

FAMILY LAW SELF-HELP PROGRAM FOR CHARLOTTE COUNTY

RESPONDENT - DIVORCE

ANSWER & COUNTERPETITION WITH DEPENDENT/MINOR CHILD (107A) (REQUIRES FILING FEE)

Self-represented individuals are provided this checklist as part of the Family Law Self-Help program for Charlotte County. This covers the basic procedural requirements for filing the type of case noted above. It is not intended to replace actual LEGAL ADVICE, which you must receive only by a licensed attorney. This checklist should help you maneuver your case through the legal process with no unnecessary delays – each document includes specific instructions (DO NOT FILE THE INSTRUCTION PAGES). The forms referenced below may be downloaded free of charge from WWW.FLCOURTS.ORG. A pre-printed packet of these forms may be purchased from the Clerk of Courts-CIVIL (Justice Center/Floor 1) at a nominal cost (REQUEST PACKET #107A).

If you purchase the packet, you should separate the included forms to better organize your efforts and to ensure all forms/instructions are included. You may schedule an appointment with a Family Law Case Manager staff to have your documents notarized and copied at no cost.

REVIEW:

General Information for Self-Represented Litigants (12/2010) (as provided in Clerk's packet or on-line)

COMPLETE and FILE:

- Notice of Related Cases** [Form 12.900(h)]
- Answer to Petition and Counterpetition for Dissolution of Marriage with Dependent or Minor Child(ren)**, [Form 12.903(c)(1)]
- Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) Affidavit** [Form 12.902(d)]
- Financial Affidavit** [Form 12.902(b) or 12.902(c)] – choose the proper form based on YOUR annual income. (Short Form provided in this packet)
- Notice of Social Security Number** [Form 12.902(J)]
- Notice of Current Address** [Form 12.915]
- Certificate of Compliance with Mandatory Disclosure** [Form 12.932]
(DUE WITHIN 45 DAYS OF SERVICE, unless waived by both Parties...actual documents (tax returns, pay stubs etc.) should not be filed in the court file, but provided directly to the other Party)
- Child Support Guidelines Worksheet** [12.902 (e)]
Either Party may file this worksheet after both financial affidavits have been filed.
- Parenting Plan Form** [Form 12.995 (a)]
May be filed as proposed by one Party, or as an agreed plan if both Parties sign.
- OR: **Supervised/Safety Focused Parenting Plan** [Form 12.995 (b)] (NOT INCLUDED IN PACKET)
Used in cases when child(ren) cannot be safely alone with the other parent.
- OR: **Relocation/Long Distance Parenting Plan** [Form 12.995 (c)] (NOT INCLUDED IN PACKET)
Used when planning to relocate more than 50 miles from the current principal place of residence.

REQUIRED CLASS:

- Parent Education and Family Stabilization Course Completion**
Standing Orders provide contact information for enrollment. Each parent MUST attend an in-person class (Both may attend the same class if preferred). Court's approval is required to take the class online.
***** SEE REVERSE SIDE FOR ADDITIONAL INFORMATION *****

ANSWER & COUNTERPETITION WITH DEPENDENT/MINOR CHILD (107A)

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In some cases, the following documents may be necessary. These are not included in the Clerk's pre-printed packet, but may be downloaded from WWW.FLCOURTS.ORG. These forms may also be requested from the Family Law Self-Help program, by submitting a blue request form (FLSH-Charlotte Form 2) to the Administrative Office of the Courts (Justice Center-2nd Floor).

- Motion For Temporary Support And Time-Sharing With Dependent Or Minor Child(Ren)** [Form 12.947(a)]
Either Party may file this motion to ask the Court to award any of the following on a temporary basis, prior to a "final" order: use of assets; exclusive use of the marital home; responsibility for liabilities/debts; spousal support (alimony); time-sharing schedule with minor child(ren); child support; and other relief.

- Motion to Deviate from Child Support Guidelines** [Form 12.943]
Used only when you want the Court to order more/less child support than recommended on the worksheet.

- Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Children** [Form 12.902 (f) (1)]
This is used to document the issues which have been agreed to by both Parties; Section VI identifies the unresolved matters, which may be discussed at Mediation or decided by the Judge.

- Motion for Default** [Form 12.922(a)] **and Default** [Form 12.922(b)]
This may be filed if the other Party has failed to file an answer to the CounterPetition within 20 days of being served. If Default is entered, a final hearing/trial may be scheduled.

- Notice For Trial** [Form 12.924]
This is filed when a DEFAULT has been entered, or when no settlement can be reached (after formal mediation).

Some of the forms noted on this page may require you to seek legal guidance from a licensed attorney.

***** SIDE 2 *****