

Name: _____

Mailing Address: _____

Daytime Telephone: _____

Representing Self, Without a Lawyer



For Clerk's Use Only

IN THE SUPERIOR COURT OF ARIZONA, YAVAPAI COUNTY

In re the marriage of

_____ 1300DO _____

ATLAS # _____

Petitioner
and

**PETITION FOR DISSOLUTION
OF A NON-COVENANT MARRIAGE**

WITH MINOR CHILDREN

and Request for Order of Paternity

Respondent

STATEMENTS TO THE COURT, UNDER OATH

1. INFORMATION ABOUT ME, THE PETITIONER

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

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

The Petitioner is enlisted in the military, and has **OR** has not been deployed for at least one day during the past 6 months.

2. INFORMATION ABOUT MY SPOUSE, THE RESPONDENT

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

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

The Respondent is enlisted in the military, and has **OR** has not been deployed for at least one day during the past 6 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 at the time this Petition is filed. **(IF THIS STATEMENT IS NOT TRUE, YOU CANNOT FILE FOR DIVORCE UNTIL IT BECOMES TRUE.)**

INFORMATION ABOUT PROPERTY AND DEBTS:

5a. PROPERTY ACQUIRED DURING THE MARRIAGE: (Community Property) 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 you believe should get the property.)

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	HUSBAND	WIFE	SELL & SPLIT
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<input type="checkbox"/> Real estate address:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Legal Description:

Real estate address:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Legal Description:

<input type="checkbox"/> Household furniture and appliances:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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_____	<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"/>
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_____	<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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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_____	<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"/>

	HUSBAND	WIFE	SELL & SPLIT
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]

[] Other items:

_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]

[] Pension/retirement fund/profit sharing/ stock plan/401K:

_____	[]	[]	
_____	[]	[]	
_____	[]	[]	
_____	[]	[]	

[] Motor vehicles:

Make _____	[]	[]	[]
Model _____			
VIN _____			
Lien Holder _____			
 Make _____	[]	[]	[]
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:	HUSBAND	WIFE
_____	[]	[]
_____	[]	[]
_____	[]	[]
_____	[]	[]

6a. DEBTS INCURRED DURING THE MARRIAGE:

- 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:	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:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	HUSBAND	WIFE
_____	[]	[]
_____	[]	[]
_____	[]	[]
_____	[]	[]
_____	[]	[]

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 is signed), the parties will file joint federal and state income tax returns. The parties will 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.

8. 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 boxes 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 custodian 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 or has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse. **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.

9. CHILD(REN) OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD:

The following child(ren) are under age 18 and were born during the marriage or adopted by me and my spouse: (attach extra pages if necessary)

Child's Name: _____

Birthdate: _____

Address: _____

Length of time at address: _____

Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

- The Petitioner **OR** Respondent is not the biological or adoptive parent.

Child's Name: _____
Birth date: _____
Address: _____
Length of time at address: _____
Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

The Petitioner **OR** Respondent is not the biological or adoptive parent.

Child's Name: _____
Birth date: _____
Address: _____
Length of time at address: _____
Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

The Petitioner **OR** Respondent is not the biological or adoptive parent.

Child's Name: _____
Birth date: _____
Address: _____
Length of time at address: _____
Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

The Petitioner **OR** Respondent is not the biological or adoptive parent.

The following child(ren) are under age 18 and were born prior to the marriage and are common to me and my spouse: (attach extra pages if necessary)

Child's Name: _____
Birth date: _____
Address: _____
Length of time at address: _____
Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

Child's Name: _____

Birth date: _____

Address: _____

Length of time at address: _____

Names and addresses of persons lived with for the past five (5) years: _____

Present addresses of person(s) lived with: _____

10. LEGAL DECISION-MAKING OR PARENTING TIME CASES INVOLVING THE MINOR CHILD(REN):

[] I HAVE [] I HAVE NOT been a party or a witness in court, in this state or any other state, involving the legal decision-making or parenting time of any child(ren) named above. (If so, explain below, using extra pages if necessary.)

Name of child: _____

Court state: _____ Court location: _____

Court case number: _____ Status: _____

How the child is involved: _____

Summary of any court order: _____

11. PENDING/PAST CASES RELATED TO MINOR CHILD(REN): (check one box)

[] I DO [] I DO NOT know of any court case, in this state or any other state, that could affect this case, including enforcement, domestic violence, protective orders, drugs, sexual offenses, termination of parental rights and adoptions. (If so, explain below, using extra pages if necessary.)

Court state: _____ Court location: _____

Court case number: _____ Status: _____

Nature of the proceeding: _____

Date of conviction: _____

12. LEGAL DECISION-MAKING OR PARENTING TIME CLAIMS OF ANY OTHER PERSON: (Check one box)

[] I KNOW [] I DO NOT KNOW the name and address of any person, other than the Petitioner or the Respondent, who has legal decision-making for the child(ren) or claims rights of legal decision-making, or parenting time of any child(ren) named above. (If so, explain below, using extra pages if necessary.)

Name of each child: _____

Name of person with the claim: _____

Address of person with the claim: _____

Nature of the claim: _____

13. PREGNANCY AND PATERNITY:

- Wife is not pregnant, **OR**
- Wife is pregnant: Due date _____ **AND,**
 - The Petitioner and Respondent are the parents of the child, **OR**
 - Petitioner is not the parent of the child, **OR**
 - Respondent is not the parent of the child.
- A child or children was/were born before the marriage. The husband is the father of that child/those children named below:

14. WRITTEN AGREEMENTS, CHECK ONLY IF TRUE:

- For our child(ren), my spouse and I have a written agreement signed by both of us about:
 - Legal decision-making;
 - Parenting time;
 - Child support.
- My spouse and I have a written agreement not related to the child(ren) and signed by both of us about _____
- I am filing the **ORIGINAL** Agreement.

