

# A14

# **DIVORCE – WITHOUT MINOR CHILDREN**

## **The Court Order**

To get the Divorce Order

(Forms Packet)



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

<p>In re the Marriage of:</p>  _____, <p style="text-align: right;">Petitioner,</p> <p>and</p>  _____, <p style="text-align: right;">Respondent.</p>
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Case No. DO-\_\_\_\_\_

**DEFAULT  
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 and the division of property and/or indebtedness.
  9. The provisions of this Decree are fair and reasonable under the circumstances and the division of property and indebtedness is fair and equitable.
  10. The following is the effect, if any, of this Default Decree upon any existing protective orders:
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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. A fair and equitable division of community property and/or indebtedness is set forth in 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:

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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 \_\_\_\_\_, \_\_\_\_\_.

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**JUDGE OF THE SUPERIOR COURT**

A COPY of the foregoing was

- Hand-Delivered
- Mailed
- Emailed

To Petitioner:

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To Respondent:

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**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"/>
_____	<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"/>
_____	<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:

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

6. Division of Community Indebtedness:

Creditor Name	Amount Owed	Amount to be paid by Husband	Amount to be paid by Wife

7.  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 any such debt(s).

8. This Decree can be used as a transfer of title and can be recorded. The parties shall sign all documents necessary to complete all transfer of title ordered in this Decree. The parties shall transfer all real and personal property described in this Decree on or before \_\_\_\_\_. 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 Court commanding the Sheriff to put him or her in possession of the property.

9. Other Orders:

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