

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR ESCAMBIA COUNTY, FLORIDA

**ADMINISTRATIVE DIRECTIVE ECAD2014-02**  
*(Vacates ECFLAD 2006-01)*

**RE: *Procedure for Uncontested Dissolution of Marriage  
Without a Hearing by Special Affidavit***

**WHEREAS**, the Circuit Court in and for Escambia County, Florida, established a Family Law Division effective April 1, 1992; and

**WHEREAS**, the undersigned Circuit Judge was appointed Administrative Judge in and for Escambia County by Administrative Order 2013-40; and

**WHEREAS**, in uncontested dissolution of marriage cases, it is advantageous to the Court, the attorneys and the parties, to have a procedure for the entry of a Final Judgment of Dissolution of Marriage without the necessity of a hearing; and

**WHEREAS**, it is necessary to have an established and definite procedure for the presentation to the Court of a request to enter a Final Judgment of Dissolution of Marriage without a hearing, it is, therefore

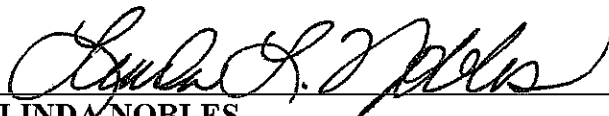
**ORDERED AND ADJUDGED:**

1. **Notice.** To insure the other party is apprised of the request for the entry of a Final Judgment of Dissolution of Marriage without a hearing, and has an opportunity to raise any objection to the entry of such, they shall be served with the *Notice of Filing Special Affidavit for Uncontested Dissolution of Marriage Without a Hearing* attached hereto as **Exhibit "A"**. If both parties are represented by counsel, the 15-day waiting period described in this Notice can be waived by supplying either a

proposed Final Judgment of Dissolution of Marriage bearing the initials of both counsel or a separate filing by the other party specifically documenting his or her consent to the entry of the Final Judgment without the 15-day waiting period.

2. **Special Affidavit.** In lieu of presenting live testimony to the Court, the necessary evidence shall be submitted through the *Special Affidavit for Uncontested Dissolution of Marriage Without a Hearing* attached hereto as **Exhibit "B"**.
3. **Checklist.** To insure that the Court is presented with a case procedurally postured for the entry of a Final Judgment of Dissolution of Marriage without a hearing, the moving party shall file with the Court the *Checklist for Uncontested Dissolution of Marriage* attached hereto as **Exhibit "C"**.

**DONE AND ORDERED** in Chambers at Pensacola, Escambia County, Florida this 23<sup>rd</sup>  
day of April, 2014.

  
\_\_\_\_\_  
**LINDA NOBLES**  
**ADMINISTRATIVE JUDGE, ESCAMBIA COUNTY**

Copies furnished to:

All Circuit Judges, Family Law Division  
All General Magistrates  
Circuit Court Clerk, Family Law Division  
Escambia Santa Rosa Bar Association

**EXHIBIT "A"**

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA  
FAMILY LAW DIVISION

In re: The Marriage of

\_\_\_\_\_,  
Petitioner/\_\_\_\_\_,  
and

Case Number 20\_\_ DR 00\_\_\_\_\_  
Division "\_\_\_\_"

\_\_\_\_\_,  
Respondent/\_\_\_\_\_.

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**NOTICE OF FILING**  
**SPECIAL AFFIDAVIT FOR UNCONTESTED DISSOLUTION OF MARRIAGE**  
**WITHOUT A HEARING**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**YOU ARE HEREBY NOTIFIED** the Petitioner/Counter-petitioner has filed a *Special Affidavit for Uncontested Dissolution of Marriage Without a Hearing* a copy of which is **attached** to this Notice. If you in any way disagree with the facts alleged in this Special Affidavit, and/or you desire a hearing before the Court, you **must within 15 days of the date of this Notice, file a written objection with the Clerk of Court.** If you are not represented by an attorney, your objection may be submitted by regular U.S. mail or hand-delivery to the Clerk of Court, Family Law Division, M.C. Blanchard Judicial Building, 190 Governmental Center, Pensacola, Florida, 32502. Attorneys shall e-file any objection. A copy of any objection filed with the Court must also be furnished to the attorney whose name appears at the end of this Notice.

