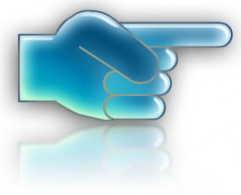
RESPONSE TO DISSOLUTION OF MARRIAGE (DIVORCE) WITH CHILDREN

Packet #3

These forms must not be used to engage in the unauthorized practice of law. The Court is not responsible for (1) actions taken by the users of these forms or (2) their reliance upon the instructions or information provided.

Updated March 2017

Are you the victim of domestic violence?



Important! Read this first…

Unfortunately, domestic violence may occur in any marriage and may be directed against you personally or against your children.

You are a domestic violence victim if you or any of your children have experienced any of the following:

- Physical acts like hitting, slapping, pushing, or kicking
- Threats of physical violence by phone or in person
- Abusive words and/or behavior used to control you or put you in any kind of danger
- Being followed around throughout the day or having your interaction with others monitored
- Being forbidden to leave your house or being taken against your will and kept at any other location
- Having your spouse enter the house against your will, behave in a disorderly manner and/or damage property
- Conduct that involves disobeying court orders, including Orders of Protection, Parenting Time Orders or Child Support Orders

You **DO NOT** need to have been seen at a hospital or at a doctor's office.

Your spouse **DOES NOT** need to have been convicted of domestic violence or assault.

You can get an IMMEDIATE Order of Protection **to keep your spouse away from you and your children by obtaining the Petition for Order of Protection from the Clerk of the Court on the first floor of the Pima County Superior Court, Room 131A. You may submit the Petition to any of the court locations listed on the next page between the hours of 8 a.m. and 4:30 p.m.**

Tucson City Court

103 E. Alameda St.

520-791-4971

Pima County Juvenile Court Center

2225 E. Ajo Way

520-724-2045

Pima County Consolidated Justice Court

240 N. Stone Avenue

520-724-3171

Pima County Superior Court Clerk

110 W. Congress, 1st floor

520-724-3210

To get an Order of Protection after hours or on weekends or holidays, call:

Tucson Police Department Department

520-791-4444

OR

Pima County Sheriff's

520-351-4900

In case of emergency call 911.

If you are in a protected location or shelter

DO NOT put your address or phone number on the court documents!

If possible, get a P.O. Box or use another valid mailing address on the papers, and tell the Clerk of the Court about your existing Order of Protection and case number. You can ask for a Protected Address using the Request for a Protected Address form. The forms for a Request for a Protected Address and Order for a Protected Address are included at the end of this packet.

You can find more information about Orders of Protection at the Self-Service Center located in the Pima County Superior Court Law Library, Room 256, on the second floor of the Pima County Superior Court (110 West Congress Street, Tucson Arizona 85701).

They are open from 8 a.m. to 5 p.m. Monday through Friday (except holidays). For more information, call 520-724-8456 or email **pcll@sc.pima.gov.**

GENERAL INFORMATION & Frequently Asked Questions

This packet will give you an overview of how to properly complete and file the necessary forms to respond to your spouse in a divorce case. While the divorce process may seem overwhelming and intimidating, please know that this packet is written with your needs in mind, and is intended to make this process as easy for you as possible.

If you take the time to read and follow the self-help instructions, and fill out the forms correctly and completely, then filing a Response will be a relatively simple process. The forms will walk you through the entire process so that you will be able to move smoothly through every issue including the welfare of your minor children, parenting decisions and division of property.

Other important forms and instructions for Family Court cases can be found online at **http://www.sc.pima.gov/?tabid=119.** We recommend that you do not fill out all the forms in all the packets right away. If you complete only the forms that you need for the step you are currently working on, it will further help to simplify the process.

There are times when more complex legal problems will come up, and you may want to get the advice of a lawyer. There are lawyers who will help you help yourself. This means that they will only charge you for giving you the help you need, and you can complete the court papers on your own or ask the lawyer for help with your papers (see page 11). For more information, call the **Self-Service Center at (520) 724-8456.**

The Self-Service Center has other free resources you may want to use. They are located in the Pima County Law Library, Room 256, on the second floor of the Pima County Superior Court (110 West Congress Street, Tucson Arizona 85701). They are open from 8 a.m. to 5 p.m. Monday through Friday (except holidays). Call or email them at **pcll@sc.pima.gov.**

This symbol is a warning. It can mean a few different things:

- The topic can be confusing and you may need to ask a lawyer for help
- You may need to make sure that something is done

Whenever you see this symbol, ***make sure*** you read the information carefully and understand it fully.

For divorce with children only

This packet has been designed for a divorce that involves minor children (under age 18). If you and your spouse do not have children together either by birth or by adoption, then STOP.

You should be using Packet #6 *Response without Children.*

What forms should I receive from the other party?

Summons: This form shows that you have been ordered to appear in court. You "appear" by filing a written Response with the court, making you the Respondent of the case.

Affidavit Regarding Minor Children: This form tells the court that there are no minor children involved in this case.

Petition for Dissolution of Marriage: This form lists your spouse's requests for the court to dissolve the marriage, divide community property, and order spousal maintenance. For more information about these topics, see Packet # 1, *Divorce – General Information*.

Read each and every word of the Petition very carefully
and decide what you want to do.

What are my options as a Respondent?

- Do Nothing - If you don't respond, your spouse can file an *Application and Affidavit for Entry of Default*. This may result in a default judgment. It is never a good idea to ignore a court proceeding. The court will decide how to dissolve your marriage without hearing your side of the situation. You will be held accountable for what the court orders regardless of your lack of response.

- File a Written Response - If you do not agree with your spouse's requests in the Petition, and you cannot reach an agreement, you should file a written Response. This is how you request what you want the court to order regarding the divorce, your community property and debts, and any spousal maintenance.

What forms should I complete if I choose to respond?

- *Response to Petition for Dissolution of Marriage (Divorce) Without Children*
- *Affidavit RE: Minor Children*
- *Confidential Sensitive Data Form* (if needed)

This packet also includes forms that you should complete if your case involves domestic violence, and you seek protection.

Do not use these forms if the Petitioner already knows your address.

- *Request for Protected Address*
- *Order for a Protected Address*

What do I do after I complete the forms?

