

DEFAULT

In Family Court Cases
WITHOUT MINOR CHILDREN

3

How to Get a Default Decree
With or Without a Hearing

FORMS AND INSTRUCTIONS

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SELF-SERVICE CENTER

DEFAULT

HOW TO GET A DEFAULT DECREE IN FAMILY COURT CASES NOT INVOLVING MINOR CHILDREN

This packet contains court forms and instructions about how to apply for a default decree in family court cases without children. Items in **BOLD** are forms to fill out, copy, and file with the Court. Non-bold items are documents that are NOT filed with the Court. **Do NOT copy or file non-bold items.** The documents should appear in the following order:

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HOW TO GET A DEFAULT DECREE IN FAMILY COURT CASES WITHOUT CHILDREN

CHECKLIST

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

- ✓ You have filed a petition for divorce, legal separation or annulment, **AND**
- ✓ You and your spouse have **no minor** children common to each other **AND** the wife is **not** pregnant by the husband **or** will **not** be pregnant by the husband before the divorce is over, **AND**
- ✓ You served your spouse with the court papers, **AND**
- ✓ You have either filed the “**Acceptance of Service**” signed by the other party **OR** an affidavit proving the type and date of service with the Clerk of the Court, **AND**
- ✓ Your spouse did **not** file a written Response within the time frame set by law. (You can check the court file to be sure this is true), **AND**
- ✓ You want to proceed with the case and get a default decree (court order).

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. The Self-Service Center (SSC) has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the SSC or on the Internet at:

www.superiorcourt.maricopa.gov/Self-ServiceCenter/LawyersAndMediators/

SELF-SERVICE CENTER

PROCEDURES: HOW TO FILE AN APPLICATION AND AFFIDAVIT FOR DEFAULT and HOW TO GET A DEFAULT HEARING IN CASES WITHOUT MINOR CHILDREN

If the other party files a Response/Answer with the Court, YOU CANNOT GET A DEFAULT HEARING.

APPLICATION AND AFFIDAVIT FOR DEFAULT: TIME FRAMES AND FILING

STEP 1: BEGIN COUNTING THE DAY AFTER THE OTHER PARTY WAS SERVED WITH THE PETITION/COMPLAINT. Look at the Default Timetable below to find the method of service you used and the number of days you should count.

INCLUDE WEEKENDS AND HOLIDAYS until you reach the number of days listed in the Default Timetable. If the **last** day for the other party to respond falls on a Saturday, Sunday, or legal holiday, **DO NOT** count that day.

DEFAULT TIMETABLE

<u>SERVICE MADE IN ARIZONA</u>	<u>COUNT</u>	<u>EVENT</u>
Acceptance of Service	20 Days	after the other party signs the “Acceptance of Service”
Delivery with Signature Confirmation*	20 Days	after other party signs delivery confirmation*
Process Server	20 Days	after other party receives papers from a process server
Service by Sheriff	20 Days	after other party receives papers from Sheriff
<u>SERVICE MADE OUT OF STATE</u>		
Acceptance of Service out of State	30 Days	after the other party signs the “Acceptance of Service”
Process Server out of State	30 Days	after other party receives papers from a process server
Delivery with Signature Confirmation*	30 Days	after other party signs delivery confirmation*
Service by Sheriff	30 Days	after other party receives papers from Sheriff
Registered Mail out of State	30 Days	after other party signs a green return receipt card
<u>Publication</u>	60 Days	after 1 st publication

* available for *Family Court matters only*

STEP 2: Depending on HOW the papers were served on the other party, wait the number of days indicated above. *If the other party did not file an Answer/Response with the Court within the time frame indicated, on the next day after the number of days indicated (day 21, 31 or 61), complete the “Application and Affidavit for Default”, file it and mail or deliver a copy to the other party as instructed below. You must take this action for your case to proceed.*

STEP 3: **SIGNATURE:** Go to a Deputy Clerk of the Superior Court or a Notary Public and sign the **“Application and Affidavit for Default.”** Bring a picture ID with you and **make sure** you date the **“Application and Affidavit for Default”** with the date you are signing it. Do **not** go to the Notary Public or Clerk or sign the **“Application and Affidavit for Default”** before the amount of time shown in the Default Timetable above has passed.