**THIS IS THE ONLY NOTICE THAT YOU WILL RECEIVE PRIOR TO THE FINAL JUDGMENT BEING SUBMITTED TO THE ASSIGNED JUDGE.**

If you do not raise any objection as indicated above, the Final Judgment of Dissolution of Marriage will be entered without a hearing.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing has been furnished by ( ) e-mail ( ) regular U.S. mail ( ) hand delivery to \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Signature of Attorney*

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Florida Bar Number: \_\_\_\_\_

**EXHIBIT "B"**

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA  
FAMILY LAW DIVISION

In re: The Marriage of

\_\_\_\_\_  
Petitioner/\_\_\_\_\_,  
and  
\_\_\_\_\_  
Respondent/\_\_\_\_\_.

Case Number 20\_\_ DR 00 \_\_\_\_\_  
Division "\_\_\_\_"

**SPECIAL AFFIDAVIT FOR UNCONTESTED DISSOLUTION OF MARRIAGE  
WITHOUT A HEARING**

**STATE OF FLORIDA  
COUNTY OF ESCAMBIA**

I, the undersigned, under oath and under penalty of perjury, swear or affirm as follows:

1. My name is \_\_\_\_\_. I am the Petitioner / Counter-petitioner (*circle one*) in the above action. I am now married to \_\_\_\_\_. We were married in \_\_\_\_\_ (*city and state*) on \_\_\_\_\_ (*date*).
2. I have carefully re-read my Petition/Counter-petition for Dissolution of Marriage. Everything stated in it is true and accurate to the best of my knowledge and belief or I have made the corrections below:  
\_\_\_\_\_  
\_\_\_\_\_

3. Is your spouse now, or was your spouse at any time thirty days prior to the filing of the Petition for Dissolution of Marriage, a member of the Armed Forces of the United States, National Guard, or reserve member on active duty, or an active duty commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration?

Yes       No

4. The Petition for Dissolution of Marriage was filed on \_\_\_\_\_, 20\_\_.

5. Have either you or your spouse resided in the State of Florida continuously as a permanent resident for more than six (6) months before the date the Petition was filed?

Yes       No

Which spouse? \_\_\_\_\_ (*write "Husband", "Wife", or "Both"*)

6. "Irretrievably broken" means that the marriage cannot be salvaged in any way, not even with the help of marriage counseling. Is your marriage irretrievably broken?

Yes       No

Briefly state why: \_\_\_\_\_

7. Are there children born of this marriage who are still minors (under age 18 or still in high school with an anticipated date of graduation prior to age 19)?

Yes       No

If yes, state their names and dates of birth:

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

8. Have all children who were born during the marriage that are still minors, even those not the biological child(ren) of the Husband, been listed in the Petition/Counter-petition for Dissolution of Marriage?

Yes       No

If no, state their names and dates of birth:

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

9. Is the Wife pregnant at this moment?

Yes       No

10. Have both you and your spouse fully disclosed all assets, liabilities, and incomes to each other?

Yes       No

11. Have you and your spouse **both** signed a **written notarized** agreement settling all of the issues in this case?

Yes       No (if no, go to question 17)

12. Do you recognize **both** your signature and the signature of your spouse on that agreement?

Yes       No

13. Do you believe this agreement is fair?

Yes       No

14. Did both you and your spouse sign this written agreement freely and voluntarily?

Yes       No

15. Were either you or your spouse harassed, coerced or threatened by anyone into signing this agreement?

Yes       No

16. Do you want the Court to adopt this agreement as part of the Final Judgment of Dissolution of Marriage?

Yes       No (*go to question 18*)

17. If there is no agreement, do you wish the Court to enter a Final Judgment of Dissolution of Marriage granting the relief requested in the Petition for Dissolution of Marriage?

Yes       No

18. Is the Wife asking the Court to restore a prior name or maiden name?

Yes       No (*if no, go to question 19*)

Was this relief requested by the Wife in her Petition/Counter-petition?

