

DIVORCE WITHOUT MINOR CHILDREN

3

Response

Part 3: Respond to a Divorce Petition

(Instruction and Forms)

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Petitioner / Party A

Case Number: _____

RESPONSE TO "PETITION FOR DISSOLUTION OF MARRIAGE- (DIVORCE) WITHOUT MINOR CHILDREN"

Name of Respondent / Party B

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT MY SPOUSE:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row my spouse, has lived in Arizona: _____

2. INFORMATION ABOUT ME:

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Starting with today, number of months/years in a row I have lived in Arizona: _____

3. INFORMATION ABOUT MY MARRIAGE: (Check the boxes that apply.)

Date of Marriage: _____

City and state or country where we were married: _____

We do not have or We do have a covenant marriage. **If you disagree with what your spouse said regarding the type of marriage you have, you should attach a copy of your marriage license to show what kind of marriage you have.**

4. 90 DAY REQUIREMENT: (Check the boxes that apply.)

I or my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before this action was filed or I or my spouse have not lived, or have not been stationed while a member of the Armed Forces, in Arizona for at least 90 days before this action was filed.

5.a. COMMUNITY PROPERTY: (Check one box.)

My spouse and I did not acquire any community property during the marriage, **OR**

My spouse and I acquired community property during our marriage, and we should divide it as follows:

Real estate located at: _____ **Party A** **Party B** **Value** \$ _____

Legal Description: _____

Real estate located at: _____ **Party A** **Party B** **Value** \$ _____

Legal Description: _____

Household furniture and appliances:

	Party A	Party B	Value
_____	<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:

	Party A	Party B	Value
_____	<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"/>	Other items:	Party A	Party B	Value
	_____	<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"/>	Pension/retirement fund/profit sharing/stock plan/401K:	Party A	Party B	Value
	_____	<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"/>	Motor vehicles:	Party A	Party B	Value
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____			
	VIN _____			
	Lien Holder _____			
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____			
	VIN _____			
	Lien Holder _____			

5.b. SEPARATE PROPERTY: (Check all boxes that apply.)

- I do not have any property that I brought into the marriage or separate property.
- My spouse does not have any property that he or she brought into the marriage or separate property.
- I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described below.
- My spouse has property that he or she brought into the marriage or has separate property. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

DESCRIPTION OF SEPARATE PROPERTY	Party A	Party B	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

6.a. COMMUNITY DEBTS: (Check one box.)

- My spouse and I did not incur any community debts during the marriage, OR
- We should divide the responsibility for the debts incurred during the marriage as follows:

DESCRIPTION OF DEBT	Party A	Party B	Amount Owed
_____	<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"/>	\$ _____

6.b. SEPARATE DEBTS: (Check all boxes that apply.)

- My spouse and I do not have any debts that were incurred prior to the marriage or separate debt,
- OR**
- I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below.
- My spouse has separate debt or debt that he or she or incurred prior to the marriage that should be paid by my spouse as described below.

DESCRIPTION OF DEBT	Party A	Party B	Amount Owed
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

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.)

7. TAX RETURNS: (Check the box if it is what you want).

After the Judge or Commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

For previous years (the years we were married, **not** including the year the Decree was signed), (check one box)

The parties will file **joint** federal and state income tax returns. For previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs and each will share equally in any refunds. *OR*

The parties will file **separate** federal and state income tax returns. For previous calendar years, each party will pay and hold the other harmless from any income taxes and/or incurred as a result of the filing of that party's tax return and each party will be awarded 100% of any refund received as a result of the filing of that party's tax return.

8. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY): (Check the box that applies to you.)

Neither party is entitled to spousal maintenance/support (alimony), *OR*

Party A *OR* Party B is entitled to spousal maintenance/support because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal support.)

Person lacks sufficient property to provide for his/her reasonable needs;

Person is unable to support himself /herself through appropriate employment;

Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;

Person lacks earning ability in the labor market adequate to support himself/herself;

Person made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability 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 be self-sufficient; and/or
- Person has significantly reduced their income or career opportunities for the benefit of the other spouse.

SUMMARY OF WHAT I WANT REGARDING SPOUSAL MAINTENANCE/SUPPORT THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION: (Summarize here what is different from your plan for spousal maintenance/support than what your spouse asked for in the Petition.)

9. PREGNANCY: (Mark the box to show whether either party is currently pregnant, etc.)

- Party A is or is **not** pregnant, OR
- Party B is or is **not** pregnant,

If either party is pregnant, the baby is due on _____ (date), (and, check one box below):

- Party A and Party B are the parents of the child, **OR**
- Party A or Party B is **not** a parent of the child.

