

Area Specific Information

Purpose of the Examination

The Marital and Family Law Certification Examination consists of a combination of essay, short answer, and multiple-choice questions. The exam is intended to test whether an applicant possesses the knowledge, skills, abilities, ethics, and judgments that are common to specialists in Marital and Family Law and is also intended to be a valid and reliable measurement to justify the representation of special competence and professionalism that distinguishes a “Florida Bar Board Certified Lawyer.”

Exam Specifications

Topics that will be covered on the marital and family law examination include:

Core Areas

1. Practice and Procedures (trial and appellate)
 - 1.1 Jurisdiction and venue
 - 1.2 Trial practice and procedure including Family Law Rules of Procedure and Rules of Civil Procedure, Rules of Juvenile Procedure, Rules of Appellate Procedure, Rules of Judicial Administration, privilege, discovery, and case law, (interpretation of the above).
 - 1.3 Rules of Evidence
 - 1.4 All forms of temporary relief
 - 1.5 All forms of injunctive relief
 - 1.6 Mediation and arbitration
 - 1.7 Relief (including procedural and statutory law) from judgment, enforcement of judgment, foreign judgment
2. Characterization and Allocation of Property Interests
 - 2.1 Identification and valuation of marital and non- marital property interests (including but not limited to corporation, professional

practice, partnership and agency, trusts, retirement benefits disability and state, federal and private)

- 2.2 Property, including division, equitable distribution and possession (including decisional and statutory authorities)
- 2.3 Bankruptcy considerations
- 2.4 Partition
- 2.5 QDRO's
- 3. Maintenance and Support
 - 3.1 Spousal support in all forms
 - 3.2 Child support
 - 3.3 All forms of temporary relief
 - 3.4 Separate maintenance
 - 3.5 Insurance (Life/health/disability/state/federal)
 - 3.6 State and federal remedies
 - 3.7 UIFSA
- 4. Taxation
 - 4.1 All forms of support
 - 4.2 Impact on valuation and property distribution
 - 4.3 All other effects of taxation on family law matters
 - 4.4 Income tax, gift tax, recapture of alimony, capital gains
 - 5.0 Parental Responsibility and Timesharing
 - 5.1 Parental responsibility, residence, contact and access (including federal and state statutory and decisional authorities), third-party rights and kinship custody
 - 5.2 All Paternity and declaratory judgment actions

- 5.3 Guardian Ad Litem/ Attorneys Ad Litem
- 5.4 Relocation
- 5.5 UCCJEA, PKPA, Hague Convention
- 5.6 Parenting Coordinators
- 5.7 Social Investigators
- 5.8 Enforcement and Modification
- 6. Ethic/ Bounds of Advocacy
- 7. Domestic Violence
 - 7.1 Jurisdiction, Venue and Service
 - 7.2 Relationship, criteria, temporary injunctions, permanent injunctions, relief, and duration
 - a. Domestic Violence Injunctions
 - b. Repeat Violence
 - c. Dating Violence
 - d. Sexual Violence
 - 7.3 Enforceability, Modification & Extensions
- 8. Enforcement and Modification
 - 8.1 Enforcement of spousal and child support (including federal and state statutory and decisional authority)
 - 8.2 Modification of spousal and child support
 - 8.3 Garnishment, income deduction orders, sequestration Taxation
- 9. Marital and Antenuptial Settlement Agreements
 - 9.1 Agreements, entered into before, during and after marriage
 - 9.2 Setting aside agreements
 - 9.3 Drafting agreements

- 9.4 Enforcement, modification and defense of agreements
- 9.5 Uniform Premarital Agreements
- 10. Attorney-client relationship
 - 10.1 Employment of Attorney
 - 10.2 Fee arrangements
 - 10.3 Attorney's fees, court costs and suit monies (including temporary, entitlement and amount, determination of excessive, sanction, enforcement, modification, security and paternity)
 - 10.4 Charging and retaining liens

Sub-Core Areas

- 1.0 Other Topic Areas
 - 1.1 Validity of marriage
 - 1.2 Torts arising out of relationships between married and unmarried parties
 - 1.3 Cohabitation and rights of unmarried cohabitants
 - 1.4 Annulment
 - 1.5 Extraordinary writs (including habeas corpus, ne exeat, prohibition, mandamus)
 - 1.6 Guardianship
 - 1.7 Military
 - 1.8 Name change
 - 1.9 Gestational Surrogacy

For examination purposes, topics that are not considered to be a part of marital and family law include:

- Adoption
- Juvenile Delinquency

- Juvenile Dependency
- Marchman Act
- Baker Act.

Examination Format & Grading

Part 1 (morning session) consists of 3 essays worth 30 points each and 30 multiple choice questions worth 1 point each.

Part 2 (afternoon session) consists of 2 essays worth 30 points each and 25 short answer questions worth 2 points each.

The passing standard for this examination is **70%**.