENT, ASK FOR ON DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Summarize what is different between your plan for division of debt and what your spouse asked for in the Petition.)

7. TAX RETURNS:

After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will pay federal and state taxes as follows:

- For previous years (the years we were married, not including the year the Decree was signed), the parties will file joint federal and state income tax returns.
- For previous calendar years, both parties will pay and hold the other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds.
- For the calendar year (the year that the Decree is signed) and all future calendar years, each party will file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

8a. SPOUSAL MAINTENANCE (ALIMONY) (check the box that applies to you):

- Neither party is entitled to Spousal Maintenance (alimony), **OR**
- Petitioner **OR** Respondent is entitled to Spousal Maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance.)
 - Person lacks sufficient property to provide for his or her reasonable needs;
 - Person is unable to support himself or herself through appropriate employment;
 - Person is the legal decision-maker for a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;

- Person lacks earning ability in the labor market adequate to support himself or herself;
- Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself. **AND**
 - Spousal maintenance shall be modifiable in accordance with Arizona law, **OR**
 - The parties acknowledge that the circumstances of their futures are unknown, but each desires that this maintenance award not be modifiable in the future for any reason. Therefore, it is ordered at this time that this spousal maintenance award shall not be modifiable for any reason.

8b. SUMMARY OF WHAT I WANT REGARDING SPOUSAL MAINTENANCE THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

9. PREGNANCY: (check one)

- Wife is not pregnant, **OR**
- Wife is pregnant: Due date _____ **AND**, (check one box below):
 - Petitioner is not the parent of the child, **OR**
 - Respondent is not the parent of the child.

OTHER STATEMENTS TO THE COURT UNDER OATH: Check what your position is on each statement, and explain your answer when asked to do so:

10. STATUS OF MARRIAGE AND CONCILIATION: (Check only one box).

- My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. The conciliation requirements under Arizona law, A.R.S. 25-381.09 either do not apply or have been met, **OR**
- My marriage is not irretrievably broken and there are reasonable prospects of reconciliation. The conciliation requirements under Arizona law, A.R.S. 25-381.09 either apply or have not been met. **Explain** to the court why you disagree:

I AM FILING A PETITION FOR CONCILIATION.

11. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted, qualified or denied.

REQUESTS TO THE COURT: (Check the boxes you want.)

A. REGARDING DISSOLUTION (DIVORCE):

- Dissolve the parties' marriage and return each party to the status of a single person;
- Dismiss this case and refuse to dissolve the marriage due to my answers about domicile for 90 days;

B. NAMES:

Restore wife husband to her or his former name of _____

WARNING: If you are not the person who is requesting to have your former name restored, the Court must have a written request from the party who wants his or her name restored to change the name.

C. SPOUSAL MAINTENANCE (ALIMONY):

- Neither party shall pay spousal maintenance (alimony) to the other party, **OR**
- Petitioner **OR** Respondent is ordered to pay the other party the sum of \$_____ per month spousal maintenance BEGINNING _____ AFTER THE Decree is signed. Each payment shall be made by the first day of each month thereafter and shall continue until the receiving party is remarried or deceased **OR**
- until (date) _____. All payments shall be made through the Clerk of the Court by automatic wage assignment until all required payments have been made under the Decree. Payments made shall be included in receiving spouse's taxable income and are tax deductible from the paying spouse's income as required by law.
- In accordance with the parties' agreements,
- The spousal maintenance award shall be modifiable in accordance with Arizona law, **OR**
- The spousal maintenance award shall NOT be modifiable for any reason.

D. COMMUNITY PROPERTY:

Make a fair division of all community property as requested in this Response.

E. COMMUNITY DEBTS:

Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties' separation on _____.

F. SEPARATE PROPERTY:

Award each party his or her separate property.

G. WRITTEN AGREEMENTS:

My spouse and I have written agreements that are attached and incorporated into this Petition about _____

H. OTHER ORDERS I AM REQUESTING: (Explain request here):

OATH AND VERIFICATION

STATE OF _____)
County of _____) ss

I, the Respondent, being duly sworn and under oath, state that I have read this Response. All the statements in the Response are true, correct, and complete to the best of my knowledge and belief.

SIGNED _____

SUSCRIBED AND SWORN to before me this _____ day of _____, 20____, by

My commission expires:

Notary Public

Copy [] mailed [] hand-delivered [] faxed this date to the person named below and at the address/fax below:

Date _____

By: _____
