

Checklist to file Petition for Annulment of marriage without children

Annulment in Arizona: An annulment in Arizona is a judgment of a marriage to be null and void. The annulment legal process requires certain statements to the Court showing reasons the purported marriage is invalid from the beginning, almost as if it had never taken place. *The Arizona statutory definition of Annulment (A.R.S. § 25-301) is not the same as annulment mandated by certain religions.*

CHECKLIST

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

- ✓ You want to file for an annulment of marriage, AND
- ✓ You are NOT in a covenant marriage, AND
- ✓ You and your spouse have no minor children with each other, AND
- ✓ Either spouse lived in Arizona at least 90 days before you file the petition, or is a member of the armed forces and has been stationed in Arizona at least 90 days before you file, AND
- ✓ You understand that there are limited grounds for annulment [A.R.S. §§ 25-301 and 25-302] and that the Judge will decide at your hearing or trial whether the grounds you state in your petition are legal grounds for annulment, AND
- ✓ You still believe your case is appropriate for annulment.

Do not use the annulment forms in this packet if:

- ✓ You and your spouse have lived in Arizona less than 90 days, or
- ✓ You and your spouse have minor children together contact an attorney for help.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing.

Annulment without children

Petition and First Court Papers

This packet contains court forms and instructions to file annulment without children for petitioner only. Items in **bold** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

General Information Annulment - Without Minor Children

Annulment in Arizona: An annulment in Arizona is a judgment that a marriage is null and void. The annulment legal process requires certain statements to the Court showing reasons the purported marriage is invalid from the beginning, almost as if it had never taken place. You must have a legal reason to file for annulment.

90-day requirement to File for an Annulment in Arizona: You or your spouse must have made Arizona your home or have been stationed in Arizona while a member of the Armed Forces, for at least 90 (ninety) days before you file the Annulment Petition with the Court. If you cannot meet this requirement **DO NOT** buy these forms and **DO NOT** file for Annulment at this time.

NOTE: The Arizona statutory definition of annulment (A.R.S. § 25-301) is not the same as annulment defined by certain religions.

Covenant marriage: A covenant marriage in Arizona is a legally distinct kind of marriage in which the marrying couple agrees to obtain pre-marital counseling and accept more strict grounds for divorce. The Arizona Covenant Marriage emphasizes the belief that marriage is more than just a contract between two individuals and requires specific statements of mutual commitment. If you have questions as to whether your marriage is a covenant marriage, look for the words “covenant marriage” on your marriage license, or see an attorney for help. These annulment forms may not be used if you have a covenant marriage.

Domestic Violence: Domestic violence is also known as domestic abuse, spousal abuse, battering, and family violence. Domestic violence can be a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage, dating, family, or living together. Domestic violence has many forms, including physical aggression or assault (hitting, kicking, biting, shoving, restraining, slapping, throwing objects), or threats thereof; verbal abuse, sexual abuse, emotional abuse, controlling or domineering behavior, intimidation, stalking, or passive abuse, such as neglect.

Court documents usually request your address and telephone number. If you are a victim of domestic violence, you may protect yourself from further violence by protecting your residential address. To do this, get a P.O. Box, or use another address. Also, you must file a “Request for Protected Address” and ask that your address **NOT** be disclosed on court papers.

Remember: Contact an attorney if you are unsure whether an annulment is right for your situation. You may follow all the correct procedures and get all the way to your court hearing, only to find the judge does not find legal grounds for an annulment. If that happens, you may have to file additional forms for a divorce/dissolution instead. You could save time and money to find legal advice before you begin the annulment paperwork.

How to complete forms for a Petition for Annulment Without Minor Children

STEP 1: In black ink, please complete the following:

1. Form: Family Department/Sensitive Data Sheet. You are the Petitioner. Write in the information requested about you, the Petitioner, and the Respondent.
 - Do not include your mailing address on this form if you are requesting address protection.
 - Case Type: Mark only one box that matches the annulment legal procedure:
 - Annulment
 - Interpreter: Check “yes” or “no” to indicate whether you need a language interpreter. If you check, “yes”, write in what language(s) are needed.
 - No additional copies are needed of this form. Do NOT serve this form on the other party.
2. Form: Summons. Please fill in the following information.
 - Your name, street address (if not protected), city state, zip code, telephone number (if not protected), attorney bar number (if you are represented by an attorney).
 - Check the box if you are representing yourself.
 - Print your name (as Petitioner), then print the name of your spouse (the Respondent).
 - Do not fill out the remainder of this form; the Clerk of Superior Court will finish the form.
3. Form: Preliminary Injunction
 - Your name, street address (if not protected), city state, zip code, telephone number (if not protected), attorney bar number (if you are represented by an attorney).
 - Check the box if you are representing yourself.
 - Print your name (as Petitioner), then print the name of your spouse (the Respondent).
 - Number 6 – Description of the Parties: Under “Petitioner”, fill in your name, height, driver’s license (last four numbers), your date of birth, and weight. Checkmark the box of your gender. Under “Respondent” fill in your spouse’s name, height, driver’s license (last four numbers), your spouse’s date of birth, and weight. Checkmark the box of your spouse’s gender.
4. Form: Petition for Annulment of a Non-Covenant Marriage – Without Minor Children.
 - At the top of the form, please fill in your name, street address (if not protected), city, state, zip code, telephone number (if not protected), attorney bar number (if you are represented by an attorney).
 - Check the space if you are representing yourself.
 - Print your name (as Petitioner), then print the name of your spouse (the Respondent).

- 90 Day Residency Requirement: If you or your spouse has lived in Arizona at least 90 days before you file this petition, check the box.
 - Items 2 through 4: Fill in your information (except your protected address), about your spouse, and your marriage. Also note the length of time both you and your spouse have lived in Arizona.
 - Item 5: Check the box that describes the condition of the wife at the time you file this petition.
 - Item 6: Grounds for the Annulment. This section is highly important. Please check at least one reason for requesting the Court grant you the annulment –OR – write your reason on the lines provided at the bottom of the list and check the “Other Reason” box. (If you are unsure about the meaning of any of the listed reasons, please consult A.R.S. §§ 25-301, 302, or an attorney.)
 - Items 7 and 8: Check the box which best describes both you and your spouse’s property and debts surrounding the marriage. Then list the description of property and amount of debts for Parts A and B.
 - Request(s) to the Court: If you wish the Court to consider an additional order, fill in Item 4 with what you want and why you want the Court to order it.
 - When you are filing this Petition with the Court Clerk, you will sign the oath in front of the clerk.
5. Form: Notice of Right to Convert Health Insurance: This is an important document that explains what to do about your healthcare coverage. Read it carefully; fill in your name as Petitioner, and your spouse’s name as Respondent. Be sure to include a copy of this form when you serve your spouse with the entire annulment packet.
6. Form: Notice Regarding Creditors: This is an important document that tells you and your spouse that you are both responsible for community debts to creditors, even though the Court may order or decree that only one of you are responsible. This notice must be served on your spouse. Also, please read this notice to learn how to obtain information from your creditors about account balances.

STEP 2: Make Two (2) copies of the following forms:

- Summons
- Preliminary Injunction
- Petition for Annulment without Minor Children
- Notice of Right to Convert Health Insurance
- Notice Regarding Creditors

STEP 3: Add the Family Department / Sensitive Data Coversheet form to the original set of forms. Separate this original set of forms from the copies you have made.

- 3 sets: You should have a total of 1 original set of forms, plus 2 copies of the forms (your photocopies from STEP 2 above).

STEP 4: Take your 3 sets of papers to the Clerk of Superior Court filing counter.

STEP 5:

Hand all 3 sets of papers to the Clerk and pay your filing fee. You should go to the Superior Court at least two (2) hours before it closes, as the Superior Court closes daily at 5:00 p.m.

Fees: A list of current fees is available from the Clerk of Superior Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Wait for the Court Clerk to give you back the following: 1) your copy of the set of papers, and 2) your spouse's copy of the set of papers.

STEP 6: Read the packet called the "Service of Court Papers" at the Law Library Resource Center to find out how to serve the other party (your spouse).

Name of Person Filing: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Phone Number: _____
 Email Address: _____
 AZCARES Number (if applicable): _____
 Attorney Bar Number (if applicable): _____
 Representing: Self Petitioner Respondent

SUPERIOR COURT OF ARIZONA IN MOHAVE COUNTY

 Petitioner

Case No. _____

**CONFIDENTIAL SENSITIVE DATA FORM
 WITHOUT CHILDREN**

 Respondent

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access confidential pursuant to ARFLP 43.1(f).

