



Divorce

Overview

- A divorce is the dissolution of marriage.
- You must prove that a marriage exists, and one party has been a Florida resident for six months immediately preceding the filing of the petition.
- The parties, facts and circumstances in each case are unique; therefore, outcomes can differ from case to case.

Collaborative law

- Collaborative dissolution process is a voluntary dispute resolution process that can begin at any time before or after a party files a petition for dissolution of marriage with a court
- The goal of the collaborative process is for the parties to enter into a written settlement agreement that addresses all issues

Dissolution proceedings through the court

- Two ways to file for a dissolution of marriage:
 - ◊ Regular dissolution of marriage
 - » File a petition for dissolution of marriage
 - » Automatic financial disclosure
 - » Mediation
 - » Formalizing settlement terms
 - ◊ Simplified dissolution of marriage
 - » Only certain couples are eligible for this method
 - » Was designed so services of an attorney might not be necessary. Spouses are responsible for filing all necessary documents correctly

Division of Assets and Debts

- Two types of assets and debts in Florida (non-marital and marital)
- Florida statutes and case law provide for an equitable distribution of marital assets and debts
- Factors to be considered by the court include
 - ◊ Contribution of each spouse to the marriage
 - ◊ Duration of the marriage
 - ◊ Economic circumstances of each spouse

Alimony

- After equitable distribution, the court may consider an alimony award
- The requesting spouse must demonstrate a need for alimony and the ability of the other party to pay
- Bridge-the-gap alimony is designed to assist a spouse with legitimate, identifiable short-term needs
- Rehabilitative alimony may be awarded when permanent periodic alimony is inappropriate
- Permanent alimony may be awarded to provide for the needs and necessities of life as they were established during the marriage of the parties for a spouse who lacks the financial ability to meet their necessary needs

Parenting Plan Considerations

- The public policy of Florida is to ensure that each minor child has frequent and continuing contact with both parents
- Courts use the best-interests-of-the-child standard when considering parental issues

Useful information

Florida Bar Lawyer's Referral Service 1-800-342-8011

<https://familylawfla.org/>