A6

DIVORCE

WITH MINOR CHILDREN

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THE COURT ORDER

To get the Divorce Decree

(Forms Packet)

For Child Support and/or Spousal Maintenance you may also need the following forms C17.

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SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT YOUR DECREE OF DISSOLUTION (DIVORCE) FOR A NON-COVENANT MARRIAGE -- WITH MINOR CHILDREN

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Use these instructions **only** with the ***"Decree of Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children."*** If there are no minor children, by birth or adoption, common to you and your spouse, use the form for a ***"Decree of Dissolution of a Non-Covenant Marriage Without Minor Children."***

What the Decree Means to You. The Decree is the Court Order that legally ends your marriage. The Decree, once the judge or commissioner has signed it, is important because it determines the rights and responsibilities of both you and your ex-spouse. It tells the parties what they can and cannot do. If either party does not do what the Decree tells him/her to do, then the other party may ask the court for help. **This is a very important document.** Once it has been signed by the judge, your rights and responsibilities are affected forever.
Failure to do what the Decree tells you to do could get you into trouble with the court. This does not mean that the court will police whether you are following the Decree. It does mean you or your ex-spouse can request a Contempt Order or an Order to Enforce parts of the Decree if you or your ex-spouse fail to do what the Decree tells you to do.

Getting Your Divorce Finalized. Before your divorce can become final, a judicial officer must sign what we call a Decree of Dissolution of Marriage. The Decree tells you who gets the property, who pays the debts, who gets custody, who pays support and so forth.

Divorce by Default. If you have a Default Hearing, you must repeat as closely as possible what you requested in your Petition. You cannot mark something different in the Decree from what you asked for in the Petition, unless your spouse has provided written consent. If you try to do this, the judicial officer will not sign the Decree. If you want to change your requests to the court, you must file an amended Petition. It is a good idea to have your Petition handy when you follow the instructions to fill out your Decree.

The Decree. Fill out the Decree before you go to your hearing or before you give it to the judge to sign. Do not fill in the judge's signature and date. If the judge disagrees with anything you have written, he or she will change it before signing the Decree.

Instructions For Filling Out The Decree

(The section number in front of each paragraph below corresponds with the section number on the Decree. For example: Read Section 1-3d below. Turn to Sections 1-3d on the Decree. Each section below will help you fill out each section of the Decree.) **TYPE OR WRITE IN BLACK INK ONLY.**

SECTION: INSTRUCTION:

(A) 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 Petitioner or Respondent.

(B) Write in the Name of the Petitioner and the Name of the Respondent and the case number in the space provided. This should appear the same way it does on the Petition.

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(C) THE COURT FINDS:

1-3.a-d. This section tells you that before the judge or commissioner signs the Decree, he/she will have determined that the court has the legal power to make the orders in your case. It also says that the Petitioner or the Respondent lived in Arizona at least 90 days before the Petition for divorce was filed, and that the parties are unable to get back together and save their marriage.

Also, if you served the other party *by publication*, the court cannot sign a Decree that divides community property and/or debt, or orders the other party to pay spousal maintenance (alimony) or child support until you find and serve notice on your spouse. You will, however, be able to get a court order for custody of your minor children and a divorce decree.

3.e. **Community Property and Debt.** Mark the first box **only** if you and your spouse did not get any property together while you were married and do not owe money to anyone for property or services you got while you were married. Otherwise, mark the box that tells the court that the parties have not agreed to a division, but the community property is divided pursuant to the Decree.

3.f. **Pregnancy.** Mark the first box if the wife is not pregnant. Mark the second box if the wife is pregnant and then mark whether the husband is the father. Mark the third box if the parties had any children together that were born before the marriage. Then list the name and date of birth for those children.

3.g. **Spousal Maintenance/Support.** Mark this box if you have requested spousal maintenance/ support (alimony) in the Petitioner you have had a trial and the judge has ordered one party to pay spousal maintenance/support.

3.h. **Parent Information Program.** Mark this box only if the Petitioner has completed the Parent Information Program class and has filed the Certificate of Completion with the court. If the Petitioner has not attended the class, check the appropriate box. Follow the same instructions for the Respondent. Leave the box empty for the judicial officer to check as to whether the person will be denied any requested relief to enforce or modify the decree until the class has been completed.

3.i. **Deviation from Child Support.** Leave this section blank. The judicial officer will fill in this section if there is a deviation for child support.

3.j. **Physical Custody Adjustment.** Leave this section blank. The judicial officer will fill in this section if there is an adjustment.

3.k. **Ability to Pay Child Support.** Leave this section blank. The judicial officer will fill in this section.

3.l. **Custody of the Minor Child(ren).** Mark this box only if custody was contested (you and the other party did not agree about custody), or if you and the other party have agreed to joint custody. You must write the reasons in the space provided. See the "***Joint Custody Information***" document in this packet and the "**Planning for Parenting Time: Arizona's Guide for Parents Living Apart**" booklet for help. The ***Guide*** is available for purchase at all Superior Court Self-Service Center locations, **or** may be viewed online and downloaded for **free** from the state courts' web page.

