

**PETITION TO PERMIT RELOCATION
WITH MINOR CHILD(REN)
(Packet #39)**

THIS PACKET IS TO BE USED ONLY IF:

1) THERE IS AN EXISTING COURT ORDER ADDRESSING CUSTODY, VISITATION, PARENTAL RESPONSIBILITY, AND/OR TIMESHARING

OR

2) THERE IS A PENDING CASE ADDRESSING CUSTODY, VISITATION, PARENTAL RESPONSIBILITY, AND/OR TIMESHARING

AND

3) YOU WANT TO MOVE MORE THAN 50 MILES WITH THE MINOR CHILD(REN) IN THIS CASE

ALL POST-JUDGMENT ISSUES REQUIRE THAT THE PARTIES ATTEMPT TO RESOLVE THE ISSUES IN MEDIATION BEFORE A HEARING DATE CAN BE SCHEDULED.

IF BOTH PARTIES ARE IN AGREEMENT, THIS PACKET IS NOT NEEDED.

If you choose to represent yourself (*pro se*) in your case, you should be aware that you will be required to follow the same rules that are required in cases filed by persons represented by attorneys. The judge assigned to your case is not necessarily required to grant what you request in a form. If you do not like the outcome of your case, you may not be able to change it. If you have any questions or concerns about your case, you should consult with an attorney.

If you do not know an attorney, you may call the Lawyer Referral Service at 221-7780. If you do not have the money to hire an attorney, you may apply to Bay Area Legal Services by calling 232-1343. You may also obtain legal information at the Legal Information Center at the George Edgecomb Courthouse (call 864-2280 for hours and information).

All instructions and forms distributed by the Thirteenth Judicial Circuit are provided merely as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist *pro se* (self-represented) litigants with their cases. The Thirteenth Judicial Circuit does not guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedures exactly or accept each and every form as drafted. Any person using these instructions and/or forms does so at his or her own risk, and the Thirteenth Judicial Circuit shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

In no event will the Florida Supreme Court, The Florida Bar, or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any direct, indirect, or consequential damages from their use.

| <u>FORMS CONTAINED IN THIS PACKET</u> | <u>FORM #</u> | <u>WHEN TO USE</u> |
|---------------------------------------------------------------------------|----------------------|-----------------------------------------------------------------------------------|
| General Information for Self-Represented Litigants | Appendix C | For your information only |
| 12 Rules of Courtroom Civility | 12 Rules | Required to start case |
| Nonlawyer Disclosure | 12.900(a) | Required if someone who is not a lawyer helps you with the forms |
| Civil Cover Sheet | 12.928 | Required to start case |
| Petition to Permit Relocation with Minor Child(ren) (01/06/2011) | Petition | Required to start case |
| Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA) | 12.902(d) | Required to start case |
| Relocation/Long Distance Parenting Plan | 12.995 (c) | Required (use this form if safety or supervised time-sharing IS NOT a concern) |
| Summons: Personal Service on an Individual | 12.910(a) | Required to start case |
| Process Service Memorandum | 12.910(b) | Required to start case |
| Notice of Action | NOA | Required to start case if you are publishing a notice in a newspaper |
| Affidavit of Diligent Search and Inquiry | 12.913 (b) | Required to start case if you are publishing a notice in a newspaper |
| Notice of Filing Return Receipt | Notice | Required if you deliver the Petition by certified mail |
| Notice of Related Cases | 12.900(h) | Required |
| Nonmilitary Affidavit | 12.912(b) | Use only if the other party is NOT in the military and they do not file an answer |
| Motion for Default | 12.922(a) | Use if no answer is filed within 20 days after service |
| Default | 12.922(b) | Use if no answer is filed within 20 days after service |
| Motion for Referral to the General Magistrate | 12.920(a) | Required for post-judgment cases |
| General Magistrate / Hearing Officer Division Referral Assignment Table | Table | To determine the General Magistrate / Hearing Officer assigned to your case |
| Final Judgment/Supplemental Final Judgment Granting Relocation | 12.950(i) | Use if there is no objection to the Petition after it has been served |
| Notice of Hearing | 12.923 | Use when a hearing date has been set |
| Fee Schedule for Family Law Cases | Fee | A schedule of fees for Family Law related cases |
| Notice of Confidential Information Within Court Filing | 2.40(d)(2) | Use to notify the clerk of documents containing confidential information |

STEP BY STEP INSTRUCTIONS

STEP ONE - Complete the forms to start the case and have them notarized

- 1) **FORMS MUST BE COMPLETED AND SIGNED IN BLACK INK AND MOST MUST BE NOTARIZED.** The clerk's office will notarize documents and charge a fee (see attached schedule). Please bring a valid ID.
- 2) **Names must be written the same way on all documents (no full names on one document and initials on another).**
- 3) **Complete the following forms and notarize the ones with a notary signature line:**
 - A) Civil cover sheet - (only use if you are starting a new case – with a new case number)
 - B) 12 Rules of Courtroom Civility - (does not need to be notarized)
 - C) Petition to Permit Relocation with Minor Child(ren)
 - D) Relocation/Long Distance Parenting Plan, Form 12.995(c)
 - E) Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Form 12.902(d)
 - F) Notice of Related Cases, Form 12.900(h)
 - G) Motion for Referral to the General Magistrate, Form 12.920(a) (complete only for a post-judgment case)
 - H) If you know where the other parent is (you have an address where he/she can be served – home, work, or other), complete the following forms:
 - a. Summons, Form 12.910(a)
 - b. Process Service Memorandum, Form 12.910(b)
 - I) If you do not know where the other parent is, you will need the following forms:
 - a. Notice of Action
 - b. Affidavit of Diligent Search and Inquiry, Form 12.913(b)
(NOTE: Before you sign the Affidavit of Diligent Search, you must have made a genuine attempt to locate the other parent and you must document your attempts to locate the other parent in this affidavit.)
 - c. Notice of Filing Return Receipt

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have signed (one copy is for your records). If you are filing a Motion for Referral to the General Magistrate, make 1 extra copy of that and 1 extra copy of the Petition. Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse. You may also purchase copies for \$0.15 per page, before filing your case, from the Family Law Intake staff in room 101.

