

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

FOR CLERK'S USE ONLY

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

Respondent's Name or Lawyer's Name: \_\_\_\_\_  
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

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Petitioner is  Husband  Wife

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

### DECREE OF ANNULMENT in a NON-Covenant Marriage

- for DEFAULT
- for TRIAL

\_\_\_\_\_  
Respondent is  Husband  Wife

### THE COURT FINDS:

1. This case has come before this Court for a final Decree of Annulment of Marriage. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree.
2. This Court has jurisdiction over the parties under the law.
3. **Service by Publication:** If the Respondent was served by publication and was not personally served, this court cannot make legal orders, with respect to issues of community property or debt, or spousal maintenance/support. The Court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/support of spouse, the disposition of community property or debts, and any other relief requested in the Petition or orders deemed necessary by the Court.

4. Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved, and made orders relating to issues of the division of property and/or debts.
5. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the parties, and the division of property and debt is fair and equitable.
6. **Arizona Residency.** The requirements of A.R.S. §25-312 for annulment of marriage, have been met: At the time this action was filed, the Husband or the Wife was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. Also, the Petitioner or the Respondent was domiciled or stationed in Arizona for more than 90 days.
7. **Conciliation Court.** The provisions relating to Conciliation Court do not apply or have been met.
8. **Covenant Marriage.** This is a non-covenant marriage.
9. **GROUND(s) for Annulment:** The requirements of A.R.S. §25-301 have been met. The following ground(s) is the basis for this Annulment, which renders the marriage void:
- 
- 
10. **Protective Orders.** Following is the effect, if any, of this Consent Decree on any existing protective orders:
- 
- 
11. **Pregnancy and Minor Children.**
- There are no minor children common to the parties.
- Wife is NOT pregnant OR
- Wife is pregnant and the husband  is OR  is NOT the father of the child.
12. **Community Property and Debt.** The Court has considered, approved, and made orders relating to the issues of property and debt. (Check the appropriate box(es)).
- The parties did not acquire any community property during the marriage.
- The parties did not acquire any debt during the marriage.
- There is an agreement as to division of community property and debt. All community property and debt is divided pursuant to and incorporated into this Decree. If necessary, attach the Community Property (**Exhibit "A"**) with the signature of both parties as evidence of this agreement.
- There is NO agreement as to division of property and/or debt, but all community property and/or debt is divided pursuant to this Decree.
- The Petitioner OR  Respondent lacks enough property, including property given to him/her as part of this divorce, to provide for his/her reasonable needs, and is unable to support himself/herself through an appropriate job, or is of a condition that he/she should not be required to look for work outside of the home, or lacks earning ability necessary to support himself/herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage of long duration and is of an age which may severely limit the possibility of getting a job in order to support himself/herself.

13. **Other Findings:**


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**THE COURT ORDERS:**

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

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

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

- A.  Petitioner is ordered to pay all debts unknown to Respondent, AND  
 Respondent is ordered to pay all debts unknown to Petitioner, AND  
 Each party is ordered to pay his or her debts incurred since \_\_\_\_\_ date.
- B.  Each party is assigned his or her separate property and Husband must pay his separate debt, and Wife must pay her separate debt.
- C.  This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and financial institution accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before \_\_\_\_\_ by 5:00 p.m.

NOTE: If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

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

3. **TAX RETURNS**

Please mark appropriate boxes:

- Each party shall give the other party all necessary documentation to file all tax returns.
- For previous calendar years, pursuant to IRS rules and regulations, the parties will file:**
- Joint federal and state income tax returns and hold each other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds, **OR**
- Separate federal and state income tax returns, **AND**

This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

**4. NAMES:** IF one or both parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.

Wife's name is restored to \_\_\_\_\_. (Put only the last name here.)

Husband's name is restored to \_\_\_\_\_. (Put only the last name here.)

