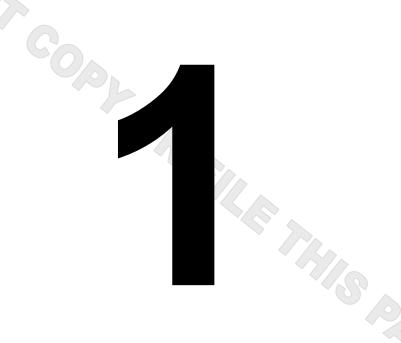
# DIVORCE WITH CHILDREN For Petitioner Only



# To File for Divorce in a Non-Covenant Marriage with Minor Children

Part 1: Forms

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### **SELF-SERVICE CENTER**

# DIVORCE WITH MINOR CHILDREN FOR PETITIONER ONLY

# PART 1 - FORMS: PETITION AND FIRST COURT PAPERS

This packet contains court forms for filing for divorce ("dissolution") for a non-covenant marriage when there are minor children common to the parties. Items listed below in **BOLD** are forms that you will need to file with the Court. **Do** <u>not</u> copy or file <u>non-bold</u> pages!

Order	File Number	Title	# pages
1	DRDC1ft	Table of forms in this packet	1
2	DRDC1k	Checklist: You may use this packet if	1
3	DRFC10f	"Family Court Cover Sheet" (*no copies required)	1
4	DRSDS10f	"Sensitive Data Sheet" (*no copies required)	1
5	DR11f	"Summons"	2
6	DR14f	"Preliminary Injunction"	2
7	DRDC15f	"Petition for Dissolution of Non-Covenant Marriage (Divorce)—With Minor Children"	7
8	DRD16f	"Notice of Right to Convert Health Insurance"	1
9	DR12f	"Parent Information Program Order" and Notice	3
10	DRCVG13f	"Affidavit Regarding Minor Children"	2
11	DR16f	"Notice Regarding Creditors"	2

<sup>\*</sup>No copies required. File original only. Do not serve on other party.

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

### **SELF-SERVICE CENTER**

# PETITION FOR DISSOLUTION OF NON-COVENANT MARRIAGE (DIVORCE) WITH MINOR CHILDREN

# **CHECKLIST**

You may use the forms and instructions in this packet if . . .

- ✓ You want to file a petition for divorce, AND,
- ✓ You do **not** have a "covenant" marriage (These papers will <u>not</u> work for a covenant marriage)\* AND,

\*What is a "Covenant Marriage"? As of August 21, 1998, the Arizona Legislature created a new type of marriage called "covenant" marriage. To have a covenant marriage, both husband and wife would have had to:

- 1. sign papers requesting to have a covenant marriage;
- 2. attend pre-marital counseling; AND
- 3. your marriage license would say "Covenant Marriage."

If you were married *before* August 21, 1998 and have not signed papers to *convert* your marriage to a covenant marriage, <u>you do not have</u> a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

- You and your spouse have minor children with each other OR the wife is pregnant by the husband **AND**,
- The minor child(ren) resided (lived) in Arizona at least 6 months before you file the petition or you talked to a lawyer who advised you that you could pursue the case in Arizona **AND**,
- ✓ Either spouse lived in Arizona at least 90 days before you file the Petition, or is a member of the armed forces and is stationed in Arizona at least 90 days before you file AND,
- ✓ You believe that the marriage is irretrievably broken (you and your spouse cannot make this marriage work) AND,

You or your spouse have either tried to resolve your marital problems through Conciliation Services, or there is no point in trying to resolve your marital problems.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or on the Internet at: www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/LawyersAndMediators/

