

CONSENT DECREE

**FOR DIVORCE or LEGAL SEPARATION
for a NON-COVENANT MARRIAGE**

WITH or WITHOUT CHILDREN

4

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

Forms and Instructions

LAW LIBRARY RESOURCE 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:
 - Division of property and debt,
 - Spousal Maintenance (If applicable),
 - Legal Decision-making, Parenting and Support of minor children (if applicable).

AND

- ✓ You and your spouse will provide your notarized signatures on the ***“Consent Decree”*** to indicate your agreement on all terms.

✗ DO NOT USE THESE FORMS IF:

- ✗ You disagree on **any** terms of the divorce or legal separation,
- ✗ The filing fee for a Response has not paid by either party, and you prefer to proceed with a Default Decree in order to not pay the Response fee.

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 Law Library Resource Center website.

DIVORCE or LEGAL SEPARATION**PART 4 – Forms and Instructions for CONSENT DECREE**

This packet contains court forms and instructions to file a consent decree for divorce or legal separation for a non-covenant marriage. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

| Order | File Number | Title | # Pages |
|--|-------------|--|---------|
| 1 | DR7k | Checklist: <i>You may use these forms if . . .</i> | 1 |
| 2 | DR7t | Table of Contents (this page) | 1 |
| 3 | DR71i | Instructions: How to fill out the “Consent Decree” | 3 |
| 4 | DRSDS10f | Sensitive Data Sheet (for the Respondent <i>if he or she has not already filed this document</i>) * DO NOT COPY or FILE | 1 |
| 5 | DR71f | “Consent Decree” (including “Exhibit A” on property & debt) | 20 |
| 6 | DR71p | Procedures: Completing Your Papers and What to Do Next | 3 |
| ▪ IF your case involves CHILDREN you will need items 7, 8, and 9. | | | |
| 7 | DRCVG12h | Parenting Plan Information | 2 |
| 8 | DRCVG11f | “Parenting Plan” | 10 |
| 9 | DRS81f | “Child Support Order” | 7 |
| <p>You will need to use the FREE Online Child Support Calculator to produce the <i>Child Support Worksheet and Employer Information Sheet</i> that <u>must</u> accompany this Decree.*</p> <p>* For more information, refer to the “Instructions” document in the packet.</p> | | | |

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HOW TO FILL OUT THE CONSENT DECREE
For DIVORCE or LEGAL SEPARATION in a NON-COVENANT MARRIAGE
WITH or WITHOUT CHILDREN-

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/legal separation; **AND**
- have agreed to file and sign a Consent Decree.

INSTRUCTIONS for filling out the CONSENT DECREE:

1. **TOP LEFT:** On the first page, fill in the information requested at top left for the person filing the Consent Decree and Respondent/Party B. Use the spaces marked “representing” and “state bar number” **only** if an attorney is preparing this form.
2. **NAMES:** Fill in the names of the persons shown as “Petitioner/Party A” and “Respondent/Party B” and the case number as on the **Petition**.
3. **ATLAS Number:** Write the ATLAS number *if* one has been assigned to your case.
4. **COMPLETE:** Fill out the remaining parts of this Consent Decree according to you and your spouse’s agreements.
 - **Title IV-D program or Temporary Assistance for Needy Families (TANF) recipients:** If you or your spouse are involved in the Arizona Title IV-D or TANF programs, you must obtain the written approval and signature of the Attorney General or county attorney who has assisted with your case. You must attach or include the signature to the Consent Decree.
5. **MEANING of SIGNATURES:** When you and your spouse sign this Consent Decree, you state to the Court:
 - You have read, understand and agree with the contents of the Consent Decree.
 - You agree to all the terms stated in the Decree.
 - You are requesting the Court to make this document a Court Order that governs your divorce or legal separation.
6. **SIGNATURES:**
 - Be prepared to show photo identification before signing this document.
 - Do Not Sign this Consent Decree until you are in front of a Clerk of Superior Court or a Notary Public.
 - Read carefully before you sign this Consent Decree.

- You and your spouse may sign this Consent Decree only if you understand and agree to ALL the terms of the Decree.
- Lawyer Signatures: If you or your spouse is represented by an attorney, the attorney must also sign.

7. TIME FRAME: You must wait at least **60 days** from the date the responding party was served or signed an "Acceptance of Service" for the divorce or legal separation papers before you file the Consent Decree. The judicial officer cannot sign your decree until 60 days after the date of service or the date of acceptance of service (A.R.S. § 25-329. Waiting Period).

OTHER IMPORTANT PAPERS IN THIS PACKET

PARENTING PLAN

Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your parenting plan.

The Guide is available for purchase at all Superior Court Law Library Resource Center locations, or may be viewed online and downloaded for free from the State Courts' webpage.

After completing the Parenting Plan, include it with your Decree.

CHILD SUPPORT ORDER

Write in the name of the person filing the document or the lawyer's name, current address, city, state, zip code, and the telephone number. If you have an ATLAS number, write in the number. If you are represented by an attorney write in the lawyer's state bar number, then indicate whether you represent yourself or if you are the lawyer whether you represent Party A or Party B.

Write in the Name of the Party A and Party A's Date of Birth, the Name of the Party B and Party B's Date of Birth and the case number in the space provided. The names should appear the same way it does on the Petition.

Fill in the full name of the legal parents (Party A and Party B) of the minor children who are the subject of this "**Child Support Order.**"

Fill in the full name and birth date of all minor children who are the subject of this "**Child Support Order.**" (Use extra pages if necessary).

Fill out the rest of the Order based upon you and your spouse's agreements.

OTHER IMPORTANT PAPERS TO BE COMPLETED NOT IN THIS PACKET

CHILD SUPPORT WORKSHEET

You can use the free Online Child Support Calculators at the websites listed below to complete a child support worksheet.

ezCourtForms (<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>)

Arizona Supreme Court (<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>)

To complete the child support worksheet you will need to know:

- Your case number.
- Your monthly gross income and that of the other parent.
- The monthly cost of medical insurance for the minor children who are the subject of this action.
- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/ support.

After completing the child support worksheet and current employer information sheet, print out the child support worksheet and current employer information sheet and include them with your Decree.

CURRENT EMPLOYER INFORMATION SHEET: (Rule 45(c)(5))

You can use the free Online Child Support Calculators at the websites listed above to complete a current employer information sheet. This form must also be completed and attached to the Consent Decree before you file it.