A. Personal Information:

Petitioner

Respondent

Name	_____	_____
Gender	<input type="checkbox"/> Male or <input type="checkbox"/> Female	<input type="checkbox"/> Male or <input type="checkbox"/> Female
Date of Birth (Month/Day/Year)	_____	_____
Social Security Number	_____	_____

WARNING: DO NOT INLCUDE MAILING ADDRESS ON THIS FORM IF REQUESTING ADDRESS PROTECTION

Mailing Address	_____	_____
City, State, Zip Code	_____	_____
Contact Phone	_____	_____
Email Address	_____	_____
Current Employer Name	_____	_____
Employer Address	_____	_____
Employer City, State, Zip Code	_____	_____
Employer Telephone Number	_____	_____
Employer Fax Number	_____	_____

B. Type of Case being filed – Check only one category.

**Check only if no other category applies*

- Dissolution (Divorce) * Other
- Legal Separation
- Annulment
- Order of Protection

Interpreter Needed:

- Yes No
- If yes, what language?
- Register Foreign Order

DO NOT COPY this document. DO NOT SERVE THIS DOCUMENT to the other party.

Name of Person Filing: _____
Mailing Address (if not protected): _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

(Name of Petitioner) Case Number: _____

AND **SUMMONS**

(Name of Respondent)

WARNING: This is an official document from the court. It affects your rights. Read this document carefully. If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: _____
(Name of Opposing Party)

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this Summons.
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the Court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his or her Petition or Complaint. To file your "Answer" or Response" take, or send, the "Answer" or "Response" to the **Office of the Clerk of the Superior Court, 415 East Spring Street, Kingman, AZ 86401 (P.O. Box 7000, Kingman, AZ 86402-7000)** or the **Office of the Clerk of the Superior Court, 2225 Trane Road, Bullhead City, AZ 86442,** or **Office of the Clerk of the Superior Court, 2001 College Drive, Lake Havasu City, AZ 86404.** Mail a copy of your "Answer" or "Response" to the other party at the address listed on the top of this Summons.
3. If this Summons and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS, starting the day after you were served. If this "Summons" and other court papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your "Response" must be filed within THIRTY (30) CALENDAR DAYS, starting the day after you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court at the address listed in Paragraph 2 above.
5. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least (5) five days before your scheduled court date.

SIGNED AND SEALED this date: _____

**CHRISTINA SPURLOCK,
Clerk of the Superior Court**

By: _____
Deputy Clerk

Name of Person Filing: _____
 Mailing Address (if not protected): _____
 City, State, Zip Code: _____
 Daytime Phone Number: _____
 Evening Phone Number: _____
 AZCARES Number (if applicable): _____
 Attorney Bar Number (if applicable) _____
 Representing: Self Petitioner Respondent

**SUPERIOR COURT OF ARIZONA
 MOHAVE COUNTY**

 (Name of Petitioner)

Case Number: _____

PRELIMINARY INJUNCTION

AND

 (Name of Respondent)

WARNING: 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 a lawyer for help.

Your spouse has filed a **“Petition for Dissolution”** (Divorce) or **“Petition for Annulment”** or **“Petition for Legal Separation”** with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Mohave County. This Order has the same force and effect as any order signed by the judge. You and your spouse **must** obey this Order. This Order may be enforced by any remedy available under the law, including an **“Order of Contempt of Court.”** To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

EXPLANATION: (What does this Order mean to you?)

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the **“Petition for Dissolution”** (Divorce) or **“Petition for Annulment”** or **“Petition for Legal Separation”** is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:
 - ✓ You may **not** hide earnings or community property from your spouse, **AND**
 - ✓ You may **not** take out a loan on the community property, **AND**
 - ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
 - ✓ Do **not** harass or bother your spouse or the children, **AND**
 - ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
 - ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.
 - ✓ Do **not** remove, or cause to be removed, the other party or the minor 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.

STATUTORY REQUIREMENTS: Arizona Law, A.R.S. 25-315(A) provides:

- 1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** 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.
- 1(b). **REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- 1(c). **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- 1(d). **RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor 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.
- 2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.
- 3. **ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
- 4. **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 by disobeying this Order.
- 5. **LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.

6. **DESCRIPTION OF THE PARTIES:**

Petitioner:

Name: _____ Gender: Male Female
 Height: _____
 Weight: _____
 Date of Birth: _____

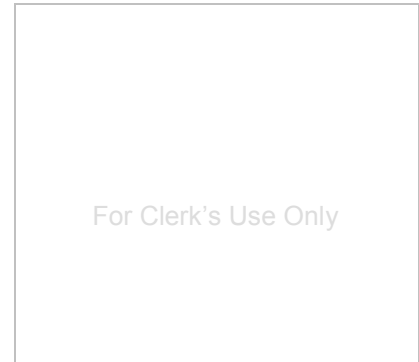
Respondent:

Name: _____ Gender: Male Female
 Height: _____
 Weight: _____
 Date of Birth.: _____

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this _____ day of _____, _____.

