

CONSENT DECREE

FOR DIVORCE or LEGAL SEPARATION
for a NON-COVENANT MARRIAGE

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

Forms and Instructions

NOTICE: This process requires calculation of child support. To calculate child support, you may use the online calculator through ezcourtforms, the packet titled "Calculate Child Support", or you may make an appointment with the Clerk of Court to calculate support for you for a fee.

SELF-SERVICE 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:
 1. Division of property and debt,
 2. Spousal maintenance (alimony) (if any, how much)
 3. Custody, parenting time, and support of any minor children
- ✓ You and your spouse will provide your notarized signatures on the “*Consent Decree*” to indicate your agreement on all terms; **AND**
- ✓ You and your spouse have attended, or will attend, the Parent Information Program before you file a Consent Decree;
- ✓ You understand that **IF both parties are in complete agreement** on **all** terms of the divorce or legal separation as stated in the “*Petition*”:
 1. **It is not necessary either:**
 - a) for the Respondent to file a “**Response**”, or
 - b) for the parties to file a “**Consent Decree**”.
 2. If **no** response has been filed, the Petitioner may apply for a **default** decree *at no extra cost*.
 3. If a response **has** been filed and the parties later come to agreement on all issues, a Consent Decree may be filed *at no extra charge*.

✗ **DO NOT USE THESE FORMS IF:**

- ✗ You disagree on **any** terms of the divorce or legal separation.

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.

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 GRAHAM COUNTY

 Petitioner Case No. _____

 Respondent ATLAS No. _____

**FAMILY COURT / SENSITIVE DATA
 COVERSHEET WITH CHILDREN
 (CONFIDENTIAL RECORD)**

Fill out. File with Clerk of Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43(G)(1).

A. Personal Information:	Petitioner	Respondent
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:			
Child Name	Gender	Child Social Security Number	Child Date of Birth
_____	_____	_____	_____
_____	_____	_____	_____

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 Maker (Custody)/Visitation	_____
<input type="checkbox"/> Annulment	<input type="checkbox"/> *Child Support	_____
<input type="checkbox"/> Order of Protection	<input type="checkbox"/> Other	_____

DO NOT COPY OR FILE THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.

SELF-SERVICE CENTER

HOW TO FILL OUT THE CONSENT DECREE FOR DIVORCE OR LEGAL SEPARATION IN A NON-COVENANT MARRIAGE

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; AND
- have agreed to file and sign a Consent Decree.

INSTRUCTIONS FOR FILLING OUT THE CONSENT DECREE:

- Fill in the information requested at top left for the Petitioner and the Respondent. The spaces marked “representing” and “state bar number” are used **only** if an attorney is preparing this form.
- Fill in the names of the persons shown as the “Petitioner” and the “Respondent” and the case number as on the “*Petition for Dissolution (Divorce) of a Non-Covenant Marriage*”.
- Write the ATLAS number *if* one has been assigned to your case.

FILL OUT THE REST OF THIS FORM ACCORDING TO THE AGREEMENT AND UNDERSTANDING OF BOTH PARTIES.

IF YOUR DIVORCE CASE IS *WITHOUT CHILDREN*, CHECK THE APPROPRIATE BOXES TO INDICATE THAT THE SECTIONS CONCERNING CHILDREN DO NOT APPLY.

DO NOT SIGN UNTIL YOU ARE IN THE PRESENCE OF A CLERK OF COURT OR A NOTARY PUBLIC. BE PREPARED TO SHOW PHOTO IDENTIFICATION.

SIGNING THIS FORM IS A STATEMENT TO THE COURT THAT YOU HAVE READ, UNDERSTAND, AND AGREE WITH THE CONTENTS OF THIS DOCUMENT.

SIGNING THIS FORM IS A REQUEST TO THE COURT TO MAKE THIS DOCUMENT THE COURT ORDER THAT GOVERNS YOUR DIVORCE OR LEGAL SEPARATION.

READ CAREFULLY BEFORE YOU SIGN. DO NOT SIGN IF YOU DO NOT UNDERSTAND OR DO NOT AGREE TO ALL TERMS OF THIS CONSENT DECREE.

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

TIME FRAME: Do not submit the Consent Decree to the court until at least 60 days have passed since the date the Respondent was served with or signed an “Acceptance of Service” for the divorce or legal separation papers. The Judge cannot sign your decree until 60 days after service. (A.R.S. § 25-329)

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'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 GRAHAM COUNTY

Petitioner is Husband Wife

Case No. _____

ATLAS No. _____

Respondent is Husband Wife

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.
2. This court has jurisdiction over the parties under the law.
3. 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 (custody), parenting time, and support of any minor children.
4. 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.
5. **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: At the time this action was filed, the Husband or the Wife 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), the Petitioner or the Respondent was domiciled or stationed in Arizona for more than 90 days.

- 6. **Conciliation Court.** The provisions relating to the Conciliation Court either do not apply or have been met.
- 7. **Irretrievably Broken or Separate and Apart.** The marriage is irretrievably broken or the parties desire to live separate and apart.
- 8. **Covenant Marriage.** This is a non-covenant marriage.
- 9. **Protective Orders.** Following is the effect, if any, of this Consent Decree on any existing protective orders: _____
- 10. **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.

- 11. **Pregnancy.** (Select one.)

Wife is not pregnant,

OR

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

- 12. **Spousal Maintenance/Support.** (Select one.)

A party is entitled to an award of Spousal Maintenance/Support for the reason that
 Husband, **OR** Wife 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 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,

OR

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

OR

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.**

If there are no minor children, check this box and skip to “The Court Orders” section on page 4.)

- 13. **THERE ARE NO MINOR CHILDREN IN THIS MARRIAGE, therefore statements numbered 13, 14, and 15 below do not apply.**

14. **Parent Information Program.**

A. Father **has** attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file.

OR

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

B. Mother **has** attended the Parent Information Program class as evidenced by the Certificate of Completion in the court file.

OR

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

15. **Child Support.** (Select any that apply.)

a. Child support has been determined in accordance with the Arizona Child Support Guidelines.

OR

b. Application of the Arizona Child Support Guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the minor child(ren) in determining that a deviation is appropriate and makes the following findings:
 Application of the guidelines is unjust.
 The parties have signed a written agreement with knowledge of the amount of support that would have been ordered by the guidelines but for the agreement.

The court makes the following finding regarding the deviation:

- The child support order would have been \$ _____
- The child support order after deviation is \$ _____
- All parties have signed the agreement free of duress and coercion.

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

d. **Ability to Pay.** 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 of \$ _____

OR

In an adjusted amount calculated using the self-support reserve on the Parent's Worksheet for Child Support Amount of \$ _____.

16. **Domestic Violence.**

IF there has been domestic violence between the parties AND legal decision making (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 custody) to a parent who has committed domestic violence *because*: (EXPLAIN)

17. 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 the Father Mother, is in the best interests of the minor child(ren), for the following reasons:

18. Drug Or Alcohol Conviction Within Last Twelve Months: (Check box if applicable).

Father and/or Mother 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), **however** the legal decision making (custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

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. NAMES: (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.)

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

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

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. LEGAL DECISION MAKING (CUSTODY), PARENTING TIME, AND CHILD SUPPORT:

DOES NOT APPLY. THERE ARE NO MINOR CHILDREN IN THIS MARRIAGE and THE WIFE IS NOT PREGNANT. (Skip to number "5" on page 6), **OR**

A. PREGNANCY:

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

OR

- The orders below as to legal decision making (custody), parenting time, 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.

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

NAME(S) OF CHILD(REN)

Date of Birth (Month/Day/Yr)

NAME(S) OF CHILD(REN)	Date of Birth (Month/Day/Yr)
_____	_____
_____	_____
_____	_____
_____	_____

5. PRIMARY RESIDENCE, PARENTING TIME, and LEGAL DECISION MAKING (Custody)

A. PRIMARY RESIDENTIAL PARENT:

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

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

B. SUBJECT TO PARENTING TIME AS FOLLOWS:

Reasonable parenting time rights to the non-primary 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.

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

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

the Mother, the Father, OR Shared equally by the parties

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

C. LEGAL DECISION MAKING (Custody):

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

SOLE LEGAL DECISION-MAKING (sole custody) to: Mother Father

OR

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

Mother and Father will agree to act as joint legal decision makers (joint legal custodians) of the minor children, as set forth in the **Joint Legal Decision Making Agreement** contained in the **Parenting Plan**, to be agreed upon and signed by both parties if the Court adopts the terms of the **Agreement**. 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 custody 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.

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

E. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN

(1) INSURANCE.

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

Mother 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 made part of this decree 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.

(2) NON-COVERED EXPENSES.

Father is ordered to pay _____ %, AND **Mother** is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

6. SPOUSAL MAINTENANCE/SUPPORT:

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

OR

- B. **Husband** OR **Wife** 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 by 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 when the receiving party is remarried or deceased unless specified otherwise above.

- C. 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.

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

- A. Husband is ordered to pay all debts unknown to Wife, **AND**
 Wife is ordered to pay all debts unknown to Husband, **AND**
 Each party is ordered to pay his or her debts from the following date: _____.
- B. Each party is assigned his or her separate property and Husband must pay his separate debt, and Wife must pay her separate debt.
- C. 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 the 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.

8. 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.

9. 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:

10. TAX EXEMPTION:

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

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"/> Father <input type="checkbox"/> Mother	_____	_____
<input type="checkbox"/> Father <input type="checkbox"/> Mother	_____	_____
<input type="checkbox"/> Father <input type="checkbox"/> Mother	_____	_____
<input type="checkbox"/> Father <input type="checkbox"/> Mother	_____	_____

11. CHILDREN TO WHOM THIS DECREE DOES NOT APPLY: It is ordered that Father, **OR** Mother 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: _____ Date of Birth: _____

Name: _____ Date of Birth: _____

Child expected to be born this date: _____

12. 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 or not later than _____ (DATE).

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

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

14. FINAL APPEALABLE ORDER. Pursuant to Rule 81, Arizona Rules of Family Law Procedure, this final judgment/decreed 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 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.
- 4. **LEGAL ADVICE.** I understand that even if I am representing myself without an attorney, I have the right to be represented by an attorney. I have the right to call an attorney and get legal advice before I sign this Consent Decree.
- 5. **IRRETRIEVABLY BROKEN MARRIAGE.** I agree that our marriage is irretrievably broken. There is no reasonable prospect of reconciliation *[or we desire to live separate and apart if this is a Legal Separation case]*.
- 6. **DIVISION OF PROPERTY.** The agreement about division of property and debt attached as “**Exhibit A**”, signed by both parties and made part of this document by reference, is fair and equitable.

SIGNATURES

Petitioner’s Signature

Sworn to/Affirmed before me this: _____

 Deputy Clerk or Notary Public

My Commission Expires (or): _____

SEAL below:

Respondent’s Signature

Sworn to/ Affirmed before me this: _____

 Deputy Clerk or Notary Public

My Commission Expires (or): _____

SEAL below:

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 Petitioner’s Attorney

Date

Approved by Respondent’s Attorney

If 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 (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	
Household Furniture and Appliances	(Be specific)	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"/>
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	
	Husband	Wife
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"/>
<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:

Husband or Wife

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Husband

_____ % or \$_____ to Wife

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:**

Husband or Wife

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Husband

_____ % or \$_____ to Wife

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 Husband	Amount to be paid by Wife
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 the Petitioner or Respondent, is assigned below:

Description	Value	To Husband	To 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"/>

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

Debt recognized as the separate debt of the Husband or Wife, is assigned below:

Creditor Name	Debt Amount	Husband Pays	Wife 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.