3.m. **Supervised or No Parenting Time.** Mark this box only if you asked for supervised or no parenting time by the non-custodial spouse in your Petition, or the parties have agreed to this, or the judge has ordered supervised or no parenting time after a trial. You must have a very good reason for such a request and you must write the reasons in the space provided. See the "**Joint Custody Information"** and "**Guide for Parents Living Apart**" for help.

3.n. **Domestic Violence.** If the parties are going to have joint custody of the child(ren), check the box to say whether there has been no domestic violence or if domestic violence has occurred it has not been significant. Then explain why joint custody is in the best interest of the child(ren) even though domestic violence has occurred.

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(D) THE COURT ORDERS:

1. **MARRIAGE IS DISSOLVED.** This section ends your marriage.

2. **NAMES.** Write in the former name of the wife/husband here **ONLY** if wife or husband wants to use and/or be called by the former/maiden name. (The law does not require you to use your former/maiden name.)

3. **ENFORCEMENT OF TEMPORARY ORDERS.** If the court ordered temporary payment of child support, spousal maintenance/support (alimony), debt division, or other temporary orders, fill in the dates of ALL of the temporary orders. This section allows you to enforce nonpayment of those debts.

4. **CHILD CUSTODY, PARENTING TIME, AND CHILD SUPPORT.** This section deals with child custody, parenting time and child support, pregnancy and paternity.

4.a. **PREGNANCY AND PATERNITY.** If the wife is pregnant, write in the expected date of birth for the unborn child. You must also write the names of the minor child(ren) common to the marriage, either natural or adopted, and the child(ren)'s date(s) of birth in the space provided.

4.b. **CHILD CUSTODY.** The custody box you mark should be the same as what you asked for in your Petition for Dissolution, unless you and the other party have signed a Joint Custody Agreement and you are attaching it to the Decree OR you have had a trial and the judge has ordered something different than what is in your Petition.

1) For sole custody of the child(ren), mark who is to have sole custody, Petitioner or Respondent. Then mark **only** one of the three types of parenting time: 1) parenting time to the parent not having custody; or 2) supervised; or 3) no parenting time. If both spouses agree to a Parenting Plan, both must complete the Plan and sign it. If only one spouse agrees to the Parenting Plan and you have a default divorce hearing, you still must complete the Parenting Plan and tell the Court what you think should be the parenting time arrangement. If parenting time is supervised and you have a default hearing or you agree, write in the name of person who will supervise the parenting time and any restrictions. Mark who will be paying for the costs of supervision. If no parenting time is to be given to the Petitioner or the Respondent, check this box.

2) For Joint Custody you should not have marked box 1 above. Remember, you must attach a copy of the Joint Custody Agreement and Parenting Plan as Exhibit B signed by both parents, which the judicial officer must approve if you want Joint Custody. The Agreement will be included as part of the Court Order ending your marriage.

4.c. **CHILD SUPPORT:** Mark who is to pay the child support and how much to the other party based on the request in the Petition for Dissolution, or on the party's agreement. Otherwise, leave the space blank and the judicial officer will fill in the amount. Remember, if you are the person who filed for divorce, you are the Petitioner, and your spouse is the Respondent.

4.d. **MEDICAL, DENTAL, VISION CARE INSURANCE, PAYMENTS, AND EXPENSES:** Mark who will be responsible for medical, dental, and vision care insurance. Mark what percent each party will pay for uninsured expenses.

5. **SPOUSAL MAINTENANCE (ALIMONY).**

a. Mark this box if neither party is requesting spousal maintenance.

b. Mark this box if you requested spousal maintenance (alimony) in the Petition and you have a Default Hearing. (You cannot get spousal maintenance if the other party was served by publication.) **OR,** Mark this box if the parties agreed that one party would pay the other party spousal maintenance.

Then mark who is to pay the spousal maintenance and who will receive the spousal maintenance. If the parties agree, put in the amount and the date the spousal maintenance will end. Otherwise, you should leave the amount and number of months of spousal maintenance blank until the judge approves the request. Be prepared to tell the judge what amount you are asking for, for what period, and why.

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6. PROPERTY, DEBTS and TAX RETURNS.

6.a. Mark the first two boxes, if each party will pay the debts that are unknown to the other party. By marking the third box under 6.a., you are telling the court you do **not** want to pay for bills your spouse got after you separated. Write the approximate date you separated on the line provided.

6.b. Mark this box if there is property and debts to be divided, even if you have already divided the property. You can give the court this information on ***"EXHIBIT A: COMMUNITY PROPERTY AND DEBTS"*** that you must attach to the Decree if you mark this box. Instructions for Exhibit A are included at the end of this instruction.

6.c. This states that you and your spouse get to keep property that you owned from the marriage or that was a gift to you during the marriage. You also can keep any personal items, clothing, and any other property you own that is not considered community property.

6.d. This means either spouse can record the Decree if there is a transfer of title to certain property, like a house. This section also requires each spouse to sign documents to transfer other property, like titles to cars, and so forth. If you have a quit claim deed that transfers property from one spouse to the other spouse, attach a copy of the deed to the Decree, and check this box. Write in the date that both parties shall transfer all real and personal property.

