

SUMMARY CONSENT DECREE PROCESS

**for a NON-COVENANT MARRIAGE
WITH 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 have minor child(ren) who have resided (lived) in Arizona at least 6 months before you file the forms, or you talked to a lawyer who advised you that you could pursue the case in Arizona 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
- ☐ Order and Notice to Attend Parent Education Program Class
- ☐ 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
- ☐ Parenting Plan
- ☐ Child Support Worksheet
- ☐ Child Support Order
- ☐ 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- Affidavit RE Minor Children- Order and Notice to Attend Parent Education Course	<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- Order and Notice to Attend Parent Education Course	<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- Order and Notice to Attend Parent Education Course
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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 for 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.”

While you wait for the 60 days to run, make sure you complete the Parent Education Course.

- If you have **minor children**, you are required to complete the Parent Education Program as part of your divorce. For more information about the program and how to sign up, read the “Order and Notice for Parent Education Program” as well as the Superior Court website ([Parent Education \(pima.gov\)](http://Parent Education (pima.gov))).
- Please be aware that the Court cannot grant legal decision-making authority to a parent if they have not completed the Parent Education Program. If you are requesting joint legal decision-making, then both parents must complete the Parent Education Program before joint legal decision-making can be granted.

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)
- ☐ Parenting Plan
- ☐ Child Support Worksheet
- ☐ Child Support Order
- ☐ Income Withholding Order

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.

PARENTING PLAN, signed by you and your spouse

- Make sure you fill out the Parenting Plan completely and both parties need to sign the Parenting Plan.


CHILD SUPPORT ORDER, WORKSHEET, AND INCOME WITHHOLDING ORDER


- Use the online child support calculator at the following site to calculate child support pursuant to the Arizona Child Support Guidelines: <https://www.sc.pima.gov/law-library/child-support-calculator/>
- If one parent is going to pay child support to the other, then you **MUST** submit a Child Support Order, Child Support Worksheet, and an Income Withholding Order to the court for signature along with your Summary Consent Decree.
- If neither parent is going to pay child support, then you **MUST** submit the following with your Summary Consent Decree:

(1) a Child Support Order indicating that child support will be zero (\$0)

AND

(2) a Child Support Worksheet showing what amount of child support was owed under the Guidelines.

 See “*Packet 8 - Child Support*” for further instructions on the child support forms described above. Packet 8 is available at the Court’s law library and online at <https://www.sc.pima.gov/law-library/forms/>.

 **IMPORTANT!** If you or your spouse receives Temporary Assistance to Needy Families (“TANF”) **AND** the Arizona Attorney General’s Office, Division of Child Support Enforcement (“DCSE”) has previously been involved in issuing child support orders regarding your children, then you will need to obtain a signature from a DCSE representative on page 13 of your Summary Consent Decree in order for the Court to sign your final documents.

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. PLEASE NOTE: If you had to obtain a signature from DCSE on your Summary Consent Decree as described above, then you will need 4 sets of the documents:

- ☐ Summary Consent Decree (signed by the parties)
- ☐ Parenting Plan
- ☐ Child Support Worksheet
- ☐ Child Support Order
- ☐ Income Withholding Order

(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. If you had to obtain a signature from DCSE on your Summary Consent Decree as described above, address a **THIRD 9” x 12” envelope** to the Arizona Attorney General.

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)
- ☐ Parenting Plan
- ☐ Child Support Worksheet
- ☐ Child Support Order
- ☐ Income Withholding Order

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 no minor children of this marriage (**STOP! You are using the wrong packet**).
- ☐ The following children were born to, or adopted by us, before **OR** during our marriage:

Child #1

Name: _____

Date of Birth: _____

Address: _____

Child #2

Name: _____

Date of Birth: _____

Address: _____

Child #3

Name: _____

Date of Birth: _____

Address: _____

Child #4

Name: _____

Date of Birth: _____

Address: _____

****Use an additional sheet of paper if there are more than 4 children of the marriage.**

The following statement MUST BE TRUE and the box MUST BE CHECKED for Arizona to issue legal decision-making and parenting time orders (custody) for your child(ren). If this statement is NOT true, then consult an attorney for advice on how to proceed.

- ☐ Our child(ren) has/have resided in Arizona for the past 6 months prior to our filing this Petition. The Arizona Superior Court has jurisdiction to determine legal decision-making and parenting time for our child(ren). No other court in any other state or country has previously issued legal decision-making or parenting time orders regarding our minor child(ren).