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

\_\_\_\_\_  
\_\_\_\_\_

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

**7. FINAL APPEALABLE ORDER.** Pursuant to Rule 81, Arizona Rules of Family Law Procedure, this final judgment/decree is settled, approved and signed by the Court and shall be entered by the clerk.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

If this Decree was issued as a "Default," and the Petitioner served the papers to begin this case by any means *other than* by publication, a copy of this Decree shall be mailed or delivered to the Respondent within 24 hours of the court hearing as follows:

**Respondent's Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City, State Zip Code:** \_\_\_\_\_

**By:** \_\_\_\_\_

\_\_\_\_\_

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

**1. DIVISION OF COMMUNITY PROPERTY** (property acquired during the marriage)

- Award each party the personal property in his/her possession.
- Community property is awarded to each party as follows:

**2. LIST OF COMMUNITY PROPERTY** (Be very specific in your description of the property.)

|   |               | <b>AWARD TO</b>          |                          |
|---|---------------|--------------------------|--------------------------|
| <b>Household Furniture and Appliances</b>           | (Be specific) | <b>Husband</b>           | <b>Wife</b>              |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>  |               |                          |                          |
| <b>Video: TV / DVD / DVR / VCR, etc.</b>            | (Be specific) |                          |                          |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>  |               |                          |                          |
| <b>Audio: Stereo/ Radio (Household or Portable)</b> | (Be specific) |                          |                          |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>  |               |                          |                          |
| <b>Computers and Related Equipment</b>              | (Be specific) |                          |                          |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| _____   |               | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>  |               |                          |                          |
| <b>Motor Vehicles</b>                               | (Be specific) |                          |                          |
| 1. Year, Make, Model: _____                         |               | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____                        |               |                          |                          |
| <br>2. Year, Make, Model: _____                     |               | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____                        |               |                          |                          |
| <br>3. Year, Make, Model: _____                     |               | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____                        |               |                          |                          |

| COMMUNITY PROPERTY   | (Be specific) | AWARD TO                 |                          |
|--|---------------|--------------------------|--------------------------|
|  |               | Husband                  | Wife                     |
| <b>Cash, bonds of \$</b>                                       | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| Other:   | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| Other:   | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| Other:   | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| Other:   | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| Other:   | _____         | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> <b>Continues on attached page(s).</b> |               |                          |                          |

**3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION**

**WARNING. You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.**

- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- OR**
- Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:  
\_\_\_\_\_
- OR**
- Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:

**4. DIVISION OF REAL PROPERTY (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.**

**A.** Real property located at (address)\_\_\_\_\_. The **legal description** of this property, **as quoted from the DEED to the property\* is:**  
\_\_\_\_\_  
\_\_\_\_\_

\* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("A") described above is awarded as the sole and separate property of:

- Husband or  Wife
- OR**
- Shall be sold and the proceeds divided as follows:  
 \_\_\_\_\_% or \$\_\_\_\_\_ to Husband  
 \_\_\_\_\_% or \$\_\_\_\_\_ to Wife

**B. Real property located at (address)\_\_\_\_\_.**

The **legal description** of this property, **as quoted from the DEED to the property\*** is:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

Husband or  Wife

**OR**

Shall be sold and the proceeds divided as follows:

\_\_\_\_\_ % or \$ \_\_\_\_\_ to Husband

\_\_\_\_\_ % or \$ \_\_\_\_\_ to Wife

**5. DIVISION OF COMMUNITY DEBT** (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

**Community debts shall be divided as follows:**

| Creditor Name | Amount Owed | Amount to be paid by Husband | Amount to be paid by Wife |
|---------------|-------------|------------------------------|---------------------------|
| a. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| b. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| c. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| d. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| e. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| f. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| g. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| h. _____      | \$ _____    | \$ _____                     | \$ _____                  |
| i. _____      | \$ _____    | \$ _____                     | \$ _____                  |

Continues on attached page.

**6.**  Any debts or obligations incurred by either party before the date of separation, that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

**7. SEPARATE PROPERTY.** (Property acquired before the marriage or by gift or bequest to one party.)  
 Property recognized as the separate property of the Petitioner or Respondent, is assigned below:

| Description | Value    | To Husband               | To Wife                  |
|-------------|----------|--------------------------|--------------------------|
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____       | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |

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

Debt recognized as the separate debt of the Husband or Wife, is assigned below:

| Creditor Name | Debt Amount | Husband Pays             | Wife Pays                |
|---------------|-------------|--------------------------|--------------------------|
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |
|               | \$          | <input type="checkbox"/> | <input type="checkbox"/> |

Continued on attached page.

**SIGNATURE OF BOTH PARTIES (for Consent Decree)**

This "Exhibit A" represents the agreement of the parties as to the division of property and debt. The terms of the agreement are fair and equitable and have been reached free of coercion, duress, or threat of force.

By signing below, each of us states to the Court under penalty of perjury that we have read and understand this document, and that the information contained in the document is true and correct to the best of our individual knowledge and belief.

**SIGNATURES**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_

(notary seal)

\_\_\_\_\_  
Deputy Clerk or Notary Public