STEP 4: **COPIES:** Make **two copies** of your notarized **“Application and Affidavit for Default”**.

FILE : File the original with the Clerk of the Court at any of these locations:

- **Central Court Building**, 201 West Jefferson Street, Phoenix, AZ 85003 (1st Floor);
- **Northwest Court Facility**, 14264 West Tierra Buena Lane, Surprise, AZ. 85374;
- **Southeast Court Facility**, 222 East Javelina Drive, Mesa AZ 85210; OR
- **Northeast Court Facility**, 18380 North 40th Street, Phoenix, AZ 85032.

CLERK: Hand the original & both copies of the **“Application and Affidavit for Default”** to the Clerk at the filing counter. The Clerk will keep the original, date-stamp both sets of copies and return the copies to you. **Make sure both** copies are stamped.

MAIL: Mail or hand-deliver one of the date-stamped copies of the "**Application and Affidavit for Default**" to the other party on the same day you file the papers with the Clerk of the Court. Keep the other copy for your records.

Would you like to get your divorce or legal separation default decree without having to go to court? If you qualify, you may apply for **DEFAULT BY MAIL**. To get your default divorce *or other* default court order by mail, see "**Procedures for Getting a Default Decree Without a Hearing**", the next to last document in this packet, to determine if you qualify, **OR** follow the steps below to schedule your default hearing.

STEP 5: COUNTING FROM THE DAY AFTER THE "APPLICATION AND AFFIDAVIT" WAS FILED, WAIT 10 WORKING DAYS BEFORE PROCEEDING TO STEP 6.

STEP 6: FILL OUT THE "DEFAULT SCREENING CHECKLIST" (the next document in this packet).

STEP 7: SCHEDULE YOUR OWN HEARING BY CALLING: 602-372-3332

STEP 8: PREPARE FOR THE COURT HEARING

GET YOUR PAPERS TOGETHER. Read the instructions for the Court Order/Decree packet that applies to your case. Fill out the Order or Decree and **MAKE COPIES** as instructed. Bring all required court papers to your hearing. If you do not bring all required documents, your hearing will be rescheduled.

- **IF THE COURT PAPERS YOU FILED INCLUDE A REQUEST TO ESTABLISH SPOUSAL MAINTENANCE (ALIMONY)**, and you do not already have a Temporary Order for Spousal Maintenance, bring Social Security Numbers and Employer Information (name(s), address(es) and telephone number(s) for you and the Respondent.

STEP 9: READ "ATTENDING YOUR DEFAULT HEARING - WHAT TO DO IN COURT"

STEP 10: GO TO YOUR HEARING AT THE SCHEDULED DATE AND TIME.

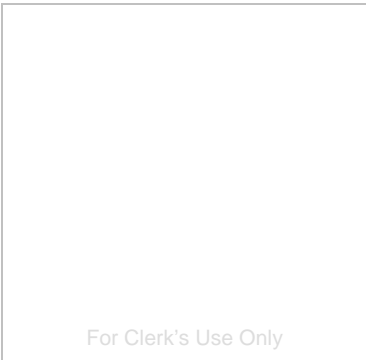
All hearings are held in Downtown Phoenix at 201 West Jefferson Street, Phoenix, Arizona 85003. Check in on the 3rd Floor of the Central Court Building in the **DEFAULT ROOM**.

- **DO NOT BRING CHILDREN TO COURT.**
- **EXPECT TO BE IN THE COURTHOUSE UP TO 4 HOURS OR MORE.**
- **Your paperwork will be checked before you enter the courtroom.**

ARRIVE BEFORE THE TIME SCHEDULED FOR YOUR HEARING.