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.

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, the division of our property and debts, legal decision-making, parenting time, and child support. 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. Legal decision-making and parenting time;
 - 3. Child support;
 - 4. Spousal Maintenance (if applicable);
 - 5. The division of our community property and debts;
 - 6. Affirm the appropriate party their separate property and debts;
 - 7. 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.

Signatures on next page

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 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. This Court has jurisdiction under A.R.S. § 25-1031 over the child(ren) in this matter.
4. 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), the division of property and/or debts, legal decision-making (legal custody), parenting time, and support of any minor children.

5. The Parties agree to proceed by consent.
6. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the minor children and the division of property and debt is fair and equitable.
7. At least 60 days have passed between the time Respondent was served and the time the Parties filed for this Decree.
8. **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.
9. **Conciliation Court:** The provisions relating to the Conciliation Court either do not apply or have been met.
10. **Irretrievably Broken:** The marriage is irretrievably broken.
11. **Covenant Marriage:** This is a non-covenant marriage.
12. **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.
13. **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.
14. **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.

15. THIS ORDER APPLIES TO THE FOLLOWING CHILD(REN):

Name

Date of Birth

_____	_____
_____	_____
_____	_____
_____	_____

☐ Same information for additional children listed on attached page made part of this document by reference.

16. Pregnancy:

- ☐ Neither party is pregnant.
- ☐ Petitioner is pregnant and Respondent ☐ is OR ☐ is not a parent of the unborn child.
- ☐ Respondent is pregnant and Petitioner ☐ is OR ☐ is not a parent of the unborn child.

17. Child Born to the Parties PRIOR to Marriage (if applicable):

☐ Petitioner and Respondent are the parents of the child(ren) listed below and born to the parties *before* the marriage:

Name(s)

Date(s) of Birth

_____	_____
_____	_____
_____	_____
_____	_____

18. Parent Education Program (both parties **MUST** attend the Parent Education Program if any form of joint legal decision-making has been requested):

- A. Petitioner ☐ has attended the Parent Education Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(4))

OR

Petitioner ☐ has not attended the Parent Education Program class and shall be denied any requested relief to enforce or modify this decree until Petitioner has completed the class.

- B. Respondent ☐ has attended the Parent Education Program class as evidenced by the Certificate of Completion in the court file or attached. (Rule 45(c)(4))

OR

Respondent ☐ has not attended the Parent Education Program class and shall be denied any requested relief to enforce or modify this decree until Respondent has completed the class.

19. Child Support: The Court finds that Petitioner and Respondent owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support, and are attached hereto and incorporated herein by reference.

Check the box below, if applicable:

- ☐ At least one of the parties receives TANF or services from Title IV-D programs and written approval from the Attorney General or county attorney of our child support agreement is attached (last page of the Summary Consent Decree).

20. Domestic Violence:

IF there has been domestic violence between the parties AND legal decision-making (legal custody) is to be shared with or awarded to a parent who has committed domestic violence, check appropriate box and explain. (A.R.S. § 25-403.03)

- A. Domestic Violence has not occurred between the parties;

OR

- B. Domestic Violence has occurred between the parties, *but*:

1. ☐ it was mutual (committed by both parties), (see A.R.S. § 25-403.03 (D))

OR

☐ we agree it is still in the best interests of our minor child(ren) to grant joint or sole legal decision-making (joint or sole legal custody) to the parent who has committed domestic violence.

21. Legal Decision-Making and Parenting Time for Minor Child(ren): (Both boxes must be TRUE and must be checked for the Court to sign the Summary Consent Decree).

- ☐ We have filed a Parenting Plan with, or attached to, this Summary Consent Decree.
- ☐ We affirm that our proposed Parenting Plan is in the best interest of our minor child(ren) and should be incorporated into this Decree. (Rule 45(c)(3)).

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 Child Support or Spousal Maintenance:

- ☐ All temporary child support or 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 child support or 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:

D. LEGAL DECISION-MAKING AND PARENTING TIME: The Court approves of the parties' Parenting Plan submitted with this Summary Consent Decree and orders the parties to comply with the terms thereof. The Court finds that the Parenting Plan is in the best interest of the minor child(ren). The Parenting Plan applies to all children listed in section 16 above. The Court further orders as follows (check boxes below only if applicable):

☐ **Our Parenting Plan does NOT apply to the following children** (check if applicable):

☐ Child(ren) NOT common to the parties and expected to be born on _____ (due date). ☐ 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.

