

SUMMARY CONSENT DECREE PROCESS

**for a NON-COVENANT MARRIAGE
WITHOUT CHILDREN**

**A Summary Consent Decree is the perfect method
when both parties agree!**

Forms and Instructions

Summary Consent Decree Process for Dissolution (Divorce) of Non-Covenant Marriage

CHECKLIST

You may use the forms in this packet if . . .

- ✓ Both spouses want to get a divorce, AND,
- ✓ Both spouses agree to **ALL** the terms of the divorce and will work together to complete, sign, and file the necessary papers, AND,
- ✓ You **DO NOT** have a “covenant” marriage, (these papers will not work for a covenant marriage)* AND,
- ✓ Either spouse has lived in Arizona at least 90 days before you file the forms; or either spouse is a member of the armed forces and has been stationed in Arizona at least 90 days before you file AND,
- ✓ You **DO NOT** have minor child(ren) born to you or your spouse before OR during the marriage AND,
- ✓ You believe that the marriage is irretrievably broken (you and your spouse cannot make this marriage work) AND,
- ✓ Either spouse has tried to resolve your marital problems through Conciliation Services, or there is no point in trying to resolve your marital problems.

*What is a “Covenant Marriage?” As of August 21, 1998, the Arizona Legislature created a type of marriage called “covenant” marriage (A.R.S. § 25-901). To have a covenant marriage, both spouses would have had to:

1. sign papers asking to have a covenant marriage;
2. attend pre-marital counseling; AND
3. the marriage license says it’s a “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.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library and Resource Center website.

Instructions and Procedures: How to file papers with the court to ask for a Summary Consent Decree of a non-covenant marriage

STEP 1. Fill out the “Domestic Relations Cover Sheet” and the “Confidential Secure Data Form.” You do not need to make a copy of these documents unless you want one for your records.

STEP 2. Complete the “Notice of Intent to File Summary Consent Decree” and the “Petition and Response for Dissolution.”

STEP 3. Make 2 copies of the following documents after you have filled them out so that you have **3** sets of paperwork: (1) to file with the Court, (2) one for the Petitioner, and (3) one for Respondent:

The following documents get filed with the court at the **beginning** of your case:

- ☐ Preliminary Injunction
- ☐ Notice of Intent to File Summary Consent Decree for Dissolution of Non-Covenant Marriage
- ☐ Petition and Response for Dissolution of a Non-Covenant Marriage
- ☐ Notice of Your Rights About Health Insurance Coverage
- ☐ Notice Regarding Creditors
- ☐ Affidavit of Minor Children (this form is required even though there are no children of this marriage)
- ☐ Confidential Sensitive Data Form

The following documents **DO NOT** get filed at the **beginning** of your case. Instead, these documents are submitted to the judge for signing **at the end** of your case. The documents listed below need to be sent to the judge before the end of the 60-day waiting period as described in Step 7 below.

- ☐ Summary Consent Decree
- ☐ Income Withholding Order (if spousal maintenance/alimony is being ordered and is to be paid by Income Withholding Order)

STEP 4. Start your divorce by filing the papers from Step 3 with the Court and paying your filing fee.

TO FILE: Go to the Clerk of Superior Court filing counter on the ground floor of the Superior Courthouse. The Court is open from 8:00 a.m. - 5:00 p.m., Monday-Friday. You should go to the Court at least two hours before it closes.

**Superior Court of Pima County
110 W Congress St.
Tucson, AZ 85701**

Both parties' filing fees are due at the time of filing. The parties can pay their fees separately or make one payment. A list of the current filing fees is available online at <https://www.sc.pima.gov/law-library/forms/> under Family Court tab, at the Clerk of Superior Court's website <http://www.cosc.pima.gov/>, and/or from the Law Library and Resource Center.

The Clerk accepts the following forms of payment: cash, money order, wire transfer, credit cards, and debit cards (run as a credit card transaction). Business checks are accepted from law firms, process servicers, runner services, and certified document preparers, only when it's a clearly identified business check, imprinted with the firm's business address.

If you cannot afford the filing fee, you may request a *deferral* (payment plan) when you file your papers with the Clerk. Deferral Applications are available at no charge from the Law Library and Resource Center and Clerk's office (packet #12).

Bring 3 sets of following pleadings to file with Clerk's office to start the divorce:

Set 1 – For Court

Set 2 - Petitioner

Set 3 – Respondent

<ul style="list-style-type: none">- Domestic Relations Cover sheet- Confidential Sensitive Data Form- Preliminary Injunction (one for each party)- Notice of Intent to File Summary Consent Decree- Petition and Response for Dissolution of Marriage- Notice of Your Rights About Health Insurance Coverage- Notice Regarding Creditors	<ul style="list-style-type: none">- Preliminary Injunction (one for each party)- Notice of Intent to File Summary Consent Decree- Petition and Response for Dissolution of Marriage- Notice of Your Rights About Health Insurance Coverage- Notice Regarding Creditors- Affidavit RE Minor Children	<ul style="list-style-type: none">- Preliminary Injunction (one for each party)- Notice of Intent to File Summary Consent Decree- Petition and Response for Dissolution of Marriage- Notice of Your Rights About Health Insurance Coverage- Notice Regarding Creditors- Affidavit RE Minor Children
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Hand sets 1, 2 and 3 of your court papers to the Clerk of Superior Court along with the filing fee. The Clerk will file in the originals and give you back conformed (stamped) copies. Each party should take one set to keep for their own records.

STEP 5. Wait approximately 60 days after you have filed and paid the fees. When approximately 60 days have past and you are ready to submit your Summary Consent Decree to finalize your divorce, then proceed to step 6. If either party (or both), wish to withdraw from the Summary Consent Decree before the 60 days, please go to page 8 and 9 for information regarding “Motion to Withdraw.”

PLEASE NOTE: If you fail to submit your final Summary Consent Decree within 120 days of starting your case, your case may be dismissed.

