

SERVICE BY PUBLICATION IN A DISSOLUTION OF MARRIAGE ONLY

This packet is to be used **ONLY** when you are trying to obtain a dissolution of marriage and are unable to locate your spouse. This is called constructive service or service by publication. A court **will not** grant a divorce in a case where the other party was not notified and constructive service is a means of attempting to notify them. However, in order to use constructive service, you **must first** conduct a **diligent search** to try to locate the absent spouse.

Procedure:

1. Conduct your diligent search. The Affidavit of Diligent Search and Inquiry, [Florida Supreme Court 12.913(b)], provides a list of all the places you must contact to complete your search. You do not need to contact all of the places listed, but you **DO** need to contact most of them. It is best to keep your own list of the phone number you called, the name of the person you talked with, what they told you and the date you contacted them. Keep this list to bring with you at the time of your hearing.
2. If you complete your search and **do find** the absent spouse, contact the Family Pro Se Coordinator at 321-633-7780 to find out which packet you will need.
3. If you **do not** find the absent spouse complete the Affidavit of Diligent Search and Inquiry and the Notice of Action for Dissolution of Marriage, [Florida Supreme Court form 12.913(a)].
4. *You will also need a divorce packet.* To obtain information on which packet is correct for you, contact the Family Pro Se Coordinator at 321-633-7780 or email prosecoordinator@brevardclerk.us.