15. The Attorney General's office is involved in this case (TANF, IV-D, etc.).

OTHER STATEMENTS TO THE COURT UNDER OATH: You must tell the court the truth. Lying to the court is a crime and the court can punish you for lying. To file for divorce, you must be able to tell the court that the following statements are true. If the statements are not true, you cannot file for divorce until the statements are true. **Check the box in front of each statement if the statement is true.**

STATUS OF MARRIAGE AND CONCILIATION:

- TRUE:** My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (My marriage is over.)
- TRUE:** The conciliation requirements under Arizona law, A.R.S. 25-381.09 either do not apply or have been met.
- TRUE:** This court has jurisdiction to decide child legal decision-making matters under Arizona law.

REQUESTS TO THE COURT:

1. DISSOLUTION (DIVORCE):

- Dissolve the parties' marriage and return each party to the status of a single person;

2. 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.

3. 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 Court by automatic wage assignment until all required payments have been made under the Decree.
- 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.

4. COMMUNITY PROPERTY:

- Make a fair and equitable division of all community property as requested in this petition.

5. 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 _____.

6. SEPARATE PROPERTY/DEBT:

- Award each party his or her separate property.
- Order each party to pay his or her separate debt.

7. PATERNITY: Declare the husband to be the father of the following named child(ren) born before the marriage and (optional) change the legal name of those children to the name listed below:

Current legal name	Change legal name to:
_____	_____
_____	_____

8. AWARD CHILD LEGAL DECISION-MAKING as follows:

- SOLE LEGAL DECISION-MAKING:** Sole legal decision-making for the minor child(ren) awarded to Petitioner or Respondent.

OR

- JOINT LEGAL DECISION-MAKING:** Petitioner and Respondent agree to act as joint legal decision-makers for the minor child(ren). **AND**

- Domestic violence has not occurred during this relationship;

OR

- Domestic violence has not been significant. However, domestic violence has occurred as described in the Petition for Order of Protection(s) filed _____ or as described below:

OR

- Joint legal decision-making is in the best interest of the child(ren) even though domestic violence has occurred because: _____

Furthermore, the Petitioner **AND/OR** Respondent has/have taken classes, participated in counseling or taken steps to avoid further domestic violence as described below:

9. PARENTING TIME: Parenting time is requested as follows:

1. Reasonable parenting time pursuant to the attached Parenting Plan;
2. **Supervised parenting time.** Supervised parenting time is in the best interest(s) of the child(ren) because unrestricted parenting time would seriously endanger the child(ren)'s physical, mental, moral or emotional health. These facts support my claim: _____

Name of person who will supervise: _____

The cost of supervised parenting time shall be paid by Petitioner **OR** Respondent **OR** shared equally.

3. **No parenting time (check and explain ONLY if you want the other party to have no parenting time):** No parenting time between the child(ren) and the other party is in the best interests of the child(ren) because any parenting time would seriously endanger the child(ren)'s physical, mental, moral or emotional health.

These facts support my claim: _____

10. CHILD SUPPORT: There is no child support order for the minor child(ren) and the court should order child support in this case.

Order child support be paid by me or the other party in an amount as determined by the Court under the Arizona Child Support Guidelines and according to the Parent's Worksheet filed with this matter.

Order an amount of child support that deviates from the Guidelines because:

Application of the Guidelines is inappropriate or unjust because:

The parties signed an agreement free of duress and coercion, with knowledge of the amount of support that would have been ordered by the Guidelines but for the agreement. A copy of the agreement is attached.

Order Petitioner Respondent to pay past support in an amount determined using the Arizona Child Support Guidelines, taking into account any temporary or voluntary/direct support payments made, the period beginning:

the date this petition was filed until current child support is ordered,

OR,

the date the parties started living apart, but not more than three years before the date this petition was filed, and the date current child support is ordered.

Petitioner Respondent made temporary or voluntary/direct support payments that need to be taken into account if past support is requested.

Child support payments to begin on the first day of the month after the judge or commissioner signs the _____ a final order. All payments, plus the statutory handling fee, to be paid through the Support Payment Clearinghouse. P.O. Box 52107, Phoenix, AZ 85072-2107 by income withholding order.

11. HEALTH, MEDICAL, DENTAL INSURANCE AND HEALTH CARE EXPENSES FOR CHILD(REN): Order that Petitioner or Respondent shall pay for health, medical, dental insurance coverage for the child(ren) under the age of 18 years, and that Petitioner or Respondent shall pay for all reasonable unreimbursed medical, dental, health-related expenses incurred for the child(ren) in proportion to their respective incomes as described on the Child Support Worksheet, which shall be filed with this Petition.

12. TAX EXEMPTION: The parties will claim the child(ren) as income tax dependency exemptions on federal and state income tax returns **and as allowed by federal and state tax laws** as follows:

Parent entitled to claim	Name of child	Current tax year	Later tax years
<input type="checkbox"/> Mother <input type="checkbox"/> Father	_____	_____	_____
<input type="checkbox"/> Mother <input type="checkbox"/> Father	_____	_____	_____
<input type="checkbox"/> Mother <input type="checkbox"/> Father	_____	_____	_____
<input type="checkbox"/> Mother <input type="checkbox"/> Father	_____	_____	_____

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

OATH AND VERIFICATION

STATE OF _____)
County of _____) ss

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

Signature

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

My Commission Expires:

NOTARY PUBLIC