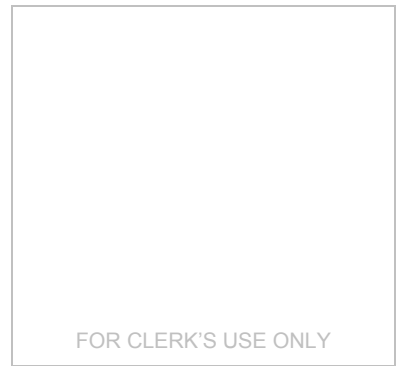


Person Filing: (A) _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____



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

SUPERIOR COURT OF ARIZONA IN COCHISE COUNTY

Name of Petitioner (B) / Party A

Case Number: (C) _____

ATLAS Number: _____
(if applicable)

Name of Respondent / Party B

RESPONSE TO PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:

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 OUR MARRIAGE

Date of Marriage: _____

City and state, or country where we were married: _____

(Check box below if true.)

We have a covenant marriage. I have attached a copy of my marriage license to show that we have a covenant marriage. (Warning: If this statement is true, divorce cannot be granted based on a petition filed relating to a *NON*-Covenant marriage. You may skip to page 8, "Requests to the Court", (A), or file a separate motion to dismiss the Petition for Dissolution of Non-Covenant Marriage, and then petition the Court for a Covenant Marriage, if you want a divorce.)

Our marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (Our marriage is over.) The conciliation requirements under Arizona law, A.R.S. § 25-381.09 either do not apply or have been met.

OR

Our marriage is **not irretrievably broken** and there are reasonable prospects of reconciliation. The conciliation requirements under Arizona law, A.R.S. § 25-381.09 either apply or have not been met. Explain to the Court why you disagree with my spouse's statement (that the marriage is irretrievably broken):

Summary of what I say about **OUR MARRIAGE** that is different from what my spouse said in the Petition:

4. **90 DAY REQUIREMENT:** Neither I nor my spouse have lived, or have been stationed while a member of the Armed Forces, in Arizona for at least 90 days before my spouse filed this action. **(WARNING:** If this statement is true, your spouse **cannot** proceed. You may skip to page 8, "Requests to the Court", (A)) or simply file a separate motion to dismiss the case, and then petition the court for a divorce when the statement IS true.)

5. **DOMESTIC VIOLENCE:** (Check the box that is true. If you intend to ask for joint legal decision-making (joint legal custody), there must have been no "significant" domestic violence. A.R.S. § 25-403.03):

- Domestic violence has not occurred, **OR**
- Domestic violence has occurred but it has not been significant.
- There has been significant domestic violence.

SUMMARY OF WHAT I SAY ABOUT DOMESTIC VIOLENCE THAT IS DIFFERENT FROM WHAT MY SPOUSE SAID IN THE PETITION:

6. CHILDREN COMMON to THE PARTIES WHO ARE LESS THAN 18 YEARS OLD:

There are no children under the age of 18 either born to or adopted by Party A and Party B.
NOTE: if you checked this box, stop. You should be using the petition packet to get a divorce without children.

This Court does **not have jurisdiction** to determine legal decision-making (legal custody) concerning minor child(ren) common to the parties under Arizona law because the minor children have not lived with Party A or Party B in Arizona for at least 6 months prior to the Petition being filed. **Explain:** (There are other reasons why the court may not have jurisdiction due to the residence of the children. See a lawyer for help.)

This Court has **jurisdiction** to determine legal decision-making (legal custody) concerning the minor child(ren) common to the parties under Arizona law because the minor child(ren) have lived with Party A or Party B in Arizona for *at least* the 6 months prior to the Petition being filed.

Listed below are children still under the age of 18 born to or adopted by Party A and Party B, and where indicated, born before the marriage.

Child's Name:	_____	<input type="checkbox"/> Born prior to marriage
Birthdate:	_____	
Address:	_____	
Length of Time at Address:	_____	

Child's Name:	_____	<input type="checkbox"/> Born prior to marriage
Birthdate:	_____	
Address:	_____	
Length of Time at Address:	_____	

Child's Name:	_____	<input type="checkbox"/> Born prior to marriage
Birthdate:	_____	
Address:	_____	
Length of Time at Address:	_____	

Child's Name:	_____	<input type="checkbox"/> Born prior to marriage
Birthdate:	_____	
Address:	_____	
Length of Time at Address:	_____	

Child's Name:	_____	<input type="checkbox"/> Born prior to marriage
Birthdate:	_____	
Address:	_____	
Length of Time at Address:	_____	

Information for additional children is listed on attached page(s), made part of this document.

7. PREGNANCY (Check box to indicate 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.

8. SUMMARY OF WHAT I WANT OR SAY CONCERNING OUR MINOR CHILD(REN) THAT IS DIFFERENT FROM WHAT MY SPOUSE SAID OR ASKED FOR IN THE PETITION and AFFIDAVIT OF MINOR CHILDREN.