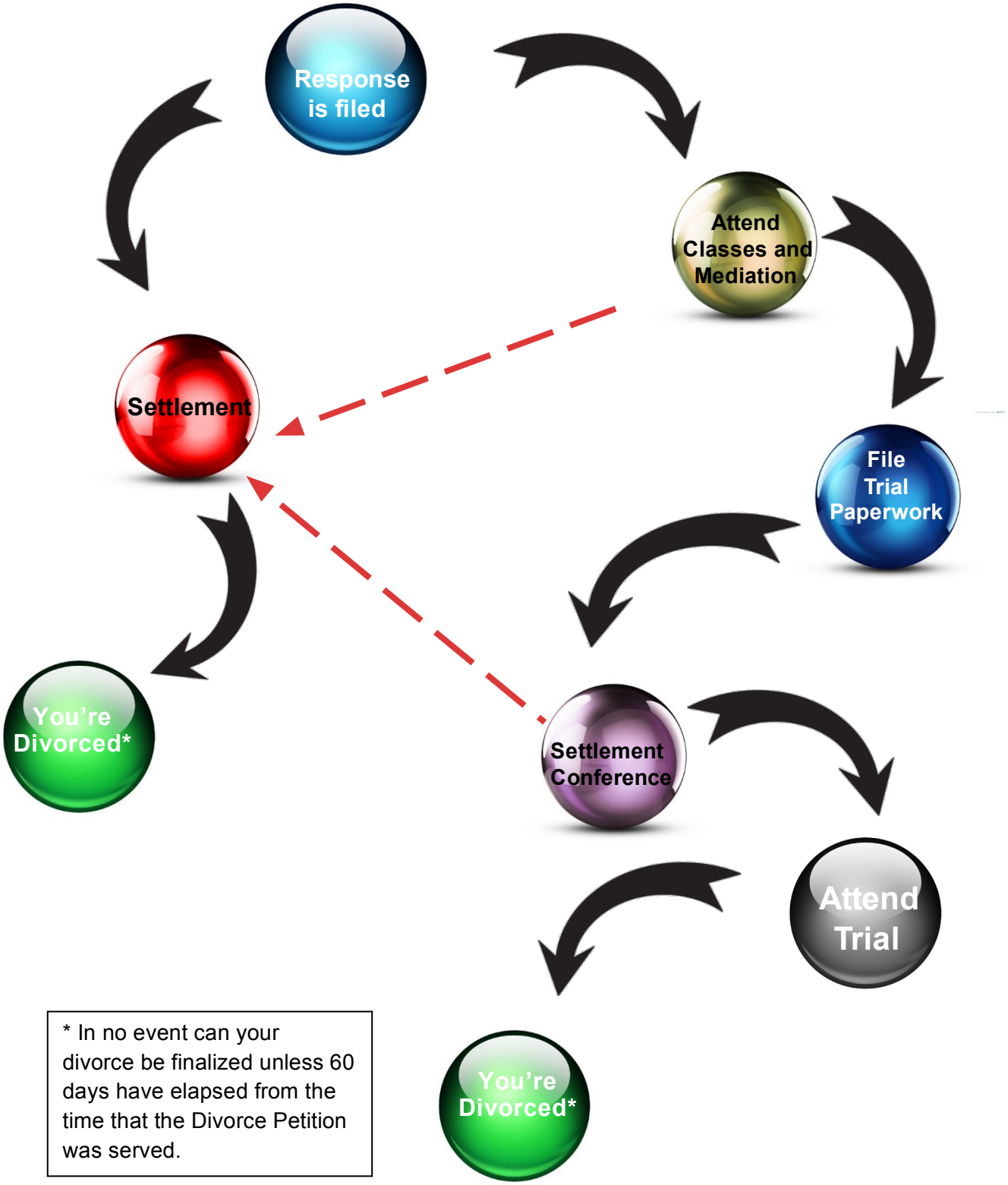
Step 1: Make 3 copies of the completed forms above.

Step 2: File documents with the court. Take all of the copies to the clerk of the court, located on the first floor of the Superior Court Building (110 West Congress, Tucson, AZ 85701. Open 8 am to 5 pm, Monday through Friday, except legal holidays). Arrive at the courthouse at least one hour before it closes. Tell the clerk that you want to file a response for dissolution. The clerk will take your original forms and one set of copies and will stamp your originals.

How long do I have to respond?

If you are served in the state of Arizona, you have 20 days after service to respond. If served outside of Arizona, you have 30 days after service to respond. If you do not file a written Response on time you may receive a notice of default. You have 10 days after receiving this notice to file your written Response. If you still do not file a written Response by the end of this grace period, a default judgment can be entered and you will be held accountable for what the court orders.

Basic overview of the response process



* In no event can your divorce be finalized unless 60 days have elapsed from the time that the Divorce Petition was served.

What about my children?

Because your divorce involves minor children, you and your spouse are required to attend the Domestic Relations Education on Children's Issues Course (Parent Education Class). You must complete this class within the first 45 days after your Divorce Petition was served on you.

You are not responsible for your spouse's attendance, but no request regarding Legal Decision-Making or Parenting Time will be granted to a non-attending spouse, and the course must be completed before attending Conciliation Court Mediation. There is a fee for this class. You can register for the course at **www.sc.pima.gov/fccc/parented** or by calling **520-243-4949**.

What if my spouse and I disagree about the children?

If you agree with the Parenting Plan in your spouse's Petition, no new form is needed. But if you disagree, you must attach your proposed Parenting Plan to your Response (See Packet #9 *Legal Decision-Making and Parenting Time).*

If you and your spouse cannot agree on a plan for how each of you will spend time with the children or make legal decisions for them, you will be required to attend Conciliation Court Mediation for help in writing a Parenting Plan for your minor children (See Packet #9 *Legal Decision-Making and Parenting Time*). You will both meet with a neutral third party to get help in solving your problems. This mediation is about child issues only and does not deal with financial issues like child support (see Packet #8 *Child Support*), spousal maintenance (alimony), or division of property or debts.

Mediation is offered as a free service only through the Conciliation Court.

What is Community Property?

Community property is any property you and your spouse bought or earned during your marriage. It doesn't matter who uses the property or who actually paid the money. Both you and your spouse have a right to about an equal share of community property.

Community debts belong to both spouses. It doesn't matter who spent the money. Community debts should also be divided in half.

Separate property is property that either spouse owned before the marriage or received during the marriage by gift or inheritance. Separate property is not divided during the divorce.

Separate debts are debts that either spouse had before the marriage or that happened after the Divorce Petition was served.

Community property also applies to pensions, retirement funds, profit sharing and stock plans. Both of you have a right to a portion of these. If these kinds of funds need to be divided, you must fill out a **Qualified Domestic Relations Order (QDRO). This form is very complicated and difficult to file on your own. It almost always requires the help of a lawyer.**

A **Temporary Order** from the Court may be needed to deal with issues relating to finances or property before the divorce is final. You can ask for a Temporary Order at any time during the divorce by filing Packet #13 *Temporary Orders*.

Property and debt division can be confusing and sometime complicated. If you feel you do not understand your rights about property and debts, it is a good idea to contact a lawyer for help.

Spousal Maintenance (Alimony)

Spousal maintenance, which used to be known as **alimony**, is money one spouse pays to the other. The payment helps the former spouse who cannot provide for himself or herself without the marriage.

Spousal maintenance is usually only ordered for a specific period of time to help a spouse get back on his or her feet.

Spousal maintenance is paid separately from child support and is not a substitute for or a supplement to child support.

The person who receives spousal maintenance will have to pay tax on it. On the other hand, spousal maintenance is tax deductible for person who pays it.

WHEN AND HOW SPOUSAL MAINTENANCE IS ORDERED

When a spouse asks for spousal maintenance, the judicial officer can consider a number of things in making a decision. The criteria for spousal maintenance are listed in Packet #2 *Petition for Dissolution of Marriage with Children* and in Packet #5 *Petition for Dissolution of Marriage without Children.*

You cannot ask for spousal maintenance after the divorce is over if you did not ask for it during the divorce case.

If you or your spouse plans to ask for spousal maintenance, you may want to talk to a lawyer. Spousal maintenance can be very complicated and may have long-term effects.

How much will all this cost?