OR

☐ **Our Parenting Plan also applies to the following children** (check if applicable):

☐ Child(ren) common to the parties and expected to be born on _____ (due date).

OR

☐ Child(ren) common to the parties and born **PRIOR** to the marriage:

NAME

DATE OF BIRTH

If one of the parents needs to be added to the birth certificate of a child born **PRIOR** to marriage, then complete the section below:

- ☐ **Birth Certificate(s):** For any above-named minor child(ren) born in the State of Arizona, the Clerk of Superior Court shall forward a copy of this order to the State Office of Vital Records, which is **ORDERED TO AMEND** the birth certificate(s) as follows: (List full name of the party as appears on the party's Social Security card or other government issued official document and as should appear on the children's birth certificate(s)).
- ☐ **Add the name** (List one name only) _____
as a parent on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.
- ☐ **Name Change:** (Optional) We agree to change the name of our minor child(ren) born PRIOR to marriage as follows:

Current Legal Name

New Name (*optional*)

E. CHILD SUPPORT:

- ☐ We have submitted a Child Support Order and a Parent's Worksheet with this Summary Consent Decree to be signed by the judge. (You must submit a Child Support Order even if you have agreed that neither parent will pay child support to the other.)
- ☐ **Payment of child support** (check only one of the following two options):
- ☐ **OPTION 1:** ☐ Petitioner ☐ Respondent will pay child support to the other parent in the amount of \$ _____ per month beginning the first day

of the month after this Summary Consent Decree is signed. 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 one of the parties will be paying child support to the other).

☐ **OPTION 2:** We do not want to follow the Child Support Guidelines and we have agreed to deviate (“change”) child support to \$_____ per month. The Court finds that applying the Child Support Guidelines is inappropriate or unjust in this case. The Court has considered the child(ren)’s best interest in determining the amount of a deviation. Both parties are aware of what child support would have been pursuant to the Guidelines but for their agreement to deviate.

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 it 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 child support or spousal maintenance are 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 child support or 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 or if the Attorney General’s Division of Child Support Enforcement (DCSE) is involved in this case, the attorney(s) and a representative of DCSE 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

If either party is **receiving Temporary Assistance for Needy Families (TANF) or services from the Title IV-D program**, (Rule 45(c) (3)) **and** the Attorney General’s Office (the “AG”), Division of Child Support Enforcement (DCSE) is involved in this case, a representative of that agency must approve the child support amount and sign below:

The approval of the AG’s office as to child support provisions contained in this document is indicated by my signature below:

Signature of Attorney General / DCSE Representative

Date

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)

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:

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

ORDER TO COMPLETE COURSE IN DOMESTIC RELATIONS EDUCATION ON CHILDREN'S ISSUES

**THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO COMPLY WITH THIS ORDER, YOU
MAY BE FOUND IN CONTEMPT OF COURT.**

THE COURT FINDS that this case involves minor children and is an action for:

- ☐ Dissolution of Marriage
- ☐ Paternity Proceeding with request to Determine Legal Decision-Making or Parenting Time or Child Support
- ☐ Legal Separation
- ☐ Child Support or the Modification or Enforcement of Parenting Time or Legal Decision-Making

THEREFORE, PURSUANT TO A.R.S. § 25-352, IT IS ORDERED:

1. You must attend and complete a course in Domestic Relations Education on Children's Issues.
2. In an action for Petition for Dissolution of Marriage or Legal Separation:
 - a. The Petitioner must complete this course within 45 days of filing the Petition.
 - b. The Respondent must complete this course within 45 days of being served with or accepting service of the Petition for dissolution of Marriage or Petition for Legal Separation. **The Respondent must pay the course fee, register for, and complete the course whether or not a Response to the Petition for Dissolution of Marriage is filed.**
3. In an action or proceeding involving Paternity with a request that the Court determine legal decision-making or parenting time, or Child Support, or the Modification or Enforcement of parenting time or legal decision-making, the course must be completed by the ☐ Petitioner ☐ Respondent within 45 days of receipt of the Court Order.
4. Each party shall pay the course fee to the clerk of the Superior Court, 110 W. Congress Ave., Tucson, Arizona, and shall receive course registration information. The parent education fee amount can be found at www.sc.pima.gov/fccc/parented.
5. Petitioner and Respondent must each file a Notice of Program Completion with the Clerk of the Court prior to finalization of the Dissolution of Marriage/Legal Separation or Legal decision-making/Parenting Time Order.

