

A29

CONSENT DECREE

DISSOLUTION OF MARRIAGE
WITHOUT CHILDREN

**To get the Decree
when both parties agree**

Forms and Instructions

SELF-SERVICE CENTER

CONSENT DECREE FOR DIVORCE OR LEGAL SEPARATION IN A NON-COVENANT MARRIAGE WITH OR WITHOUT MINOR CHILDREN

CHECKLIST

You may use these forms if . . .

- ✓ You or your spouse filed a “**Petition for Divorce or for Legal Separation in a Non-Covenant Marriage With or Without Minor Children**”, AND
- ✓ You and your spouse agree to the divorce or legal separation **and** you agree **on all** terms of the divorce or legal separation, including:
 1. Division of property and debt,
 2. Spousal maintenance (alimony) (if any, how much)
 3. Custody, parenting time, and support of any minor children
- ✓ You and your spouse will provide your notarized signatures on the “*Consent Decree*” to indicate your agreement on all terms; **AND**
- ✓ You and your spouse have attended, or will attend, the Parent Information Program before you file a Consent Decree;
- ✓ You understand that **IF both parties are in complete agreement** on **all** terms of the divorce or legal separation as stated in the “*Petition*”:
 1. **It is not necessary either:**
 - a) for the Respondent to file a “**Response**”, or
 - b) for the parties to file a “**Consent Decree**”.
 2. If **no** response has been filed, the Petitioner may apply for a **default** decree *at no extra cost*.
 3. If a response **has** been filed and the parties later come to agreement on all issues, a Consent Decree may be filed *at no extra charge*.

✗ **DO NOT USE THESE FORMS IF:**

- ✗ You disagree on **any** terms of the divorce or legal separation.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

SELF-SERVICE CENTER

HOW TO FILL OUT THE CONSENT DECREE FOR DIVORCE OR LEGAL SEPARATION IN A NON-COVENANT MARRIAGE

You may use these instructions **ONLY** if you and the other party:

- do not have a “covenant” marriage;
- have agreed on all terms of the divorce; AND
- have agreed to file and sign a Consent Decree.

INSTRUCTIONS FOR FILLING OUT THE CONSENT DECREE:

- Fill in the information requested at top left for the Petitioner and the Respondent. The spaces marked “representing” and “state bar number” are used **only** if an attorney is preparing this form.
- Fill in the names of the persons shown as the “Petitioner” and the “Respondent” and the case number as on the “*Petition for Dissolution (Divorce) of a Non-Covenant Marriage*”.
- Write the ATLAS number *if* one has been assigned to your case.

FILL OUT THE REST OF THIS FORM ACCORDING TO THE AGREEMENT AND UNDERSTANDING OF BOTH PARTIES.

IF YOUR DIVORCE CASE IS *WITHOUT CHILDREN*, CHECK THE APPROPRIATE BOXES TO INDICATE THAT THE SECTIONS CONCERNING CHILDREN DO NOT APPLY.

DO NOT SIGN UNTIL YOU ARE IN THE PRESENCE OF A CLERK OF COURT OR A NOTARY PUBLIC. BE PREPARED TO SHOW PHOTO IDENTIFICATION.

SIGNING THIS FORM IS A STATEMENT TO THE COURT THAT YOU HAVE READ, UNDERSTAND, AND AGREE WITH THE CONTENTS OF THIS DOCUMENT.

SIGNING THIS FORM IS A REQUEST TO THE COURT TO MAKE THIS DOCUMENT THE COURT ORDER THAT GOVERNS YOUR DIVORCE OR LEGAL SEPARATION.

READ CAREFULLY BEFORE YOU SIGN. DO NOT SIGN IF YOU DO NOT UNDERSTAND OR DO NOT AGREE TO ALL TERMS OF THIS CONSENT DECREE.

LAWYER SIGNATURES: If either party is represented by an attorney, the attorney(s) must also sign.

TIME FRAME: Do not submit the Consent Decree to the court until at least 60 days have passed since the date the Respondent was served with or signed an “Acceptance of Service” for the divorce or legal separation papers. The Judge cannot sign your decree until 60 days after service. (A.R.S. § 25-329)



**IN THE SUPERIOR COURT
GRAHAM COUNTY, STATE OF ARIZONA**

In re the Marriage of:

_____ ,

Petitioner,

and

_____ ,

Respondent.

Case No. DO-_____

**CONSENT
DECREE OF DISSOLUTION OF MARRIAGE
WITHOUT MINOR CHILD(REN)**

The Court finds:

1. This case has come before this Court for a final Decree of Dissolution of Marriage. The Court has taken all of the testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree.
2. This Court has personal and subject-matter jurisdiction over the parties under applicable law.
3. At the time this action was filed, the Husband and/or the Wife was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces for a period of greater than 90 days. The Respondent has been served in accordance with Arizona law.

