INSTRUCTIONS

Protecting Your Address: If the other party has committed or threatened to commit physical violence against you or your children, and you do not want the other party to know your address: 1) use a post office box on all your court forms or 2) see Rule 7, Arizona Rules of Family Law Procedure. See the Self-Help Center packet *Order of Protection* if you need a court to order the other party to stay away from you.

Continuing Group Health Benefits: In many cases, federal law lets an employee's spouse and children temporarily continue group health benefits under the employer's plan after the employee and spouse are legally separated or divorced. To qualify for this extension, you or your spouse must notify the employer of your separation or divorce within 60 days of the court's signing the Decree. The beneficiary must pay the entire premium of the continued coverage; the employer makes no contribution.

STEP 1: READ THE PAPERS PETITIONER SERVED ON YOU

Petitioner should have filed the following papers with the court and served them on you.

Summons
Notice Regarding Community Debts
Petition
Preliminary Injunction

STEP 2: FIGURE OUT HOW LONG YOU HAVE TO RESPOND

See the table below for how long you have to file a written response to the Petition. Find the date in the "After" column on a calendar. Start counting on the next day. Count off the days in the "Count" column, including weekends and holidays. You must file your Response by the last date you counted. If that date is a weekend or court holiday, you must file your response by the next work day.

Where Were the Papers Served?	How Were the Papers Served?	Count:	After:
In AZ*	Acceptance of Service	20 days	You signed the Acceptance of Service
	Process Server	20 days	You received the papers from the process server
	Sheriff or Tribal Law Enforcement	20 days	You received the papers from the officer
Outside of AZ	Acceptance of Service	30 days	You signed the Acceptance of Service
	Certified Mail	30 days	You signed the green card
	Process Server	30 days	You received the papers from the process server
	Sheriff or Tribal Law Enforcement	30 days	You received the papers from the officer
	Publication	60 days	The first publication

***If the Papers Were Served on an Indian Reservation in Arizona:** Depending on your situation, there *might* be more days for you to respond. An attorney can advise you.

STEP 3: READ THE FAMILY COURT SERVICES INFORMATION SHEET

STEP 4: IF YOU DISAGREE WITH THE DIVISION OF PROPERTY OR DEBTS ASKED FOR IN THE PETITION: DECIDE HOW TO DIVIDE PROPERTY AND DEBTS

You will enter how you want to divide property and debts on the Response.

Community Property and Debts: In general, community property is property (other than a gift or inheritance to one party) that you and your spouse acquire after you were married and before one spouse serves divorce papers on the other. See the Petition for a list of types of community property. One type of community property is retirement benefits (pension/retirement fund/profit sharing/stock plans/401k). Division of retirement benefits is a complicated area of the law. After the judge divides the retirement benefits, you will have to contact an attorney, accountant, or company representative to get the documents needed to access the retirement monies.

In general, community debts are debts you and your spouse acquire after you were married and before one spouse serves divorce papers on the other, no matter who spent the money. Generally, the court will order a fair division and will not give most or all of the property or debts to one spouse. If you and/or your spouse still owe money on a piece of property, the court will probably give that debt to the same spouse who gets that property. You may ask that real property be sold and the proceeds divided between you and your spouse. Community property and debts you fail to list on the Petition will be considered still owned or owed by both you and your spouse.

Separate Property and Debts: In general, separate property is property you or your spouse acquire before you were married, after one spouse serves divorce papers on the other, or as an inheritance or gift to one party. Separate property may become commingled community property in some circumstances.

In general, separate debts are debts you or your spouse acquire before you were married or after one spouse serves divorce papers on the other.

The court usually will confirm that your separate property and debts are yours and your spouse's separate property and debts are your spouse's.

STEP 5: FILL OUT THE RESPONSE TO PETITION FOR LEGAL SEPARATION WITHOUT CHILDREN

STEP 6: FILE THE FOLLOWING WITH THE COURT

Take or mail the original and two copies to the Clerk's Office in the Coconino County Courthouse at 200 N. San Francisco St., Flagstaff, AZ 86001.

[ ] Response to Legal Separation Without Children, with the following attached if applicable:
  [ ] A copy of your marriage license

Also take or mail the $246 filing fee. The Clerk's Office accepts cash, money orders, and cashier's checks payable to "Clerk of Superior Court". If you can't afford the fee, see the Self-Help Center packet *Paying a Filing Fee in Installments*.

The Clerk will stamp your copies with the filing date and return them to you for your records. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the date-stamped copies to you.

STEP 7: DELIVER COPIES TO PETITIONER

On the day you file the Response, mail or hand-deliver a copy of each form listed above to Petitioner (mail or hand-deliver them to Petitioner's attorney if Petitioner has one).

STEP 8: BY 40 DAYS AFTER THE RESPONSE IS FILED:
USE THE LAW LIBRARY PACKET CALLED *DISCLOSURE*