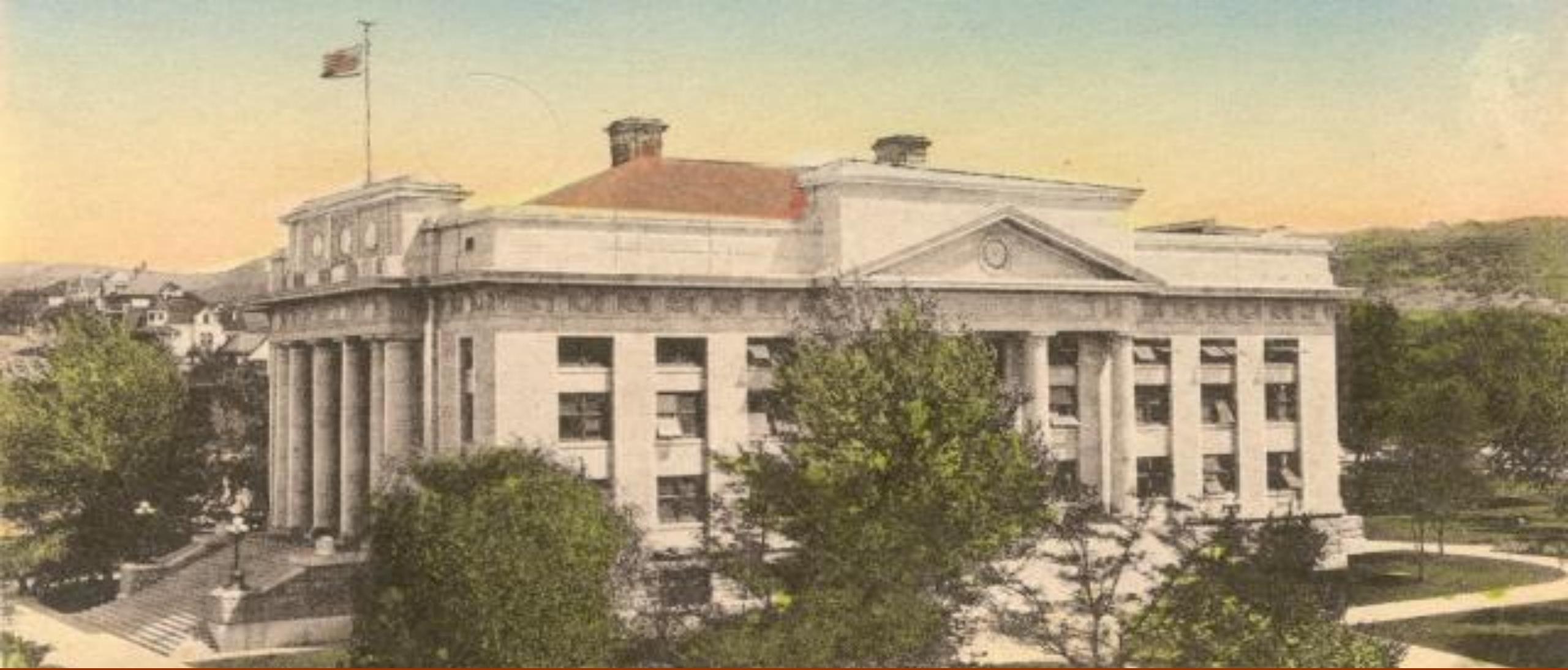




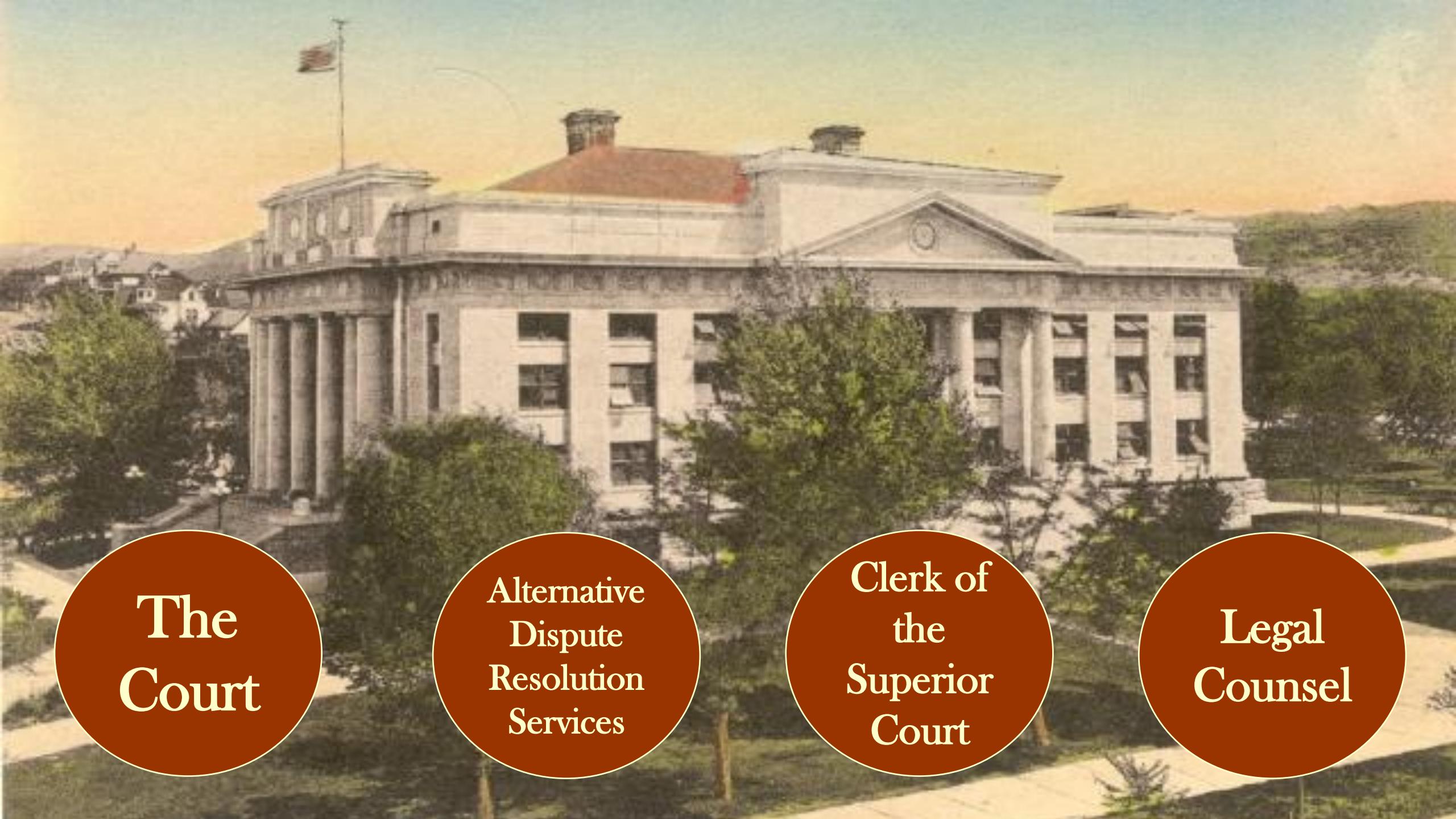
Yavapai County Divorce 101



Welcome to Family Court



Divorce 101: A helpful guide through the divorce process in the Yavapai County Superior Court