STEP THREE - Filing your case

1. Take the *original* set of completed and signed forms to the clerk on the 1st floor of the main courthouse and pay the filing fee, if applicable. If you are starting a new case, the clerk will assign a case number and division.
2. Summons/Notice of Action: The clerk will sign the Summons or Notice of Action (whichever one you completed) and give it back to you. There is a charge to issue a Summons.

STEP FOUR – Notifying the other party

SUMMONS – Attach the Summons and the Process Service Memorandum to one complete copy of your documents and take them to the sheriff or process server in the county where the other party is going to be served (where he/she lives or works). The other party will have 20 days after the date the sheriff or process server delivers the papers to file a written response (answer). HILLSBOROUGH COUNTY: Hillsborough County Sheriff’s Civil Process is located at 700 Twiggs Street on the 3rd floor (across the street from the main courthouse). A non-refundable fee is required (only cash, cashier’s checks or money orders -- no personal checks). This fee will be waived if you have filed an Application for Civil Indigency and the clerk has marked that you are indigent.

NOTICE OF ACTION – Take the notice to the Hillsborough County newspaper in which it will be published and pay the fee for publication. A legal notice will run in the newspaper once a week for four consecutive weeks. The cost varies with the newspaper you choose.

CERTIFIED MAIL – Mail a copy of the Petition to the other party via certified mail, restricted delivery, return receipt requested.

STEP FIVE – Process the Motion for Referral to the General Magistrate, if used

1. If you are filing a “Motion for Referral to the General Magistrate,” mail the following to the Judge assigned to your case:
 - a. 1 copy of the Petition,
 - b. 1 copy of the Motion for Referral to the General Magistrate,
 - c. 2 stamped envelopes, one addressed to each party (envelopes and stamps can be purchased in the Court Business Center on the 6th floor of the Edgecomb courthouse)
2. If your case is assigned to a judge in Tampa, mail your documents and envelopes to:
Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
3. If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to:
Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563.
4. The Division of your case can be found next to your case number.
5. If the Motion for Referral to the General Magistrate is not accompanied by 2 stamped addressed envelopes, your Referral will not be processed and your case will be delayed.

STEP SIX – Obtain proof of service

SUMMONS – When the other party is served, the sheriff or process server should send you a form indicating the date and time he/she was served. File this with the clerk.

NOTICE OF ACTION – The newspaper should provide you with a copy of the ad (Proof of Publication). Tape the ad to a blank piece of paper. Write your name, the other party’s name, and your case number at the top of the paper. File this with the clerk.

CERTIFIED MAIL – When you receive the Return Receipt from the post office, complete the Notice of Filing Return Receipt and attach the receipt. File this with the clerk.

STEP SEVEN – Check for answer / default

1. Call the Clerk of the Circuit Court (276-8100 ext. 4358) 21 days after the other party was served to see if the other party filed an answer.
2. If no answer was filed and the other party is not in the military, complete the following forms: Nonmilitary Affidavit - Form 12.912(b), Motion for Default - Form 12.922(a), and a Default - Form 12.922(b). Take the Nonmilitary Affidavit, Motion for Default, Default, and your proof of service to the clerk.
3. If no answer was filed and the other party is in the military STOP HERE and consult an attorney.
4. If an answer was filed, obtain a copy in Room 101 of the courthouse (if the other party did not send you a copy).
5. If the other party filed a counterpetition, you have 20 days to file a written answer to the counterpetition. You can use Form 12.903(d) – Answer to Counterpetition. File the original with the clerk, send a copy to the other party, and keep a copy for your records.

STEP EIGHT – Objection to Relocation?

If the other party did NOT file an Objection to your Petition to Permit Relocation with Minor Child(ren) within 20 days from the date he/she was served, you can submit a proposed judgment allowing relocation to the judge's office. Complete the Final Judgment/Supplemental Final Judgment Granting Relocation and leave it in the mailbox for the assigned judge (most family division judges are located on the 4th floor of the George Edgecomb Courthouse). If the Final Judgment/Supplemental Final Judgment Granting Relocation is signed by the judge, STOP HERE.

STEP NINE – Mediation

If the other party filed an Objection to your Petition to Permit Relocation with Minor Child(ren), you and the other party will need to go to mediation to see if the disputed issue(s) can be resolved. Call the Mediation and Diversion office at 813-272-5642 and ask them to schedule a mediation date. If the other party does not contact the mediation department or the issue(s) cannot be resolved in mediation, a hearing will be set.

STEP TEN – Preparing your case / gathering evidence (if you and the other party do not agree and your case is contested)

If the other party is contesting issues in your case, you will need to be prepared to present evidence to the judge or general magistrate which supports your position(s). Gathering evidence is called “discovery.” Discovery is governed by Florida Family Law Rules of Procedure 12.280 – 12.410 and Florida Rules of Civil Procedure 1.280 – 1.410.

Some discovery methods are:

1. Interrogatories – written questions you send to the other party. See Forms 12.930(a), Notice of Service of Standard Family Law Interrogatories, and 12.930(b), Standard Family Law Interrogatories for Original Proceedings, and their instructions.
2. Notice of Production from Non-Party/Subpoena – a request to someone who is not a party in the case (not the other party) to provide copies of documents to you or to produce documents to be copied by you. See Forms 12.931(a), Notice of Production from Non-Party, and 12.931(b), Subpoena for Production of Documents, and their instructions.
3. Depositions – taking someone's testimony (a party or non-party) under oath before a court reporter.
4. Request for Production of Documents and Things – a written request that the other party provide specified documents or things for you to copy or examine. See Florida Rule of Civil Procedure 1.350.

Not all evidence can be considered by the judge or general magistrate. Evidence must conform to the Rules of Evidence in Chapter 90 of the Florida Statutes to be admissible in court. The duty of establishing the facts that you want to present to the court, or the burden of proof, is on YOU. You should provide the judge or general magistrate with admissible evidence to support the claims in your petition and your statements in court.

