(A) Name of Person Filing:	
Mailing Address:	
City, State, Zip Code:	
Phone Number(s):	
ATLAS Number (If Applicable):	
State Bar Number (If Applicable	e):
Representing:   Self Without a	Lawyer
Attorney for   Petitioner OR	Respondent Respondent

## SUPERIOR COURT OF ARIZONA IN MOHAVE COUNTY

	(C) Case Number:
(B) (Name of Petitioner)	
	DECREE OF LEGAL SEPARATION
	FOR A NON-COVENANT MARRIAGE
	WITH MINOR CHILDREN
(B) (Name of Respondent)	□ By Consent (Pg. 11)
	□ By Default
	□ After Trial

# (D) THE COURT FINDS:

- 1. This case has come before this court for a final Decree of Legal Separation. 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 and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to legal decision making, parenting time and support.

### 3. SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon respondent to consider the maintenance/support of either spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

## 4. The Court finds that:

- **a. Residency Requirement:** At the time this action was filed, the Petitioner or the Respondent lived in Arizona, or had lived in Arizona while a member of the United States Armed Forces.
- **b. Conciliation Court:** The provisions relating to the Conciliation Court either do not apply or have been met. This is not a covenant marriage.
- **c. Irretrievably Broken or Separate and Apart:** The marriage is irretrievably broken or the parties desire to live separate and apart. The Respondent has not objected to a Decree of Legal Separation.
- d. Legal Decision Making, Support, Spousal Maintenance/Support, Division of Property and Debt: 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 legal decision making, parenting time (visitation), child support, spousal maintenance/support (alimony), and the division of property and/or debts.

Revised: 1/1/2013 Page 1 of 12

e.	Comr	nunity Property and Debt:
		The parties did <b>not</b> acquire any community property or debt during the marriage, <b>OR</b>
		There IS an agreement as to division of community property and debt, all community property and debt is divided pursuant to this Decree.
		There is NO agreement as to division of community property and debt, but all
	_	community property and debt is divided pursuant to this Decree.
f.	Pregr	nancy and Paternity:
		Wife is <b>not</b> pregnant, <b>OR</b>
		Wife is pregnant, and the husband □ IS OR □ IS NOT the father of the child.  The husband is the father of these children born to the parties before the marriage:
		Names(s) Date(s) of Birth
g.	Spou	sal Maintenance/Support (Alimony).
		The Petitioner, <b>OR</b>
		The Respondent lacks enough property, including property given to him or her as part
		of this 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 a child(ren) of young age or is of a condition that they should not be required to look
		for work outside the home, or lacks earning ability necessary to support himself or
		herself, or contributed significantly to the educational opportunities 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 getting a job to support himself or herself.
h.		t Information Program.
	1.	Petitioner _ has attended the Parent Information Program class as evidenced by the "Certificate of Completion" in the court file, OR
		Petitioner  has not attended the Parent Information Program class and  shall be
		denied any requested relief to enforce or modify this decree until petitioner has
		completed the class.
	2.	Respondent _ has attended the Parent Information Program class as evidenced by the "Certificate of Completion" in the court file, OR
		Respondent $\Box$ has <b>not</b> attended the Parent Information Program class and $\Box$ shall be
		denied any requested relief to enforce or modify this decree until respondent has
		completed the class.
i.		tion from Child Support. The court, having considered the best interests of the minor ren), deviates from the guidelines for the following reasons:
		Application of the guidelines is inappropriate
		Application of the guidelines is unjust
	ine c	ourt makes the following finding regarding the deviation:
		The child support order would have been \$
		The child support order after deviation is \$
j.		y to Pay Child Support: The court finds that the person responsible for paying child ort has the ability to pay child support:
	Suppo	In the amount entered on Line 34 of the Worksheet for \$
		· -

Case No.\_\_\_\_\_

Revised: 1/1/2013 Page 2 of 12

			☐ In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$
	k.		Decision Making of Minor Child(ren). (Check/complete only if legal decision making is ntested or joint legal decision making is ordered.)  The legal decision making order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)  REASONS:
	I.	Supervordered	vised or No Parenting Time: (Check and complete only if supervised or no visitation is d.)
			Supervised Parenting Time between the minor children and □ petitioner, OR □ respondent, OR
			<b>No Parenting Time</b> by ☐ Petitioner, <b>OR</b> ☐ Respondent, is in the best interests of the minor child(ren), for the following reasons: (Explain the reasons)
			REASONS:
	m.		stic Violence. If the court enters an order for joint legal decision making of the minor en), check box "1" or box "2" and explain.
		1. 2.	□ Domestic violence has not occurred during this marriage, <b>OR</b> □ Domestic violence has occurred, but the domestic violence <b>has not</b> been significant. Explain why joint legal decision making is in the best interest of the minor child(ren) even though domestic violence has occurred.
(E) TI	HE CO	URT O	PRDERS:
1.	THE F	PARTIE	ES ARE LEGALLY SEPARATED.
2.			IENT OF TEMPORARY ORDERS: All obligations ordered to be paid by the parties in ders dated (fill in dates of ALL temporary orders here)
	(Dates	of Tem	porary Orders Continued):
			full or   judgment is awarded against the party with the obligation up to the amount due and date of this Decree, with the highest legal interest allowed by law, for the total amount of

Case No.\_\_\_\_\_

Revised: 1/1/2013 Page 3 of 12

Case No.		
Case No.		

# **LEGAL DECISION MAKING, PARENTING TIME, AND CHILD SUPPORT:** PREGNANCY AND PATERNITY: a. A child who is common to the parties is expected to be born this date All orders below as to legal decision making, parenting time (visitation), support, and medical insurance/expenses include this minor child and all other minor children named below. 1. MINOR CHILDREN: This Decree includes all minor children common to the parties as follows: Name(s) of Minor Child(ren): Date(s) of Birth: 2. PATERNITY: the husband is declared to be the father of the minor children named below, born before the marriage: Children Born BEFORE the Marriage: Date(s) of Birth: **LEGAL DECISION MAKING:** b. □ SOLE LEGAL DECISION MAKING: Sole legal decision making of the minor child(ren) is awarded to: Petitioner, **OR** $\square$ Respondent, subject to visitation as follows: Parenting time according to the terms of the Parenting Plan attached as Exhibit B and made a part of this Decree, OR Supervised parenting time to Petitioner, OR Respondent according to the terms of the Parenting Plan attached as Exhibit B. Parenting time may only take place in the presence of another person named below or otherwise approved by the court. Name of supervisor: The cost of supervised visitation will be paid by Petitioner, OR ☐ Respondent, **OR** ☐ shared equally by the parties **OR**, No parenting time rights to □ Petitioner **OR** □ Respondent. Restrictions on parenting time (if applicable):

Revised: 1/1/2013 Page 4 of 12

	, [ ; ; ;	custodians of the minor child(ren), as set forth in the Joint Legal Decision Making Agreement/Parenting Plan by the parties, signed by both parties and attached to this Decree as "Exhibit B." There have been no significant acts of Domestic Violence by either parent. The court adopts the terms of the Joint Legal Decision Making Agreement/Parenting Plan describing the legal decision making and parenting time agreement between the parties. By attaching the Joint Legal Decision Making Agreement/Parenting Plan to the Decree, the Agreement becomes part of the Decree and carries the same legal weight as the Decree.
c.	in the amo following the is based of reference. and must in	JPPORT: ☐ Petitioner, OR ☐ Respondent shall pay child support to the other party unt of \$ per month, beginning THE FIRST DAY OF THE MONTH he date this Decree is signed by the judge until further order of the court. Child Support he the information in the Child Support Worksheet attached hereto and incorporated by All child support payments shall be made through the Support Payment Clearinghouse include the statutory fee by the Order of Assignment signed this date. Payments will be stallments made on the 1st and 15th of each month.
d.	□ Petition	AND DENTAL INSURANCE, PAYMENTS, AND EXPENSES:  er is responsible for providing:  medical dental vision care insurance.  dent is responsible for providing:  medical dental vision care insurance.
	in the Pare ordered to	ental, and vision care insurance, payments and expenses are based on the information nt's Worksheet for Child Support attached and incorporated by reference. The party pay must keep the other party informed of the insurance company name, address and number, and must give the other party the documents necessary to submit insurance
	ordered to	red Expenses. Petitioner is ordered to pay
SPOL	JSAL MAI	NTENANCE/SUPPORT (Alimony):
a.	□ Neithe	er party shall pay spousal maintenance/support (alimony) to the other party, OR
b.	\$	Petitioner, <b>OR</b> Respondent is ordered to pay the other party the sum of per month spousal maintenance <b>BEGINNING THE FIRST DAY OF THE</b> ter this Decree is signed. Each payment shall be made by the first day of each month. and shall continue until the receiving party is remarried or deceased or until All payments shall be made through the Support Payment Clearinghouse tic wage assignment, until all required payments have been made under this Decree. made shall be included in receiving spouse's taxable income and is tax deductible from spouse's income as required by law. Spousal maintenance/support payments end if no party is remarried or deceased.
PROF	PERTY, D	EBTS AND TAX RETURNS:
a.	□ Pe	titioner is ordered to pay all debts unknown to Respondent, AND
	□ Re	spondent is ordered to pay all debts unknown to Petitioner, AND
	□ Ea	ch party is ordered to pay his or her debts from the following date,
b.		her orders and relief relating to property or debt are contained in Exhibit A, which is ached and incorporated into this Decree.