STEP 6. Complete the following documents. These are the documents that will finalize your divorce:

- ☐ Summary Consent Decree (signed by the parties)
- ☐ Income Withholding Order (if applicable)

Please note the following information regarding the final documents:

SUMMARY CONSENT DECREE -make sure the following are included with the decree form:

- COMPLETE and ADD “**Exhibit A**” regarding the division of property and debt at the end of the Summary Consent Decree.
- ADD the **Fee Receipts** or a copy of the ORDER for Initial Deferral to show the “Paid” status of your case at the end of the Summary Consent Decree.
- Then, in the presence of a notary both parties SIGN the Summary Consent Decree. The Clerk of Court at the Superior Court can provide this service.

INCOME WITHHOLDING ORDER

- If spousal maintenance (“alimony”) is going to be paid by one of the parties, then you can submit an Income Withholding Order (“IWO”) if you want the payments to be deducted from the payor’s paychecks by his/her employer. Spousal maintenance can also be paid directly from one party to the other. An IWO is only required if you want the employer to deduct the payments.

NOTE: Please speak to an attorney if you are unsure if you want spousal maintenance payments to be deducted by an Income Withholding Order or to be paid directly between the parties.

- You can find the Income Withholding Order (“IWO”) on the Court’s website: <https://www.sc.pima.gov/law-library/child-support-calculator/>. The IWO is available in two places at this link:
 - The form can be downloaded by itself by clicking the link labeled “Income Withholding for Support (Efiling compatible)”
 - OR**
 - The form is available through the Court’s child support calculator (click the link labeled “Child Support Calculator form Superior Court, Pima”).

STEP 7. Instructions on how to send the final documents to the judge for final signature are listed below:

- (1) Create **3 sets** (1 original and 2 copies) of the following documents that you completed in Step 6 above:

- ☐ Summary Consent Decree (signed by the parties)
- ☐ Income Withholding Order (if applicable)

- (2) Send your final documents to your judge in the manner stated below:

Address TWO 9” x 12” envelopes: a) to you, and b) to the other Party or his or her attorney.

- 1. Place one set of the documents into each 9” x 12” envelopes.** Each set should contain the following documents:

- ☐ Summary Consent Decree (signed by the parties)
- ☐ Income Withholding Order (if applicable)

- 2. Postage:** Be sure you put enough postage on the 9” x 12” envelopes.

- 3. Paperclip all of your ORIGINAL documents (the ones with the original signatures) together to take to the Court.** The Original documents do not need to be in an envelope as they will be filed with the Court and will not be returned to you.

NOTE: If the Decree must deal with the division of retirement funds, pensions or annuities, etc., you may also need a complex document called a “QDRO,” which will require the services of a specialized legal professional. The Law Library and Resource center does not have a “*Property Settlement Agreement*” or a “QDRO”. See a lawyer if you need these documents.

- (3) **DELIVER** your Originals and the extra sets you put into envelopes to the Clerk of Court.

- **Hand-deliver** by dropping the document off at the Clerk of Court Office located on the first floor of the Superior Court located at 110 W. Congress. The Clerk’s Office is open Monday through Friday, 8:00 a.m. to 5:00 p.m.
- **Mail** all of the documents to the Clerk’s Office at:

Pima County Superior Court – Clerk’s Office
110 W. Congress
Tucson, AZ 85701.

WHAT HAPPENS NEXT?

It is within the Judge's/Commissioner's discretion whether to accept or reject the Decree, or to schedule a court hearing.

1. **IF YOUR SUMMARY CONSENT DECREE IS ACCEPTED:** the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of Superior Court. The Court will send a copy of the signed Decree to each party using the envelopes you provided. This is your notification that your divorce/legal separation is now final. **You are not divorced or legally separated until the Judge/Commissioner signs the Decree and the Decree is filed with the Clerk.**
2. **IF YOUR SUMMARY CONSENT DECREE IS REJECTED:** the Court will send you a ***"Correction Notice"*** informing you of the mistakes with the documents. Follow the instructions on the ***"Correction Notice"***. **If the mistakes cannot be corrected, see a lawyer for help.**
3. **IF THE JUDGE/COMMISSIONER SCHEDULES A HEARING:** the Court will send notice of a scheduled date, time and location for a hearing which both parties must attend to answer any questions the Judge/Commissioner may have.

WHAT IF YOU WANT TO WITHDRAW?

At any time before the court enters the final Summary Consent Decree, *either party* may file a "MOTION TO WITHDRAW" from the Summary Consent Decree process.

- ❖ If one party wishes to withdraw, then the case will ***continue*** as a dissolution or separation proceeding upon the parties paying the additional fees and filing the appropriate pleadings.
- ❖ If *both parties* jointly agree to withdraw from the summary consent agreement, then the court will ***dismiss*** the entire case, and you will have to start a new divorce case with the court. The next page covers instructions for filing a "Motion to Withdraw."

Forms referenced in these instructions may be downloaded and printed from www.sc.pima.gov or purchased from the Law Library and Resource center.

Instructions and Procedures: Motion to Withdraw Notice of Intent to File Summary Consent Decree

STEP 1. Complete the Motion form

- List the date the “Notice of Intent to File Summary Consent Decree for Dissolution of a Non-Covenant Marriage” was filed.
- Check the box to tell the Court which party you are. Explain why you wish to withdraw the “Notice.”
- Sign and date the Motion.
- Enter the name and address of the other party. You must mail them a copy.

STEP 2. Make copies and File.

- Make three (3) copies of the Motion.
- File the original Motion and 3 copies with the Clerk of Superior Court and ask to have the copies stamped. These are called “conformed copies” and serve as proof that the original was filed.

STEP 3. Deliver a conformed copy of the Motion to the Judge assigned to your case. Mail a copy to the other party or if they have an attorney, mail it to their attorney.

