

**LEGAL SEPARATION
WITHOUT MINOR
CHILDREN**

For Petitioner Only

1

To File for Legal Separation

**Part 1: Petition and First Court Papers
(Forms Packet)**

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT LEGAL SEPARATION WITHOUT MINOR CHILDREN

IMPORTANT INFORMATION: If your spouse does not want a Legal Separation, the Court will not order a legal separation. However, the Court can change the Petition for Legal Separation into a Petition for Dissolution of Marriage (divorce), if you and/or your spouse have lived in Arizona for the last 90 days prior to filing the Petition for Legal Separation and your spouse wants a divorce and not a legal separation.

DOMESTIC VIOLENCE: Domestic violence can be part of any marriage. Domestic violence includes physical violence directed against you or your children, such as hitting, slapping, pushing, or kicking. Domestic violence includes threats of physical violence against you and your children, or verbal abuse used to control you.

Court documents request your address and phone number. If you are a victim of domestic violence, and you do not want your address to be known to protect yourself or your children from further violence, **you must file a Petition for an Order of Protection and ask that your address not be disclosed on court papers. With that Order, you do not need to put your address and phone number on your court papers.** Instead, write "protected" in the space where the Court asks you for this information. You must tell the Clerk of the Court your address and phone number as soon as possible so that the Court can get in contact with you.

FAMILY COURT COVERSHEET:

Print or type in black ink.

Information About the Petitioner: Write in your name, address, home telephone number, work telephone number, cell phone/pager number, date of birth, and e-mail address in the space provided. If your address and telephone numbers are protected, you do not need to fill in this information. However, you must let the Clerk of the Court know how to reach you. If a lawyer represents you, the Petitioner, you must also write in the lawyer's name and bar number.

Information about the other party, the Respondent: Write in the name of the Respondent. If you know the Respondent's address, home telephone number, work telephone number, cell phone/pager number, date of birth, and e-mail address, you must write in this information.

Other court cases: Check the appropriate box to tell this court if either you or your spouse has been involved in any other cases, except a minor traffic offense, in any other court. If you check the Yes box, please describe the case, including case numbers and court location.

Domestic Violence Section: Answer the questions listed regarding domestic violence. This information will help court staff determine if this issue is relevant to this case.

Location: Check the appropriate box next to the facility where you are filing your papers, downtown Phoenix, Northeast Phoenix, Mesa or Surprise.

SUMMONS:

STEP INSTRUCTION

1. Fill in the following information on the Summons: Your name; street address (if not protected); city, state and zip code; telephone number; ATLAS number (You will have an ATLAS number ONLY if you receive or have received AFDC or other public benefits for your children that are common to you and your spouse); name of Petitioner (your name); name of Respondent (your spouse's name). Then, write in the Name of the Respondent/Defendant in the space provided. DO NOT fill out the rest of the form. The Clerk of Court will complete it later.

PRELIMINARY INJUNCTION:

STEP INSTRUCTION

1. Fill in the following information on the Preliminary Injunction: Your name; street address (if not protected); city; state; zip code; telephone number; ATLAS number (You will have an ATLAS number ONLY if you receive or have received AFDC or other public benefits for your children that are common to you and your spouse); name of Petitioner (your name); name of Respondent (your spouse's name). Then, fill in the description of the parties including name, gender, height, weight, driver's license number, and date of birth for both you and the other party. The Clerk of the Court will date and sign the Preliminary Injunction.

PETITION FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN:

STEP INSTRUCTION

1. Use this form ONLY if you want a legal separation and there are no minor children involved who are common to you and your spouse. Make sure your form is titled **PETITION FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN**.
2. In the top left corner of the first page, fill out the following: your name (if you are the person filling out the petition); your address (if not protected); your city, state and zip code; your telephone number; and your **ATLAS** number, if you are receiving or have received AFDC from the Arizona Department of Economic Security. (The space for the attorney bar number is for your attorney's bar number if you are represented by an attorney.)
3. Fill in **your** name in the space that says "Name of Petitioner." Remember, you will be the **PETITIONER** through the whole case. (This includes any emergency petitions, temporary petitions, and divorce petitions.) In the space that says "Name of Respondent," fill in the name of your spouse. Your spouse will be the **RESPONDENT** for the rest of this case. (This includes any emergency petitions, temporary petitions, and divorce petitions.)
4. Leave the Case Number _____ blank. When you file your papers, you will receive a case number.

