

1 Attorney at Law/Bar #7458
2 4008 North 15th Avenue
3 Phoenix, Arizona 85015
4 (602)

5 Attorney for Petitioner

6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

7 IN AND FOR THE COUNTY OF MARICOPA

8 In re the Marriage of)

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Petitioner,

and

Respondent.

No. DR

DECREE OF DISSOLUTION
OF MARRIAGE

(Assigned to the
Hon. Kenneth Fields)

15 This matter came on regularly to be heard by this court
16 sitting without a jury. The court acquired jurisdiction in this
17 matter by filing the Petition for Dissolution of Marriage by
18 Petitioner, acceptance of service of process by Respondent, and
19 respondent filing a timely response to the Petition. The parties
20 have stipulated that this matter may be heard as a default/
21 uncontested hearing and that this Decree as approved by
22 respondent and his attorney may be entered by the court.
23 Petitioner appeared in person and by her attorney, Judy M. Miller,
24 and offered testimony in support of the allegations contained in
25 the Petition for Dissolution herein, and upon said hearing, the
26 court finds as follows:

1. The parties have been residents of Maricopa County

1 for the 90 days immediately preceding the filing of the Petition
2 of Dissolution herein.

3 2. The marriage between these parties is irretrievably
4 broken with no reasonable prospect of reconciliation.

5 3. The conciliation provisions of A.R.S. § 25-381
6 either do not apply or have been met.

7 4. The parties are the parents of two minor children:
8 born ; , born
9 , . It is in the best interests of said children for
10 petitioner to have the care, custody and control of the children
11 with respondent having liberal and frequent access and contact
12 with the children.

13 5. To the extent the court has jurisdiction to do so,
14 the court has considered and made provision for the division of
15 the community property and debts of the parties and provided for
16 the custody, visitation and support for the minor children and
17 maintenance of either spouse.

18 6. In accordance with the Arizona Child Support
19 Guidelines adopted by the Arizona Supreme Court, the court hereby
20 adopts the worksheet which is filed herein as the findings of the
21 gross income, adjusted gross income, basic child support
22 obligation, total support obligation, and each parent's
23 proportionate share of the total child support obligation under
24 the Guidelines. Translate until here!

25 2. The parties have entered into a written Property
26 Settlement and Custody Agreement which provides for the division

1 of the parties' property and debts and provides for child custody
2 and support and payment of health insurance and other medical
3 expenses for the minor children. Said Agreement is not unfair as
4 to the disposition of property and debts and provisions for
5 custody and support.

6 7. Application of the Arizona Child Support Guidelines
7 is not appropriate in this case and deviation is in the best
8 interests of the children for the following reasons: the parties
9 have considered the amount of child support payable under the
10 Guidelines and have considered the needs and expenses of their
11 children, both in the past and as the parties desire them to be in
12 the future based upon the parties' present combined gross monthly
13 incomes, and the parties agree that \$ per month is a more
14 fair, realistic and appropriate amount of child support for the
15 children to maintain and realize the standard of living that the
16 parties have maintained and wish to maintain for their children.
17 The parties are both professionals, are represented by counsel and
18 have been fully advised of their rights and obligations as to the
19 amount of child support.

20 8. The amount of child support without deviation from
21 the Guidelines would have been \$, and the amount of child
22 support award after deviation is \$.

23 9. The parties have agreed to such deviation by their
24 written approval on this Decree and have agreed with knowledge of
25 the amount of support that would have been ordered by the
26 Guidelines, and the parties have entered into this agreement free

1 of duress and coercion.

2 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
3 DECREED as follows:

4 1. The marriage between and
5 is hereby forever dissolved, and the
6 parties are hereby restored to the status of single persons.

7 2. The written Property Settlement and Custody
8 Agreement between the parties dated , is approved
9 by this Court and incorporated herein by reference, but is not
10 merged into this Decree, except for the provisions thereof as to
11 child custody, visitation and child support. Notwithstanding this
12 non-merger provision, the parties are specifically ordered to
13 comply in full with each and every obligation and duty imposed by
14 the Property Settlement and Custody Agreement and the terms
15 therein. Said Agreement shall continue as a separately
16 enforceable contract and shall be self-sustaining as to all terms
17 and conditions thereof.

18 3. Petitioner/wife is awarded the care, custody and
19 control of the minor children of the parties,

20 ; , born , and
21 respondent/husband has liberal and frequent access and contact
22 with the minor children as is more particularly set forth in the
23 Property Settlement and Custody Agreement executed between the
24 parties and filed with this Decree, which provisions as to
25 custody, support and visitation are made the orders of this Court
26 and merged into this Decree.

1 4. Husband shall pay wife as and for child support for
2 the minor children of the parties the sum of \$ per month,
3 payable in accordance with a wage assignment to be issued by the
4 Maricopa County Superior Court, or payable in two equal semi-
5 monthly installments of \$ each on the 1st and 15th days of
6 each month. Child support shall commence immediately, and shall
7 continue until the further order of the Court or until the older
8 child reaches the age of majority, at which time child support
9 shall be reassessed in accordance with the parties' respective
10 financial circumstances, and/or in accordance with the Arizona
11 Child Support Guidelines in effect at that time. Support shall be
12 payable by wage assignment through the Clerk of the Maricopa
13 County Superior Court, together with the annual receiving and
14 disbursing fee. Both parties shall notify the Clerk of the Court
15 of any change of employer or change of address within ten days of
16 such change.

17 5. Pursuant to the Arizona Child Support Guidelines,
18 the parties are ordered to exchange every twenty-four (24) months
19 financial information to include but not necessarily be limited to
20 income tax returns, spousal affidavits and/or earning statements.

21 6. Neither party shall pay spousal maintenance to the
22 other party now or at any time in the future.

23 7. Each party is ordered to pay his and her own
24 attorney's fees and costs incurred herein.

25
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DONE this 23 day of Oct., 1991.

s/ Elizabeth Yancey
JUDGE OF THE SUPERIOR COURT
Comm.

APPROVED AS TO FORM AND
CONTENT THIS 23 day
of Oct., 1991.

01

Respondent

31
4645 South Lakeshore Drive
Suite 8
Tempe, Arizona 85282
Attorney for Respondent

COPY of the foregoing to be
mailed pursuant to Maricopa
County Local Rule 6.2(d) on
the 23 day of October,
1991, to:

4645 South Lakeshore Drive, Suite 8
Tempe, Arizona 85282
Attorney for Respondent

J. Miller