

# **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 will follow the procedures exactly or 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.org](http://www.flcourts.org) 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 *entirely*.
- **Copy of Florida Driver's License or Florida Identification Card.** Must be issued at least 6 months prior to the date of filing. Alternatively, if your Florida Driver's License or Florida Identification Card does not meet the 6 month criteria, you must file the following:
  - **Affidavit of Corroborating Witness - Form 12.902(i)** AND
  - **Affidavit of Residency** (located on [www.circuit5.org](http://www.circuit5.org), under Self-Help, Sumter County)
- **Designation of Current Mailing and E-Mail Address- Form 12.915**
- **Cover Sheet for Family Court Cases - Form 12.928**
- **Certificate of Mandatory Disclosure Form 12.932**
- **Notice of Related Cases - Form 12.900(h)**
- **Notice of Social Security Number - Form 12.902(J)**
- **Affidavit of Military Service - Form 12.912(b)**
- **Family Law Financial Affidavit** (choose only one based on annual income)
  - **Short Form 12.902 (b)** annual income **under** \$50,000
  - **Long Form 12.902 (c)** annual income **over** \$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 and notarized by both parties (or proposed by Petitioner if parties are NOT in agreement)

### Service of Process on Responding Party

**Personal Service** - Personal service is required 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](http://www.circuit5.org)

**Service by Publication or Posting** - You must 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
- **Notice for Final Hearing- Non-Jury Trial** - Form is available at [www.sumterclerk.com/court-forms](http://www.sumterclerk.com/court-forms)

**PLEASE DO NOT FILE THIS NOTICE UNTIL ALL THE ABOVE ITEMS HAVE BEEN FILED**