STEP 4. Wait to receive a notice from the Court. Once you have delivered your Motion, the Judge will issue an Order telling you whether your Motion has been granted. The Court will mail a copy to you and the other party.

NOTE: It is always best to consult with a lawyer before filing legal documents. The Law Library and Resource Center website provides various resources that can help you find a lawyer at a reduced rate.

DOMESTIC RELATIONS COVER SHEET

Complete this form to the best of your ability and include all known petitioners and respondents.

For Court Use Only

DATE FILED: _____

CASE NUMBER: _____

JUDGE: _____

PLEASE TYPE OR PRINT

PETITIONER'S ATTORNEY _____ ATTORNEY No. _____

PETITIONER'S NAME(S) (List All)

PETITIONER'S ADDRESS(ES)

(Include only if not represented by an attorney)

RESPONDENT'S NAME(S) (List All)

CASE PREFERENCE _____

(cite statute or rule)

EMERGENCY ORDER SOUGHT:

☐ TEMPORARY RESTRAINING ORDER

☐ PRELIMINARY INJUNCTION

☐ OTHER _____

(Specify)

NATURE OF ACTION

Place an "x" in the box which describes the nature of the case you are filing.

If more than one, circle the predominant one.

☐ DISSOLUTIONS (300)

☐ UNCLASSIFIED DOMESTIC (370)

☐ Dissolution

☐ DOMESTIC CUSTODY

☐ Foreign Decree

☐ Special Paternity – Maternity (310)

☐ Annulment (320)

☐ Legal Separation (330)

☐ Reciprocal Support (350)

☐ Domestic Violence (360)

NOTE: FILL OUT ONLY ONE SENSITIVE DATA FORM. COPIES ARE ONLY NECESSARY IF EACH PARTY WANTS TO KEEP A COPY OF THAT FORM FOR THEIR OWN RECORDS.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

CONFIDENTIAL SENSITIVE DATA FORM

Respondent

A. Personal Information:

Name	Birth Date	Social Security Number
Petitioner: _____	_____	_____
Respondent: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____

B. Financial account numbers (including credit cards, financial institution accounts, investments, debts):

Financial Institution	Type of Account	Name(s) on Account	Account #
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Pension and retirement accounts (including IRAs and 401ks):

Financial Institution	Type of Account	Name(s) on Account	Account #
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Life insurance policies:

Insurance Company	Type of Policy	Name(s) on Policy	Policy #
_____	_____	_____	_____
_____	_____	_____	_____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

PRELIMINARY INJUNCTION FROM THE COURT AGAINST BOTH PETITIONER AND RESPONDENT

WARNING TO PETITIONER AND RESPONDENT: THIS IS AN OFFICIAL ORDER FROM THE COURT. IT AFFECTS YOUR RIGHTS. READ THIS ORDER IMMEDIATELY AND CAREFULLY. IF YOU DO NOT UNDERSTAND IT, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

A Petition for Dissolution (Divorce) has been filed with the court by your spouse. As a result, this Order is made at the direction of the Presiding Judge of the Superior Court of Arizona, Pima County, under the authority of Arizona Law, A.R.S. § 25-315 (A). This Order has the same force and effect as an Order personally signed by the Judge. You and your spouse are required to follow this Order. It may be enforced by any remedy available under the law, including an order of CONTEMPT OF COURT.

- ACTIONS BY YOU OR YOUR SPOUSE WHICH ARE FORBIDDEN BY THIS ORDER:** From the time this Petition for Dissolution (Divorce) is filed with the court, until a Decree of Divorce is entered, or until further Order of the court, both the PETITIONER AND THE RESPONDENT shall not, by Order of this court, take any of the following forbidden actions:

NOTE: THE LAW REQUIRES THAT THE EXACT LANGUAGE OF A.R.S. § 25-315(A) BE INCLUDED IN THIS ORDER. FURTHER EXPLANATION OF THE REQUIREMENTS OF THIS ORDER ARE INCLUDED HERE BEFORE THE ACTUAL STATUTE (LAW). READ THE EXPLANATION, WHICH IS FOLLOWED BY THE STATUTE ITSELF. IF YOU HAVE FURTHER QUESTIONS YOU SHOULD CONTACT AN ATTORNEY FOR LEGAL ADVICE.

- RESTRICTIONS ON YOUR JOINT PROPERTY:** This Order recognizes that since you and your spouse both may have an interest in property acquired or paid for during the marriage, you may not hide earnings or property from your spouse; you may not

take out a loan on any of this property; you may not sell it or give it away to someone else, UNLESS you have the written permission of your spouse or permission in writing from the court. The law does recognize that there may be situations where joint or community property may need to be transferred as part of the everyday running of a business, or that occasionally the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing or court fees and reasonable attorney fees associated with this action.

- b. **RESTRICTIONS ON YOUR BEHAVIOR:** The Order is designed to protect you, your spouse, and your children from actions by your spouse which may be disruptive, or physically or emotionally harmful. While Divorce can be a difficult process, it does not give either spouse the right to either harass or bother the other spouse or the children. The court does not tolerate physical abuse or threats in any form.
- c. **RESTRICTIONS ABOUT YOUR CHILDREN:** This Order specifically states that you cannot take your common children out of the state of Arizona for any reason, without a written agreement between you and your spouse or a court Order, before the children are taken from the state. This Order is designed to allow both parents continuing access to and contact with the children.
- d. **RESTRICTIONS ABOUT INSURANCE:** Do not remove or cause to be removed the other party or the children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

Arizona Law, A.R.S. § 25-315(A) specifically provides as follows:

- 1. The preliminary injunction shall be directed to each party of the action and contain the following orders:
 - a. That both parties are enjoined from transferring, encumbering, concealing, selling or otherwise disposing of any of the joint, common or community property of the parties except if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
 - b. That both parties are enjoined from molesting, harassing, disturbing the peace of or committing an assault or battery on the person of the other party or any natural or adopted child of the parties.
 - c. That both parties are enjoined from removing any natural or adopted child of the parties then residing in Arizona from this state without the prior written consent of the parties or the permission of the court.

