

Petition and papers for **Enforcement of Order on Property**

CHECKLIST

USE THE FORMS and instructions in this packet only if the following factors apply to your situation:

- ✓ You have a Mohave County Decree for divorce or legal separation ordering the distribution of property, AND
- ✓ Your former spouse will not give you property you are entitled to under the decree or sign over the title.

WARNING: If the order you want to change is not from this county, ask a lawyer about the requirements to file your Petition (Request) with this Court.

DO NOT USE THE FORMS and instructions in this packet if the following factors apply to your situation:

- ✓ Your former spouse was ordered to pay certain debts, and he/she did not do so (in these cases, 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 Resource Center website.

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 IN MOHAVE COUNTY

Regarding the Matter of:

Case Number: _____

(Name of Petitioner / Party A)

PETITION TO ENFORCE COURT ORDER ABOUT DIVISION OF PROPERTY A.R.S. § 25-318

AND

(Name of Respondent / Party B)

General Information:

1. INFORMATION ABOUT YOU:

Name: _____

Address: _____

County of residence: _____

Date of Birth: _____

Occupation: _____

2. INFORMATION ABOUT THE OTHER PARTY:

Name: _____

Address: _____

County of residence: _____

Date of Birth: _____

Occupation: _____

3. INFORMATION ABOUT DIVORCE OR LEGAL SEPARATION DECREE I WANT TO ENFORCE:

Date of order: _____

Court Case Number: _____

Location of court (city and county): _____

4. INFORMATION ABOUT OTHER COURT CASES TO ENFORCE OR MODIFY THIS COURT ORDER INVOLVING THESE PARTIES:

Current enforcement or modification cases: No other cases are pending in any court for enforcement of this court order for property. (You must check here, and this must be true.)

Past enforcement or modification cases: Write "none", unless either or both parties have filed for enforcement or modification of the court order in the past, in which case you must complete the following information; use additional paper if necessary:

Names of Parties: _____

Date of order, judgment, dismissal, etc. _____

Explain what order or judgment said, or basis for dismissal: _____

Court Case Number: _____

Location of court (city and county): _____

Explain Type of Case (legal decision making, physical custody, parenting time, etc.) _____

5. ALL OTHER COURT CASES THAT INVOLVE THESE PARTIES: Describe all other court cases that involve these same parties, whether still pending or not, and complete all the information for each court order (use extra paper if necessary; if no such cases, write "none")

A. Names of Parties: _____

Date of order or judgment (if one already entered): _____

What order or judgment said: _____

Court Case Number: _____

Location of court (city and state): _____

Explain Type of Case: (Order of Protection, Injunction Against Harassment, legal decision making, enforcement of support, enforcement of physical custody, parenting time, etc.) _____

Status of Case Now:

Final Order Entered; Case is over

Hearing Date Set: On (date) _____ at (time) _____

Location/address: _____

Other (explain in detail): _____

B. Names of Parties: _____

Date of order or judgment (if one already entered) _____

What order or judgment said: _____

Court Case Number: _____

Location of court (city and state): _____

Explain Type of Case: (Order of Protection, Injunction Against Harassment, Enforcement of Support, Enforcement of Physical Custody or Parenting Time, etc.) _____

Status of Case Now:

Final Order Entered; Case is over

Hearing Date Set: On (date) _____ at (time) _____
Location/address: _____

Other (explain in detail): _____

WHAT THE COURT ORDER SAYS THAT I WANT THE OTHER PARTY TO OBEY: (check boxes for the parts of the order you want enforced, describe the property and say what the other party is not doing to obey the order; use extra paper if necessary)

6. **A. About personal property I am supposed to take possession of:** The order granted to me the following property, (list the property you were awarded)

ITEM	VALUE	WHO HAS ITEM NOW
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. But the other party will not let me have the property (explain exactly and with detail what the other person is doing to keep the property away from you or keep you away from the property).

C. This is what I want the court to do about it. _____

7. A. About real property (home, cabin, etc.) as my sole/separate property: The order granted to me as my sole and separate property the following property:

Real property located at (address) which is legally described as: _____

B. But the other party will not let me have the property (explain exactly, and with detail, what the other person is doing to keep the property away from you or keep you away from the property).

