

Name of Person Filing: (A) _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Phone Number: _____
 Email Address: _____
 AZCARES Number (If Applicable): _____
 State Bar Number (If Applicable): _____
 Representing: Self Petitioner OR Respondent

**SUPERIOR COURT OF ARIZONA
 MOHAVE COUNTY**

(B) _____
 (Name of Petitioner)

(C) Case Number: _____

AND

(B) _____
 (Name of Respondent)

**DECREE OF DISSOLUTION OF NON-
 COVENANT MARRIAGE (DIVORCE)
 WITH CHILDREN**

- By Consent (Page 12)
- By Default
- After Trial

THE COURT FINDS:

1. This case has come before this court for a final Decree of Dissolution of Marriage. The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.
2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to legal decision making, parent access (visitation), and support.

SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/support of either spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

3. The Court finds that:

- a. **90 Day Requirement:** At the time this action was filed, the Petitioner or the Respondent had lived in Arizona for more than 90 days, or had lived in Arizona while a member of the United States Armed Forces for more than 90 days.
- b. **Conciliation Court:** The provisions relating to the Conciliation Court either do not apply or have been met.
- c. **Irretrievably Broken:** The marriage is irretrievably broken or the parties desire to live separate and apart. This marriage is not a covenant marriage.
- d. **Legal Decision Making, Support, Spousal Maintenance/Support, Division of Property and Debt:** Where it has the legal power and where it is applicable to the facts of this case, this court has considered, approved, and made Orders relating to issues of legal decision making, parenting time (visitation), child support, spousal maintenance/support (alimony), and the division of property and/or debts.

e. Community Property and Debt:

- The parties did not acquire any community property or debt during the marriage, **OR**
- There IS an agreement as to division of community property and debt, all community property and debt is divided pursuant to this Decree.
- There is NO agreement as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.

f. Pregnancy and Paternity:

- Petitioner is not pregnant Respondent is not pregnant, **OR**
- Petitioner is pregnant **AND** Respondent is **OR** is not the father
- Respondent is pregnant **AND** Petitioner is **OR** is not the father
- The Petitioner **OR** The Respondent is the father of these children born to the parties before the marriage:

Names(s)

Date(s) of Birth

g. Spousal Maintenance/Support.

- The Petitioner, **OR**
- The Respondent lacks enough property, including property given to him or her as part of this divorce, to provide for his or her reasonable needs, and is unable to support himself or herself through an appropriate job, or he or she is providing the primary care to a child(ren) of young age or is of a condition that they should not be required to look for work outside the home, or lacks earning ability necessary to support himself or herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage that lasted a long time and is of an age that may severely limit the possibility of getting a job to support himself or herself.

h. Parent Information Program.

1. Petitioner has attended the Parent Information Program class as evidenced by the **“Certificate of Completion”** in the court file, **OR**
 Petitioner has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Petitioner has completed the class.
2. Respondent has attended the Parent Information Program class as evidenced by the **“Certificate of Completion”** in the court file, **OR**
 Respondent has not attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Respondent has completed the class.

i. Deviation from Child Support. The court, having considered the best interests of the minor child(ren), deviates from the guidelines for the following reasons:

- Application of the guidelines is inappropriate
- Application of the guidelines is unjust

The court makes the following finding regarding the deviation:

- The child support order would have been \$ _____
- The child support order after deviation is \$ _____

j. Physical Legal Decision Making Adjustment, Court Approved Discretionary Parenting Time Adjustment and/or other Adjustments. (The court must make written findings if any of these

adjustments are made.)

k. Ability to Pay Child Support: The court finds that the person responsible for paying child support has the ability to pay child support:

- In the amount entered on Line 34 of the Worksheet for \$ _____
- In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$ _____

l. Legal Decision Making of Minor Child(ren). (Check/complete only if legal decision making is contested or joint legal decision making is ordered.)

- The legal decision making order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)

REASONS: _____

m. Supervised or No Parenting Time: (Check and complete only if supervised or no visitation is ordered.)

- Supervised Parenting Time** between the minor children and Petitioner, **OR** Respondent, **OR**
- No Parenting Time** by Petitioner, **OR** Respondent, is in the best interests of the minor child(ren), for the following reasons: (Explain the reasons)

REASONS: _____

n. Domestic Violence. If the court enters an order for joint legal decision making of the minor child(ren), check box "1" or box "2" and explain.