- d. That both parties are enjoined from removing or causing to be removed the other party or the children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. That both parties shall maintain all insurance coverage in full force and effect.
2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served according to law. If service is made upon the Respondent by registered mail according to the Arizona Rules of Civil Procedure, the Order is effective upon receipt of the Order by the Respondent. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Legal Separation, or Annulment is filed, or the action is dismissed.
3. **ADDITIONAL ORDER TO PETITIONER:** You must serve a copy of this Order upon the Respondent with the copy of the Petition for Dissolution or Legal Separation and the Summons and other required court papers.

WARNING

THIS IS AN OFFICIAL COURT ORDER. IF YOU DISOBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT. YOU MAY ALSO BE ARRESTED AND PROSECUTED FOR THE CRIME OF INTERFERING WITH JUDICIAL PROCEEDINGS AND ANY OTHER CRIME YOU MAY HAVE COMMITTED IN DISOBEYING THIS ORDER.

YOU OR YOUR SPOUSE MAY FILE A CERTIFIED COPY OF THIS ORDER WITH YOUR LOCAL LAW ENFORCEMENT AGENCY. A CERTIFIED COPY MAY BE OBTAINED FROM THE CLERK OF THE COURT WHICH ISSUED THIS ORDER. IF YOU ARE THE PERSON THAT BROUGHT THIS ACTION, YOU MUST ALSO FILE EVIDENCE WITH THE LAW ENFORCEMENT AGENCY THAT THIS ORDER WAS SERVED ON YOUR SPOUSE.

THIS COURT ORDER IS EFFECTIVE UNTIL A FINAL DECREE OF DISSOLUTION OR OF LEGAL SEPARATION IS FILED OR THE ACTION IS DISMISSED.

GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of Pima this _____ day of _____, 20____.

CLERK OF THE SUPERIOR COURT

By _____
Deputy Clerk

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

NOTICE OF INTENT TO FILE SUMMARY CONSENT DECREE FOR DISSOLUTION OF A NON- COVENANT MARRIAGE

Petitioner and Respondent hereby notify the Court that they intend to proceed using the Summary Consent Decree Process.

Petitioner Signature

Date

Respondent Signature

Date

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____ Case No. _____
Petitioner
and _____
ATLAS No. _____

_____ PETITION AND RESPONSE FOR
Respondent DISSOLUTION OF A NON-
COVENANT MARRIAGE

Petitioner and Respondent Petition the Court and state the following under oath or affirmation:

1. Information About Petitioner:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Petitioner has lived in Arizona for _____ years and/or _____ months.

2. Information About Respondent:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Petitioner has lived in Arizona for _____ years and/or _____ months.

- 3. 90-Day Requirement:** (One of the parties MUST have lived in Arizona for 90 days before you can file for divorce in Arizona). ☐ Petitioner OR ☐ Respondent has lived in Arizona (OR has been stationed in Arizona while a member of the Armed Forces) for at least 90 days before we filed this action.

4. Information About Our Marriage:

Date of Marriage: _____

City and State, or Country where we were married: _____

The following statements **MUST BE TRUE** for you to use this document and to qualify for divorce in Arizona **AND** you must check all of the boxes to indicate that the statements are true or your case may not proceed.

- ☐ We do not have a covenant marriage. (If not sure, refer to the instructions for information).
- ☐ Our marriage is irretrievably broken and there is no hope of reconciliation.
- ☐ We are aware of the free marriage counseling offered by the Conciliation Court, and we do not believe using those services would save our marriage.

5. Information About Our Children Who Are Under the Age of 18:

- ☐ There ARE minor children of this marriage (**STOP! You are using the wrong packet**).
- ☐ There are NO minor children of this marriage.

6. Pregnancy:

- ☐ Neither party is currently pregnant.
- ☐ One of the parties is currently pregnant.
 - ☐ Petitioner ☐ Respondent is currently pregnant with a child due to be born on _____ (due date).

☐ Petitioner ☐ Respondent is the child's biological parent (**STOP! You are using the wrong packet – you need to file for divorce WITH children**).

OR

☐ Petitioner ☐ Respondent is not the child's biological parent and owes no duty of support and is not entitled to legal decision-making or parenting time rights.

7. Statements and Waivers

The parties make the following statements and/or waivers:

- a. The provisions of A.R.S. § 25-381.09 do not apply or have been met.
- b. Petitioner and Respondent hereby waive formal service of process of the Petition for Dissolution through the methods stated in Rule 41 of the Arizona Rules of Family Law Procedure.
- c. By signing and filing this “Petition and Response,” Respondent voluntarily appears in this matter and no Summons will be issued or served. This voluntary appearance has the same effect as if a Summons had been issued and served pursuant to Rule 40 of the Arizona Rules of Family Law Procedure.
- d. Both parties are aware that they may withdraw from the Summary Consent Decree procedure at any time before a Summary Consent Decree is entered by filing a *Notice of Intent to Withdraw*.
 - i. We understand that if one of us wishes to withdraw from the Summary Consent Decree process, then we will need to pay the additional filing fees and ensure that all of the required pleadings are filed in this case in order to proceed.
 - ii. We understand that if both of us wish to withdraw from the Summary Consent Decree process, that this case will be dismissed, and we will need to file a new dissolution case with the Court and pay the appropriate filing fees.
- e. This Petition and Response constitute the Petition for Dissolution as well as the required Response pursuant to Rule 23 of the Arizona Rules of Family Law Procedure.
- f. Petitioner and Respondent have reached a full agreement as to all issues in this divorce, including the issues of spousal maintenance and the division of our property and debts. We will submit our agreements in written form as a Summary Consent Decree to our assigned judge for signature **by no later than 60 days** after filing this Petition and Response.

