

PETITION FOR DISSOLUTION OF NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

(CHECKLIST)

Use the forms and instructions in this packet **ONLY** if the following factors apply to your situation:

- √ You want to file a petition for divorce, AND
- √ You do not have a “covenant” marriage (These papers will not work for a covenant marriage).*

*What is a “Covenant Marriage?” As of August 21, 1998, the Arizona Legislature created a new type of marriage called “covenant” marriage. To have a covenant marriage, both husband and wife would have had to:

1. sign papers requesting to have a covenant marriage;
2. attend pre-marital counseling; AND
3. your marriage license would say “Covenant Marriage.”

If you were married before August 21, 1998 and have not signed papers to convert your marriage to a covenant marriage, you do not have a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

- √ You and your spouse have minor children with each other OR the wife is pregnant by the husband, AND
- √ The minor child(ren) resided (lived) in Arizona at least 6 months before you file the petition or you talked to a lawyer who advised you that you could pursue the case in Arizona, AND
- √ Either spouse lived in Arizona at least 90 days before you file the Petition, or is a member of the armed forces and is stationed Arizona at least 90 days before you file, AND
- √ You believe that the marriage is irretrievably broken (you and your spouse cannot make this marriage work) AND
- √ You or your spouse has either tried to resolve your problems through Conciliation Court, or there is no point in trying to resolve your problems because the marriage is irretrievably broken.

If you are not sure that these forms and instructions apply to your situation, see a lawyer for help.