

## Annulment

This is the packet you will use if you wish to file for an annulment. An annulment is a court order that declares that a marriage was never valid, having the effect of wiping out a marriage as though it never existed.

1. The completed original petition must be signed in the present of a notary public or deputy clerk. The person seeking the annulment is called the Petitioner, and the person responding to the petition is the Respondent.
2. Included in this packet is a report that you must complete for reporting your annulment to the Department of Health, Division of Vital Statistics (Form DH513). Complete it as noted below and return it to the Clerk's Office for processing:
  - ✓ Type or complete this form in black ink only.
  - ✓ Place an X at the top in the box beside "Annulment".
  - ✓ Do not leave any spaces blank. If information is unavailable, type or write "not stated".
  - ✓ Please complete all sections except 1-4 (a deputy clerk will complete these). The following numbers correspond directly to the numbers on the form and describe the information that should go in those sections on the form:

5 HUSBAND NAME – first, middle, last

6a-d Husband RESIDENCE – STATE, COUNTY, CITY and STREET and NUMBER, **if known (Do not use P.O. boxes—complete all sections)**

7a WIFE NAME – first, middle, last

7b MAIDEN NAME, **if known**

8a-d Wife RESIDENCE STATE, COUNTY, CITY and STREET AND NUMBER, **if known (Do not use P.O. boxes—complete all sections)**

9a-b PLACE OF MARRIAGE – COUNTY and STATE, **if known**

9c DATE OF MARRIAGE

10a LIVING CHILDREN – TOTAL NUMBER

10b Number of Children UNDER AGE OF 18

11 Indicate who PETITIONER is, type husband or wife

12a ATTORNEY FOR PETITIONER, **if any**

12b Attorney ADDRESS, Street, City, State, Zip

3. All completed original forms must be filed with the Clerk of the Circuit Court in the county where you live. In Leon County, you will file your forms in the Family Law Division, Suite 100, Leon County Courthouse, 301 South Monroe Street, Tallahassee, FL 32301. You should keep a copy of this petition for your records.
4. A deputy clerk will notarize signatures for a fee, collect the appropriate filing fee, and assign a Family Law case number and judge to the action.
5. You must pay the appropriate [filing fees](#) to the clerk's office. If you cannot afford to pay the filing fees, you will need to fill out an Application for Indigence. If you are found indigent, the filing fees will be waived; however, summons issuance fees must be paid.
6. You will be given a receipt that reflects your case number and a telephone number for the case manager.
7. Within approximately four weeks, you will hear from the case manager, and receive a court date if the file is complete or notification requesting any documents that may be missing from the file to process your case. You may be required to attend a final hearing.
8. Check with the case manager to see if you need to bring the Final Judgment of Annulment form with you to the hearing. If you do, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.
9. If the judge grants your petition, the judge will sign this order. A deputy clerk can provide you with certified copies of the signed order. There will be charges for the certified copies and for recording the order. A deputy clerk can tell you how much those charges are. If you have been declared indigent, the fees will be waived.
10. It may be helpful to compile a list of all of the people and/or places that will need a copy of your final judgment. This list may include the driver's license office, social security office, banks, schools, etc. A list will help you know how many copies of your order you should get from the clerk's office after your hearing.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT  
IN AND FOR LEON COUNTY  
STATE OF FLORIDA

IN RE: The Marriage of

CASE NO: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

and

\_\_\_\_\_,  
Defendant.

PETITION FOR ANNULMENT OF MARRIAGE

Plaintiff, \_\_\_\_\_, petitions for an annulment of the  
marriage between Plaintiff and Defendant, \_\_\_\_\_, and states as  
follows:

1. Plaintiff is a resident of Florida, and defendant is a resident of  
\_\_\_\_\_.
2. Both parties are over the age of eighteen.
3. On \_\_\_\_\_, Plaintiff and Defendant were purportedly  
married to each other in a ceremony performed in \_\_\_\_\_.
4. *(Select one of the following that applies to your circumstances)*

Plaintiff and Defendant separated immediately after the ceremony and  
never lived together as husband and wife or consummated the purported marriage in  
any manner.

Plaintiff and Defendant lived together as husband and wife until the Plaintiff discovered the matters set forth below, at which time the Plaintiff separated from the Defendant and has lived separate and apart ever since.

\_\_\_\_\_

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5. *(Select one of the following that applies to your circumstances)*

The purported marriage is invalid due to the fact that the Plaintiff discovered that the Defendant had concealed his true identity from the Plaintiff before and after the parties' marriage.

The purported marriage is invalid because the Defendant was legally married to a third party at the time the Plaintiff and Defendant were married to each other in the above referenced ceremony.

The purported marriage is invalid because the Defendant has stated that he/she will not live with the Plaintiff as a spouse, and that he/she will not honor the marriage vows or consummate the marriage.