□ JOINT LEGAL DECISION MAKING: Petitioner and Respondent agree to act as joint

Revised: 1/1/2013 Page 5 of 12

2.

4.

C.				I his or her separate property and Petitioner spondent must pay his/her separate debt.	must pay his/her
d.		docum motor	ents necessary vehicles, house al property as	sed as a transfer of title and can be recorded to complete all transfer of title ordered ites, and bank accounts. The parties shat described in Exhibit A to the other parties, by 5:00 p.m.	n this Decree, such as all transfer all real and
		entitled entitled of Exe	d to receive the d to receive the	transfer the property has not transferred to property on or before the date and time property is entitled upon application to a Wued by the Clerk of the Court commanding e property.	listed above, the party /rit of Assistance or Writ
e.		For pre	evious calendar <u>y</u>	years, pursuant to IRS rules and regulation	s, the parties will file:
				nd state income tax returns and hold the oth Il income taxes and other costs, if any, and , <b>OR</b>	
			separate feder	ral and state income tax returns, AND	
			alendar year and ncome tax return	d continuing thereafter, each party will file sons, <b>AND</b>	eparate federal and
		Each p		ne other party all necessary documentation	to file all tax
(tax re		pousal		(CHANGES: The parties shall exchaning statements and/or other related final	
state ta as an i	ax return ncome t	ns as foll ax depe	lows. A party re	nall claim as income tax dependency exequired to pay child support is only entitled on if that parent has paid all of the child sumption:	to claim minor child(ren)
		d to clai		Name of child	Tax year
			spondent		
	itioner		spondent		
	itioner 		spondent		
	itioner		spondent		
□ Peti	itioner	□ Re	spondent		<u> </u>
MINO	R CHI	LDREN	MOHW OT N	THIS DECREE DOES NOT APPLY	: It is ordered that
□ Pe	titioner,	OR			
				tion or right to the minor child(ren) listed arriage. These minor children include: (	
necess	_				• •
	sary)			Birth date:	

Case No.\_\_\_\_\_

Page 6 of 12 Revised: 1/1/2013

6.

7.

			Case No	
	Name:		Birth date:	
	Child expected	to be born this date:		
9.	OTHER ORI	DERS. (Leave blank for Jud	dicial Officer.)	
10.			Pursuant to Arizona Revised Statutes §25-325, this gned by the court and shall be entered by the clerk.	fina
	(F) DONE IN	I OPEN COURT:	(Date)	
			JUDGE OR COURT COMMISSIONE	R
other		n, a copy of this Decree shall	Petitioner served the papers to begin this case by any meal be mailed or delivered to the Respondent within 24 hours	
Respo	ondent's Name:			
Mailin	g Address:			
City, S	State, Zip Code:			
	By Petitioner:			
	Date:			

Revised: 1/1/2013 Page 7 of 12

# **EXHIBIT A: PROPERTY AND DEBTS**

### 1. DIVISION OF COMMUNITY PROPERTY:

- Award each party the personal property in his or her possession, **OR**
- ☐ The following community property is awarded to each party as follows:

LIST	OF COMMUNITY PROPERTY, Be specific	AWARD TO:		
		Petitioner	Respondent	
	Household furniture/furnishings			
	· <del></del>			
	Appliances			
		_		
			_	
	DVD/DVDA/OD (Increase)			
	DVD/DVR/VCR (be specific)			
	TV			
	Personal computer			
	Stereo			
	State Income Tax Refund			
	Federal Income Tax Refund			
	Motor vehicle			
	Motor vehicle			
	Motor vehicle			
	Cash, bonds of \$		_	
	Other:			
]	Continued on attached list.			