JOINT REQUESTS WE MAKE TO THE COURT: The parties jointly request the Court issue Orders for the following:

- A. Dissolve our marriage and return each party to the status of a single person.
- B. Approve the orders detailed in the Summary Consent Decree we will submit to the Court within the next 60 days regarding the following:
 1. Restoration of name (if applicable);
 2. Spousal Maintenance (if applicable);
 3. The division of our community property and debts;

4. Affirm the appropriate party their separate property and debts;
 5. Any other orders that may be necessary.
- C. Order us to comply with the terms of the Summary Consent Decree.
- D. Any other just relief this Court deems necessary and appropriate.

Petitioner Oath or Affirmation and Verification

I swear or affirm my statements in this Petition and Response and my requests to the Court are true and correct under penalty of perjury.

Petitioner's Signature

Date

Printed Name

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

(notary seal)

Deputy Clerk or Notary Public

Respondent Oath or Affirmation and Verification

I swear or affirm my statements in this Petition and Response and my requests to the Court are true and correct under penalty of perjury.

Respondent's Signature

Date

Printed Name

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

Respondent or
Respondent's Attorney: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

SUMMARY CONSENT DECREE OF
☐ **DISSOLUTION OF MARRIAGE**
(DIVORCE)
☐ **with NO minor children in a Non-**
Covenant Marriage

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. This Summary Consent Decree states the terms of the Parties' agreement.
2. This Court has jurisdiction over the parties under the law.
3. 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 spousal maintenance (alimony) and the division of property and/or debts.
4. The Parties agree to proceed by consent.

5. The provisions of this Decree are fair and reasonable under the circumstances and the division of property and debt is fair and equitable.
6. At least 60 days have passed between the time Respondent was served and the time the Parties filed for this Decree.
7. **Arizona Residency:** The requirements of A.R.S. § 25-312 for dissolution of marriage have been met. If this is an action for dissolution of marriage (divorce), Petitioner and/or Respondent was/were domiciled or stationed in Arizona for more than 90 days.
8. **Conciliation Court:** The provisions relating to the Conciliation Court either do not apply or have been met.
9. **Irretrievably Broken:** The marriage is irretrievably broken.
10. **Covenant Marriage:** This is a non-covenant marriage.
11. **Community Property and Debt:** (Select one.)
☐ The parties did not acquire any community property or debt during the marriage,
OR
☐ The parties have agreed to a division of community property and/or debt as evidenced by their signatures on “Exhibit A” attached to and incorporated into this Decree. All community property and debt is divided pursuant to this Decree.
12. **Separate Property and Debt:**
☐ The parties did not acquire any separate property or debt during the marriage,
OR
☐ There IS an agreement as to division of separate property and debt; all separate property and debt is divided pursuant to this Decree.
13. **Spousal Maintenance/Support:** (Select one.)
☐ Neither party is entitled to an award of Spousal Maintenance/Support,
OR
☐ Petitioner OR ☐ Respondent is entitled to an award of Spousal Maintenance/Support, for at least one of the reasons listed below:
- lacks enough property, including property given to him or her as part of this divorce or legal separation, 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 child(ren) of young age, or
 - is of a condition that they should not be required to look for work outside the home, or

- made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability 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 employment to be self-sufficient, or
- has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.

14. Minor Children:

- ☐ There ARE minor children of this marriage (**STOP! You are using the wrong packet**).
- ☐ There are NO minor children of this marriage.

15. Pregnancy:

- ☐ Neither party is currently pregnant.
- ☐ One of the parties is currently pregnant.

☐ Petitioner ☐ Respondent is currently pregnant with a child due to be born on _____ (due date).

☐ Petitioner ☐ Respondent is the child's biological parent (**STOP! You are using the wrong packet – you need to file for divorce WITH children**).

OR

☐ Petitioner ☐ Respondent is not the child's biological parent and owes no duty of support and is not entitled to legal decision-making or parenting time rights.

THE COURT ORDERS:

A. DISSOLUTION OF MARRIAGE (“Divorce”):

- ☐ **The Marriage is Dissolved:** The marriage of the parties is dissolved, and the parties are restored to the legal status of single persons.

B. NAME RESTORATION: (In a divorce case, IF one or *both* parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.)

☐ Petitioner's name is restored to:

--	--	--

Date of Birth: _____

☐ Respondent's name is restored to:

--	--	--

Date of Birth: _____

C. ENFORCEMENT OF PRIOR ORDERS:

☐ Not applicable, as no temporary orders or protective orders have been issued in this case.

OR

i. Temporary Orders for Spousal Maintenance:

☐ All temporary spousal maintenance that either party was ordered to pay by this Court have been paid in full through the date of this Summary Consent Decree.

OR

☐ Petitioner ☐ Respondent was ordered to pay temporary spousal maintenance by this Court on _____ (date) and still owes _____ (amount) as of the date of this Summary Consent Decree. A judgment is entered against ☐ Petitioner ☐ Respondent and in favor of the other party in the amount of \$ _____ (amount still owed). This judgment will accrue interest at the highest rate allowed by the law until the amount is paid in full.

ii. PROTECTIVE ORDERS: This Summary Consent Decree has the following effect on any existing protective orders:

☐ Not applicable as there are no protective orders in this case.

OR

☐ The effect on the protective orders involving the parties is as follows:

F. SPOUSAL MAINTENANCE (ALIMONY):

☐ Neither party shall pay spousal maintenance (alimony) to the other party.

OR

☐ Petitioner ☐ Respondent is ordered to pay \$_____ per month in spousal maintenance to the other party beginning the first day of the month after this Summary Consent Decree is signed subject to the terms listed below (complete sections a, b, c, and d below):

a. Termination by death or remarriage (check one of the following):

☐ Spousal maintenance WILL terminate upon death of either party or the remarriage of the party receiving spousal maintenance.

