

RESPONSE TO DISSOLUTION OF MARRIAGE (DIVORCE) WITHOUT CHILDREN



Packet # 6



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) users' reliance upon the instructions or information provided.

Are you the victim of domestic violence?



Important! Read this first...

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

You are a domestic violence victim if you or your children have experienced:

- 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 someone enter the house against your will, behave in a disorderly manner, and/or damage property
- Conduct that involves disobeying court orders, including interfering with your parenting time



- You **DO NOT** need to have been seen at a hospital or at a doctor's office.
- The other person **DOES NOT** need to have been convicted of domestic violence or assault.

You can get an IMMEDIATE Order of Protection to keep him or her away from you and your children by obtaining a 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 following court locations between the hours of 8 am and 4:30 pm.

Tucson City Court
103 E. Alameda St.
(520) 791-4971

Pima County Consolidated Justice Court
115 N. Church Avenue, 2nd floor
(520) 724-3171

Pima County Juvenile Court Center
2225 E. Ajo Way
(520) 724-2045

Pima Superior Court Clerk's Office
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
(520) 741-4444

Pima County Sheriff's Department
(520) 724-4900

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 with the *Request for a Protected Address* form. Both the *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 Clerk of Court located on the first floor of Pima County Superior Court (110 West Congress Street, Tucson Arizona 85701). They are open from 8:00 am to 5:00 pm Monday through Friday (except holidays). For more information, call (520) 724-3210.

The Request for a Protected Address is NOT the same form as the Confidential Sensitive Data Form.

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 the process as easy for you as possible.

If you follow the self-help instructions and fill out the forms correctly and completely, then filing a Response will be relatively simple. The forms will walk you through the entire process so that you will be able to move smoothly through every step.

Other important forms and instructions for Family Court cases can be found online at <http://www.sc.pima.gov/Default.aspx?tabid=119>. We recommend that you do not complete 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, the process will be even simpler.

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*.



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.



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 8:00 a.m. to 5:00 p.m., 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.

Do I need to let my spouse know that I responded?

Yes, you must send your spouse copies of your Response and Affidavit RE: Minor Children. You should mail the documents to the address your spouse used on the Petition.

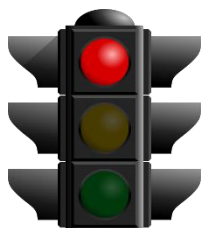
Do I need a lawyer's help?

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 that you need: you can complete the court forms on your own or ask the lawyer for help.

For more information, call the **Law Library and Resource Center at (520) 724-8456.**

Where is the Law Library and Resource Center?

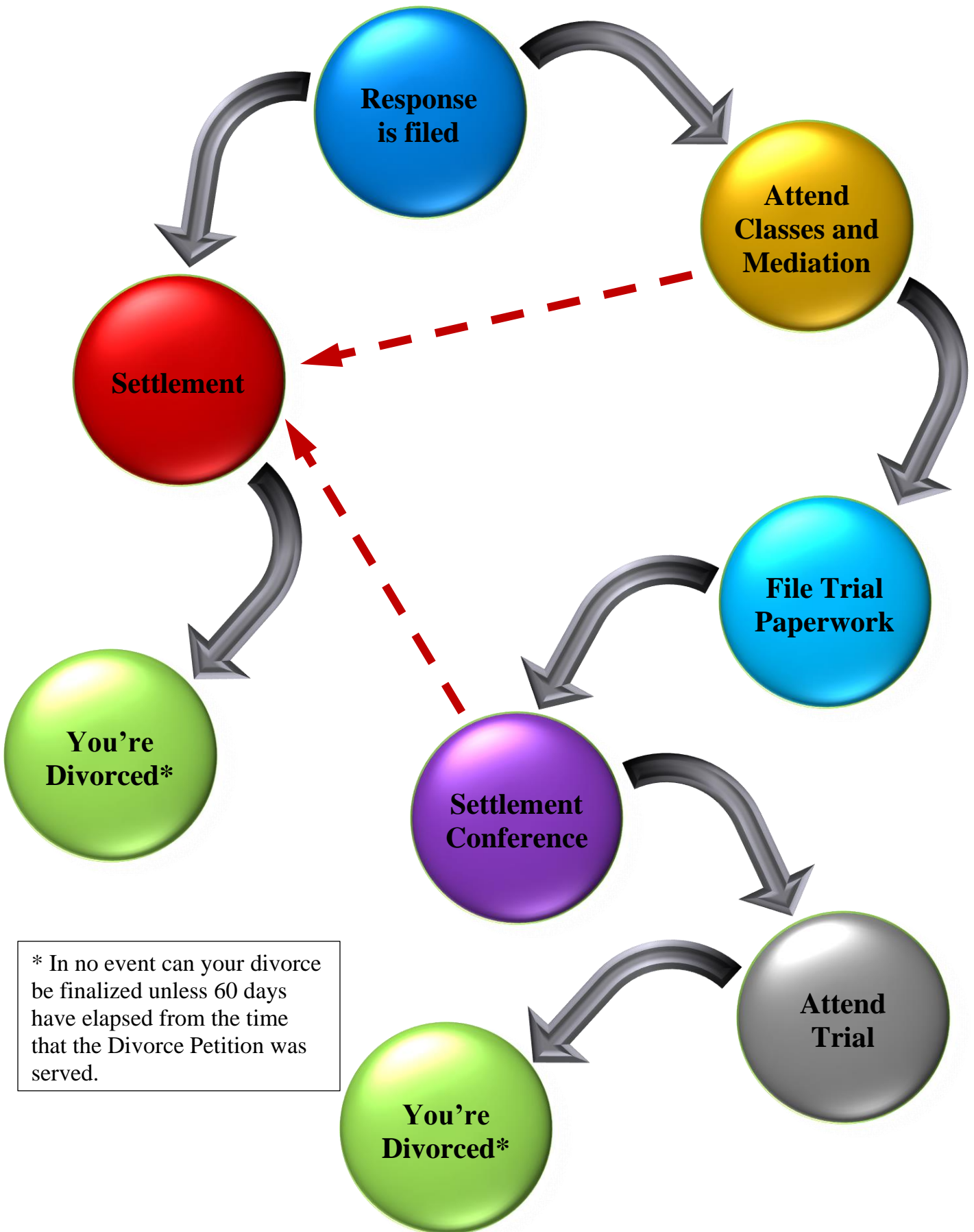
The Law Library and Resource Center is free and located in Room 256, on the second floor of the Pima County Superior Court, 110 West Congress Street, Tucson, Arizona 85701. It is open from 8:30 am to 5 pm Monday through Friday (except holidays). For more information, call (520) 724-8456 or email lawlibrary@sc.pima.gov.



For divorce without children only

This packet has been designed for a divorce that **does not** involve minor children (under age 18). If you and your spouse have minor children together either by birth or adoption, then **STOP: you should be using Packet # 3, Response with Children.**

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 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 #13A *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 the 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?

CURRENT FILING FEES

A list of current filing fees can be found on the Superior Court website here:

<https://www.sc.pima.gov/media/azuphkr/filingfeesdomesticrelations.pdf>

Additionally, the Law Library and Resource Center, located on the 2nd floor in the Superior Court building, can provide a hard copy of the same list.

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 Law Library and Resource Center 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 Law Library and Resource 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

Trying to change your Legal Decision-Making and Parenting Time Order can be confusing and scary. If you feel you need help with parts of the modification process, you can consult 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. You may also wish to contact the Pima County Bar Association’s QUILT program for information about attorneys with reduced fees.

To Find a Lawyer:

Pima County Bar Association Lawyer Referral Service and QUILT program: 520-623-4625

Law Library and Resource 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://des.az.gov/dcss>

Child Support Calculator:

<https://www.sc.pima.gov/law-library/child-support-calculator/>

Other resources you may find helpful:

Arizona Revised Statutes (A.R.S.):

<https://www.azleg.gov/arsDetail/?title=25>

Pima County Bar Association Public Resource Page:

<http://www.pimacountybar.org/legal-resources>

State Bar of Arizona:

<https://azbar.legalserviceslink.com/>

Law Library website:

<https://www.sc.pima.gov/law-library/>



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 Petition for Dissolution of Marriage (Divorce) without Children

The Caption

- **Personal information** – Write 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** – Enter your spouse’s name as the Petitioner’s name.
- **Respondent** – Enter your name as the Respondent’s name.

STATEMENTS MADE TO THE COURT UNDER OATH

Questions 1 - 4

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, occupation, and the length of time you have lived in Arizona.

3. About Our Marriage Write the:

- 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.

PROPERTY AND DEBTS (see definitions on page 8 of this packet) Questions 5 – 9

5. Community Property

- If you DO NOT have any community property, mark the first box and go to #6. 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, Value, and Division of Community 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 both Petitioner and Respondent under "Award to Petitioner/Respondent property in that party's possession." If you don't list the property, you can move to #6.
- If you did not already split the property, list each item, about how much it is worth, and who should get it. **If you want something, you have to 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:

- Enter anything not already listed and its estimated value on the lines. 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).
- The form has space for three separate vehicles. If you need to include information for additional vehicles, attach a separate piece of paper.

