

INFORMATION SHEET FOR THE PRO SE LITIGANT

This is the Family Law Division of the Nineteenth Judicial Circuit. This instruction sheet is provided to give you guidance regarding the filing of documents before making your request to schedule a hearing in **St. Lucie County**.

The Judge cannot talk to either party except at a hearing. Before you get a hearing you must file the proper forms with the Clerk of the Court.

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If you are seeking a divorce and you have **children** born of the marriage, **both parties must file financial affidavits before the request for a final hearing is made**. **Financial affidavits** must be filed even though you and your spouse have reached an **agreement** regarding the amount of **child support** to be paid.

Both parents **must** attend the **Families First** seminar even if the case is uncontested. The **certificate** from this class **must be filed** with the Clerk's office before a hearing can be scheduled.

If you have been provided with an **order on mediation**, you **must** either attend mediation **or** file a written **agreement** regarding issues relating to the children. The issues which must be addressed are **parental responsibility, primary residence, visitation or time sharing** and **child support** as well as division of **property** and **debt**.

If you have children, your **final hearing** will not be scheduled until you both have filed **financial affidavits**, completed the **parenting class** and attended **mediation**, if required.

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If you are seeking **alimony**, both parties **must** file **financial affidavits**, even if the amount of alimony is agreed upon by both you and your spouse.

Your **divorce hearing** cannot be scheduled until you have obtained **service of process** of the **summons** and **petition** for **dissolution of**

marriage and you have filed **proof** of such service with the Clerk's office. If the respondent does not file an **answer** to the **summons** within **20 days** of the date of service, you **must** file a **motion for default** with the Clerk's office, before your hearing can be scheduled.

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If you are seeking a **modification of an order** relating to **child support** or **primary residence**, both parties **must** file **financial affidavits** before your hearing can be scheduled. **Financial affidavits** must be filed even though both parties may be in agreement regarding the modification of child support and/or primary residence.

**Financial affidavits must** be filed if you are seeking a **modification of alimony**.

If you are seeking **enforcement** of a court order, you can obtain the **motion for Contempt/Enforcement**. A **Motion for Contempt/Enforcement** cannot be filed unless you have an address for the respondent. The **original motion must** be filed with the Clerk's office. It is the petitioner's responsibility to see that the respondent is **served** with his or her copy of the **motion and notice of hearing**. The Judge cannot address the **motion for enforcement** without the respondent's presence at the **hearing** unless the petitioner can provide **proof** that the respondent was furnished with a copy of the **motion and notice of hearing**. Your Pro Se Coordinator can provide you with additional procedural information on how to obtain service on the respondent.