The
Court

Alternative
Dispute
Resolution
Services

Clerk of
the
Superior
Court

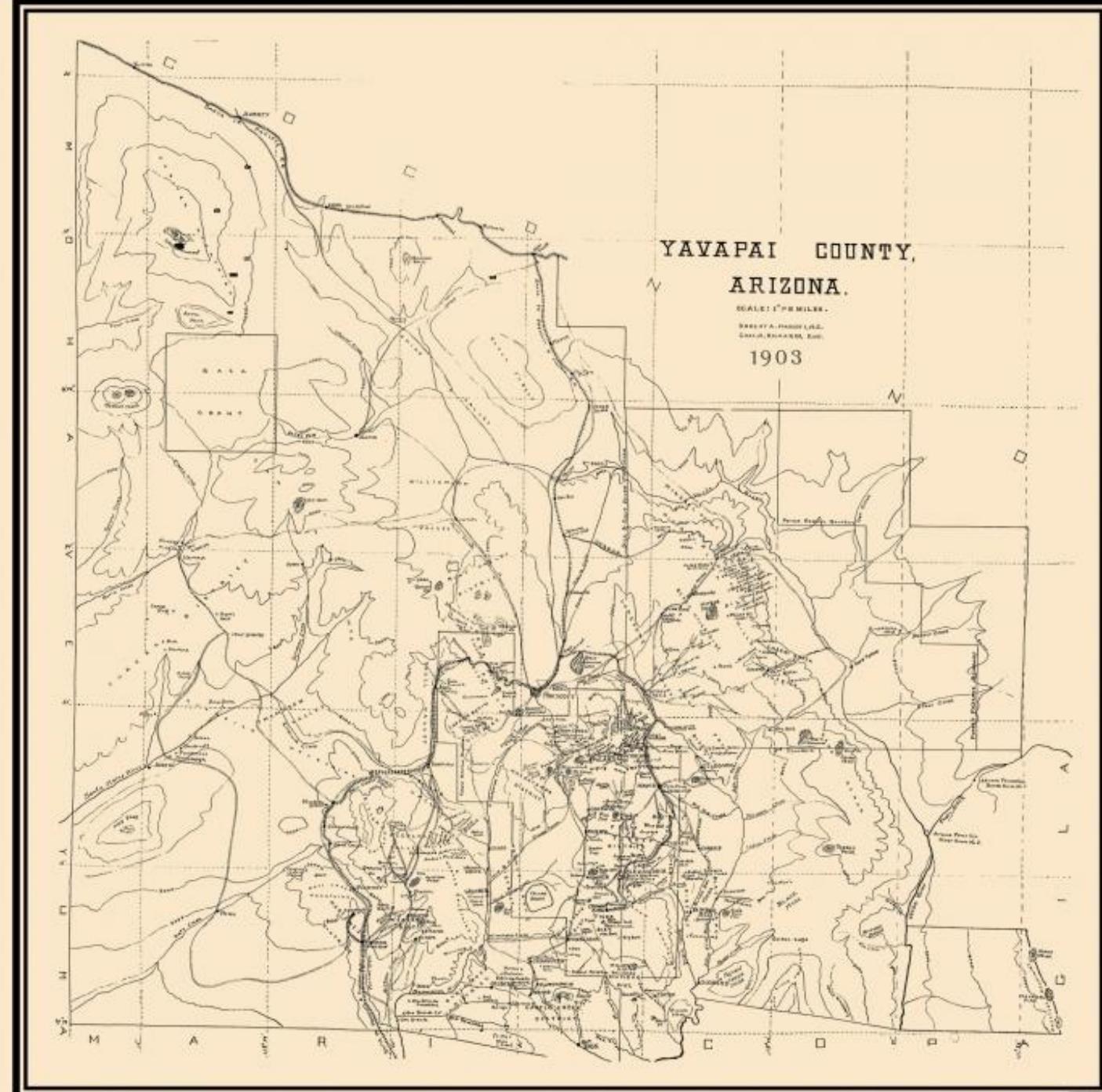
Legal
Counsel

The Court



Honorable John D. Napper

Presiding Judge
Division 2
Superior Court Yavapai County

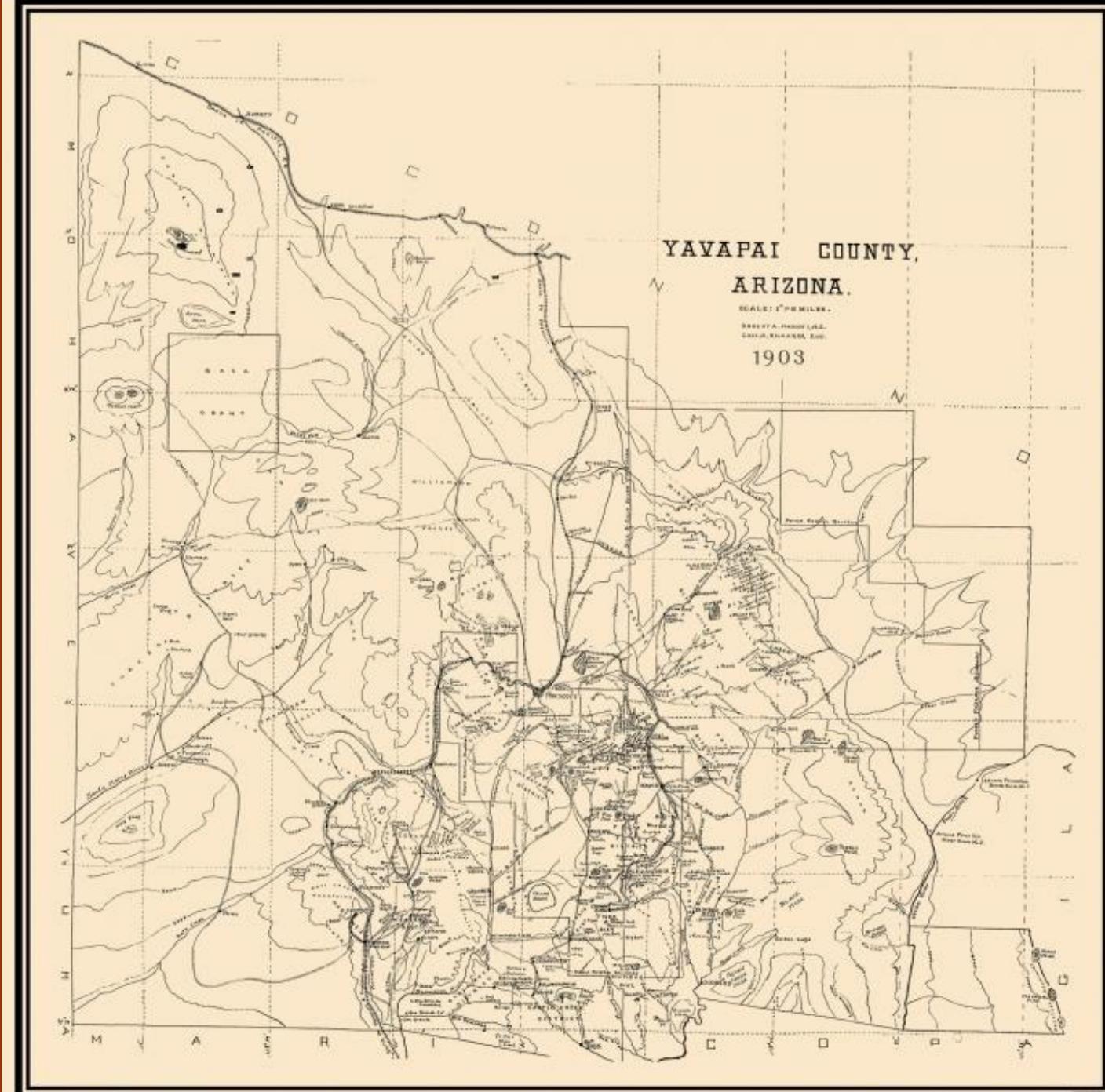


The Court



Honorable Michael P. McGill

Division 1
Superior Court Yavapai County



The Court

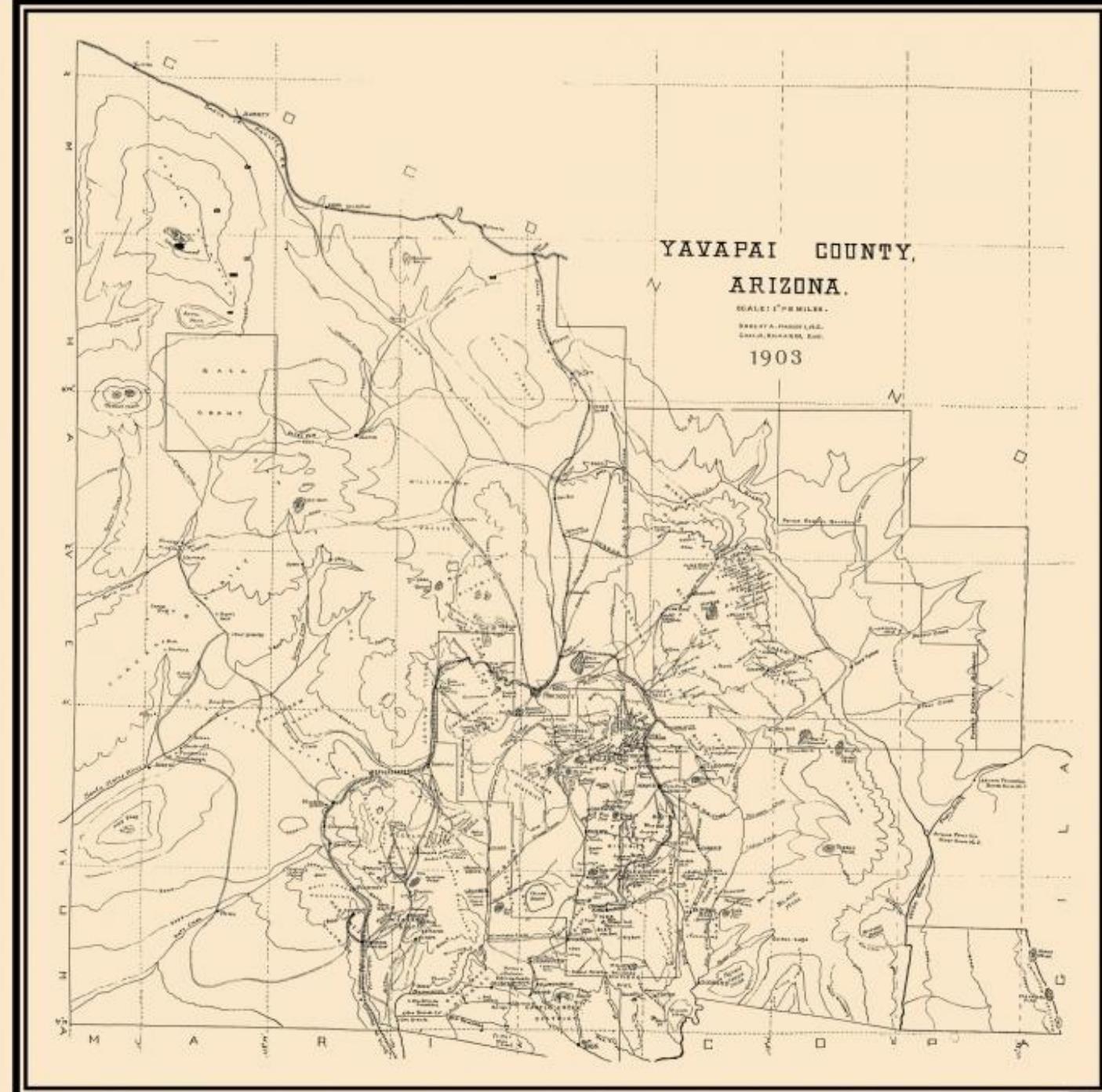


Honorable Tina R. Ainley

Presiding Domestic Judge

Division 3

Superior Court Yavapai County

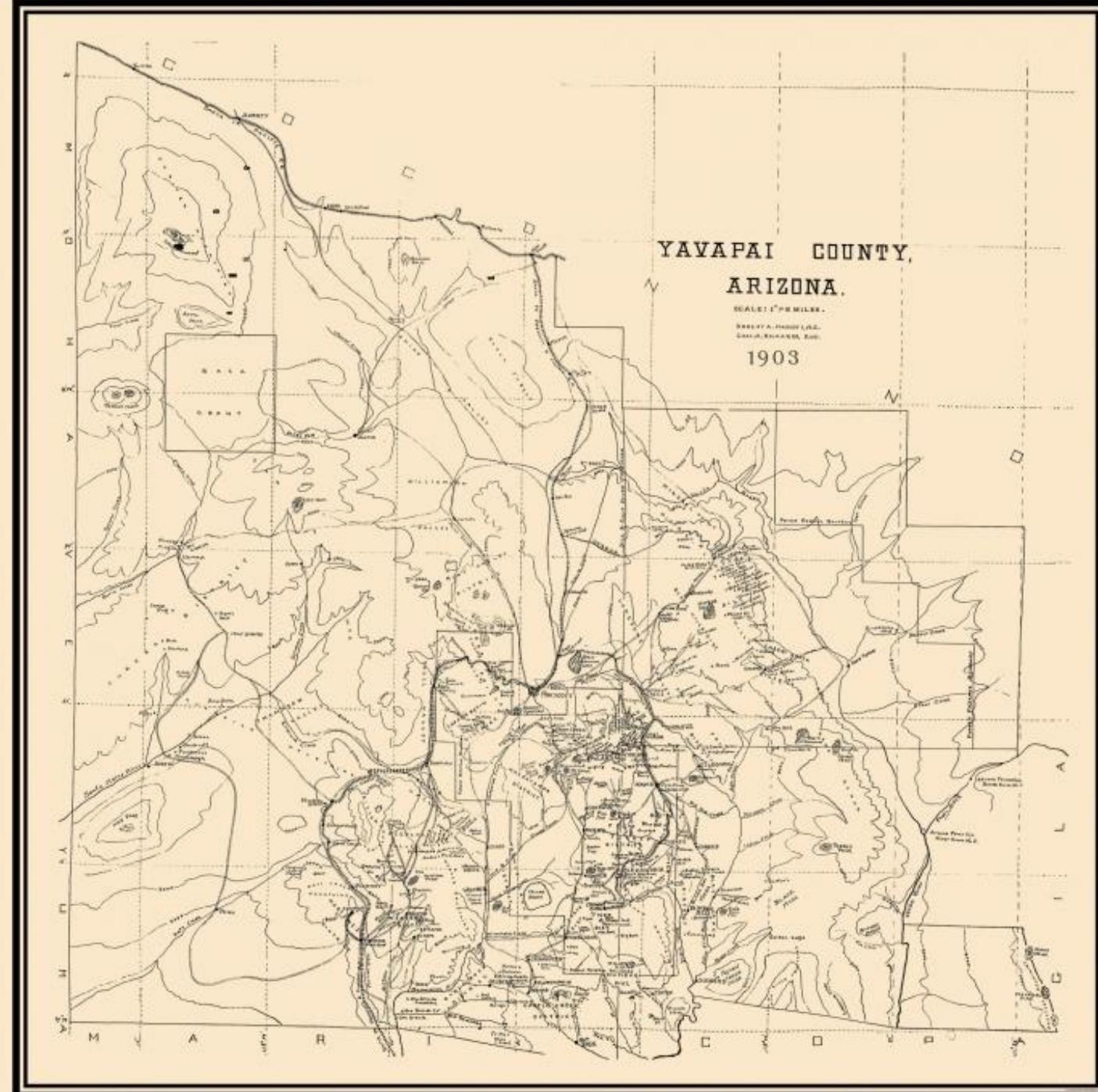


The Court



Honorable Krista M. Carman

Associate Presiding Judge/Presiding Criminal Judge
Division 4
Superior Court Yavapai County