FEES IN GENERAL

As of May 2014 the cost to file:

- Packet #2 *Divorce with Children Petition*: $263
- Packet #3 *Divorce with Children Response*: $194
- Packet #5 *Divorce without Children Petition $263*
- Packet #6 *Divorce without Children Response $194*
- Packet #18 *Paternity $258*
- Packet #19 *Paternity Response $189*
- Petitions for "post-decree" matters, such as Child Support Modification: $84

OTHER EXPENSES INCLUDE:

- The mandatory Parent Education Class fee: $45 (details on page 7)
- Legal record copies through the Clerk of the Court, per page: $0.50
- General use copies made in the library, per page: $0.15

NOTE: You have to pay fees to file documents for your divorce. If you can't afford the court fees or other costs for a divorce, you may be able to get a deferral or waiver.

HOW TO GET A DEFERRAL OR WAIVER

You can apply for a full waiver or deferral of the fees if you cannot pay.

- A **deferral** means that you do not have to pay any fees at the beginning of your case, but you will be expected to pay on a predetermined schedule.
- A **waiver** means that you do not have to pay the fees at all.
- Not everybody who requests a deferral or waiver receives one.
- You file for a deferral or waiver at the same time you file your petition or response.

For more information see Packet #12 *Deferral/Waiver of Fees & Costs*

Volunteer Lawyers Program

Domestic Relations Clinic

Pima County Superior Court has a program through which free assistance is given to people representing themselves in a family law matter, including anyone filing a Response in a divorce or paternity case.

At the clinic, someone will review your Decrees, Child Support Orders, and Income Withholding Orders to help ensure these documents are complete and legally correct.

Making use of the Clinic is in your best interest. The judicial officer will not sign any documents that are incorrect or incomplete. In such cases, you will have to leave, correct your documents and then schedule another hearing.

To schedule an appointment call the Pima County Law Library at **520-724-8456**, or go in person to the library on the second floor of the Pima County Superior Court.

There are lawyers who will help you help yourself

This means that they will only charge for the help you need, and you can complete the court papers on your own.

Court cases can be quite complicated, and talking to a lawyer can help you avoid serious mistakes and save you time, money and trips to the court.

For more information, call the Self-Service Center at **520-724-8456** and ask how to find an attorney. You can also contact the Pima County Bar Lawyer Referral Service by calling **520-623-4625**. You can have one-half hour with a family lawyer for a small fee or you may be directed to an attorney who will represent you for a reduced fee.

We encourage you to make use of the additional resources at the end of this page for more information on finding a lawyer.

Additional Resources Available to You

Getting a divorce can be confusing and scary. If you feel you need help with parts of the divorce process, you can hire a "limited-scope attorney" who will only charge for giving the help you need. The Self-Service Center and the Domestic Relations Clinic will help you review your documents if you prefer to complete them on your own.

To Find a Lawyer:

Pima County Bar Association Lawyer Referral Service
520-623-4625

Family Law Self-Service Center
520-724-8456

Southern Arizona Legal Aid
520-623-9465

Mediation Services and Parent Education:

Pima County Conciliation Court
520-724-5590

- Provides free mediation services to residents of Pima County
- Administers Parent Education Classes

Model Parenting Time Plans:

http://www.azcourts.gov/portals/31/parentingTime/PPWguidelines.pdf.

Child Support Help:

Arizona DES Child Support Enforcement Division website:
https://www.azdes.gov/az_child_support

Child Support Calculator:

http://www.azcourts.gov/familylaw/2011ChildSupportCalculator.aspx

Other resources you may find helpful:

Arizona Revised Statutes (A.R.S.):
http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp?Title=25

Pima County Bar Association Public Resource Page:
http://www.pimacountybar.org/legal-resources

State Bar of Arizona:
http://www.azbar.org/Public

Law Library website:
http://www.sc.pima.gov/Default.aspx?tabid=60

Read this before you complete any forms in your packet

Sensitive data, or sensitive information, is information that you might not want other people to see. Sensitive data includes your social security number, bank account number, credit card number, and other financial account numbers.

Court documents, for the most part, can be seen by anyone. If you need to include any of the information listed above, you should write “SEE CONFIDENTIAL SENSITIVE DATA FORM” on the document. Then you need to complete the Confidential Sensitive Data Form. This is where you will include the actual sensitive information.

This is important because the “Confidential Sensitive Data Form” will not be seen by the public.

If you ever need to give the court new information, then you should file an updated Confidential Sensitive Data Form. Include all other sensitive data forms that you have already given the court, plus any new sensitive information that you need to tell the court.

If you include “sensitive data” in documents filed with the court, other than on a Confidential Sensitive Data Form, you do so at your own risk.

See *Instructions on Completing the Sensitive Data Form* near the end of this packet.

Instructions for Completing Response to Dissolution of Marriage (Divorce) with Children

You may type on the forms or write on them in black ink

There are three forms to fill out and give to the Court:

- Response to Petition for Dissolution of Marriage with Children
- Affidavit for Minor Children
- Confidential Sensitive Data Form (if needed)

The Caption

The Caption is the information in the upper left hand side of the first page of each form.

- **Personal Information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

If you are a domestic violence victim, do not write your address on this form. Instead, write "Protected Address" and complete the *Request for Protected Address* form included in this packet.

- **Case No. –** Enter your Superior Court "D" Number, as found on the Petition.
- **Petitioner/Plaintiff** – Enter the name of your spouse as the Petitioner.
- **Respondent/Defendant** – Enter your name as the Respondent.

STATEMENTS MADE TO THE COURT UNDER OATH

Questions 1-9

1. About My Spouse, the Petitioner
   - Fill in your spouse's name, address, date of birth, work information, and the length of time your spouse has lived in Arizona.

2. About Me, the Respondent
   - Fill in your name, address, date of birth, work information, and the length of time you have lived in Arizona.

3. About Our Marriage
   - Fill in the date you were married and city and state where you were married.

- If you were married outside the United States, list the country where you were married.

4. 90-Day Requirement
   - Check the box that tells the Court that you OR your spouse has lived in Arizona, or that at least one of you has been stationed in Arizona while in the Armed Forces, for at least 90 days.

PLEASE NOTE: If you or your spouse has not lived in Arizona for at least 90 days, then you cannot file for a divorce in Arizona.

5. Domestic Violence (see basic information on page 1 of this packet)

   This is a very important consideration in any Parenting Plan, especially if you will be asking for Joint Legal Decision-Making.

   - Mark the first box if there **has** been domestic violence.
   - Mark the second box if there **has not** been any domestic violence.

6. Summary of What I Say About Domestic Violence that is Different From What My Spouse Said
   - Describe what is different between what your spouse says and what you say about domestic violence. If there is no difference, leave this section blank and go to #7.

7. Children of the Parties Who Are Under the Age of 18
   - Check the second box and provide the name, birth date and current home address for each child born to or adopted by you and your spouse.

8. Pregnancy
   - If the wife is not pregnant, check the first box and go to #9.
   - If the wife is pregnant, check the second block and list the date the baby is due. Also fill in the box explaining who the parents are.

9. Legal Decision-Making (Custody) and Parenting Time (Visitation) Agreement
   - Check the correct box and attach your Parenting Plan. You and the other parent should have a written, signed Parenting Plan. If you cannot agree, then you must

each submit your own proposed Parenting Plan. Attach a copy to your Response.