# Superior Court of Arizona Maricopa County Family Court Cover Sheet

# For Use WITH Minor Children

Check only one:  Dissolution (Divorce)  Legal Separation  Annulment  Order of Protection  Paternity  * Custody/Visitation  Child Support  Other:  * Check only if no other category applies			<u> </u>	Case Num will stamp case # when ATLAS number(s)	documents are filed)
<ul><li>Type or print neath</li><li>If more room is neath</li></ul>	y in black ink. eded for childrer	or Petitioner	/Respondent, pleas	e attach a separat	
Information Abo	out the Petitio	ner:	Name:	About the Resp	oonaent:
Address:			Address:		
City, State, Zip:			City, State, Zip:		
Home Phone #:	Work Phone #		Home Phone #:	Work F	Phone #
Cell Phone/Pager:	Date of Birth:		Cell Phone/Page	er: Date of	f Birth:
Social Security #	E-Mail address	s:	Social Security #	E-Mail	address:
Lawyer's Name and Bar Number:  (Provide this Information only if YOU have an Attorney)  Do you need an Interpreter Yes No  If yes, what language:					
	Infor	mation Abo	out the Childre	า	
Name		Date	e of Birth	Social S	Security #

Name:					
Representing: Self Pe	titioner 🗌 Respondent				
(If Attorney) State Bar Number:					
SUPERIOR COURT OF ARIZO	ONA IN MARICOPA COUNTY	FOR CLERK'S USE ONLY			
	Case No.	WIS			
Petitioner					
	ATLAS No				
Respondent	SENSITIVE D (Not public record				
Do NOT	Omit Social Security Numbers who serve this document on the other p	en requested on other forms.			
A. Personal Information:	Petitioner	Respondent			
Name		Asi			
Gender	☐ Male or ☐ Female	☐ Male or ☐ Female			
Date of Birth (Month/Day/Year)					
Social Security Number					
Driver's License Number Mailing Address					
City, State, Zip Code					
Daytime Phone					
Evening Phone					
Other Phone (cell/pager)					
Email Address					
Current Employer Name	_				
Employer Address	_				
Employer City, State, Zip Code					
Employer Telephone Number					
Employer Fax Number	_				
B. Child(ren) Information:					
Child Name Gender	Child Social Security Number	Child Date of Birth			
Clerk of Court					

\*For Court use only. NOT public record. <u>Do NOT provide a copy of this document to the other party.</u>

Name of Person Filing: Your Address: Your City, State, Zip Code: Your Telephone Number: ATLAS Number (if applicable): Attorney Bar Number (if applicable): Representing:  Self (Without an Attorney)	For Clerk's Use Only  Petitioner Respondent
	R COURT OF ARIZONA RICOPA COUNTY
	Case No.:
Name of Petitioner	
and	SUMMONS
Name of Respondent	_
WARNING: This is an official document from If you do not understand it, contact a lawy	om the court that affects your rights. Read this carefully.
FROM THE STATE OF ARIZONA TO:	:
	Name of Respondent

- 1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this "Summons".
- 2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to the Office of the Clerk of the Superior Court, 201 West Jefferson Street, Phoenix, Arizona 85003-2205 or the Office of the Clerk of the Superior Court, 18380 North 40<sup>th</sup> Street, Phoenix, Arizona 85032 OR Office of the Clerk of Superior Court, 222 East Javelina Drive, Mesa, Arizona 85210-6201 or Office of the Clerk of Superior Court, 14264 West Tierra Buena Lane, Surprise, Arizona, 85374. Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons.
- 3. If this "Summons" and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this "Summons" and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.

	his paper, or from the Clerk of the Superior Co	this case from the Petitioner at the address at the top of
	Phoenix, Arizona 85003 or at 222 East Javelina	ourt's Customer Service Center at 601 West Jackson, a Drive, Mesa, Arizona 85210.
tl		persons with disabilities must be made to the office of se, at least five (5) days before your scheduled court
SIGN	ED AND SEALED this date	MICHAEL JEANES, CLERK OF COURT
	By	

Case No.

<del></del>
FOR CLERK'S USE ONL'
RIZONA TY
ımber:
IMINARY INJUNCTION

WARNING: This is an official Order from the court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.

