DECLARATORY JUDGMENT
RESEARCH GUIDE

OVERVIEW

A Declaratory Judgment establishes the rights and other legal relations of the parties without providing for enforcement. A Declaratory Judgment action attempts to settle and give relief from insecurity and uncertainty with respect to an individual's rights, status, and other equitable or legal relations. For example, if a vehicle is purchased and the Certificate of Title cannot be obtained from the previous owner, a judgment declaring ownership may be needed.

Ask your librarian for additional resources.

- Actions are filed in the court of based on the value of the claim/property. Declaratory Judgement is in the jurisdiction of the trial court. See FL Statute 86.011.

- If the amount of the claim is for $8,000 or less, then jurisdiction would be in Small Claims Court.

- If the amount of the claim is from $8,001 to $30,000, then jurisdiction would be in County Civil Court.

RESOURCES IN THE VOLUSIA COUNTY LAW LIBRARY

Listed below are some resources available at the Daytona Beach and DeLand branches:

1. Florida Statutes Chapter 86 pertaining to Declaratory Judgments

2. Florida Civil Procedure, Juan Ramirez Jr., Lexis

3. Causes of Action, West: Provides several examples of Declaratory Judgment based on different underlying issues. See the index of this resource

4. Florida Causes of Action, James Publishing: Provides an outline of the elements necessary to uphold an action for a declaratory judgment, broken down by the different District Courts of Appeal with references to court decisions. See section 17:30

5. Declaratory Judgment self-help forms packet

NOTICE: This research guide is based on information gathered from the resources cited above. For more information on this or other legal topics visit the nearest branch of the Volusia County Law Library.

IF YOU ARE ACTING AS YOUR OWN ATTORNEY, YOU ARE RESPONSIBLE FOR EVERYTHING THAT INVOLVES YOUR CASE. Remember: Check with the Clerk of the Court for filing fees/court costs.