REMINDERS:

1. **Be sure to attach “EXHIBIT A” about property and debts to your decree.**
2. **Be sure to attach a quit claim deed, if a quit claim deed has been signed.**
3. **Other Attachments** to the Consent Decree, **if children are involved:**
 - Parent Information Program Certificate (if it is not yet on file with the Clerk of Superior Court)
 - Parenting Plan
 - Child Support Order
 - Child Support Worksheet
 - Current Employer Information
4. **For TANF or IV-D Recipients:** get the Arizona Attorney General to approve and sign the Child Support Approval at the end of the Consent Decree **before** you file these papers.

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 MARICOPA COUNTY

| | |
|----------------------|-----------------|
| Petitioner / Party A | Case No. _____ |
| Respondent / Party B | ATLAS No. _____ |

**FAMILY DEPARTMENT/ SENSITIVE DATA
COVERSHEET WITH 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 | _____ | _____ |
| Email Address | _____ | _____ |
| Current Employer Name | _____ | _____ |
| Employer Address | _____ | _____ |
| Employer City, State, Zip Code | _____ | _____ |
| Employer Telephone Number | _____ | _____ |
| Employer Fax Number | _____ | _____ |

| B. Child(ren) Information: | Gender | Child Social Security Number | Child Date of Birth |
|----------------------------|--------|------------------------------|---------------------|
| Child Name | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| | | |
|--|--|--|
| C. Type of Case being filed: Check only one category. | | Interpreter Needed: |
| <i>*Check only if no other category applies</i> | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Dissolution (Divorce) | <input type="checkbox"/> Paternity | If yes, what language? _____ |
| <input type="checkbox"/> Legal Separation | <input type="checkbox"/> *Legal Decision-Making / Parenting Time | _____ |
| <input type="checkbox"/> Annulment | <input type="checkbox"/> *Child Support | <input type="checkbox"/> Register Foreign Order |
| <input type="checkbox"/> Order of Protection | <input type="checkbox"/> Other | _____ |

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

Respondent/ Party B's Name or Lawyer's Name: _____
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 MARICOPA COUNTY

Petitioner / Party A

Case No. _____

ATLAS No. _____

Respondent / Party B

CONSENT DECREE OF

DISSOLUTION OF MARRIAGE
(DIVORCE)

LEGAL SEPARATION

with minor children without minor children
in a **Non-Covenant Marriage**

THE COURT FINDS:

1. This case has come before this court for a final Decree of Dissolution of Marriage or Legal Separation. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree. This Consent Decree states the terms of the Parties' agreement.
2. This Court has jurisdiction over the parties under the law.

3. This Court has jurisdiction under A.R.S. § 25-1031 over the child(ren), if any, in this matter.

4. Where it has the legal power 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 (alimony), the division of property and/or debts, legal decision-making (legal custody), parenting time, and support of any minor children.

5. The Parties agree to proceed by consent.

6. The provisions of this Decree are fair and reasonable under the circumstances and in the best interests of the minor children, if any, and the division of property and debt is fair and equitable.

7. At least 60 days have passed between the time Party B was served and the time the Parties filed for this Decree.

8. **Arizona Residency:** The requirements of A.R.S. § 25-312 for dissolution of marriage, or A.R.S. § 25-313 for legal separation have been met: If this is an action for legal separation, at the time this action was filed, Party A and/or Party B was domiciled in Arizona or was stationed in Arizona while a member of the United States Armed Forces. If this is an action for dissolution of marriage (divorce), Party A and/or Party B was domiciled or stationed in Arizona for more than 90 days.

9. **Conciliation Court.** The provisions relating to the Conciliation Court either do not apply or have been met.

10. **PREGNANCY AND PATERNITY:**
 - Party A is not pregnant.
 - Party A is pregnant and Party B is is not a parent of the child.
 - Party B is not pregnant.
 - Party B is pregnant and Party A is is not a parent of the child.

11. **Irretrievably Broken or Separate and Apart.** The marriage is irretrievably broken or the parties desire to live separate and apart.

12. **Covenant Marriage.** This is a non-covenant marriage.

13. **Protective Orders:** Following is the effect, if any, of this Consent Decree on any existing protective orders:

14. Community Property and Debt: (Select one.)

The parties did not acquire any community property or debt during the marriage,

OR

The parties have agreed to a division of community property and/or debt as evidenced by their signatures on "**Exhibit A**" attached to and incorporated into this Decree. All community property and debt is divided pursuant to this Decree.

15. Separate Property and Debt:

The parties did **not** acquire any separate property or debt during the marriage, **OR**

There **IS** an agreement as to division of separate property and debt; all separate property and debt is divided pursuant to this Decree.

16. Spousal Maintenance/Support: (Select one.)

Neither party is entitled to an award of Spousal Maintenance/Support, OR

A party is entitled to an award of Spousal Maintenance/Support for the reason that:

Party A, **OR** Party B

- lacks enough property, including property given to him or her as part of this divorce or legal separation, to provide for his or her reasonable needs, and
- is unable to support himself or herself through an appropriate job, or
- he or she is providing the primary care to child(ren) of young age, or
- or is of a condition that they should not be required to look for work outside the home, or
- lacks earning ability necessary to support himself or herself, or
- made a significant financial or other contribution to the education, training, vocational skills, career, or earning ability of the other spouse, or
- had a marriage that lasted a long time and is of an age that may severely limit the possibility of getting a job to be self-sufficient, or
- has significantly reduced that spouse's income or career opportunities for the benefit of the other spouse.

If spousal maintenance is to be awarded, the parties further agree: (Select one.)

Spousal maintenance award shall be modifiable in accordance with Arizona law,

OR

That the circumstances of their futures are unknown, but each desires that the spousal maintenance awarded by their agreement, **not be modifiable in the future for any reason.**

OR

Neither party is entitled to an award of Spousal Maintenance/Support.

If there are no minor children, check the box below and skip to "The Court Orders" section on page 6.

17. **THERE ARE NO MINOR CHILDREN** in this marriage, therefore statements numbered **18 through 26** below do not apply.

18. **THIS ORDER APPLIES TO THE FOLLOWING CHILD(REN):**

| Name | Date of Birth |
|-------|---------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Same information for additional children listed on attached page made part of this document by reference.

19. PATERNITY:

Party A and Party B are the parents of these children born to the parties *before* the marriage:

| Name(s) | Date(s) of Birth |
|---------|------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

20. Parent Information Program:

A. Party A **has** attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file, or attached. (Rule 45(c)(4))

OR

Party A **has not** attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party A has completed the class.

B. Party B **has** attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file, or attached. (Rule 45(c)(4))

OR

Party B **has not** attended the Parent Information Program class and shall be denied any requested relief to enforce or modify this decree until Party B has completed the class.

21. Child Support: The court finds that Party A and Party B owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Parent’s Worksheet for Child Support, and are attached hereto and incorporated herein by reference.

