

Questions to Be Asked at Uncontested Final Hearing

IF CONSTRUCTIVE SERVICE:

- ___ When was the last time you saw your spouse?
- ___ What efforts did you make to locate your spouse prior to filing the affidavit of diligent search?

PRELIMINARY QUESTIONS:

(ask leading questions—)

- ___ State your name.
- ___ Do you live at _____?
- ___ Did you file a petition for dissolution of marriage on _____?

REVIEW DRIVER'S LICENSE TO VERIFY ISSUED 6 MONTHS PRIOR TO FILING

- ___ Have you been a continuous resident of the state of Florida since _____?
- ___ Do you intend to remain a resident of the state of Florida?
- ___ Is your marriage irretrievably broken (completely over, without the ability to be repaired)?
- ___ Is there anything the Court could order, such as marriage counseling that could assist in saving the marriage?

REGARDING AGREEMENTS/PARENTING PLANS(hand a copy to party):

- ___ Is this a copy of the MSA/PP in which you and your spouse entered?
- ___ I direct your attention to page ____. Is this your signature? Your spouse's?
- ___ Are you satisfied that you and your spouse gave each other full and frank disclosure?
- ___ Are you each aware of the other's earnings and assets?
- ___ Did each of you freely and voluntarily enter into this agreement?
- ___ Are you aware that these documents settle all of your rights with regard to your marriage, property (and children)?
- ___ Do you believe that the MSA is fair, under the circumstances?
- ___ Do you believe the Parenting Plan is in the children's best interest?

IF THERE ARE VARIATIONS / DEVIATIONS REGARDING CHILDREN:

- ___ Does the agreement provide for sole parental responsibility?
- ___ Why is shared parental responsibility detrimental to the children?
- ___ Does the agreement provide for a deviation from the child support guidelines?
- ___ Why is such a deviation appropriate and just?

IF THERE IS A RESIDENCY WITNESS (not needed if valid driver's license issued 6 months before filing):

- ___ Please state your name and address.
- ___ How do you know the Petitioner? How long have you known the Petitioner?
- ___ To the best of your knowledge, how long has the Petitioner been a continuous Resident of the state of Florida?
- ___ To the best of your knowledge, does the Petitioner intend to remain a resident?