1. Domestic violence has not occurred during this marriage, OR
2. Domestic violence has occurred, but the domestic violence has not been significant. Explain why joint legal decision making is in the best interest of the minor child(ren) even though domestic violence has occurred.

THE COURT ORDERS:

1. **MARRIAGE IS DISSOLVED:** The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

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2. NAMES:

One or both parties wish to have a former name restored as follows:

Current Name: _____ is restored to: _____

Current Name: _____ is restored to: _____

(List name the party wishes to use as before this marriage)

3. ENFORCEMENT OF TEMPORARY ORDERS: All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of ALL temporary orders here):

are satisfied in full or judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of \$ _____.

4. LEGAL DECISION MAKING, PARENTING TIME, AND CHILD SUPPORT:

a. PREGNANCY:

- Petitioner is not pregnant Respondent is not pregnant, OR
- Petitioner is pregnant AND Respondent is OR is not the father
- Respondent is pregnant AND Petitioner is OR is not the father

A child who is common to the parties is expected to be born this date _____. All orders below as to legal decision making, parenting time (visitation), support, and medical insurance/expenses include this minor child and all other minor children named below.

1. **MINOR CHILDREN:** This Decree includes all minor children common to the parties as follows:

Name(s) of Minor Child(ren):

Date(s) of Birth:

2. **PATERNITY:** The Petitioner or Respondent **is declared to be the father of the minor children named below, born before the marriage:**

Children Born BEFORE the Marriage:

Date(s) of Birth

FOR ANY MINOR CHILD(REN) BORN IN THE STATE OF ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

- 3. The father's name shall be entered on the minor child's birth certificate.
- NAME CHANGE:** (Optional) The names of one or more of the minor children for whom paternity has been established above shall be changed as follows:

Case No. _____

Current Legal Name

New Name

_____	_____
_____	_____
_____	_____

b. LEGAL DECISION MAKING:

1. **SOLE LEGAL DECISION MAKING:** Sole legal decision making of the minor child(ren) is awarded to:

- Petitioner, **OR** Respondent, subject to visitation as follows:
- Parenting time to the parent not having legal decision making, according to the terms of the Parenting Plan filed _____ and made a part of this Decree, **OR**
- Supervised parenting time to Petitioner, **OR** Respondent according to the terms of the Parenting Plan filed _____. Visitation may only take place in the presence of another person named below or otherwise approved by the court.

Name of supervisor: _____

The cost of supervised visitation will be paid by Petitioner, **OR**

Respondent, **OR** shared equally by the parties,

No parenting time rights to Petitioner **OR** Respondent **OR**, See Option "b.2." for Joint Legal Decision Making)

Restrictions on parenting time (if applicable): _____

The parents shall exercise parenting time consistent with the Mohave County Legal Decision Making and Parenting Time Guidelines.

2. **JOINT LEGAL DECISION MAKING:** Petitioner and Respondent agree to act as joint legal guardians of the minor child(ren).

The Court adopts the terms of the Legal Decision Making Agreement/ Parenting Plan filed on _____. This plan is now a part of this Decree and carries the same legal weight as the Decree.

The parents shall exercise parenting time consistent with the Mohave County Legal Decision Making and Parenting Time Guidelines.

c. CHILD SUPPORT: Petitioner, **OR** Respondent shall pay child support to the other party in the amount of \$_____ per month, beginning THE FIRST DAY OF THE MONTH following the date this Decree is signed by the judge until further order of the court. Child Support is based on the information in the Child Support Worksheet attached hereto and incorporated by reference. All child support payments shall be made through the Support Payment Clearinghouse, and must include the statutory fee by the Order of Assignment signed this date. Payments will be in equal installments made on the 1st and 15th of each month.