GENERAL INFORMATION:

1. **Information about you, the Petitioner.** Fill in your name, address (if not protected), date of birth, occupation, and length of time in Arizona.
2. **Information about your spouse, the Respondent.** Fill in your spouse's name, address, (if you know it) date of birth, occupation, and length of time in Arizona.
3. **Information about your marriage.** Fill in the date that you were married, and the city and state or country where you were married. If you do not know this information, and you were married in Graham County, you may get a copy of your marriage license from the Clerk of the Court. If you were married in another county in Arizona, go to the Clerk of the Superior Court at the county seat where you were married.
4. **Residency requirements.** This tells the Court that you OR your spouse have lived in Arizona, or been stationed in Arizona while in the Armed Forces, prior to the day you filed the Petition for Legal Separation. Before you file for Legal Separation, this **MUST** be true. **IF IT IS NOT TRUE, YOU CANNOT FILE FOR LEGAL SEPARATION**
5. **Desire to live separate and apart.** Your marriage must be irretrievably broken (over) or you and/or your spouse must desire to live separate and apart. If this is not a true statement, you cannot file for Legal Separation.

6. **Pregnancy.** This tells the court that wife is not pregnant. If wife is pregnant with your child, you must file Petition for Legal Separation with Minor Children.
7. **Spousal maintenance/support** is the term used to describe money paid from one spouse to the other spouse as part of a divorce, annulment, or legal separation. You may know the term as alimony. Spousal maintenance/support is designed as a safety net for a spouse who cannot provide for his or her needs or who meets other requirements listed on the Petition under paragraph 7. The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared and earned by **BOTH** parties to a marriage. Look at paragraph 7 to see if spousal maintenance/support applies to you or your spouse. If spousal maintenance/support applies, check the box that most applies to you. If none of the boxes apply, or you do not want spousal maintenance/support, check the first box that says neither party is entitled to spousal maintenance/support. Check as many boxes as apply to your situation.

INFORMATION ABOUT PROPERTY AND DEBT: The information you give in paragraphs 8 and 9 tells the Court about your property and debts, and how you think your property and debts should be divided. Community property is generally any property you and your spouse purchased during your marriage or paid for during the marriage, no matter who uses the property or who paid the money. Unless property was a gift or inheritance, all property gotten (acquired) during the marriage is community property, and both you and your spouse are entitled to roughly an equal share of this property. Community debts or bills are generally any debt you and your spouse acquired during your marriage, no matter who spent the money. If you have questions, or have a lot of community property or debt, you should speak with an attorney **BEFORE** filing your Petition and other papers.

You should also know that the Judge will order that the community property rights and liabilities acquired by marriage end as to all property, income, debts, liabilities received or incurred after the entry of a decree of legal separation, unless both parties agree to the contrary.

- 8(a) **Property acquired during the marriage. Community property.** If you and your spouse do not have any property from the marriage, check the first box. If you and your spouse have property together, check the second box. If you checked the second box, you must tell the Court what property should go to you and what property should go to your spouse. Generally, the Court will divide the property 50-50, unless there are good reasons not to. It is unlikely that the Court will give most or all of the property to either spouse, so put some thought into what you think would be a fair division before answering this question. Usually, if you and your spouse cannot decide which spouse should receive the property, the Court will order that the property be sold and any money received divided between you and your spouse.

First, list the property that you want the Court to award to you, the Petitioner and list the property that you want the Court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. You can use the brand name and model where applicable, and serial numbers.

Types of property:

- a) **Real Property (property or home).** Check who you want to get the property. You can ask the Court to give you the home, to give the home to your spouse, or to sell the home and divide the proceeds. You should write the complete address of the property under "Real estate located at." Most property has a legal description such as "LOT 77, PINE TREE ACRES, according to Book 111 of Maps," which appears on your deed papers. You should use this description. A cemetery plot is considered real property.
- b) **Household furniture.** This includes sofas, beds, tables, and so forth.
- c) **Household furnishings.** This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth.

- d) **Other.** List things that you want or your want your spouse to have that have not already been listed.
- e) **Pension/retirement fund/profit sharing/stock plans/401K.** You and your spouse each generally have a right to a one-half interest in the other spouse's plan, for the number of years you were married. The longer the marriage, the greater your financial interest in your spouse's plan. (Your interest, usually, includes up to 50 percent of the benefits/plan if you have been married the whole time the plan has existed.) Check this box if you want to divide your interest in a retirement or profit sharing/retirement/401K plan. If you check this box, you must see an attorney about a document called a Qualified Domestic Relations Order or QDRO. A QDRO is a very specialized legal document that requires professional assistance to prepare. The Self-Service Center and the Court **do not** have Qualified Domestic Relations Order forms.
- f) **Motor vehicles.** List the vehicle identification number, the year and make of the car (Ford, Honda) and the model (Mustang, Lumina).

8(b) Property acquired before marriage. Separate property. If you did not have or bring any property into the marriage, check the first box. If your spouse did not have or bring any property into the marriage, check the next box. If you or your spouse brought property into the marriage, check the third and/or fourth box. If you checked the third and/or fourth box, you must tell the Court what property you brought into the marriage and what property your spouse brought into the marriage. List the property that you want the Court to award to you, the Petitioner and list the property that you want the Court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. You can use the brand name and model where applicable, and serial numbers.

9(a) Debts incurred during the marriage. If you and your spouse do not owe money on any debts from the marriage, check the first box and go directly to paragraph 9(b). If you and your spouse owe money on any debts from the marriage, check the second box. If you check the second box, tell the Court which debts you should pay and which debts your spouse should pay. Generally, the Court will attempt to make a fair division of the debts. If you get the property that money is owed on, you probably will be given the debt. Ordering one person to pay all the debt is unusual. Think about what is a fair division of the debts before answering this question. Put enough information to identify each debt.

If you and your spouse have been separated and have acquired new debts on your own before filing for legal separation, you may want the Court to order that each of you pay for any new debt after the date you separated. You can make this request on the last page of your Petition under Letter D ACommunity Debts."

9(b) Separate debts. Debts incurred prior to marriage. If you and your spouse did not owe money on any debts before you were married, check the first box and GO ON to number 10. If you owed money on debts before you were married, check the second box. If your spouse owed money on debts before you were married, check the third box. If either you or your spouse owe money on any debts you or your spouse brought into the marriage, describe the debts, and tell the Court which debts you should pay and which debts your spouse should pay.

10. Tax Returns: Decide what you want to do about any income tax refund and how you want to pay your taxes in the future. If you have questions, you should see a lawyer, an accountant, and/or contact the Internal Revenue Service (IRS).

11. Written Agreement. Check this box **ONLY** if you and your spouse have a written agreement regarding spousal maintenance and division of property/debt that **both you and your spouse signed BEFORE** you filed the Petition for Legal Separation. If you have only discussed these issues and do not have a written agreement, do **NOT** check this box.

- 12. Conciliation Requirements.** The conciliation requirements do not apply or have been met. This means that you do not think free marriage counseling through the Court will help you get back with your spouse. If you think free marriage counseling may help you, look at the Self-Service Packet called Conciliation Service (free marriage counseling).

REQUESTS TO THE COURT. This section requests that the Court grant you and your spouse a legal separation and tells the Court other requests you are making:

- A Legal separation.** This is your request to legally separate the parties. If you have questions about the advantages and/or disadvantages of filing for legal separation as compared to divorce, you should see a lawyer for help.
- B Spousal maintenance.** This tells the Court that you or your spouse should pay money to the other spouse on a monthly basis to help with living expenses. Check the first box if neither you nor your spouse are going to pay spousal maintenance. Check the second box if either you or your spouse will be paying spousal maintenance, and then check the box to say who will be paying spousal maintenance. You can check a box only if you checked the same box in the spousal maintenance section, paragraph 7. If you request spousal maintenance, choose what you believe to be a reasonable monthly amount and tell the Court how long the money should be paid. Base the amount of any request on the receiving party's need and the income of the spouse paying this money. If you have questions about spousal maintenance, see a lawyer for help.
- C Community property.** This tells the Court that your division of the property is fair, and that the Court should divide the property as requested by you in your Petition.
- D Community debt.** This tells the Court that your division of the debt is fair, and that the Court should divide the debts as requested by you in your Petition. **If you have been separated from your spouse for enough time that you or your spouse may have additional debts, write the date of separation on the line provided if you want each spouse to pay the debts acquired after you separated.**
- E Separate property.** This states that you will keep the property you owned before the marriage and that your spouse will keep the property he or she owned before the marriage.
- F Other Orders:** Tell the Court anything else you may want ordered that has not been covered in your Petition.