6. SEPARATE PROPERTY

- 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 #7.
- 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 brought into the marriage, bought or earned after service of the Petition for Dissolution is also separate property.

7. COMMUNITY DEBTS

- If neither you nor your spouse owes money or has any debts from the marriage, mark the first box and go to #8. 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.

8. SEPARATE DEBTS

- If neither you nor your spouse has separate debts from before you were married (or any debts incurred since you were served with the Petition for Dissolution), mark the first box and go on to #9.
- 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.

9. 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 #10.

10. 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 on the lines.

11. 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 #12.
- 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.

12. Summary of What I Ask for 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 #13.

13. Minor Children

- Check to confirm that you and your spouse have no minor children together, adopted or biological, and that the wife is not pregnant.
- If this statement is NOT true, **STOP.**



You must use Packet # 3, Divorce with Children – Response.

14. 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 are 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 saved 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. 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

3. Community Property

- This section asks the court to split the property fairly as you requested above.

4. 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.

5. Separate Property

- This section asks the court to allow each of you to keep your separate property.

6. Separate Debts

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

7. 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.

8. 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

- **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.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing Self, without a Lawyer or
 Attorney for Petitioner OR Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner

and

Respondent

**RESPONSE TO PETITION FOR
DISSOLUTION OF MARRIAGE
(DIVORCE) WITHOUT
CHILDREN**

STATEMENTS MADE TO THE COURT, UNDER OATH OR AFFIRMATION:

1. ABOUT ME, THE PETITIONER

Name: _____
Address: _____
Date of Birth: _____
Occupation: _____
Length of time party has lived in Arizona: _____

2. ABOUT MY SPOUSE, THE RESPONDENT

Name: _____
Address: _____
Date of Birth: _____
Occupation: _____
Length of time party has lived in Arizona: _____

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 lived or been stationed, while a member of the Armed Forces, in Arizona for at least 90 days before I filed this petition. (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).

5. 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:

6. DESCRIPTION AND VALUE OF THE COMMUNITY PROPERTY AND HOW IT SHOULD BE DIVIDED.

	TO PETITIONER	TO RESPONDENT
<input type="checkbox"/> Property in each party’s possession	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Real estate at: _____ Legal Description (from the Deed): _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Real estate at: _____ Legal Description (from the Deed): _____	<input type="checkbox"/>	<input type="checkbox"/>
Household furniture and appliances: (For example: Bedroom furniture: \$250)		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

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

Other items:

Retirement Funds: Pension/Profit Sharing/Stock
Plan/401K/IRA:

_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
Motor vehicle: _____	<input type="checkbox"/>	<input type="checkbox"/>
Make: _____ Model: _____		
VIN: _____		
Lien Holder: _____		
Motor vehicle: _____	<input type="checkbox"/>	<input type="checkbox"/>
Make: _____ Model: _____		
VIN: _____		
Lien Holder: _____		
Motor vehicle: _____	<input type="checkbox"/>	<input type="checkbox"/>
Make: _____ Model: _____		
VIN: _____		
Lien Holder: _____		
Motor vehicle: _____	<input type="checkbox"/>	<input type="checkbox"/>
Make: _____ Model: _____		
VIN: _____		
Lien Holder: _____		

7. SEPARATE PROPERTY (PROPERTY ACQUIRED BEFORE THE MARRIAGE)

check one box

- 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 Separate Property	PETITIONER	RESPONDENT
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

8. COMMUNITY DEBTS (DEBTS INCURRED 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
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

9. SEPARATE DEBTS (DEBTS INCURRED BEFORE THE MARRIAGE) – check one box.

- My spouse and I do not have any debts that were incurred before the marriage.
- My spouse or I have separate debts that were incurred before the marriage and the responsibility for these debts should be divided as follows:

Description and Amount of Separate Debt	PETITIONER	RESPONDENT
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

10. 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).

11. 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: 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. For these previous years, my spouse and I will also pay and hold the other harmless from ½ of all additional income taxes, if

any, and all other costs, and share equally in any refunds. For the calendar year that the decree was signed and all future years, each party 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:

12. SPOUSAL MAINTENANCE (ALIMONY) – check the box that applies to you

- 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
 - Person has significantly reduced income or career opportunities for the benefit of the other spouse.

13. 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).