STEP ELEVEN – Scheduling the final hearing

IF YOU HAVE STARTED A **NEW CASE** AND WERE GIVEN A NEW CASE NUMBER AND THE OTHER PARTY DOES NOT HAVE AN ATTORNEY

1. Contact the Case Management Unit (813-272-5173) to schedule the final hearing.
2. You will be contacted by mail regarding a court date.

IF YOU HAVE STARTED A **NEW CASE** AND THE OTHER PARTY IS REPRESENTED BY AN ATTORNEY

1. Contact the judicial assistant (J.A.) for the judge to whom your case is assigned and ask the J.A. for 3 possible hearing dates and times.
2. Call the opposing attorney and ask which of those dates and times is best for him/her.
3. Call the J.A. and tell her which date and time you have chosen.
4. Complete a Notice of Hearing, Form 12.923 (not included), with the place, date, and time of the hearing.
5. Sign the Notice of Hearing and complete the Certificate of Service part of the notice which states the date you are filing the notice and how you are providing a copy to the opposing attorney.
6. Make 3 copies of the Notice of Hearing.
7. File the original Notice of Hearing with the clerk.
8. Give a copy of the Notice of Hearing to the J.A., send a copy of the notice to the other party's attorney, and keep a copy of the notice for your records.

IF YOU HAVE USED **AN EXISTING CASE** NUMBER AND THE OTHER PARTY DOES NOT HAVE AN ATTORNEY

1. Once you have received 1) a close-out letter from mediation (showing that you attempted mediation) and, 2) your signed Order of Referral to the General Magistrate, call the administrative assistant for the general magistrate assigned to your case and request a hearing date. The general magistrate/hearing officer assigned is determined by **the last two digits of your case number (see attached table)**.

If assigned to GM-1, call General Magistrate/Hearing Officer **Cuellar-Stilo** (Phone : 272-5351)

If assigned to GM-2, call General Magistrate/Hearing Officer **Johnson** (Phone: 276-2335)

If assigned to GM-3, call General Magistrate/Hearing Officer **Montagno** (Phone: 276-2337)

If assigned to GM-4, call General Magistrate/Hearing Officer **Proctor** (Phone: 272-6435)

2. Once a hearing date has been scheduled, complete a Notice of Hearing, Form 12.923, with the place, date, and time of the hearing.
3. Sign the Notice of Hearing and complete the Certificate of Service part of the notice which states the date you are filing the notice and how you are providing a copy to the other party.
4. Make 2 copies of the Notice of Hearing.
5. File the original Notice of Hearing with the clerk, send a copy of the notice to the other party, and keep a copy for your records.

IF YOU HAVE USED **AN EXISTING CASE** NUMBER AND THE OTHER PARTY IS REPRESENTED BY AN ATTORNEY

1. Once you have received 1) a close-out letter from mediation (showing that you attempted mediation) and, 2) your signed Order of Referral to the General Magistrate, call the administrative assistant for the general magistrate assigned to your case and request a hearing date. The general magistrate/hearing officer assigned is determined by **the last two digits of your case number (see attached table)**.

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If assigned to GM-2, call General Magistrate/Hearing Officer **Johnson** (Phone: 276-2335)

If assigned to GM-3, call General Magistrate/Hearing Officer **Montagno** (Phone: 276-2337)

If assigned to GM-4, call General Magistrate/Hearing Officer **Proctor** (Phone: 272-6435)

2. Call the opposing attorney and ask which of those 3 dates and times is best for him/her.
3. Call the administrative assistant and tell her which date and time you have chosen.

4. Complete a Notice of Hearing, Form 12.923 (not included), with the place, date, and time of the hearing.
5. Sign the Notice of Hearing and complete the Certificate of Service part of the notice which states the date you are filing the notice and how you are providing a copy to the opposing attorney.
6. Make 3 copies of the Notice of Hearing.
7. File the original Notice of Hearing with the clerk.
8. Give a copy of the Notice of Hearing to the administrative assistant, send a copy of the notice to the other party's attorney, and keep a copy of the notice for your records.

COURT REPORTER?

If you want a court reporter for the hearing, you must arrange for this in advance and you must pay the court reporter's fee. If there is no record of the hearing and the judge or general magistrate rules against you, you may not be able to appeal the decision.

STEP TWELVE – The final hearing

Normally the final hearing is when the petition (and counterpetition, if one was filed) will be considered and all issues will be decided. If you do not go to the final hearing your case may be dismissed.

HOW TO DRESS - Dress appropriately. No shorts, tank tops, or sandals. Do not chew gum.

WHAT TO BRING - All evidence you want the court to consider in deciding your case, if your case is contested

WHAT TO EXPECT

The hearing will take place in a hearing room or a courtroom. You will not be in front of a jury, just the general magistrate or judge. Do not interrupt the magistrate or judge when he or she speaks. When speaking to the magistrate or judge, address him or her as "Your Honor" or "Judge."

Each court has at least one bailiff who is a deputy sheriff and is there to maintain order. When you arrive for your hearing, let the bailiff know that you are present and ready. He or she will announce your case when it is time for your hearing, and will tell you where to sit and where to place your belongings as you enter the hearing room. A bailiff will usually remain inside the room during your hearing. If witnesses are called, the bailiff will step out to bring the witness into the hearing room.

At your hearing, be prepared to discuss any issues covered in the petition (and the counterpetition, if one was filed) and be able to provide proof of any disputed facts by presenting evidence. Evidence is proof presented at a hearing in the form of witnesses (people), exhibits (documents), and objects (things). Not all evidence can be considered by the general magistrate or judge, however. Evidence must conform to the Rules of Evidence in Chapter 90 of the Florida Statutes to be admissible in court. Remember, the duty of establishing the facts that you want to present to the court is on YOU. You should provide the judge with admissible evidence to support the claims in your petition and your statements in court. Telling your story may not be enough to win your case.

Once both sides have presented their evidence, the general magistrate or judge will make a decision and an order will be prepared. The order will contain all the details of the court's decision. You will receive a copy of the order in the mail. The original order will go to the clerk's office to be filed in your court file.

