

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.903(b),
ANSWER TO PETITION FOR DISSOLUTION OF MARRIAGE

When should this form be used?

This form should be used when you are responding to a **petition** for **dissolution of marriage** and you wish to admit or deny all of the allegations in the petition but you do not plan to file a **counterpetition** seeking relief. You can use this form to answer any petition for dissolution of marriage, whether or not there are minor child(ren).

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the original with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records. This must be done within 20 days of receiving the petition.

What should I do next?

A copy of this form, along with all of the other forms required with this **answer**, must be mailed or hand delivered to the other party in your case. You have 20 days to answer after being served with the other party's petition. After you file your answer, the case will generally proceed in one of the following two ways:

UNCONTESTED... If you file an answer that agrees with everything in the other party's petition **and** you have complied with **mandatory disclosure** and filed all of the required papers, either party may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. If you request the final hearing, you must notify the other party of the hearing by using a **Notice of Hearing (General)**,  Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

CONTESTED... If you file an answer which disagrees with or denies anything in the petition, **and** 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. See chapter 61, Florida Statutes, for more information.

Special notes...

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction Act (UCCJA) Affidavit**,  Florida Supreme Court Approved Family Law Form 12.902(d), if the case involves a dependent or minor child(ren).
- **Child Support Guidelines Worksheet**,  Florida Family Law Rules of Procedure Form 12.902(e), if the case involves a dependent or minor child(ren). (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).
- **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.902(f)(1), or **Marital**

Settlement Agreement for Dissolution of Marriage with Property but No Dependent or Minor Child(ren), ☞☐ Florida Supreme Court Approved Family Law Form 12.902(f)(2), if you have reached an agreement on any or all of the issues.

- **Notice of Social Security Number**, ☞☐ Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, ☞☐ Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of service of the petition on you, if not filed at the time you file this answer.)
- **Certificate of Compliance with Mandatory Disclosure**, ☞☐ Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on you, if not filed at the time you file this answer, unless you and the other party have agreed not to exchange these documents.)

Child Custody... If you and your **spouse** are unable to agree about with whom the child(ren) will live most of the time, a **judge** will decide for you. The judge will decide the parenting arrangements based on the child(ren)'s best interests. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

The judge may request a **parenting evaluation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is (are) being served. For more information, you may consult section 61.13, Florida Statutes.

Some circuits may require the completion of a **parenting course** before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant about requirements for parenting courses where you live.

Listed below are some terms with which you should become familiar before completing your answer to the petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- **Shared Parental Responsibility**
- **Sole Parental Responsibility**
- **Rotating Custody**
- **Primary Residential Responsibility**
- **Secondary Residential Responsibility**
- **Reasonable visitation**
- **Specified visitation**
- **Supervised visitation**
- **No contact**

Child Support... The court may order one parent to pay **child support** to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. **If you are requesting custody or primary residential responsibility for one or more children, you should request child support in a counterpetition**, ☞☐ Florida Supreme Court Approved Family Law Form 12.903(c)(1), **and you cannot use this form**. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You must file a **Family Law Financial Affidavit**, ☞☐ Florida Family Law Rules of Procedure Form 12.902(b) or (c), and your spouse will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should

be paid using the **Child Support Guidelines Worksheet**,  Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

Alimony... Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in a counterpetition.**  Florida Supreme Court Approved Family Law Form 12.903(c)(1) (with dependent or minor child(ren)), or  Florida Supreme Court Approved Family Law Form 12.903(c)(2) (no dependent or minor child(ren)). **If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).**

Marital/Nonmarital Assets and Liabilities... Florida law requires an **equitable distribution** of **marital assets** and **marital liabilities**. “Equitable” does not necessarily mean “equal.” Many factors, including child support, custody, and alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. **Nonmarital assets** and **nonmarital liabilities** are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

Temporary Relief... If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, parental responsibility and visitation with child(ren), temporary child support, or temporary alimony, you may file a **Motion for Temporary Support with Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.947(a), or, if there are no dependent or minor child(ren), **Motion for Temporary Support with No Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.947(c). For more information, see the instructions for these forms.

Marital Settlement Agreement... If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.902(f)(1), or **Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.902(f)(2). Both parties must sign this agreement before a **notary public** or **deputy clerk**. Any issues on which you are unable to agree will be considered **contested** and settled by the judge at the final hearing.

Final Judgment Form... These family law forms contain a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.990(c)(1), and **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.990(c)(2), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren) (Uncontested)**,  Florida Supreme Court Approved Family Law Form 12.990(b)(1), **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (Uncontested)**,  Florida Supreme Court Approved Family Law Form 12.990(b)(2), or **Final Judgment of Dissolution of Marriage with No Property and No Dependent or Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.990(b)(3). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a **final judgment** with you to the **hearing**. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties’ names, and leave the rest blank for the judge to complete at your hearing or trial.

Nonlawyer... Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

ANSWER TO PETITION FOR DISSOLUTION OF MARRIAGE

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

1. I **agree** with Petitioner as to 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 Petitioner as to 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 allegations raised in the following paragraphs due to lack of information: {indicate section and paragraph number} _____.
4. If this case involves a dependent or minor child(ren), a completed Uniform Child Custody Jurisdiction Act (UCCJA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this answer.
5. If this case involves a dependent or minor child(ren), a completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is [**one** only] () filed with this answer or () will be filed after the other party serves his or her financial affidavit.
6. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this answer.
7. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), [**one** only] () is filed with this answer or () will be timely filed.

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

Petitioner or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

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

Dated: _____

Signature of Respondent

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

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: [*do not* fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the respondent, fill out this form.