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**IN THE SUPREME COURT  
STATE OF ARIZONA**

In the Matter of ) Arizona Supreme Court No. R-  
)  
PETITION TO AMEND RULE )  
45(b)(1), ARIZONA RULES OF )  
FAMILY LAW PROCEDURE )  
\_\_\_\_\_ )

The Committee on Family Court (“COFC”), f.k.a. Family Court Improvement Committee, respectfully requests that the Court amend Rule 45(b)(1).

Rule 45(b)(1) current provides as follows as to consent decrees, orders, and judgments:

It must state the terms of the parties' agreement. For dissolution or legal separation decrees that include an award of spousal maintenance, the parties must separately file a Spousal Maintenance Calculator Worksheet. If the stipulated amount or duration of spousal maintenance is outside the applicable guideline ranges, the decree must include the required findings

from the guidelines, and state that the stipulated amount and duration will allow the receiving party to become self-sufficient.

Rule 45(b)(1), Ariz. R. Fam. L. Proc.

Rule 45(b)(1) was modified in 2023 based upon the amendments to A.R.S. § 25-319, and the subsequent adoption of the Spousal Maintenance Guidelines.

By Administrative Order 2024-194, the Chief Justice established the Spousal Maintenance Guidelines Review Subcommittee (“the Subcommittee”) of the COFC. That Subcommittee continues its work and is on schedule, at this time, such that the COFC will be able to submit a final report to the Arizona Judicial Council in March 2025.

The COFC and Subcommittee have received input that the rule needs to be amended. First, comments have been received that the parties should not be required to file a Spousal Maintenance Calculator Worksheet. Second, comments have been received that the not all receiving parties will achieve self-sufficiency.

The COFC believes it important to obtain feedback from the public, bench, and bar regarding Rule 45(b)(1). It also believes the best avenue would be through the normal rules petition process—rather than an expedited petition—such that this Petition could be considered at the Court’s August 2025 Rules Agenda.

While pending final recommendations from the Subcommittee, the COFC proposes the following amendments to Rule 45(b)(1):

It must state the terms of the parties' agreement. For dissolution or legal separation decrees that include an award of spousal maintenance, the parties must acknowledge that any award of spousal maintenance is appropriate and just. ~~the parties must separately file a Spousal Maintenance Calculator Worksheet. If the stipulated amount or duration of spousal maintenance is outside the applicable guideline ranges, the decree must include the required findings from the guidelines, and state that the stipulated amount and duration will allow the receiving party to become self-sufficient.~~

DATED this 20th day of December, 2024.

Greg Sakall

Chair, Committee on Family Court