☐ Spousal maintenance WILL NOT terminate upon the death of either party or the remarriage of the party receiving spousal maintenance.

b. Duration of Payments (how long spousal maintenance will be paid – You must check one of the following boxes):

Spousal maintenance will be paid for the following period (choose one):

☐ Until the Court orders the payments to stop;

☐ For _____ months (example: 60 months)

☐ Other: _____

c. Payment of spousal maintenance (You must indicate how spousal maintenance will be paid):

☐ Spousal maintenance will be paid by Income Withholding Order. An Income Withholding Order has been submitted to the judge for signature along with this Summary Consent Decree (you must submit an Income Withholding Order if spousal maintenance will be paid by wage garnishment).

OR

☐ Spousal maintenance will be paid by ☐ Petitioner ☐ Respondent to the other party by direct payment each month as stated below (please put in the date the spousal maintenance payment is due each month and the method in which is will be paid (i.e., check, Zelle, Venmo, etc.)

d. Modifiability of Spousal Maintenance (you must choose one of the following options):

☐ The spousal maintenance CAN be modified in the future by the court.

OR

☐ The spousal maintenance CANNOT be modified for any reason by the court.

G. DIVISION OF PROPERTY AND DEBTS:

- i. Petitioner is ordered to pay all community debts unknown to Respondent, AND Respondent is ordered to pay all community debts unknown to Petitioner.
- ii. Each party is ordered to pay his or her community debts personally incurred after the following date _____ (date of separation).
- iii. Other orders and relief relating to the division of property and debt are contained in Exhibit A, which is attached and incorporated into this Summary Consent Decree.
- iv. 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 financial institution accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before 5:00 p.m. on _____ (date).
- v. 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 Superior Court commanding the sheriff to put him or her in possession of the property.

H. TAX RETURNS:

Each party shall give the other party all necessary documentation to file all tax returns. Beginning the first year after the Summary Consent Decree is signed, the parties will file separate federal and state income tax returns.

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

☐ Joint federal and state income tax returns and hold each other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds,

OR

☐ Separate federal and state income tax returns.

I. FINANCIAL INFORMATION EXCHANGES: In cases in which spousal maintenance is ordered, the parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) before April 15th each year. The duty to exchange financial information ends when spousal maintenance terminates.

J. QUALIFIED DOMESTIC RELATIONS ORDER (“QDRO”; used to divide retirement accounts):

- ☐ A QDRO is not necessary, OR
- ☐ A QDRO is submitted herewith, OR
- ☐ A QDRO will be submitted to the Court as soon as practicable.

The Court shall retain jurisdiction over the subject matter of the QDRO.

K. OTHER ORDERS: (List any other orders.)

L. FINAL APPEALABLE ORDER: Pursuant to Rule 78(c) of the Arizona Rules of Family Law Procedure, this final judgment/decreed is settled, approved, and signed by the

Court and shall be entered by the clerk. This Summary Consent Decree is intended to be a final appealable order as no further issues remain pending in this matter.

Date

Judicial Officer

SIGNATURES OF BOTH PARTIES UNDER OATH OR AFFIRMATION

By signing below, in the presence of a Deputy Clerk of Superior Court or Notary Public, I swear or affirm that everything in this document is true and correct to the best of my knowledge, information, and belief, including the following:

- 1. NON-COVENANT MARRIAGE.** We do not have a covenant marriage.
- 2. RIGHT TO TRIAL IS WAIVED.** I understand that by signing this Summary Consent Decree, I am waiving my right to a trial before a judge.
- 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 Summary Consent Decree. This Decree with any attachments that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.
- 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 Summary Consent Decree.
- 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]*.
- 6. DIVISION OF PROPERTY.** The agreement about division of property and debt attached as “**Exhibit A**”, signed by both parties and made part of this document by reference, is fair and equitable.

SIGNATURES

Petitioner's Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ By
(Date)

(Notary seal)

Deputy Clerk or Notary Public

Respondent's Signature

Date

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ By
(Date)

(Notary seal)

Deputy Clerk or Notary Public

If either party is represented by an attorney, the attorney(s) must also sign below.

ATTORNEY SIGNATURES (if applicable)

If either party is represented by an attorney, the attorney must sign:

Date

Approved by Petitioner's Attorney

Date

Approved by Respondent's Attorney

EXHIBIT A: PROPERTY AND DEBTS (attach to the Summary Consent Decree):

1. DIVISION OF COMMUNITY PROPERTY (Property acquired during the marriage)

- ☐ Award each party the personal property in his/her possession.
- ☐ Community property is awarded to each party as follows:

2. LIST OF COMMUNITY PROPERTY (Be very specific in your description)

AWARD TO

Household Furniture and Appliances

(Be specific)

Petitioner

Respondent

[illegible]

Video: TV/DVD/DVR/VCR, etc.

(Be specific)

Audio: Stereo/Radio (Household or portable)

(Be specific)

Bank Accounts

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Computers and Related Equipment

(Be specific)

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Business	(Be specific)	Petitioner	Respondent
Business Name: _____		<input type="checkbox"/>	<input type="checkbox"/>
Business Name: _____		<input type="checkbox"/>	<input type="checkbox"/>
Motor Vehicles	(Be specific)		
1. Year, Make, Model: _____		<input type="checkbox"/>	<input type="checkbox"/>
Last 4 digits of VIN # _____			
2. Year, Make, Model: _____		<input type="checkbox"/>	<input type="checkbox"/>
Last 4 digits of VIN # _____			
3. Year, Make, Model: _____		<input type="checkbox"/>	<input type="checkbox"/>
Last 4 digits of VIN # _____			
COMMUNITY PROPERTY	(Be specific)		
Cash, bonds of \$ _____		<input type="checkbox"/>	<input type="checkbox"/>
Other: _____		<input type="checkbox"/>	<input type="checkbox"/>
Other: _____		<input type="checkbox"/>	<input type="checkbox"/>
Other: _____		<input type="checkbox"/>	<input type="checkbox"/>
Other: _____		<input type="checkbox"/>	<input type="checkbox"/>
Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

☐ Continues on attached page(s)

CATCH-ALL: Property in each party's possession and/or control not specifically addressed above, including but not limited to, household furniture and appliances, household furnishings, retirement funds, investments, bank accounts, vehicles, businesses and personal property (i.e., clothing, jewelry, etc.); shall be awarded to the party in possession and or control at the time this Decree is entered.