- **Joint Legal Decision-Making** means that both parents will share the responsibility of making legal decisions for the children.
- **Sole Legal Decision-Making** means that the right to make legal decisions for the children will be held by the Petitioner only or by the Respondent only.
- **Reasonable Parenting Time** means that each parent will have a reasonable amount of parenting time to allow the child frequent and meaningful continuing contact. Packet #9 *Legal Decision-Making and Parenting Time* offers reasonable plans. You will also find model plans for Parenting Time on the court website at: http://www.azcourts.gov/portals/31/parentingTime/PPWguidelines.pdf. You and your spouse may choose to agree on other Parenting Time arrangements which you feel are best for your children.
- **Supervised Parenting Time** means that you want the other parent's time supervised by another adult. You may request this if the other parent cannot care for the children alone, abuses drugs or alcohol, is violent or abusive, or does not have the parenting skills to care for a child without another adult present. Supervised parenting time is not to punish the parent, but to protect the child. Be sure to list the reasons why you are requesting supervised parenting time. Also list who is going to pay the costs of supervised parenting time.
- **No Parenting Time** means that the other parent will not have any parenting time at all. You should check this block only if the other parent has seriously harmed, abused, or otherwise is a serious danger to your child's physical and/or emotional health. This is a last resort to protect the child.

10. Child Support Jurisdiction

- To award child support, the Court must have jurisdiction over the other party. This means that person must be a resident of Arizona or have some connection to Arizona. Be sure to mark every box that is true.

11. Summary of What I Say About Our Children that is Different from What My Spouse Said

- Describe what is different between what your spouse says and what you say about your children. If there is no difference, leave this section blank and go to #12.

PROPERTY AND DEBTS (See definitions on page 8 of this packet)

Questions 12-16

12. Community Property

- If you DO NOT have any community property, mark the first box and go to #13. In Arizona, all marital property is assumed to be community property, so this situation is unlikely.
- If you DO have community property, mark the second box.

Description and Value of the Property

- The Court will try to give both spouses about the same amount of property, unless there are good reasons not to. Remember, community property is any property you or your spouse bought or earned during the marriage. It does not matter who uses it or who bought it. You both have a right to an equal share.
- If you have already split the property, check "Property in each party's possession" and check both Petitioner and Respondent. If you don't list the property, you can move to #13.
- If you did not already split the property, list each item, about how much it is worth, and check who should get it. If you want something, you should request it now. Use details like brand names and models.

Real Property

- Write the complete address of the property. Include the legal description of the property, such as "LOT 77, PINE TREE ACRES, according to Book 111 of Maps, etc." You can find a legal description on your deed papers.
- Check who should get the real property. You can ask the Court to order it to be sold, with the profit divided between the spouses.
- Cemetery plots are considered real property.
- Mobile homes are considered real property only when the mobile home is permanently attached to land *and* you own that land. If the mobile home is not attached to land you own, it is considered a vehicle.

Household furniture and appliances

- List furniture and large appliances (sofas, beds, tables, refrigerators, etc.) and their estimated values on the lines.
- For each item, check the box for the party who you want to keep that property.
- If you need to include additional items, write them in the "Other Items" section.

Household furnishings

- List household items (other than furniture and large appliances, such as dishes, small appliances, rugs, etc.) and their estimated values on the lines.
- For each item, check the box for the party who you want to keep that property.
- If you need to include additional items, write them in the "Other Items" section.

Other items (explain)

- Enter anything not already listed and its estimated value. Check who should receive it.

Pension/retirement fund/IRA/profit sharing/stock plan/401K

- Each spouse usually has rights of up to half of any spouse's plan. How much depends on how long you were married and how long the pension or retirement plan was in effect. If you have been together the whole period of the plan, you could receive up to half of the plan.

- Mark this box if you want the Court to divide either your or your spouse's retirement or profit sharing/retirement/401K plan and check who should receive what.

NOTE: If you mark this box, you should see a lawyer about a document called a Qualified Domestic Relations Order (QDRO). A QDRO is a highly specialized legal document that requires a lawyer's assistance to prepare. If you are not sure whether you or your spouse has a retirement plan, consult a lawyer.

Motor Vehicles

- List the vehicle identification number (VIN), the year, make and model.
- List any lien holders who are on the title (usually the finance company who loaned you the money to buy the vehicle).
- Remember, mobile homes NOT permanently attached to land that you own are considered vehicles.
- Check who should receive the motor vehicle(s).
- If you need to include information for additional vehicles, attach a separate piece of paper.

13. <u>Separate Property</u>

- If neither spouse has any property from before the marriage, and neither spouse received any gifts or inheritances during the marriage, mark the first box and go to

#14.

- If you do have property from before the marriage or if you or your spouse received any gifts or inheritances during the marriage, mark the second box and list each item and who should get each item.
- Property that you or your spouse earned after service of the Petition for Dissolution is also separate property.

14. Community Debts

- If neither you nor your spouse owe money or have any debts from the marriage, mark the first box and go to #15. In Arizona, all marital debt is assumed to be community debt, so this situation is unlikely.
- If you did acquire some debts, mark the second box. Remember, community debts are any debts you or your spouse created during the marriage. It does not matter who created the debt. You both have an equal responsibility for the debt. If you get the property that money is owed on, you probably will also be given that debt.
- Tell the Court what the debts are and who should pay them. Enter enough information to be clear about each specific debt, and decide what is a fair split. It is unusual for the Court to order one person to pay all the debts.

Keep in mind that the Divorce Decree will order the debts to be split, but if your spouse doesn't pay a court-awarded debt, the creditor could come after you. You would then have to take your spouse back to court to enforce the Decree.

15. Separate Debts

- If neither you nor your spouse has separate debts from before you were married (or any debts created since you were served with the Petition for Dissolution), mark the first box and go on to #16.
- If you do have separate debts, mark the second box, and list the debts clearly and in detail, and check which of you will pay them.

16. Summary of What I Ask for on Property and Debts that is Different from What My Spouse Asked for in the Petition

- Describe what is different between how your spouse asked the property and debts

to be divided and what you think is a fair split of property and debts. If there is no difference, leave this section blank and go to #17.

17. Tax Returns

- Read the text following the first box. This paragraph means that, once the Court signs the Decree for Dissolution of Marriage, the two of you will file separate income tax returns. Each party will also give the other party all documents necessary to do so. Check this box if this is how you want to handle income tax refunds.
- Check the "Other" box if you want a different arrangement. Describe the tax arrangement you want the Court to award.

18. Spousal Maintenance (Alimony) *See basic information on page 9 of this packet.*

- If you think that neither spouse should receive spousal maintenance, mark the first box and go to #19.
- If you think "Petitioner" or "Respondent" should receive spousal maintenance. Check all boxes that apply to the person that you checked should receive spousal maintenance.

19. Summary of What I Want Regarding Spousal Maintenance that is Different from What My Spouse Asked for in the Petition

- Describe what is different between how your spouse asked for and spousal maintenance to be addressed and what you think is fair. If there is no difference, leave this section blank and go to #20.

20. General Denial

- This statement says that you deny anything your spouse wrote in the Petition that you did not specifically admit, qualify or deny in this form.

OTHER STATEMENTS MADE TO THE COURT UNDER OATH

- Check any statements you believe are true. If any of these statements is NOT true, you cannot file for a divorce until they are true.
- At least one of the spouses must believe the marriage is "irretrievably broken," which means there is no way the marriage can be fixed and no way you will get back together.

If you believe there is a chance that you and your spouse can get back together, please see Packet #16 *Conciliation* to request free marriage counseling through the Conciliation Court.

REQUESTS I MAKE TO THE COURT

Here you will state what you want the Court to order in the final Decree. Be sure to mark these items consistently with what you marked above.