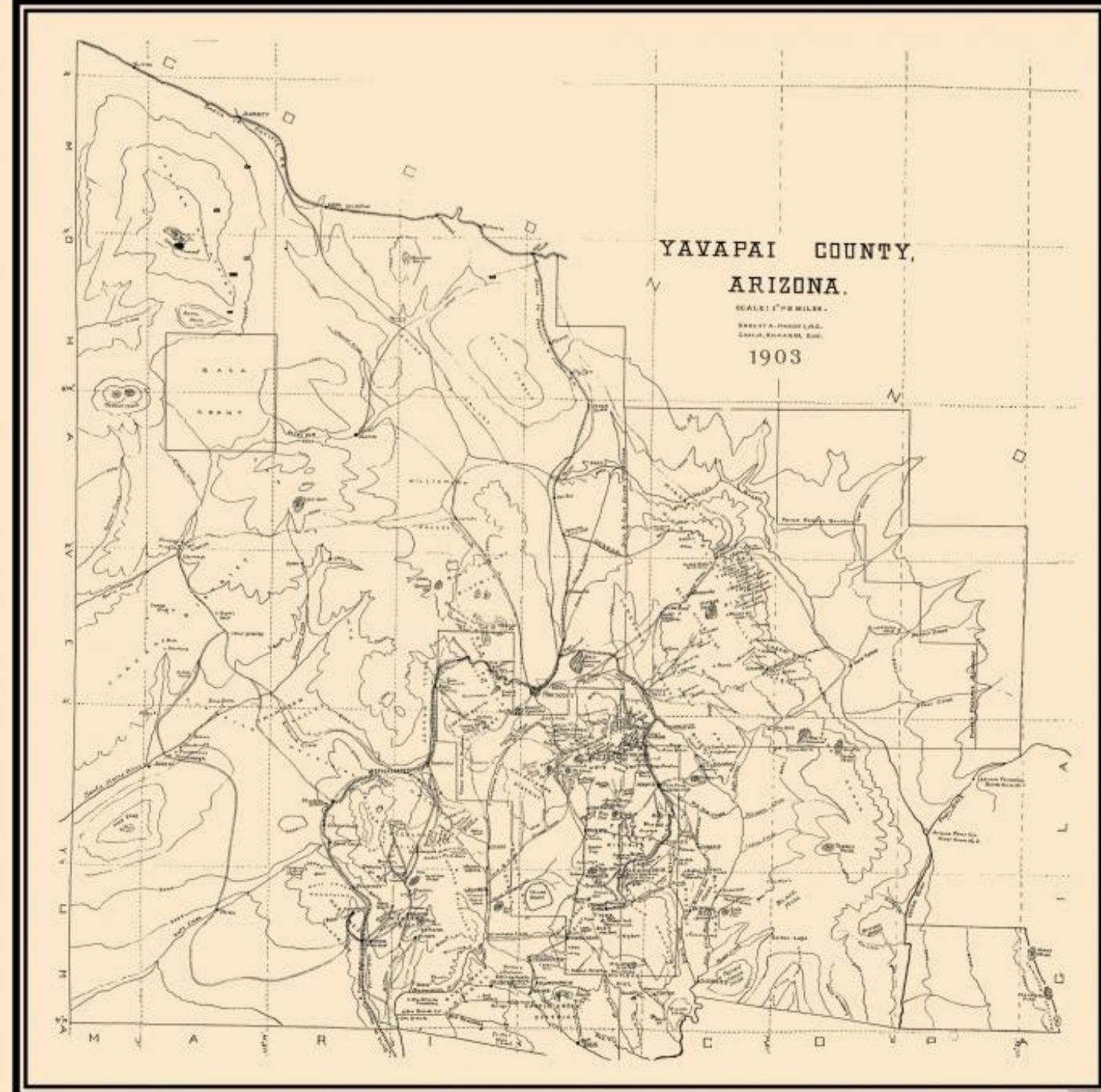


The Court



Honorable Henry E. Whitmer

Division 5 Superior Court Yavapai County

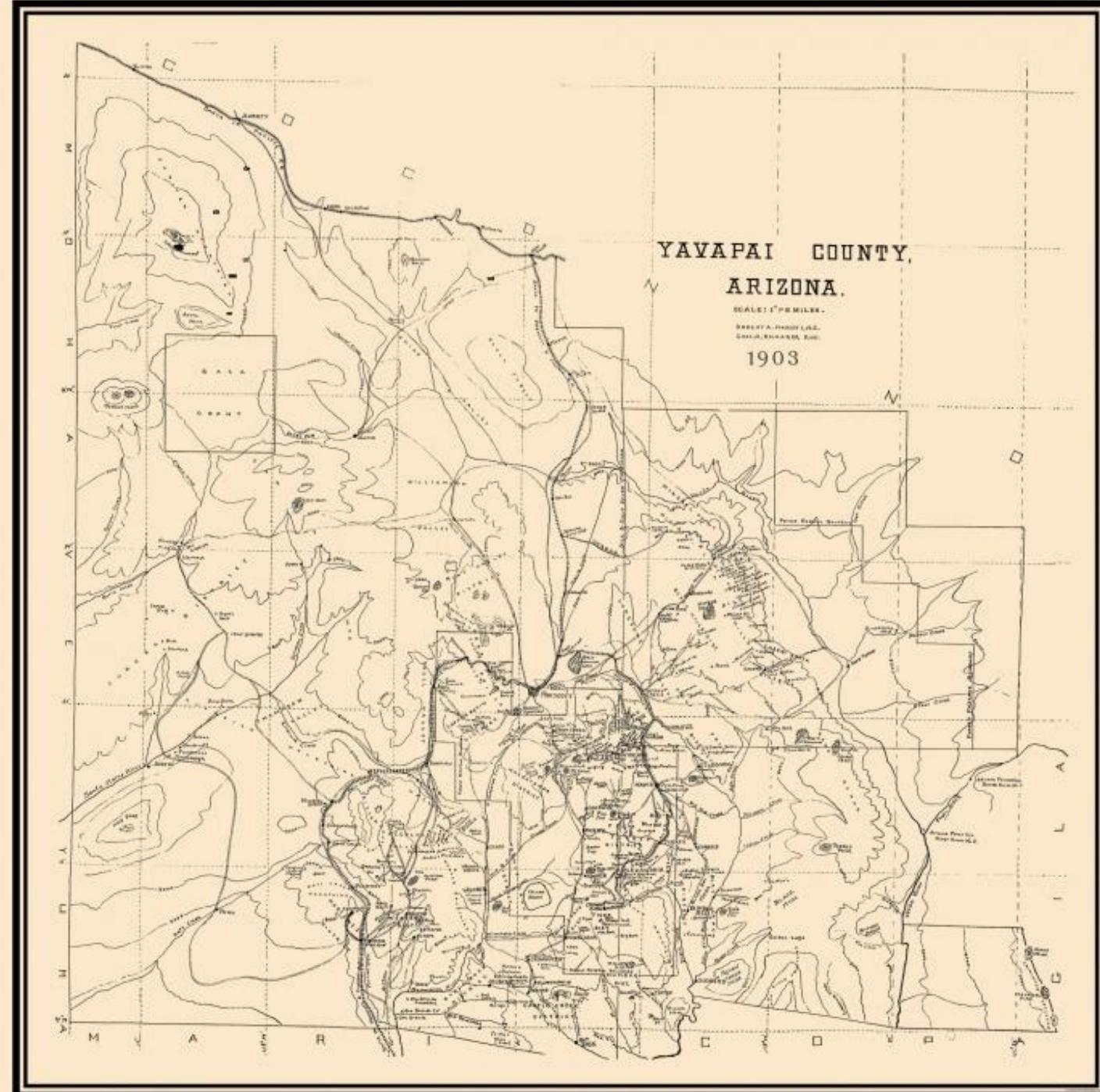


The Court



Honorable Anna C. Young

Presiding Juvenile Court Judge
Division 6
Superior Court Yavapai County

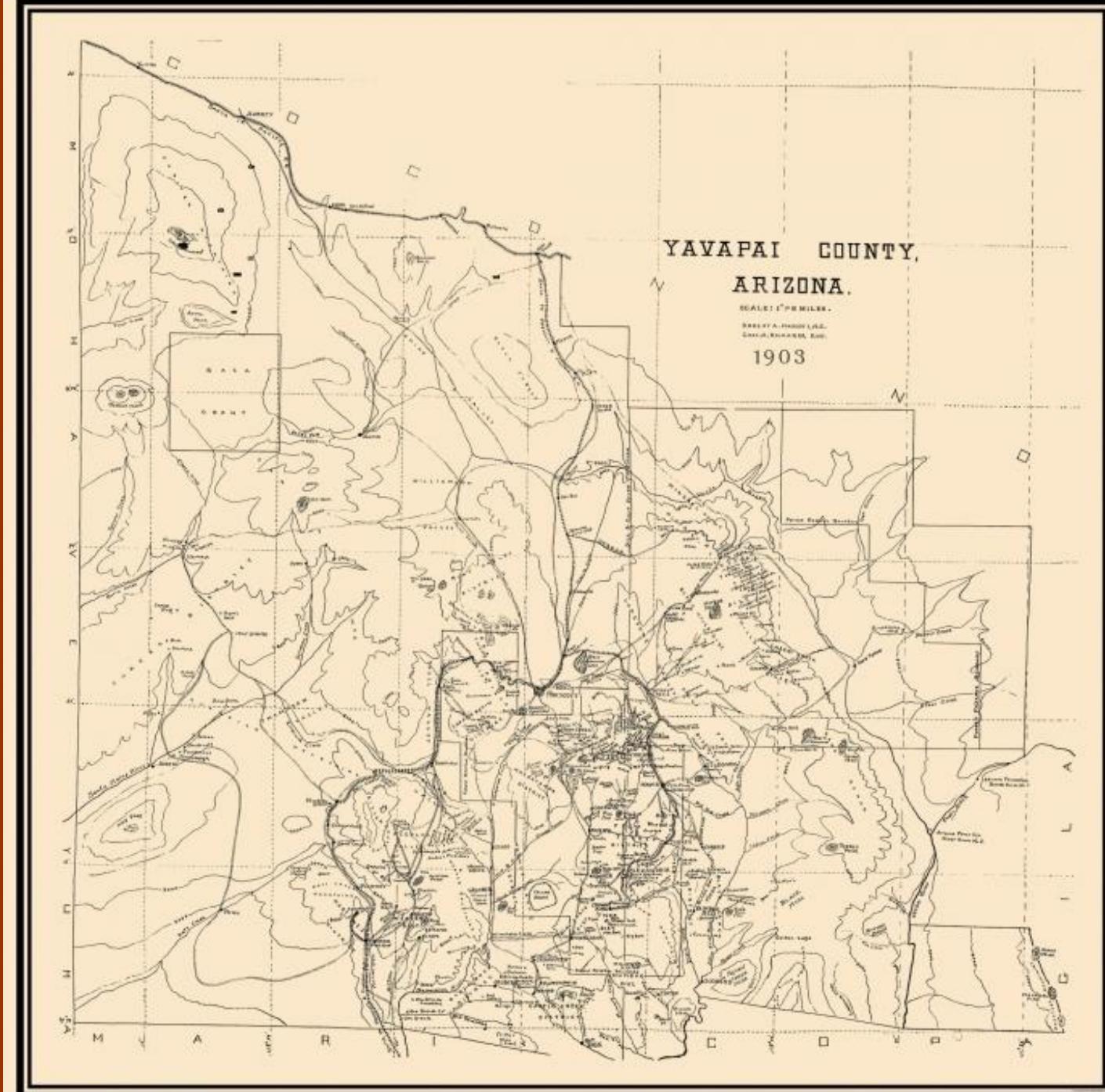


The Court



Honorable Michael R. Bluff

Division 7
Superior Court Yavapai County