OATH AND VERIFICATION OF PETITIONER: Sign this form in front of a notary public. By doing so, you are telling the Court that everything contained in the Petition for Legal Separation is true.

NOTICE REGARDING CREDITORS: This is an important document that tells you and your spouse that you are responsible for community debts to creditors even though the Court order or decree says that only one of you (either you or your spouse) are responsible. This notice must be served on your spouse. In addition, read this notice to find out how to obtain information from your creditors about account balances.

NEXT STEP: After you fill out all of the forms in this packet, read the form called Procedures: How to File Legal Separation without Minor Children Papers with the Court.

SELF-SERVICE CENTER

PROCEDURES:
HOW TO FILE LEGAL SEPARATION WITHOUT MINOR CHILDREN
PAPERS WITH THE COURT

STEP 1: Complete the *“Family Court / Sensitive Data Coversheet”*.

Do not copy this document.

Make **2** copies of the following documents after you have filled them out:

- *“Summons”*
- *“Preliminary Injunction”*
- *“Petition for Legal Separation Without Minor Children”*
- *“Notice Regarding Creditors”*

STEP 2: SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS:

<p>SET 1 - ORIGINALS:</p> <ul style="list-style-type: none">• <i>“Family Court / Sensitive Data Coversheet”</i>• <i>“Summons”</i>• <i>“Preliminary Injunction”</i>• <i>“Petition for Legal Separation Without Minor Children”</i>• <i>“Notice Regarding Creditors”</i>	<p>SET 2 - COPIES FOR SPOUSE:</p> <ul style="list-style-type: none">• <i>“Summons”</i>• <i>“Preliminary Injunction”</i>• <i>“Petition for Legal Separation Without Minor Children”</i>• <i>“Notice Regarding Creditors”</i>
	<p>SET 3 - YOUR COPIES:</p> <ul style="list-style-type: none">• <i>“Summons”</i>• <i>“Preliminary Injunction”</i>• <i>“Petition for Legal Separation Without Minor Children”</i>• <i>“Notice Regarding Creditors”</i>

STEP 3: FILE THE PAPERS AT THE COURT:

GO TO: THE COURT TO FILE YOUR PAPERS: The court is open from 8 a.m.-5 p.m., Monday - Friday. **You should go to the court at least two hours before it closes.** You may file your court papers at the following Superior Court locations:

GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

FILE: Go to the Clerk of the Court filing counter.

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 fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Self-Service Center.

PAPERS: Hand all three (3) sets of your court papers to the Clerk along with correct filing fee.

MAKE SURE YOU GET BACK THE FOLLOWING FROM THE CLERK:

- Your Set of Copies
- Your Spouse's Set of Copies

STEP 4: Read the packet called "Service of Court Papers" that applies to your situation at the Self-Service Center to find out how to serve the other party.

SELF-SERVICE CENTER

PETITION AND PAPERS FOR LEGAL SEPARATION
WITHOUT MINOR CHILDREN

CHECKLIST

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

- ✓ You want to file for legal separation because:
 - ✓ You and your spouse desire to live separate and apart, **or**
 - ✓ Your marriage is irretrievably broken (can't be fixed) **but** you are **not** ready to file for divorce;

(Note: You do not have to file for legal separation before filing for divorce); **AND**

Warning: If *the other party* does not want a Legal Separation, the Court may change the Petition for Legal Separation into a Petition for Divorce if you and/or your spouse have lived in Arizona for the last 90 days prior to filing the Petition for Legal Separation.