14. MINOR CHILDREN

- There are no children common to the parties – natural or adopted – who are under 18 years of age, and the wife is not currently pregnant.

15. GENERAL DENIAL – I deny anything stated in the Petitioner that I have not specifically admitted, qualified, or denied here.

16. **OTHER STATEMENTS MADE TO THE COURT UNDER OATH** – If any of these statements are not true, the case cannot proceed. You should request below that the Court dismiss the case. Petitioner can re-file when all of the statements are true.

- TRUE My marriage is irretrievably broken and there is no reasonable prospect of reconciliation.
- TRUE My marriage is not a covenant marriage.

- TRUE The conciliation requirements under Arizona law either do not apply or have been met.

REQUESTS I MAKE TO THE COURT

1. **DISSOLUTION (DIVORCE)** – check one box

- Dissolve the 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 due to a lack of jurisdiction.

2. **SPOUSAL MAINTENANCE (ALIMONY):**

- Neither party is entitled to spousal maintenance.
- Order spousal maintenance to be paid **by:** Petitioner Respondent **to**
 Petitioner Respondent in the amount of _____ per month beginning on the first day of the month after the Judge or Commissioner signs the Decree of Dissolution of Marriage **or**
 The first day of the month following the service of the Petition for Dissolution of Marriage, and continuing until the person receiving the spousal maintenance is remarried or deceased, or for _____ months, whichever occurs first.
 - Payments to be made directly to the person receiving the spousal maintenance, **or**
 - Payments, plus the statutory handling fee, to be paid through **The Support Payment Clearinghouse**, PO Box 52107, Phoenix, Arizona 85072-7107.

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

4. **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 _____ or from the date of service of this Petition on Respondent.

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

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

7. **NAMES:** Restore Wife's or Husband's to her or his former name of:

<i>First Name</i>	<i>Middle Name</i>	<i>Last Name</i>

Note: If you are not the person who is requesting to have your former name restored, the Court must have a written request from the party who wants his or her name restored.

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

OATH AND VERIFICATION OF RESPONDENT:

**STATE OF ARIZONA
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's Signature

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

(Notary seal)

Deputy Clerk or Notary Public



Instructions for Completing Affidavit Re: Minor Children

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

The Caption

- **Personal information** – Write 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.** – Write your Superior Court “D” Number, as found on the Petition.
- **Petitioner** – Write your spouse’s name as “Petitioner.”
- **Respondent** – Write your name as “Respondent.”

1. The nature of this action is:

- Check “Dissolution”

REMEMBER, you should only be using this packet if you and your spouse DO NOT HAVE minor children together, either biological or adopted. If you do, you should be using Packet # 3, *Divorce with Children – Response.*

2. Pregnancy

- Check whether the mother “is” or “is not” pregnant.

3. Minor children in the case

- Check whether there “are” or “are not” minor children for whom either parent has legal decision-making. Even if there are no minor children, you still need to fill out #s 1-3 and file the Affidavit re: Minor Children with the court. You do not need to fill out #s 4-9.

4. Prior litigation

- Check that you “have not” been involved in prior cases involving minor children you and your spouse have together (biological or adopted).

5. Pending Litigation

- Check that you “do not” know of any pending proceeding concerning minor children you and your spouse have together (biological or adopted).

6. Non-Party Claims

- Check that you “do not” know of any non-party who has or claims to have rights with minor children you and your spouse have together (biological or adopted).

7. Mother’s mailing address

- Write the wife’s mailing address on the line, including city, state, and ZIP code.

8. Father’s mailing address

- Write the husband’s mailing address on the line, including city, state, and ZIP code.

9. Information about minor children

- Write “there are no minor children common to the spouses.” (biological or adopted).

Date & Signature

- **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 unless you are with a notary.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing Self, without a Lawyer or
 Attorney for Petitioner OR Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

AFFIDAVIT REGARDING MINOR CHILDREN

This Affidavit Regarding Minor Children must be filed in all cases. You must fill out this form completely and provide accurate information. Use additional paper if necessary. You must file this Affidavit with the Court and serve copies of this and all other required documents on the other party or the other party's attorney.

1. THE PARTIES' MAILING ADDRESSES ARE

Petitioner: _____
Respondent: _____

2. CHILDREN OF THE PARTIES WHO ARE UNDER AGE 18. The following children are under age 18 and were born to, or adopted by, the parties.