YOU CANNOT BE LATE. IF YOU ARE LATE OR YOU BRING CHILDREN, YOUR HEARING WILL BE RESCHEDULED TO A DIFFERENT DAY.

Name of Person Filing: _____
Your Address: _____
Your City, State, Zip code: _____
Your Telephone Number: _____
ATLAS Number (if applicable): _____
Representing Self (Without an Attorney) OR
Attorney for Petitioner OR Respondent



For Clerk's Use Only

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(Name of Petitioner)

Case No. _____

APPLICATION AND AFFIDAVIT FOR DEFAULT

(Name of Respondent)

NOTICE: THIS IS AN IMPORTANT COURT DOCUMENT. When this document is properly completed and filed, Default has been applied for and entered. The Default will be effective ten (10) working days after the filing of this completed document, unless the Defendant/Respondent files an Answer/Response or otherwise defends before the ten working day period expires.

1. I am the Petitioner in this court case. I understand and make the following statements under oath or by affirmation. I give notice that I am requesting entry of default against the other party, the Respondent, because the Respondent has **not** filed an Answer/Response.
2. Service of the court papers on Respondent has been accomplished as follows:
(check **ONLY** one box)
 The Respondent has signed an **“Acceptance of Service”** and has accepted service of the **“Summons,”** Complaint or Petition and other papers. The Respondent has **not** filed an **“Answer/Response”**, or otherwise appeared or defended in this court case. Default may be entered.

OR

 I have served the Respondent according to law with the **“Summons,”** Complaint or Petition and other papers. Respondent has **not** appeared, answered, responded or otherwise defended in the time required by law.
3. The Respondent is either **not** in the active military service of the United States or has otherwise waived his/her rights under the Service Members Civil Relief Act (formerly “Soldiers and Sailor’s Civil Relief Act”).
4. By completing the Certificate of Mailing or Delivery at the bottom of this form, I certify that I am mailing or delivering a copy of this Application and Affidavit to the Respondent as notice that I have applied for default and default has been entered in this court case.
5. Check all boxes that are true:
 I have mailed a copy of this Application and Affidavit to the Defendant/Respondent at his/her last known address, **OR**

Case No. _____

- IF** I know the Respondent, who I claim to be in default, is represented by an attorney, I have **also** mailed a copy of this Application and Affidavit to that attorney, **OR**
- I have **not** mailed a copy of this Application and Affidavit to the Respondent because I do **not** know his/her location or whereabouts and do not believe the Respondent is represented by an attorney. **(You can only check this box, if the Respondent was served by publication.)**

WARNING

1. If the Respondent fails to file a responsive pleading or otherwise defend in this action within 10 working days of the filing of this Application, a default judgment will be entered.
2. The Plaintiff or Petitioner must still attend a default hearing, or if this is a Family Court case not involving minor children and you otherwise qualify, apply for and complete the process to obtain a default decree without a hearing.

OATH OR AFFIRMATION

I swear or affirm the contents of this document are true and correct under penalty of perjury.

Signature

Date

Affirmed before me this: _____ by _____
(Date) Printed Name of Person Who Signed

My Commission Expires:
or Seal (below) : _____
Deputy Clerk or Notary Public

CERTIFICATE OF MAILING OR DELIVERY

On (date) _____ a copy of this document was: (check ONLY one box)
 mailed postage pre-paid, OR delivered by _____
 (name of person who made the delivery)
 to the Defendant/Respondent at the following address:
 Address: _____
 Your signature : _____

Default Screening Checklist

1. **Case Number:** _____

2. **Case Type**

- Dissolution Legal Separation Annulment
 Paternity Grandparents Visitation Other

3. **Does your case involve Children?** Yes No

If Yes,
What type of Custody is requested in the
Petition? Joint or Shared Sole

Have you filed your Parent Information
Program Certificate? Yes No

Has the Respondent filed their Parent
Information Program Certificate? Yes No Not Sure