4. The provisions relating to the Conciliation Court either do not apply or have been met.
 5. The marriage is irretrievably broken and there is no reasonable proposition of reconciliation, or that one or both of the parties' desire to live separate and apart from the other.
 6. At least 60 days have elapsed from the date following service of process or the date of acceptance of process.
 7. This is a non-covenant marriage.
 8. To the extent is has jurisdiction to do so and where it is applicable to the facts of this case, this court has considered, approved, and made orders relating to issues of spousal maintenance, the division of property and/or indebtedness, legal decision-making, parenting time, and support of any minor children common to the parties.
 9. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the minor child or children, and the division of property and indebtedness is fair and equitable.
 10. The following is the effect, if any, of this Consent Decree upon any existing protective orders:
-

11. As for a fair and equitable division of **Community Property and Indebtedness:**

- The parties did not acquire any community property or indebtedness during the marriage.
- The parties did acquire community property or indebtedness during the marriage. The parties have agreed to a division of community property and/or indebtedness as evidenced by their signatures on Exhibit "A" which is attached hereto and incorporated herein by reference.

12. As for **Spousal Maintenance:**

- Neither party is entitled to an award of spousal maintenance/support.
- A party is entitled to an award of spousal maintenance/support for the reason that:
 - Wife or Husband

lacks sufficient property, including property awarded to him/her as part of this divorce to provide for his/her reasonable needs, and/or is unable to support himself/herself through appropriate employment or is the custodian of a child whose age or condition is such that the custodian should not be required to seek employment outside the home or lacks earning ability in the labor market adequate to be self-sufficient, and/or has made significant financial or other contribution to the education, training vocational skills, career or earning ability of the other spouse, and/or the marriage was of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient, and/or has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.

Spousal maintenance shall be ordered to be paid by Wife or Husband in the amount of \$_____ per month, starting on _____, 202__ for a period of: _____ months or indefinitely (until the receiving party either dies or remarries).

The parties further agree that:

- The spousal maintenance award shall be modifiable in accordance with Arizona law, or
- The spousal maintenance award shall not be modifiable in the future for any reason.

13. The parties are not the natural or adoptive parents of any minor children. Wife is not pregnant.

14. Each party shall provide to the other all necessary documents to file all tax returns. Other orders regarding tax returns (if any) are necessary as follows: _____

On the basis of the foregoing findings, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The marriage of the parties is dissolved, and the parties are restored to the legal status of single persons.
2. That Husband or Wife is restored to the former name of _____.
3. Temporary Orders: have been satisfied in full or judgment is awarded as follows: _____
_____ with interest at the highest legal rate allowed by law.
4. That spousal maintenance, if any, shall be paid as set forth herein.
5. That in cases in which spousal maintenance is ordered, until such time that that order is terminated, the parties shall exchange tax returns, affidavits of income and expenses and current pay information every 24 months or as follows: _____
6. That the division of community property and indebtedness, if any, shall be made as set forth herein.
7. That a Qualified Domestic Relations Order:
 - Is not necessary.
 - Is submitted contemporaneously herewith.
 - Shall be submitted by _____ no later than _____.

8. Each party shall indemnify, defend and hold harmless the other from any indebtedness ordered to be paid herein.
9. That each party shall execute and deliver to the other, forthwith, any deeds, bills of sale, assignments of title, and other like documents necessary or appropriate to give effect to the division of property herein ordered.
10. Other Orders:

Pursuant to Arizona Rules of Family Law Procedure 78(c), no further matters remain pending, and this Decree of Dissolution of Marriage is a final, appealable Order.

DONE IN OPEN COURT this _____ day of _____, _____.

JUDGE OF THE SUPERIOR COURT

Approved as to form and content:

 Husband

 Wife

A COPY of the foregoing was
 _____ Hand-Delivered
 _____ Mailed
 _____ Emailed

To Petitioner:

To Respondent:

EXHIBIT "A"

Division of Community Property and Indebtedness

1. Each party is awarded the personal property in his/her possession except as follows: _____

2. Husband is ordered to pay all debts unknown to Wife.
 Wife is ordered to pay all debts unknown to Husband.
 Each party is ordered to pay his or her debts from the following date: _____
 Each party is assigned his or her separate property and each party must pay their respective separate debt.

3. Community Property is awarded to each party as follows:

Item of Community Property

Awarded to:
Husband Wife

_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
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_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

4. Division of Retirement, Pension Benefits, and/or Deferred Compensation:

Neither party has any interest in any retirement, pension, deferred compensation, 401(k) and/or any other benefits obtained during the marriage.

Each party waives and gives up his/her interest in any and all retirement, pension, deferred compensation, 401(k) and/or any other deferred compensation obtained during the marriage in the other parties' name.

The Husband's retirement, pension, deferred compensation, 401(k) and/or any other benefits obtained during the marriage shall be divided as follows: _____

The Wife's retirement, pension, deferred compensation, 401(k) and/or any other benefits obtained during the marriage shall be divided as follows: _____

YOU SHOULD SEE A LAWYER ABOUT RETIREMENT, PENSION, 401(K) AND/OR ANY OTHER DEFERRED COMPENSATION BENEFITS. THERE ARE CERTAIN DOCUMENTS THAT THE PLAN ADMINISTRATOR MUST HAVE FROM YOU FOR YOU TO GET YOUR MONEY. IF YOU DO NOT PROVIDE THE NECESSARY DOCUMENTS YOU RISK NOT GETTING YOUR MONEY.

The Court retains jurisdiction of the parties and subject matter regarding any necessary Qualified Domestic Relations Order.

5. Real Property is divided as follows:

