

A Litigated Family Law Case: From Filing to Trial

Most family law cases settle before trial, but it helps to understand the full path a contested case can take in Florida. Timelines vary by county and by the complexity of your matter.

- 1. Petition filed and served.** The case begins when one spouse or parent (the petitioner) files a petition for dissolution of marriage, paternity, or support, and has the other party (the respondent) personally served.
- 2. Response and any counterpetition.** The respondent generally has 20 days after service to file an answer, and may file a counterpetition asking for their own relief.
- 3. Financial affidavits and mandatory disclosure.** Within 45 days of service, both sides exchange a sworn financial affidavit and the documents required by Rule 12.285 (see our Mandatory Disclosure checklist).
- 4. Parenting course (if minor children).** Both parents must complete a state-approved Parent Education and Family Stabilization course before a final judgment is entered.
- 5. Temporary relief (if needed).** Either party may ask the court for temporary timesharing, child support, alimony, or use of assets while the case is pending.
- 6. Case management.** The court may hold a case management conference and set deadlines for discovery, mediation, and trial.
- 7. Discovery.** The parties exchange information through interrogatories, requests for production, and depositions to learn the facts and value the assets and debts.
- 8. Mediation.** Florida courts require most family cases to attend mediation before trial. Many cases resolve here by agreement.
- 9. Pretrial conference.** The judge addresses any remaining issues, exhibits, witnesses, and readiness for trial.
- 10. Trial.** If no agreement is reached, the judge hears testimony and evidence and decides the contested issues. Family cases are tried to a judge, not a jury.
- 11. Final judgment.** The court enters a written final judgment resolving the case. Certain issues, such as timesharing and support, may later be modified if circumstances change.

This guide provides general information from Morla Law Group, P.A. and is not legal advice. Reading it does not create an attorney-client relationship. Laws and procedures change and vary by case; for advice about your situation, contact our office.