6.e. Mark this box and tell the court whether the parties will file joint or separate tax returns for previous years if taxes have not been paid. For this calendar year, and future calendar years neither you nor your spouse can file joint tax returns. According to the IRS, State law governs whether you are married, divorced, or legally separated. If you are divorced under a final decree by the last day of the year, you are considered unmarried for the whole year. See a lawyer or accountant for advice if you are not sure which box to check OR call the **IRS** at **1-800-829-4477** or visit their INTERNET site for help.

7. **FINANCIAL INFORMATION EXCHANGES:** This shows that the parties must share/exchange financial information every 24 months. This information is important in determining amounts of child support or other related issues.

8. **TAX EXEMPTIONS:** Decide which parent will claim the children on income tax forms, for which year. Federal and state laws apply here. If you are not sure what to do, ask a lawyer or an accountant for help.

9. **CHILD(REN) TO WHOM THE DECREE DOES NOT APPLY:** Mark this box **only** if a child(ren) was born during the marriage, but is not common to the marriage. Mark which party should have no legal rights to the minor child(ren). If you mark this box, list the name of any such minor child(ren) with the date(s) of his/her birth(s) in the space provided. Also, mark if the wife is pregnant with a child not common to the marriage, and include the expected due date of the child.

10. **FINAL APPEALABLE ORDER.** This decree/order/judgment is a final order and may be appealed.

11. **OTHER ORDERS.** List any other orders that are not described in the Decree.

(E) SIGNATURES SECTION:

- Do not sign or date the Decree for the judge or commissioner
- If there is a Default Hearing, you, the Petitioner, must mail a copy of the Decree to the Respondent, after the judge has signed it.

(F) "EXHIBIT A: COMMUNITY PROPERTY AND DEBT" SECTION

IF YOU MARKED the first box **of 3.e.** ON YOUR DECREE AND HAVE NO COMMUNITY PROPERTY OR DEBTS, **STOP HERE;** You have completed your Decree. If you have community property or community debt listed in your Petition, copy that information from your Petition to "**Exhibit A**". **REMEMBER:** If you are going by default, the division of property must be identical to the list in your petition. You cannot add new community property to the list, although you can give your spouse more property than is listed on your petition. Make sure it is **very clear** who gets what property. Describe the property ***in detail*** and then designate whether Petitioner or Respondent gets that property.

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1. **Division of Community Property**. Mark the first box about community property, if you have community property. Mark the box next to each type of community property you own, and describe the property. Then mark the box showing which party the property is being given to.

2. **Mark the box** "award each party the personal property in his or her possession," if you want the court to order this. Mark the box "continued on reverse side or see attached list" if this is true.

3. **Retirement, Pension, Deferred Compensation**. Decide what you want to do about these assets. Generally, each spouse is entitled up to a half interest in the pension or retirement or deferred compensation benefits of the other spouse based upon the length of time the parties were married. This is **very complicated, and very important** to both spouses. If you are entitled to any interest in your spouse's retirement assets, you may be required to file a **Qualified Domestic Relations Order.**

   This is a very important document. The Court and the Self-Service Center do not have this document. See a lawyer for help. Check the box that describes what you asked for in the Petition or what the parties have agreed to.

4. **Division of Real Property:** Use this section if you own a home or real estate together. This information, including the address and legal description should also be the same as what you provided in the Petition. Decide which spouse gets the property, OR whether it should be sold and any proceeds divided.

5. **Division of Debts:** List all debts you listed on your Petition for Dissolution. You can update the amounts owed, only if the amounts are less than those amounts in the Petition or the parties agree to update the amounts. Then put which debts are to be the responsibilities of which party.

6. **Also,** decide if you want the order to divide debts incurred by a spouse that are not listed to be paid by the spouse who incurred the debt. Remember, just because the Decree orders either spouse to pay debts does not mean that the creditor cannot pursue collection from the other spouse, even after the divorce decree.

7. **Separate Property.** List your separate property and the other party's separate property. Then check the box to say who gets the property.

8. **Separate Debt.** List your separate debt and the other party's separate debt. Then check the box to say who pays the debt.

PARENTING PLAN AND JOINT CUSTODY AGREEMENT

Now you must complete the **Parenting Plan** to decide how custody, parenting time, and all the details will work after the court order. The best thing to do is for both parents to complete this plan together.

Refer to "**Planning for Parenting Time: Arizona's Guide for Parents Living Apart**" to help make your new parenting plan. The **Guide** is available for purchase at all Superior Court Self-Service Center locations, **or** may be viewed online and downloaded for **free** from the state courts' web page.

If you want Joint Custody, **both** parents must complete and sign the Parenting Plan AND the Joint Custody Agreement. All the documents you need for child custody, child parenting time and child support are in the Self-Service Center packets.