Family Forms and Packets - available for purchase at the Court Business Center

Form Packets with Instructions:

- 1) Complete packets with all forms and self-help instructions are priced individually and available at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at:
 - a) www.fljud13.org/Portals/0/Forms/pdfs/family/packetList.pdf
 - b) www.hillsclerk.com/publicweb/forms.aspx#FamilyLaw → then click on “Family Law”

Individual Forms (may not include necessary instructions):

- 1) For \$.10 per page at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at: www.flcourts.org → then click on “Family Law Forms”

YOU MAY FILE FORMS AT THE FOLLOWING LOCATIONS:

Tampa - George Edgecomb Courthouse – Main Location

Clerk of the Circuit Court, 800 E. Twiggs Street, Room 101, Tampa, FL 33602

Brandon – Brandon Regional Service Center

Clerk of the Circuit Court, 311 Pauls Drive, Suite 110, Brandon, FL 33511

Plant City – Plant City Courthouse

Clerk of the Circuit Court, 301 N. Michigan, Room 1071, Plant City, FL 33563

Ruskin/Sun City – SouthShore Regional Service Center

Clerk of the Circuit Court, 410 30th Street SE, Ruskin, FL 33570

**CIRCUITO JUDICIAL NÚMERO TRECE
DIVISIÓN DE DERECHO DE FAMILIA**

**PETICIÓN PARA PERMITIR REUBICACIÓN CON
MENOR(ES)
(Paquete #39)**

UTILICE ESTE PAQUETE SOLAMENTE SI:

1) EXISTE UNA ORDEN JUDICIAL SOBRE CUSTODIA, VISITAS,
RESPONSABILIDAD DE LOS PADRES Y/O TIEMPO COMPARTIDO

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2) HAY UN CASO PENDIENTE SOBRE CUSTODIA, VISITAS, RESPONSABILIDAD
DE LOS PADRES Y/O TIEMPO COMPARTIDO

Y

3) USTED DESEA MUDARSE A MAS DE 50 MILLAS CON EL(LOS) MENOR(ES)
EN ESTE CASO

**LAS PARTES DEBEN TRATAR DE RESOLVER EN MEDIACIÓN TODOS LOS
ASUNTOS POST-JUICIO ANTES DE QUE PUEDA FIJARSE UNA FECHA PARA
AUDIENCIA.**

ESTE PAQUETE NO ES NECESARIO SI AMBAS PARTES ESTÁN DE ACUERDO.

Si usted decide representarse a usted mismo (*pro se*) en su caso, usted debe estar consciente de que deberá seguir las mismas reglas establecidas para las personas representadas por abogados. El juez asignado para su caso no necesariamente tendrá que otorgarle lo que usted solicite en un formulario. Es posible que usted no pueda modificar el resultado del caso si no está de acuerdo con este. Si tiene preguntas o inquietudes sobre su caso usted debe consultar un abogado.

Si no conoce a un abogado, puede comunicarse al Servicio de Remisión de Abogados (*Lawyer Referral Service*) al 221-7780. Si usted no tiene dinero para contratar a un abogado, puede solicitar asistencia a *Bay Area Legal Services* llamando al 232-1343. También puede solicitar información legal en el Centro de Información Legal (*Legal Information Center*) de la Corte George Edgecomb (llame al 864-2280 para horarios e información).

Todas las instrucciones y formularios distribuidos por el Circuito Judicial Número Trece son provistas como un servicio público para las personas que buscan representarse a sí mismas en la corte sin la asistencia de un abogado. Estos documentos son solamente una guía y ayuda para los casos de los litigantes *pro se* (que se representan a sí mismos). El Circuito Judicial Número Trece no le garantiza que las instrucciones o las formas resultarán en el desenlace deseado para las partes ni que un juez en particular seguirá los procedimientos textualmente o que aceptará cada uno o la totalidad de los formularios tal y como fueron escritos. Cualquier persona que utilice estas instrucciones y/o formularios, lo hace bajo su propio riesgo y el Circuito Judicial Número Trece no se hará responsable por pérdidas ocasionadas a persona alguna que use estas instrucciones y/o formularios.

En ningún caso la Corte Suprema de la Florida, la Barra de Florida (*Florida Bar*), o cualquiera que contribuya a la creación de estos formularios, comentarios, instrucciones, y apéndices será responsable por el daño directo, indirecto o consecuencial que su uso pueda causar.

| <u>FORMULARIOS INCLUIDOS EN ESTE PAQUETE</u> | <u>FORMULARIO #</u> | <u>CUANDO USARLO</u> |
|------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------|
| Información General para Personas que se representan a sí mismas | Apéndice C | Únicamente para su información |
| 12 Reglas de Civismo en la Corte | 12 Reglas | Necesarias para iniciar un proceso |
| Declaración de que no se es Abogado | 12.900(a) | Necesaria si una persona que no es abogado le ayuda con los formularios |
| Carátula para Demandas Civiles | 12.928 | Necesaria para iniciar un proceso |
| Petición para Autorizar Reubicación con Menor(es) (01/06/2011) | Petición | Necesaria para iniciar un proceso |

| <u>FORMULARIOS INCLUIDOS EN ESTE PAQUETE</u> | <u>FORMULARIO #</u> | <u>CUANDO USARLO</u> |
|-------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------|
| Affidávit acorde con <i>Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA)</i> | 12.902(d) | Necesario para iniciar un proceso |
| Reubicación/ Plan de Crianza a Distancia | 12.995(c) | Necesario (use este formulario si la seguridad o tiempo compartido supervisado NO ES una preocupación. |
| Citación: Notificación Personal a un Individuo | 12.910(a) | Necesario para iniciar un proceso |
| Memorando de Notificación del Proceso | 12.910(b) | Necesario para iniciar un proceso |
| Notificación de Acción | NOA | Use si va a realizar la notificación por publicación en un periódico |
| Affidávit de Búsqueda e Investigación Diligente (<i>Affidavit of Diligent Search and Inquiry</i>) | 12.913(b) | Necesario para iniciar un proceso si usted va a realizar la notificación por publicación en un periódico |
| Notificación de Radicación de Recibo de Devolución (<i>Notice of Filing Return Receipt</i>) | Notificación | Necesario si usted envió la Petición por correo certificado |
| Notificación de Caso Relacionado | 12.900(h) | Necesaria |
| Affidávit de que no se es Militar (<i>Nonmilitary Affidavit</i>) | 12.912(b) | Usar únicamente si la contraparte NO está en el servicio militar y no radica una respuesta |
| Moción de Incomparecencia (<i>Motion for Default</i>) | 12.922(a) | Usar si no se ha radicado una respuesta dentro de los 20 días siguientes a la notificación |
| Incomparecencia (<i>Default</i>) | 12.922(b) | Usar si no se ha radicado una respuesta dentro de los 20 días siguientes a la notificación |