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.

☐ Neither party has a retirement, pension, deferred compensation, 401k plan and/or benefits.

OR

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

OR

- ☐ Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party.

4. DIVISION OF REAL PROPERTY (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

- A.** Real property located at (address)_____.
The *legal description* of this property, *as quoted from the DEED to the property* is:*

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("A") described above is awarded as the sole and separate property of:

☐ Petitioner or ☐ Respondent

OR

☐ Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner

_____ % or \$ _____ to Respondent

- B.** Real property located at (address)_____.
The *legal description* of this property, *as quoted from the DEED to the property* is:*

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

☐ Petitioner or ☐ Respondent

OR

☐ Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Petitioner

_____ % or \$ _____ to Respondent

5. DIVISION OF COMMUNITY DEBT (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Petitioner	Amount to be paid by Respondent
a. _____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____
		Amount to be paid by Petitioner	Amount to be paid by Respondent
Creditor Name	Amount Owed		
c. _____	\$ _____	\$ _____	\$ _____
d. _____	\$ _____	\$ _____	\$ _____
e. _____	\$ _____	\$ _____	\$ _____
f. _____	\$ _____	\$ _____	\$ _____
g. _____	\$ _____	\$ _____	\$ _____
h. _____	\$ _____	\$ _____	\$ _____
i. _____	\$ _____	\$ _____	\$ _____

☐ Continues on attached page.

6. SEPARATE PROPERTY. (Property acquired before the marriage or by gift or bequest to one party.) Property recognized as the separate property of Party A or Party B, is assigned below:

Description	Value	To Petitioner	To 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"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

7. SEPARATE DEBT: (Debt acquired before the marriage.)

Debt recognized as the separate debt of Petitioner or Respondent is assigned below:

Creditor Name	Debt Amount	Petitioner pays	Respondent Pays
_____	\$ _____	<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"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>
_____	\$ _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continued on attached page

Indemnification of Debts: Any allocated debts in this Decree shall not be binding on any third-party or creditor. If the party to whom the debt is not allocated is required to pay that debt, the party to whom the debt is allocated shall indemnify and hold harmless the party to whom the debt was not allocated. Furthermore, any debts or obligations incurred by either party before the date of separation, 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

SIGNATURE OF BOTH PARTIES (for Summary Consent Decree)

This “Exhibit A” represents the agreement of the parties as to the division of property and debt. The terms of the agreement are fair and equitable and have been reached free of coercion, duress, or threat of force.

By signing below, each of us states to the court under penalty of perjury that we have read and understand this document, and that the information contained in the document is true and correct to the best of our individual knowledge and belief.

_____	_____
Petitioner’s Signature	Date

_____	_____
Respondent’s Signature	Date

If either party is represented by an attorney, the attorney(s) must sign:

_____	_____	_____	_____
Petitioner’s Attorney	Date	Respondent’s Attorney	Date

**NOTICE OF YOUR RIGHTS ABOUT HEALTH INSURANCE COVERAGE
WHEN A PETITION FOR DISSOLUTION (DIVORCE) IS FILED
(A.R.S. §20-1377 AND §20-1408)**

Petitioner: _____

Case #: _____

Respondent: _____

WARNING: THIS IS AN IMPORTANT LEGAL NOTICE. YOUR RIGHTS TO HEALTH INSURANCE COVERAGE COULD BE AFFECTED AFTER YOUR DIVORCE IS FINAL. READ THIS NOTICE CAREFULLY. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CALL AN ATTORNEY FOR ADVICE ABOUT YOUR LEGAL RIGHTS AND OBLIGATIONS.

IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE’S INSURANCE PLAN: When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse’s health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT: If you are covered by your spouse’s health insurance, and you want to continue to be covered after the divorce is final, you **must** contact the insurance company as soon as possible, and you **must** start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

If you decide you want to be covered, the insurer can choose whether to continue coverage under the current policy, or to change the policy to your name. If the policy is changed to your name, it is called a “converted” policy. If the policy is converted by the insurer, the insurer must provide the same or the most similar level of coverage available, unless you ask for a lower level of coverage.

WHAT COVERAGE APPLIES TO YOUR CHILDREN: If you choose to continue coverage as a dependent spouse, you can also choose to continue coverage for your dependent children if you are responsible for their care or support.

PREEXISTING CONDITIONS OR EXCLUSIONS FROM INSURANCE COVERAGE: Whether the insurance is continued or converted, the insurance must be provided to you without proof of insurability and without exclusions for coverage other than what was previously excluded before the insurance was continued or converted.

LIMITS ON RIGHTS TO INSURANCE COVERAGE FOR YOU AND YOUR CHILDREN: You may **not** be entitled to continued or converted coverage if you are eligible for Medicare or for coverage by other similar types of insurance which together with the continued coverage would make you over-insured. However, dependent children of a person who is eligible for Medicare may be covered by a continuance or a conversion. If you have questions about coverage, check with the insurer and/or the spouse’s employer.

OTHER OPTIONS FOR COVERAGE: Divorce is considered to be a life changing event that, under the federal Consolidated Omnibus Budget Reconciliation Act (“COBRA”), may qualify you and/or your dependents with the right to continue health coverage under the spouse’s group plan, if the employer has 20 or more employees. To find out more about your COBRA rights, you can visit the United States Department of Labor (“USDOL”) website at <https://www.dol.gov/> and search for COBRA, or you can call the USDOL at 1-866-487-2365. Divorce is also a life-changing event under the federal Affordable Care Act, which qualifies you and/or your dependents for a special enrollment period to obtain an individual health insurance policy regardless of any health conditions. Additional information is available at <https://www.healthcare.gov/> or by calling 1-800-318-2596.

