Family Law

Q. WHAT IS SIMPLIFIED DIVORCE?

A. Simplified Divorce, or Simplified Dissolution of Marriage, is a fast, easy, and inexpensive procedure for ending a marriage of those couples who meet the eligibility requirements.
Q. WHAT ARE THE REQUIREMENTS FOR A SIMPLIFIED DIVORCE?
A. The eligibility requirements for a Simplified Divorce are:

- Both parties must agree that the marriage cannot be saved.
- Both parties to the divorce must mutually agree on how property and debts are to be divided.
- There can be no minor (under the age of 18) or dependent children of the marriage and the wife cannot be pregnant.
- At least one of the parties to the divorce must have been a resident of the State of Florida for the past six months.

Q. WHERE CAN WE FILE FOR SIMPLIFIED DIVORCE?
A. A petition for Simplified Dissolution of Marriage may be filed with the Clerk of the Circuit Court’s Office in the Suwannee County Courthouse.
Q. WHAT DO WE NEED TO BRING WITH US?
A. Both parties must come to the Clerk’s Office together and jointly file the paperwork. It is also necessary for each spouse to bring identification that includes his or her picture (such as a driver’s license.) A Certificate of a Corroboration Witness is also required. This form is included in the simplified dissolution packet, and must be signed in the presence of the civil clerk.
Forms for the filing Simplified Dissolution of Marriage are available in the Clerk’s Office for a fee of $10.00
Q. WHAT DOES IT COST TO FILE FOR A SIMPLIFIED DIVORCE?

A. The filing fees for a Simplified Divorce are set by Florida Statutes and are subject to change as a result of new legislation. The current fees can be obtained from the Clerk’s Offices.
Q. DO WE NEED AN ATTORNEY?
A. No. An attorney is not required with the Simplified Divorce procedure. However, if either party has any legal questions concerning the divorce, consulting with an attorney prior to filing for the Simplified Divorce is strongly advised.
Q. HOW LONG WILL IT TAKE FOR THE DIVORCE TO BECOME FINAL?
A. A hearing to finalize the divorce will be scheduled at the earliest possible date dependant upon the Court’s 20 day waiting period before a hearing can be held. Both parties must appear before the Court on the scheduled hearing date.
Q. WHAT HAPPENS AFTER THE JUDGE SIGNS THE FINAL JUDGMENT?
A. The original final judgment remains in your court file. A copy will be sent to you and your spouse.
Q. CAN WE CHANGE OUR MIND AFTER WE HAVE FILED FOR A SIMPLIFIED DIVORCE?
A. Yes. If after filing for a Simplified Divorce, both parties believe that the marriage can be saved, both parties must jointly file a Motion to Dismiss the Petition for Simplified Dissolution of Marriage.
Q. DO WE HAVE TO FILE FOR DIVORCE IN THE COUNTY WHERE WE RESIDE?
A. No. If either party has met the residency requirement of residing in the State of Florida for the past six months, the divorce can be filed in any county within the state.
IMPORTANT
If there is any doubt in your mind or your spouse’s concerning a legal question about your right to divorce, property rights, or tax consequences, it is strongly recommended that the services of an attorney be obtained. If you do not know an attorney, you should contact the Lawyer Referral Service listed in the Yellow Pages of the telephone book. If you are financially unable to afford the service of an attorney, you should contact the Legal Aid Office in your area or ask your local bar association for a referral to an appropriate person or agency.