1. Dissolution (Divorce)

   Check if you want: (check only one)

   - A divorce and to be single.
   - The court to dismiss this case because neither you nor your spouse had lived in Arizona for 90 days prior to your spouse filing the Petition.
   - The court to dismiss this case because the marriage is not irretrievably broken or you are currently in Conciliation Court.

   Do not check the last box because there are no minor children, either biological or adopted, common to you and your spouse, so there are no issues of legal decision-making, parenting time, or child support.

2. Legal Decision-Making and Parenting Time:

   - Use the Parenting Plan your spouse submitted with the Petition if you agree with it.
   - If you don't agree, fill out the form in Packet #9 *Legal Decision-Making and Parenting Time* to submit your alternate plan with your Response.

     A Parenting Plan *must* be attached to your Response.

3. Child Support

   - Mark the boxes to show who will pay child support.
   - The amount of the support is generally based on the income of the parents according to the Arizona Child Support Guidelines (See Packet #8 *Child Support*).
   - The amount of child support does not have to be written in right now, but it will need to be figured out later so that it can be written in the Decree.

4. Insurance and Health Care Expenses for Children

   - Mark the box to show that the parent with the most affordable plan will provide insurance

for the children.

5. Tax Exemption
   - Arizona Child Support Guidelines and federal tax laws tell you who should get the tax exemptions, for which children, for which years.
   - The Arizona Child Support Guidelines and Child Support Calculator are online at: http://www.azcourts.gov/familylaw/ArizonaChildSupportGuidelines.aspx

6. Spousal Maintenance (Alimony)

   Check if you think:
   - Neither you nor your spouse should receive spousal maintenance **OR**
   - Either you or your spouse should receive spousal maintenance

     Then check:
     - "Petitioner" if you think your spouse should pay spousal maintenance **OR**
     - "Respondent" if you think you should pay spousal maintenance
       - Then check which spouse will receive the payments.

     And write:
     - The amount of spousal maintenance that you think should be paid each month
     - For how many months you think spousal maintenance payments should last

7. Community Property
   - This section asks the Court to split the property fairly as you requested above.

8. Community Debts
   - This section asks the Court to split the debts fairly as you requested above.
   - If you or your spouse has additional debts since you separated, and you want those debts to be considered as separate property, write in the date of separation. The Court may use the date of service of the Petition to determine the date that community debts ceased.

9. Separate Property
   - This section asks the Court to allow each of you to keep your separate property.

10. Separate Debts

- This asks the Court to make each of you responsible for debts that you indicated you had before the marriage.

11. Names

Check

- "Petitioner" if your spouse wants his or her name restored to what it was before the marriage. *You cannot put this in the decree for your spouse unless your spouse asks for it in writing (such as in the Petition).*
- "Respondent" if you want your name restored to what it was before the marriage.
- Write the restored name on the line.

12. Other Orders that I am Requesting

- In this section you may ask the Court to order anything you haven't mentioned in earlier sections. If none, write "None."

OATH AND VERIFICATION OF RESPONDENT

- **DO NOT SIGN** the form except in front of a notary. When you file the papers with the court, sign the form in front of the clerk. The clerk will notarize your signature for free. You must bring a valid, government-issued picture ID (such as a driver's license) so the clerk knows whose signature is being verified.
- You can write your name on the first line and check "Respondent" beneath the second line, but do not sign.

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No. _____

RESPONSE TO PETITION FOR DISSOLUTION OF MARRIAGE (DIVORCE) WITH CHILDREN

STATEMENTS MADE TO THE COURT, UNDER OATH

1. ABOUT MY SPOUSE, THE PETITIONER

Name:_____

Address: _____

Date of Birth: _____

Occupation: _____

Length of time my spouse has lived in this state: _____

2. ABOUT ME, THE RESPONDENT

Name:_____

Address: _____

Date of Birth: _____

Occupation: _____

Length of time my spouse has lived in this state: _____

3. ABOUT OUR MARRIAGE

Date of Marriage: _____

City and state or country where we were married:_____

4. 90 DAY REQUIREMENT

☐ Either I, and/or ☐ my spouse, has been domiciled (lived), or has been stationed while a member of the Armed Forces, in Arizona for at least 90 days before I filed this action. **(WARNING TO RESPONDENT: IF THIS STATEMENT IS NOT TRUE, THE PETITIONER CANNOT FILE FOR A DIVORCE UNTIL IT BECOMES TRUE. YOU MAY REQUEST THE COURT DISMISS THIS CASE. PETITIONER CAN THEN RE-FILE WHEN THE STATEMENT IS TRUE.)**

INFORMATION ABOUT OUR CHILDREN LESS THAN 18 YEARS OF AGE:

5. DOMESTIC VIOLENCE: For the court to order Joint Legal Decision Making and/or Equal Parenting Time, there must have been NO SIGNIFICANT domestic violence in marriage. Check which box is true: Significant domestic violence ☐ HAS or ☐ HAS NOT happened during this marriage.

6. SUMMARY OF WHAT I SAY ABOUT DOMESTIC VIOLENCE THAT IS DIFFERENT FROM WHAT MY SPOUSE SAID IN THE PETITION - (here summarize what is different between what your spouse says and what you say about domestic violence):

_____

_____

7. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD – check one box

☐ There are no children under the age of 18 either born to or adopted by the parties.

NOTE: IF YOU CHECKED THIS BOX, STOP! USE THE "WITHOUT CHILDREN" RESPONSE PACKET

☐ The following children are under age 18 and were born to or adopted by my spouse and me, either BEFORE or DURING our marriage.

(Attach extra pages if necessary).

Name _____ Name _____
Birthdate _____ Birthdate_____

Name _____ Name _____
Birthdate _____ Birthdate _____

8. PREGNANCY

☐ Wife is not pregnant **OR**

☐ Wife is pregnant and the baby is due on_____and, (check one box below)

- ☐ My spouse and I are the parents of the child, **OR**
- ☐ I am not the parent of the child, **OR**
- ☐ My spouse is not the parent of the child.

9. LEGAL DECISION MAKING AND PARENTING TIME (VISITATION): Award legal decision making and parenting time of the children common to the parties and less than 18 years old as follows:

☐ **JOINT** LEGAL DECISION MAKING**:** Petitioner and Respondent agree to act as joint Legal Decision Makers of the child(ren) as set forth in the Joint Parenting Agreement or Parenting Plan signed by the parties, and attached to this Response.

☐ **SOLE** LEGAL DECISION MAKING for the minor child(ren) by: ☐ Petitioner **OR** ☐ Respondent, subject to parenting time as follows:

- ☐ **Reasonable parenting time** as set forth in the Parenting Plan attached to this Response **OR**

☐ **Supervised parenting time** between the child(ren) and the Respondent is in the best interest of the child(ren) because:_____

_____

☐ The cost of supervised parenting time will be paid by ☐ the parent being supervised; **OR** ☐ the parent not being supervised; **OR** ☐ shared equally by the parties.