10. OTHER STATEMENTS TO THE COURT UNDER OATH: (Check the boxes that apply.)

- My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (My marriage is over.)
- My marriage is not irretrievably broken and there is a reasonable prospect of reconciliation. (My marriage is not over.)
- My spouse and I have attempted to resolve our problem by using Conciliation Services, or going to Conciliation Services to try to resolve our problems would not work.
- My spouse and I have not tried to resolve our problems by using Conciliation Services, or going to Conciliation Services to try to resolve our problems would work.

11. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

- Party A and Party B **have a written agreement** signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children (legal custody), parenting time, and child support, and I have attached a copy of the written agreement.
- Party A and Party B **DO NOT have** a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children (legal custody), parenting time, and child support.

12. GENERAL DENIAL: I deny anything stated in the Petition that I have not specifically admitted, qualified, or denied.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

- Dissolve our marriage and return each party to the status of a single person; OR
- Deny the petition and refuse to dissolve the marriage due to my answers above.

B. NAMES: (Optional. Complete ONLY if you want your name restored to a former name)

My complete married name is:

--	--	--

I want my legal name restored to: (List complete maiden name or legal name before this marriage)

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C. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):

Order spousal maintenance/support to be paid by Party A or Party B through the Clerk of Superior Court/Clearinghouse in the amount of \$ _____ per month, and the statutory fee, beginning with the first day of the month after the judge or commissioner signs the Decree of Dissolution and continuing until the person receiving spousal maintenance/support is remarried or deceased, or for a period of _____ months.

D. COMMUNITY PROPERTY:

Make a fair division of all community property as requested in this Response.

E. COMMUNITY DEBTS:

Order each party to pay community debts as requested in the 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 party's separation on (date): _____ or the date Party B was served with the Petition for Dissolution.

F. SEPARATE PROPERTY and SEPARATE DEBT:

Award each party his or her separate property and order each party to pay his or her separate debt.

G. OTHER ORDERS I AM REQUESTING: (Explain request here.)

OATH OR AFFIRMATION

The contents of this document are true and correct to the best of my knowledge and belief.

Signature

Date

STATE OF _____

COUNTY OF _____

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

_____.

(Notary seal)

Deputy Clerk or Notary Public

Copy of this document mailed to the other party on: _____
Month / Date / Year

To the following address: _____

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

 Petitioner / Party A

Case No. _____

 Respondent / Party B

ATLAS No. _____

FAMILY DEPARTMENT SENSITIVE DATA COVERSHEET WITHOUT CHILDREN (CONFIDENTIAL RECORD)

Fill out. File with Clerk of Superior Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43.1(f).

A. Personal Information:	Petitioner / Party A	Respondent / Party B
Name	_____	_____
Gender	<input type="checkbox"/> Male or <input type="checkbox"/> Female	<input type="checkbox"/> Male or <input type="checkbox"/> Female
Date of Birth (Month/Day/Year)	_____	_____
Social Security Number	_____	_____

**WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM
IF REQUESTING ADDRESS PROTECTION**

Mailing Address	_____	_____
City, State, Zip Code	_____	_____
Contact Phone	_____	_____
Receive texts from Court to contact phone number above?	<input type="checkbox"/> Yes <input type="checkbox"/> No texts	<input type="checkbox"/> Yes <input type="checkbox"/> No texts
Email Address	_____	_____
Current Employer Name	_____	_____
Employer Address	_____	_____
Employer City, State, Zip Code	_____	_____
Employer Telephone Number	_____	_____
Employer Fax Number	_____	_____

B. Type of Case being filed - Mark only one category. (*) Mark this box only if no other case type applies

Dissolution (Divorce) Annulment Other*
 Legal Separation Order Protection

C. Do you need interpreter? No Yes If Yes, What language? _____

DO NOT COPY THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.

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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Petitioner / Party A

Case No. _____

ATLAS No. _____

Respondent / Party B

ALTERNATIVE DISPUTE RESOLUTION STATEMENT TO THE COURT A.R.F.L.P. 66(E)

Check appropriate box below:

Party A's Statement

Party B's Statement

Joint Statement (signed by both parties)

Pursuant to the Arizona Rules of Family Law Procedure, we hereby state the following, under penalty of perjury:

1. The parties agree to participate in the following Alternative Dispute Resolution (ADR) process and:
 - a. have selected the following ADR process:
 - Arbitration
 - Mediation
 - Settlement Conference
 - Other: _____
 - b. The parties will use a private provider OR
 The parties request a program provided through the court.
 - c. The person or company providing the ADR service is: _____
 - d. The parties expect to complete the ADR process by _____.
2. The parties have been unable to agree on an ADR process.
 - Party A Party B believe(s) that the following ADR process would be appropriate:

 - Party A Party B request(s) a conference to discuss ADR.
 - Party A Party B believe(s) that an ADR process would not be appropriate for the following reason:

Date

Party A

Date

Party B