

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR  
LEE COUNTY, FLORIDA** **CIVIL ACTION**

’,  
**Petitioner & ,**

vs.

**Case No. 11 DR 0 N**

’,  
**Respondent & ,**

**FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE**

This matter having come before the court at trial on, it is ordered:

1. Jurisdiction The court has jurisdiction of this matter and the parties. The petitioner has been a resident of Florida for more than six months before the date of the filing of the petition.

2. Irretrievably Broken The marriage of the parties is irretrievably broken. Therefore, the marriage of the parties is dissolved.

The parties were married on DDD and they separated on DDD, so they were married for XX years and YY months. The parties have a minor child(ren).

All temporary orders entered in this matter before this date are now canceled and of no force or effect. Any temporary agreement is not canceled if the parties agreed that it was to be permanent and incorporated in this judgment.

3. Parenting plan, parental responsibility order, and time-sharing schedule

4. Equitable distribution

4.1 Identification of nonmarital and marital assets and liabilities §61.075(7) provides: “The cut-off date for determining assets and liabilities to be identified or classified as marital assets and liabilities is the earliest of the date the parties enter into a valid separation agreement, such other date as may be expressly established by such agreement, or the date of the filing of a petition for dissolution of marriage.”

In this case, there is no separation agreement, so the cut-off date for determining the marital and nonmarital assets and liabilities is the filing date, which is DDD.

4.2 Nonmarital assets and liabilities In making equitable distribution, the court must first identify the nonmarital assets and liabilities of the parties, as required by §61.075(1). The

nonmarital assets and liabilities are as follows:

4.3 . Marital assets and liabilities In making equitable distribution of the parties' marital assets and liabilities, §61.075(1) requires the court to begin with the premise that the distribution should be equal unless there is a justification for an unequal distribution based on all relevant factors, including:

4.3.1 .(a) *"The contribution to the marriage by each spouse, including contributions to the care and education of the children and services as homemaker:"*

4.3.2 .(b) *"The economic circumstances of the parties:"*

4.3.3 .(c) *"The duration of the marriage:"*

4.3.4 .(d) *"Any interruption of personal careers or educational opportunities of either party:"*

4.3.5 .(e) *"The contribution of one spouse to the personal career or educational opportunity of the other spouse:"*

4.3.6 .(f) *"The desirability of retaining any assets, including an interest in a business, corporation, or professional practice, intact and free from any claim or interference by the other party:"*

4.3.7 .(g) *"The contribution of each spouse to the acquisition, enhancement, and production of income or the improvement of, or the incurring of liabilities to, both the marital assets and the nonmarital assets of the parties:"*

4.3.8 .(h) *"The desirability of retaining the marital home as a residence for a dependent child of the marriage or any other party when equitable to do so, it is in the best interest of the child or that party, and it is financially feasible for the parties to maintain the residence until the child is emancipated or until exclusive possession is otherwise terminated by a court of competent jurisdiction. In making this determination, the court shall first determine if it would be in the best interest of the dependent child to remain in the marital home; and, if not, whether other equities would be served by giving any other party exclusive use and possession of the marital home."*

4.3.9 .(i) *"The intentional dissipation, waste, depletion, or destruction of marital assets after the filing of the petition or within 2 years prior to the filing of the petition:"*

4.3.10 .(j) *"Any other factors necessary to do equity and justice between the parties:"*

4.4 . **Considering these factors, the court finds that the assets and liabilities of the parties should be divided as provided in Schedule 1 attached.** The items listed in the first column to the left are the marital assets and liabilities of the parties, and the values for each item are listed in the second column from the left. The court identified each item and determined the value of each item from the evidence. The assets and liabilities distributed to the husband are listed in the column entitled "Husband" and those distributed to the wife are listed in the column entitled "Wife."

**The parties are ordered to sign any and all documents and otherwise do everything necessary to effect the division ordered in this Final Judgment and Schedule 1.** They shall do whatever must be done to divide the property as ordered. If the court must become involved in later hearings to effect the division ordered, attorney's fees and court costs may be assessed

against a party responsible for the court's involvement. There is no need for the court to become involved, except as otherwise ordered in this Final Judgment. The parties have the ability to effect the division ordered.

**The following comments apply to the equitable distribution:**

5. Alimony The husband/wife has made a claim for alimony.

6. Child support findings and child support order

7. Attorney's Fees, Costs, and Suit Money The court reserves jurisdiction over the issue of attorney's fees, costs, and suit money, both entitlement and amount, for further hearings. Any further hearing on these issues must be preceded by a motion by either party asking for fees, costs or suit money, and a notice of hearing on the motion.

8. Reservation of Jurisdiction The court reserves jurisdiction of this action to enforce this final judgment and for all purposes specifically reserved.

Done and ordered in Fort Myers, Lee County, Florida, this \_\_\_\_\_

R. Thomas Corbin, Circuit Judge

Copies provided to: