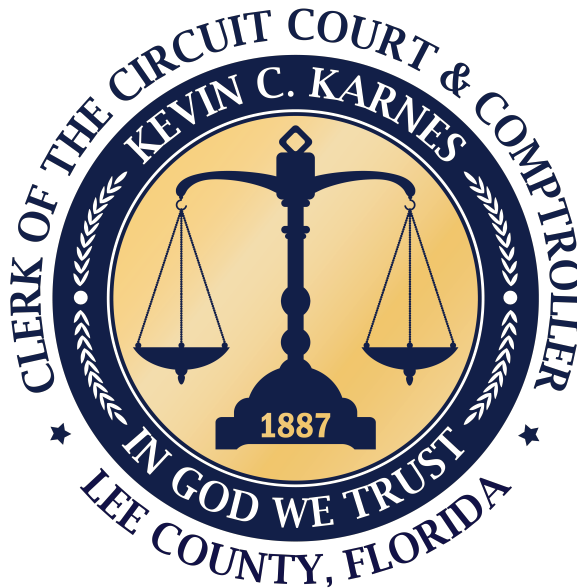


KEVIN C. KARNES

Clerk & Comptroller



**SIMPLIFIED
DISSOLUTION OF MARRIAGE**



KEVIN C. KARNES
CLERK OF THE COURT
& COMPTROLLER
 LEE COUNTY, FLORIDA

SIMPLIFIED DISSOLUTION OF MARRIAGE

- Filing Fee: \$408.00 plus \$3.50 for each signature that a Deputy Clerk witnesses or you may have the forms notarized by any license notary.
- Court appearance is required for both parties and must bring a picture ID
- The Clerk will provide you with an Order of Referral to General Magistrate and Trial Order; this order will contain a date for you to appear at trial for your final judgment. The trial is set for a date no less than (20) twenty days from the date of the filing of your petition.
- Forms can be found on the following websites:
 - **Local Forms** on www.leeclerk.org (Hot Topics / Forms Library or Services / Self-Help)
 - **Florida State Supreme Forms** www.flcourts.org (Self Help / Family Law Forms)

Party Requirement	Pleading	Form # or Location
Both	PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE	12.901(a)
Either	COVER SHEET FOR FAMILY COURT CASES	12.928
Either	VITAL STATISTICS REPORT INFORMATION SHEET	Local Forms
Both	TWO POSTAGE PAID ADDRESSED ENVELOPES (One for each party)	
Both	COPY OF VALID Florida ID	

The forms below are required unless indicated waived in your petition

	FINANCIAL AFFIDAVIT	12.902(b) or (c)
Both	MARITAL SETTLEMENT AGREEMENT FOR SIMPLIFIED DISSOLUTION OF MARRIAGE	12.902(f)(3)



The following forms will be provided upon case initiation and must be filled out and returned to the clerk to be held until your hearing:

REPORT AND RECOMMENDED FINAL JUDGMENT OF GENERAL MAGISTRATE	12.920(b)
FINAL JUDGMENT OF SIMPLIFIED DISSOLUTION OF MARRIAGE	12.990(a)

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORM 12.901(a)
PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE
(02/18)**

When should this form be used?

This form should be used when a husband and wife are filing for a simplified **dissolution of marriage**. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. You may file a simplified dissolution of marriage in Florida if **all** of the following are true:

- You and your spouse agree that the marriage cannot be saved.
- You and your spouse have no minor or dependent child(ren) together, the wife does not have any minor or dependent children born during the marriage, and the wife is not now pregnant.
- You and your spouse have worked out how the two of you will divide the things that you both own (your **assets**) and who will pay what part of the money you both owe (your **liabilities**), and you are both satisfied with this division.
- You are not seeking support (**alimony**) from your spouse, and vice versa.
- You are willing to give up your right to **trial** and **appeal**.
- You and your spouse are both willing to go into the clerk's office to sign the petition (not necessarily together).
- You and your spouse are both willing to go to the **final hearing** (at the same time).

If you do not meet the criteria above, you must file a regular **petition** for dissolution of marriage.

This petition should be typed or printed in black ink. Each of you must sign the petition.