Petitioner's Signature

Date

Respondent's Signature

Date

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

 Petitioner's Attorney

Date

 Respondent's Attorney

Date

SELF-SERVICE CENTER

PROCEDURES: COMPLETING YOUR PAPERS AND WHAT TO DO NEXT

(For Divorce or Legal Separation Decree by Consent, for a Non-Covenant Marriage)

REQUIREMENTS

- ✓ **PAPERWORK and SIGNATURES:** Both spouses must sign the "**Consent Decree**" before a Clerk of 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 spouses 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:** If you filed for a divorce or legal separation *with minor children*, both spouses must attend the Parent Information Program (PIP) and file a "**Certificate of Completion**" with the Clerk of the Court.
- ✓ **FEES: Both parties must pay the court fees.** Currently, that includes the filing fee paid by the Petitioner at the beginning of the case, and the Respondent'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 Self-Service Center and from the Clerk of Court's website

If you cannot afford the filing fees, you may request a fee deferral (payment plan) of the filing fees at the time you file your papers with the Clerk of the Court. The Self-Service Center and the Clerk's Filing Counter have the deferral forms.

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

PROCEDURES: READ AND COMPLETE ALL PAPERWORK. Deliver the original documents and/or number of copies as indicated below:

- The **original and two copies** of the signed "**Consent Decree**".
- **A copy** of each receipt for payment of the filing fees by *both* the Petitioner *and* the Respondent, **OR** a copy of the initial "**Order Deferring Fees and Costs**" for a Petitioner or Respondent who has not paid the filing fee.
- **Two self-addressed, stamped, 9" x 12" envelopes.** Address one envelope to the Petitioner or his or her attorney. Address the other envelope to the Respondent or his or her attorney. Provide the current addresses on both envelopes, including zip code. **Make sure you put enough postage on the envelopes.**
- **Additional papers included in this packet will be required if:**
 - ◆ The divorce or legal separation involves minor children.
 - ◆ Either party is paying spousal maintenance (alimony) or child support;

If the divorce or legal separation involves minor children, also include:

- The **original** and **2 copies** of the completed **“Parenting Plan”** signed by both parties. **If** the parties are also asking for joint legal decision making (*Joint Custody*), complete section 4 of the Parenting Plan, titled **“Joint Legal Decision Making (Joint Custody) Agreement”**, also signed by both, **AND**
- The **original** and **2 copies** of the completed **“Parent’s Child Support Worksheet,”**

If the full agreement about division of property and debt is not in the Consent Decree, also include the original and 2 copies of a signed “Property Settlement Agreement.”

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 Self-Service Center does not have a “Property Settlement Agreement” or a “QDRO”. See a lawyer if you need these documents.

Hand-deliver or mail your documents as indicated below. Court hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Graham County Clerk of the Court
800 W. Main Street
Safford, AZ 85546

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.

IF YOUR CONSENT DECREE IS ACCEPTED: the Judge/Commissioner will sign the original Decree and have it filed with the Clerk of the 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 is now final. You are not divorced until the Judge/Commissioner signs the Decree.

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.**

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 Self-Service Center or obtained for free via Internet.

SELF-SERVICE 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 or 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 GRAHAM COUNTY

Name of Petitioner

Case Number: _____

AND

PARENTING PLAN FOR:

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

or

SOLE LEGAL DECISION-MAKING
(CUSTODY)

Name of Respondent

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.

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

- 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.

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				
<input type="checkbox"/> New Year's Eve	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> New Year's Day	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Spring Vacation	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Easter	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> 4th of July	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Halloween	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Veteran's Day	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Thanksgiving	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Hanukkah	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Christmas Eve	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Christmas Day	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Winter Break	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/> Child's Birthday	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>	Father	
<input type="checkbox"/>	Mother's Day will be celebrated with the Mother every year.								
<input type="checkbox"/>	Father's Day will be celebrated with the Father every year.								
<input type="checkbox"/>	Each parent may have the children on his or her birthday.								
<input type="checkbox"/>	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.								
<input type="checkbox"/>	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 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

- 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 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.

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.*

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:** _____