If, due to a disability, you need special accommodations for your attendance at this program such as auxiliary aids or materials in alternative formats, please inform the parent information program when you register by calling 520-724-5590.

Date: _____

Presiding Family Law Judge

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

Regarding the matter of:

Case No. _____

PARENTING PLAN

- ☐ Joint Legal Decision-Making
☐ Sole Legal Decision-Making
 ☐ With Father
 ☐ With Mother
☐ Amended Parenting Plan

ASSIGNED TO: _____

and _____

Petitioner
Respondent

GENERAL INFORMATION: The child(ren) common to the parties are:

Name	Birth Date	Name	Birth Date
_____	_____	_____	_____
_____	_____	_____	_____

☐ Our child(ren) have resided continuously in Arizona for a period of not less than 6 months (if a child is less than 6 months old, this child has resided in Arizona from birth until the present).

☐ There are no other legal proceedings involving our child(ren) (including domestic violence, enforcement, protective orders, termination of parental rights, adoptions, proceedings in any Tribal court or other country, or guardianship matters) in any other court.

☐ Our child(ren) are not subject to any claim of parental kidnapping or wrongful abduction.

There are other legal proceedings, and those proceedings are in Case No. _____
in _____ Court. Describe the other proceedings: _____

☐ There are claims of parental kidnapping or wrongful abduction, as follows: _____

☐ Mother ☐ Father has paid the appearance fee to the Court

☐ Mother ☐ Father have taken the parent education class and the certificate is in the Court file

If joint legal decision-making, please answer the following:

☐ There is no history of domestic violence or child abuse, substance abuse issues, or any sexual offender issues sufficient to preclude the award of joint legal decision-making.

☐ There are issues of domestic violence, child abuse, substance abuse, or sexual offender issues as follows: _____

☐ Mother ☐ Father has read, understands and will abide by the notification requirements of A.R.S. §25-403.05(B), requiring a parent or custodian of a child to immediately notify the other parent if he or she knows that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child(ren). This notice must be made by first class mail, return receipt requested or by electronic means.

LEGAL DECISION MAKING

Legal decision-making means the legal right and responsibility to make all non-emergency legal decisions for a child(ren) including those regarding education, health care, religious training, and personal care decisions.

☐ Mother ☐ Father shall be awarded sole legal decision-making ☐ for all child(ren) ☐ for the following child(ren): _____

☐ Mother and Father agree that they will share joint legal decision-making for all child(ren) ☐ for the following child(ren): _____

☐ We understand that joint legal decision-making authority does not necessarily mean equal parenting time. We agree that joint legal decision-making is logistically possible.

☐ We agree that these decisions include but are not limited to, non-emergency medical, dental, psychiatric care; education decisions such as a change of school; personal appearance changes that are significant (i.e. tattoo, haircut, piercing, hair coloring); decisions such as when to obtain a driver's license for the child; decisions to have the child become indoctrinated in a specific religion such as being baptized or joining a church or place of worship as a member; and

☐ We understand that this will require us to consult with each other on major decisions affecting our child(ren)'s well-being.

☐ If we are agreeing upon joint legal decision-making, we have both taken the parent education course and the certificate is in the court file.

☐ We agree that if we cannot reach an agreement about a major issue in raising the child(ren) after a good faith effort to reach an agreement ☐ Mother ☐ Father will have the right to make the final decision.

☐ We agree that each parent may, during his/her scheduled parenting time, make routine personal care decisions including (but not limited to) hair trimming, bedtimes, and _____ for our child(ren).

☐ We agree that any significant changes made in our child(ren)'s appearance, including (but not limited to) haircuts, hair coloring, piercing, tattoos, and _____ will be made jointly between the parents.

☐ We agree to review the terms of this joint legal decision-making agreement and make any necessary or desired changes every _____ months from the date of this document. If we are unable to reach a mutual agreement regarding an issue, we will request mediation through Conciliation Court or a private mediator of our choice.

☐ We will make decision about extracurricular activities as follows: _____

HEALTH CARE

☐ Emergency care: We agree that each of us has the right to authorize emergency medical treatment, and the right to consult with physicians and other medical practitioners in cases of emergency. We agree to advise one another immediately of any emergency medical/dental care sought for the child(ren), to cooperate on health matters pertaining to the child(ren) and to keep one another reasonably informed. We agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care practitioners.

☐ Other health care issues: _____

RECORDS

☐ We acknowledge that unless otherwise provided by court order or law, each of us, on reasonable request, are entitled to have equal access to prescription medication, documents and other information concerning our child(ren)'s education and physical, mental, moral, and emotional health including medical, school, police, court, and other records directly from the custodian of the records or from each other.

☐ Other records issues: _____

RELIGIOUS EDUCATION ARRANGEMENTS

☐ Each of us may take the child(ren) to a church or place of worship of our choice during the time that the child(ren) is/are with either of us.

☐ We agree that the child(ren) may be instructed in the _____ faith.

☐ Other religious issues: _____

ADDITIONAL PROVISIONS

- ☐ Each of us will inform the other of any change of address and/or phone number in advance OR within _____ of the change.
- ☐ Each of us shall promptly inform the other of any emergency or other important event which involves the children.
- ☐ Each of us will consult and agree with one another regarding any extra activity which affects the children's parenting time with the other.
- ☐ We agree to consider each other as care-provider for the children before making other arrangements.
- ☐ Neither of us will relocate with the child(ren) more than _____ miles from _____ area without prior written consent of the other, or a court ordered parenting plan.
- ☐ All communications regarding the children will be between us and we will not use the children to convey information or to set up parenting time changes.
- ☐ Each of us will encourage love and respect between the child(ren) and the other parent, and neither of us will do anything which may undermine the other's relationship with the child(ren).
- ☐ We will exert our best efforts to work cooperatively in future plans consistent with the best interests of our child(ren) and to amicably resolve disputes as may arise.
- ☐ If either of us moves out of the area and returns at a later date, we will revert to using our most recent parenting plan prior to the move until other arrangements can be agreed to or ordered by the Court.
- ☐ If either of us is unable to follow through with this parenting plan, we will notify the other as soon as possible.
- ☐ If we wish to make a legal change to our court-ordered parenting plan, we will use the services of a Conciliation Services mediator or private mediator before any court proceeding is started.
- ☐ While a dispute is being resolved, neither of us will act in such a way that is inconsistent with the terms of this parenting plan.
- ☐ Other provisions: _____

PARENTAL COMMUNICATION

- ☐ We will communicate about the child(ren) at least ☐ once a week; ☐ once a month;
- ☐ other _____

☐ The method of communication shall be: ☐ telephone; ☐ email; ☐ text; ☐ fax; ☐ in person;
☐ other _____

☐ For emergency communication, we agree to use the telephone; or ☐ _____

☐ We will communicate sufficiently in advance of a decision needing to be made so that both of us can get the necessary information we each need to make an informed decision.

☐ Other communication issues: _____

DISAGREEMENTS OR VIOLATIONS OF OUR PARENTING PLAN

☐ If we have a disagreement about the child(ren) or believe the other is in violation of our Parenting Plan, we will:

☐ Agree to attend mediation through Conciliation Court or a private mediator prior to filing an action with the Court (unless the issue is an emergency).

☐ Communicate immediately with one another about the disagreement and attempt to work out the issue.

☐ If either of us believes there is a disagreement with the other parent, this will be told to the other parent who will respond as soon as possible about the disagreement with suggestions on how to resolve it.

☐ Other methods to resolve disagreements about our Parenting Plan: _____

PARENTING TIME PLAN:

It is recommended that you have specific beginning and ending times of parenting time schedules. You may agree to change these times with each other in writing, by e-mail or by text if you both agree to a change. There are sample parenting time schedules on the Arizona Supreme Court website: <https://www.azcourts.gov/portals/31/parentingTime/PPWguidelines.pdf>

REGULAR RESIDENTIAL ARRANGEMENTS:

Regular residential arrangements are suspended during holidays or vacations unless otherwise agreed. The regular parenting time schedules resumed at the end of the holiday or vacation. Holidays will supersede vacation schedules if you have already prepared a separate parenting time schedule, you may attach it after this page.