9. INFORMATION ABOUT PROPERTY and DEBTS.

9.a. COMMUNITY PROPERTY: (Property acquired during the marriage) (Check one box.)

Party A and Party B did not acquire any community property during the marriage, OR

Party A or Party B did acquire community property during the marriage, and should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

WARNING: You must be specific. You must describe the property that should go to you, and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you, or to your spouse. Never list an item and then check both Party B and Party A boxes.

		Party A	Party B	Value
<input type="checkbox"/>	Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Legal Description: _____ _____			

		Party A	Party B	Value
<input type="checkbox"/>	Real estate located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Legal Description: _____ _____			

<input type="checkbox"/>	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"/>	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"/>	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"/>	Motor vehicles:	Party A	Party B	Value
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____			
	VIN _____			
	Lien Holder _____			

<input type="checkbox"/>	Motor vehicles:	Party A	Party B	Value
	Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
	Model _____			
	VIN _____			
	Lien Holder _____			

9.b. SEPARATE PROPERTY. (Check all boxes that apply.)

- Party A does **not** have any separate property.
- Party B does **not** have any separate property.
- Party A has separate property that was brought into the marriage. Award this property to Party A as described below.
- Party B has separate property that was brought into the marriage. Award this property to Party B 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"/>	\$ _____

9.c. COMMUNITY DEBTS (Debt that was incurred during the marriage): (Check one box.)

- Party A and Party B did **not** incur any community debts during the marriage, **OR**
- Party A and Party B 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"/>	\$ _____

9.d. SEPARATE DEBTS. (Check all boxes that apply.)

Party A and Party B do **not** have any debts that were incurred prior to the marriage or separate debt.

OR

Party A has separate debt that was incurred prior to the marriage which should be paid by Party A as described below.

Party B has separate debt that was incurred prior to the marriage that should be paid by Party B 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"/>	\$ _____

10. SUMMARY OF WHAT I REQUEST CONCERNING PROPERTY AND DEBTS THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

11. TAX RETURNS: (Check this box if this 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.

12. SPOUSAL MAINTENANCE (ALIMONY): (Check the box that applies to you.)

- Neither party is entitled to spousal maintenance (alimony), OR**
- Party A **OR** Party B is entitled to spousal maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance)
- 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.
- Person has significantly reduced their income or career opportunities for the benefit of the other spouse.

13. SUMMARY OF WHAT I REQUEST REGARDING SPOUSAL MAINTENANCE THAT IS DIFFERENT FROM WHAT MY SPOUSE ASKED FOR IN THE PETITION:

14. DRUG / ALCOHOL CONVICTION WITHIN LAST TWELVE MONTHS: (If you intend to ask for joint legal decision-making (joint legal custody), check one box.)

- Neither party has been convicted** for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months,
- One or both parties have been convicted** for a drug offense or driving under the influence of drugs or alcohol in the last twelve (12) months.
- Party A** was convicted. **Party B** was convicted.

The legal decision-making (legal custody) and parenting time arrangement I am requesting appropriately protects the minor child(ren). Explain how this arrangement appropriately protects the minor child(ren).

Summary of what I say about **DRUG OR ALCOHOL CONVICTIONS** that is different from what my spouse said in the Petition:

15. CHILD SUPPORT:

There is an Order for Child Support, dated _____ from (name of court) _____

To my knowledge there is no child support order for the minor child(ren) and the Court should should not order child support in this case along with legal decision-making (legal custody), and parenting time.

Party A Party B made voluntary / direct support payments that need to be taken into account, if past support is requested.

Party A Party B owes past support for the period between:

the date the petition was filed and the date current child support is ordered.

OR

the date the parties started living apart, but not more than three years before the date the petition was filed, and the date current child support is ordered.

Title IV-D program or Temporary Assistance for Needy Families (TANF) Programs:

Does not apply.

Party A Party B is applying for or currently receiving TANF **or** services from the Arizona Title IV-D program. NOTE: If one or both of the parties is or will be receiving TANF or Title IV-D support, you must obtain the Attorney General or county attorney approval by signature on the Final decree. (Rule 45(c)(3))

16. OTHER EXPENSES:

The parties should be ordered to divide between them any uninsured medical, dental, vision or health expenses, reasonably incurred for the minor child(ren), in proportion to their respective incomes.

Summary of what I say about **CHILD SUPPORT AND EXPENSES** that is different from what my spouse said in the Petition:

17. WRITTEN AGREEMENT:

- Party A and Party B have a written agreement signed by both parties 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.

18. THE PARENT INFORMATION PROGRAM is required for persons seeking legal decision-making (legal custody) or parenting time. (Check one box.)

I **have** **have not** already completed the Parenting Information Program.