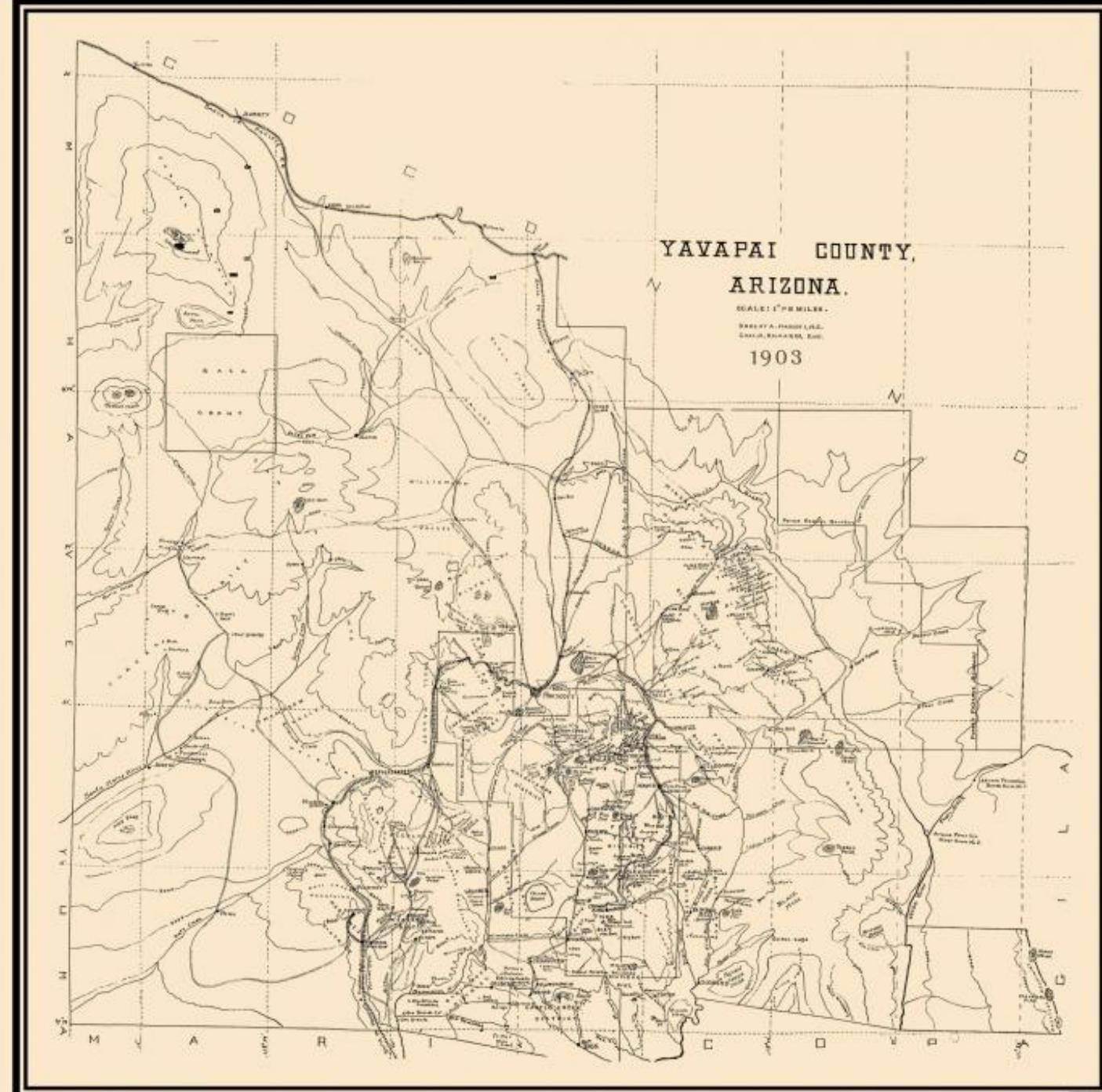


The Court



Honorable Debra R. Phelan

Division 8
Superior Court Yavapai County

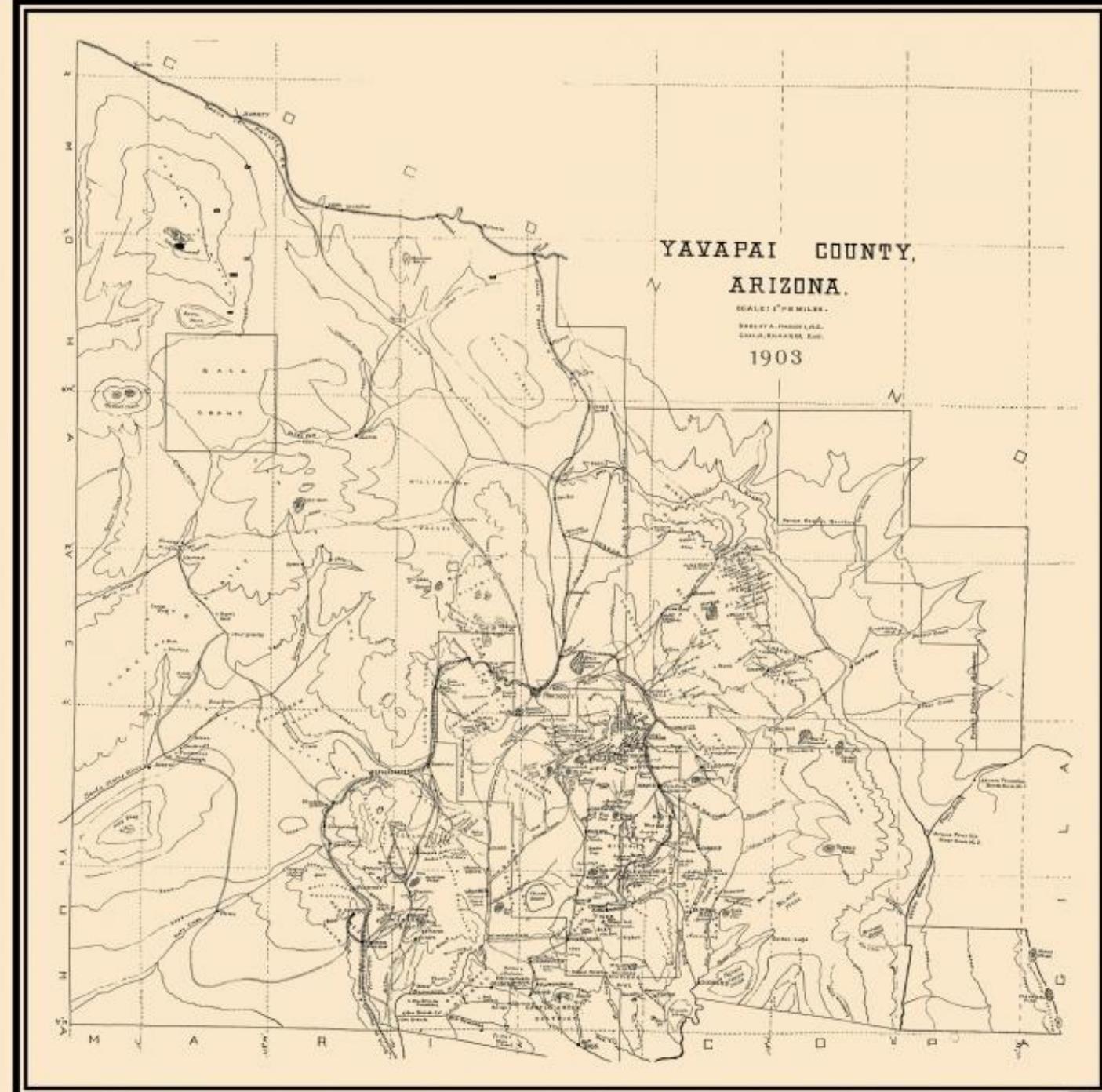


The Court



Honorable Kristen Sharifi

Division PTA
Superior Court Yavapai County

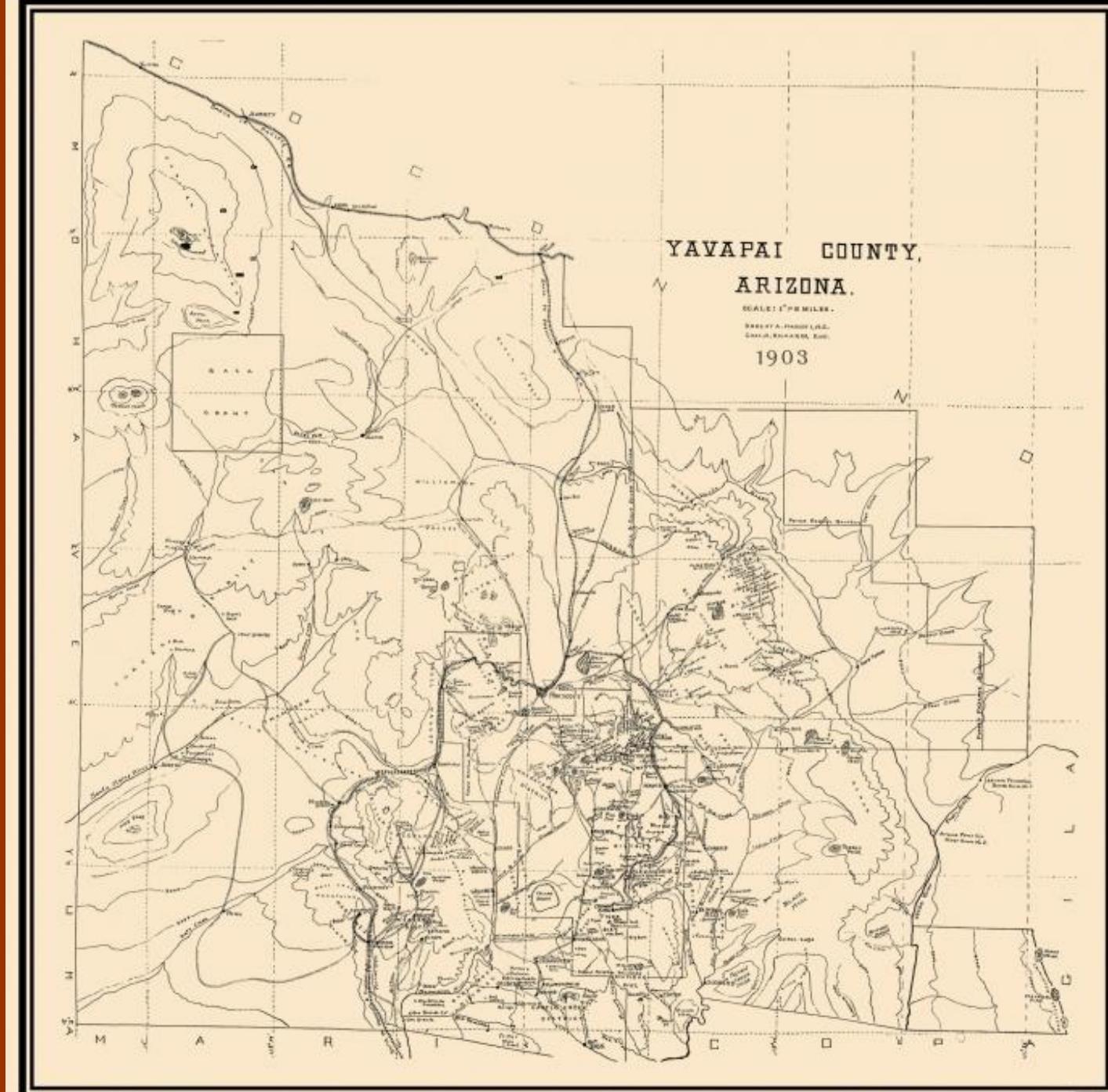


The Court



Honorable Linda Wallace

Division Pro Tem B
Superior Court Yavapai County

