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ATLAS Number: _____
Representing [] Self or [] Attorney for _____
Lawyer's Bar Number: _____



SUPERIOR COURT OF ARIZONA
IN _____ COUNTY

Name of Petitioner

Case Number: _____

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

Name of Respondent

STATEMENTS THE COURT, UNDER OATH OR AFFIRMATION:

1. INFORMATION ABOUT ME:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Starting with today number of months/years in a row, you have lived in Arizona: _____

2. INFORMATION ABOUT MY SPOUSE:

Name: _____
Address: _____
Date of Birth: _____
Job Title: _____
Starting with today number of months/years in a row, you have lived in Arizona: _____

3. 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 the boxes to indicate that the statements are true, or your case may not proceed.

We do not have a covenant marriage.

Our marriage is broken beyond repair (“irretrievably broken”) and there is no hope of reconciliation.

We have tried to resolve our problems through Conciliation Services or going to Conciliation Services would not work.

This court has jurisdiction to determine legal decision-making (custody) concerning the minor child(ren) common to the parties under Arizona law because the minor child(ren) have lived with Petitioner or Respondent in Arizona for *at least* the 6 months prior to the Petition being filed.

4. 90-DAY RESIDENCY REQUIREMENT: (This statement MUST be true before you can file for divorce in Arizona.)

I have OR my spouse has lived in Arizona or have been stationed in Arizona while a member of the Armed Forces, for at least 90 days before I filed this action.

5. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD:

There are no children common to the parties, under the age of 18, either born to or adopted by, the parties. **NOTE:** If you checked this box, stop. You should be using the petition packet to get a divorce without children.

Listed below are children still under the age of 18 born to or adopted by Petitioner and Respondent, and where marked, born before the marriage. (Attach extra pages if necessary).

Child’s Name: _____

Birth Date: _____

Address: _____

Length of Time at Address: _____

Born before the marriage

Child’s Name: _____

Birth Date: _____

Address: _____

Length of Time at Address: _____

Born before the marriage

Child's Name: _____

Birth Date: _____

Address: _____

Length of Time at Address: _____

Born before the marriage

Child's Name: _____

Birth Date: _____

Address: _____

Length of Time at Address: _____

Born before the marriage

Information for additional children is listed on attached page(s), made part of this document.

6. PREGNANCY: (Check box to indicate whether either party is currently pregnant, etc.)

Petitioner **is** OR **is not** pregnant.

OR

Respondent **is** OR **is not** pregnant.

If either party is pregnant, the **baby is due on** _____ (date), (and, check one box below):

Petitioner and Respondent **are the parents** of the child,

OR

Petitioner or **Respondent is not a parent** of the child.

7. INFORMATION ABOUT PROPERTY and DEBTS:

WARNING: You must be specific. You must describe the property that should go to you, and then check the box, and describe the property that should go to your spouse and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you (Respondent), or to your spouse (Petitioner). Never list an item and then check both Petitioner and Respondent boxes.

7.a. COMMUNITY PROPERTY. (Property acquired during the marriage) (Check one box.)

Petitioner and Respondent **did not acquire** any community property during the marriage,
OR

Petitioner and Respondent **did acquire** community property during our marriage, and we should divide it as follows: (List the property and the value of the property and check the box to tell the Court who should get the property.)

	Petitioner	Respondent	Sell/Divide	Value
<input type="checkbox"/> Real estate located at:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Legal Description:

	Petitioner	Respondent	Sell/Divide	Value
<input type="checkbox"/> Real estate located at:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Legal Description:

	Petitioner	Respondent	Value
Household furniture and appliances:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Household furnishings:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Case Number: _____

	Petitioner	Respondent	Value
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	
_____	[]	[]	\$
Other items:			
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	
_____	[]	[]	\$
_____	[]	[]	\$
Pension/retirement fund/profit sharing/stock plan/401K:			
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	\$
_____	[]	[]	\$
Motor vehicles:			
Make	[]	[]	\$

Model			

VIN			

Lien Holder			

Make	[]	[]	\$

Model			

	Petitioner	Respondent	Value
VIN			
Lien Holder			

7.b. SEPARATE PROPERTY. (Check all boxes that apply.)

- Petitioner does not have** any separate property.
- OR
- Petitioner has** separate property that was brought into this marriage. Award this property to Petitioner as described below.

- Respondent does not have** any separate property.
- OR
- Respondent has** separate property that was brought into this marriage. Award this property to Respondent as described below.

Separate Property: (List the property and the value of the property and check the box to tell the Court who should get the property.)

Description of Separate Property:	Petitioner	Respondent	Value
_____	<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.c. COMMUNITY DEBTS (Debt that was incurred during the marriage): (Check one box.)