- ✓ You do **not** have a “covenant” marriage, or since you were married you have **not** agreed to change your marriage to a “covenant” marriage (These papers will **not** work for a covenant marriage).*
- ✓ You and your spouse do **not** have minor children with each other AND the wife is not pregnant by the husband, (There are separate forms and instructions for legal separation *with children*, **AND**
- ✓ You or your spouse either live in Arizona or are a member of the armed services and stationed in Arizona, **AND**
- ✓ You or your spouse have tried to make your marriage work, or have tried to resolve the issues related to the legal separation through Conciliation Court, or there is no point in trying to because the marriage is over and conciliation will not help.

***What is a “Covenant Marriage”?** To have a covenant marriage, **both** husband and wife would have had to:

1. sign papers (essentially a contract) requesting a covenant marriage;
2. attend pre-marital counseling; **AND**
3. your marriage license would say “Covenant Marriage.”

If you were married *before* August 21, 1998 and have not signed papers to *convert* your marriage to a covenant marriage, you do *not* have a covenant marriage.

See A.R.S. §25-904 for requirements for legal separation for a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

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 WITHOUT 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 ARFLAP 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. Type of Case being filed - Check only one category. <i>*Check only if no other category applies</i>	Interpreter Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Dissolution (Divorce)	If yes, what language(s)? _____ _____
<input type="checkbox"/> Legal Separation	
<input type="checkbox"/> Annulment	
<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.

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

Case No.: _____

And

SUMMONS

Name of Respondent

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

FROM THE STATE OF ARIZONA TO: _____
Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this *"Summons"*.
2. If you do not want a judgment or order taken against you without your input, you must file an *"Answer"* or a *"Response"* in writing with the court, and pay the filing fee. If you do not file an *"Answer"* or *"Response"* the other party may be given the relief requested in his/her Petition or Complaint. To file your *"Answer"* or *"Response"* take, or send, the *"Answer"* or *"Response"* to the:

GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

Mail a copy of your *"Response"* or *"Answer"* to the other party at the address listed on the top of this Summons.

3. If this “*Summons*” and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your “*Response*” or “*Answer*” must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this “*Summons*” and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, from the Clerk of the Superior Court’s Customer Service Center at:

GRAHAM COUNTY CLERK OF THE COURT
800 WEST MAIN STREET
SAFFORD, ARIZONA 85546

5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (custody) and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least ten (10) judicial days before your scheduled court date.
7. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this date

HEIDI TORRIO, CLERK OF COURT

By _____
Deputy Clerk

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: _____

PRELIMINARY INJUNCTION

AND

Name of Respondent

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

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

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

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

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

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

Petitioner:

Name: _____ Gender: Male Female
 Height: _____ Weight: _____
 Driver's License (last 4 nos.) _____
 Date of Birth: _____

Respondent:

Name: _____ Gender: Male Female
 Height: _____ Weight: _____
 Driver's License (last 4 nos.) _____
 Date of Birth: _____

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this _____ day of _____, _____.

Clerk of the Superior Court

By: _____, Deputy Clerk

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 GRAHAM COUNTY

Name of Petitioner

Case Number: _____

AND

PETITION FOR LEGAL SEPARATION WITHOUT MINOR CHILDREN

Name of Respondent

STATEMENTS MADE TO THE COURT, UNDER OATH:

GENERAL INFORMATION:

1. INFORMATION ABOUT ME, THE PETITIONER

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

I have lived in Arizona for _____ years and/or _____ months in a row.

2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT

Name: _____

Address: _____

Date of Birth: _____

Job Title: _____

Respondent has lived in Arizona for _____ years and/or _____ months in a row.

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____

City and state, or country where we were married: _____

4. RESIDENCY REQUIREMENT: When I file this document with the Court, either I or my spouse live, or are stationed while a member of the Armed Forces, in Arizona.

(WARNING: If this statement is not true, you cannot file for legal separation until it becomes true.)

5. DESIRE TO LIVE SEPARATE AND APART. My marriage is irretrievably broken (my marriage is over) or I and/or my spouse desire to live separate and apart. (This must be a true statement or you cannot file for a Petition for Legal Separation.)

6. PREGNANCY. Wife is **not** pregnant.

7. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY). (Check the boxes that apply to you):

Neither party is entitled to Spousal Maintenance/Support (alimony), **OR**

Petitioner **OR** Respondent is entitled to Spousal Maintenance/Support because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance/support.)