☐ **Option 1**

Every other Weekend – The child(ren) shall reside with ☐ Mother ☐ Father at all times except as expressly provided to the other parent. ☐ Mother ☐ Father shall have parenting time with the child(ren) every other weekend from ☐ after school or p.m. on Friday until p.m. on Sunday.
OR

☐ other times as follows: _____

☐ **Option 2**

Equal Parenting time – 5/2/2/5 – Mother and Father shall share equal parenting time on a 14-day (two weeks) schedule, which will repeat as follows:

Week One:

Father: Wednesday, Thursday, Friday, Saturday, Sunday

Mother: Monday and Tuesday

Week Two:

Father: Wednesday and Thursday

Mother: Friday, Saturday, Sunday, Monday, Tuesday

Each exchange time will be from school or at 6:00 p.m.

The chart shows which parent has the child(ren) overnight.

SUN	MON	TUES	WED	THURS	FRI	SAT
			F	F	F	F
F	M	M	F	F	M	M
M	M	M	F	F	F	F
F	M	M	F	F	M	M
M	M	M				

☐ **Option 3**

The child(ren) will be with Mother every week from _____ a.m./p.m. on _____ until _____ a.m./p.m. on _____. The child(ren) will be at _____ for this exchange. (If more exchanges are required for this plan, include them here or attach extra sheets: _____)

The child(ren) will be with Father every week from _____ a.m./p.m. on _____ until _____ a.m./p.m. on _____. The child(ren) will be at _____ for this exchange. (If more exchanges are required for this plan, include them here or attach extra sheets: _____)

☐ **Option 4: Alternating Two Week Schedule**

Week One:

The child(ren) will be with Mother on these days at these times: _____

The children will be with Father on these days at these times: _____

Week Two:

The child(ren) will be with Mother on these days at these times: _____

The child(ren) will be with Mother on these days at these times: _____

☐ **Option 5: Alternating Weeks**

We will alternate the child(ren) every other week starting at _____ a.m./p.m. every _____ (day of the week).

☐ **Option 6**

See parenting plan on separate page following this page.

TRANSPORTATION AND INFORMATION

☐ The person receiving the child(ren) will pick up the child(ren) ☐ from the other parent OR ☐ from school OR ☐ from day care OR ☐ from _____ (name of person/agency who will have the child(ren)).

☐ We will meet at _____ to exchange the child(ren).

☐ Father ☐ Mother will do all the transportation of the child(ren).

HOLIDAYS AND VACATIONS

SUMMER MONTHS

☐ The regular parenting schedule will continue for all 12 calendar months, with no change during the summer.

OR

☐ Summer shall begin on the first Friday following the last day of the school year. If the last day of the school year is on a Friday, that Friday shall be the start of summer. The parent who would have had parenting time that weekend under the regular schedule shall have the first week of summer. The other parent shall have the second week. The parties shall follow this every other week schedule during the summer.

☐ The summer schedule shall end at 6:00 p.m. on the Friday that immediately precedes the start of school for the next school year.

☐ The weekend immediately before school begins shall be assigned to the parent who will have parenting time on Monday under the regular schedule above.

☐ Neither of us will schedule vacation travel during the other parent's week without written consent of the other parent.

☐ During the summer months, the child(ren) will be in the care of Father as follows: (explain specifically the plan with beginning and ending dates and times and where the exchanges will be. If there is a change in transportation, explain the change here). _____

☐ During the summer months, the child(ren) will be in the care of Mother as follows: (explain specifically the plan with beginning and ending dates and times and where the exchanges will be. If there is a change in transportation, explain the change here). _____

☐ Each of us is entitled to a _____ week period of exclusive vacation time with the child(ren). We will each notify one other of our request for vacation time by _____ of each year (i.e. April 1). In odd numbered years, the Mother Father will have priority for vacation if both parents select the same vacation time. This priority will alternate each year. If we select the same vacation time, the non-priority parent will provide an alternate selection to the other no later than _____ (i.e. May 1). Vacation time shall not interfere with the holiday schedule.

☐ Whenever either of us travels with the child(ren), an itinerary of travel dates, destinations, and places where the parent and/or child(ren) can be reached, will be provided to the other. Whenever either of us travels without the child(ren), the traveling parent will provide either a telephone number to the other or how we can reach the other while traveling.

☐ Neither of us will travel with the child(ren) outside of Arizona for longer than _____ days without the prior consent of the other or order of the Court.

☐ Neither of us will travel with the child(ren) outside of the United States without the prior written consent of the other or order of the Court.

☐ Mother ☐ Father shall maintain the passports for the child(ren). Upon an agreement for out of country travel, the passports shall be transferred to the traveling parent. Upon return to the country, the passport shall be returned to the parent who maintains the passports within _____ days.

