

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Korey Leon Bales, Former Husband v. Jennifer Joan Bales, Former Wife

No. 1D2023-2587 (Fla. 1st DCA May 21, 2025) · No. 1D2023-2587 · Decided May 21, 2025

SUMMARY

The Florida First District Court of Appeal held that the dissolution petition remained pending on July 1, 2023, when the statutory amendment eliminating permanent alimony took effect. The court reversed the final judgment awarding permanent alimony and remanded for further proceedings.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Robert Roberts; Rowe; Kelsey
JURISDICTION	Florida First District Court of Appeal
DECIDED	May 21, 2025
DOCKET	1D2023-2587
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Former husband appealed a final dissolution judgment awarding permanent alimony.
PRECEDENTIAL VALUE	Published
PARTIES	Korey Leon Bales, Former Husband v. Jennifer Joan Bales, Former Wife

TOPICS

- alimony
- dissolution of marriage
- statutory interpretation
- appellate procedure

PRACTICE AREAS

- Family law
- alimony
- appellate procedure

QUESTIONS PRESENTED

- Whether the July 1, 2023, amendment to section 61.08, Florida Statutes, eliminating permanent alimony applied because the dissolution petition was still pending on the amendment's effective date.

HOLDINGS

1. A dissolution petition is pending for purposes of the July 1, 2023, amendment to section 61.08 when final judgment has not been rendered by the amendment's effective date; therefore, the permanent-alimony award could not stand under the amended statute.

FACTUAL BACKGROUND

The dissolution petition remained pending in the circuit court on July 1, 2023, the effective date of an amendment to section 61.08, Florida Statutes, eliminating permanent alimony. The circuit court subsequently entered a final judgment awarding permanent alimony.

PROCEDURAL HISTORY

The dissolution proceeding was pending in the Circuit Court for Santa Rosa County when the July 1, 2023, amendment to section 61.08, Florida Statutes, eliminating permanent alimony took effect. The circuit court entered a final judgment awarding permanent alimony. The First District Court of Appeal reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion.

CASES CITED

- Stockdale v. Stockdale, No. 1D2024-1371, 2025 WL 1062621 (Fla. 1st DCA Apr. 9, 2025)

OPINION

PER CURIAM.

FIRST DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ No. 1D2023-2587 _____

KOREY LEON BALES, Former Husband, Appellant, v. JENNIFER JOAN BALES, Former Wife, Appellee. _____ On appeal from the Circuit Court for Santa Rosa County. T. Michael Jones, Judge. May 21, 2025 PER CURIAM.

The petition for dissolution was still “pending” in the circuit court on July 1, 2023, when the amendment to section 61.08, Florida Statutes (2023), eliminating permanent alimony took effect. See Stockdale v. Stockdale, No. 1D2024-1371, 2025 WL 1062621 (Fla. 1st DCA April 9, 2025) (concluding a dissolution petition was “pending” where final judgment was not rendered by the effective date of the alimony reform amendment).

We REVERSE the final judgment awarding permanent alimony and REMAND for further proceedings consistent with this opinion. ROBERTS, ROWE, and KELSEY, JJ., concur. _____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ Ross Alan Keene of Ross Keene Law, P.A., Pensacola, for Appellant.

Elizabeth Jane Thorsen and Therese Felth McKenzie of McKenzie Law Firm, P.A., Pensacola, for Appellee. 2