

## Florida Divorce and Family Law Attorney

Divorces, also known as Dissolutions, are handled under Florida Statutes Chapter 61. This chapter covers everything involving a divorce including but not limited to child custody, now known as Time-Sharing, alimony, and child support.

In order to file for a divorce in the State of Florida, an individual must reside in Florida for 6 months prior to filing and file in the county in which they reside. The filing party, known as the petitioner, will file with the Court a document called the petition. The petition is the back bone of any divorce case. This is the document that sets out everything in the divorce that the petitioner is seeking upon the marriage being dissolved. The Petitioner must have the responding party, known as the Respondent, served with the petition by a licensed process server.

The Respondent will have 20 days in order to file a response with the Court to the petition. The Respondent has the opportunity to file a Count-Petition with the Court, outlining what the Respondent would like upon the marriage being dissolved, but this is not required.

**Mediation:** Courts throughout Florida typically require all Family Law cases, including divorce, to attend mediation. Mediation is an informal meeting between the two parties where a third party, the mediator, attempts to negotiate a fair resolution to the issues in a particular case. Mediation is often cheaper and less stressful alternative to a trial. Mediation does not always result in a settlement, but it is useful in narrowing down the issues that cannot be agreed upon. If an agreement is reached at mediation, the parties will enter into a Marriage Settlement Agreement.

A Marriage Settlement Agreement is the document that each party signs to settle any and all issues stemming from the divorce, including name changes, time-sharing with the children, alimony payments, etc. This is the most important as it interprets all of the details that were at issue during the divorce.

**Final Hearing:** Once the Marriage Settlement Agreement has been signed a Final Hearing of Dissolution will be set. The scheduling of this hearing will be determined by the availability on the judges colander. At the hearing, the petitioner will be required to testify as to certain things regarding the marriage, including the date and place of the wedding. During the testimony of the petitioner, the Marriage Settlement Agreement will be entered into evidence. Once the judge has reviewed the court file, listened to the testimony, and determined nothing else is at issue, the Final Judgment of Dissolution will be entered. Once this is done, the parties are divorced.

Divorce is a very complicated issue due to all of assets and liabilities that were accumulated during the marriage, the children that are involved, the disposing of the marital home, and other issues too numerous to list. Due to these complicated issues you must hire an attorney that not only knows the ins and outs of the law, but an attorney that is going to fight for your best interest.