| <u>FORMULARIOS INCLUIDOS EN ESTE PAQUETE</u> | <u>FORMULARIO #</u> | <u>CUANDO USARLO</u> |
|------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------|
| Moción para la Referencia al Magistrado General | 12.920(a) | Necesaria para casos previamente decididos |
| División de Magistrado General/ Oficial de Audiencia - Tabla de Asignaciones | Tabla | Para determinar el Magistrado General/Oficial de Audiencia asignado a su caso |
| Sentencia Final/ Sentencia Final Suplementaria Autorizando Reubicación | 12.950(i) | Use si no hay objeción a la Petición luego de notificada |
| Notificación de la Audiencia | 12.923 | Utilizar cuando se ha establecido una fecha para la audiencia |
| Lista de Tarifas para Casos de Derecho de Familia | Tarifas | Lista de Tarifas para Casos relacionados con derecho de familia. |
| Notificación de Información Confidencial contenida en documentos radicados. | 2.40(d)(2) | Para alertar al escribano de la corte (Clerk) de la existencia de información confidencial. |

INSTRUCCIONES PASO A PASO

PRIMER PASO - Completar los formularios para iniciar el proceso y adelantar trámite notarial

- 1) LOS FORMULARIOS DEBEN SER COMPLETADOS Y FIRMADOS EN TINTA NEGRA Y LA MAYORÍA DEBEN SURTIR TRÁMITE NOTARIAL.** La oficina del escribano (*clerk's office*) adelantará el trámite notarial por una tarifa (ver la lista de cargos anexa). Por favor lleve una identificación válida.
- 2) Los nombres deben ser escritos de la misma manera en todos los documentos (no nombres completos en una forma y las iniciales en otra).**
- 3) Complete las siguiente formas y adelante el trámite notarial en aquellos que provean una línea para la firma del notario:**
 - A) Carátula para Demandas Civiles - (use si usted está empezando un nuevo caso - con un número de caso nuevo)

- B) 12 Reglas de Civismo en la Corte - (no es necesario el trámite notarial)
- C) Petición para Autorizar Reubicación con Menor(es)
- D) Reubicación/ Plan de Crianza a Distancia Formulario,12.995(c)
- E) Affidávit de acuerdo con el *Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)*, Formulario 12.902(d)
- F) Notificación de Caso Relacionado, Formulario 12.900(h)
- G) Moción de Referencia al Magistrado General, Formulario 12.920(a) (usar únicamente si usted está usando un número de caso existente)
- H) Si usted sabe donde se encuentra(n) el otro padre/madre y/o el esposo de la madre del menor (usted tiene la dirección donde él/ella puede ser notificada - casa, trabajo, u otro), complete los siguientes formularios:
 - a. Citación, Formulario 12.910(a)
 - b. Memorando de Notificación del proceso, Formulario 12.910(b)
- I) Si usted no sabe donde se encuentra el otro padre o madre, usted necesitará los siguientes formularios:
 - a. Notificación de Acción
 - b. Affidávit de Búsqueda e Investigación Diligente (*Affidavit of Diligent Search and Inquiry*), Formulario 12.913(b)
(NOTA: antes de firmar el Affidávit de Búsqueda Diligente, usted debe hacer un intento sincero de localizar al otro padre/madre y usted debe documentar los intentos de localizar al otro padre/madre en este affidavit.)
 - c. Notificación de Radicación de Recibo de Devolución (*Notice of Filing Return Receipt*)
- J) Notificación de Información Confidencial, Formulario 2.40(d)(2)

SEGUNDO PASO - Hacer las Copias

Después de completar las formas, firmarlas y completar el trámite notarial, haga dos copias de todo lo que haya firmado (una es para su archivo). Si está radicando una Moción para Referencia a Magistrado General, haga una copia adicional de esto y una copia extra de la Petición. Las copias pueden ser obtenidas por una tarifa en el Centro de Negocios de la Corte (*Court Business Center*), en el sexto piso del la Corte George Edgecomb. También puede pagar \$0.15 por página, antes de radicar su caso, en la oficina 101 (*Family Law Intake*).

TERCER PASO - Radicar su Caso

1. Lleve el paquete *original* completo y firmado al escribano (*clerk*) en el 1er piso de la corte principal y pague los cargos si es necesario. Si usted está empezando un nuevo caso, el escribano le asignará un número de caso y división.
2. Citación/Notificación de Acción: el escribano (*clerk*) firmará la Citación o Notificación de Acción (la que usted haya completado) y se la devolverá. Hay un cargo por emitir una Citación.

CUARTO PASO - Notificar a la Contraparte

CITACIÓN - Anexar la Citación y el Memorando de Notificación del Proceso a una de las copias completa de los documentos y llevarlos al sheriff o a la persona encargada de la notificación de los procesos (*process server*) en el condado donde la contraparte va a ser notificada/o (donde el o ella vive o trabaja). La contraparte tendrá 20 días para radicar la respuesta escrita (respuesta) contados a partir de la fecha en que el sheriff o quien surta la notificación de los procesos entregue los documentos. CONDADO DE HILLSBOROUGH: el *Hillsborough County Sheriff Civil Process* está localizado en 700 Twiggs Street, tercer piso (al frente del edificio principal de la corte). Se requiere el pago de un cargo que no será devuelto (únicamente efectivo, cheque de cajero o *money order*---no se aceptan cheques personales). Este cargo será renunciado si usted ha radicado una Solicitud de Indigencia Civil (*Application for Civil Indigency*) y el escribano (*clerk*) lo ha marcado como indigente.