22. Written Approval: Title IV-D program or Temporary Assistance for Needy Families (TANF)
If either party is receiving TANF or services from the Title IV-D program, the parties have secured (on the last page of this Consent Decree), the written approval of the Attorney General or county attorney.

23. Domestic Violence:

IF there has been domestic violence between the parties AND legal decision-making (legal custody) is to be shared with or awarded to a parent who has committed domestic violence, check appropriate box and explain. (A.R.S. § 25-403.03)

A. Domestic Violence has not occurred between the parties;

OR

B. Domestic Violence has occurred between the parties, *but:*

1. it was mutual (committed by both parties), (see A.R.S. § 25-403.03 (D))

OR

2. it is otherwise still in the best interests of the minor child(ren) to grant joint or sole legal decision-making (joint or sole legal custody) to a parent who has committed domestic violence *because:* (EXPLAIN)

24. Drug or Alcohol Conviction within Last Twelve Months:

- Party A** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (custody).
- Party B** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (custody).
- The legal decision-making (legal custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

25. Legal Decision-Making Authority (Legal Custody) for Minor Child(ren): (Check/complete **only** if joint legal decision-making (joint legal custody) is ordered.)

- The legal decision-making authority (legal custody) order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)

REASONS: _____

- Provisions for legal decision-making and parenting time, if not described in this Decree, are attached as the Parenting Plan, and incorporated into this Decree. (Rule 45(c)(3))

26. Supervised or No Parenting Time:

(Check and complete **only if** supervised or no parenting time is ordered.)

- NO Parenting Time** or **Supervised Parenting Time with** **Party A**
 Party B, is in the best interests of the minor child(ren), for the following reasons:

(IF supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by the:

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

Restrictions on parenting time (if applicable): _____

THE COURT ORDERS:

1. LEGAL SEPARATION OR DISSOLUTION OF MARRIAGE (“Divorce”):

THE PARTIES ARE LEGALLY SEPARATED.

MARRIAGE IS DISSOLVED: The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. NAME RESTORATION: (In a divorce case **IF** one or both parties changed their last names as a result of the marriage, either spouse may (optionally) have his/her name legally restored to a pre-marital last name.)

Party A's name is restored to _____. (Put only the last name here.)

Party B's name is restored to _____. (Put only the last name here.)

3. ENFORCEMENT OF ORDERS:

Not applicable.

A. TEMPORARY ORDERS:

All obligations ordered to be paid by the parties in Temporary Orders dated (fill in dates of ALL temporary orders here) _____ are satisfied in full.

OR

Judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of \$ _____.

B. PROTECTIVE ORDERS: This Consent Decree has the following effect on any existing protective orders (See # 13 above):

4. CHILDREN.

DOES NOT APPLY. THERE ARE NO MINOR CHILDREN IN THIS MARRIAGE.
(Skip to number "9" below), **OR**

YES, THERE ARE minor children in this marriage, and the following issues apply.

5. PREGNANCY AND PATERNITY:

A. PREGNANCY:

A child who is common to the parties is expected to be born _____ (date).

The orders below as to legal decision-making (legal custody), parenting time, child support, and medical insurance/expenses do **not** include this child; the court reserves jurisdiction to address these issues regarding this child when the child is born.

CHILDREN: This Decree includes all minor children common to the parties as follows:

| NAME(S) OF CHILD(REN) | Date of Birth (Month/Day/Year) |
|-----------------------|-----------------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

B. PATERNITY/MATERNITY:

Minor Children to whom this decree does not apply: It is ordered that:

Party A, **OR** Party B has no legal obligation or right to the minor child(ren) born during the marriage but not common to the marriage. This Decree **DOES NOT** include the minor children common to the parties as follows:

| NAME(S) OF CHILD(REN) | Date of Birth (Month/Day/Year) |
|-----------------------|-----------------------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Child expected to be born this date: _____

BIRTH CERTIFICATE(S): for any above-named minor child(ren) born in the State of Arizona, the Clerk of Superior Court shall forward a copy of this order to the State Office of Vital Records, which is **ORDERED TO AMEND** the birth certificate(s) as follows: (List full name of the party as appears on the party's Social Security card or other government issued official document and as should appear on the children's birth certificate(s))

A. Add the name: (List one name only) _____
as a parent on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.

B. Name Change: (Optional) The name(s) of the minor child(ren) for whom paternity/maternity has been established above shall be changed as follows:

| Current Legal Name | New Name (optional) |
|--------------------|---------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

6. LEGAL DECISION-MAKING (Legal Custody):

Award legal decision-making concerning the child(ren) as follows:

SOLE LEGAL DECISION-MAKING (sole legal custody) to: **Party A** **Party B** **OR**

JOINT LEGAL DECISION-MAKING (joint legal custody) to **BOTH PARENTS.**

BOTH Party A and Party B agree to act as joint legal decision-makers of the minor children, pursuant to A.R.S. § 25-403, as set forth in the Parenting Plan attached. There have been no significant acts of domestic violence, as defined by Arizona law, A.R.S. § 13-3601, by either parent or it is in the best interests of the minor child(ren) to award joint legal decision-making despite any violence that occurred.

The Court adopts the terms of the Joint Legal Decision-Making Agreement/Parenting Plan describing the legal decision-making and parenting time agreement between the parties. **By attaching the Joint Legal Decision-Making Agreement/Parenting Plan to the Decree,** the Agreement becomes part of the Decree and carries the same legal weight as the Decree.

7. PRIMARY RESIDENCE and PARENTING TIME:

A. PRIMARY RESIDENCE:

NEITHER parent's home is designated as the primary residence, OR

Party A's home as primary residence for following named child(ren):

Party B's home as primary residence for following named child(ren):

B. SUBJECT TO PARENTING TIME AS FOLLOWS:

REASONABLE parenting time rights as described in the Parenting Plan attached as Exhibit B and made a part of this decree,

OR

NO PARENTING TIME RIGHTS to Party A OR Party B,

OR

SUPERVISED PARENTING TIME to Party A OR Party B according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the court.

(IF supervised) Name of person to supervise (Optional):

The cost of supervised parenting time (if applicable) shall be paid by the:

paid by Party A

paid by Party B

shared equally by the parties.

Parenting time shall be restricted as follows: (if applicable):

8. CHILD SUPPORT:

The Child Support Order, _____ is attached hereto and incorporated by reference.
(date of order)

Party A OR Party B shall pay child support to the other party in the amount of \$_____ per month, PAYABLE THE FIRST DAY OF THE MONTH following the date this Decree is signed by the judge until further order of the court.