If either of us resides out of the Pima County area, and significant travel will be required for parenting time, airplane travel or other travel arrangements will be made (i.e. how long in advance tickets/plans will be made and the time frame for travel – departures and arrivals), payment responsibility and whether reimbursement of all or a portion of the costs will be

required. For out of area/out of state travel for parenting time, we agree as follows: _____

HOLIDAY SCHEDULE

Holidays take priority over the regular and vacation parenting time schedule. Following a holiday, we will return to our regular parenting time schedule.

Check the holidays that apply and indicate the days and times of exchanges and the transportation arrangements. Mark the applicable boxes if the holiday is to be an alternating schedule.

☐ On three-day weekends (Memorial Day, Labor Day, Columbus Day, and President's Day) the children will remain in the care of whichever of us has the children for the weekend. The exchange time will be on Monday at _____ and transportation shall be the responsibility of ☐ Mother ☐ Father, ☐ the parent receiving the children, ☐ the parent having the children for the weekend, or ☐ we will meet at _____.

☐ Winter Break will be divided in half, with each of us alternating the first and second halves of the break. The break is defined as the morning after the last day of school through the evening before return to school. Father shall have the first half in ☐ odd years ☐ even years and Mother shall have the first half of the break in ☐ odd years ☐ even years. The parent not having the first half will have the second half. We will exchange the child(ren) at _____ a.m./p.m. on the mid-point of the break. In the event there is an uneven number of days in the winter break, the parent with the second half shall have the extra day. we recognize that this means one of us will not see the children on Christmas Eve/Day and the other parent will not see the children on New Year's Eve/Day.

☐ Winter Break will be divided in half, with each of us alternating the first and second halves of the break. We will exclude Christmas Eve and Christmas Day and alternate those two days. The break is defined as the morning after the last day of school through the evening before return to school (excluding Christmas Eve and day). Father shall have the first half in ☐ odd years ☐ even years and Mother shall have the first half of the break in ☐ odd years ☐ even years. The parent not having the first half will have the second half. We will exchange the child(ren) at _____ a.m./p.m. on the mid-point. In the event there is an uneven number of days in the winter break, the parent with the second half shall have the extra day. ☐ Mother shall have Christmas Eve in ☐ odd years ☐ even years. Christmas Eve is defined as starting at _____ a.m./p.m. and ending at _____ a.m./p.m. on Christmas Day. The parent receiving Christmas Day will have the children until _____ a.m./p.m. on December _____, at which time the winter break division will be resumed.

☐ Winter Break will follow the regular parenting time without change.

☐ Mother will have Christmas Eve in ☐ odd years ☐ even years. Father will have the children on Christmas Eve in ☐ odd years ☐ even years. Christmas Eve is defined as starting at

a.m./p.m. and ending at _____ a.m./p.m. on Christmas Day. The parent not receiving Christmas Eve will receive Christmas Day and will have the children until _____ a.m./p.m. on December _____, with no other changes to the regular parenting time for the rest of the winter break.

☐ Other arrangements for Winter Break/Christmas Eve/Christmas Day: _____

☐ Mother's Day and Father's Day the children will spend with the honored parent. ☐ Each day will be the Sunday only from _____ a.m./p.m. to _____ a.m./p.m. OR ☐ this holiday will include Friday prior to the Sunday at _____ a.m./p.m. through ☐ Sunday at _____ a.m./p.m. OR ☐ Monday at _____ a.m./p.m.

☐ Memorial Day – We will alternate this holiday with Mother having this holiday in ☐ odd years ☐ even years and Father having the alternating year. This holiday is defined as Friday before the holiday at _____ a.m./p.m. and continuing to ☐ Monday at _____ a.m./p.m. OR ☐ Tuesday at _____ a.m./p.m.

☐ Other arrangements for Memorial Day: _____

☐ Labor Day – We will alternate this holiday with Mother having this holiday in ☐ odd years ☐ even years and Father having the alternating year. This holiday is defined as Friday before the holiday at _____ a.m./p.m. and continuing to Monday at _____ a.m./p.m. OR Tuesday at _____ a.m./p.m.

☐ Other arrangements for Labor Day: _____

☐ Columbus Day – We will alternate this holiday with Mother having this holiday in ☐ odd years ☐ even years and father having the alternating year. This holiday is defined as Friday before the holiday at _____ a.m./p.m. and continuing to ☐ Monday at _____ a.m./p.m. OR ☐ Tuesday at _____ a.m./p.m.