REMINDER:

1. **Be sure to attach "EXHIBIT A" about property and debts to your decree.**
2. **Be sure to attach the Child Support Worksheet, and the Parenting Plan, if you have marked joint custody or if the parties have signed a Parenting Plan.**
3. **Be sure to include a quit claim deed, if a quit claim deed has been signed.**

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PROCEDURES: HOW TO GET YOUR DECREE OF DISSOLUTION SIGNED BY THE JUDGE

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STEP 1 **Make two (2) copies of each of the following documents:**

"Decree of Dissolution"
"Parenting Plan"
"Child Support Worksheet"

STEP 2 **Make three (3) separate packets for the documents you copied:**

Packet 1 should contain the following **ORIGINAL** documents:

Original ***"Decree of Dissolution"***
Original ***"Parenting Plan"***
Original ***"Child Support Worksheet"***

Packet 2 should contain **COPIES** of the following documents (for you.)

Copy of ***"Decree of Dissolution"***
Copy of ***"Parenting Plan"***
Copy of ***"Child Support Worksheet"***

Packet 3 should contain **COPIES** of the following documents (for the other party.)

Copy of ***"Decree of Dissolution"***
Copy of ***"Parenting Plan"***
Copy of ***"Child Support Worksheet"***

STEP 3 Take the documents to your court default hearing or to your trial for the Judge to review and sign if he or she approves them. If you are filing a Consent Decree, follow the instructions that are in the Consent Decree packet, form DR71p.

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Person Filing: (1) _____
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 GRAHAM COUNTY(2)

PARENT'S WORKSHEET FOR CHILD SUPPORT

(3) Petitioner: _____ **(4)** Case No. _____

(3) Respondent: _____ **(4)** ATLAS: _____

(5) Total Number of Children: _____

(6) Parent with Primary Physical Custody:
Father ☐ Mother ☐

(7) Parent who is filing this form: Father ☐ Mother ☐

(8) Gross Income figures for the OTHER PARENT are:

☐ **ACTUAL,** with proof, such as a recent W2 or pay stub attached, or other party's signed statement.

☐ **ESTIMATED,** based on facts or knowledge of pay before promotion or of others in similar job.

☐ **ATTRIBUTED**, based on what other party could and should be earning (see Guidelines 5e).

	FATHER		MOTHER
Gross Income (Pre-Tax Income. Before deductions.)	$ _____	(9)	$ _____
Spousal Maintenance Paid	$ - _____	(10)	$ - _____
Spousal Maintenance Received	$ + _____	(11)	$ + _____
Child Support Paid/Contributed	$ - _____	(12)	$ - _____
Other Support of Children Paid	$ - _____	(13)	$ - _____
Adjusted Gross Income	$ _____	(14)	$ _____

Combined Adjusted Gross Income (15) $ _____

Basic Child Support Obligation (16) $ _____

Plus Costs for:

Medical/Dental/Vision Insurance	$ _____	(17)	$ _____
Childcare	$ _____	(18)	$ _____
Education Expenses	$ _____	(19)	$ _____
Extraordinary/Special Needs Child Expenses	$ _____	(20)	$ _____

No. of Children Age 12 or Over _____ Adjustment _____% (21) $ _____

Total Adjustments for Costs (22) $ _____

Total Child Support Obligation $ _____ (23) $ _____

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Case No._____

	FATHER		MOTHER
Each Parent's % of Combined Income	_____ **%**	(24)	_____ **%**
Each Parent's Share of Tot. Support Obligation	**$** _____	(25)	**$** _____
Adjustment for Non Custodial Parent's Costs Associated with Parenting Time			
Using Table A ☐ **Table B** ☐	**$** _____	(26)	**$** _____
No. of Days _____ **=** _____**% Adjustment** (from table) **x** Line **(16) $**_____ (Basic Child Support Obligation)	**$** _____	(27)	**$** _____
Less Noncustodial Parent's Costs for:			
Medical/Dental/Vision Insurance*	**$** _____	(28)	**$** _____
Childcare*	**$** _____	(29)	**$** _____
Education Expenses*	**$** _____	(30)	**$** _____
Extraordinary/Special Needs Child Expenses*	**$** _____	(31)	**$** _____
***Subtract here ONLY if ADDED-IN items 17-20 above			
Adjustments Subtotal	**$** _____	(32)	**$** _____
Preliminary Child Support Amount	**$** _____	(33)	**$** _____
Self Support Reserve Test for Parent Who Will Pay			
Amount from Line (14) _____ (Adj. Gross Inc.)			
Minus Reserve Amount **- $1,115.00**			
Total **=**	**$** _____	(34)	**$** _____
Child Support to be Paid by: Father ☐ **Mother** ☐	**$**	(35)	**$**
Share of Travel Expenses Related to Parenting Time*	_____ **%**	(36)	_____ **%**
***Only** for expenses related to travel over 100 miles, one way.			
Share of Medical/Dental/Vision Costs Not Paid by Insurance	_____ **%**	(37)	_____ **%**

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

Executed on:_____ _____

Date **Signature of Parent**

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SELF-SERVICE CENTER

DIVORCE FOR A NON-COVENANT MARRIAGE WITH MINOR CHILDREN

Part 4: THE DECREE/COURT ORDER

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CHECKLIST

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

- ✓ You or your spouse filed a ***"Petition for Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children",*** **AND**
- ✓ You and your spouse have minor children with each other **OR** the wife is pregnant by the husband, **AND**
- ✓ You have attended the Parent Information Program and have filed your certificate of attendance with the Clerk of the Court, **AND**
- ✓ You have completed the court papers concerning where the children will live, parenting time for each parent, who will have legal authority to make decisions concerning the children, and child support as well.
- ✓ You are going to a default hearing **or** you are going to a divorce trial.