Your spouse has filed a "Petition for Dissolution" (Divorce) or "Petition for Annulment" or "Petition for Legal Separation" with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Maricopa County. This Order has the same force and effect as any order signed by the judge. You and your spouse must obey this Order. This Order may be enforced by any remedy available under the law, including an "Order of Contempt of Court." To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. If you have any questions, you should contact a lawyer for help.

# **EXPLANATION: (What does this Order mean to you?)**

- 1. ACTIONS FORBIDDEN BY THIS ORDER: From the time the "Petition for Dissolution" (Divorce) or "Petition for Annulment" or "Petition for Legal Separation" is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent shall not do any of the following things:
  - ✓ You may not hide earnings or community property from your spouse, AND
  - ✓ You may **not** take out a loan on the community property, **AND**
  - You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
  - ✓ Do **not** harass or bother your spouse or the children, **AND**
  - ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
  - ✓ Do not take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, before you take the minor children out of the State.
  - Do **not** remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

Case No.	

### **STATUTORY REQUIREMENTS:** Arizona Law, A.R.S. 25-315(A) provides:

- **1(a). RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
- **1(b). REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- **1(c). RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- **1(d). RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.
- 2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.
- 3. ORDER TO PETITIONER: You must serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
- **4. WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.
- 5. LAW ENFORCEMENT: You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.

6.	DESCRIP	TION OF	THE PARTIES	:
----	---------	---------	-------------	---

Petitioner:		
Name:	Gender: Male Female	
Height:	Weight:	
Driver's License (last 4 nos.)	_	
Date of Birth:		
Respondent:		
Name:	Gender: Male Female	
Height:	Weight:	
Height:	<u> </u>	
Date of Birth:		
GIVEN UNDER MY HAND AND THE SEAL OF THE COURT	this day of	
Clerk o	of the Superior Court	
Ву:		, Deputy Clerk

You You You ATL Atto Repi	r City, State, Zip Code:	For Clark's Line On
	SUPERIOR COURT OF	ARIZONA IN MARICOPA COUNTY
(Nam	e of Petitioner)	Case Number: PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE
(Nam	e of Respondent)	(DIVORCE) WITH MINOR CHILDREN
ST <i>A</i> 1.	INFORMATION ABOUT ME, THE Name: Address: Date of Birth:	
2.	INFORMATION ABOUT, MY SPONAME: Address: Date of Birth: Job Title:	OUSE, THE RESPONDENT:
3.		married:  (Warning: You cannot use this paperwork, if this statement is nether you have a covenant marriage, review your marriage
4.		e of the following statements <u>must</u> be true before you can file checked below applies to my situation.
	or	for at least 90 days before I filed this action. s, my spouse or I have been stationed in Arizona for at least 90
5.	domestic violence in your marriage. A.R.	tend to ask for joint custody, there must have been no significant .S. 25-403.03. Check the box to make a true statement:  has not occurred during this marriage.
6.	There are <b>no</b> children under the	/HO ARE LESS THAN 18 YEARS OLD (check one box): age of 18 either born to, or adopted by, the parties. S BOX, STOP. YOU SHOULD BE USING THE PETITION WITHOUT CHILDREN.