Name: _____	Name: _____
Age: _____	Age: _____
Name: _____	Name: _____
Age: _____	Age: _____

3. INFORMATION REGARDING WHERE THE CHILDREN UNDER AGE 18 HAVE LIVED FOR THE LAST 5 YEARS. (State most recent address first)

Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____
Child's Name: _____	Dates: From _____ to _____
Address: _____	Lived with _____
City, State _____	Relationship to child _____

4. INFORMATION REGARDING COURT CASES INVOLVING LEGAL DECISION-MAKING AND PARENTING TIME WITH THE CHILDREN NAMED ABOVE IN WHICH I HAVE BEEN A PARTY, WITNESS OR APPEARED IN ANY OTHER CAPACITY. (Check yes or no.)

I have OR have not been a party/witness in court in this state or in any other state that involved the legal decision- making and parenting time of the children named above.

Yes No. If Yes, explain. If No, go on to next section.

Name of each child involved: _____

Name of Court: _____ Court location: _____

Court Case Number: _____ Current Status: _____

How the child is involved: _____

Summary of any Court Order: _____

5. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION- MAKING AND PARENTING TIME WITH THE CHILDREN. (Check yes or no.)

I have information about a legal decision-making and parenting time court case relating to any of the children named above that is pending in this state or in any other state.

Yes No. If Yes, explain. If No, go on to next section.

Name of each child involved: _____

Name of Court: _____ Court location: _____

Court Case Number: _____ Current Status: _____

How the child is involved: _____

Summary of any Court Order: _____

6. INFORMATION REGARDING LEGAL DECISION-MAKING AND PARENTING TIME CLAIMS OF ANY PERSON. (Check yes or no.)

I have information about a legal decision-making and parenting time case relating to any of the children named above that is pending in this state or in any other state.

Yes No. If Yes, explain. If No, go on to next section.

Name of each child: _____

Name of person with the claim: _____

Address of person with the claim: _____

Nature of the claim: _____

STATE OF _____

COUNTY OF _____

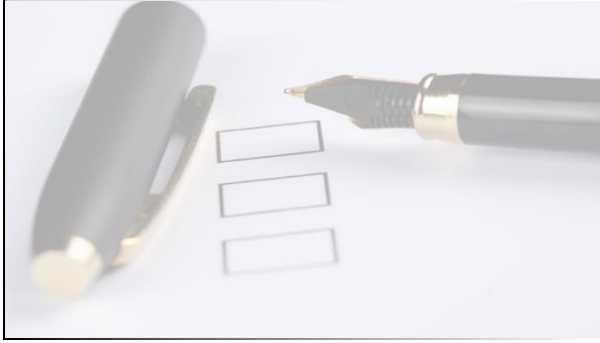
I have read the above Affidavit Regarding Minor Children and know to my own knowledge that the information is true and correct and that any false information may constitute perjury.

 Petitioner Respondent

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

(Notary seal)

Deputy Clerk or Notary Public



Instructions for Completing Confidential Sensitive Data Form

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



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, so the public has access to all information included on these forms. So you **SHOULD NOT** put any *sensitive data* on the Petition or Response.

Sensitive data includes

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

The Confidential Sensitive Data Form is not made available to the public, so the form makes it so that your sensitive data is only visible to the court.

The Caption

- **Personal information** – Write your name, street address, city, state, ZIP code, and telephone number.
 - **Case No.** – Enter your Superior Court “D” Number, as found on the Petition.
 - **Petitioner** – Enter your spouse’s name as Petitioner.
 - **Respondent** – Enter your name as Respondent.

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

Person Filing: _____
 Address (if not protected): _____
 City, State, Zip Code: _____
 Telephone: _____
 Email Address: _____
 ATLAS Number: _____
 Lawyer's Bar Number: _____
 Representing Self, without a Lawyer or
 Attorney for Petitioner OR Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

 Petitioner
 and

 Respondent

CONFIDENTIAL SENSITIVE DATA FORM

A. Personal Information:

Name	Birth Date	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 and 401ks):

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

Life insurance policies:

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

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing Self, without a Lawyer or
 Attorney for Petitioner OR Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

REQUEST FOR PROTECTED ADDRESS

I request the court to order that my address be protected from public disclosure, including disclosure to the opposing part(ies) in this case.

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, for the following reasons:

I have a valid Order of Protection in place issued by the following court:

OR

Other reasons briefly described below:

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:

Petitioner Respondent

Name: _____

Street: _____

City, State, Zip: _____

Telephone #: _____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____
Representing Self, without a Lawyer or
 Attorney for Petitioner OR Respondent

ARIZONA SUPERIOR COURT, PIMA COUNTY

Case No. _____

Petitioner
and

Respondent

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 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, A.R.F.L.P.

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.