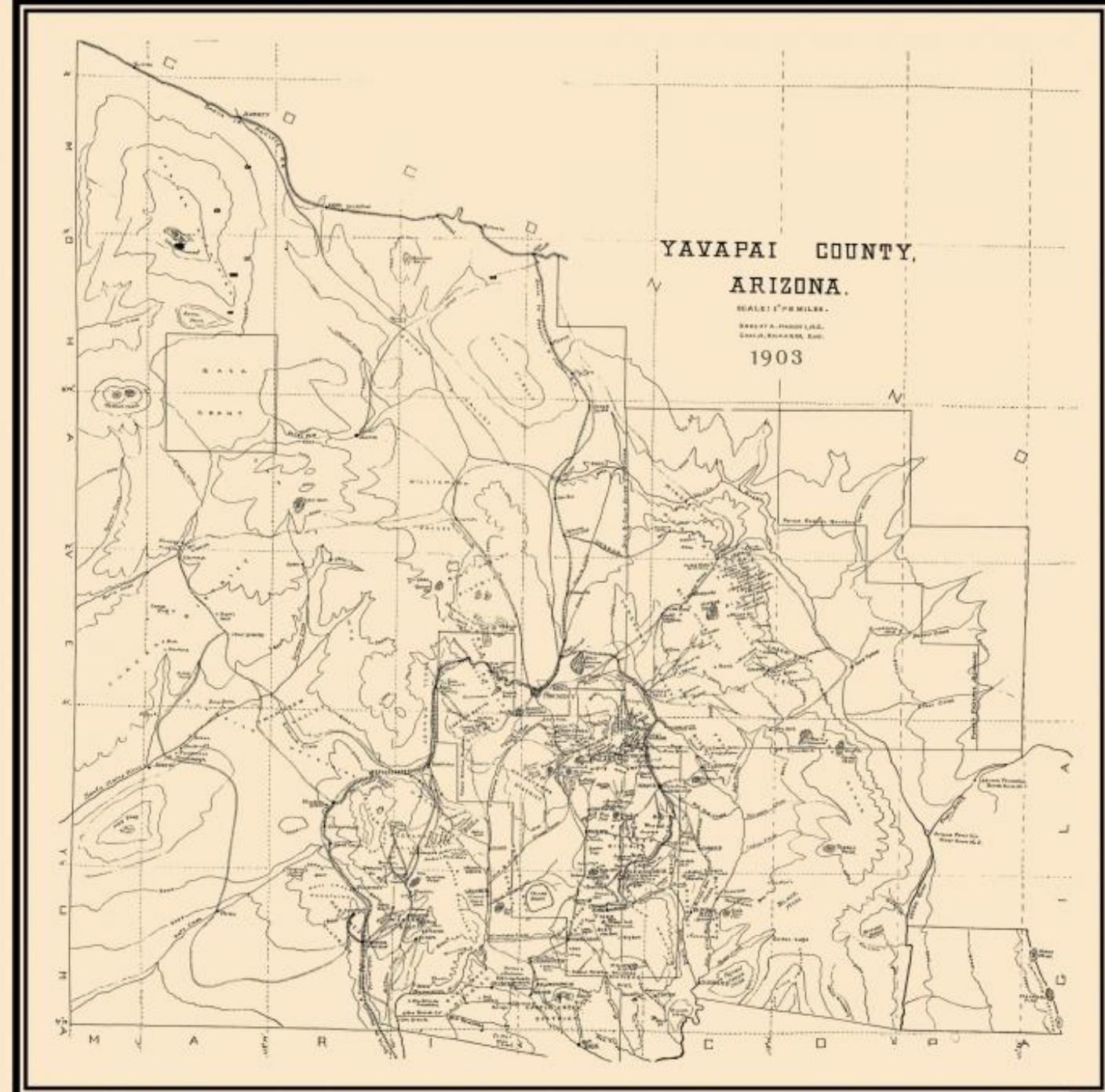


The Court



Honorable Joseph P. Goldstein

Family Law Division
Superior Court Yavapai County

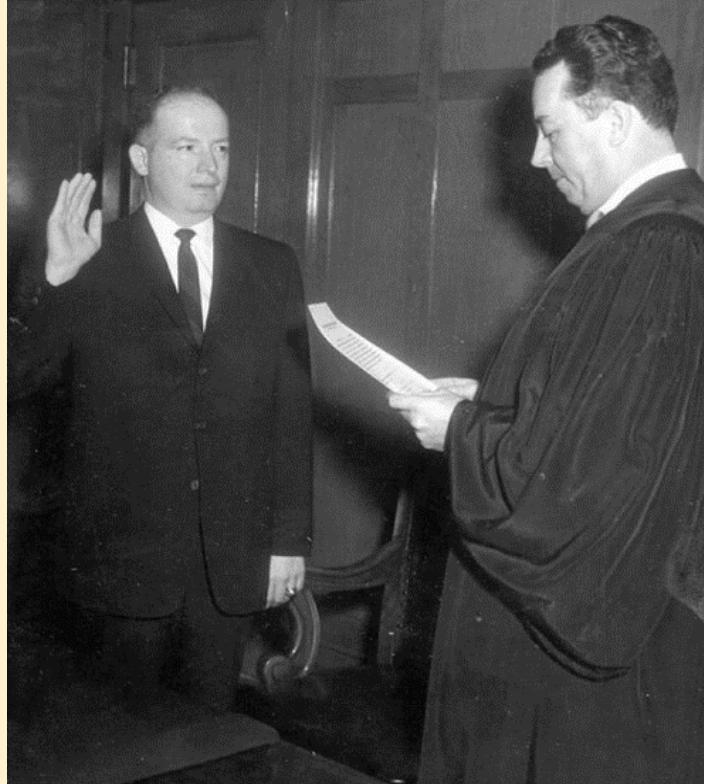


Judges Are:



Elected or Appointed

Judges Are:



**Sworn to uphold the Laws of Arizona and
The Constitution of the United States**

Judges Are Not:



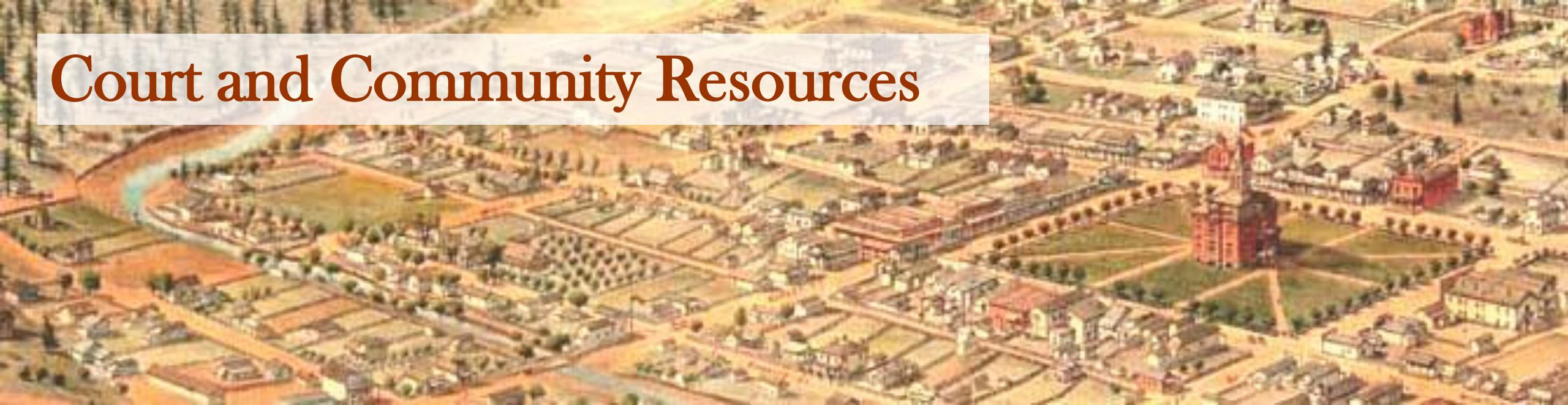
Mind Readers

Judges Are Not:



Investigators

Court and Community Resources



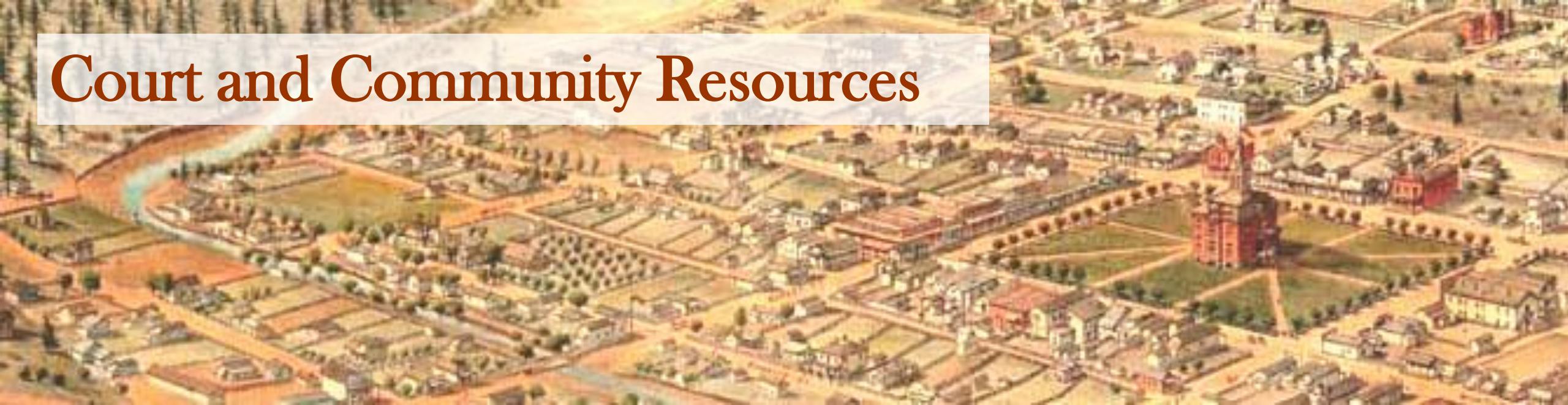
Yavapai County Self Service Center

Prescott Law Library (928) 771-3309

Yavapai County Superior Court Clerk's Office - Prescott (928) 771-3312

Yavapai County Superior Court Clerk's Office - Verde (928) 567-7741

Court and Community Resources



Yavapai County Self Service Center

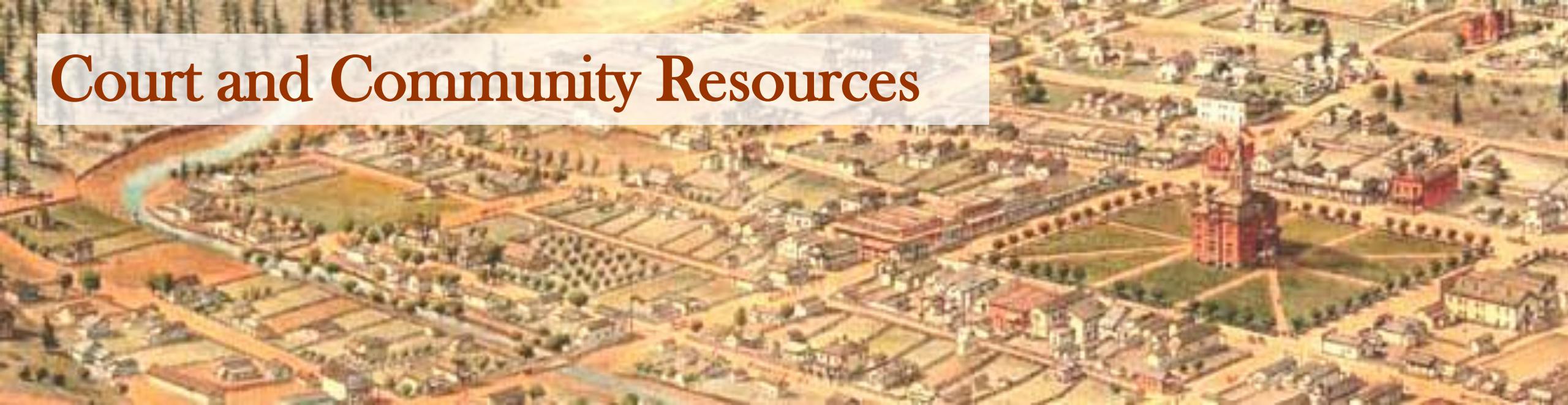
Your Source for:

Court Information

Forms and Instructions

Information about Professional Service Providers

Court and Community Resources



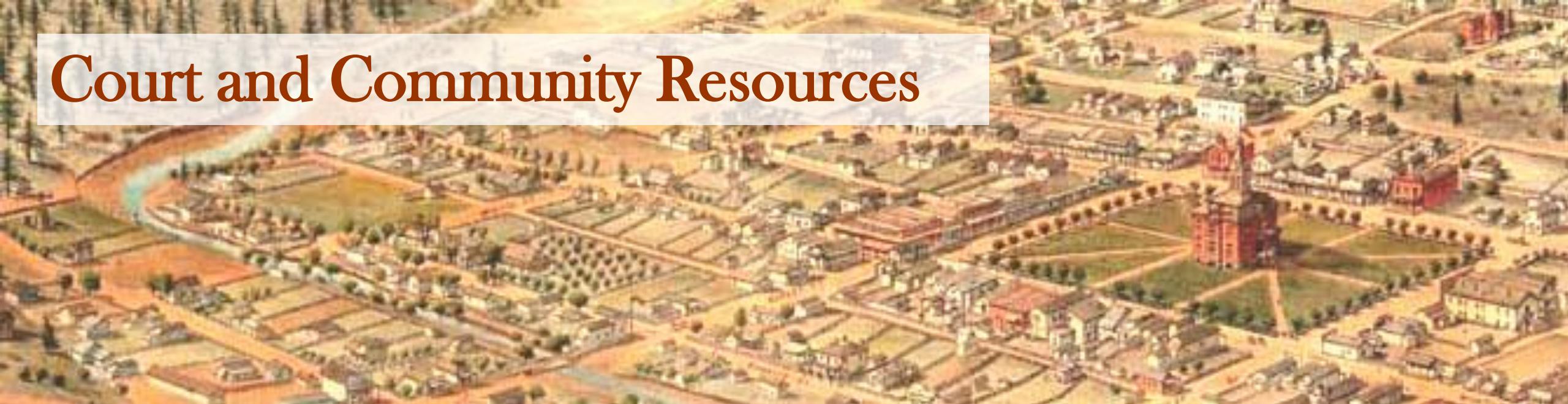
Community Legal Services

Prescott Office (928) 445-9240

Verde Valley Sanctuary

Cottonwood Office (928) 639-2079

Court and Community Resources



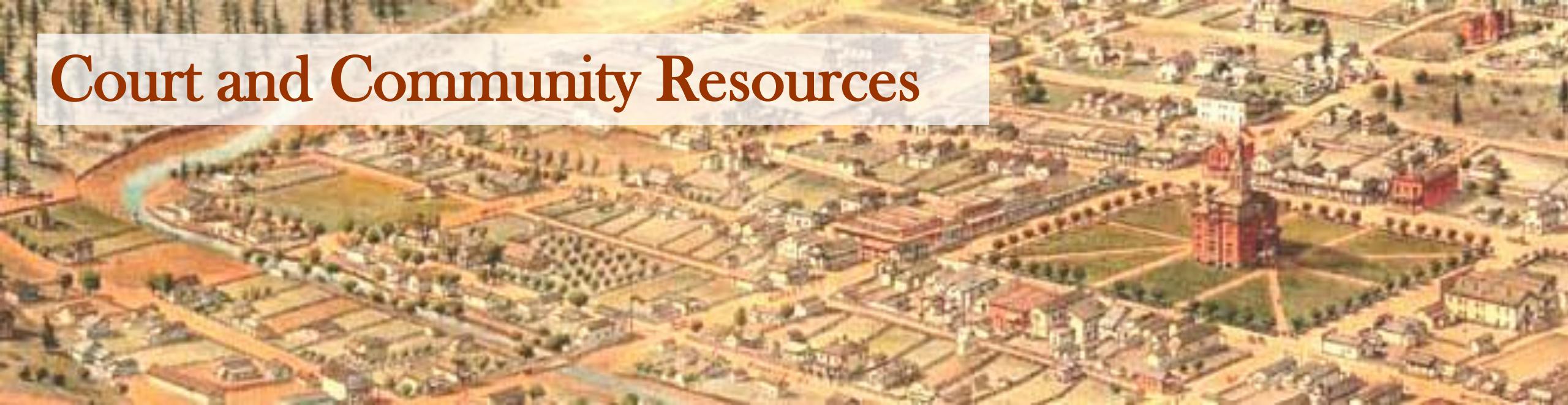
Modest Means Project

(866) 637-5341 or AZLawHelp.org

Online Legal Help Resources

<https://azbf.org/get-involved/i-need-legal-help>

Court and Community Resources

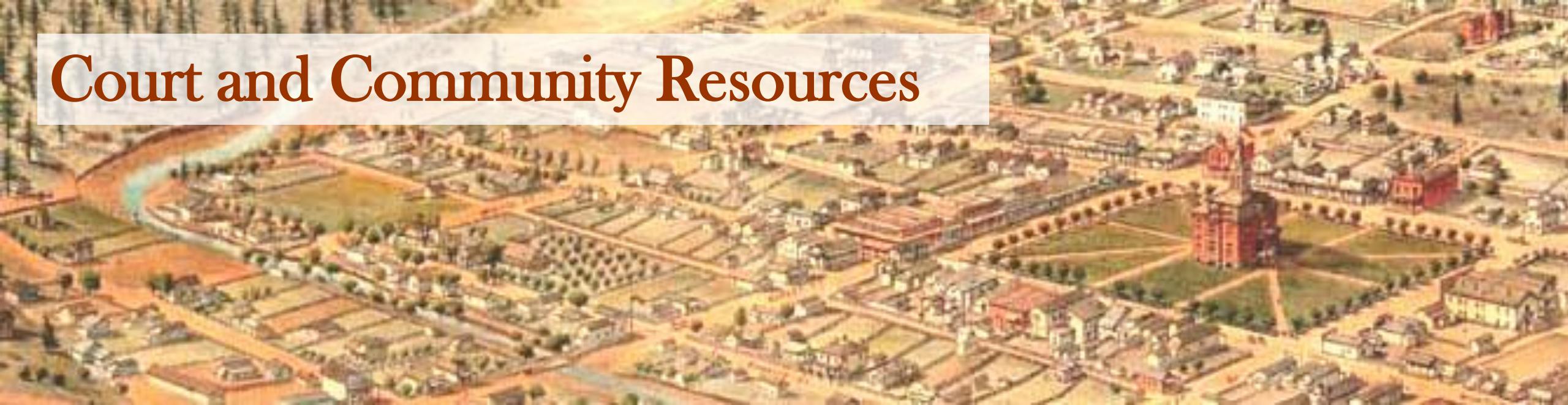
An aerial view of a city, likely Phoenix, showing a dense grid of streets, numerous houses, and several parks with green lawns and trees. The city extends into the distance, with more buildings and infrastructure visible.