4. **Do you need an Interpreter?** Yes No

If Yes, what language and dialect? _____

5. **For Divorce, Legal Separation and
Annulment matters only:**

Is Spousal Maintenance/Support being
requested? Yes No

**Has at least 60 days passed since the
respondent was served? (90 days after
1st publication if service was by publication),
If you answer no, you must wait until the
time has passed.** Yes No

6. **For all cases) Has at least 10 working
days passed since the Affidavit and
Application for Default was filed?** Yes No

*If you answer no, you must wait until the
time has passed.*

7. **Type of Service:**

Acceptance In State Out of State

Date Acceptance was signed: _____

Private Process Server/Sheriff In State Out of State

Date documents were served: _____

Registered Mail or Delivery with Signature Confirmation

Date receipt was signed: _____

Publication

Date of 1st publication: _____

8. **Date Application & Affidavit of Default was filed:** _____

9. **Date Application & Affidavit of Default was mailed:** _____

CALL 602-372-3332 TO SCHEDULE YOUR HEARING between 8 a.m. and 5 p.m., Monday–Friday.

- Have the completed **“Default Screening Checklist”** with you when you call.
- **The date and time for your court hearing will be given to you when you call.**
- **Write down your court date/time.**
- **YOU WILL NOT RECEIVE ANY OTHER NOTICE OF YOUR COURT DATE AND HEARING TIME.**

MY HEARING IS SET FOR THE FOLLOWING DATE AND TIME: _____

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PROCEDURES FOR GETTING A DEFAULT DECREE WITHOUT A HEARING

IN FAMILY COURT CASES THAT DO NOT INVOLVE MINOR CHILDREN
Arizona Rules of Family Law Procedure 44(B)1(b)

REQUIREMENTS

Sometimes a court hearing is not required to get a default decree. This procedure may be used if you meet the following requirements:

- ✓ Husband and wife **both must** be legally competent or sane.
- ✓ There are **no** minor children, common to the parties, born before or during the marriage **or** adopted by the parties during the marriage.
- ✓ Wife is **not** pregnant with husband's child.
- ✓ Neither husband or wife is making a claim for spousal maintenance/support (alimony).

YOU CANNOT USE THIS PROCEDURE IF ...

- the responding party was served by publication,
- if the other party is insane or incompetent, or
- if the other party has filed a response.

For a list of requirements, read the *"Motion and Affidavit for a Default Without a Hearing"*.

PROCEDURES

1. **BEFORE YOU REQUEST A DEFAULT DECREE WITHOUT A HEARING, CHECK TO BE SURE THAT YOU HAVE:**
 - Properly served the other party, and filed an *"Affidavit of Service"* or the *"Notice and Request to Accept Service"* and the *"Acceptance of Service."* (Service cannot be done by publication), **AND**
 - Completed and filed the *"Application and Affidavit for Entry of Default,"* and mailed a copy to the other party; **AND**
 - Waited at least **60 days after** the date service was complete to sign the *"Motion and Affidavit for Default Decree Without a Hearing."*
2. **COMPLETE** the *"Motion and Affidavit for Default Decree Without a Hearing."*
 - **File the original** *"Motion and Affidavit for Default Decree without a Hearing"* with the Clerk of the Court.
3. **Hand-deliver or mail the following documents as indicated below:**
 - **1 copy** of the filed *"Motion and Affidavit for Default Decree Without a Hearing"*
 - The **original** and **2 copies** of the *"Decree"* for signature by the Judge;
 - **Two (2) 9" x 12" envelopes**, with sufficient postage, one addressed to you, and one addressed to the other party.