19. 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 the parties' marriage and return each party to the status of a single person;

Deny the petition and refuse to dissolve the marriage because:

- We have a covenant marriage;
- Neither of us meets the 90 day **residency requirement**;
- Our marriage is not irretrievably broken;

Dissolve the marriage and return each party to status of a single person, but refuse to decide child legal decision-making (legal custody) matters due to lack of jurisdiction because the minor children have not lived in Arizona for at least the 6 months prior to the Petition being filed.

B. RESTORE NAME:

I took the name of my spouse at the time of marriage and I want to restore my last name to the name I used before this marriage or to my maiden name.

My complete married name is:

--	--	--

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

--	--	--

WARNING: 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 to change the name

C. PATERNITY and MINOR CHILD(REN)'S NAMES: (Check one box, if this is what you want.)

Declare Party A Party B to be a parent of the following named minor child(ren) born before the marriage and (optional) change the legal name of those minor child(ren) to the name listed on the right, below:

Current Legal Name	(Optional) Change the name of the child to:
_____	_____
_____	_____
_____	_____
_____	_____

D. PRIMARY RESIDENCE, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY):

1. PRIMARY RESIDENCE: Declare which residence is designated as "Primary Residence" for each minor child as follows:

- Neither party's home is designated as the primary residence for the minor child(ren)
- Declare Party A's residence as the primary residence for the following named children:

- Declare Party B's residence as the primary residence for the following named children:

2. PARENTING TIME: Award parenting time as follows:

- Reasonable parenting time as described in the attached Parenting Plan, **OR**
- Supervised parenting time between the children and Party A **OR** Party B, **OR**
- No parenting time rights to Party A **OR** Party B.

Supervised or no parenting time is in the best interests of the child(ren) because:

Explanation continues on attached pages made part of this document by reference.

- a. Name this person to supervise: _____
- b. Restrict parenting time as follows: _____

c. Order cost of supervised parenting time (if applicable) to be paid by:

- Party A;
- Party B, **OR**
- Shared equally by the parties.

3. AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY):

Award legal authority to make decisions (legal custody) concerning the child(ren) as follows:

AWARD SOLE AUTHORITY FOR LEGAL DECISION-MAKING to:

Party A OR **Party B**

OR

AWARD JOINT AUTHORITY FOR LEGAL DECISION-MAKING to BOTH PARENTS.

Party A and Party B will act as joint legal decision-makers concerning the minor child(ren).
(Note: For the Court to order "joint" legal decision-making, there must have been no "significant" domestic violence according to Arizona law, A.R.S. § 25-403.03).

E. CHILD SUPPORT:

Order that child support be paid by: Party A OR Party B in a reasonable amount as determined by the Court under the **"Arizona Child Support Guidelines."** Support payments will begin on the first day of the first month after the Judge or Commissioner signs the Decree with all payments, plus the statutory handling fee, to be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

Order that **past child support by paid by** Party A OR Party B in an amount determined by using a retroactive application of the Arizona Child Support Guidelines taking into account any amount of temporary or voluntary/direct support that has been paid. Support to be paid as defined above.

The Child Support Order to be attached to the Decree of Dissolution of Marriage.

F. MEDICAL, DENTAL, VISION INSURANCE AND HEALTH CARE EXPENSES FOR MINOR CHILD(REN): Order that:

Party A should be responsible for providing: medical dental vision care insurance.

Party B should be responsible for providing: medical dental vision care insurance.

The parties should pay for all reasonable unreimbursed medical, dental, vision care and health-related expenses incurred for the minor child(ren) in proportion to their respective incomes.

G. TAX EXEMPTION:

Allocate tax exemptions for the minor child(ren) as determined by the Court under the Arizona Child Support Guidelines and in a manner that allows each party to claim allowable federal dependency exemptions proportionate to adjusted gross income in a reasonable pattern that can be repeated.

The parties will, subject to IRS Rules and Regulations, claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of minor child	in Tax Year
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____
<input type="checkbox"/> Party A <input type="checkbox"/> Party B	_____	_____

The Pattern above shall repeat for subsequent years.

NOTE: Under the Affordable Care Act, the party who claims the child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so.

H. SPOUSAL MAINTENANCE (ALIMONY):

Do not order spousal maintenance.

Order spousal maintenance to be paid by Party A or Party B in the amount of \$ _____ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance is remarried or deceased, or for a period of _____ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order.

I. COMMUNITY PROPERTY:

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

J. COMMUNITY DEBTS:

Order each party to pay community debts as requested 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 Party A or Party B:

Since separation on _____ (date)

OR

Since the date I was served with the Petition for Dissolution.

K. SEPARATE PROPERTY:

Award Party A's separate property to Party A.

Award Party B's separate property to Party B.

L. SEPARATE DEBT: Order each party to pay separate debt and hold the other party harmless from debts incurred before the marriage.

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

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information in this document is true and correct under penalty of perjury.

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: _____
