

FAMILY LAW SELF-HELP PROGRAM FOR CHARLOTTE COUNTY
PETITIONER – DIVORCE
PETITION WITH PROPERTY AND NO DEPENDENT/MINOR CHILD

Self-represented individuals are provided this checklist as part of the Family Law Self-Help program for Charlotte County. This covers the basic procedural requirements for filing the type of case noted above. It is not intended to replace actual LEGAL ADVICE, which you must receive only by a licensed attorney. This checklist should help you maneuver your case through the legal process with no unnecessary delays – each document includes specific instructions (DO NOT FILE THE INSTRUCTION PAGES).

Each of the forms should be kept separated to better organize your efforts and to ensure all forms/instructions are included. You may schedule an appointment with a Family Law Case Manager staff to have your documents notarized and copied at no cost.

- General Information for Self-Represented Litigants

COMPLETE AND FILE:

- Vital Statistics Form
- Cover Sheet for Family Court Cases [Form 12.928]
- Notice of Related Cases [Form 12.900(h)]
- Petition for Dissolution of Marriage with Property but No Dependent or Minor Child(ren) [Form 12.901(b)(2)]
- Financial Affidavit (short form) [Form 12.902(b)] – Used when annual income is under \$50,000.
OR: Financial Affidavit (long form) [Form 12.902(c)] Used when annual income is \$50,000 or more.
- Notice of Social Security Number [Form 12.902(J)]
- Standing Temporary Domestic Relations Order Without Minor Children
- Summons: Personal Service on an Individual [Form 12.910(a)]
(Not required if the other party has signed a waiver of service.) The Petitioner is responsible to provide copies of ALL documents filed (with the exception of the Notice of Social Security Number form) to the other party with the Summons for service. If you absolutely do not know where he or she lives, you may use constructive service. However, if constructive service is used, the court may only grant limited relief.
- Proof of Florida Residency – acceptable documents MUST include an issue date at least six months BEFORE the date case is filed with Clerk of Court (photocopy of a Florida Drivers License or Florida Identification Card). If you cannot produce these, you need to use the Corroborating Witness Affidavit – [Form 12.902(i)]

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After the RESPONDENT is served, the following documents may be necessary. The forms can be downloaded from WWW.FLCOURTS.ORG. The forms can also be requested from the Family Law Self-Help program, by submitting a blue request form (FLSH-Charlotte Form 2) to the Administrative Office of the Courts.

Some forms noted on this page may require you to seek legal guidance from a licensed attorney.

- Motion for Default [Form 12.922(a)] and Default [Form 12.922(b)]
This may be filed if the Respondent has failed to file any papers within 20 days of being served, to permit a final hearing/trial to be scheduled.
- Motion for Temporary Support with No Dependent or Minor Child(ren) [Form 12.947(c)]. Either Party may file this motion to ask the Court to award any of the following on a temporary basis, prior to a “final” order: use of assets; exclusive use of the marital home; responsibility for liabilities/debts; spousal support (alimony); and other relief.
- Marital Settlement Agreement for Dissolution of Marriage with Property but No Dependent or Minor Child(ren) [Form 12.902(f)(1)].
This is used to document the issues which have been agreed to by both Parties; Section VI identifies the unresolved matters which may be discussed at Mediation or decided by the Judge.
- Notice of Current Address [Form 12.915]
Parties use this form to keep each other and the Court aware of any address changes to avoid missing important notices or correspondence regarding the case.
- Notice for Trial [Form 12.924]
This is filed when a DEFAULT has been entered, or when no settlement can be reached (after formal mediation).

If the RESPONDENT has not been served because he/she cannot be located, the PETITIONER may need to obtain “Constructive Service” (sometimes referred to as “service by publication”). The following documents MUST be properly executed and filed:

- Non-Military Affidavit [Form 12.912(b)]
- Affidavit of Diligent Search and Inquiry [Form 12.913(b)]
- Notice of Action for Dissolution of Marriage [Form 12.913(a)]