

YAVAPAI COUNTY
Self-Service Center

**INSTRUCTIONS: COMPLETING THE PETITION TO ENFORCE
COURT ORDER ABOUT DIVISION OF PROPERTY**

WHEN TO USE THESE FORMS:

Use this form if you want to get a court order making the other party obey the dissolution or legal separation decree or order of annulment about division of property. **YOU CANNOT USE THIS FORM TO MAKE THE OTHER PARTY PAY A DEBT HE OR SHE WAS ASSIGNED AS A RESULT OF THE DISSOLUTION, LEGAL SEPARATION OR ANNULMENT. USE THIS FORM ONLY IF** you have a dissolution or legal separation decree or an order of annulment that gave you certain property or rights to property, and your former spouse is not obeying the decree/order.

TYPE OR PRINT IN BLACK INK ONLY.

CONFIDENTIAL SENSITIVE DATA SHEET:

Most court files are open to the public for review. Use this form to keep your sensitive information confidential. By writing your sensitive data on this form and then writing "SEE CONFIDENTIAL SENSITIVE DATA FORM" on the papers you file with the court, the public will not have access to this information.

REQUEST FOR ORDER FOR PROTECTED ADDRESS:

You may file this form if your address is not known to the other party and you reasonably believe that physical or emotional harm may result to you or a minor child if your address is not protected. If the court grants this request, the other party will serve you by delivering your copy of any filed documents to the Clerk of the Superior Court. The Clerk will then mail you the papers at the address you provide. **YOU MUST KEEP YOUR ADDRESS CURRENT WITH THE CLERK.**

DOMESTIC RELATIONS CASE NUMBER

Use the DO Case Number on all your court papers. This is the number you were assigned in the dissolution, legal separation or annulment case you already had in court in Yavapai County. If your dissolution, legal separation or annulment case was not heard in Yavapai County, you will be given a new case number by the Clerk at the time of filing.

IF YOUR CASE WAS NOT HEARD IN YAVAPAI COUNTY, YOU MUST FILE A CERTIFIED COPY OF THE DECREE OR ORDER AT THE SAME TIME YOU FILE THIS PETITION. You can get a certified copy of the decree/order from the county in which the case was heard.

PETITION TO ENFORCE COURT ORDER:

- A. Make sure your form states PETITION TO ENFORCE COURT ORDER ABOUT DIVISION OF PROPERTY in the upper right hand part of the first page.
- B. In the top left corner of the first page, fill in the following: your name, mailing address, city, state and ZIP code and **daytime** telephone number.

- C. Fill in the lines that say "Petitioner" and "Respondent". Complete this caption exactly the same way as it was in the case in Yavapai County, or as on the decree if it is from another Arizona court.

WARNING: IF YOUR CASE WAS HEARD IN YAVAPAI COUNTY, do not get a new DO case number when filing your case! Use your existing DO case number. If you do not know your existing case number, ask the clerk for the number when you file your petition.

General information:

1. Fill in the name, address and date of birth of the PETITIONER in the original case.
2. Fill in the name, address and date of birth of the RESPONDENT in the original case.
3. Fill in date decree/order was signed, case number and location of court.
4. Fill in information about any other cases you or your former spouse have filed to enforce or modify the decree/order. **NO CASE MAY BE PENDING IN ANY COURT AT THIS TIME TO ENFORCE OR MODIFY THE PROPERTY DIVISION PART OF THIS DECREE.**
5. Fill in information about any other court cases that involve both you and your former spouse.
6. Complete the information about any personal property (furnishings, vehicles) that you were supposed to get through the decree/order, but your former spouse will not allow you to have.
7. Complete the information about any real property (houses, land) that you were supposed to get through the decree/order, but your former spouse will not allow you to have.
8. Complete the information about any real property that was ordered to be sold, but your former spouse will not cooperate in the sale.
9. Complete the information about any document(s) the other party was ordered to sign, but has delayed or refused to sign.

REQUESTS TO THE COURT UNDER OATH:

1. Complete A, B, C and/or D to match what you said in number 6, 7, 8 and/or 9.
2. Write in anything else you would like the court to do.
3. Sign the petition in front of a notary public.

INSTRUCTIONS: PETITION FOR ORDER TO APPEAR

- (A) Write in your information.
- (B)-(C) Complete using your case information.
- (1) Check the box and write in the type of Petition you are filing with this Petition for Order to Appear. Write in any new facts that you believe will help convince the judicial officer that a hearing or conference is required in your case that are not included in the Petition you are filing with this Petition for Order to Appear.

- (2) Pre-Decree matters are those you have never gone to court over before. If you have gone to Court before, and are seeking to modify or enforce a current court order, mark the Post-Decree box.
- (3)-(8) No instructions needed.

INSTRUCTIONS: ORDER TO APPEAR

Complete the name, Petitioner, Respondent and case number information only. The judicial officer will complete the rest of the form.

INSTRUCTIONS: ORDER ENFORCING DECREE REGARDING DIVISION OF PROPERTY: (This form may be signed by the judge at the hearing.)

1. Fill in the names of Petitioner and Respondent the same as you did on the Petition.
2. Fill in the case number as on the Petition - old number if existing case, new number will be given by Clerk.
3. Fill in the required information about the dissolution or legal separation decree or order of annulment on the lines in statement #1 of "THE COURT FINDS AS FOLLOWS:"

THE COURT MAY COMPLETE THE REST OF THIS DOCUMENT AT THE HEARING OR MAY ISSUE OTHER ORDERS AS APPROPRIATE.

Self-represented persons are required to know and follow proper procedures, just like an attorney. The Arizona Rules of Family Law Procedure, which are found in the Law Library, contain the rules you are required to follow. No allowance is made for a person who does not understand or is unaware of things that must be done.

WARNING! IF YOU IGNORE A COURT ORDER, FAIL TO ADEQUATELY PREPARE FOR A SCHEDULED CONFERENCE OR HEARING, OR FAIL TO ATTEND A CONFERENCE OR HEARING, THE JUDICIAL OFFICER MAY ORDER SANCTIONS AGAINST YOU, INCLUDING HOLDING YOU IN CONTEMPT OF COURT OR REQUIRING YOU TO PAY THE OTHER PARTY'S ATTORNEY FEES.

IF YOU DO NOT HEAR FROM THE COURT WITHIN A REASONABLE AMOUNT OF TIME, CONTACT THE COURT TO SEE IF THERE IS SOMETHING ELSE YOU MUST DO.

GO ON TO: WHAT TO DO WITH THE FORMS AFTER I HAVE COMPLETED THEM