Central Court Building

201 West Jefferson, 6th floor
Phoenix, Arizona 85003
(To *Family* Court Administration)

Northwest Court Complex

14264 West Tierra Buena Lane
Surprise, Arizona 85374
(To Judge's in-box)

Southeast Court Complex

222 East Javelina Drive, 1st floor
Mesa, Arizona 85210
(To Court Administration)

Northeast Court Complex

18380 North 40th Street
Phoenix, Arizona 85032
(To Judge's in-box)

4. **THERE IS A REVIEW PROCESS** upon receipt of your paperwork. This process can take as long as 4-6 weeks. You can call **(602) 506-1561** between the hours of 8:00 a.m. and 5:00 p.m. to check on the status of your case. Do not call until at least four **(4)** weeks after you dropped off your default papers.
5. **IF YOUR MOTION FOR A DEFAULT DECREE WITHOUT A HEARING IS ACCEPTED:** The Judicial Officer will sign the original **"Decree"** and have it filed with the Clerk of the Court. The court will send a copy of the **"Decree"** to each party using the envelopes you provided. This is your notification that your Divorce, Legal Separation or Annulment is final.

Things You Can Do to Speed Up the Process

- Make sure to fill out the **"Decree"** completely by marking all applicable boxes.
- Make sure the items asked for in the **"Decree"** are the same as the items asked for in the **"Petition."**
- Make sure the **"Decree"** is signed and verified by the Petitioner only.
- **Provide your addressed, stamped envelopes with adequate postage.**

Arizona Rules of Family Law Procedure (ARFLP), Rule 44(B)1(b), allows for application for a default decree *without hearing* in Family Court cases not involving minor children, for divorce, legal separation, *and annulment*, but be WARNED:

- There are special legal requirements involved in qualifying for an annulment.
- If your court papers do not fully explain how you meet those requirements, it could result in your case being delayed or dismissed.
- Consulting an experienced attorney about whether your situation *and your papers* indicate you qualify for an annulment may help you to avoid unnecessary expense, delay, and disappointment.

Name of Person Filing: _____
Address: _____
City, State, Zip code: _____
Telephone Number: _____
Representing Self (Without a Lawyer) OR
Attorney for Petitioner OR Respondent



SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Marriage of

Case No. _____

Name of Petitioner

and

MOTION AND AFFIDAVIT FOR DEFAULT DECREE WITHOUT HEARING

(in cases without children) for

DISSOLUTION OF MARRIAGE (Divorce)

LEGAL SEPARATION

A.R.F.L.P. 44 (B)(1)(b)

Name of Respondent

I am the Petitioner and I am asking the court to enter a ***“Decree of Dissolution of Marriage” or of “Legal Separation”***, by default without a Court hearing. I have put a check mark in each box in front of the statements below that are true and I understand that if any statement is not true, I cannot get a default decree *without a hearing*.

- I have read this ***“Motion and Affidavit for Default Decree Without a Court Hearing”*** and to the best of my knowledge everything I have said is true.
- I have paid the filing and service fees or the filing and service fees have been waived or deferred. A copy of the receipt showing payment or a copy of the Order showing that the fees have been waived or deferred is attached.
- To the best of my knowledge, both Petitioner and Respondent are competent and sane.
- At least 60 days have passed since the Respondent was served with the dissolution or legal separation papers. Service was not done by publication.
- The Respondent has not made an appearance in this matter or filed a ***“Response.”*** I have filed the ***“Application for Default”*** and Default has been entered against the Respondent.
- At the time this action was filed, the Petitioner or the Respondent 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.
- Conciliation Services provisions have been met since the filing of the Petition for Dissolution of Marriage or the provisions do not apply. (A.R.S. 25-381.09).
- The marriage is irretrievably broken, or if for legal separation, the parties desire to live separate and apart.

- There are no minor children, common to the parties, who were born before or during the marriage, or who were adopted by the parties during the marriage. The wife, to my knowledge, is not pregnant.
- Neither Petitioner nor Respondent has made a claim for spousal maintenance/support. A claim for spousal maintenance/support is deemed waived by both parties.
- All of the allegations, including those concerning property and debts listed in the ***"Petition" for "Dissolution of Marriage"*** or for ***"Legal Separation"*** were true at the time filed and remain true as of the date of the filing of this motion and affidavit, **OR any changes are explained below:**