NOTIFICACIÓN DE ACCIÓN - Lleve el aviso al periódico del condado de Hillsborough adonde se va a publicar y pague el cargo correspondiente. Un aviso legal correrá una vez a la semana por cuatro semanas consecutivas. El costo varía según el periódico que usted escoja.

CORREO CERTIFICADO - Envíe por correo certificado con entrega restringida y solicitud de devolución de recibo (*certified mail, restricted delivery, return receipt requested.*)

QUINTO PASO - Procesar la Orden de Referencia al Magistrado General, si se usa

1. Si usted está radicando una “Moción de Referencia al Magistrado General” (“*Motion for Referral to the General Magistrate*”) envíe lo siguiente, por correo, al Juez asignado a su caso:
 - a. 1 copia de la Petición
 - b. 1 copia de la Moción de Referencia al Magistrado General,
 - c. 2 sobres estampillados, uno dirigido a cada parte (los sobres y las estampillas pueden ser comprados en el Centro de Negocios de la Corte (*Court Business Center*) ubicado en el 6to piso de la Corte Edgecomb)
2. Si su caso es asignado a un juez en Tampa, envíe por correo sus documentos y sobres a: Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
3. Si su caso es asignado a un juez en Plant City, (División R, S o T), envíe por correo sus documentos y sobres a: Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563,
4. La División de su caso la encuentra junto al número de su caso.
5. Si la Moción de Referencia al Magistrado General no va acompañada por 2 sobres con las respectivas direcciones y estampillas, su Referencia no será tramitada y su caso sufrirá retrasos.

SEXTO PASO - Obtener Prueba de la Notificación

CITACIÓN: una vez que la contraparte haya sido notificada, el sheriff o quien haya surtido la notificación de los procesos debe enviarle un recibo indicando la fecha y la hora de la notificación. Radicar este recibo con el escribano (*clerk*).

NOTIFICACIÓN DE ACCIÓN - El periódico debe entregarle una copia del aviso (Prueba de la Publicación). Pegue el aviso con cinta en una hoja de papel en blanco. Escriba su nombre, el nombre de la contraparte, y su número de caso en la parte superior de la hoja. Radique esto con el escribano (*clerk*) de la corte.

CORREO CERTIFICADO - Cuando usted reciba de la oficina postal el Recibo de Devolución (*Return Receipt*) complete la Notificación de Radicación de Recibo de Devolución (*Notice of Filing Return Receipt*) y anexe copia del recibo. Radique esto con el escribano (*clerk*).

SÉPTIMO PASO - Revisar la Respuesta / Incomparecencia

1. Llame a la oficina del escribano de la Corte del Circuito (*Clerk of the Circuit Court*) al (276-8100 ext. 4358) 21 días después de que la contraparte haya sido notificada para averiguar si él o ella radicó una respuesta.
2. Si una respuesta no fue radicada y la contraparte no está en el servicio militar, complete los siguientes formularios: Affidávit de que no se es Militar (*Nonmilitary Affidavit*) - Formulario 12.912(b), Moción de Incomparecencia - Formulario 12.922 (a), e Incomparecencia (*Default*) - Formulario 12.922(b). Lleve al escribano, el Affidávit de que no se es militar, la Moción de Incomparecencia y la Incomparecencia (*Default*) y la prueba de notificación.
3. Si una respuesta no fue radicada y la contraparte está en el servicio militar DETÉNGASE y consulte un abogado.
4. Si una respuesta fue radicada, obtenga una copia en la Oficina 101 de la corte (si la otra parte no le envió una copia).
5. Si la contraparte radicó una contrademanda (*counterpetition*), usted tiene 20 días para radicar una respuesta escrita a la contrademanda. Puede utilizar el Formulario 12.903(d) - Respuesta a la Contrademanda (*Answer to Counterpetition*). Radique el original con el escribano (*clerk*), envíe una copia a la contraparte, y guarde una copia para su archivo personal.

OCTAVO PASO - Objeción a la Reubicación?

Si la contraparte NO radicó una Objeción a su Petición para Permitir Reubicación con Menor(es) dentro de los 20 días siguientes a la fecha en que el o ella fue notificado(a), usted puede radicar, en el despacho judicial, una propuesta de sentencia autorizando la reubicación. Complete la Sentencia Final/ Sentencia Final Suplementaria Autorizando Reubicación y déjela en la cajilla de correos (*mailbox*) del juez asignado (la mayoría de los jueces de la división de familia están ubicados el 4º piso de la George Edecomb Courthouse). Si el juez firma la Sentencia Final/ Sentencia Final Suplementaria Autorizando Reubicación, DETÉNGASE AQUÍ.

NOVENO PASO - Mediación

Si la contraparte radicó una Objeción a su Petición para Autorizar Reubicación con Menor(es), usted y la contraparte deberán ir a mediación para ver si los asuntos en disputa puede ser resueltos. Llame a la Oficina de *Mediation and Diversion* al 813-272-5642 y solicíteles que fijen una fecha para la mediación. Si la contraparte no se pone en contacto con el Departamento de Mediación o los asuntos no fueron resueltos en mediación, se programará una audiencia.

DÉCIMO PASO - Preparar su caso / reunir la evidencia (si usted y la contraparte no están de acuerdo y su caso es cuestionado).