What should I do next?

1. After completing this form, you should **file** it with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

You may document your agreement by signing a **Marital Settlement Agreement**, Florida Family Law Rules of Procedure Form 12.902(f)(3) and filing it with the **clerk of the circuit court** or you may agree that all of your assets (what you own) and liabilities (what you owe) have been disposed of by oral agreement.

2. You must prove to the court that the husband **and/or** wife has (have) lived in Florida for more than 6 months before filing the petition for dissolution of marriage. Residence can be proved by:

- a valid Florida driver’s license, Florida identification card, or voter registration card issued to one of you at least 6 months prior to filing for dissolution of marriage; or
 - the testimony of another person who knows that either you or your spouse has resided in Florida for more than 6 months and is available to testify in court; or
 - an **affidavit**. To prove residence by affidavit, use an **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i). This form must be signed by a person who knows that either you or your spouse has lived in Florida for more than 6 months before the date that you filed the petition for dissolution of marriage. This affidavit may be signed in the presence of the clerk of the court or in the presence of a **notary public**, who must affix his or her seal at the proper place on the affidavit.
3. You must pay the appropriate **filing fees** to the clerk of the circuit court. If you and your spouse cannot afford to pay the filing fees, you may fill out an **Application for Determination of Civil Indigent Status**, and file it with your petition for dissolution of marriage. You may obtain this form from the clerk and he or she will determine whether you are eligible to have filing fees waived.
 4. You will need to complete a **Family Court Cover Sheet**, Florida Family Law Rules of Procedure Form 12.928. The clerk’s office can provide this form.
 5. Depending on your jurisdiction, you may either obtain a date and time for a court appearance from the clerk of court, or a date and time will be provided to you by the court. On that date, **you and your spouse must appear together before a judge**. Depending on your jurisdiction, you will either complete a **Final Judgment of Simplified Dissolution of Marriage**, Florida Family Law Rules of Procedure Form 12.990(a), and bring it with you to the hearing, or the judge will prepare it at the hearing. At that time, if all of the papers are in order, the judge may grant a final judgment dissolving your marriage under simplified dissolution of marriage procedures by signing the final judgment.
6. **If you fail to complete this procedure, the court may dismiss the case to clear its records.**

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in **“bold underline”** in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and Rule 12.105, Florida Family Law Rules of Procedure.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida

Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

In re the Marriage of:

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

JOINT PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

We, *{full legal name}* _____, Petitioner,
and *{full legal name}* _____, Respondent,
being sworn, certify that the following information is true:
[fill in **all** blanks]

1. We are both asking the Court for a dissolution of our marriage.
2. Petitioner lives in *{name}* _____ County, *{state}* _____, and has lived there since *{date}* _____. Respondent lives in *{name}* _____ County, *{state}* _____, and has lived there since *{date}* _____.
3. We were married to each other on *{date}* _____ in the city of *{city}* _____ in state of *{state}* _____, or country of *{country}* _____.
4. Our marriage is irretrievably broken.
5. We do not have any minor or dependent children together, the wife does not have any minor or dependent children born during the marriage, **and** the wife is not pregnant.
6. We have divided our assets (what we own) and our liabilities (what we owe) by agreement. We are satisfied with this agreement.

{Check one only}

() Our marital settlement agreement, Florida Family Law Rules of Procedure Form 12.902(f)(3), is attached. This agreement was signed freely and voluntarily by each of us and we intend to be bound by it.

() Our marital settlement agreement is not in writing. {Check only one}

() Our Financial Affidavits are being filed with this Joint Petition for Simplified Dissolution of Marriage pursuant to Rule 12.285.

() We have executed the Florida Family Law Form 12.902(k), Notice of Joint Verified Waiver of Filing Financial Affidavits, pursuant to Rule 12.285.

7. *{Check all that apply}* () Petitioner wants to be known by the Petitioner's former name, which was *{full legal name}*_____.

() Respondent wants to be known by the Respondent's former name, which was *{full legal name}*_____.

8. We each certify that we have not been threatened or pressured into signing this petition. We each understand that the result of signing this petition may be a final judgment ending our marriage and allowing no further relief.