Presumptive termination date: _____ / _____
Month Year

d. MEDICAL AND DENTAL INSURANCE, PAYMENTS, AND EXPENSES:

- Petitioner** is responsible for providing: medical dental vision care insurance.
- Respondent** is responsible for providing: medical dental vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expenses. Petitioner is ordered to pay _____%, AND Respondent is ordered to pay _____% of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

5. SPOUSAL MAINTENANCE/SUPPORT:

- a. Neither party shall pay spousal maintenance/support (alimony) to the other party, **OR**
- b. Petitioner, **OR** Respondent is ordered to pay the other party the sum of \$_____ per month spousal maintenance **BEGINNING THE FIRST DAY OF THE MONTH** after this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased or until (date) _____. All payments shall be made through the Support Payment Clearinghouse until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance/support payments end if the receiving party is remarried or deceased.

6. PROPERTY, DEBTS AND TAX RETURNS:

- a. Petitioner is ordered to pay all debts unknown to Respondent, **AND**
- Respondent is ordered to pay all debts unknown to Petitioner, **AND**
- Each party is ordered to pay his or her debts from the following date, _____.
- b. Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.
- c. Each party is assigned his or her separate property and Petitioner must pay his/her separate debt, and Respondent must pay his/her separate debt.
- d. This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before (date) _____, by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

- e. For previous calendar years, pursuant to IRS rules and regulations, the parties will file:

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- joint federal and state income tax returns and hold the other harmless from half of all additional income taxes and other costs, if any, and each will share equally in any refunds, **OR**
- separate federal and state income tax returns, **AND**
- This calendar year and continuing thereafter, each party will file separate federal and state income tax returns, **AND**
- Each party shall give the other party all necessary documentation to file all tax returns.

7. FINANCIAL INFORMATION EXCHANGES: The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months.

8. TAX EXEMPTION: The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim a child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Parent entitled to claim	Name of child	Tax year
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____

9. MINOR CHILDREN TO WHOM THIS DECREE DOES NOT APPLY: It is ordered that
 Petitioner, **OR**
 Respondent has no legal obligation or right to the minor child(ren) born during the marriage but not common to the marriage. These minor children include: (Use additional paper if necessary)

Name: _____ Birth date: _____

Name: _____ Birth date: _____

Child expected to be born this date: _____

10. FINAL APPEALABLE ORDER. Pursuant to Arizona Revised Statutes §25-325, this judgment/decree is settled, approved and signed by the court and shall be entered by the clerk, and is final pursuant to Rule 78(c), Arizona Rules of Family Law Procedure, as no matters remain pending.

11. OTHER ORDERS. (List any other orders.) _____

DONE IN OPEN COURT: _____
Date

JUDGE OR COURT COMMISSIONER

Case No. _____

If this Decree was issued as a “Default,” and the Petitioner served the papers to begin this case by any means other than by publication, a copy of this Decree shall be mailed or delivered to the Respondent within 24 hours of the court hearing as follows:

Respondent’s Name: _____

Mailing Address: _____

City, State, Zip Code: _____

By Petitioner: _____

Date: _____

EXHIBIT A: PROPERTY AND DEBTS

1. DIVISION OF COMMUNITY PROPERTY:

- Award each party the personal property in his or her possession, **OR**
- The following community property is awarded to each party as follows:

2. LIST OF COMMUNITY PROPERTY, Be specific

AWARD TO:

	Petitioner	Respondent
<input type="checkbox"/> Household furniture/furnishings		
_____	<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"/> Appliances		
_____	<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"/> DVD/DVR/VCR (be specific)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> TV		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Personal computer	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Stereo	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> State Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Federal Income Tax Refund	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motor vehicle _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Cash, bonds of \$ _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continued on attached list.		

3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION

(WARNING. You should see a lawyer about your retirement, pension, deferred compensation, 401K plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.)

- Award each party his or her interest in any retirement benefits, pension plans, or other deferred compensation described as:

Case No. _____

Petitioner's: _____

Respondent's: _____

OR

- The Plan Administrator and the parties have approved the Qualified Domestic Relations Order (QDRO) attached as Exhibit(s) _____. Do not check this box without first seeking the help of a lawyer.

OR

- Each party **WAIVES AND GIVES UP** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party:

OR

- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

4. DIVISION OF REAL PROPERTY. Section A is for one piece of property. Section B is for another piece of property. If you own more than two pieces of property, check the box below and attach another sheet of paper with the information requested in A and B.

- More than 2 pieces of property are involved. See attached sheet listing the same information as in A and B.

A. Real property located at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

- Awarded to Petitioner, OR Respondent as his or her sole and separate property.