				Case No	
		lowing child(ren) are under age 18 and were borr ages if necessary).	n to or adopte	ed by my spouse and	d me: (Attach
	Child's	Name:			
	Birthda	tte:			
	Addres	SS:			
	Length	of Time at Address:			
	Child's	Name:			
	Birthda	tte:			
	Addres	SS:			
	Length	of Time at Address:			
	Rirthda	Name:			
	Δddrag	ate: ss:			
		ss: of Time at Address:			
	Child's	Name:			
	Birthda	ate:			
		ss: of Time at Address:			
	Lengui	of Time at Address.			
		Wife is <b>not</b> pregnant, OR Wife <b>is</b> pregnant The baby is due on (date), (and, or (date)) The Petitioner and Respondent are the Petitioner is <b>not</b> the parent of the child, Respondent is <b>not</b> the parent of the child A minor child or minor children was/wer father of that minor child / those minor or	parents of th OR. ld. e born before	e child, OR e the marriage. The	husband is the
			_ <u> </u>		
8.a.		MUNITY PROPERTY: (check one box)  My spouse and I did not acquire any community  My spouse and I acquired community property of follows:	property du during our ma		
		Real estate located at:	rentioner	veshougent	vaiu <del>c</del>
			П		\$
		Legal Description:		<b>—</b>	
		-	Dotitions	Docnondont	Value
		Real estate located at:	rentioner	Respondent	value
					\$
		Legal Description:			Ψ
		- G.:			

		Case No.	
	Household furniture and appliances:	Petitioner Respondent	Value
			\$ \$ \$ \$
	Household furnishings:	Petitioner Respondent	Value
			\$ \$ \$ \$
	Other items:	Petitioner Respondent	Value \$ \$ \$
	Pension/retirement fund/profit sharing/s	tock plan/401K:  Petitioner Respondent	Value \$ \$ \$
	Motor vehicles:	Petitioner Respondent	Value
	MakeYear: Model VIN Lien Holder		\$
		Petitioner Respondent	Value
	MakeYear: Model VIN Lien Holder		\$
SEPA	I do not have any property that I brought in My spouse, the Respondent does not have or separate property.  I have property that I brought into the marri awarded to me as described below.  My spouse, the Respondent, has property	to the marriage or separate proper any property that he or she brounded age or I have separate property.	ght into the marriage  I want this property
	property. I want this property awarded to n	ny spouse as described below.	

8.b.

			Case No	
	Separate Property: (On the next page, list the box to tell the Court who should get the page)		I the value of the p	roperty, and check
	Description of Separate Property	Petitioner	Respondent	Value \$ \$
				\$ \$
	IMUNITY DEBTS: (check one box)  My spouse and I did not incur any community  We should divide the responsibility for the del			as follows:
	RIPTION OF DEBT	Petitioner	Respondent	Amount Owed \$ \$ \$ \$ \$ \$ \$
SEP/	ARATE DEBTS: (Check all boxes that My spouse and I do not have any debts that I have separate debt or debt that I incurred prodescribed below;  My spouse has separate debt or debt that he paid by my spouse as described below.	were incurred prior to the marri	age that should be	paid by me as
	DESCRIPTION OF DEBT	Petitioner	Respondent	Amount Owed \$
TAX	RETURNS: (Check this box if this is After the judge or commissioner signs the De subject to IRS Rules and Regulations, pay for (the years we were married, not including the federal and state income tax returns. In additional and hold the other harmless from, 1/2 of all accept will share equally in any refunds. For the and all future calendar years, each party will, federal and state income tax returns. Each prodocumentation to do so.	cree of Dissolue deral and state year the Decretion, for previous ditional income e calendar yea subject to IRS	tion of Marriage (De taxes as follows: ee was signed), the scalendar years, letaxes if any and cor (the year that the Rules and Regulat	For previous years e parties will file joint both parties will pay, other costs, and a Decree is signed) tions, file separate
SPO	USAL MAINTENANCE/SUPPORT (AL Neither party is entitled to spousal maintenance			pplies to you):
	Petitioner OR  Respondent is entitled to sp more of the box(es) on the next page that app maintenance/ support.)			

