

About FloridaLawHelp.org

FloridaLawHelp.org is administered by Florida Legal Services, Inc. and is produced in cooperation with Pro Bono Net and the legal services organizations and government agencies throughout Florida and the United States.

This brochure is for general education only. It is not intended to be used to solve individual problems.



The Florida Bar Foundation, with *Interest on Trust Accounts* program funding, provides support for this service.



FloridaLawHelp.org

To locate your local legal aid or legal services office, please visit us on the web at

www.floridalawhelp.org

Your local legal aid or legal services office can be located through either the "Find Local Help" or "Directory" links.

If you don't have access to the internet, consult your local Directory Assistance for the number of the legal aid or legal services office nearest to you.

Special thanks to Community Legal Services of Mid-Florida, Inc.

FloridaLawHelp.org

SIMPLIFIED DIVORCE



Understand your rights & obligations under Florida Law

Revised 10/12; Brochure F-4

WHAT IS A SIMPLIFIED DIVORCE?

In 1984, a divorce law went into effect in Florida allowing for a quick, simple and inexpensive divorce in certain circumstances. A lawyer is NOT NEEDED for this procedure.



HOW DO I QUALIFY FOR A SIMPLIFIED DIVORCE?

You may qualify to obtain a simplified dissolution of marriage if you and/or your spouse have lived in Florida for at least 6 months and 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 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 marital assets) and who will pay what part of the money you both owe (your marital liabilities), and you are both satisfied with this division.
- You are not seeking support (alimony) from your spouse, and vice versa.
- Neither you nor your spouse wish to have any financial information other than that provided in the financial affidavits.
- 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).

You may purchase a packet of forms from your local clerk of court office or you may obtain the forms online at www.flcourts.org.

Make an appointment for BOTH you AND your spouse to meet with the Clerk of the Court. During this meeting, your spouse will be required to read the same procedure information that you read.

After your spouse has read the information and all of your forms are complete, BOTH you and your spouse can file for the simplified divorce and pay the required filing fee. This fee is now \$408. If both you and your spouse are unemployed and have no income or assets, you may apply for a waiver of the required filing fee by signing an application for determination of civil indigent status and it is also available from the Clerk of Court or www.flcourts.org

In addition to asking for a divorce, you may also ask the court to restore your maiden name. When you AND your spouse file for the divorce, a hearing date will be set. The Final Judgment should also include both spouses' dates of birth.

BOTH you and your spouse MUST appear before the Judge to give brief testimony stating your marriage is "irretrievably broken."

After the testimony of BOTH you and your spouse is heard, the Judge will give you his/her decision. If the divorce is granted, the judge will sign your final judgment for dissolution of marriage and you and your spouse will receive a certified copy approximately one (1) week later. You will need to keep the certified copy for your records.

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TO LOCATE YOUR LOCAL CLERK OF THE COURT, VISIT

WWW.FLCOURTS.ORG