9. SPOUSAL MAINTENANCE/SUPPORT:

A. Neither party shall pay spousal maintenance/support (alimony) to the other party,

OR

Party A OR **Party B** is ordered to pay to the other party the sum of \$ _____ per month in spousal maintenance/support BEGINNING THE FIRST DAY OF THE MONTH after this Decree is signed. Each payment shall be made by the first day of each month after that and shall **continue until** the receiving party is remarried or deceased or until _____ . (date)

All payments shall be made through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by Income Withholding Order, until all required payments have been made under this Decree. All spousal maintenance payments are governed by the applicable federal and state tax laws. It shall terminate upon the death of either party or remarriage of receiving party.

B. In accordance with the parties' agreements,

The spousal maintenance award **shall be modifiable** in accordance with Arizona law,

OR

The spousal maintenance award shall **NOT** be modifiable for any reason.

10. PROPERTY and DEBTS: (Select any that apply.)

A. Party A is ordered to pay all community debts **unknown** to Party B, **AND**

Party B is ordered to pay all community debts **unknown** to Party A, **AND**

Each party is ordered to pay his or her community debts from the following date: _____.

B. Each party is assigned his or her separate property and Party A must pay his/her separate debt, and Party B must pay his/her separate debt.

C. Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.

D. This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and financial institution accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before _____ by 5:00 p.m.

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 Superior Court commanding the sheriff to put him or her in possession of the property.

Other orders and relief relating to property or debt, if any, are contained in "Exhibit A", which is attached and incorporated into this Decree.

11. TAX RETURNS:

Each party shall give the other party all necessary documentation to file all tax returns.

For previous calendar years, pursuant to IRS rules and regulations, the parties will file:

Joint federal and state income tax returns and hold each other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds, **OR**

Separate federal and state income tax returns, **AND**

This calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

12. FINANCIAL INFORMATION EXCHANGES: In cases in which child support or spousal maintenance are ordered, then until such time as those would end under the orders in this Consent Decree, the parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every 24 months or as follows:

13. TAX EXEMPTION:

DOES NOT APPLY. THERE ARE NO MINOR CHILDREN IN THIS MARRIAGE;

OR

APPLIES. THERE ARE MINOR CHILDREN IN THIS MARRIAGE. The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim (a) minor child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

| Parent entitled to claim | Name of child | 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 | _____ | _____ |

14. QUALIFIED DOMESTIC RELATIONS ORDER (QDRO):

- A QDRO is not necessary;
- A QDRO is submitted herewith, OR
- A QDRO will be submitted to the Court as soon as practicable as or not later than _____ (DATE).

The Court shall retain jurisdiction over the subject matter of the QDRO.

15. OTHER ORDERS: (List any other orders.)

16. FINAL APPEALABLE ORDER: Pursuant to Rule 78, Arizona Rules of Family Law Procedure, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

Date

Judicial Officer

SIGNATURES OF BOTH PARTIES UNDER OATH OR AFFIRMATION

By signing below, in the presence of a Deputy Clerk of Superior Court or Notary Public, I swear or affirm that everything in this document is true and correct to the best of my knowledge, information and belief, including the following:

- 1. NON-COVENANT MARRIAGE.** We do not have a covenant marriage.
- 2. RIGHT TO TRIAL IS WAIVED.** I understand that by signing this Consent Decree, I am waiving my right to a trial before a judge.
- 3. NO DURESS OR COERCION. COMPLETE AGREEMENT.** I am not under any force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Consent Decree. This Decree with any attachments that I have signed is our full agreement. I have not agreed to something different from what is stated in writing in the Decree.

If either party is represented by an attorney or if the Attorney General’s Division of Child Support Enforcement (DCSE) is involved in this case, the attorney(s) and a representative of DCSE must also sign below.

ATTORNEY SIGNATURES (if applicable)

If either party is represented by an attorney, the attorney must sign:

Date

Approved by Party A's Attorney

Date

Approved by Party B's Attorney

If either party is receiving Temporary Assistance for Needy Families (TANF) or services from the Title IV-D program, (Rule 45(c) (3)) and the Attorney General’s Office (the “AG”), Division of Child Support Enforcement (DCSE) is involved in this case, a representative of that agency must approve the child support amount and sign below:

The approval of the AG’s office as to child support provisions contained in this document is indicated by my signature below:

Signature of Attorney General / DCSE Representative

Date

EXHIBIT A: PROPERTY AND DEBTS

1. DIVISION OF COMMUNITY PROPERTY: (property acquired during the marriage)

- Award each party the personal property in his/her possession.
- Community property is awarded to each party as follows:

2. LIST OF COMMUNITY PROPERTY: (Be very specific in your description of the property.)

| | | AWARD TO | |
|--|-------------------|--------------------------|--------------------------|
| | | Party A | Party B |
| Household Furniture and Appliances: | (Be specific) | | |
| _____ | | <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"/> | <input type="checkbox"/> |
| Video: TV / DVD / DVR / VCR, etc. : | (Be specific) | | |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| Audio: Stereo/ Radio: (Household or Portable) | (Be specific) | | |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | <input type="checkbox"/> | <input type="checkbox"/> |

Computers and Related Equipment: (Be specific)

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

Motor Vehicles: (Be specific)

| | | |
|------------------------------|--------------------------|--------------------------|
| 1. Year, Make, Model: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____ | | |
| 2. Year, Make, Model: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____ | | |
| 3. Year, Make, Model: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Last 4 digits of VIN # _____ | | |

COMMUNITY PROPERTY: - continued (Be specific)

AWARD TO
Party A Party B

| | | |
|--------------------------------|--------------------------|--------------------------|
| Cash, bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

Continues on attached page(s)

3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

WARNING: You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.

Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

OR

Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

OR

Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:

4. DIVISION OF REAL PROPERTY: (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address) _____.
The **legal description** of this property, **as quoted from the DEED to the property* is:**

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("A") described above is awarded as the sole and separate property of:

Party A or Party B

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A

_____ % or \$ _____ to Party B

B. Real property located at (address) _____.
The **legal description** of this property, **as quoted from the DEED to the property* is:**

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

Party A or Party B

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A

_____ % or \$ _____ to Party B

Continues on attached page(s).

5. DIVISION OF COMMUNITY DEBT: (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

| Creditor Name | Amount Owed | Amount to be paid by Party A | Amount to be paid by Party B |
|---------------|-------------|------------------------------|------------------------------|
| a. _____ | \$ _____ | \$ _____ | \$ _____ |
| b. _____ | \$ _____ | \$ _____ | \$ _____ |
| c. _____ | \$ _____ | \$ _____ | \$ _____ |
| d. _____ | \$ _____ | \$ _____ | \$ _____ |
| e. _____ | \$ _____ | \$ _____ | \$ _____ |
| f. _____ | \$ _____ | \$ _____ | \$ _____ |
| g. _____ | \$ _____ | \$ _____ | \$ _____ |
| h. _____ | \$ _____ | \$ _____ | \$ _____ |
| i. _____ | \$ _____ | \$ _____ | \$ _____ |

Continues on attached page.

6. 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 such debts.

7. SEPARATE PROPERTY: (Property acquired before the marriage or by gift or bequest to one party.)

Property recognized as the separate property of Party A or Party B, is assigned below:

| Description | Value | To Party A | To Party B |
|-------------|----------|--------------------------|--------------------------|
| _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |

| Description | Value | To Party A | To Party B |
|-------------|-------|--------------------------|--------------------------|
| | \$ | <input type="checkbox"/> | <input type="checkbox"/> |
| | \$ | <input type="checkbox"/> | <input type="checkbox"/> |
| | \$ | <input type="checkbox"/> | <input type="checkbox"/> |
| | \$ | <input type="checkbox"/> | <input type="checkbox"/> |

8. SEPARATE DEBT: (Debt acquired before the marriage.)

Debt recognized as the separate debt of Party A or Party B, is assigned below:

| Creditor Name | Debt Amount | Party A Pays | Party B Pays |
|---------------|-------------|--------------------------|--------------------------|
| | \$ | <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"/> |

Continued on attached page.

SIGNATURE OF BOTH PARTIES (for Consent Decree)

This "Exhibit A" represents the agreement of the parties as to the division of property and debt. The terms of the agreement are fair and equitable and have been reached free of coercion, duress, or threat of force.

By signing below, each of us states to the court under penalty of perjury that we have read and understand this document, and that the information contained in the document is true and correct to the best of our individual knowledge and belief.

Party A's Signature

Date

Party B's Signature

Date

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

Party A's Attorney

Date

Party B's Attorney

Date

LAW LIBRARY RESOURCE CENTER

PROCEDURES: COMPLETING YOUR PAPERS AND WHAT TO DO NEXT

(For Divorce or Legal Separation Decree by Consent,
in a Non-Covenant Marriage WITH or WITHOUT Children)

I. REQUIREMENTS

- ✓ **PAPERWORK and SIGNATURES:** Both Party A and Party B must sign the “**Consent Decree**” before a Clerk of Superior Court or a Notary Public to show that both spouses have read, approved and agreed to the items in the Decree. If either party is represented by a lawyer, the lawyer(s) must also sign the “Decree”. Both Party A and Party B and their lawyers, if any, must **also sign** the last page of the “**Exhibit A**” attached to the decree to separately indicate agreement with the terms of division of property and debt as contained in that document. You must also file all other required paperwork.
- ✓ **PARENT INFORMATION PROGRAM:** Both Party A and Party B must attend the Parent Information Program (PIP) and file a “**Certificate of Completion**” with the Clerk of Superior Court.
- ✓ **FEES: Both Party A and Party B must pay the court fees.** Currently, that includes the filing fee paid by the party at the beginning of the case, and the other party’s “Response” or “Answer” fee, in order for the Consent Decree to be accepted. Both parties must attach a receipt to prove payment **or** attach a copy of the Order for initial **deferral** of fees.

A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court’s website.

If you cannot afford the filing fees or the fee for having the papers served by the Sheriff or by publication, you may request a fee waiver/deferral (payment plan) when you file your papers with the Clerk of Superior Court. Fee Waiver/Deferral Applications are available at no charge from the Law Library Resource Center.

- ✓ **TIME FRAME:** If you filed for divorce or legal separation, the parties must wait at least **60** days after the date the Petition was personally served before the parties can file the Consent Decree.

II. PROCEDURES

STEP 1 COMPLETE ALL FORMS in the PACKET. Assemble the papers into a set of ORIGINALS:

- **CONSENT DECREE**
 - **ADD** to the last page of the Decree, the completed **Exhibit A** about the division of property and debt, if it is not a part of the Decree already.
 - **ADD** to the last page of the Decree, the fee RECEIPT or a copy of the ORDER for Initial Deferral to show the “Paid” status of your case.
 - **IF you are a recipient of the Arizona TANF or IV-D Program, have the Arizona Attorney General sign in the space provided.**
- **Parenting Plan**, signed by you and your spouse
- **Child Support Order**

STEP 2 COMPLETE the Child Support Worksheet and Current Employer Information online using ezCourtForms, (<http://www.superiorcourt.maricopa.gov/ezcourtforms2/>) or the Arizona Supreme Court website, (<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>).

Print out 1 copy of the completed Child Support Worksheet and Current Employer Information Sheet.

STEP 3 PHOTOCOPY: Make two (2) photocopies of the set of original forms listed above; 3 copies if you or your spouse participates in the Arizona TANF or IV-D Programs.

STEP 4 SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS:

SET 1 - ORIGINALS FOR JUDGE:

- **“Consent Decree”**
- + **“Exhibit A”** about the division of property and debt, if it is not part of the decree
- +FEE RECEIPT, or a copy of the ORDER for initial fee deferral
- **“Parenting Plan”**
- **“Child Support Worksheet”**
- **“Child Support Order”**
- **“Current Employer Information”**

SET 2 - COPIES FOR SPOUSE:

- **“Consent Decree”**
- + **“Exhibit A”** about the division of property and debt, if it is not part of the decree
- +FEE RECEIPT, or a copy of the ORDER for initial fee deferral
- **“Parenting Plan”**
- **“Child Support Worksheet”**
- **“Child Support Order”**
- **“Current Employer Information”**

SET 3 – YOUR COPIES

- **“Consent Decree”**
- + **“Exhibit A”** about the division of property and debt, if it is not part of the decree
- +FEE RECEIPT, or a copy of the ORDER for initial fee deferral
- **“Parenting Plan”**
- **“Child Support Worksheet”**
- **“Child Support Order”**
- **“Current Employer Information”**

- Only If TANF or IV-D -

SET 4 – COPIES for the AZ Attorney General

- **“Consent Decree”**
- + **“Exhibit A”** about the division of property and debt, if it is not part of the decree
- +FEE RECEIPT, or a copy of the ORDER for initial fee deferral
- **“Parenting Plan”**
- **“Child Support Worksheet”**
- **“Child Support Order”**
- **“Current Employer Information”**

STEP 5 LARGE ENVELOPES

Address TWO 9”x12” envelopes: a) to you, or your attorney, and b) to the other Party or his or her attorney. If you or your spouse participates in the Arizona TANF or IV-D Programs, address a 3rd 9”x12” envelope to the Arizona Attorney General.