- Everything in the ***"Petition for Dissolution of Marriage"*** or for ***"Legal Separation"*** concerning who gets the property and who pays the bills/debts is fair and reasonable. If applicable, attorney fees are itemized on the paper attached to this Motion and Affidavit.
- The relief to be awarded in the ***"Decree of Dissolution of Marriage"*** or for ***"Legal Separation"*** is the same as the relief I requested in the underlying ***"Petition"***, **OR** if the relief to be awarded is different, it has been approved by both parties, as reflected in the ***"Decree of Dissolution of Marriage"*** or for ***"Legal Separation"***, and signed by both parties.
- I have submitted along with this Motion and Affidavit, two (2) self-addressed stamped envelopes, one addressed to me and one addressed to my spouse, with enough postage for the Court to mail a copy of the Decree.

Therefore, I request this court to sign the attached Decree.

OATH OR AFFIRMATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Signature

Date

Printed Name

My Commission expires: _____
(or Seal, below)

Deputy Clerk or Notary

ATTENDING YOUR DEFAULT HEARING: and WHAT TO DO IN THE COURTROOM

GET YOUR PAPERS TOGETHER. MAKE COPIES. The list below shows the documents and number of copies required for the various default hearings. If you do not bring all required documents, your hearing will be rescheduled to another day.

Dissolution/Legal Separation/Annulment

- Completed Decree of Dissolution, Legal Separation or Order of Annulment +2 copies

If you have requested Spousal Maintenance:

- Completed Current Employer or Other Payor Information and 2 copies

If your case involves minor children:

- Parent Information Program Certificate if it has not already been filed
- Signed Parenting Plan and 2 copies
- Completed Child Support Worksheet and 2 copies
- Completed Current Employer or Other Payor Information and 2 copies
- Wage information/pay stubs for both parties, and other financial information such as childcare costs, medical insurance premiums etc.
- Copy of any prior Court Order for Child Support or for Paternity.
- 9X12 envelope addressed to the other party with 3 standard current postage stamps.

Paternity

- Completed Order of Paternity and 2 copies
- Parent Information Program Certificate if it has not already been filed
- Signed Parenting Plan and 2 copies
- Completed Child Support Worksheet and 2 copies
- Completed Current Employer or Other Payor Information and 2 copies
- Wage information/pay stubs for both parties, and other financial information such as childcare costs, medical insurance premiums, etc.
- Copy of any prior Child Support Order
- 9X12 envelope addressed to the other party with 3 standard current postage stamps

Grandparent Visitation

- Completed Order for Grandparent Visitation and 2 copies
- Copy of any prior Paternity or Child Support Order that establishes your relationship to child

Custody, Parenting Time and Support Cases

- Completed final Court Order and 2 copies
- Parent Information Program Certificate if it has not already been filed
- Signed Parenting Plan and 2 copies
- Completed Child Support Worksheet and 2 copies
- Completed Current Employer or Other Payor Information and 2 copies
- Wage information/pay stubs for both parties, and other financial information such as child care costs, medical insurance premiums, etc.
- Copy of any prior Court Order establishing Paternity or Child Support
- 9X12 envelope addressed to the other party with 3 standard current postage stamps

I. THE DEFAULT HEARING: DO'S AND DON'TS

1. **BE ON TIME.**
2. **DO NOT BRING CHILDREN.**
3. **IF YOU ARE LATE OR BRING CHILDREN, YOUR HEARING WILL BE RESCHEDULED TO A DIFFERENT DAY.**
4. **EXPECT TO BE IN THE COURTHOUSE UP TO FOUR HOURS OR LONGER. PLAN YOUR CHILD CARE AND PARKING ACCORDINGLY.**
5. **DO NOT BRING FOOD OR DRINKS INTO THE COURTROOM.**
6. **DO NOT CHEW GUM IN THE COURTROOM.**
7. **Review your Decree/Order/Judgment.** Make sure your Decree/Order does not ask for anything different from what you asked for in your Petition/Complaint.
8. **DRESS APPROPRIATELY.** If it could be worn at a swimming pool or for playing basketball, it probably is not appropriate for court. Men should remove caps and hats in the courtroom.

