

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.904(b),  
PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF  
MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN)(07/13)**

**When should this form be used?**

This form may be used if a **dissolution of marriage** has not been filed, and you are requesting **alimony**. If a petition for dissolution has been filed, you should file a **Motion for Temporary Support with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(c), instead of using this **petition**. Also, if you are requesting that an order be entered for you to pay support to your spouse, you should not file this form.

This petition does not address the issues of property or debts. It only deals with alimony.

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 you live and keep a copy for your records. Because you are filing the **petition** in this proceeding, you are also referred to as the **petitioner** and your **spouse** as the **respondent**.

**What should I do next?**

For your case to proceed, you must properly notify your spouse of the petition. Because this petition concerns alimony, you should use **personal service**. If your spouse is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a) and **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b). Service on a spouse who is in the military can be complicated; therefore, you may wish to consult an attorney regarding this issue.

Your spouse has 20 days to **answer** after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT...** If after 20 days, no answer has been filed, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify your spouse 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.

**UNCONTESTED...** If your spouse files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify your spouse 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 your spouse files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should 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. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing). If your spouse files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### **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. For further information, see section 61.09, Florida Statutes.

### **Special notes...**

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this form you must also file the following:

- **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 the respondent, if not filed at the time of the petition.)
- **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 the respondent, if not filed at the time of the petition, unless you and the other party have agreed not to exchange these documents.)

**Alimony...** Alimony may be awarded to a spouse if the judge finds that he or she has an actual need for it and that the other spouse has the ability to pay. **If you want alimony, you must request it in writing in the original petition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request **permanent alimony, bridge-the-gap alimony, durational alimony, lump sum alimony, or rehabilitative alimony.**

**Temporary Relief...** If you need temporary relief regarding alimony, you may file a **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 that form.

**Final Judgment Forms...** These family law forms contain a **Final Judgment of Support Unconnected with Dissolution of Marriage with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.994(b), which the judge may use if your case is contested. 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

In re: the Marriage of:

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Husband,

and

\_\_\_\_\_,  
Wife.

**PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN)**

I, {full legal name} \_\_\_\_\_, the  
[Choose only one] ( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

1. JURISDICTION

( ) Husband ( ) Wife ( ) Both live in Florida at the filing of this Petition for Support Unconnected with Dissolution of Marriage, which is filed pursuant to section 61.09, Florida Statutes.

2. Husband [Choose only one] ( ) is ( ) is not a member of the military service.

Wife [Choose only one] ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} \_\_\_\_\_

Date of separation: {month, day, year} (\_\_\_ Indicate if approximate) \_\_\_\_\_

4. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.

5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is, or will be, filed.

**SECTION I. SPOUSAL SUPPORT (ALIMONY)**

1. \_\_\_ Husband \_\_\_ Wife has the ability to contribute to the maintenance of the other spouse and has failed to do so. \_\_\_ Husband \_\_\_ Wife requests that the Court order the other spouse to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting and that the other spouse has the ability to pay. Spousal support (alimony) is requested in the amount of \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_, and continuing until {date or event} \_\_\_\_\_.

Explain why the Court should order \_\_\_\_ Husband \_\_\_\_ Wife to pay and any specific request(s) for type of alimony (temporary, permanent, bridge-the-gap, durational, rehabilitative, and/or lump sum):

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2. \_\_\_\_ Other provisions relating to alimony including any tax treatment and consequences:

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3. \_\_\_\_ Husband \_\_\_\_ Wife requests life insurance on the other spouse's life, provided by that spouse, to secure such support.

**SECTION II. OTHER RELIEF**

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**SECTION III. REQUEST** (This section summarizes what you are asking the Court to include in the order for support.)

\_\_\_\_ Husband \_\_\_\_ Wife requests that the Court enter an order establishing support **and**:

[Choose **all** that apply]

- a. \_\_\_\_ awarding spousal support (alimony) pursuant to Section I of this petition;
- b. \_\_\_\_ awarding other relief as specified in Section II of this petition; and any other terms the Court deems necessary.

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of ( ) Husband ( ) Wife  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

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 deputy 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:**

[fill in **all** blanks] This form was prepared for the: *{choose only one}* ( ) Husband ( ) Wife  
This form was completed with the assistance of:  
*{ name of individualr }* \_\_\_\_\_,  
*{name of business}* \_\_\_\_\_,  
*address* \_\_\_\_\_,  
*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.