

# FIFTH JUDICIAL CIRCUIT



## LAKE COUNTY

### NEXT STEPS AFTER SERVING THE RESPONDING PARTY

The information provided below is to be used as a guide only regarding Family Law cases. **This is not intended as a substitute for legal advice from an attorney. Each case has its own particular set of circumstances, and an attorney may advise you of what is best in your individual situation.**

Below are general procedures for *most* family law cases following service of process to move the case to final disposition. Refer to the **Service of Process** document before proceeding to the following steps. Once service has been completed on the respondent(s), it may be appropriate in certain situations for additional forms to be filed to schedule a final hearing or trial.

NOTE: A final hearing date will not be provided until all completed documents have been filed and service has been completed as required by law. Additionally, pending motions may prevent a final hearing from being set as the pending matter may need to be addressed before a final hearing.

**UNCONTESTED:** If the respondent files an answer and waiver or an answer that agrees with everything in the petition, and **all completed** documents have been filed, you may contact Family Court Case Management at 352-742-4301 to set a final hearing.

**CONTESTED:** If the respondent files an answer or an answer and counterpetition, which disagrees with or denies anything in the petition, and the parties are unable to settle the disputed issues, completion of mediation in most instances may be required before a final hearing or trial may be set. Both parties are **required** to file a Family Law Financial Affidavit pursuant to Administrative Order No. A-2020-1 to schedule with court mediation services.

NOTE: If the respondent files an answer and counterpetition, an answer to counterpetition should be filed within 20 days using an Answer to Counterpetition, Florida Supreme Court Approved Family Law Form 12.903(d).

**DEFAULT (No response from the other party):** If after 20 days following service of process an answer to the petition has not been filed by the respondent, a Motion for Default, and Default, Florida Supreme Court Approved Family Law Form 12.922(a)(b), may be filed with the clerk of court. Court records may be viewable by visiting [www.lakecountyclerk.org](http://www.lakecountyclerk.org) to view if an answer has been filed by the respondent in the court case. If **all completed** documents have been filed, you may contact Family Court Case Management at 352-742-4301 to set a hearing.