Private Attorneys and the State Bar Association

See Bar Directories available in the Law Library

www.azbar.org/findalawyer/

Court and Community Resources

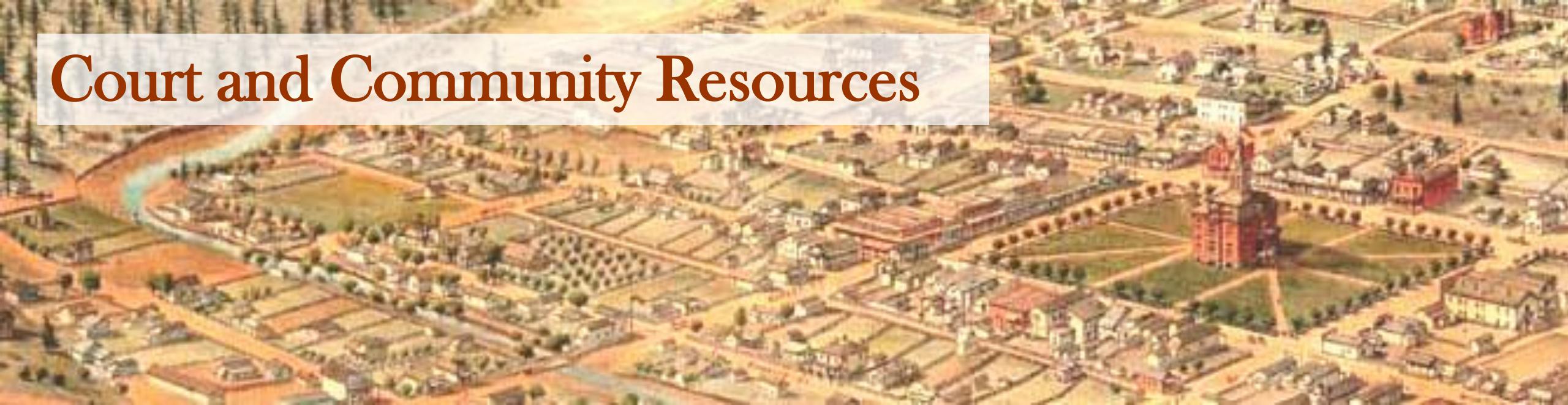


Certified Legal Document Preparers

List available in the Law Library

<https://www.azcourts.gov/Portals/26/LDP/Directory/2021%20Directory/LDP%20Master%20Directory%2010-1-2021.pdf?ver=2021-10-13-120421-390>

Court and Community Resources



Yavapai County Website

<https://courts.yavapaiaz.gov/Departments/Law-Library/Self-Service-Center>

Types of Domestic Cases

Dissolution of
Marriage
(Divorce)

Legal
Separation

Annulment

Parenting Time and/or Visitation

Paternity

Legal
Decision-
Making

Support



Different Ways Your Case Can Proceed Through Court



Arizona Rules of Family Law Procedure Rule 44: Default (When no response is filed)

- **By Motion (Without a Hearing)** (ARFLP Rule 44.1)
- **Default Hearing** (ARFLP Rule 44.2)
 - Publication
- **Consent Decree** (ARFLP Rule 45)
 - By agreement on all issues (no hearing necessary)
- Trial

Spousal Maintenance



To qualify for spousal maintenance, you must meet the requirements of Arizona Revised Statutes § 25-319 and a financial affidavit must be filed unless there is an agreement signed by both parties for spousal maintenance.

Communicating with the Court



Judges cannot give you legal advice, cannot talk to you on the phone, or meet with you in their office regarding your case.

This would be considered an
“Ex Parte” (one-sided)
communication.

Communicating with Court Staff

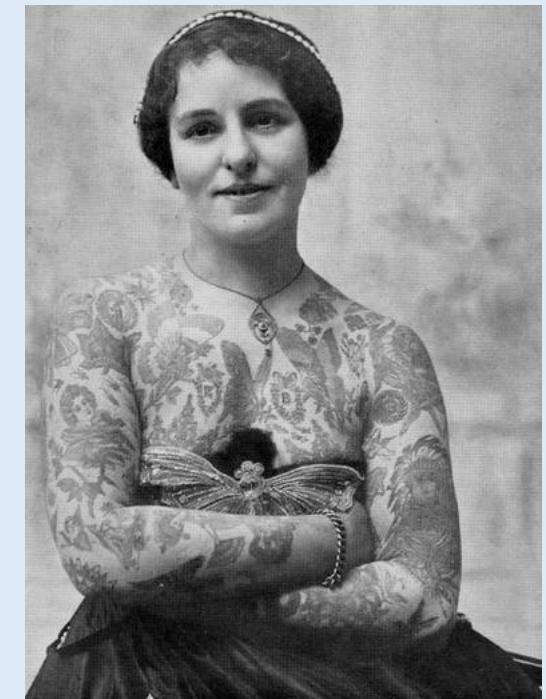


Court Staff can give you scheduling and procedural information, but they cannot talk with you about the facts in your case.

Who Are You?

Parties in cases may be referred to as the following:

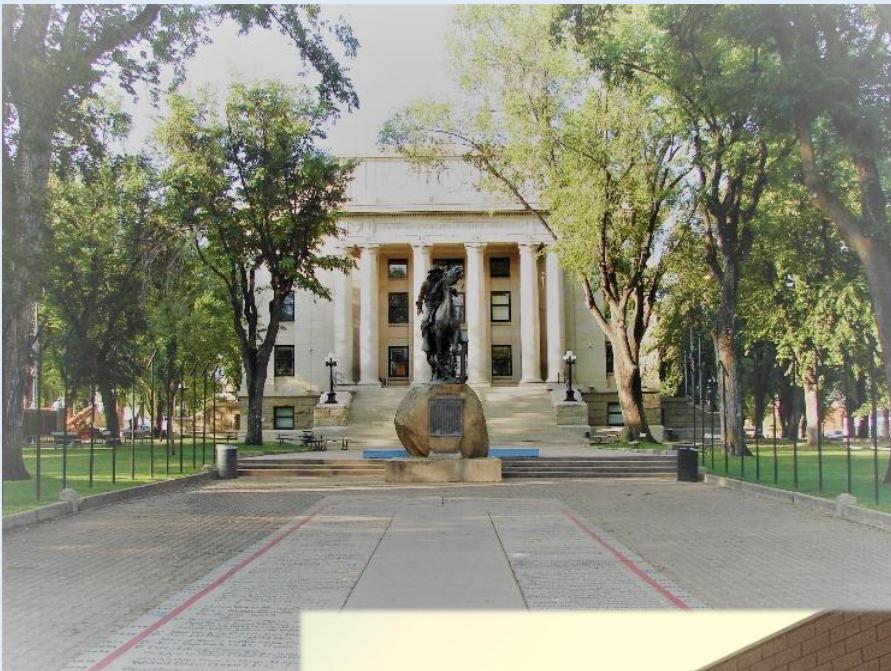
- Husband / Wife
- Father / Mother
- Petitioner / Respondent
- Obligor / Obligee
- Pro Per (Self-Represented Litigant)



Who Are We?

Throughout the course of your case, you will come into contact with many, if not all of the following:

- Superior Court Judge
- Judicial Assistant
- Courtroom Bailiff
- Court Reporter
- Courtroom Clerk
- Court Administration
 - Mediator
 - Domestic Relations Secretary
 - Family Law Navigator
- Clerk of the Superior Court



Yavapai County Courthouse –
Prescott, Arizona



Yavapai County Courthouse –
Camp Verde, Arizona

Court and Clerk Staff

Superior Court
Judge



Presides over the
judicial
proceedings in
court and over
your case

Court and Clerk Staff

Judicial Assistant



Direct assistant to
the Judge.
Handles files,
phone calls, and
generates court
documents

Court and Clerk Staff

Bailiff



Keeps order in the Court and provides logistical assistance to the Judge and parties while in the courtroom

Court and Clerk Staff

Court Reporter



Is responsible for
the recording of
every spoken word
while in the
Courtroom

Court and Clerk Staff

Courtroom Clerk



Administers the
oath and
documents the
details of the
courtroom
proceedings

Questions?



Court Administration

Julie Malinowski



Yavapai County
Superior Court
Administrator

Court Administration

Carlos Reyes



Senior Court
Interpreter

Court Interpreter Services

Court Administration



Christy Kalbach, ADR Program Manager

Alternative Dispute Resolution Services (ADR)

Court Administration

Teri Koressel,
ADR Program
Coordinator



Jessica Villafañá,
Domestic Relations
Secretary

Alternative Dispute Resolution Services (ADR)

Court Administration

Shannon Muñoz, Family Law Navigator

Assistance with:

Learning about the family law case flow process

Reviewing completed forms for completeness

Providing Resources

Contact: (928) 777-3082 or

YavapaiFLN@courts.az.gov

Alternative Dispute Resolution Services (ADR)



Conciliation Counseling

Alternative Dispute Resolution Services (ADR)



Legal Decision Making &
Parenting Time Mediation

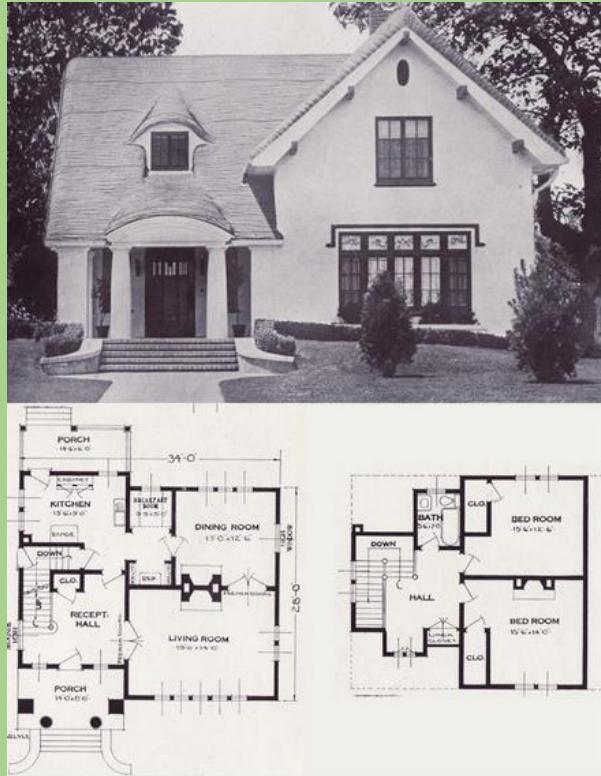
Alternative Dispute Resolution Services (ADR)



Parent Education

Parenting Time Guidelines and many other resources are available in the online course

Alternative Dispute Resolution Services (ADR)



Civil Mediation

Alternative Dispute Resolution Services (ADR)



Questions?