II. AT THE HEARING: WHAT TO DO IN THE COURTROOM

1. **Be on time.** Wait quietly in the courtroom until your name is called.
2. **Children are not permitted in the courtroom.**
3. **Stand when your name is called** and walk toward the "bench" where the Judge is seated. Court staff will ask you to take an oath or to affirm that the information you are providing to the Court is true. You will raise your right hand and swear *or affirm* that the information you are providing is true. Lying in court, or *perjury*, is a serious crime.
4. **Sit in the witness chair** located next to the Judge.
5. **Call the Judge "Your Honor."**
6. **Do not reach** over the desk to take anything from the Judge or to hand anything directly to the Judge, unless the Judge first gives permission or asks you to do so.

III. BE PREPARED TO ANSWER THE JUDGE'S QUESTIONS, such as . . .

- What is your name and address?
- Is the relief you are asking for today the same as what you asked for in the Petition/Complaint? (Your answer should be "yes" because you cannot change anything from the Petition unless you have written consent from the other party and have filed the consent with the Court.)
- How did you serve the other party, and when was he or she served? (You should know what type of service was used: publication, service by the Sheriff, service by a registered process server, or acceptance of service.)
-
- **If you served the other party by publication, the Judge will ask:**
 - What steps did you use to try to find the other party?
 - Whom did you talk to about how to find the other party?
 - What was the last date you saw, received a letter or phone call from the other party?

Questions for Divorce / Legal Separation / Annulment Cases Only

- A. How long have you lived in Arizona? Did you or your spouse live in Arizona or was either of you a member of the Armed Forces and stationed in Arizona at least 90 days before the Petition was filed?
- B. What is the date of marriage and where were you married?
- C. Is your marriage irretrievably broken? Do you think your marriage can be reconciled? (This means: is there any reasonable chance that you can continue with the marriage?)

- D. Are you aware of Conciliation Services? (Conciliation Services is a service of the Court that provides free marital counseling.) If you were not aware of the services, the Judge may describe these services to you and send you to Conciliation Services.
- E. Do you want your former name restored? (Your former name will be restored, if you answer "yes" to this question.)
- F. What property and debts do you have from the marriage? (Describe your property and debts listed in your Petition and Decree.)
- G. How have you divided the property and debts? (Explain what you have asked for and put in the Decree.)
- H. Do you think the division of property and debts is fair?

Questions for Divorce / Legal Separation / Annulment and Paternity / Custody / Parenting Time and Support Cases

- A. The following questions may be asked if you have children:
 1. How many children do you have and what are their ages?
 2. Are you requesting custody of your minor children?
 3. What type of parenting time do you want the other party to have?
 4. Are there any expected problems with parenting time? (If you have requested supervised parenting time or no parenting time, you should be prepared to tell the judge why. For example, you should tell the judge if there has been domestic violence, child abuse, or if the other party has a drug or alcohol problem.)
 5. Do you think the portions of the Decree/Order/Judgment dealing with custody and parenting time are fair?
 6. Who will provide medical insurance for the minor children? (Generally, this should be the parent who has insurance available through his or her employer at the most affordable cost. If no insurance is available and the minor children are on AHCCCS, you can tell the judge this.)
 7. Can the other party pay child support?
 8. Is your spouse/other parent employed? How much does your spouse/other parent earn? (The amount he or she earns should be on the **"Parent's Worksheet for Child Support Amount"**.)

AFTER THE HEARING, IF THE JUDGE SIGNED YOUR DECREE/ORDER:

1. **Immediately mail a copy of the Court Order or Decree and all related documents that become part of it, to the other party** (such as custody agreement, parenting plan, etc.).
2. **If you have an Atlas Number, or if DES (DCSE) is involved in your case, mail a copy of the Completed "Parent's Worksheet for Child Support" to: Child Support Enforcement, Attn.: Attorney General Department, P.O. Box 40458, Phoenix, Arizona 85067**