OR

☐ **No parenting time** to the Petitioner is in the best interest of the child(ren) because:

_____

_____

10. CHILD SUPPORT JURISDICTION – This Court has jurisdiction under A.R.S § 25-623 to order the other party to pay child support because:

- ☐ That person is a resident of Arizona
- ☐ I believe I will personally serve that person in Arizona
  - ☐ That person agrees to have the case heard here and will file written court papers in this case
  - ☐ That person resided with the child in this state
  - ☐ That person resided in this state and provided pre-birth expenses or support for the child
  - ☐ The child resides in this state as the result of the acts or directives of that person
  - ☐ The person had sexual intercourse in this state and the child may have been conceived by that act of intercourse
  - ☐ That person signed a birth certificate that is filed in this state
  - ☐ That person did other acts which substantially connect that person with this state

11. SUMMARY OF WHAT I SAY ABOUT OUR CHILDREN THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION **-** (here summarize what is different between what you say about the children and what your spouse said in the Petition):

_____

_____

_____

_____

INFORMATION ABOUT PROPERTY AND DEBTS

12. COMMUNITY PROPERTY (PROPERTY ACQUIRED DURING THE MARRIAGE) - check one box

☐ My spouse and I did not acquire any community property during the marriage.

☐ My spouse and I did acquire community property during our marriage, and it should be divided as follows:

DESCRIPTION AND VALUE OF THE PROPERTY	PETITIONER	RESPONDENT
☐ Property in each party's possession	☐	☐
☐ Real property at:_____ Legal Description (from the Deed):_____ _____	☐	☐

☐ Real property at:_____ ☐ ☐
Legal Description (from the Deed):_____
_____

☐ Household furniture and appliances: (For example: bedroom furniture $250)

_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐

☐ Household furnishings:
(For example: lamp $30)

_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐
_____ ☐ ☐

☐ Other items:

_____ ☐ ☐
_____ ☐ ☐

☐ Pension/Retirement Fund/Profit Sharing/Stock Plan/401 K:

_____ ☐ ☐
_____ ☐ ☐

Motor Vehicle:_____ ☐ ☐
Make:_____Model:_____
VIN:_____Lien Holder:_____

Motor Vehicle:_____ ☐ ☐
Make:_____Model:_____
VIN:_____Lien Holder:_____

Motor Vehicle:_____ ☐ ☐
Make:_____Model:_____
VIN:_____Lien Holder:_____

Motor Vehicle:_____ ☐ ☐
Make:_____Model:_____
VIN:_____Lien Holder:_____

13. SEPARATE PROPERTY (PROPERTY ACQUIRED BEFORE THE MARRIAGE) - check all boxes that apply

☐ My spouse and I do not have any property either of us brought into the marriage.

☐ My spouse or I have property that either of us brought into the marriage and it should be awarded as follows:

Description of Property	PETITIONER	RESPONDENT
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

14. COMMUNITY DEBTS (DEBTS CREATED DURING THE MARRIAGE) - check one box

☐ My spouse and I did not incur any community debts during the marriage.

☐ My spouse and I did incur community debts during the marriage and responsibility for these debts should be divided as follows:

Description and Amount of Community Debt	PETITIONER	RESPONDENT
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

15. SEPARATE DEBTS (DEBTS CREATED BEFORE THE MARRIAGE) - check one box

☐ My spouse and I do not have any debts that were incurred before the marriage.

☐ My spouse and I do have separate debts that were incurred before the marriage and the responsibility for these debts should be divided as follows:

Description and Amount of Debt	PETITIONER	RESPONDENT
_____	☐	☐
_____	☐	☐
_____	☐	☐
_____	☐	☐

16. SUMMARY OF WHAT I ASK FOR ON PROPERTY AND DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION - (here summarize what is different between your plan for division of property and debt and what your spouse asked for.)

_____

_____

_____

_____

17. TAX RETURNS - check one box

☐ After the Judicial Officer signs the Decree of Dissolution of Marriage (Divorce), my spouse and I will pay federal and state taxes as follows: For previous years (the years we were married but not including the year the Decree was signed), my spouse and I will file joint federal and state income tax returns. In addition, for these previous years, my spouse and I will pay and hold the other harmless from ½ of all additional income taxes, if any, and all other costs, and we will share equally in any refunds. For the calendar year that the decree was signed, my spouse and I will file separate federal and state income tax returns and each will give the other party all necessary documentation to do so.

☐ Other - describe any other tax arrangements you wish the Court to award

_____

_____

18. SPOUSAL MAINTENANCE (ALIMONY) - check the boxes that fit what you want the court to do:

☐ Neither party is entitled to spousal maintenance (alimony).

☐ Petitioner OR ☐ Respondent is entitled to spousal maintenance because: (check ANY boxes that apply. At least one must apply to get spousal maintenance)

- ☐ Person lacks sufficient property to provide for his or her reasonable needs
- ☐ Person is unable to support himself or herself through appropriate employment
- ☐ Person is the custodian of a child or children whose age or condition is such that person should not be required to seek employment outside the home
- ☐ Person lacks earning ability in the labor market adequate to support himself or herself
- ☐ Person contributed to the educational opportunities 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 support himself or herself

19. SUMMARY OF WHAT I WANT REGARDING SPOUSAL MAINTENANCE THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION - (here summarize what is different from your plan for spousal maintenance than what your spouse asked for).

_____

_____

_____

_____

20. GENERAL DENIAL - I deny anything stated in the Petition that I have not specifically admitted, qualified or denied here.

OTHER STATEMENTS MADE TO THE COURT UNDER OATH - To obtain a divorce, you and your spouse must be able to tell the Court that each of the following statements is true. **(NOTE TO RESPONDENT: IF ANY OF THESE STATEMENTS IS NOT TRUE, THE PETITIONER CANNOT PROCEED. REQUEST THE COURT TO DISMISS THIS CASE IN #12 BELOW. PETITIONER CAN RE-FILE WHEN AND IF THESE STATEMENTS BECOME TRUE)**

☐ TRUE My marriage is irretrievably broken and there is no reasonable prospect of reconciliation,

☐ TRUE The conciliation requirements under Arizona law either do not apply or have been met,

☐ TRUE This court has jurisdiction to decide child custody matters under Arizona law,

☐ TRUE This is not a covenant marriage.

REQUESTS I MAKE TO THE COURT

1. DISSOLUTION (DIVORCE) – Check one box:

   ☐ Dissolve the parties' marriage and return each party to the status of a single person.

   ☐ Dismiss the case and refuse to dissolve the marriage because neither spouse has been domiciled in Arizona for at least 90 days prior to the filing of the Petition.

   ☐ Dismiss the case and refuse to dissolve the marriage because the marriage is not irretrievably broken and/or the conciliation requirements under Arizona law have not been met.

   ☐ Dissolve the marriage and return each party to the status of a single person, but refuse to decide legal decision-making, parenting time, and/or child support matters due to a lack of jurisdiction.

2. LEGAL DECISION-MAKING AND PARENTING TIME**:** Order Legal Decision-Making and Parenting Time as set forth in the Parenting Plan attached to this Response.

3. CHILD SUPPORT: Order that child support shall be paid **by:**
   ☐ Petitioner **OR** ☐ Respondent **to** ☐ Petitioner **OR** ☐ Respondent in a reasonable amount as determined by the court under the Arizona Child Support Guidelines (Child Support Order to be attached to Decree).

   Support payments to begin:
   ☐ On the first day of the month after the Judge or Commissioner signs the Decree of Dissolution of Marriage **OR**
   ☐ On the first day of the month after service of the Petition **OR**
   ☐ On the first day of the month after our separation on (date:)_____

NOTE: All payments, plus the statutory handling fee, to be paid through **The Support Payment Clearinghouse**, PO Box 52107, Phoenix, Arizona 85072-7107 to be paid by Income Withholding Order.

4. INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN: Order that
   ☐ Petitioner **OR** ☐ Respondent shall pay for health, medical, and dental insurance coverage for the child(ren) common to the parties and less than the age of 18 years old. Petitioner and Respondent will pay for all reasonable unreimbursed medical, dental, heath-related expenses incurred for the child(ren) in proportion to their respective incomes as described on the Parents' Worksheet, which shall be submitted with the Decree.

5. TAX EXEMPTION: The parties shall claim as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim		**Name of child**	**Current tax year**	**Later tax years**
☐ Petitioner	☐ Respondent	_____	_____	_____
☐ Petitioner	☐ Respondent	_____	_____	_____
☐ Petitioner	☐ Respondent	_____	_____	_____
☐ Petitioner	☐ Respondent	_____	_____	_____
☐ Petitioner	☐ Respondent	_____	_____	_____

6. SPOUSAL MAINTENANCE (ALIMONY):

☐ Neither party is entitled to spousal maintenance

OR

Spousal maintenance should be paid **BY** ❑ Petitioner ❑ Respondent

TO ❑ Petitioner ❑ Respondent through the clerk of the court in the amount of _____ per month, plus statutory fee, beginning with the first day of the month after the judge/commissioner signs the Decree of Dissolution and continuing until the person receiving spousal maintenance is remarried or deceased, or for _____ months, whichever comes first.

7. COMMUNITY PROPERTY: Make a fair division of all community property as requested above in this Response.

8. COMMUNITY DEBTS:

☐ Order each party to pay community debts as requested above in this Response, 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 him or her since the parties separated on (date:) _____ **OR** from the date of service of the Petition on Respondent.

9. SEPARATE PROPERTY: Award each party his or her separate property as requested above in this Response.

10. SEPARATE DEBTS: Order each party to pay his or her separate debts as requested above in this Response.

11. NAMES: Restore ❑ Petitioner OR ❑ Respondent
to the former name of: _____

NOTE: If you are not the person whose name is being restored, the court must have a written request from the other party to restore that person's name.

12. OTHER ORDERS THAT I AM REQUESTING:(explain request here)

_____

_____

_____

_____

_____

OATH AND VERIFICATION OF RESPONDENT:

STATE OF ARIZONA)
)ss.
County of Pima)

I, the Respondent, being duly sworn and under oath, state that I have read this Response. All the statements in the Response are true, correct and complete to the best of my knowledge and belief.

SIGNED: _____
Respondent

Subscribed and sworn to before me this ___ day of_____, 20___ by _____
_____
(Respondent's Name)

_____
Notary Public

My Commission Expires:

_____

Instructions for Completing Affidavit Regarding Minor Children

You may type on the forms or write on them in black ink.

The Caption

The Caption is the information in the upper left hand side of the first page of each form.

- **Personal Information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

  If you are a domestic violence victim, do not write your address on this form. Instead, write "Protected Address" and complete the *Request for Protected Address* form included in this packet.

- **Case No. –** Leave this blank. The Clerk will fill in this information for you when you file your Petition.
- **Petitioner/Plaintiff** – Enter the name of your spouse as the Petitioner.
- **Respondent/Defendant** – Enter your name as the Respondent.

Entries 1-9b

1. Check "Dissolution."

2. Check whether the wife is pregnant.

3. Check to indicate who is physically caring for the minor children who belong to you, to your spouse, or to both of you.

4. Check whether there were prior cases involving parenting time of your minor children in this or any other state. If there were other cases, mark the first box and give as much information as possible. This information could affect you or your children's rights in this case.

5. Check whether there are any pending cases involving parenting time of your minor

children in this or any other state. If there are other cases, mark the first box and give as much information as possible. This information could affect you or your children's rights in this case.

6. Check whether you know of another person, other than your spouse, who has parenting time rights to any of the children. If you do know such person, mark the first box and put the information here, including the child's name and the person who believes they have parenting time rights.

7. List the mother’s mailing address.

8. List the father’s mailing address.

9a. List each minor child's name, birth date and birthplace.

9b. List where the minor children from your marriage have been living for the past 5 years. If any children are under age 5, simply list information since birth. List the dates of residence, the address, the name and present address of the person having parenting time of the child during the period, and the relationship of that person to the child. While you may not remember exact dates when you moved from one location to another, fill this information out as completely as possible.

Sign this document before the Clerk of the Court or a Notary Public and check the box labeled “Respondent.”

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No. _____

AFFIDAVIT RE:
MINOR CHILDREN

STATE OF ARIZONA)
) ss.
County of Pima)

1. The nature of this action is:

☐ Dissolution ☐ Legal Separation ☐ Paternity ☐ Annulment ☐ Legal Decision-Making /Parenting Time

2. The mother ☐ is ☐ is not pregnant.

3. There ☐ are ☐ are no minor children of either or both of the parties in this case.

4. I ☐ have ☐ have not participated as a party, witness, or in any other capacity in any other prior litigation concerning legal decision-making or parenting time (custody) of a child mentioned below, in this or any other state. (If you have, state the name of each child, the manner in which you participated, the court, the state & county or district, case number, and date of order or judgment, if any.)

_____
_____
_____

5. I ☐ do ☐ do not have any information of any legal decision-making or parenting time (custody) proceeding concerning a child mentioned below pending in a court of this or any other state. (If you do, state the name of each child, nature of the proceeding, the court, the state & county or district, case number, and the status of the proceeding.)

_____
_____
_____
_____

6. I ☐ do ☐ do not know of any person not a party to this proceeding who has legal decision-making authority or claims to have parenting time (custody) or visitation rights with respect to any child mentioned below. (If you do have such knowledge, state the name and address of the person, whether that person is claiming legal decision-making or parenting time, or is claiming visitation rights, and the name of the child involved.)

_____

_____

_____

7. Mother's mailing address is: _____

8. Father's mailing address is: _____

9. a) The minor child(ren) affected or of this action are:

NAME	BIRTHDATE	BIRTHPLACE

b) All the children have resided together at the following locations during the last five years:

DATES OF RESIDENCE	ADDRESS OF CHILD DURING PERIOD	NAME AND PRESENT ADDRESS OF PERSON HAVING LEGAL DECISION-MAKING OR PARENTING TIME (PHYSICAL CUSTODY) DURING RESIDENCE PERIOD	RELATION TO CHILD

NOTE: If any of the children have lived separately,
give specific information for that child on an additional page.

_____

☐ Petitioner ☐ Respondent

SUBSCRIBED AND SWORN to before me this_____day_, 20 _____ by____
_____.

My Commission Expires: _____ Notary Public

_____

Instructions for Completing Confidential Sensitive Data Form

You may type on the forms or write on them in black ink.

The Caption

The Caption is the information in the upper left hand side of the first page of each form.

- **Personal Information –** Fill in your name, street address, City, State, ZIP code, and telephone number.

  If you are a domestic violence victim, do not write your address on this form. Instead, write "Protected Address" and complete the *Request for Protected Address* form included in this packet.

- **Case No. –** Leave this blank. The Clerk will fill in this information for you when you file your Petition.
- **Petitioner/Plaintiff** – Enter the name of your spouse as the Petitioner.
- **Respondent/Defendant** – Enter your name as the Respondent.

Provide all other information pertaining to you, your spouse and your children, to the best of your ability.