\_\_\_\_\_

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6. No children were born of the purported marriage.

7. The Plaintiff is not pregnant.

8. There are no marital assets or marital debts to be divided.

For these reasons, Plaintiff requests that:

1. The purported marriage between the plaintiff and the defendant be declared null and void and that a final judgment of annulment be entered in this cause.
2. The plaintiff's name restored to \_\_\_\_\_.
3. The Court grant other and further relief as deemed proper and just.

I DECLARE UNDER PENALTY OF PERJURY, under the laws of the State of Florida, that the facts stated in this Petition are true and correct.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Printed Name of Affiant

\_\_\_\_\_  
Street Address of Affiant

\_\_\_\_\_  
City, State, Zip of Affiant

\_\_\_\_\_  
Area Code & Phone # of Affiant

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

SWORN TO and subscribed before me on \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_, who is \_\_\_ personally known to me, OR \_\_\_ produced \_\_\_\_\_ as identification.

NOTARY PUBLIC

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Printed Name of Notary

My Commission Expires:

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT  
IN AND FOR LEON COUNTY  
STATE OF FLORIDA

IN RE: The Marriage of

CASE NO: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

and

\_\_\_\_\_,  
Defendant.

ANSWER AND WAIVER

The Defendant, \_\_\_\_\_, answers the Petition for  
Annulment of marriage as follows:

1. I have received a copy of the Petition for Annulment that was filed in this cause. I have read and understand it, and the allegations of the petition are true and correct.
2. The marriage of the parties is null and void.
3. The Defendant agrees that this action may proceed to a final hearing.
4. The Defendant waives further notice in this cause of action and specifically waives notice of the entry of any Final Judgment.

For these reasons, the Defendant requests this Court to:

1. Take jurisdiction over the parties and the marriage.
2. Enter a judgment of annulment in this cause.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Printed Name of Defendant

\_\_\_\_\_  
Street Address of Defendant

\_\_\_\_\_  
City, State, Zip of Defendant

\_\_\_\_\_  
Area Code & Phone # of Defendant

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SWORN TO and subscribed before me on \_\_\_\_\_ 20\_\_\_\_, by  
\_\_\_\_\_, who is \_\_\_ personally known to me, OR \_\_\_ produced  
\_\_\_\_\_ as identification.

NOTARY PUBLIC

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

My Commission Expires:

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT  
IN AND FOR LEON COUNTY  
STATE OF FLORIDA

IN RE: The Marriage of

CASE NO: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

and

\_\_\_\_\_,  
Defendant.

FINAL JUDGMENT OF ANNULMENT

This action was heard before the Court. On the evidence presented,

IT IS ADJUDGED that:

1. The Court has jurisdiction over the parties and the subject matter.
2. The purported marriage between the plaintiff, \_\_\_\_\_,  
and the defendant, \_\_\_\_\_, is declared null and void.
3. There are no children, property or debts of the parties.
4. The plaintiff's former name is restored to \_\_\_\_\_.
5. Each party shall bear its own costs and fees.

ORDERED in Chambers, at Tallahassee, Leon County, Florida, on this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Circuit Judge

Copies furnished to:

Plaintiff  
Defendant



REPORT OF  
(Check one)

DISSOLUTION OF MARRIAGE  
 ANNULMENT OF MARRIAGE

**FLORIDA**

COUNTY 1		LEON		DATE OF FINAL JUDGMENT 2	
DOCKET 3		VOL.		PAGE 4	
HUSBAND	HUSBAND -- NAME First Middle Last 5				
	RESIDENCE -- STATE 6a		COUNTY 6b	CITY, TOWN, OR LOCATION 6c	
	STREET AND NUMBER 6d				
WIFE	WIFE -- NAME First Middle Last 7a				MAIDEN NAME 7b
	RESIDENCE -- STATE 8a		COUNTY 8b	CITY, TOWN, OR LOCATION 8c	
	STREET AND NUMBER 8d				
PLACE OF THIS MARRIAGE -- COUNTY 9a		STATE (If not in U.S.A., name country) 9b	DATE OF THIS MARRIAGE 9c (Month, Day, Year)		
LIVING CHILDREN -- TOTAL NUMBER 10a		UNDER 18 YEARS OF AGE 10b	PETITIONER Husband, Wife, Other (Specify) 11		
ATTORNEY FOR PETITIONER -- NAME 12a		ADDRESS: (Street or R.F.D. No., City or Town, State, Zip) 12b			
CLERK OF CIRCUIT COURT 13 GWEN MARSHALL			BY D.C.		

DH 513, 10/96 (Replaces HRS Form 513 which may be used)

**State Of Florida  
Department of Health  
Vital Statistics**