

petition or counterpetition. If you are unable to settle the disputed issues, either party may file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing).

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.

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you must review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

Special notes...

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party's income, you may file this worksheet after his or her financial affidavit has been served on you.)

Instructions for Florida Supreme Court Approved Family Law Form 12.903(c)(1), Answer to Petition and Counterpetition for Dissolution of Marriage with Dependent or Minor Child(ren) (11/15)

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

Case No.: _____

Division: _____

In re: the Marriage of:

Husband,

and

Wife.

ANSWER TO PETITION AND COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)

I, {full legal name} _____, being sworn, certify that the following information is true:

ANSWER TO PETITION

1. I **agree** with the allegations raised in the following numbered paragraphs in the Petition and, therefore, **admit** those allegations: {indicate section and paragraph number} _____.
2. I **disagree** with the allegations raised in the following numbered paragraphs in the Petition and, therefore, **deny** those allegations: {indicate section and paragraph number} _____.
3. I currently am unable to admit or deny the following paragraphs due to lack of information: {indicate section and paragraph number} _____.

COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH MINOR CHILD(REN)

1. JURISDICTION/RESIDENCE
_____ Husband _____ Wife _____ Both has (have) lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.
2. Husband _____ is or _____ is not a member of the military service.
Wife _____ is or _____ is not a member of the military service.
3. MARRIAGE HISTORY
Date of marriage: {month, day, year} _____
Date of separation: {month, day, year} _____ (____ Indicate if approximate)

Place of marriage: {county, state, country} _____

4. DEPENDENT OR MINOR CHILD(REN)

[Indicate **all** that apply]

a. ____ The wife is pregnant. Baby is due on: {date} _____

b. ____ The minor (under 18) child(ren) common to both parties are:

| Name | Birth date |
|-------|------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

c. ____ The minor child(ren) born or conceived during the marriage who are **not** common to both parties are:

| Name | Birth date |
|-------|------------|
| _____ | _____ |
| _____ | _____ |

The birth father(s) of the above minor child(ren) is (are) {name and address} _____

d. ____ The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability are:

| Name | Birth date |
|-------|------------|
| _____ | _____ |
| _____ | _____ |

5. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this counterpetition. (You **must** complete and attach this form in a dissolution of marriage with minor child(ren).
6. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this counterpetition.
7. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) ____ is filed or ____ will be timely filed.

8. This counterpetition for dissolution of marriage should be granted because:

a. _____The marriage is irretrievably broken.

OR

b. _____One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this counterpetition. A copy of the Judgment of Incapacity is attached.

SECTION I. MARITAL ASSETS AND LIABILITIES

1. _____There are no marital assets or liabilities.

OR

2. _____There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.

*[Indicate **all** that apply]*

a. _____All marital assets and liabilities have been divided by a written agreement between the parties, which is attached to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(1)).

b. _____The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.

c. _____ Husband _____ Wife should be awarded an interest in the other spouse's property because: _____

_____.

SECTION II. SPOUSAL SUPPORT (ALIMONY)

1. _____ Husband _____ Wife forever gives up his/her right to spousal support (alimony) from the other spouse.

OR

2. _____ Husband _____ Wife requests that the Court order the other spouse to pay the following spousal support (alimony) and claims that he or she has an actual need for the support that he or she is requesting **and that the other spouse has the ability to pay that support**. Spousal support (alimony) is requested in the amount of \$ _____ every _____ week _____ other week _____ month, beginning {*date*} _____ and continuing until {*date or event*} _____.

Explain why the Court should order _____ Husband _____ Wife to pay, and any specific

request(s) for type of alimony (temporary, permanent, bridge-the-gap, durational, rehabilitative, and/or lump sum):

3. ____ Other provisions relating to alimony including any tax treatment and consequences:

4. ____ Husband ____ Wife requests life insurance on the other spouse's life, provided by that spouse, to secure such support.

