



# 10 STEP DIVORCE & CHILD CUSTODY PROCESS

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## Decision Time!



If you and your spouse are going through a difficult time and have decided to separate, the next big decision is which attorney you will use as your advocate.

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## File Legal Documents!



After filing you will be assigned a case number and judge. The next step is to obtain the legal document allowing a person to be served by the Sheriff's Office or a private process server. **A summons is usually only good for 120 days.**

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## You Got Served!



The next step is to serve the other person. Once the person is legally served, things start to move pretty quickly. Your spouse only has **20** calendar days to file an answer with the Court.

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## Education!



In Florida if you are getting divorced and have a child, or a child custody case has been filed, you are **REQUIRED** to take an approved Parenting Course. You have **45 days** to do this. Good news is that it can be done in person or online, and can be done in English or Spanish. **You have 45 days to do this**

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## Homework!



Gather your documents. Within **45 days** of the person getting served, both parties have to file a financial affidavit and provide mandatory disclosure documents.

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## Discovery!



Assess whether or not additional information is need. If so, further investigation takes place. This could mean subpoenas, depositions or more. Each request for information can take **30 days** from the date requested.

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## Mediation!



Once you can make an informed decision, you begin settlement negotiations in earnest. An independent third party, a mediator, can really help you two to decide on your own terms. This might be the end of the process if you are able to come to a full agreement.

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## Court Hearings!



During the process, you may need the Court to make decisions on various items, such as discovery requests, temporary custody, and support. This may take one week to several weeks based on the complexity of the request and the Court's schedule.

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## Preparation is Key!



If mediation did not resolve all of your issues, it is time to prepare for the big hearing. Based on the judge's availability and the time needed to present your case, it can take **several weeks** to **several months** to get a date for the big day.

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## Trial



A Final Hearing, a.k.a. Trial, is where you and your spouse present your individual cases and the judge will ultimately decide on the case. The entire process can take several months to years to complete.