WARNING TO THE SPOUSE FILING THE PETITION FOR DISSOLUTION (DIVORCE): This Notice must be served on your spouse together with the Petition for Dissolution, the Summons, and the Preliminary Injunction.

NOTICE TO CREDITORS

In your property settlement agreement or decree of dissolution or legal separation, the court may assign responsibility for certain community debts to one spouse or the other. Please be aware that a court order that does this is binding on the spouses only and does not necessarily relieve either of you from your responsibility for these community debts. These debts are matters of a contract between both of you and your creditors (such as banks, credit unions, credit card issuers, finance companies, utility companies, medical providers and retailers).

Since your creditors are not parties to this court case, they are not bound by court orders or any agreements you and your spouse reach in this case. On request, the court may impose a lien against the separate property of a spouse to secure payment of debts that the court orders the spouse to pay.

You may want to contact your creditors to discuss your debts as well as the possible effects of your court case on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. Within thirty days after receipt of a request from a spouse who is party to a dissolution of marriage or legal separation action, which includes the court and case number of the action, creditors are required by law to provide information as to the balance and account status of any debts for which the requesting spouse may be liable to the creditor. You may wish to use the following form, or one that is similar to contact your creditors.

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You may use this form to request information about debt owed by you or your spouse.
If so, send to the creditor. **DO NOT FILE THIS PAGE WITH THE COURT.**

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: Superior Court of Arizona in Pima County

Case Name: _____

Case Number: _____

Pursuant to Arizona State Law (ARS §25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: _____

Your signature: _____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

AFFIDAVIT REGARDING MINOR CHILDREN

This Affidavit Regarding Minor Children must be filed in all cases. You must fill out this form completely and provide accurate information. Use additional paper if necessary. You must file this Affidavit with the Court and serve copies of this and all other required documents on the other party or the other party's attorney.

1. THE PARTIES' MAILING ADDRESSES ARE

Petitioner: _____
Respondent: _____

2. CHILDREN OF THE PARTIES WHO ARE UNDER AGE 18. The following children are under age 18 and were born to, or adopted by, the parties.

Name: _____	Name: _____
Age: _____	Age: _____
Name: _____	Name: _____
Age: _____	Age: _____

3. INFORMATION REGARDING WHERE THE CHILDREN UNDER AGE 18 HAVE LIVED FOR THE LAST 5 YEARS. (State most recent address first)

Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____

4. INFORMATION REGARDING COURT CASES INVOLVING LEGAL DECISION-MAKING AND PARENTING TIME WITH THE CHILDREN NAMED ABOVE IN WHICH I HAVE BEEN A PARTY, WITNESS OR APPEARED IN ANY OTHER CAPACITY. (Check yes or no.)

I have OR have not been a party/witness in court in this state or in any other state that involved the legal decision- making and parenting time of the children named above.

☐ Yes ☐ No. If Yes, explain. If No, go on to next section.

Name of each child involved: _____

Name of Court: _____ Court location: _____

Court Case Number: _____ Current Status: _____

How the child is involved: _____

Summary of any Court Order: _____

5. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION- MAKING AND PARENTING TIME WITH THE CHILDREN. (Check yes or no.)

I have information about a legal decision-making and parenting time court case relating to any of the children named above that is pending in this state or in any other state.

☐ Yes ☐ No. If Yes, explain. If No, go on to next section.

Name of each child involved: _____

Name of Court: _____ Court location: _____

Court Case Number: _____ Current Status: _____

How the child is involved: _____

Summary of any Court Order: _____

6. INFORMATION REGARDING LEGAL DECISION-MAKING AND PARENTING TIME CLAIMS OF ANY PERSON. (Check yes or no.)

I have information about a legal decision-making and parenting time case relating to any of the children named above that is pending in this state or in any other state.

☐ Yes ☐ No. If Yes, explain. If No, go on to next section.

Name of each child: _____

Name of person with the claim: _____

Address of person with the claim: _____

Nature of the claim: _____

I, _____, Petitioner, being duly sworn and under oath, state that I have read this Affidavit Regarding Minor Children. All the statement in the Affidavit are true, correct, and complete to the best of my knowledge and belief.

Petitioner

Subscribed and sworn to me this _____ day of _____, 20 _____ by

(Petitioner's Name)

Notary Public

My Commission Expires:

I, _____, Respondent, being duly sworn and under oath, state that I have read this Affidavit Regarding Minor Children. All the statement in the Affidavit are true, correct, and complete to the best of my knowledge and belief.

Respondent

Subscribed and sworn to me this _____ day of _____, 20 _____ by

(Respondent's Name)

Notary Public

My Commission Expires:

NOTE: THE FOLLOWING FORM SHOULD ONLY BE FILED IN THE EVENT EITHER PARTY WISHES TO WIHDRAW THE SUMMARY CONSENT DECREE.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing ☐ Self, without a Lawyer or
☐ Attorney for ☐ Petitioner OR ☐ Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

MOTION TO WITHDRAW NOTICE OF INTENT TO FILE SUMMARY CONSENT DECREE

On _____ (Date), the parties filed a "Notice of Intent to File a Summary Consent Decree for Dissolution of a Non-Covenant Marriage." I am ☐ Petitioner ☐ Respondent and I wish to withdraw the "Notice of Intent" and have the case proceed as a contested matter. I no longer agree with the proposed Summary Consent Decree for the following reasons:

Date: _____

Printed Name

Signature

A copy of this document will be mailed this date: _____
(Month) (Day) (Year)

To the following persons: (list name and address)