- Petitioner and Respondent **did not incur** any community debts during the marriage,
- OR
- Petitioner and Respondent **should divide** the responsibility for the debts incurred during the marriage as follows:

	Petitioner	Respondent	Amount Owed
Description of Community Debt:			
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____

7.d. SEPARATE DEBTS. (Check all boxes that apply.)

- Petitioner and Respondent **do not have** any debts that were incurred prior to the marriage or separate debt,
- OR
- Petitioner has** separate debt or debt was incurred prior to the marriage which should be paid by Petitioner as described below.
- Respondent has** separate debt or debt that was incurred prior to the marriage that should be paid by Respondent as described below.

	Petitioner	Respondent	Amount Owed
Description of Separate Debt:			
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____
_____	[]	[]	\$ _____

8. TAX RETURNS: (Check this box if this is what you want.)

- After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, **file separate federal and state income tax returns**. Each party will give the other party all necessary documentation to do so.

For **previous years** (the years we were married, not including the year the Decree was signed), (Check one box.)

The parties will **file joint federal and state income tax returns**. For previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs and each will share equally in any refunds.

OR

The parties will **file separate federal and state income tax returns**. For previous calendar years, each party will pay and hold the other harmless from any income taxes and/or incurred costs as a result of the filing of that party's tax return and each party will be awarded 100% of any refund received as a result of the filing of that party's tax return.

9. SPOUSAL MAINTENANCE/SUPPORT: (Check the box that applies to you.)

Neither party is entitled to spousal maintenance/support,

OR

Petitioner OR **Respondent** is entitled to spousal maintenance because:

Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance/support.

Person **lacks sufficient property** to provide for his/her reasonable needs.

Person is **unable to support** himself/herself through appropriate employment.

Person is the **custodian of a child(ren)** whose age or condition is such that the person should not be required to seek employment outside the home.

Person **lacks earning ability** in the labor market adequate to support himself/herself.

Person **made a significant financial or other contribution** to the education, training, vocational skills, career, or earning ability of the other spouse.

Person had a **marriage of long duration** and is now of an age that precludes the possibility of gaining employment adequate to be self-sufficient.

Person has **significantly reduced their income or career opportunities** for the benefit of the other spouse.

10. WRITTEN AGREEMENT:

Petitioner and Respondent have a written agreement signed by both parties about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children (custody), parenting time, and child support, AND I have attached a copy of the written agreement.

OTHER STATEMENTS TO THE COURT

11. THE PARENT INFORMATION/EDUCATION PROGRAM is required for persons seeking legal decision-making (custody) or parenting time. (Check one box.)

I **have** OR **have not** already completed the Parenting Information/Education Program.

12. DOMESTIC VIOLENCE. (If you intend to ask for joint legal decision-making (joint custody), check one box.)

Domestic Violence **has not occurred** in this relationship.

There **has been** domestic violence in this relationship and no legal decision-making (custody) should be awarded to the party who committed the violence.

Domestic Violence **has occurred, but** it was committed by both parties or it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision-making (joint or sole custody) to a parent who has committed domestic violence *because:* (Explain.)

13. DRUG / ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS. (If you intend to ask for joint legal decision-making (joint custody), check one box.)

Neither party has been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months,

OR

One or both parties have been convicted for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months.

Petitioner was convicted.

Respondent was convicted.

The legal decision-making (custody) and parenting time arrangement I am requesting appropriately protects the minor child(ren).

Explain how this arrangement appropriately protects the minor child(ren).

14. CHILD SUPPORT.

There is an Order for Child Support, dated _____ from (name of court) _____.

To my knowledge **there is no child support order** for the minor child(ren) and the Court should OR should not order child support in this case along with legal decision-making (custody), and parenting time.

Petitioner OR Respondent made **voluntary / direct support payments** that need to be taken into account, if past support is requested.

Petitioner OR Respondent owes **past support** for the period between:

the date this petition was filed, and the date current child support is ordered,

OR

the date the parties started living apart, but not more than three years before the date this petition was filed, and the date current child support is ordered.

15. OTHER EXPENSES.

The parties should be ordered to divide between them any uninsured medical, dental, or health expenses, reasonably incurred for the minor child(ren), in proportion to their respective incomes.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

Dissolve our marriage and return each party to the status of a single person.

B. RESTORE NAME: (Optional) I took the name of my spouse at the time of marriage and I want to restore my last name to the name I used before this marriage or to my maiden name.

My complete **married name** is:

I want my **legal name restored** to: (List complete maiden or legal name before this marriage).

