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IN THE SUPREME COURT

STATE OF ARIZONA

In the Matter of:)	
)	Supreme Court No.
PETITION TO AMEND RULES 44.1 and 45)	
RULES OF FAMILY LAW PROCEDURE)	
)	

Pursuant to the Court’s issuance of Administrative Order No. 2023-119 adopting the Spousal Maintenance Guidelines, the Family Court Improvement Committee requests that Arizona Rules of Family Law Procedure (ARFLP) 44.1 and 45 be amended.

The amendments to ARFLP 44.1 and 45 will provided necessary data for the Family Court Improvement Committee in conducting the quadrennial Spousal Maintenance Guidelines review.

The Family Court Improvement Committee respectfully requests expedited consideration of this petition, effective January 1, 2024.

Rule 44.1. Default Decree or Judgment by Motion and Without a Hearing

(a) through (e)(8) no change.

(f) Spousal Maintenance. If a party requests spousal maintenance and chooses to proceed by motion without a hearing, the party must file a form substantially similar to Form 6, Rule 97, Default Information for Spousal Maintenance, with the Rule 44 application for default. **THE PARTY MUST FILE SEPERATELY THE SPOUSAL MAINTENANCE GUIDELINES WORKSHEET THAT ESTABLISHES THE AMOUNT REQUESTED.**

(g) through end no change.

Rule 45. Consent Decree, Judgment, or Order

(a) through (a)(3) no change.

(b) Content of Consent Decree, Judgment, or Order. The consent decree, order, or judgment must meet these requirements:

(1) It must state the terms of the parties' agreement. **FOR DISSOLUTION OR LEGAL SEPARATION DECREES, IF THE PARTIES AGREE TO SPOUSAL MAINTENANCE, THE CONSENT DECREE, ORDER, OR JUDGMENT MUST INCLUDE A SPOUSAL MAINTENANCE ORDER SUPPORTED BY A SPOUSAL MAINTENANCE**

GUIDELINES WORKSHEET. IF THE PARTIES REQUEST A DEVIATION IN THE SPOUSAL MAINTENANCE AMOUNT, THE DECREE, ORDER, OR JUDGMENT MUST STATE THE BASIS FOR DEVIATION UNDER THE SPOUSAL MAINTENANCE GUIDELINES.

(b)(2) through (c)(7) no change.