## 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.)

Revised: 1/1/2013 Page 8 of 12

		Award each party his or her interest in any retirement benefits, pension plans, or other deferred compensation described as:  Petitioner's:
		Respondent's:
		OR
		The Plan Administrator and the parties have approved the Qualified Domestic Relations Order (QDRO) attached as Exhibit(s) Do not check this box without first seeking the help of a lawyer.
		OR Each party WAIVES AND GIVES UP his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party:
		OR
		Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
1.	piece	<b>SION OF REAL PROPERTY</b> . Section A is for one piece of property. Section B is for another of property. If you own more than two pieces of property, check the box below and attach another of paper with the information requested in A and B.
		More than 2 pieces of property are involved. See attached sheet listing the same information as in A and B.
	Α.	Real property located at (address)which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)
		LEGAL DESCRIPTION:
		The real property as described above is:  ☐ Awarded to ☐ Petitioner, <b>OR</b> ☐ Respondent as his or her sole and separate property.
		OR  □ Shall be sold and the proceeds divided as follows: % or \$ to Petitioner.
		% or <u>\$</u> to Respondent.
		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 titles ordered in this Decree, such as motor vehicles, houses, and bank accounts.
		□ is appointed real estate commissioner to sell this real property.
	B.	Real property at (address) which is legally described as: (You must provide the legal description. The legal description can be found on the deed to the property. If you do not provide the legal description, you may have to come back to court to amend the Decree to include the legal description.)

Case No.\_\_\_\_

Revised: 1/1/2013 Page 9 of 12

				Case No		
	LEGA	L DESCRIPTION: _				
	The r	eal property as descr	ribed above is:			
		Awarded to □ F property.		Respondent as h	is or her so	ole and separate
		Shall be sold and	-			
			\$t			
			sary to complete	all transfer of title		ded. Parties shall sigr n this Decree, such as
			is ap	ppointed real esta	te commis	sioner to sell this real
		property.				
		\$_				-
_	Conti	nued attached list.				
	Any of Petition	debts or obligations on for Dissolution that	incurred by either are not identified to robligation a	ied in the list abound that party sha	ove or atta	ched shall be paid by
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution that who incurred the de ess from such debts.  PROPERTY. The	incurred by either are not identified to robligation as to the following separate	ied in the list abound that party sha	ove or atta all indemnif	iched shall be paid by and hold the other lows: (Be specific)
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution the who incurred the de ess from such debts.	incurred by either are not identified to robligation as to the following separate	ied in the list abound that party sha	ove or atta all indemnif	ident was served with sched shall be paid by by and hold the other lows: (Be specific) Responder
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution that who incurred the de ess from such debts.  PROPERTY. The	incurred by either are not identified to robligation as to the following separate	ied in the list abound that party sha e property is awa Pet	ove or atta all indemnif	iched shall be paid by and hold the other lows: (Be specific)  Responder
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution that who incurred the de ess from such debts.  PROPERTY. The	incurred by either are not identified to robligation as to the following separate	ied in the list abound that party sha e property is awa Pet	ove or atta all indemnif	iched shall be paid by fy and hold the other  lows: (Be specific)  Responder
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution that who incurred the de ess from such debts.  PROPERTY. The	incurred by either are not identified to robligation as to the following separate	ied in the list abound that party sha	ove or atta all indemnif	iched shall be paid by and hold the other  lows: (Be specific)  Responde
SEPA	Any of Petition Perity harmle	debts or obligations on for Dissolution that who incurred the de ess from such debts.  PROPERTY. The	incurred by either are not identified to robligation as to the following separate	e property is awa	ove or atta all indemnif	lched shall be paid be yeld be yeld be yeld be yeld be specific)  Respondent
SEPA Descri	Any of Petitic party harm	debts or obligations on for Dissolution that who incurred the deless from such debts.  PROPERTY. The of Property. Be specified.	incurred by either at are not identificate or obligation as following separatecific.	e property is awa Pet	ove or atta all indemnif rded as fol itioner	iched shall be paid by fy and hold the other  lows: (Be specific)  Responder
SEPA Descri	Any of Petitic party harm	debts or obligations on for Dissolution that who incurred the deless from such debts.  PROPERTY. The of Property. Be specified by the parties of the parties	incurred by either at are not identificate or obligation as following separatecific.	e property is awa Pet	ove or atta all indemnif rded as fol itioner	iched shall be paid by fy and hold the other  lows: (Be specific) Responder
SEPA Descri	Any of Petitic party harm	debts or obligations on for Dissolution that who incurred the deless from such debts.  PROPERTY. The of Property. Be specified by the partie of Property.	incurred by either at are not identificated are not identification as a second control of the co	e property is awa Pet  ced to pay his or h Petitioner	ove or atta all indemnif rded as fol itioner	iched shall be paid by fy and hold the other  lows: (Be specific)  Responder
SEPA Descri	Any of Petitic party harm	debts or obligations on for Dissolution that who incurred the deless from such debts.  PROPERTY. The of Property. Be specified by the partie of the partie o	incurred by either at are not identificated by either at are not identification as a second control of the cont	e property is awa Pet  ced to pay his or h Petitioner	ove or atta all indemnif rded as fol itioner	iched shall be paid by fy and hold the other  lows: (Be specific) Responder
SEPA Descri	Any of Petitic party harmless per second control of the Petiton of ARATI or(s)	debts or obligations on for Dissolution that who incurred the deless from such debts.  PROPERTY. The of Property. Be specified by the partie of Property.	incurred by either at are not identificated are not identification as:  following separate ecific.  es are each order amount owed	e property is awa Pet  grad to pay his or h Petitioner	ove or atta	iched shall be paid by fy and hold the other  lows: (Be specific)  Responder