1. **Place into** each 9" x 12" **envelopes SET 2 and SET 3** (and Set 4, if necessary) of the papers described above.
2. **Postage:** Be sure you put enough postage on the 9" x 12" envelopes.
3. **Set aside the Originals.**

NOTE: If the Decree must deal with the division of retirement funds, pensions or annuities, etc., you may also need a complex document called a "QDRO," which will require the services of a specialized legal professional. The Law Library Resource does not have a "Property Settlement Agreement" or a "QDRO". See a lawyer if you need these documents.

STEP 6 DELIVER to the Family Department Administration:

1. The **original set plus two (or three) envelopes containing copies** as compiled above.
2. **Hand-deliver or mail to Family Department Administration your documents** as indicated below. Court hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Central Court Building

201 West Jefferson, 3rd floor
Phoenix, Arizona 85003
(To Family Department
Administration)

Southeast Court Complex

222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210
(To Family Department
Administration)

Northwest Court Complex

14264 West Tierra Buena Lane
Surprise, Arizona 85374
(To Family Conference Center)

Northeast Court Complex

18380 North 40th Street
Phoenix, Arizona 85032
(To Family Conference Center)

WHAT HAPPENS NEXT? It is within the Judge's/Commissioner's discretion whether to accept or reject the Decree, or to schedule a court hearing.

1. **IF YOUR CONSENT DECREE IS ACCEPTED:** the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of Superior Court. The Court will send a copy of the signed Decree to each party using the envelopes you provided. This is your notification that your divorce/legal separation is now final. **You are not divorced or legally separated until the Judge/Commissioner signs the Decree.**
2. **IF YOUR CONSENT DECREE IS REJECTED:** the Court will send you a "**Correction Notice**" informing you of the mistakes with the documents. Follow the instructions on the "**Correction Notice**". **If the mistakes cannot be corrected, see a lawyer for help.**
3. **IF THE JUDGE/COMMISSIONER SCHEDULES A HEARING:** the Court will send notice of a scheduled date, time and location for a hearing which both parties must attend to answer any questions the Judge/Commissioner may have.

* All forms referenced in these instructions may be purchased from the Law Library Resource Center or obtained for free via Internet.

LAW LIBRARY RESOURCE CENTER

PARENTING PLAN INFORMATION

A.R.S. § 25-401 defines legal decision-making and parenting time as follows:

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.
2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

PARENTS PLEASE NOTE: Per A.R.S § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.
4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

Drafting a Parenting Plan:

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

In order for the Court to approve a parenting plan, A.R.S. § 25-403.02 requires the Court to make the following findings:

- a. The best interests of the minor child(ren) are served;
- b. The plan designates legal decision-making as joint or sole;
- c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
- d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;

- e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;
- f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
- g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
- h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
- i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the Court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?
2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.
3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.
4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?
5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?
6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?
7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?
8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?
9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

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 MARICOPA COUNTY

Name of Petitioner / Party A

Case Number: _____

AND

PARENTING PLAN FOR:

JOINT LEGAL DECISION-MAKING (JOINT
LEGAL CUSTODY) WITH JOINT LEGAL
DECISION-MAKING (JOINT LEGAL CUSTODY)
AGREEMENT

OR

SOLE LEGAL DECISION-MAKING
(SOLE LEGAL CUSTODY)

Name of Respondent / Party B

to Party A

to Party B

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-Making (Legal Custody) and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-Making (Joint Legal Custody) Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

- a. If only *one* parent is submitting the Plan: that parent must sign at the end of PART 2 and 3.
- b. If both parents agree to legal decision-making (legal custody) and parenting time arrangements *but not to joint legal decision-making (legal custody)*: Both parents must sign the Plan at the end of PART 2 and 3, and the Affidavits under Section 5.
- c. If both parents agree to joint legal decision-making (joint legal custody) and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 2, 3, and 4, and the Affidavits under Section 5.

PART 1: GENERAL INFORMATION:

- A. MINOR CHILDREN.** This Plan concerns the following minor children:
(Use additional paper if necessary)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

- B. THE FOLLOWING LEGAL DECISION-MAKING (LEGAL CUSTODY) ARRANGEMENT IS REQUESTED:**

(Choose ONE of 1, 2, 3, 4.) (If you chose "sole legal decision-making authority" [1 or 2], you have the option of also requesting restrictions on the parenting time of the other party.)

- 1. SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY) BY AGREEMENT.**

The parents agree that sole legal decision-making authority (sole legal custody) should be granted to

Party A Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

- 2. SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision-making (legal custody) and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

(Optional, if you marked 1 or 2 above)

- RESTRICTED, SUPERVISED, OR NO PARENTING TIME.**

The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition or Response.

OR

- 3. JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) BY AGREEMENT.** The parents agree to joint legal decision-making (joint legal custody) and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

- 4. JOINT LEGAL DECISION-MAKING AUTHORITY (JOINT LEGAL CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision-making and parenting time or are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

PART 2: PHYSICAL CUSTODY AND PARENTING TIME. Complete each section below.
Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

The minor children will be in the care of Party A as follows: (Explain). _____

The minor children will be in the care of Party B as follows: (Explain). _____

Other physical custody arrangements are as follows: (Explain). _____

Transportation will be provided as follows:

Party A or **Party B** will pick the minor children up at _____ o'clock.

Party A or **Party B** will drop the minor children off at _____ o'clock.

Parents may change their time-share arrangements by mutual agreement with at least ____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months **EXCEPT:**

During summer months or school breaks that last longer than 4 days, no changes shall be made. **OR,**

During summer months or school breaks that last longer than 4 days, the minor children will be in _____ the care of Party A: (Explain) _____

During summer months or school breaks that last longer than 4 days, the minor children will be in _____ the care of Party B: (Explain) _____

Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.

Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

D. HOLIDAY SCHEDULE: The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

| <u>Holiday</u> | <u>Even Years</u> | | <u>Odd Years</u> | |
|---|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| <input type="checkbox"/> New Year's Eve | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> New Year's Day | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Spring Vacation | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Easter | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> 4th of July | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Halloween | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Veteran's Day | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Thanksgiving | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Hanukkah | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Christmas Eve | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Christmas Day | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Winter Break | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Child's Birthday | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Mother's Day | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |
| <input type="checkbox"/> Father's Day | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B | <input type="checkbox"/> Party A | <input type="checkbox"/> Party B |

Each parent may have the children on his or her birthday.

Three-day weekends which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.