Yes       No

If yes, state the **full** restored name desired: \_\_\_\_\_

**NOTE:** The Court can only restore a legal name that the Wife once had, either by birth or marriage. It cannot grant a new name that the Wife has never had before. This name is a  maiden name  prior married name (*check one*).

19. Is there anything you believe the Court should know that has not been covered above? If so, briefly state: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**NOTE:** You must show proof that either the husband or wife has been a permanent or continuous resident of the State of Florida. Residency cannot be less than six (6) months prior to the date the Petition was filed with the Clerk. You may do this in one of two ways:

- A. By submitting an **enlarged**, readable photocopy of a valid Florida driver's license or voter's registration. The **date of issue** must prove your residency. If it does not, you have failed to prove residency and your case will be held up until proper proof is received; or
- B. By submitting an Affidavit of Corroborating Witness, Florida Supreme Court Approved Family Law Form 12.902(i). The witness must be someone other than a party to this action and an adult who is a Florida resident.

\_\_\_\_\_  
Petitioner / Counter-petitioner

**SWORN TO AND SUBSCRIBED** before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, who is ( ) personally known to me or who has ( ) produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
**NOTARY PUBLIC**

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing has been furnished by ( ) e-mail  
( ) regular U.S. mail ( ) hand delivery to \_\_\_\_\_ on this \_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

*Signature of Attorney*

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Florida Bar Number: \_\_\_\_\_



**EXHIBIT "C"**

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA  
FAMILY LAW DIVISION

In re: The Marriage of

\_\_\_\_\_  
Petitioner/ \_\_\_\_\_,  
and

Case Number 20\_\_ DR 00\_\_\_\_\_  
Division "\_\_\_\_"

\_\_\_\_\_  
Respondent/ \_\_\_\_\_.

**CHECKLIST FOR UNCONTESTED DISSOLUTION OF MARRIAGE**

The Petitioner/Counter-petitioner states that all documents required for the entry of a Final Judgment of Dissolution of Marriage without a hearing have either been filed with the Clerk of Court or are presented with this checklist. A copy of the Clerk's docket is attached hereto. The document tag numbers of the required documents are noted in the appropriate column below.

<b><u>Minimum Documents</u></b>		<b>Clerk's Document Tag #</b>	<b>Presented with this Checklist</b>
Petition for Dissolution of Marriage			
Return of Service	OR		
Acceptance/Waiver of Service			
Answer to Petition			
Husband's Notice of Social Security No.			
Wife's Notice of Social Security No.			
Husband's Financial Affidavit			
Wife's Financial Affidavit			
Husband's Certificate of Compliance with Mandatory Disclosure Rule 12.285	OR		
Wife's Certificate of Compliance with Mandatory Disclosure Rule 12.285			
Both Parties' Agreement to Waive Mandatory Disclosure Rule 12.285			
Marital/Mediated Settlement Agreement			
Proof of Residency			
Special Affidavit for Uncontested Dissolution of Marriage Without a Hearing			
Notice of Filing Special Affidavit			
Proposed Final Judgment (w/copy sent to other party)			

<b>The following documents required <u>ONLY</u> if there is/are minor child(ren)</b>		
Husband's UCCJEA Affidavit		
Wife's UCCJEA Affidavit		
Husband's Certificate of Completion of DCF approved course		
Wife's Certificate of Completion of DCF approved course		
Parenting Plan		
Child Support Guidelines "CSG" (if more than one child, additional CSG's <u>must</u> be filed per F.S. 61.13(1)(a)(1)). Child support to be considered by the Court <u>complies</u> <u>deviates</u> ( <i>check one</i> ) with the CSG's. If deviates, see below		
Motion to Deviate from CSG's		

**CERTIFICATE OF COUNSEL**

The undersigned attorney certifies that he/she has reviewed this case, all entries on the above checklist are correct and this case is procedurally proper for the entry of a Final Judgment of Dissolution of Marriage without the necessity of a hearing.

\_\_\_\_\_, Esquire

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing has been furnished by ( ) e-mail ( ) regular U.S. mail ( ) hand delivery to \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Signature of Attorney*

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Florida Bar Number: \_\_\_\_\_