

Name: _____

Mailing Address: _____

Daytime Telephone _____

Representing Self, Without a Lawyer



For Clerk's Use Only

IN THE SUPERIOR COURT OF ARIZONA, YAVAPAI COUNTY

In re the marriage of

1300DO

Petitioner

and

Respondent

**PETITION FOR LEGAL SEPARATION
OF NON-COVENANT MARRIAGE
WITHOUT MINOR CHILDREN**

STATEMENTS TO THE COURT, UNDER OATH

1. INFORMATION ABOUT ME, THE PETITIONER

Name: _____ Date of Birth _____

Address: _____

Occupation: _____

How long the Petitioner, has lived in Arizona: _____ years _____ months.

2. INFORMATION ABOUT MY SPOUSE, THE RESPONDENT

Name: _____ Date of Birth _____

Address: _____

Occupation: _____

How long my spouse, the Respondent, has lived in Arizona: _____ years _____ months.

3. INFORMATION ABOUT OUR MARRIAGE

Date of Marriage: _____ City and state or country where married: _____

We do not have a covenant marriage.

4. RESIDENCY REQUIREMENT

I have, and/or my spouse has, lived or been stationed while a member of the Armed Forces, in Arizona at the time this Petition is filed. **(IF THIS STATEMENT IS NOT TRUE, YOU CANNOT FILE FOR DIVORCE UNTIL IT BECOMES TRUE.)**

INFORMATION ABOUT PROPERTY AND DEBTS:

5a. PROPERTY ACQUIRED DURING THE MARRIAGE (check one box)

- My spouse and I did not acquire any community property during the marriage. **Go on to 5b.**
- My spouse and I acquired community property during our marriage, and we should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	HUSBAND	WIFE	SELL & SPLIT
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<input type="checkbox"/> Real estate address:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Legal Description:

Real estate address:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Legal Description:

<input type="checkbox"/> Household furniture and appliances:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	HUSBAND	WIFE	SELL & SPLIT
<input type="checkbox"/> Household furnishings:			
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
<input type="checkbox"/> Other items:			
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
_____	[]	[]	[]
<input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K:			
_____	[]	[]	
_____	[]	[]	
_____	[]	[]	
_____	[]	[]	
<input type="checkbox"/> Motor vehicles:			
Make _____	[]	[]	[]
Model _____			
VIN _____			
Lien Holder _____			
Make _____	[]	[]	[]
Model _____			
VIN _____			
Lien Holder _____			

5b. PROPERTY ACQUIRED BEFORE MARRIAGE (Separate Property): (Check all boxes that apply.)

- I do not have any property that I brought into the marriage.
- My spouse does not have any property that he or she brought into the marriage.
- I have property that I brought into the marriage. I want this property awarded to me as described it below.
- My spouse has property that he or she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	HUSBAND	WIFE
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

6a. DEBTS INCURRED DURING THE MARRIAGE: (check one box)

- My spouse and I did not incur any community debts during the marriage. **Go on to 6b.**
- We should divide the responsibility for the debts incurred during the marriage as follows:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	HUSBAND	WIFE
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

6b. SEPARATE DEBTS. (Check all boxes that apply.)

- My spouse and I do not have any debts that were incurred prior to the marriage, **OR**
- I have separate debt that I incurred prior to the marriage that should be paid by me as described below:
- My spouse has separate debt that he or she or incurred prior to the marriage that should be paid by my spouse as described below:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	HUSBAND	WIFE
_____	[]	[]
_____	[]	[]
_____	[]	[]
_____	[]	[]
_____	[]	[]

7. TAX RETURNS:

After the Judge or Commissioner signs the Decree of Legal Separation, we will pay federal and state taxes as follows:

- For previous years (the years we were married, not including the year the Decree was signed), the parties will file joint federal and state income tax returns.
- For previous calendar years, both parties will pay and hold the other harmless from half of all additional income taxes if any and other costs, and each will share equally in any refunds.
- For the calendar year (the year that the Decree is signed) and all future calendar years, each party will file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

8. SPOUSAL MAINTENANCE (ALIMONY) (check the box that applies to you):

- Neither party is entitled to Spousal Maintenance (alimony), **OR**
- Petitioner **OR** Respondent is entitled to Spousal Maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance.)
 - Person lacks sufficient property to provide for his or her reasonable needs;
 - Person is unable to support himself or herself through appropriate employment;
 - Person is the legal decision-maker for a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;
 - Person lacks earning ability in the labor market adequate to support himself or herself;
 - Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself.
 - Spousal maintenance shall be modifiable in accordance with Arizona law, **OR**
 - The parties acknowledge that the circumstances of their futures are unknown, but each desires that this maintenance award not be modifiable in the future for any reason. Therefore, it is ordered at this time that this spousal maintenance award shall not be modifiable for any reason.

9. PREGNANCY (check one)

- Wife is not pregnant **OR**
- Wife is pregnant: Due date _____ AND (check one box below):
 - Respondent is not the parent of the child.
 - My spouse and I have a written agreement not related to the child(ren) and signed by _____

OTHER STATEMENTS TO THE COURT UNDER OATH: You must tell the Court the truth. Lying to the Court is a crime and the Court can punish you for lying. To file for divorce, you must be able to tell the Court that the following statements are true. If the statements are not true, you cannot file for divorce until the statements are true. **Check the box in front of each statement if the statement is true.**

STATUS OF MARRIAGE AND CONCILIATION:

- TRUE:** The conciliation requirements under Arizona law, A.R.S. § 25-381.09, either do not apply or have been met.

REQUESTS TO THE COURT:

A. LEGAL SEPARATION:

- Decree a Legal Separation;

B. SPOUSAL MAINTENANCE (ALIMONY):

- Neither party shall pay spousal maintenance (alimony) to the other party, **OR**
- Petitioner **OR** Respondent is ordered to pay the other party the sum of \$_____ per month spousal maintenance BEGINNING _____ AFTER THE Decree is signed. Each payment shall be made by the first day of each month thereafter and shall continue until the receiving party is remarried or deceased **OR**
 - until (date) _____. All payments shall be made through the Clerk of the Court by automatic wage assignment until all required payments have been made under the Decree. Payments made shall be included in receiving spouse's taxable income and are tax deductible from the paying spouse's income as required by law.
- 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.

C. COMMUNITY PROPERTY:

- Make a fair division of all community property as requested in this Petition.

D. COMMUNITY DEBTS:

[] Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties' separation on _____

E. SEPARATE PROPERTY:

[] Award each party his or her separate property.

F. WRITTEN AGREEMENTS.

[] My spouse and I have written agreements that are attached and incorporated into this Petition about _____.

H. OTHER ORDERS I AM REQUESTING FOR A LEGAL SEPARATION OF MARRIAGE WITHOUT MINOR CHILDREN (Explain request here)

OATH AND VERIFICATION

STATE OF ARIZONA)
County of _____) ss

I, _____, being duly sworn and under oath, state that I have read this paper and the contents are true and correct to the best of my knowledge, information and belief. I understand that if the judicial officer finds that I did file this Petition for an improper purpose, contempt or other sanctions may be ordered against me, including assessing me for any and all reasonable costs, attorney fees, or other expenses associated with the improper filing.

SIGNED _____

SUSCRIBED AND SWORN to before me this _____ day of _____, 20____, by

My commission expires:

_____ Notary Public