Revised: 1/1/2013 Page 10 of 12

# <u>COMPLETE THIS PAGE ONLY IF THIS IS A CONSENT DECREE.</u> If you are filing a Consent Decree, please review the following information. Both petitioner and Respondent must initial the appropriate boxes below.

1.	NON-COVENANT MARRIAGE. We do not have a covenant marriage.  [ ] Petitioner [ ] Respondent
2.	RIGHT TO TRIAL IS WAIVED. I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.  [ ] Petitioner [ ] Respondent
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 Consen Decree. This Decree with attachments, if any, that I have signed is our full agreement. I have no agreed to something different from what is stated in writing in the Decree.  [ ] Petitioner [ ] Respondent
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 Consent Decree.  [ ] Petitioner [ ] Respondent
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].  [ ] Petitioner [ ] Respondent
6.	DIVISION OF PROPERTY. The agreement about division of property and debts is fair and equitable.  [ ] Petitioner [ ] Respondent

This is a Consent Decree. By signing this Exhibit and subscribing and swearing to same (or affirming to same) before a Notary Public, both parties affirm that the information is true and correct, including the six statements listed above.

Revised: 1/1/2013 Page 11 of 12

SIGNATURE SECTION:				
STATE OF ARIZONA )				
)ss. COUNTY of Mohave )				
Approved by Petitioner:	Date:			
Subscribed and sworn to me by the Petitioner, on this	day of	, 20		
My Commission Expires:				
	Notary Public / Deputy Cler	 k		
STATE OF ARIZONA )				
)ss. COUNTY of Mohave )				
If you are filing a Consent Decree, the Respondent n	nust also sign:			
Approved by Respondent:	Date	Date		
Subscribed and sworn to me by the Respondent, on this	day of	, 20		
My Commission Expires:				
	Notary Public / Deputy Clerk			
If either party is represented by a lawyer, the lawyer	must also sign:			
Approved by Petitioner's Lawyer:	Date			
Approved by Respondent's Lawyer:	Date	Date		
If a Guardian Ad Litem is appointed, the Guardian Ad below:	d Litem must approve on behalf of	the child and sign		
Approved by Guardian Ad Litem:	Date			
If the Attorney General is involved in this case, the A amount only and sign below:	attorney General must approve the	child support		
Approved by Attorney General:	Date			

Case No.\_\_

Revised: 1/1/2013 Page 12 of 12