9. We each understand that **we both must come to the hearing** to testify about the things we are asking for in this petition.

10. We understand that we each may have legal rights as a result of our marriage and that by signing this petition, we may be giving up those rights.

11. We ask the Court to end our marriage and approve our marital settlement agreement if filed therein.

Under penalties of perjury, I declare that I have read this document and the facts stated in it are true.

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail Address(es): _____

Under penalties of perjury, I declare that I have read this document and the facts stated in it are true.

Dated: _____

Signature of Respondent

Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
E-mail Address(es): _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, THE NONLAWYER MUST FILL IN THE
BLANKS BELOW:** [fill in **all** blanks]

This form was prepared for: [*choose **one or both***] () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

{city} _____, *{state}* _____, *{telephone number}* _____.

Cover Sheet for Family Court Cases

I. Case Style

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA

Plaintiff _____

Case #: _____

Judge: _____

vs.

Defendant _____

II. Type of Action/Proceeding. Place a check beside the proceeding you are initiating. If you are simultaneously filing more than one type of proceeding against the same opposing party, such as a modification and an enforcement proceeding, complete a separate cover sheet for each action being filed. **If you are reopening a case, choose one of the three options below it.**

- (A) Initial Action/Petition
- (B) Reopening Case
 - 1. Modification/Supplemental Petition
 - 2. Motion for Civil Contempt/Enforcement
 - 3. Other

III. Type of Case. If the case fits more than one type of case, select the most definitive.

- (A) Simplified Dissolution of Marriage
- (B) Dissolution of Marriage
- (C) Domestic Violence
- (D) Dating Violence
- (E) Repeat Violence
- (F) Sexual Violence
- (G) Stalking
- (H) Support IV-D (Department of Revenue, Child Support Enforcement)
- (I) Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (J) UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) Other Family Court
- (M) Adoption Arising Out Of Chapter 63
- (N) Name Change
- (O) Paternity/Disestablishment of Paternity
- (P) Juvenile Delinquency
- (Q) Petition for Dependency
- (R) Shelter Petition
- (S) Termination of Parental Rights Arising Out Of Chapter 39
- (T) Adoption Arising Out Of Chapter 39
- (U) CINS/FINS
- (V) Petition for Temporary or Concurrent Custody by Extended Family
- (W) Emancipation of a Minor

Rule of Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form 12.928, be filed with the initial pleading/petition by the filing attorney or self-represented

IV. Rule of General Practice and Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form, 12.900(h) be filed with the initial pleading/petition by the filing attorney or self-represented litigant in order to notify the court of related cases. Is Form 12.900(h) being filed with this Cover Sheet for Family Court Cases and initial pleading/petition?

- No, to the best of my knowledge, no related cases exist.
- Yes, all related cases are listed on Family Law Form 12.900(h).

ATTORNEY OR PARTY SIGNATURE

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Date _____

Signature _____
Attorney or party

FL Bar No.: _____
(Bar number, if attorney)

(Type or print name)

E-Mail Addresses

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:
[fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} _____, a nonlawyer, whose address is {street} _____, {city} _____, {state} _____, {phone} _____, helped {name} _____, who is the [choose **one** only] petitioner or respondent, fill out this form.

VITAL STATISTICS FORM

Case No. _____

GENERAL INFORMATION (Please print clearly)

DISSOLUTION OR ANNULMENT (Circle One)

COUNTY AND STATE IN WHICH MARRIAGE TOOK PLACE:

DATE OF MARRIAGE: _____

TOTAL NUMBER OF CHILDREN: _____

NUMBER OF CHILDREN UNDER 18 YEARS OF AGE: _____

PETITIONER IN THE ACTION: _____

ATTORNEY FOR PETITIONER: _____

ATTORNEY'S ADDRESS: _____

PETITIONER'S INFORMATION (Please print clearly)

NAME:

First

Middle

Last

Maiden

RESIDENCE:

Street Address

City

State

Zip

RESPONDENT'S INFORMATION (Please print clearly)

NAME:

First

Middle

Last

Maiden

RESIDENCE:

Street Address

City

State

Zip