C. This is what I want the court to do about it. _____

8. A. **About real property (home, cabin, etc.) To be sold and the proceeds divided:** The order said that the following property must be sold and the proceeds divided:

Real property located at (address) _____
which is legally described as: _____

B. But the other party is delaying or hindering the sale or division of proceeds as follows (explain exactly, and with detail, what the other person is doing).

C. This is what I want the court to do about it. _____

REQUEST TO THE COURT UNDER OATH OR AFFIRMATION: For an order requiring the other party to appear in court to testify about these matters, and then for an order as follows:

9. For an order as follows: **CHECK ONLY THE ONE BOX THAT IS APPROPRIATE:**

A. Ordering (name of other party) _____ to give me possession of personal property awarded to me in the decree and listed above as follows:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

B. Ordering (name of other party) _____ to give me possession as my sole and separate property the real property awarded to me in the decree and listed above as follows:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

C. Ordering (name of other party) _____ to cooperate in the sale of the real property described above and to divide the sale proceeds as required by the decree as follows:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

10. For any other order that the court considers to be just.

UNDER OATH OR BY 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.

Signature

Date

STATE OF _____

COUNTY OF _____

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

_____.

(notary seal)

Deputy Clerk or Notary Public

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

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

(Name of Petitioner)

Case Number: _____

**ORDER TO APPEAR
POST JUDGMENT/DECREE**

(Name of Respondent)

READ THIS ORDER CAREFULLY. This is an important court order that affects your rights. Read this Order carefully. If you do NOT understand this Order, contact a lawyer for help. All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just including granting the relief requested by the party who does not appear.
FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A CHILD SUPPORT OR CIVIL WARRANT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL FOR UP TO 24 HOURS BEFORE YOU SEE A JUDGE.

Based on the Petition, *the documents filed with it*, and pursuant to Arizona law, **IT IS ORDERED THAT YOU** appear at the time and place stated below so the court can determine whether the relief asked for in the Petition should be granted.

NAME OF JUDICIAL OFFICER: _____

DATE OF HEARING: _____ TIME OF HEARING: _____

PLACE OF HEARING:

Mohave County Courthouse, 415 E Spring Street, Kingman, Arizona,
Mohave County Courthouse, 2225 Trane Avenue, Bullhead City, Arizona,
Mohave County Courthouse, 2001 College Drive, Lake Havasu City, Arizona

TYPE OF HEARING:

Initial Conference Evidentiary Hearing
Resolution Management Conference
Other (specify): _____

TIME ALLOTTED FOR HEARING: _____

EVIDENCE WILL WILL NOT be presented at the hearing.

In order to present evidence at a hearing, you must contact MohaveDE@courts.az.gov for an access link to Case Center and upload all exhibits at least ___ days prior to your hearing. If you are unfamiliar with Case Center, please request assistance by emailing MohaveDE@courts.az.gov.

IT IS FURTHER ORDERED that a true copy of the "Order to Appear—Post Judgment/Decree" and a true copy of the documents filed with the Petition shall be served by the moving party on the parties who are required to appear and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with Rules 40, 41, 42 or 43, as applicable *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that the parties and counsel file and exchange all documents and disclosure as required by Rule 91, within the time specified therein. Failure to comply may result in the imposition of sanctions as set forth in Rule 91 (Q).

Requests for reasonable accommodation for persons with disabilities must be made to the office of the assigned judicial officer five days before your scheduled court date.

Judicial Officer Date

THEREFORE, IT IS ORDERED THAT:

1. Ordering (name of other party) _____ to give possession of personal property awarded to (name) _____ as identified below as follows:

DESCRIPTION OF PROPERTY THAT THIS ORDER IS ABOUT:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

2. Ordering (name of other party) _____ to give possession to _____ (name) as separate property the real property awarded to him/her in the divorce decree and identified below as follows:

DESCRIPTION OF PROPERTY:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

3. Ordering (name of other party) _____ to participate in the sale of the following real property and to divide the sale proceeds as required by the decree as follows:

DESCRIPTION OF PROPERTY:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

4. **OTHER ORDERS:** This Court makes further Orders relating to this matter as follows: (explain -- use additional paper if necessary):

DONE IN OPEN COURT this _____ day of _____ 20____.

JUDGE OR COURT COMMISSIONER