Person lacks sufficient property to provide for his or her reasonable needs;

Person is unable to support him or herself through appropriate employment;

Person lacks earning ability in the labor market adequate to support himself or herself; and/or,

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 him or herself.

INFORMATION ABOUT PROPERTY AND DEBTS:

8(a) PROPERTY ACQUIRED DURING THE MARRIAGE: (Check one box)

My spouse and I did not acquire community property during the marriage, OR

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.)

WARNING: You must be specific. You must describe the property that should go to you and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishing you could say, blue and white living room sofa, and then check the box to say whether it should go to you or to your spouse. Never list an item and then check both the Petitioner box and the Respondent box.

DESCRIPTION OF PROPERTY / VALUE OF PROPERTY:	You, (Petitioner)	Your Spouse (Respondent)	Value
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Real estate at: _____ Legal Description: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Household furniture and appliances: _____ _____ _____ _____	<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"/> Household furnishings: _____ _____ _____ _____ _____ _____	<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"/> Other items: _____ _____ _____ _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	\$ _____ \$ _____ \$ _____ \$ _____

	You, (Petitioner)	Your Spouse, (Respondent)	Value
<input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
 <input type="checkbox"/> Motor vehicles:			
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____			
Lien Holder _____			
 Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____			
Lien Holder _____			

8(b) PROPERTY ACQUIRED BEFORE MARRIAGE. (Check all boxes that apply.)

- I do not have any property that I brought into the marriage (separate property).
- My spouse, the Respondent does not have any property that he or she brought into the marriage. (separate property).
- I have property that I brought into the marriage (separate property). I want this property awarded to me as described below.
- My spouse, the Respondent, 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	You, (Petitioner)	Your Spouse, (Respondent)	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

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

- My spouse and I did not incur any community debts during the marriage, **OR**
- We should divide the responsibility for the community debts incurred during the marriage as follows:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	You, (Petitioner)	Your Spouse, (Respondent)	Amount
_____	<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"/>	\$ _____

9(b) 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 which should be paid by me as described below:
- My spouse has separate debt that he or she incurred prior to the marriage which should be paid by my spouse as described below:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	You, (Petitioner)	Your Spouse (Respondent)	
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

10. TAX RETURNS: After the Judge or Commissioner signs the Order of Legal Separation, the parties will file state and federal taxes as follows:

11. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

My spouse and I have a written agreement signed by both of us about the maintenance of a spouse, and division of property/debt, and I have attached a copy of the written agreement.

12. CONCILIATION REQUIREMENTS. The conciliation requirements under Arizona law either do not apply or have been met. (This statement must be true or you cannot file a Petition for Legal Separation. If you do not understand this section, read the instructions that go with this Petition.)

REQUESTS TO THE COURT:

A. LEGAL SEPARATION: An order of legal separation.

B. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY): Order neither party to pay spousal maintenance/support **OR** Order spousal maintenance/support to be paid by Petitioner, **OR** Respondent through the Clerk of the Court in the amount of _____ per month, and the statutory fee, beginning with the first day of the month after the Judge or Commissioner signs the Legal Separation and continuing until the person receiving the spousal maintenance/support is deceased, or for _____ months.

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 (date): _____.

E. SEPARATE PROPERTY AND DEBTS: Award each party his or her separate property and debt.

F. OTHER ORDERS I AM REQUESTING (Explain request here): _____

UNDER OATH OR BY AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.

Date

Signature

STATE OF _____

COUNTY OF _____

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

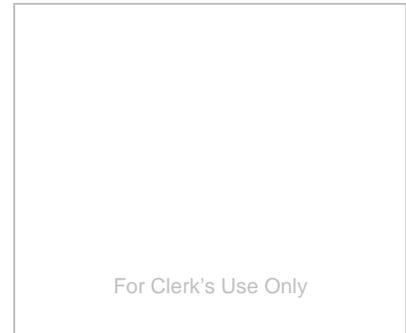
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

Name of Petitioner

Case Number: _____

NOTICE REGARDING CREDITORS

Name of Respondent

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

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

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

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

**The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.
DO NOT FILE THE NEXT PAGE WITH THE COURT.**

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

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

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: Superior Court of Arizona in Graham County

Case Name: _____

Case Number: _____

Pursuant to Arizona State Law (ARS §25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. (Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.)

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: _____

Your signature: _____