					Case No
		Person is unal Person is the of should not be a Person lacks of Person contribution	ble to support himself/hersecustodian of a child(ren) where the required to seek employments ability in the labor routed to the educational op	elf the nose ent o nark porti	r his/her reasonable needs; nrough appropriate employment; e age or condition is such that the person outside the home; set adequate to support himself/herself; and unities of the other spouse or had a marriage eccludes the possibility of gaining employment
12.	divorce of r	non-covenant marr	iage, you must be able to t you cannot file for divorce	ell th	A OATH OR AFFIRMATION: To file for the court that the following statements are true. If the statements are true. Check the box in
	☐ TR	(My marriage UE My spouse ar or going to Co	is over.)  nd I have attempted to resonciliation Services to try re	olve esol	e is no reasonable prospect of reconciliation.  our problems by using Conciliation Services, ve our problems would not work. stody matters under Arizona law.
13.	WRITTE	N CUSTODY A	GREEMENT: (Check the	ne bo	oxes that apply, if they apply)
			e a written agreement signour minor child(ren).	ed b	y both of us about the custody, parenting time
	☐ I ha	ave attached a cop	y of the written agreement	-	
REQ	UESTS 1	TO THE COU	RT:		
Α.		JTION (DIVOR) ssolve our marriage	CE): e and return each party to t	he s	status of a single person;
ſ	name to the		ore this marriage or to m		I I want to restore my last aiden name.
	I want my n	ame restored to:	(List complete maiden or	lega	I name before this marriage):
					ave your former name restored, the court must ame restored to change the name.
В.	following na	amed minor child(re ren to the name lis		ge a ( <b>O</b> l	Declare the husband to be the father of the nd (optional) change the legal name of those PTIONAL) Change the name of the child to: w Name
				$\vdash \vdash$	

			Case No.
C.	under either	the age o	<b>TODY AND PARENTING TIME:</b> Award custody and parenting time of the children of 18 years and common to the parties, whether by birth or adoption, as follows: (Check custody box or the joint custody box. If you check the sole custody box, check only one box tion.)
	C.1.		<b>SOLE CUSTODY</b> of the minor child(ren) awarded to $\square$ Petitioner OR $\square$ Respondent, subject to parenting time as follows:
			<b>Reasonable Parenting time</b> rights to the parent not having custody, as will be described in the Parenting Plan attached to the Divorce Decree.
			Supervised Parenting time between the minor children and the  Petitioner OR  Respondent is in the best interest of the minor children because: (Explain the reasons for need for supervised visitation. Use extra paper if necessary.)
			Name of the person who will supervise:
			Requested restrictions on parenting time: (explain here)
			The cost of supervised parent/child access will be paid by ☐ the parent being supervised; ☐ the parent having custody; ☐ shared equally by the parties.
			<b>No parenting time</b> rights to the parent not having custody is in the best interests of the child(ren) because: (Explain the reasons for no parenting time. Use extra paper if necessary):
			OR
	C.2.		<b>JOINT CUSTODY:</b> Petitioner and Respondent agree to act as joint custodians of the minor child(ren) as set forth in the Joint Custody Agreement signed by the parties, if the court agrees with the Joint Custody Agreement. (For joint custody, there must have been no "significant" domestic violence in your marriage. A.R.S. 25-303.03)
D.	reasor payme payme	nable amo ents will b ents, and	<b>PORT:</b> Order that child support will be paid by:   Petitioner, OR   Respondent in a punt as determined by the court under the Arizona Child Support Guidelines. Support regin on the first day of the first month following the entry of the divorce decree. These a fee for handling, will be paid through the Support Payment Clearinghouse and collected rage assignment.
E.	MED	☐ Peti	DENTAL, VISION CARE FOR MINOR CHILDREN: Order that itioner is responsible for providing: medical dental vision care insurance. it is responsible for providing: medical dental vision care insurance.
			Respondent will pay for all reasonable unreimbursed medical, dental, and health-related red for the child(ren) in proportion to their respective incomes.