SECTION III. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor child(ren) currently reside(s) with ____ Mother ____ Father ____ Other: *{explain}*

2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:
[Choose only one]

a. ____ shared by both Father and Mother.

b. ____ awarded solely to ____ Father ____ Mother. Shared parental responsibility would be detrimental to the child(ren) because: _____

3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that ____ includes ____ does not include parental time-sharing with the child(ren). The ____ Husband ____ Wife states that it is in the best interests of the child(ren) that:

[Choose only one]

a. ____ The attached proposed Parenting Plan should be adopted by the court. The parties ____ have ____ have **not** agreed to the Parenting Plan.

b. ____ The court should establish a Parenting Plan with the following provisions:

____ No time-sharing for the ____ Father ____ Mother.

____ Limited time-sharing with the ____ Father ____ Mother.

____ Supervised time-sharing for the ____ Father ____ Mother.
____ Supervised or third-party exchange of the child(ren).
____ Time-sharing as follows: _____

Explain why this request is in the best interests of the child(ren): _____

SECTION IV. CHILD SUPPORT

*[Indicate **all** that apply]*

1. ____ Husband ____ Wife requests that the Court award child support as determined by Florida’s child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. Such support should be ordered retroactive to:
 - a. ____ the date of separation *{date}* _____
 - b. ____ the date of the filing of this petition.
 - c. ____ other *{date}* _____ *{explain}* _____

2. ____ Husband ____ Wife requests that the Court award child support to be paid beyond the age of 18 years because:
 - a. ____ the following child(ren) *{name(s)}* _____

is (are) dependent because of a mental or physical incapacity which began before the age of 18. *{explain}* _____

 - b. ____ the following child(ren) *{name(s)}* _____
is (are) dependent in fact; is (are) in high school, and are between the ages of 18 and 19; said child(ren) is (are) performing in good faith with reasonable expectation of graduation before the age of 19.

3. ____ Husband ____ Wife requests that the Court award a child support amount that is more than or less than Florida’s child support guidelines and understands that a Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, **must** be filed before the Court will consider this request.

4. ____ Husband ____ Wife requests that medical/dental insurance for the minor child(ren) be provided by:
*[Choose only **one**]*

- a. _____ Husband.
 - b. _____ Wife.
5. _____ Husband _____ Wife requests that uninsured medical/dental expenses for the child(ren) be paid:
[Choose only one]
- a. _____ by Husband.
 - b. _____ by Wife.
 - c. _____ by Husband and Wife each paying one-half.
 - d. _____ according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
 - e. _____ Other {explain}:

6. _____ Husband _____ Wife requests that life insurance to secure child support be provided by:
- a. _____ Husband.
 - b. _____ Wife.
 - c. _____ Both.

SECTION V. OTHER

- 1. Wife requests to be known by her former name, which was *{full legal name}* :

- 2. Other relief *{specify}*: _____

SECTION VI. REQUEST

(This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

I request that the Court enter an order dissolving the marriage **and**:

*[Indicate **all** that apply]*

- 1. _____ distributing marital assets and liabilities as requested in Section I of this petition;
- 2. _____ awarding spousal support (alimony) as requested in Section II of this petition;
- 3. _____ adopting or establishing a Parenting Plan containing provisions for parental responsibility and time-sharing for the dependent or minor child(ren) common to both parties, as requested in Section III of this petition;
- 4. _____ establishing child support for the dependent or minor child(ren) common to both parties, as requested in Section IV of this petition;
- 5. _____ restoring Wife’s former name as requested in Section V of this petition;

6. _____ awarding other relief as requested in Section V of this petition; and any other terms the Court deems necessary.

I certify that a copy of this document was () mailed () faxed and mailed () e-mailed () hand-delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this answer and counterpetition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Signature of _____ Husband _____ Wife

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
_____ Produced identification
Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the: *{choose only one}* () Husband () Wife

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

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