☐ Other arrangements for Columbus Day: _____

☐ President's Day – We will alternate this holiday with Mother having this holiday in ☐ odd years ☐ even years and father having the alternating year. This holiday is defined as Friday before the holiday at _____ a.m./p.m. and continuing to ☐ Monday at _____ a.m./p.m. OR ☐ Tuesday at _____ a.m./p.m.

☐ Other arrangements for President's Day: _____

☐ July 4th – Father will have this holiday in ☐ odd years ☐ even years and Mother will have the alternate year.

☐ Other arrangements for July 4th: _____

Spring Break and Easter

☐ We will divide Spring Break in half (with the person receiving the second half having the extra day if there is not an even number of days). Mother will have the first half in ☐ even years ☐ odd years. Father will have the alternate year. This holiday is defined as ☐ the day the children get out of school OR ☐ the morning following the children being released from school through ☐ return to school OR ☐ the evening before return to school.

☐ We will alternate Spring Break with Father having this holiday in ☐ even years ☐ odd years, and Mother having the alternate year. This holiday is defined as ☐ the day the children get out of school OR ☐ the morning following the children being released from school through ☐ return to school OR ☐ the evening before return to school.

☐ We will alternate Easter. In the event Easter falls during the Spring Break, ☐ Spring Break holiday supersedes Easter holiday ☐ Easter holiday supersedes Spring Break holiday. Father will have this holiday in ☐ even years ☐ odd years, and Mother will have the alternating year. This holiday is defined as ☐ the day the children get out of school OR ☐ the morning following the children being released from school through ☐ return to school OR ☐ the evening before return to school. OR ☐ This holiday is defined as just the Easter Sunday from _____ a.m. through _____ p.m.

☐ Other arrangements for Spring Break/Easter: _____

Rodeo

☐ Rodeo is defined as Wednesday release from school at _____ a.m./p.m. through Sunday before return to school at _____ a.m./p.m. Father will have this holiday in ☐ even years ☐ odd years, and Mother will have the alternating year.

☐ Other arrangements for Rodeo: _____

Thanksgiving

Thanksgiving is defined as Wednesday release from school at _____ a.m./p.m. through Sunday before return to school at _____ a.m./p.m. OR Thanksgiving is defined as just the day of Thanksgiving from _____ a.m. through _____ p.m. Mother will have this holiday in ☐ even years ☐ odd years, and Father will have the alternating year.

☐ Other arrangements for Thanksgiving: _____

Passover arrangements: _____

Hanukkah arrangements: _____

Child(ren)'s birthdays will follow the regular parenting plan.

Other arrangements for child(ren)'s birthdays: _____

Arrangements for parent's birthdays: _____

Other holidays: _____

TELEPHONE ACCESS:

☐ Each parent will have telephone contact with the child(ren) during the child(ren)'s normal waking hours.

☐ The child(ren) may contact the non-residential parent freely as they wish.

☐ During times of extended time away from the other parent, such as vacations, the parent away from the children shall have the following telephone access: _____

☐ Other telephone access provisions: _____

This parenting plan is submitted by only one parent, without the consent or signature of the other parent. The submitting parent believes that this proposed plan is in the best interests of the child(ren).

Parent submitting: _____

Date: _____

This parenting plan is submitted by both parents. We understand that joint legal decision-making does not necessarily mean equal parenting time. We agree that this plan is in the best interests of the child(ren). We have included a specific schedule for parenting time, a procedure for periodic review, and a procedure to resolve proposed changes, disputes and alleged breaches may be mediated or resolved. Both of us agree that all of the above decisions regarding legal decision-making and parenting time were made voluntarily and without undue influence and neither of us were under duress or coercion in making these decisions. This legal decision-making and parenting time plan is logistically possible.

Father: _____

Mother: _____

Date: _____

Date: _____

I, _____, Father, being duly sworn and under oath, state that I have read this Parenting Plan. All the statements in the Parenting Plan are true, correct, and complete to the best of my knowledge and belief.

Father

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

(Father's Name)

Notary Public

My Commission Expires:

I, _____, Mother, being duly sworn and under oath, state that I have read this Parenting Plan. All the statements in the Parenting Plan are true, correct, and complete to the best of my knowledge and belief.

Mother

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

(Mother'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)