			Case No	
F.	TAX EXEMPTION: The particular federal and state income tax re		ren as income tax depen	dency exemptions on
	Parent entitled to claim  Petitioner Respondent Petitioner Respondent Petitioner Respondent Petitioner Respondent		Current tax year	
G.	SPOUSAL MAINTENAN  Respondent in the amount Judicial Officer signs the Decre or either party is deceased, or will be paid through the Suppo	of per mon ee and continuing until th for a period of	th beginning with the first ne person receiving spou months. These payme	day of the month after the sal maintenance remarries
H.	COMMUNITY PROPERT	Y: Make a fair division	of all community property	/.
I.	community debts: community debts party harmless from debts incurrence Respondent was served with the	s unknown to the other purred by him/her since th	party. Order each party to e parties separation on _	pay and hold the other
J.	SEPARATE PROPERTY party pay his/her own separate		each party his/her separa	te property and make each
K.	OTHER ORDERS I AM F	REQUESTING (Expla	in request here):	
OATH	H OR AFFIRMATION AND	VERIFICATION		
I swear	r or affirm that the information on	n this document is true ar	nd correct under penalty o	f perjury.
Signatu	ure	<u></u>	Date	-
Sworn t	to or Affirmed before me this:	by (date)		
Seal/M	y Commission Expires:		Deputy Clerk or Notary P	ublic
			Deputy Clerk of Notary P	UDIIC

# NOTICE OF YOUR RIGHTS ABOUT **HEALTH INSURANCE COVERAGE** WHEN A PETITION FOR DISSOLUTION (DIVORCE) IS FILED (A.R.S. 20-1377 and 20-1408)

Petitioner	
Respondent	Case #

WARNING: THIS IS AN IMPORTANT LEGAL NOTICE. YOUR RIGHTS TO HEALTH INSURANCE COVERAGE COULD BE AFFECTED AFTER YOUR DIVORCE IS FINAL. READ THIS NOTICE CAREFULLY. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CALL AN ATTORNEY FOR ADVICE ABOUT YOUR LEGAL RIGHTS AND OBLIGATIONS.

IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE'S INSURANCE PLAN: When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse's health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT: If you are covered by your spouse's health insurance, and you want to continue to be covered after the divorce is final, you must contact the insurance company as soon as possible, and you must start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

If you decide you want to be covered, the insurer can choose whether to continue coverage under the current policy, or to change the policy to your name. If the policy is changed to your name, it is called a "converted"; policy. If the policy is converted by the insurer, the insurer must provide you the same or the most similar level of coverage available, unless you ask for a lower level of coverage.

WHAT COVERAGE APPLIES TO YOUR CHILDREN: If you choose to continue coverage as a dependent spouse, you can also choose to continue coverage for your dependent children if you are responsible for their care or support.

PREEXISTING CONDITIONS OR EXCLUSIONS FROM INSURANCE COVERAGE: Whether the insurance is continued or converted, the insurance must be provided to you without proof of insurability and without exclusions for coverage other than what was previously excluded before the insurance was continued or converted.

LIMITS ON RIGHTS TO INSURANCE COVERAGE FOR YOU AND YOUR CHILDREN: You may not be entitled to continued or converted coverage if you are eligible for Medicare or for coverage by other similar types of insurance which together with the continued coverage would make you over-insured. However, dependent children of a person who is eligible for Medicare may be covered by a continuance or a conversion. If you have questions about coverage, check with the insurer and/or the spouse's employer.

WARNING TO THE SPOUSE FILING THE PETITION FOR DISSOLUTION (DIVORCE): This Notice must be served on your spouse together with the Petition for Dissolution, the Summons, and the **Preliminary Injunction.** 

# SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

		Case Number:	For Clerk's Use Only
Name of Petition	oner		
		ORDER AND NOTICE PARENT INFORMATE PROGRAM CLASS	TION
Name of Resp	ondent		
THIS		RDER. IF YOU FAIL TO OBEY T D YOU IN CONTEMPT OF COUR	· ·
THE COUR	T FINDS:		
This case invo	olves minor child(ren) and is an action Dissolution of Marriage; Legal Separation; or Paternity with a Request to Deter Request to Determine Custody or	rmine Custody or Parenting Time or Child	l Support.