**CHRISTINA SPURLOCK
 CLERK OF SUPERIOR COURT**

By: _____
 Deputy Clerk



Person Filing: _____
 Address (if not protected): _____
 City, State, Zip Code: _____
 Telephone: _____
 Email Address: _____
 AZCARES Number: _____
 Lawyer's Bar Number: _____

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA MOHAVE COUNTY

Regarding the matter of:

Case Number: _____

PETITION FOR ANNULMENT OF NON-COVENANT MARRIAGE WITHOUT MINOR CHILDREN

Name of Petitioner / Party A

AND

Name of Respondent / Party B

STATEMENTS TO THE COURT, UNDER OATH or AFFIRMATION:

I, _____, hereby state to and petition the Court, the following true statements:

1. 90 DAY RESIDENCY REQUIREMENT:

I have, and/or my spouse has lived or been stationed (while a member of the Armed Forces) in Arizona for **AT LEAST 90 days** before filing this action. If this statement is **NOT** true, you must wait until **one of you** has resided in Arizona 90 days before you can file for annulment.

2. INFORMATION ABOUT ME:

Name: _____

Date of Birth: _____

Address: _____

Occupation: _____

How long have you lived in AZ? _____ Yrs. _____ Mos.

3. INFORMATION ABOUT MY SPOUSE:

Name: _____

Date of Birth: _____

Address: _____

Occupation: _____

How long has your spouse lived in AZ? ____ Yrs. ____ Mos.

4. INFORMATION ABOUT OUR PURPORTED MARRIAGE:

- Date of our Marriage: _____
Month/day/ year
- City, State, Country of marriage: _____
- Is your marriage a covenant marriage? YES NO
- If you disagree with what your spouse claims about the type of marriage you have, please attach to this form, a copy of your marriage license to show what kind of marriage you have.

5. CHILDREN AND PREGNANCY: (Check one)

No children have been conceived from the marriage

Party A is NOT pregnant

-OR-

Party A IS pregnant: Due Date _____ AND Party B is NOT a parent of the child.

Party B is NOT pregnant

-OR-

Party B IS pregnant: Due Date _____ AND Party A is NOT a parent of the child.

6. GROUNDS (REASONS) FOR THE ANNULMENT: Under oath, I pledge to the court that the marriage between my spouse and me is void for the following reason(s): (Check at least one reason, pursuant to A.R.S. § 25-302).

Absence of Mental Capacity

Absence of Physical Capacity

Absence of a Valid Marriage License

Blood Relationship

Concealment of prior Marital Status

Duress

Fraud

Lack of Contractual Intent

Refusal of Intercourse

Secret Attempt not to Abide by

Antenuptial Agreement

Underage

Undissolved Prior Marriage

Misrepresentation as to Religion

Proxy Marriage

EXPLANATION: If you marked any box(es) in the list above, briefly explain the reason(s) you chose that ground(s) for annulment:

- Other Reason(s) for annulment. If you have a reason for annulment OTHER THAN the ones listed above, please explain:

(Length of marriage is not a reason or defense)

7. A. PROPERTY ACQUIRED BEFORE THE MARRIAGE: (Check all boxes that apply)

- I do not have any property that I brought into the marriage.
- My spouse did not bring any property into the marriage.
- I have property that I brought into the marriage.
- My spouse brought property into the marriage.

B. PROPERTY ACQUIRED DURING THE MARRIAGE: (Check all boxes that apply)

- My spouse and I did not acquire any property during the marriage.
- My spouse and I acquired property during the marriage.

We propose dividing the property acquired during the marriage as follows:

DESCRIPTION of PROPERTY	PARTY A's (Check if it applies)	PARTY B's (Check if it applies)

8. A. DEBTS INCURRED DURING THE MARRIAGE: (Check all boxes that apply)

- My spouse and I did not incur any debts during the marriage.
- My spouse and I incurred debts during the marriage.

