DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO MINOR CHILD(REN)

This checklist is designed to help persons seeking to represent themselves in court without the assistance of an attorney. It is meant to serve as a guide only. It is not guaranteed that either the instructions or the forms will achieve the result desired by the parties. It is not ensured that any individual judge accept each form drafted. Any person using these instructions and forms does so at their own risk.

Please note, the Family Court Case Management Self-Help Office provides procedural information and cannot give legal advice.

All forms listed below can be found at **www.flcourts.gov** under Self Help, Family Law Forms, unless otherwise noted.

- **Petition for Dissolution of Marriage with Property But No Dependent or Minor Child(ren)** - *Form 12.901(b)(2)* Please read all directions and complete the petition in its entirety. Please pay particular attention to the following:
    - Petitioner or Respondent must have been a resident of Florida for 6 months prior to the date of filing
    - Date of marriage and date of separation
    - Marital assets and liabilities
    - Petition must be signed and notarized

- **Copy of Florida Driver's License or Voter's Registration Card.** Driver's License/Voter Registration MUST be issued at least 6 months PRIOR to the date of filing, in the alternative, you may complete an Affidavit of Corroborating Witness - Form 12.902 (i) if your license was recently renewed/issued.

- **Designation of Current Mailing and E-Mail Address** *Form 12.915*

- **Cover Sheet for Family Court Cases** - *Form 12.928*

- **Notice of Related Cases** - *Form 12.900(h)*

- **Disclosure From Nonlawyer** - *Form 12.900(a)*

- **Certificate or Affidavit of Military Service** - *Form 12.912 (a)/ Form 12.912 (b)*

- **Notice of Social Security Number** - *Form 12.902(j)*

- **Family Law Financial Affidavit** - **BOTH PARTIES MUST FILE** (choose only one based on annual income)

    - Short Form *12.902(b)* If gross individual annual income is under $50,000 or Long Form *12.902(c)* If gross individual annual income is above $50,000

    OR

    If both parties agree to waive filing financials, both parties may jointly complete the following form:

    - **Notice of Joint Verified Waiver of Filing Financial Affidavits** *Form 12.902 (k)* **(all criteria must be met)**

- **Marital Settlement Agreement** - *Form 12.902 (f)(1)*

- If BOTH parties agree, please complete the agreement in its entirety. Must be signed by BOTH parties and notarized
- If parties DO NOT agree, Petitioner must complete a proposed marital settlement agreement for filing
Note: When filing a Marital Settlement Agreement, both parties are required to file a Financial Affidavit

- **Certificate of Mandatory Disclosure** – *Form 12.932*

Service of Process on Responding Party

Personal Service - Personal service is <u>required</u> if the party's whereabouts are known.
- **Summons: Personal Service on an Individual** - *Form 12.910(a)*
- **Process Service Memorandum -** *Form 12.910(b)*
  Alternatively, the Respondent may file an Answer to Petition and Waiver of Service of Process. Forms are available at www.circuit5.org

Service by Publication or Posting - You <u>must</u> attempt personal service at the Respondent's last known address before filing an affidavit of diligent search.
- **Affidavit of Diligent Search** - *Form 12.913 (b)*
  NOTE: This affidavit must be filled out completely with supporting documentation attached to the affidavit.
  - **By Publication:** Must publish once a week for four (4) consecutive weeks in a publication in the county of the Court [See Florida Statute 49.10 (1)(a)]. - PETITIONER RESPONSIBLE FOR PUBLISHING IN NEWSPAPER
  - **By Posting:** If the Petitioner is found indigent by the Clerk of Court – CLERK WILL POST FOR PETITIONER

- **Motion for Default and Default** - *Forms 12.922 (a and b)* Filed when more than twenty (20) days from service has passed and Responding party has NOT filed an Answer.

- **Motion to Set Final Hearing** – Form available at www.marioncountyclerk.org

<u>PLEASE DO NOT FILE THIS MOTION UNTIL ALL THE ABOVE ITEMS HAVE BEEN FILED</u>