Clerk of the Superior Court

Honorable
Donna
McQuality



Yavapai County
Clerk of the
Superior Court

Clerk of the Superior Court



The Clerk of the Superior Court is the keeper of the record and keeps all original documents for the record.

Clerk of the Superior Court

Starting Your Case



The dissolution of marriage begins when you or your spouse files a “Petition for Dissolution of Marriage” with or without minor children.

Clerk of the Superior Court

Sample Dissolution of Marriage Packet

- Petition for Dissolution of Marriage
- Preliminary Injunction
- Notice of Rights about Health Insurance
- Notice to Creditors
- Summons
- Confidential Sensitive Data

Clerk of the Superior Court

Document Requirements

For all Papers Filed with the Clerk

- Black Ink, 13 -point type size (Times New Roman, Bookman, Century, Garamond, Book Antiqua).
- White, 8 1/2 x 11 Paper.
- Margin Specifications - 2" from the top, 1" from the left, 1/2" from the right, and 1/2" from the bottom.
- Text should be double spaced on one side of the page only.
- Pages shall be numbered.
- Leave upper right-hand corner of all documents being filed blank.

Clerk of the Superior Court

Document Requirements

For all Papers Filed with the Clerk

- All documents must have the filing party's information in the upper left-hand corner.
- The caption and case number remain the same throughout your case. Whoever starts as the Petitioner, stays as Petitioner, no matter who is filing a document.
- All documents must be completely filled out. Incomplete information may cause your request to be denied.
- Refer to Rule 20
- Only originals may be filed
- *Forms provided by the Court are acceptable.*

Clerk of the Superior Court

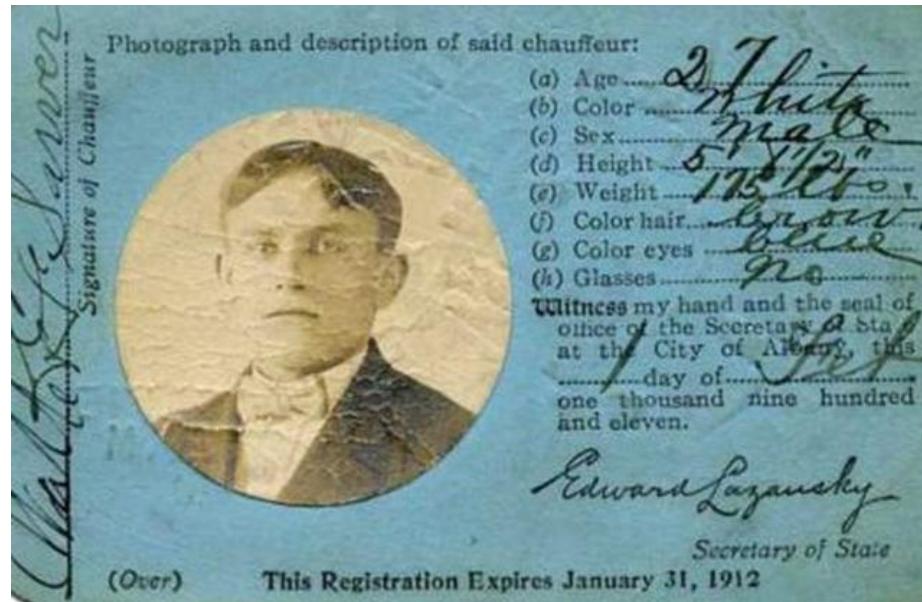
Starting Your Case



All paperwork should be signed and notarized before you come to the Clerk's Office, but the Clerk can "verify" respondent's signature on an Acceptance of Service. You will also need to bring two sets of copies of the documents, one for your records and one for you to serve upon the other party.

Clerk of the Superior Court

Starting Your Case



Bring your driver's license or photo identification with you when you file your paperwork.

Clerk of the Superior Court

Starting Your Case



A fee is charged when you file your case.

The person who starts the case is referred to as the Petitioner.

If a response or a consent decree is filed, the respondent's appearance fee must also be paid.

Clerk of the Superior Court

Starting Your Case



The Clerk accepts checks, money orders, most credit cards, and cash. If you need time to pay your fees, you may file for a deferral.

Clerk of the Superior Court

Important Information

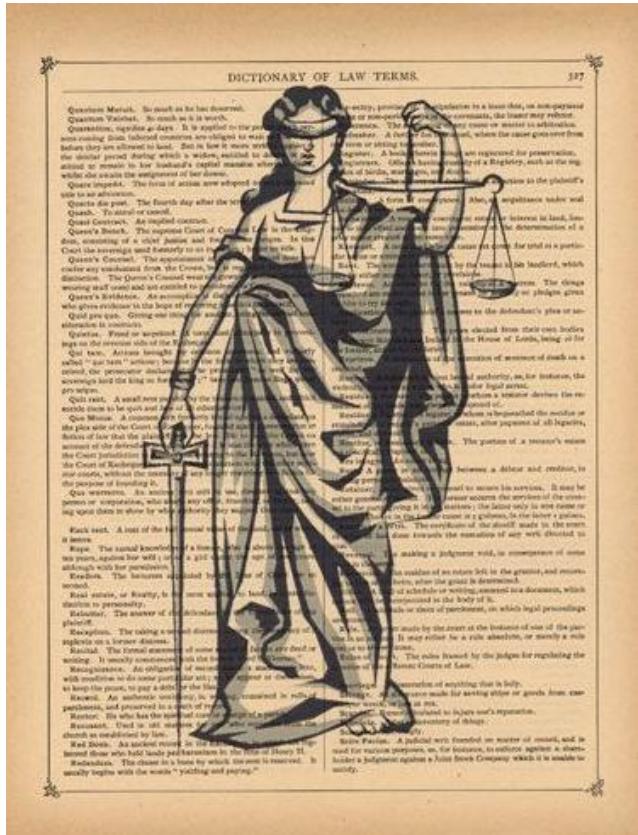
The Clerks can explain the meaning of legal terms and documents used in court processes.

The Clerks do attempt to give you options of where you can find information.



Clerk of the Superior Court

Important Information



If a clerk sees something missing, they can call it to your attention. They cannot tell you how to fill out papers. They cannot give legal advice.

Clerk of the Superior Court

Important Information

You must notify the Clerk
IMMEDIATELY in writing if
your address changes.

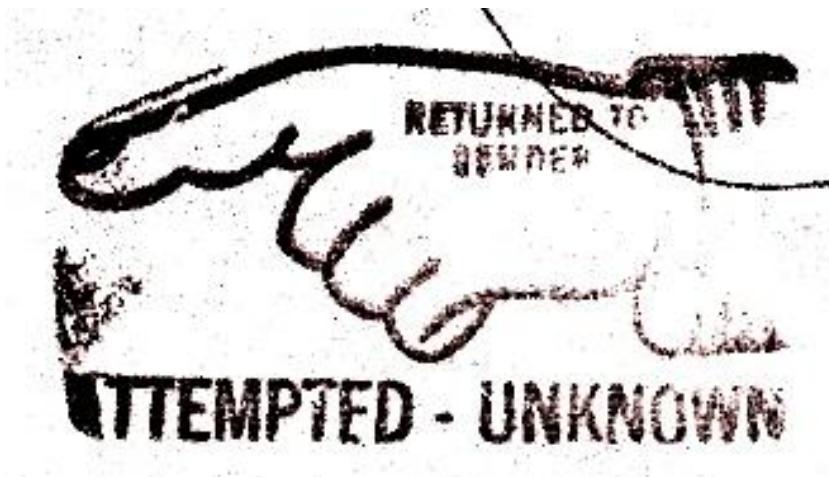
If you do not notify the Court of
your new address, you may not get
notices and your case may be
dismissed or orders may be
entered without your knowledge.
A form is available in our office
and online to do so.



Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



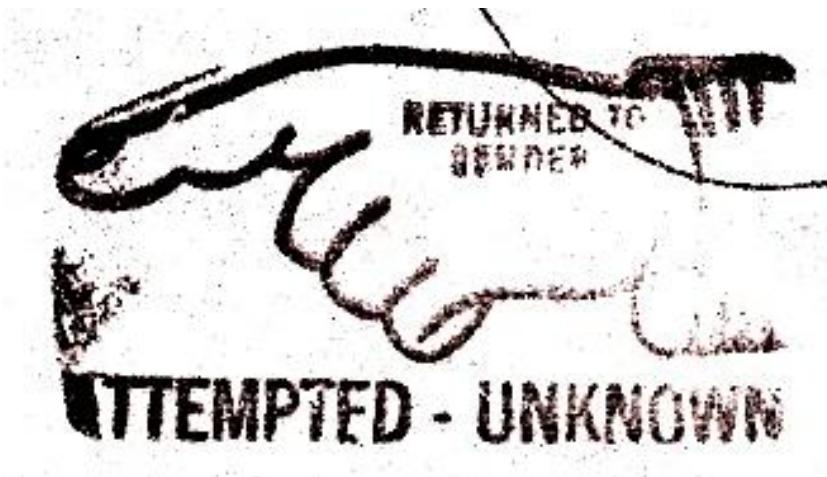
**DOCUMENTS
NOT SERVED**

You are responsible for having the other party served. The Court does not have the other party served.

Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



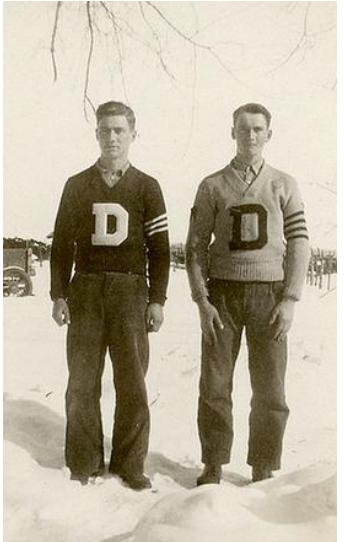
**DOCUMENTS
NOT SERVED**

You can serve the other person through the Sheriff's Office, a private process server, certified restricted mail, or a courier service with a receipt signed by the other party, or by a notarized acceptance of service.

Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



**THE WRONG PERSON
IS SERVED**

The Affidavit or
Acceptance of Service
does not show all the
required pleadings were
served or the signature is
not notarized (if required).

Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



**DEFAULT
PAPERWORK**

Application for Default document was not filed and/or a copy was not mailed to the other party.

Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



Parent Education Class was not taken by one or both parties.

**PARENT
EDUCATION**

Clerk of the Superior Court

Common Concerns

Situations that may cause a delay in your case.



MISSING DOCUMENTS

- Self Addressed, Stamped Return Envelopes
- Copies of Decrees
- Parenting Plan or Agreement
- Parent's Worksheet
- Child Support Order
- Income Withholding Order
- Employer Information for Income Withholding Order
- Order for Name Change

Clerk of the Superior Court

Questions?



Legal Counsel





Thank You!