Other Holidays (Describe the other holidays and the arrangement) :

Telephone Contact: Each parent may have telephone contact with the minor children during the children's normal waking hours, **OR:** (Explain) _____

Other (Explain) : _____

E. PARENTAL ACCESS TO RECORDS AND INFORMATION: Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records. A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request. A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. EDUCATIONAL ARRANGEMENTS:

Both parents have the right to participate in school conferences, events and activities, and the _____ right to consult with teachers and other school personnel.

Both parents will make major educational decisions together. (optional) If the parents do not reach agreement, then:

OR

Major educational decisions will be made by Party A Party B after consulting other parent.

G. MEDICAL AND DENTAL ARRANGEMENTS:

Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other _____ parent immediately of any emergency medical/dental care sought for the minor children, to _____ cooperate on health matters concerning the children and to keep one another reasonably _____ informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.

Both parents will make major medical decisions together, except for emergency situations as _____ noted above. (optional) If the parents do not reach an agreement, then:

OR

Major medical/dental decisions will be made by Party A Party B after consulting _____ other parent.

H. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose **ONE**)

- Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.
- Both parents agree that the minor children may be instructed in the _____ faith.
- Both parents agree that religious arrangements are not applicable to this plan.

I. ADDITIONAL ARRANGEMENTS AND COMMENTS:

- NOTIFY OTHER PARENT OF ADDRESS CHANGE.** Each parent will inform the other parent of any change of address and/or phone number in advance **OR** within _____ days of the change.
- NOTIFY OTHER PARENT OF EMERGENCY.** Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.
- TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES.** Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.
- ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN.** Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements
- OBTAIN WRITTEN CONSENT BEFORE MOVING.** Neither parent will move with the minor children out of the Phoenix metropolitan area without prior written consent of the other parent, or a court ordered Parenting Plan. **A.R.S. 25-408 (B)**
- COMMUNICATE.** Each parent agrees that all communications regarding the minor children will be between the parents and that they will **not** use the minor children to convey information or to set up parenting time changes.
- METHOD OF COMMUNICATION.** Each parent agrees to use the following means of communication:

- FREQUENCY OF COMMUNICATION.** Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be:

- and will be by the following methods: Phone Email Other
- PRAISE OTHER PARENT.** Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children
- COOPERATE AND WORK TOGETHER.** Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.

- NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME.** If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.
- PARENTING PLAN.** Both parents agree that if either parent moves out of the area and returns later, they will use the most recent **"Parenting Plan/Access Agreement"** in place before the move.
- MEDIATION.** If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: DO NOT DEVIATE FROM PLAN UNTIL DISPUTE IS RESOLVED.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets "To Make Someone Obey a Court Order" for help.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

- (a) Second degree murder.
- (b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- (c) Sexual assault.
- (d) Molestation of a child.
- (e) Sexual conduct with a minor.
- (f) Commercial sexual exploitation of a minor.
- (g) Sexual exploitation of a minor.
- (h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
- (i) Kidnapping.
- (j) Sexual abuse.
- (k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
- (l) Child prostitution as prescribed in section 13-3212.
- (m) Involving or using minors in drug offenses.
- (n) Continuous sexual abuse of a child.
- (o) Attempted first degree murder.
- (p) Sex trafficking.
- (q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
- (r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
- (s) Luring a minor for sexual exploitation.
- (t) Aggravated luring a minor for sexual exploitation.
- (u) Unlawful age misrepresentation.

PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____

Date: _____

Signature of Party B: _____

Date: _____

PART 4: JOINT LEGAL DECISION MAKING (JOINT LEGAL CUSTODY) AGREEMENT (IF APPLICABLE):

- A. DOMESTIC VIOLENCE:** Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (joint legal custody) shall NOT be awarded if there has been “a history of significant domestic violence”.

- Domestic Violence has **not** occurred between the parties, **OR**
- Domestic Violence **has** occurred but it has not been “significant” or has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

- Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR
- One of the parties HAS been convicted of driving under the influence or a drug offense within the past 12 months but the parties feel Joint Legal Decision-Making (Legal Custody) is in the best interest of the children.*

*** IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:
Attach an extra page explaining why Joint Legal Decision-Making (Legal Custody) is still in the best interest of the children.**

- C. JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) AGREEMENT:** If the parents have agreed to joint legal decision-making (legal custody), the following will apply, subject to approval by the Judge:

1. **REVIEW:** The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.
2. **CRITERIA.** Our joint legal decision-making (joint legal custody) agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:
 - a. The best interests of the minor children are served;
 - b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
 - c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
 - d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
 - e. The Plan includes a procedure for periodic review;

- f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
- g. A procedure for communicating with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (LEGAL CUSTODY) (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 5: AFFIDAVITS

I declare under penalty of perjury the foregoing is true and correct.

SIGNATURES

Petitioner's / Party A's Signature Date

STATE OF _____

COUNTY OF _____

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

_____.

(Notary seal) _____
Deputy Clerk or Notary Public

Respondent's / Party B's Signature Date

STATE OF _____

COUNTY OF _____

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

_____.

(Notary seal) _____
Deputy Clerk or Notary Public

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 MARICOPA COUNTY

Petitioner / Party A

Case No. _____

Date of Birth (Month, Date, Year)

ATLAS No. _____

Respondent / Party B

CHILD SUPPORT ORDER

A.R.S. § 25-503

Date of Birth (Month, Date, Year)

THE COURT FINDS:

1. Party A: _____ and

Party B: _____

Have a duty to support the following children:

Child(ren)'s Name(s)

Date of Birth

2. CHILD SUPPORT GUIDELINES: The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support Amount, attached and incorporated by reference.

3. CHILD SUPPORT:

Party A **Party B** is ordered to pay child support in the amount of \$_____ per month to _____ pursuant to the Arizona Child Support Guidelines without deviation.

Party A **Party B** is obligated to pay child support to **Party A** **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines without deviation. This amount is an appropriate amount to award for child support in this case except that the Court finds it more appropriate and just to make a **rounding adjustment** to the exact guideline amount for ease of calculation to \$_____ per month.

Party A **Party B** is obligated to pay child support to **Party A** **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a **deviation** is appropriate.

After deviation the child support order is \$_____ per month.

Party A **Party B** is obligated to pay child support to **Party A** **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a **deviation** is appropriate.

After deviation the child support order is \$_____ per month. Further, the parties have entered into a **written agreement** or their agreement is on the record and is free of duress and coercion with knowledge of the amount of child support that would have been ordered under the guidelines but for the agreement.

Reason(s) for deviation:

4. SUPPORT ARREARS:

- Party A** **Party B** owes child support arrearages to **Party A**
 Party B in the total amount of \$_____ for the time period of _____
 through _____ plus accrued interest on prior child support arrearages due
 of \$_____ calculated through the date of _____.
- The Court finds **no child support arrearages due** and owing.
- No evidence** was presented in support of child support arrearages.

5. PAST SUPPORT:

- It is appropriate to award **Party A** **Party B** an additional judgment for past support in the amount of \$_____ for the **period between the filing of this current petition** and the date current child support is ordered to begin.
- Temporary support or voluntary / direct support payments** in the amount of \$_____ were paid during the period above; therefore the past support is adjusted to \$_____.
- It is appropriate to award **Party A** **Party B** an additional judgment in the amount of \$_____ for past support owed from the **date of separation, but not more than three years** before the date of filing the current petition.
- Temporary support or voluntary / direct support payments** in the amount of \$_____ were paid during the period above; therefore the past support is adjusted to \$_____.
- The Court finds **no past support amount due** and owing.

- No evidence** was presented in support of past child support.
- The Court finds **no temporary support or voluntary / direct support** payments were paid.
- No evidence** was presented in support temporary support or voluntary / direct support payments.

6. INTEREST:

The Court finds interest in the amount of \$ _____ due to **Party A** **Party B**
 For the period of: _____ to _____.

IT IS ORDERED THAT:

1. CHILD SUPPORT JUDGMENT:

Party A **Party B** shall pay child support to _____ in the amount of \$ _____ per month. This monthly amount, payable by income withholding order, shall be paid on the 1st day of each month beginning _____.

2. SUPPORT ARREARAGES JUDGMENT:

Party A **Party B** is granted judgment against _____ in the amount of \$ _____ as and for child support arrearages for the period of _____ through the date of _____ together with interest on said amount at the legal rate of 10% per annum until paid in full, plus additional accrued interest on prior child support judgments of \$ _____ calculated through the date of _____.

Party A **Party B** shall pay, in addition to his OR her current support payment, the amount of \$ _____ per month toward this judgment, payable on the first day of each month, beginning _____ until paid in full.

NO Judgment for child support **arrearages** is entered.

3. PAST SUPPORT JUDGMENT:

Party A Party B is granted a past support judgment against Party A Party B in the additional amount of \$_____. Party A Party B shall pay the additional amount of \$_____ per month toward this judgment, payable on the first day of each month commencing _____ until paid in full.

OR

NO Judgment for past support is entered.

4. PAYMENTS AND CLEARINGHOUSE: All payments, plus the statutory handling fee, shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment, or "Income Withholding Order" signed this date. Any time the full amount of support ordered is not withheld, the person obligated to pay (the obligor) remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered *gifts* unless otherwise ordered. All payments shall be made payable to and mailed directly to:

**Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107**

Payments must include Party A's or Party B's name, and ATLAS number. Pursuant to A.R.S. § 25-322, the parties shall submit current address information in writing to the Clerk of Superior Court and the Support Payment Clearinghouse immediately. The obligor (party being ordered to pay) shall submit the names and addresses of his or her employers or other payors within 10 days. Both parties shall submit address changes within 10 days of the change.

5. TOTAL MONTHLY PAYMENTS:

Party A Party B shall make total monthly payments to Party A Party B in the amount of \$_____ per month, payable on the first day of each month, beginning _____ as follows:

Monthly Payments:

| | |
|---|-------------------------|
| Current child support payment as ordered above: | \$ _____ |
| Current spousal maintenance payment: | \$ _____ |
| Support arrearage payment: | \$ _____ |
| Clearinghouse handling fee: | \$ _____ <u>\$ 5.00</u> |
| TOTAL MONTHLY PAYMENT: | \$ _____ |

6. MEDICAL, DENTAL, VISION CARE INSURANCE FOR MINOR CHILDREN:

Party A OR **Party B** is responsible for providing medical dental vision care insurance for the minor child(ren) and shall continue to pay premiums for any medical, dental and vision policies covering the child(ren) that are currently included in the incorporated Parent's Worksheet for Child Support.

OR

Party A OR **Party B** shall be individually responsible for providing medical insurance for the minor child(ren) of the parties as soon as it becomes accessible and available at a reasonable cost, as neither party currently has the ability to obtain such medical insurance.

Medical, dental, and vision insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached hereto and incorporated by reference.

The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims. An insurance card must be provided to the other party. Notification must also be provided to the other party if coverage is no longer being provided for the child(ren).

7. NON-COVERED MEDICAL EXPENSES:

Party A is ordered to pay _____ % and **Party B** is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision, prescription and other health care charges for the minor child(ren).

- A request for payment or reimbursement of uninsured medical, dental and/or vision costs must be provided to the other party **within 180 days** after the date the services occur.
- The party responsible for payment or reimbursement must pay their share, as ordered by the Court, or make acceptable payment arrangements with the provider or person entitled to reimbursement **within 45 days** after receipt of the request.

8. TRAVEL EXPENSES: The costs of travel related to parenting time over 100 miles one way shall be shared as follows: **Party A** _____ % **Party B** _____ %

9. INFORMATION EXCHANGE: The parties shall exchange financial information such as copies of tax returns, financial affidavits, and earnings statements **every twenty-four months**. At the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers unless the Court has ordered otherwise.

10. TAX EXEMPTIONS: The Court allocates the following federal tax exemption(s) for the dependent child(ren):

| Child's Name | Date of Birth (Month, Day, Year) | Parent Entitled to Deduction | | For Calendar 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 | |

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

Party A or **Party B** may claim the allocated tax exemptions only if all support and arrears ordered for the year have been paid by December 31 of that year. An Internal Revenue Service form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information.*

Party A or **Party B** may unconditionally claim the tax exemption allocated to **Party A** or **Party B** for income tax purposes. An Internal Revenue Service Form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information.*

Even though the court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a 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. This penalty may be imposed even if it is the other party's responsibility to carry medical insurance on the child under the Decree of Dissolution of Marriage.

11. MODIFICATION: If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.

12. EMANCIPATION: A child is emancipated:

- On the child's 18th birthday, however if a child is still attending high school or a certified high school equivalency program, support will continue until graduation of the child reaches 19 years of age.
- On the date of the child's marriage.
- When the child is adopted.
- When the child dies.

13. OTHER FINDINGS AND ORDERS:

14. FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 78, this final judgment/decrece is settled, approved and signed by the Court and shall be entered by the clerk.

Date

Judicial Officer

15. STIPULATION. Signature by both Parties (if applicable):

Party A **Party B,** by signing this document, we state to the Court under penalty of perjury that we read and agree to this Court Order, and that all the information contained in it is true, correct, and complete to the best of our knowledge and belief.

Party A's Signature

Date

Party B's Signature

Date

If either party is represented by a lawyer, the lawyer must sign below:

Party A's Lawyer Signature

Date

Party B's Lawyer Signature

Date