Reset

Person Filing: _____

Mailing Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Atlas Number (if applicable) _____

☐ **Representing Self (No Attorney) OR** ☐ **Represented by Attorney**

If Attorney, Bar Number: _____

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY

In the Marriage of:

_____
(Name of Petitioner)

AND

_____
(Name of Respondent)

Case Number: _____

MOTION AND AFFIDAVIT FOR DEFAULT DECREE WITHOUT A COURT HEARING

(in cases without children)
A.R.F.L.P. 44

I am the Petitioner and I am asking the court to enter a ***Decree of Dissolution of Marriage by Default Without a Court Hearing.*** I have put a check mark in each box in front of the statements below that are true and I understand that if any statement is not true, I cannot get a default decree without a hearing.

☐ I have read this ***Motion and Affidavit for Default Decree Without a Court Hearing*** and to the best of my knowledge everything I have said is true.

☐ I have paid the filing and service fees or the filing and service fees have been waived or deferred. A copy of the receipt showing payment or a copy of the Order showing that the fees have been waived or deferred is attached.

☐ To the best of my knowledge, both Petitioner and Respondent are competent and sane.

☐ At least 60 days have passed since the Respondent was served with the dissolution papers. Service was not done by publication.

☐ The Respondent has not made an appearance in this matter or filed a Response***.*** I have filed the ***Application for Default*** and Default has been entered against the Respondent.

☐ At the time this action was filed, the Petitioner or the Respondent was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce), the Petitioner or the Respondent was domiciled or stationed in Arizona for more than 90 days.

☐ Conciliation services provisions have been met since the filing of the Petition for Dissolution of Marriage or the provisions do not apply. (A.R.S. 25-381.09)

Case No._____

☐ The marriage is irretrievably broken.

☐ There are no minor children common to the parties who were born before or during the marriage or who were adopted by the parties during the marriage. The wife, to my knowledge, is not pregnant.

☐ If a claim for spousal maintenance/support has been made **a completed *Form 6* is attached**.

☐ All the allegations, including those concerning property and debts listed in the ***Petition for Dissolution of Marriage*** were true at the time filed and remain true as of the date of the filing of this Motion and Affidavit, **OR any changes are explained below:**

_____

_____

_____

☐ Everything in the ***Petition for Dissolution of Marriage*** concerning who gets the property and who pays the bills/debts is fair and reasonable. If applicable, attorney fees are itemized on the paper attached to this Motion and Affidavit.

☐ The relief to be awarded in the ***Decree of Dissolution of Marriage*** is the same as the relief requested in the ***Petition for Dissolution of Marriage*** OR if the relief to be awarded is different, it has been approved by both parties, as reflected in the ***Decree of Dissolution of Marriage*** that has been signed by both parties.

☐ I have submitted along with the Motion and Affidavit, two (2) self-addressed stamped envelopes, one addressed to me and one addressed to my spouse, with enough postage for the court to mail a copy of the Decree to each party.

Therefore, I request this Court to sign the attached Decree.

OATH OR AFFIRMATION

STATE OF ARIZONA)
) ss.
County of Mohave)

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

_____ _____
Signature Date

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20_____

by_____.
Printed Name of Signer

_____ _____
My Commission Expires Notary Public / Deputy Clerk