

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

ATLAS #: _____

Petitioner

and

Respondent

**RESPONSE TO PETITION
FOR DISSOLUTION OF NON-COVENANT
MARRIAGE
WITH MINOR CHILDREN**

☐ and Response to Request for Order of Paternity

STATEMENTS TO THE COURT, UNDER OATH

GENERAL INFORMATION:

1. INFORMATION ABOUT MY SPOUSE, THE PETITIONER:

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

How long your spouse, 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 ME, THE RESPONDENT:

Name: _____ Date of Birth: _____

Address: _____

Occupation: _____

How long your spouse, the Respondent, have 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.

☐ We **do** have a covenant marriage.

4. 90-DAY RESIDENCY REQUIREMENT:

☐ I have, and/or ☐ my spouse has been domiciled (lived), or 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 UNTIL IT BECOMES TRUE.)**

5. 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 should get the property.) (Check all boxes that apply)

**DESCRIPTION OF PROPERTY/
VALUE OF PROPERTY:**

HUSBAND

WIFE

**SELL &
SPLIT**

☐ Real estate address:

☐

☐

☐

Legal Description:

☐ Real estate address:

☐

☐

☐

Legal Description:

☐ Household furniture and appliances:

☐

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☐ Household furnishings:

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☐

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☐

☐

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

5c. Summary of what I, the Respondent, ask for on property that is different from what my spouse asked for in the Petition.

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

	[]	[]
	[]	[]
	[]	[]
	[]	[]
	[]	[]

6c. Summary of what I, the Respondent, ask for on debts that is different from what my 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 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. 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. 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: _____

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.

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 physical legal decision-making for the child(ren) or claims rights of legal decision-making, primary physical residence 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.).

16. SUMMARY OF WHAT I SAY ABOUT OUR CHILDREN THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

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.**

17. 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 legal decision-making for children matters under Arizona law.

18. LEGAL DECISION-MAKING FOR CHILDREN JURISDICTION:

☐ **TRUE:** This Court has the power to decide legal decision-making for children issues. **OR**

☐ **TRUE:** This Court does not have power to decide legal decision-making for children issues. If this statement is true you must tell the court why it is true: _____

19. General Denial: I deny anything stated in the Petition that I have not specifically admitted, qualified, or denied.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

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

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 and equitable division of all community property as requested in this Response.

E. COMMUNITY DEBTS:

☐ Order each party to pay community debts as requested in the Response, 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/DEBT:

☐ Award each party his or her separate property.

☐ Order each party to pay his or her separate debt.

G1. 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:

G2. 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 on _____
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:

G3. 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: _____

H. **CHILD SUPPORT:** Support payments will begin on the first day of the first month following the entry of the Decree of Dissolution of Marriage. These payments, and a fee for handling, will be paid through the Clearinghouse and collected by income withholding order.

☐ Order that child support shall be paid by ☐ Petitioner **OR** ☐ Respondent in an determined by the court pursuant to the Arizona Child Support Guidelines. A child support worksheet shall be filed with this Response;

OR

☐ Order that child support be paid in an amount that deviates from the Guidelines because:

☐ Application of the Guidelines is inappropriate or unjust because _____

☐ The parties have signed a written 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.

I. **HEALTH, MEDICAL, DENTAL INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN:** Order that ☐ Petitioner or ☐ Respondent shall pay for health, medical, dental insurance coverage for the children 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.

J. **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	_____	_____	_____

K. **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.

Signature

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

My Commission Expires:

NOTARY PUBLIC

CERTIFICATE OF MAILING OR OTHER METHOD OF SERVICE

A copy has been or will be: ☐ mailed, ☐ emailed, ☐ hand-delivered
on this date _____, to:

(Insert the name and address of opposing party or attorney for opposing party)