About the Confidential Sensitive Data Form:

The Divorce Petition and Response are public documents. This means the public can see them in person or electronically. **The Confidential Sensitive Data Form is not made available to the public.**

This form makes your sensitive data visible only to the Court, including:

- Social security numbers
- Bank account numbers
- Credit card numbers
- Other financial account numbers

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No. _____

CONFIDENTIAL
SENSITIVE DATA FORM

A. Personal Information:

Name	Date of Birth	Social Security Number
Petitioner: _____	_____	_____
Respondent: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____
Child: _____	_____	_____

B. Financial account numbers (including credit cards, financial institution accounts, investments, debts):

Financial Institution	Type of Account	Name(s) on Account	Account #

C. Pension and retirement accounts (including IRAs, 401ks):

Financial Institution	Type of Account	Name(s) on Account	Account #

D. Life insurance policies:

Insurance Company	Type of Policy	Name(s) on Policy	Policy #

Name: _____
Address: _____
City, State, ZIP: _____
Daytime Telephone No: _____
Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

CASE NO. _____

ORDER TO COMPLETE COURSE IN DOMESTIC RELATIONS EDUCATION ON CHILDREN'S ISSUES

THIS IS AN OFFICIAL COURT ORDER
IF YOU FAIL TO COMPLY WITH THIS ORDER,
YOU MAY BE FOUND IN CONTEMPT OF COURT

THE COURT FINDS that this case involves minor children and is an action for one of the following:

□ Dissolution of Marriage
□ Paternity Proceeding with Request to Determine Legal Decision-Making and/or Parenting Time or Child Support
□ Legal Separation
□ The Modification or Enforcement of Parenting Time or Legal Decision-Making

THEREFORE, PURSUANT TO A.R.S. § 25-352, **IT IS ORDERED**:

1. You must attend and complete a course in Domestic Relations Education on Children's Issues (Parent Education Program).
2. In an action for Petition for Dissolution of Marriage or Legal Separation:
   a. The Petitioner must complete this course within 45 days of filing the Petition.
   b. The Respondent must complete the course within 45 days of being served with or accepting service of the Petition for Dissolution of Marriage or Petition for Legal Separation. **The Respondent must pay the course fee, register for and complete the course <u>whether or not</u> a Response to the Petition for Dissolution of Marriage is filed.**
3. In an action or proceeding involving Paternity with a request that the Court determine legal decision-making or parenting time, or child support, or the modification or enforcement of parenting time or legal decision-making, the course must be completed by the □ Petitioner □ Respondent within 45 days of receipt of the Court Order.
4. Each party shall pay the required parent education fee to the Clerk of the Superior Court, 110 W. Congress St., Tucson AZ 85701. Upon receiving a receipt from the Clerk's office, parties may register for the parent education course offered through the Pima County Family Center of the Conciliation Court by calling (520) 724-4949 or register online at www.sc.pima.gov/fccc/parented. You must have your court case number and your parent education fee receipt number in order to register.
5. Parties should attend the parent education class in person. On line classes will not be accepted unless previously ordered by the assigned Judge due to special circumstances in the case.
6. Upon completion of the course, the Conciliation Court shall send the original certificate of completion to the Clerk of the Court. Each party shall receive a copy of the certificate of completion for their records.

If due to a disability, you need special accommodations for your attendance at this program such as auxiliary aids or materials in alternative formats, please inform the parent education program when you register by calling (520) 724-4949.

Date: _____

_____
Presiding Family Law Judge

Name: _____

Address: _____

City, State, ZIP: _____

Daytime Telephone No: _____

Representing Self, Without a Lawyer

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No. _____

REQUEST FOR PROTECTED ADDRESS

I reasonably believe that physical or emotional harm may result to me or my minor child(ren) if my address is not protected from disclosure, and I request that the court order that my address be protected from public disclosure, for the following reasons:

[ ] I have a valid Order of Protection against a party in this case issued by the following court (a copy is attached if available):

_____

[ ] I have a valid Order of Protection against a party in this case issued by this court:

_____

[ ] I have a valid Order of Protection against a person not involved in this case issued by the following court (a copy is attached if available):

_____

[ ] I do not have a valid Order of Protection, but want my address protected for the following reasons:

_____

My address is currently unknown to the other party. I have listed my address on a separate sheet of paper for court use.

I understand that I have a continuing duty to provide the clerk of the court with a current and correct mailing address where I can be served with process until one of the following events stated in Rule 7(D), Arizona Rules of Family Law Procedure, occurs.

_____ _____
Date Requestor's Signature

PERSON WHOSE ADDRESS IS PROTECTED: _____

[ ] Petitioner [ ] Respondent

ADDRESS TO BE PROTECTED:

Street: _____

City: _____

State, Zip Code: _____

Telephone Number: _____

ARIZONA SUPERIOR COURT, PIMA COUNTY

_____
Petitioner

and

_____
Respondent

Case No. _____

ORDER FOR PROTECTED ADDRESS

Upon request of [ ] Petitioner [ ] Respondent, and good cause appearing,

IT IS ORDERED that:

The address of [ ] Petitioner [ ] Respondent shall be protected from public disclosure until further order of this court.

The Clerk of the Court shall protect the address of [ ] Petitioner [ ] Respondent from public disclosure until further order of this court.

The Clerk and the parties hereto shall comply with the requirements of Rule 7, Arizona Rules of Family Law Procedure, as follows:

Any person required under these rules to serve a response or other document upon a person whose address is ordered protected from disclosure under this rule may serve the same by delivering true and correct copies of the documents to be served, together with the proper fee established by administrative order to cover the cost of service, to the clerk of the court. The clerk shall promptly mail the documents by regular first-class to the most recent protected address provided to the clerk, and service shall be deemed complete upon mailing. The clerk shall promptly file a written statement verifying the documents that were mailed and the date of mailing to the protected address signed by the clerk or deputy clerk who mailed the documents. All documents mailed to a protected address shall bear the clerk's return address, and a notation of any process returned as undeliverable shall be made in the court file.

_____ _____
Date Judicial Officer

Remember: You must file your papers with the Court and mail a copy to your spouse! **NOTE: No double-sided pages**

After all of the needed paperwork is filled out, you must go to the Pima County Superior Court to file the Response and related papers, and you must also mail them to your spouse.

1. First make copies of your completed forms:

   2 copies of the Response to Dissolution of Marriage

   2 copies of the Affidavit Re: Minor Children

   1 copy of the Confidential Sensitive Data Form

   1 copy of the Request and Order for Protected Address (if needed)

2. Separate the documents into 3 sets:
   - Set 1 (originals) goes to the Clerk of the Court
     - Response to Dissolution of Marriage
     - Affidavit Regarding Minor Children
     - Confidential Sensitive Data Form
     - Request and Order for Protected Address
   - Set 2 goes to your spouse
     - Response to Dissolution of Marriage
     - Affidavit Regarding Minor Children
   - Set 3 is your set of copies
     - Response to Dissolution of Marriage
     - Affidavit Regarding Minor Children
     - Confidential Sensitive Data Form
     - Request and Order for Protected Address
3. Go to the Office of the Clerk of the Court at Pima County Superior Court, 110 West Congress between 8:00 a.m. to 5:00 p.m., Monday through Friday. Arrive at the court at least an hour before closing, to allow time to process your papers.

You will have to pay a fee when filing, unless you also file Packet #12 *Deferral/Waiver of Fees & Costs.* (See page 10 of this packet for more information).

Make sure you get back your set of copies and your spouse's set.

4. Now, mail the copies to your spouse.