Si la contraparte está cuestionando su caso, usted deberá estar preparado para presentar evidencia que apoye su(s) posición(es) ante el juez o magistrado general. El proceso de reunir la evidencia se llama “descubrimiento” (*Discovery*) . El Descubrimiento está gobernado por el *Florida Family Rules of Procedure* 12.280 - 12.410 y las *Florida Rules of Civil Procedure* 1.280 - 1.410. Algunos métodos de descubrimiento son:

1. Interrogatorios - Preguntas escritas que se envían a la contraparte. Ver formularios 12.930(a), *Notice of Service of Standard Family Law Interrogatories*, y 12.930(b), *Standards Family Law Interrogatories for Original Proceedings*, y sus instrucciones.
2. Notificación de Producción a un tercero / Comparendo (*Notice of Production from Non-Party/Subpoena*) - es la solicitud a alguien que no es parte del proceso (no la contraparte) para que le entregue copias de los documentos o para que le preste los documentos para que usted los copie. Vea formularios 12.931(a), *Notice of Production from Non-Party*, y 12.93(b), *Subpoena for Production of Documents*, y sus instrucciones.
3. Testimonio - tomar el testimonio de alguien (parte o no parte) bajo juramento ante un reportero de la corte.
4. Solicitud para la Producción de Documentos y Cosas (*Request for Production of Documents and Things*) - es una solicitud escrita para que la contraparte le entregue documentos específicos o cosas para copiar o examinar. Ver *Florida Rule of Civil Procedure*, 1.350.

No toda la evidencia puede ser considerada por el juez o magistrado general. Para ser admisible en la corte, la evidencia debe estar acorde con las Reglas de Evidencia en el Capítulo 90 de los Estatutos de la Florida. El deber de establecer los hechos que quiere presentar en la corte, o la carga de la prueba, recae en USTED. Usted es responsable de presentarle al juez o magistrado general evidencia admisible para apoyar las solicitudes de su demanda y sus afirmaciones en corte.

DÉCIMOPRIMER PASO - Programar la audiencia final

SI USTED ESTÁ INICIANDO UN **NUEVO CASO** Y LE ENTREGARON UN NUEVO NÚMERO DE CASO Y LA CONTRAPARTE NO TIENE ABOGADO:

1. Contacte al *Case Management Unit* (813-272-5173) para fijar la audiencia final.
2. Usted será contactado (a) por correo sobre la fecha en la corte.

SI USTED ESTÁ INICIANDO UN NUEVO CASO Y LA CONTRAPARTE ESTÁ REPRESENTADA POR UN ABOGADO:

1. Llame al asistente judicial (*J.A*) del juez asignado a su caso y solicite al *J.A.* 3 posibles fechas y hora para la audiencia.
2. Llame al abogado de la contraparte y pregúntele cual de las 3 fechas y hora le conviene mas a él o ella.
3. Llame al asistente judicial (*J.A*) e infórmele qué fecha y hora escogió.
4. Complete una Notificación de Audiencia (*Notice of Hearing*), Formulario 12.923 (no incluido), con el lugar, fecha, y hora de la audiencia.
5. Firme la Notificación de Audiencia y complete el Certificado de Notificación en el que se establece la fecha en que está radicando la notificación y la manera como le va a hacer llegar una copia al abogado de la contraparte.
6. Haga 3 copias de la Notificación de Audiencia.
7. Radique el original de la Notificación de Audiencia en la oficina del escribano (*clerk*).
8. Entregue una copia de la Notificación de Audiencia al asistente judicial (*J.A.*), envíe una copia de la notificación al abogado de la contraparte, y guarde una copia para su archivo personal.

SI USTED ESTÁ USANDO UN NÚMERO DE CASO EXISTENTE Y LA CONTRAPARTE NO TIENE ABOGADO

1. Una vez que usted haya recibido 1) una carta de terminación de la mediación (mostrando que usted intentó una mediación) y 2) la Orden de Referencia al Magistrado General firmada, llame al asistente administrativo del magistrado general asignado a su caso y solicite una fecha para audiencia. El magistrado general/oficial de audiencia se asigna con base en **los dos últimos dígitos del número de su caso (vea la tabla adjunta)**.
 - Si es asignado al GM-1, llame al Magistrado General/Oficial de Audiencia **Cuellar-Stilo** (teléfono 272-5351)
 - Si es asignado al GM-2, llame al Magistrado General/Oficial de Audiencia **Johnson** (teléfono 276-2335)
 - Si es asignado al GM-3, llame al Magistrado General/Oficial de Audiencia **Montagno** (teléfono 276-2337)
 - Si es asignado al GM-4, llame al Magistrado General/Oficial de Audiencia **Proctor** (teléfono 272-6435)
2. Una vez la fecha de la audiencia sea fijada, complete una Notificación de Audiencia, Formulario 12.923, con el lugar, fecha y hora de la audiencia.
3. Firme la Notificación de Audiencia y complete la parte del Certificado de Notificación que establece la fecha en la que está radicando la notificación y la manera como le va a proveer una copia a la contraparte.
4. Haga 2 copias de la Notificación de Audiencia.
5. Radique el original de la Notificación de Audiencia con el escribano (*clerk*), envíe una copia de la notificación a la contraparte, y guarde una copia para su archivo personal.

SI USTED ESTÁ USANDO UN NÚMERO DE **CASO EXISTENTE** Y LA CONTRAPARTE TIENE ABOGADO

1. Una vez que usted haya recibido 1) una carta de terminación de la mediación (mostrando que usted intentó una mediación) y 2) su Orden de Referencia al Magistrado General firmada llame al asistente administrativo del magistrado general/oficial de audiencia asignado a su caso y solicite una fecha para audiencia. El magistrado general/oficial de audiencia se asigna con base en **los dos últimos dígitos del número de su caso (vea la tabla adjunta)**.

Si es asignado al GM-1, llame al Magistrado General/Oficial de Audiencia **Cuellar-Stilo** (teléfono 272-5351)

Si es asignado al GM-2, llame al Magistrado General/Oficial de Audiencia **Johnson** (teléfono 276-2335)

Si es asignado al GM-3, llame al Magistrado General/Oficial de Audiencia **Montagno** (teléfono 276-2337)

Si es asignado al GM-4, llame al Magistrado General/Oficial de Audiencia **Proctor** (teléfono 272-6435)

2. Llame al abogado de la contraparte y pregúntele cual de las 3 fechas y hora le conviene mas a él o ella.
3. Llame al asistente administrativo e infórmele qué fecha y hora ha escogido.
4. Complete una Notificación de Audiencia (*Notice of Hearing*), Formulario 12.923 (no incluido), con el lugar, fecha, y hora de la audiencia.
5. Firme la Notificación de Audiencia y complete el Certificado de Notificación en el que se establece la fecha en que está radicando la notificación y la manera como le va a hacer llegar una copia al abogado de la contraparte.
6. Haga 3 copias de la Notificación de Audiencia.
7. Radique el original de la Notificación de Audiencia en la oficina del escribano (*clerk*).
8. Entregue una copia de la Notificación de Audiencia al asistente administrativo, envíe una copia de la notificación al abogado de la contraparte, y guarde una copia para su archivo personal.