DESCRIPTION & AMOUNT of Debt	PARTY A's (Check if it applies)	PARTY B's (Check if it applies)

B. SEPARATE DEBTS: (Check all boxes that apply)

- I do not have any debts that were incurred before the marriage.
- My spouse does not have any debts that were incurred before the marriage.
- I have separate debt that I incurred before the marriage that should be paid as described below:
- My spouse incurred separate debt before the marriage that should be paid as described below:

DESCRIPTION & AMOUNT of Debt	PARTY A's (Check if it applies)	PARTY B's (Check if it applies)

REQUESTS TO THE COURT:

I declare all the above information to be true; I respectfully requests the Court:

1. ANNULMENT: I request (1) a decree of the Court declaring the marriage between Party A and Party B null and void, and (2) grant an annulment of that marriage.

2. PROPERTY:

- Confirm ownership of property acquired before the marriage, and
- Fairly divide any property acquired during the marriage as follows:

DESCRIPTION of PROPERTY	To PARTY A	To PARTY B

3. DEBT: Order each party to pay debts as requested in this Petition.

DESCRIPTION & AMOUNT of Debt	PARTY A's Responsibility	PARTY B's Responsibility

4. NAME CHANGE: (Optional. Complete this section **ONLY** if you want your name restored to a former name)

- My complete married name is:

--	--	--

- I want my married name restored to: (List complete maiden name 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 person who wants his/her name restored.

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

UNDER OATH OR AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Signature

STATE OF _____

COUNTY OF _____

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

(Date)

_____.

(Notary seal)

Deputy Clerk or Notary Public

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

Petitioner _____

Respondent _____

Case # _____

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 to you 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.

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.

Name of Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Phone Number: _____
Email Address: _____
AZCARES Number (if applicable): _____
Attorney Bar Number (if applicable): _____
Representing: Self (Without Attorney) or
Attorney for: Petitioner Respondent

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

(Name of Petitioner)

Case Number: _____

AND

**NOTICE REGARDING
CREDITORS**

(Name of Respondent)

ARIZONA STATE LAW

REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party. (ARS 25-318(H)).

YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS. The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses only, not the creditors. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between both of you and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

CONTACT CREDITORS: You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation 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. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty (30) days after receipt of a request from a spouse who is party to a divorce or legal separation, 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 you or your spouse may be liable to the creditor.

WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.

DO NOT FILE THE ATTACHED FORM WITH THE COURT.

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 Mohave 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: _____

Name of Person Filing: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Phone Number: _____
 Email Address: _____
 AZCARES Number (if applicable): _____
 Representing: Self, Without a Lawyer OR
 Attorney for: Petitioner Respondent

**SUPERIOR COURT OF ARIZONA
 MOHAVE COUNTY**

 (Name of Petitioner)

Case Number: _____

AND

**FAMILY COURT
 ELECTRONIC DISTRIBUTION
 OPT OUT OR CONSENT**

 (Name of Respondent)

The Mohave County Superior Court will electronically distribute all documents in this case unless you opt out. PLEASE CHECK ONE:

I **consent** to distribution of court documents by the clerk to this action.

Email Address: _____

I **opt out** of electronic distribution, and ask that all documents be mailed by U.S. mail to:

Other parties may send your copy of documents electronically if you consent in this form. PLEASE CHECK ONE:

I **consent** to electronically receive my copy of all court documents filed by the other party under Rule 43.

Email Address: _____

I **opt out** of electronic distribution, and ask that all documents be mailed by U.S. mail to:

Each party is responsible for maintaining the provided email address, and for checking it on a regular basis.

This form is effective when it is filed with the clerk and remains in effect until a new form is filed with the clerk and notice is provided to the other party.

This person filing this form is sending a copy to the other party on this date: _____, at this address:

 Date

 Signature

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
AZCARES Number: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MOHAVE COUNTY

Petitioner / Party A

Case No. _____

DECREE OF ANNULMENT in a NON-Covenant Marriage

for DEFAULT

for TRIAL

Respondent / Party B

THE COURT FINDS:

1. This case has come before this Court for a final Decree of Annulment 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.
2. This Court has jurisdiction over the parties under the law.
3. Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved, and made orders relating to issues of the division of property and/or debts.
4. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the parties, and the division of property and debt is fair and equitable.
5. **Arizona Residency.** The requirements of A.R.S. §25-312 for annulment of marriage, have been met: At the time this action was filed, the Party A or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. Also, Party A or Party B was domiciled or stationed in Arizona for more than 90 days.
6. **Conciliation Court.** The provisions relating to Conciliation Court do not apply or have been met.
7. **Covenant Marriage.** This is a non-covenant marriage.

