

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCS: Judiciary Committee
2 Representative Eisnaugle offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 265-274 and insert:

6 (2) (a) During the first 180 days after the date of service
7 of the original petition for dissolution of marriage, the court
8 shall not grant a final dissolution of marriage with a
9 reservation of jurisdiction to subsequently determine all other
10 substantive issues unless the court makes written findings that
11 there are exceptional circumstances which make the use of this
12 process clearly necessary to protect the parties or their
13 children and that granting a final dissolution will not cause
14 irreparable harm to either party or the children. Before
15 granting a final dissolution of marriage with a reservation of
16 jurisdiction to subsequently determine all other substantive
17 issues, the court shall enter appropriate temporary orders
18 necessary to protect the parties and their children, which
19 orders shall remain effective until such time as all other

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20 issues can be adjudicated by the court. The desire of one of the
21 parties to remarry does not justify the use of this process.

22 (b) If more than 180 days have elapsed after the date of
23 service of the original petition for dissolution of marriage,
24 the court may grant a final dissolution of marriage with a
25 reservation of jurisdiction to subsequently determine all other
26 substantive issues only if the court enters appropriate
27 temporary orders necessary to protect the parties and their
28 children, which orders shall remain effective until such time as
29 all other issues can be adjudicated by the court, and makes a
30 written finding that no irreparable harm will result from
31 granting a final dissolution.

32 (c) If more than 365 days have elapsed after the date of
33 service of the original petition for dissolution of marriage,
34 absent a showing by either party that irreparable harm will
35 result from granting a final dissolution, the court shall, upon
36 request of either party, immediately grant a final dissolution
37 of marriage with a reservation of jurisdiction to subsequently
38 determine all other substantive issues. Before granting a final
39 dissolution of marriage with a reservation of jurisdiction to
40 subsequently determine all other substantive issues, the court
41 shall enter appropriate temporary orders necessary to protect
42 the parties and their children, which orders shall remain
43 effective until such time as all other issues can be adjudicated
44 by the court.

45 (d) The temporary orders necessary to protect the parties
46 and their children entered prior to granting a dissolution of

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47 marriage without an adjudication of all substantive issues may
48 include, but shall not be limited to, temporary orders that:

- 49 1. Restrict the sale or disposition of property.
- 50 2. Protect and preserve the marital assets.
- 51 3. Establish temporary support.
- 52 4. Provide for maintenance of health insurance.
- 53 5. Provide for maintenance of life insurance.

54 (e) The court is not required to enter temporary orders to
55 protect the parties and their children if the court enters a
56 final judgment of marriage which adjudicates substantially all
57 of the substantive issues between the parties but reserves
58 jurisdiction to address ancillary issues such as the entry of a
59 qualified domestic relations order or the adjudication of
60 attorney's fees and costs.

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65 **T I T L E A M E N D M E N T**

66 Remove lines 37-40 and insert:

67 rehabilitation; amending s. 61.19, F.S.; prohibiting the
68 bifurcation of a dissolution of marriage case within 180 days
69 after filing unless a court finds that there are exceptional
70 circumstances; authorizing bifurcation of a dissolution of
71 marriage case if the case is more than 180 days past filing;
72 requiring the bifurcation of a dissolution of marriage case if
73 the case is more than 365 days past filing; providing an
74 effective date.

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