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

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Person Filing: (A)_____
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 GRAHAM COUNTY

_____
(B) Petitioner

_____
(B) Respondent

Case Number: _____

ATLAS Number: _____
(if applicable)

DECREE OF DISSOLUTION OF A NON-COVENANT MARRIAGE WITH MINOR CHILDREN

THE COURT FINDS:

1. This case has come before this court for a final Decree of Dissolution of Marriage. The court has taken all testimony needed to enter a Decree, or the court has determined testimony is not needed to enter the Decree.

2. This court has jurisdiction over the parties under the law and the provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to physical custody, authority for legal decision making (legal custody), parenting time, and support.

SERVICE BY PUBLICATION:

If Respondent was served by publication and was not personally served, this court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The court reserves jurisdiction until personal service is made upon Respondent to consider the maintenance/support of either spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the court.

3. The Court finds that:

a. **90 Day Requirement:** At the time this action was filed, one or both parties had lived in, or been stationed in Arizona while a member of the United States Armed Forces, for more than 90 days.

b. **Conciliation provisions of A.R.S. §25-381.09 either do not apply or have been met.**

c. **Irretrievably Broken:** The marriage is irretrievably broken. This marriage is not a covenant marriage.

d. **Regarding Issues of Minor Children, Child Support and Spousal Maintenance, Division of Property and Debt:** 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 legal decision making (legal custody), parenting time, child support, spousal maintenance (alimony), and the division of property and/or debts.

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e. Community Property and Debt:

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

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

☐ There is **NO** agreement as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.

f. Pregnancy and Paternity:

☐ Wife is **not** pregnant, **OR**

☐ Wife **is pregnant**, and the husband ☐ **IS** OR ☐ **IS NOT** the father of the child.

☐ The husband is the father of these children born to the parties *before* the marriage:

Name(s)	**Date(s) of Birth**

g. Spousal Maintenance/Support:

☐ The **Wife**, **OR** ☐ The **Husband** lacks enough property, including property given to him or her as part of this divorce, 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 a child(ren) of young age 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 contributed significantly to the educational opportunities 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 support himself or herself.

h. Parent Information Program:

1. **Mother** ☐ has attended the Parent Information Program as evidenced by the ***"Certificate of Completion"*** in the court file. **OR**
Mother ☐ has not attended the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this decree until Mother has completed the class.

2. **Father** ☐ has attended the Parent Information Program as evidenced by the ***"Certificate of Completion"*** in the court file. **OR**
Father ☐ has **not** attended the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this decree until Father has completed the class.

i. Deviation from Child Support: The court, having considered the best interests of the minor child(ren), deviates from the guidelines for the following reasons:

☐ Application of the guidelines is inappropriate
☐ Application of the guidelines is unjust

The court makes the following finding regarding the deviation:

☐ The child support order would have been **$** _____

☐ The child support order after deviation is **$** _____

j. Physical Custody Adjustment: Court Approved Discretionary Parenting Time Adjustment And/or other Adjustments: (The court must make written findings if any of these adjustments are made.)

_____

_____

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k. **Ability to Pay Child Support:** The court finds that the person responsible for paying child support has the ability to pay child support:

☐ In the amount entered on Line 34 of the Worksheet for $_____

☐ In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for $_____

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

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

REASONS:

_____

_____

m. **Supervised or No Parenting Time:** (Check and complete **if** applicable.)
(Check and complete **only if** supervised parenting time or no parenting time is ordered.)

☐ **Supervised Parenting Time** between the minor children and ☐Mother **OR** ☐ Father,

OR

☐ **No Parenting Time by** ☐ Mother OR ☐Father, **is in the best interests of the minor child(ren), for the following reasons:** (Explain the reasons)

REASONS:

_____

_____

n. **Domestic Violence:** If the court enters an order for joint legal decision-making (custody) for the minor child(ren), check box "1" or box "2" and explain.

1. ☐ Domestic violence has not occurred during this marriage, **OR**

2. ☐ Domestic violence has occurred, but the domestic violence **has not** been significant.

Explain why joint legal decision-making (custody) is in the best interest of the child(ren) even though domestic violence has occurred:

_____

_____

_____

THE COURT ORDERS: (C)

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

2. **NAMES:**

☐ The name of the ☐ Wife or ☐ The Husband, whose complete married name is :

Is restored to: (List the complete legal name or maiden name as before this marriage)

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3. ENFORCEMENT OF 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 **$** _____

4. PREGNANCY AND PATERNITY

☐ **A child who is common to the parties is expected to be born this date:** _____
All orders below as to primary residence, legal decision making (legal custody), parenting time (visitation), support, and medical insurance/expenses include this child and all other children named below.