WARNING: If you are not the person who is requesting to have your former name restored, the court must have a written request from the party who wants his/her name restored, to change the name.

C. PATERNITY and MINOR CHILD(REN)'S NAMES: (Check one box, if this is what you want.)

Declare **Petitioner** **Respondent** to be a parent of the following named minor child(ren) born before the marriage and (optional) change the legal name of those minor child(ren) to the name listed on the right, below:

Current Legal Name

(Optional) Change the name of the child to:

D. PRIMARY RESIDENCE, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION-MAKING (CUSTODY):

1. PRIMARY RESIDENCE: Declare which residence is designated as “Primary Residence” for each minor child as follows:

Neither party’s home is designated as the primary residence for the minor child(ren).

Declare **Petitioner’s residence** as the primary residence for the following named children:

Declare **Respondent’s residence** as the primary residence for the following named children:

2. PARENTING TIME: Award parenting time as follows:

Reasonable parenting time as described in the attached Parenting Plan,
OR

Supervised parenting time between the children and Petitioner or
 Respondent,

OR

No parenting time rights to Petitioner or Respondent.

Supervised or no parenting time is in the **best interests** of the child(ren) because:

Explanation continues on attached pages made part of this document by reference.

a. **Name** this person to supervise: _____

b. **Restrict** parenting time as follows: _____

c. Order **cost** of supervised parenting time (if applicable) to be paid by:

Petitioner **Respondent** **Shared equally** by the parties.

3. AUTHORITY FOR LEGAL DECISION-MAKING (CUSTODY): Award legal authority to make decisions (custody) concerning the child(ren) as follows:

AWARD **SOLE AUTHORITY FOR LEGAL DECISION-MAKING** to:
 Petitioner **Respondent**

OR

AWARD **JOINT LEGAL DECISION-MAKING AUTHORITY** to BOTH PARENTS. Petitioner and Respondent will act as joint legal decision-makers concerning the minor child(ren). (For the court to order “joint” legal decision-making, there must have been no “significant” domestic violence according to Arizona law, A.R.S. § 25-403.03)

E. CHILD SUPPORT:

Order that **child support** be paid by: **Petitioner** OR **Respondent** in a reasonable amount as determined by the court under the “*Arizona Child Support Guidelines*.” Support payments will begin on the first day of the first month after the Judge or Commissioner signs the Decree with all payments, plus the statutory handling fee, to be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

Order that **past child support** be paid by Petitioner OR Respondent in an amount determined by using a retroactive application of the Arizona Child Support Guidelines taking into account any amount of temporary or voluntary / direct support that has been paid. Support to be paid as defined above.

The Child Support Order **to be attached** to the Decree of Dissolution of Marriage.

F. MEDICAL, DENTAL, VISION INSURANCE AND HEALTH CARE EXPENSES FOR MINOR CHILDREN:

Petitioner is responsible for providing medical dental vision care insurance.

Respondent is responsible for providing medical dental vision care insurance.

The parties should pay for all reasonable unreimbursed medical, dental, vision care and health-related expenses incurred for the minor child(ren) in proportion to their respective incomes.

G. TAX EXEMPTION:

- Allocate tax exemptions** for the minor child(ren) as determined by the court under the Arizona Child Support Guidelines and in a manner that allows each party to claim allowable federal dependency exemptions proportionate to adjusted gross income in a reasonable pattern that can be repeated.

- The parties will, subject to IRS Rules and Regulations, claim the children as income tax dependency exemptions on federal and state income tax returns **as follows:**

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

Pattern shall repeat for subsequent years.

NOTE: Under the Affordable Care Act, the party who claims the child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so.

H. SPOUSAL MAINTENANCE/SUPPORT:

- Do not order** spousal maintenance.

- Order** spousal support to be paid by **Petitioner** OR **Respondent** in the amount of \$ _____ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance remarries or either party is deceased, or for a period of _____ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

I. COMMUNITY PROPERTY:

- Make a **fair division** of all community property as requested in this Petition.

J. COMMUNITY DEBTS:

Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by Petitioner or Respondent:

since the parties' separation on _____ (date),
OR

the date the **Respondent was served** with the Petition for Dissolution.

K. SEPARATE PROPERTY:

Award Petitioner's separate property to Petitioner.

Award Respondent's separate property to Respondent.

L. SEPARATE DEBT: Order each party to pay separate debt and hold the other party harmless from debts incurred during the marriage.

M. OTHER ORDERS I AM REQUESTING: (Explain request here.)

Case Number: _____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information in this document is true and correct under penalty of perjury.

Date

Signature

STATE OF _____

COUNTY OF _____

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

by _____.

(notary seal)

Deputy Clerk or Notary Public