# THE COURT ORDERS pursuant to ARS § 25-352:

- **1. ATTEND CLASS.** You must attend and complete the Parent Information Program Class, or if not in Arizona, its equivalent in your state of residence.
- 2. WITHIN 45 DAYS. Both the Petitioner and the Respondent must complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent must register for and complete the course whether or not a "Response" or "Answer" to the Petition/Complaint is filed.
- 3. PAY THE CLASS FEE. Each party must pay the class fee to the Program Provider.
- **4. FILE CERTIFICATE OF COMPLETION.** Both the Petitioner and the Respondent **must** each file a "Certificate of Completion" with the Clerk of the Court immediately after completing the class and prior to receiving the final judgment/order/decree in the case.
- 5. FAILURE TO ATTEND CLASS. If you file a Petition/Complaint or "Response" or "Answer" and do not complete the Parent Information Program Class, the judge may not sign your papers and you may not get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a "Response" or "Answer," and do not complete the Parent Information Program Class, you may be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

Colleen McNally
Presiding Judge, Family Court Department

# PARENT INFORMATION PROGRAM NOTICE

Parent Information Program - This is a very important document. Read it completely. You and the other parent must attend and complete a class in the PARENT INFORMATION PROGRAM. You do NOT attend the class with the other parent. As a precaution against any type of abuse or harassment, you and the other parent MUST attend SEPARATE classes. You may each take the class from the same agency, but NOT at the same time. This is NOT a parenting skills class. The purpose of the program is to give parents information about how children are affected by matters that involve family courts: divorce, paternity, or custody matters and parenting time. This Notice applies to all parents who file any of the following actions in the Superior Court of Arizona in Maricopa County on or after January 1, 1997:

- (1) dissolution of marriage or legal separation that involves a natural or adopted minor, un-emancipated child common to the parties, or
- (2) paternity with a request that the court determine custody or parenting time or child support, or
- (3) any other domestic relations/family court cases if attendance is ordered by the court.

# WARNING: ATTENDANCE IS REQUIRED. (A.R.S. § 25-352 and Administrative Order No. 08-104).

ATTENDANCE AT THE PARENT INFORMATION CLASS <u>IS REQUIRED</u> BY LAW AND BY THIS COURT. IF YOU DO NOT ATTEND THE CLASS, THE JUDGE MAY NOT SIGN YOUR PAPERS AND YOU MAY NOT GET THE THINGS YOU ASKED THE COURT TO DO. THE JUDGE MAY ALSO FIND YOU IN CONTEMPT OF COURT.

## **Notice to Other Party.**

After you file your court papers with the Court, you must serve this document on the other parent. If you have questions on how to serve the other party, the Self-Service Center has forms and instructions on service. There are four Self-Service Center locations: one in downtown Phoenix on the first floor of the East Court Building located at 101 West Jefferson Street; one in northeast Phoenix at 18380 North 40<sup>th</sup> St.; in the east valley, one at the Southeast Complex located at 222 East Javelina Avenue in Mesa; and one in the northwest valley located at 14264 West Tierra Buena Lane in Surprise. Information can also be found on the Family Court web site at <a href="http://www.superiorcourt.maricopa/gov/superiorcourt/familycourt">http://www.superiorcourt.maricopa/gov/superiorcourt/familycourt</a>.

# <u>Approved Parent Information Classes in Maricopa County.</u>

You may choose which class you want to attend. The court will <u>not</u> assign you to attend a specific class. If you are led to believe otherwise, please contact Conciliation Services at (602) 506-1448. Court-approved provider classes are available in both English and Spanish. A list of approved classes, including telephone numbers and addresses, can be found on the Family Court web site at:

http://www.superiorcourt.maricopa.gov/superiorcourt/FamilyCourt/Services/ConciliationServices/ParentInformationProgram/

If you do not have a computer, you may call Conciliation Services at (602) 506-1448.