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

NAME(S) OF MINOR CHILD(REN)	DATE(S) OF BIRTH

b. ☐ **PATERNITY: The husband is declared to be the father of the minor children named below, born *before* the marriage:**

Children Born BEFORE the Marriage	DATE(S) OF BIRTH

☐ **FOR ANY ABOVE-NAMED MINOR CHILD BORN IN THE STATE OF ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:**

(List full name of husband/father as appears on his Social Security card or other government issued official document and as should appear on the children's birth certificate(s))

1. Add the name: (List one name only)

as the father on the above-named minor child(ren)'s birth certificate(s) if no name is already listed**.**

2. NAME CHANGE: (Optional) **The names of one or more of the minor children for whom paternity has been established above shall be changed as follows:**

Current Legal Name	New Name *(optional)*

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5. PRIMARY RESIDENTIAL PARENT, PARENTING TIME, and AUTHORITY FOR LEGAL DECISION MAKING (CUSTODY)

a. PRIMARY RESIDENTIAL PARENT:

☐ **In accord with the Parenting Plan signed by both parties NEITHER parent is designated as the primary residential parent, OR**

☐ **Mother is designated the primary residential parent of:** _____

_____

☐ **Father is designed the primary residential parent of:** _____

_____

SUBJECT TO PARENTING TIME AS FOLLOWS:

b. PARENTING TIME:

☐ **Reasonable parenting time rights to the non-residential parent as described in the Parenting Plan attached as Exhibit B and made a part of this Decree, *OR***

☐ **NO PARENTING TIME RIGHTS to ☐ Mother OR ☐ Father, *OR***

☐ **SUPERVISED PARENTING TIME to ☐ Mother OR ☐ Father 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.

No Parenting Time or Supervised Parenting Time is in the best interests of the child(ren) because: (Explain) _____

_____

_____

(IF supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by the:
☐ **the Mother,** ☐ **the Father, OR** ☐ **Shared equally by the parties**

Restrictions on parenting time (if applicable): _____

_____

_____

c. AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY)**:**

1. ☐ **SOLE AUTHORITY CONCERNING LEGAL DECISION-MAKING for the minor children is awarded to:**

   ☐ **Mother, OR** ☐ **Father,**

OR

2. ☐ **JOINT LEGAL DECISION-MAKING (JOINT CUSTODY):** Mother and Father agree to act as joint legal decision makers regarding the minor child(ren), as set forth in the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan signed by both parties and attached to this Decree as ***"Exhibit B."*** There having been no significant acts of Domestic Violence by either parent, or the court having found it in the best interests of the minor childr(ren), the court adopts the terms of the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan, which is attached to and made party of this Decree.

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6. CHILD SUPPORT: ☐ **Mother, OR** ☐ **Father** shall pay child support to the other party in the amount of **$** _____ per month, beginning **THE FIRST DAY OF THE MONTH** following the date the date this Decree is signed by the judge until further order of the court. Child Support is based on the information in the Child Support Worksheet attached and made part of this document by reference. All child support payments shall be made through the Support Payment Clearinghouse, and must include the statutory fee for the Income Withholding Order signed this date. Payments will be in equal installments made on the 1st and 15th of each month.

MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN:

☐ **Mother** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ **Father** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

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

Non-Covered Expenses

☐ **Mother** is ordered to pay: _____ **%,**

☐ **Father** is ordered to pay: _____ **%,**

uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

7. SPOUSAL MAINTENANCE/SUPPORT:

a. ☐ **Neither party shall pay spousal maintenance/support (alimony) to the other party, OR**

b. ☐ **Wife**, **OR** ☐ **Husband** is ordered to pay the other party the sum of **$** _____ per month 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 by automatic income withholding order, until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance / support payments end if the receiving party is remarried or deceased.

8. PROPERTY, DEBTS AND TAX RETURNS:

a. ☐ Petitioner is ordered to pay all debts unknown to Respondent, AND

☐ Respondent is ordered to pay all debts unknown to Petitioner, AND

☐ Each party is ordered to pay his or her debts from the following date, _____

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

c. ☐ Each party is assigned his or her separate property and Petitioner must pay his/her separate debt, and Respondent must pay his/her separate debt.

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

e. ☐ For previous calendar years, pursuant to IRS rules and regulations, the parties will file

☐ joint federal and state income tax returns and hold the other harmless from half of all additional income taxes and other costs, if any, 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. AND,

9. FINANCIAL INFORMATION EXCHANGES: The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months. Each party shall give the other party all necessary documentation to file all tax returns.