OR

- Shall be sold and the proceeds divided as follows:
 _____ % or \$ _____ to Petitioner.
 _____ % or \$ _____ to Respondent.

- This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.

- _____ is appointed real estate commissioner to sell this real property.

B. Real property at (address) _____ which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

LEGAL DESCRIPTION: _____

The real property as described above is:

Awarded to Petitioner OR Respondent as his or her sole and separate property.

OR

- Shall be sold and the proceeds divided as follows:
 _____ % or \$ _____ to Petitioner.
 _____ % or \$ _____ to Respondent.
- This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.
- _____ is appointed real estate commissioner to sell this real property.

5. DIVISION OF COMMUNITY DEBTS. (You should see a lawyer about how to divide secured and unsecured debts.) The following community debts shall be divided as follows:

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

- Continued attached list.**
- Any debts or obligations incurred by either party before the Respondent was served with the Petition for Dissolution that are not identified in the list above or attached shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

6. SEPARATE PROPERTY. The following separate property is awarded as follows: (Be specific)

Description of Property. Be specific.	Petitioner	Respondent
_____	<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"/>

7. SEPARATE DEBT. The parties are each ordered to pay his or her separate debt as follows

Creditor(s)	Amount owed	Petitioner	Respondent
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____
_____	\$ _____	_____	_____

COMPLETE THIS PAGE ONLY IF THIS IS A CONSENT DECREE. If you are filing a Consent Decree, please review the following information. Both petitioner and Respondent must initial the appropriate boxes below.

1. NON-COVENANT MARRIAGE. We do not have a covenant marriage.
 Petitioner Respondent

2. RIGHT TO TRIAL IS WAIVED. I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.
 Petitioner Respondent

3. NO DURESS OR COERCION. COMPLETE AGREEMENT. I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Decree. This Decree with attachments, if any that I have signed, is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.
 Petitioner Respondent

4. LEGAL ADVICE. I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Decree.
 Petitioner Respondent

5. IRRETRIEVABLY BROKEN MARRIAGE. I agree that our marriage is irretrievably broken. There is no reasonable prospect of reconciliation *[or we desire to live separate and apart if this is a Legal Separation case]*.
 Petitioner Respondent

6. DIVISION OF PROPERTY. The agreement about division of property and debts is fair and equitable.
 Petitioner Respondent

<p>This is a Consent Decree. By signing this Exhibit and subscribing and swearing to same (or affirming to same) before a Notary Public, both parties affirm that the information is true and correct, including the six statements listed above.</p>

Case No. _____

SIGNATURE SECTION:

STATE OF ARIZONA)
)ss.
COUNTY of Mohave)

Approved by Petitioner: _____ Date: _____

Subscribed and sworn to me by the Petitioner, on this _____ day of _____, 20_____.

My Commission Expires: _____

Notary Public / Deputy Clerk

STATE OF ARIZONA)
)ss.
COUNTY of Mohave)

If you are filing a Consent Decree, the Respondent must also sign:

Approved by Respondent: _____ Date _____

Subscribed and sworn to me by the Respondent, on this _____ day of _____, 20_____.

My Commission Expires: _____

Notary Public / Deputy Clerk

If either party is represented by a lawyer, the lawyer must also sign:

Approved by Petitioner's Lawyer: _____ Date _____

Approved by Respondent's Lawyer: _____ Date _____

If a Guardian Ad Litem is appointed, the Guardian Ad Litem must approve on behalf of the child and sign below:

Approved by Guardian Ad Litem: _____ Date _____

If the Attorney General is involved in this case, the Attorney General must approve the child support amount only and sign below:

Approved by Attorney General: _____ Date _____

Case No. _____

**INCOME WITHHOLDING DATA FORM
(WAGE GARNISHMENT FOR CHILD SUPPORT AND/OR
SPOUSAL MAINTENANCE)**

Custodial Parent or Obligee Information	Non Custodial Parent of Obligor Information
Name:*	Name:*
Date of Birth	Date of Birth*
Name and Address of Employer	Name and Address of Employer*
Social Security Number	Social Security Number*
Obligee's Mailing Address	Obligor's Mailing Address
Name of Children*	Child's Date of Birth*

- (*) Denotes required fields for an Income Withholding Statement to issue to an employer