8. **GROUND(s) for Annulment:** The requirements of A.R.S. §25-301 have been met. The following ground(s) is the basis for this Annulment, which renders the marriage void:

9. **Protective Orders.** Following is the effect, if any, of this Decree on any existing protective orders:

10. **Pregnancy and Minor Children.**

- There are no minor children common to the parties.
- Party A is NOT pregnant OR
- Party A is pregnant and the Party B is OR is NOT the parent of the child.
- Party B is NOT pregnant OR
- Party B is pregnant and Party A is OR is NOT the parent of the child.

11. **Community Property and Debt.** The Court has considered, approved, and made orders relating to the issues of property and debt. (Check the appropriate box(es)).

- The parties did not acquire any community property during the marriage.
- The parties did not acquire any debt during the marriage.
- There is an agreement as to division of community property and debt. All community property and debt is divided pursuant to and incorporated into this Decree. If necessary, attach the Community Property (**Exhibit "A"**) with the signature of both parties as evidence of this agreement.
- There is NO agreement as to division of property and/or debt, but all community property and/or debt is divided pursuant to this Decree.

12. **Other Findings:**

THE COURT ORDERS:

1. **ANNULMENT of the MARRIAGE.** The marriage of the parties is annulled because of the following ground(s):

The parties are restored to the legal status of single persons.

2. PROPERTY and DEBTS: (Select any that apply.)

- A.** Party A is ordered to pay all debts unknown to Party B, AND
 Party B is ordered to pay all debts unknown to Party B AND
 Each party is ordered to pay his or her debts incurred since _____ date.
- B.** Each party is assigned their separate property and Party A must pay his/her separate debt, and Party B must pay his/her separate debt.
- C.** 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 _____ by 5:00 p.m.

NOTE: 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.

- D.** Other orders and relief relating to property or debt, if any, are contained in "Exhibit A", which is attached and incorporated into this Decree.

3. TAX RETURNS

Please mark appropriate boxes:

- Each party shall give the other party all necessary documentation to file all tax returns.
- For previous calendar years, pursuant to IRS rules and regulations, the parties will file separate federal and state income tax returns.
- This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

4. NAMES: 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.

- Party A's name is restored to _____. (Put only the last name here.)
- Party B's name is restored to _____. (Put only the last name here.)

5. OTHER ORDERS. (List any other orders.)

6. ENFORCEMENT OF TEMPORARY ORDERS: All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of **ALL** temporary orders here) _____ shall be satisfied in full or judgment is awarded against the party with the obligation, up to the amount due and owing as of the date of this Decree, together with the highest legal interest allowed by law.

7. FINAL APPEALABLE ORDER. Pursuant to Rule 78, Arizona Rules of Family Law Procedure, this final judgment/decree is settled, approved and signed by the Court and shall be entered by the clerk.

Date

Judicial Officer

If this Decree/Judgment was issued as a “Default,” I certify that within three (3) days of receiving this Decree/Judgment, I will mail a copy of this Decree/Judgment to the last known address of the party in default as follows:

Party B’s Name: _____

Mailing Address: _____

City, State Zip Code: _____

By: _____

EXHIBIT A: PROPERTY AND DEBTS (Refer to section "E" in instructions)

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 of the property.)

	AWARD TO	
Household Furniture and Appliances (Be specific)	Party A	Party B
_____	<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"/>
Video: TV / DVD / DVR / VCR, etc. (Be specific)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Audio: Stereo/ Radio (Household or Portable) (Be specific)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Computers and Related Equipment (Be specific)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
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 #: _____		

AWARD TO

COMMUNITY PROPERTY (Be specific)

Party A Party B

 Cash, bonds of \$

Other: _____

Other: _____

Other: _____

Other: _____

Other: _____

Continues on attached page(s).

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:

Party A or Party B

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Party A

_____ % or \$_____ to Party B

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:

Party A or Party B

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A
 _____ % or \$ _____ to Party B

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 Party A	Amount to be paid by Party B
a. _____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____
d. _____	\$ _____	\$ _____	\$ _____
e. _____	\$ _____	\$ _____	\$ _____
f. _____	\$ _____	\$ _____	\$ _____
g. _____	\$ _____	\$ _____	\$ _____
h. _____	\$ _____	\$ _____	\$ _____
i. _____	\$ _____	\$ _____	\$ _____

Continues on attached page.

6. 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.

7. 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 Party A	To Party B
_____	\$ _____	<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"/>

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

Debt recognized as the separate debt of Party A or Party B, is assigned below:

Creditor Name	Debt Amount	Party A Pays	Party B 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"/>

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