These classes meet the requirements of the Parent Information Program. You may also choose to attend a different class that is comparable to the classes listed. However, you will have to tell the judge why that class is like the classes on the list of approved classes and you may have to provide all the materials from that class and information about it to show it is comparable. It will be up to the judge to decide if that class meets Parent Information Program requirements.

Case No.	

# Registration (sign-up) for class.

You must sign up for the class in advance. You should sign up for the class as soon as you receive this Notice. There may be a limit on the number of people that can attend each class. That means that YOU MUST CALL TO SIGN UP for the class **BEFORE** the class is scheduled to start.

# Information regarding the provider classes and ONLINE REGISTRATION opportunities may be found on the Family Court website at:

http://www.superiorcourt.maricopa.gov/superiorcourt/FamilyCourt/Services/ConciliationServices/ParentInformationProgram/

### Cost.

- You are required to pay the provider of the class the fee of **\$50.00** (Effective 9/1/08). You must bring your case number and a picture I.D. to the class.
- If you choose a class that is not listed, you are required to pay the provider of that class the fee it charges. The provider of the class may charge you whatever it wants.

## Class procedures.

Arrive at the class a few minutes <u>early</u> to check in. <u>You must check in at the class and you must check out of the class. If you do not check in and out, your attendance may not be counted. You must bring <u>picture identification with you.</u> DO NOT BRING CHILDREN TO THE CLASS. A "Certificate of Completion" of the class will be given to you at the end of the class. After you have attended the class and have received the "Certificate of Completion", you must bring the certificate to the court and file it with the Clerk of the Court. Remember to bring your case number to the class.</u>

### SPECIAL NEEDS OR ACCOMMODATIONS

If, due to a disability, language problem, or other special need, you have difficulty finding a Parent Information Class that can accommodate you, or if you have any questions about the Parent Information Program, please contact Conciliation Services at 201 West Jefferson Street, third floor, Phoenix, Arizona, or telephone (602) 506-1448, when you receive this Notice for assistance.

If you reside out of county, out of state, in a protected domestic violence shelter, or qualify under the Americans with Disabilities Act please contact Conciliation Services at **(602) 506-1448** for more information concerning an on-line class.

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ome of Devoes Filings		
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SUDERIC	OR COURT OF ARIZONA	For Clerk's Use Only
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ame of Petitioner	NOTICE DECADDING	
	NOTICE REGARDING	CKEDITORS
ame of Respondent		

ARIZONA LAW REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party. (ARS 25-318(F).

**YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS.** The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only**, **not the creditors**. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

**CONTACT CREDITORS:** You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty (30) days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you <u>may</u> choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.

DO NOT FILE THE <u>NEXT</u> PAGE WITH THE COURT.

Case No.	
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# REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You <u>may</u> use this form to request information about debt owed by you or your spouse. If so, send to the creditor. **DO <u>NOT</u> FILE THIS PAGE WITH THE COURT**.

DATE:		
CREDITOR'S NAME:		
CREDITOR'S ADDRESS:		
Regarding:	Superior Court of Arizona in Maricopa County	
	Case Name:	
	Case Number:	
Pursuant to Arizona State for which the following indi within thirty (30) days of re	Law (ARS 25-318), this letter requests the balance and account status of ividuals may be liable to you. (Arizona law requires that you provide this eccipt of this letter.)	any debt information
INFORMATION ABO	UT DEBTORS/SPOUSES:	
Your Name:		
Your Address:		
Your Phone Number:		
Your Spouse's Name:		
Your Spouse's Address:		
INFORMATION ABO	UT THE ACCOUNT:	
Account Number(s):		
If you have any questions	or if I can be of further assistance, please feel free to contact me.	
Sincerely,		
Your name:		
Your signature:		