10. TAX EXEMPTION: 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 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:

Name of minor child	Parent entitled to claim		in Tax Year
_____	☐Mother	☐ Father	_____
_____	☐Mother	☐ Father	_____
_____	☐Mother	☐ Father	_____
_____	☐Mother	☐ Father	_____
_____	☐Mother	☐ Father	_____

11. MINOR CHILDREN TO WHOM THIS DECREE DOES NOT APPLY: It is ordered that ☐ **Wife**, OR ☐ **Husband** has no legal obligation or right to the minor child(ren) born during the marriage but **not** common to the marriage. These minor children include: (Use additional paper if necessary)

Name: _____ **Birth date:** _____

Name: _____ **Birth date:** _____

Name: _____ **Birth date:** _____

Child expected to be born this date: _____

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12. OTHER ORDERS. (List any other orders.)

_____

_____

_____

_____

FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decree is settled, approved and signed by the court and shall be entered by the clerk.

DONE IN OPEN COURT: _____. **(D)**

_____
JUDGE OR COURT COMMISSIONER

If this Decree was issued as a "Default," *and* the Petitioner served the papers to begin this case by any means *other than* by publication, a copy of this Decree shall be mailed or delivered to the Respondent within 24 hours of the court hearing as follows:

Respondent's Name: _____
Mailing Address: _____
City, State Zip Code: _____
By Petitioner: _____
Date: _____

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EXHIBIT A: PROPERTY AND DEBTS (Refer to section "E" in instructions)

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 Petitioner	AWARD TO Respondent
☐	**Household furniture / furnishings:** (Be specific.)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	**Appliances:** (Be specific.)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	**Video: TV /DVD /VCR:** . (Be specific)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	**Audio: Stereo/ Radio:** (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	**Computers and Related Equipment:** (Be specific)		
	_____	☐	☐
	_____	☐	☐
	_____	☐	☐
☐	**Other Electronics:** (Be specific)		
	_____	☐	☐
	_____	☐	☐
☐	**Motor Vehicles:**		
	Year, Make, Model: _____	☐	☐
	Last 4 digits of VIN # _____		
	Year, Make, Model: _____	☐	☐
	Last 4 digits of VIN #_____		

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COMMUNITY PROPERTY

AWARD TO:

		Petitioner	Respondent
Motor Vehicles - continued			
	Year, Make, Model: _____ Last 4 digits of VIN # _____	☐	☐
☐	Cash, bonds of $_____	☐	☐
☐	Other: _____	☐	☐
☐	Other: _____	☐	☐
☐	Other: _____	☐	☐
☐	Other: _____	☐	☐
☐	**Continues on attached page.**		

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:

☐ **Petitioner or** ☐ **Respondent** **OR**

☐ **Shall be sold and the proceeds divided as follows:**

_____% or $_____ to Petitioner.

_____% or $_____ to Respondent.

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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:

☐ **Petitioner or** ☐ **Respondent**

OR

☐ **Shall be sold and the proceeds divided as follows:**

_____% or $ _____ to Petitioner.

_____% or $ _____ to Respondent.

☐ **Continues on attached page.**

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 Petitioner	Amount to be paid by Respondent
a.	$	$	$
b.	$	$	$
c.	$	$	$
d.	$	$	$
e.	$	$	$
f.	$	$	$
g.	$	$	$
h.	$	$	$
i.	$	$	$
j.	$	$	$

☐ **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.**

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

Property recognized as the separate property of the Petitioner or Respondent, is assigned below:

Description	Value	To Petitioner	To Respondent
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

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

Debt recognized as the separate debt of the Petitioner or Respondent, is assigned below:

Creditor Name	Debt Amount	Petitioner Pays	Respondent Pays
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐
	$	☐	☐

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For Clerk's Use Only

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 GRAHAM COUNTY

_____
Name of Petitioner

AND

_____
Name of Respondent

Case Number: _____

PARENTING PLAN FOR:

☐ **JOINT LEGAL DECISION MAKING (CUSTODY) WITH JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT**

or

☐ **SOLE LEGAL DECISION-MAKING (CUSTODY)**

☐ to Mother

☐ to Father

INSTRUCTIONS

This document has 4 parts: PART **1**) General Information; PART **2**) Legal Decision Making (Custody) and Parenting Time; PART **3**) Danger to Children Notification Statement; and PART **4**) Joint Legal Decision Making (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 (custody) and parenting time arrangements *but not to joint legal decision making (custody):* Both parents must sign the Plan at the end of PART 2 and 3.**

c. **If both parents agree to joint legal decision making (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.**

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VERSION 02/25/2015-A6

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 (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 (CUSTODY) BY AGREEMENT. The parents agree that sole legal decision-making authority (custody) and primary physical custody should be granted to the ☐ Mother ☐ Father.**
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 (CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision making (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

☐ **3. JOINT LEGAL DECISION-MAKING (CUSTODY) BY AGREEMENT. The parents agree to joint legal decision-making (custody) and request the court to approve the joint legal decision-making (custody) arrangement as described in this Plan. Primary physical custody will be with the ☐ Mother ☐ Father,**

OR

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☐ **4. JOINT LEGAL DECISION-MAKING AUTHORITY (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 Father as follows: (Explain).

_____

☐ The minor children will be in the care of Mother as follows: (Explain).

_____

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

_____

☐ Transportation will be provided as follows:

☐ **Mother** **or** ☐ **Father** will pick the minor children up at _____ o'clock.

☐ **Mother** **or** ☐ **Father** 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 Father: (Explain)

_____

☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Mother: (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.

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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.

	Holiday	Even Years		Odd Years	
☐	New Year's Eve	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	New Year's Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Spring Vacation	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Easter	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	4th of July	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Halloween	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Veteran's Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Thanksgiving	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Hanukkah	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Christmas Eve	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Christmas Day	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Winter Break	☐ Mother	☐ Father	☐ Mother	☐ Father
☐	Child's Birthday	☐ Mother	☐ Father	☐ Mother	☐ Father

☐ **Mother's Day** will be celebrated with the Mother every year.

☐ **Father's Day** will be celebrated with the Father every year.

☐ **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.

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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 ☐ Mother ☐ Father 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 ☐ Mother ☐ Father 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

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☐ **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.

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☐ **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 Self-Service Center packets "**To Make Someone Obey a Court Order**" for help.

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

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **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.

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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 PARTIES (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 Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

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

A. DOMESTIC VIOLENCE: Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (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.*****

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B. DUI or DRUG CONVICTIONS:

☐ 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 (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 (Custody) is still in the best interest of the children.**

C. JOINT LEGAL DECISION MAKING (CUSTODY) AGREEMENT: If the parents have agreed to joint legal decision making (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 (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 (CUSTODY) (as instructed on page 1)

Signature of Mother: _____ **Date:** _____

Signature of Father: _____ **Date:** _____

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Person Filing: (1) _____
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 GRAHAM COUNTY(2)

PARENT'S WORKSHEET FOR CHILD SUPPORT

(3) Petitioner: _____ **(4)** Case No. _____

(3) Respondent: _____ **(4)** ATLAS: _____

(5) Total Number of Children: _____

(6) Parent with Primary Physical Custody:
Father ☐ Mother ☐

(7) Parent who is filing this form: Father ☐ Mother ☐

(8) Gross Income figures for the OTHER PARENT are:

☐ **ACTUAL,** with proof, such as a recent W2 or pay stub attached, or other party's signed statement.

☐ **ESTIMATED,** based on facts or knowledge of pay before promotion or of others in similar job.

☐ **ATTRIBUTED**, based on what other party could and should be earning (see Guidelines 5e).

	FATHER		MOTHER
Gross Income (Pre-Tax Income. Before deductions.)	$ _____	(9)	$ _____
Spousal Maintenance Paid	$ - _____	(10)	$ - _____
Spousal Maintenance Received	$ + _____	(11)	$ + _____
Child Support Paid/Contributed	$ - _____	(12)	$ - _____
Other Support of Children Paid	$ - _____	(13)	$ - _____
Adjusted Gross Income	$ _____	(14)	$ _____

Combined Adjusted Gross Income (15) $ _____

Basic Child Support Obligation (16) $ _____

Plus Costs for:

Medical/Dental/Vision Insurance	$ _____	(17)	$ _____
Childcare	$ _____	(18)	$ _____
Education Expenses	$ _____	(19)	$ _____
Extraordinary/Special Needs Child Expenses	$ _____	(20)	$ _____

No. of Children Age 12 or Over _____ Adjustment _____% (21) $ _____

Total Adjustments for Costs (22) $ _____

Total Child Support Obligation $ _____ (23) $ _____

DRS12f- 070615

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Case No._____

	FATHER		MOTHER
Each Parent's % of Combined Income	_____ **%**	(24)	_____ **%**
Each Parent's Share of Tot. Support Obligation	**$** _____	(25)	**$** _____
Adjustment for Non Custodial Parent's Costs Associated with Parenting Time			
Using Table A ☐ **Table B** ☐	**$** _____	(26)	**$** _____
No. of Days _____ **=** _____**% Adjustment** (from table) **x** Line **(16) $**_____ (Basic Child Support Obligation)	**$** _____	(27)	**$** _____
Less Noncustodial Parent's Costs for:			
Medical/Dental/Vision Insurance*	**$** _____	(28)	**$** _____
Childcare*	**$** _____	(29)	**$** _____
Education Expenses*	**$** _____	(30)	**$** _____
Extraordinary/Special Needs Child Expenses*	**$** _____	(31)	**$** _____
***Subtract here ONLY if ADDED-IN items 17-20 above			
Adjustments Subtotal	**$** _____	(32)	**$** _____
Preliminary Child Support Amount	**$** _____	(33)	**$** _____
Self Support Reserve Test for Parent Who Will Pay			
Amount from Line (14) _____ (Adj. Gross Inc.)			
Minus Reserve Amount **- $1,115.00**			
Total **=**	**$** _____	(34)	**$** _____
Child Support to be Paid by: Father ☐ **Mother** ☐	**$**	(35)	**$**
Share of Travel Expenses Related to Parenting Time*	_____ **%**	(36)	_____ **%**
***Only** for expenses related to travel over 100 miles, one way.			
Share of Medical/Dental/Vision Costs Not Paid by Insurance	_____ **%**	(37)	_____ **%**

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

Executed on:_____ _____

Date **Signature of Parent**

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