REPORTERO DE LA CORTE?

Si desea contar con un reportero de la corte durante la audiencia, usted debe hacer los arreglos pertinentes con anterioridad y pagar a la corte los honorarios del reportero. Si no hay registro de la audiencia y el juez falla en contra suya es posible que usted no pueda apelar la decisión.

DÉCIMOSEGUNDO PASO - La audiencia final

Normalmente en la audiencia final es cuando se decidirá la petición (y la contrademanda si se radicó una) y todos los asuntos serán decididos. Si usted no asiste a la audiencia final su caso puede ser desestimado.

CÓMO VESTIRSE - Vístase apropiadamente. No use pantalones cortos (*shorts*), camisetas sin mangas (*tank tops*) o sandalias. No mastique chicle.

QUÉ TRAER - Toda la evidencia que usted quiere que la corte tenga en cuenta si su caso es cuestionado

QUÉ ESPERAR

La audiencia tendrá lugar en una sala de audiencia o sala de la corte. Usted no estará frente a un jurado, solamente frente a un magistrado general o juez. No interrumpa al magistrado o juez cuando el o ella hable. Cuando se dirija al magistrado al juez, llámelo/a “Honorable” (“Your Honor”) o “Juez” (“Judge”).

Cada corte tiene por lo menos un alguacil que es un ayudante de sheriff y se encuentra allí para mantener el orden. Cuando usted llegue para la audiencia deje que el alguacil sepa que usted está presente y listo. El o ella anunciará su caso cuando llegue el momento de su audiencia y le informará donde sentarse y en donde acomodar sus pertenencias cuando entre a la sala de audiencias. Por lo general un alguacil permanecerá dentro de la sala durante su audiencia. Si se llaman testigos, el alguacil saldrá a buscarlos para traerlos a la sala de audiencia.

Durante su audiencia, esté preparado para discutir cualquiera de los asuntos de que trate la petición y esté listo para presentar pruebas de cualquiera de los hechos por medio de evidencias. Evidencias son pruebas presentadas durante una audiencia bajo la forma de testigos (personas), documentos (papeles), u objetos (cosas). Sin embargo, el juez no puede tener en cuenta toda la evidencia. Las pruebas deben estar conforme a las Reglas de Evidencia del Capítulo 90 de las Leyes de Florida para ser admisibles en corte. Recuerde que USTED tiene el deber de establecer los hechos que quiere presentar ante la corte. Usted debe presentarle al juez evidencia admisible como soporte de las reclamaciones en su petición y de sus afirmaciones en la corte. Contar su historia, simplemente, puede no ser suficiente para ganar su caso.

Una vez que ambas partes han presentado su evidencia, el magistrado general o juez tomará una decisión y una orden será preparada. La orden contendrá todos los detalles de la decisión de la corte. Usted recibirá una copia de la orden por correo. El original irá a la oficina del escribano (clerk’s office) para ser archivado en su expediente judicial.

Formularios y Paquetes de Familia - disponibles para compra en el Court Business Center

Paquetes de Formularios con Instrucciones:

- 1) Paquetes completos con todos los formularios e instrucciones de auto-ayuda se encuentran disponibles para compra, a precios individuales, en el Court Business Center (CBC), Oficina 630 (Piso 6°) de la corte George Edgecomb, 800 E. Twiggs Street, Tampa, Florida.
- 2) Gratis en línea en:
 - a) www.fljud13.org/Portals/0/Forms/pdfs/family/packetList.pdf
 - b) www.hillsclerk.com/publicweb/forms.aspx#FamilyLaw → y luego clic en “Family Law”

Formularios Individuales (no siempre incluyen las instrucciones necesarias):

- 1) A 10 centavos por página en el Court Business Center (CBC), Oficina 630 (Piso 6°) de la corte George Edgecomb, 800 E. Twiggs Street, Tampa, Florida.
- 2) Gratis en línea en: www.flcourts.org → y luego clic en “Family Law Forms”

USTED PUEDE COMPRAR Y RADICAR LOS FORMULARIOS EN LAS SIGUIENTES LOCALIDADES:

Tampa - George Edgecomb Courthouse – Main Location

Clerk of the Circuit Court, 800 E. Twiggs Street, Room 101, Tampa, FL 33602

Brandon – Brandon Regional Service Center

Clerk of the Circuit Court, 311 Pauls Drive, Suite 110, Brandon, FL 33511

Plant City – Plant City Courthouse

Clerk of the Circuit Court, 301 N. Michigan, Room 1071, Plant City, FL 33563

Ruskin/Sun City – SouthShore Regional Service Center

Clerk of the Circuit Court, 410 30th Street SE, Ruskin, FL 33570

FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS (12/10)

You should read this General Information thoroughly before taking any other steps to file your case or represent yourself in court. Most of this information is **not** repeated in the attached forms. This information should provide you with an overview of the court system, its participants, and its processes. It should be useful whether you want to represent yourself in a pending matter or have a better understanding of the way family court works. **This is not intended as a substitute for legal advice from an attorney. Each case has its own particular set of circumstances, and an attorney may advise you of what is best for you in your individual situation.**

These instructions are not the only place that you can get information about how a family case works. You may want to look at other books for more help. The Florida Statutes, Florida Family Law Rules of Procedure, Florida Rules of Civil Procedure, and other legal information or books may be found at the public library or in a law library at your county courthouse or a law school in your area. If you are filing a petition for **Name Change** and/or **Adoption**, these instructions may not apply.

If the word(s) is printed in **bold**, this means that the word is being emphasized. Throughout these instructions, you will also find words printed in **bold** and **underlined**. This means that the definitions of these words may be found in the glossary of common family law terms at the end of this general information section.

Commentary

1995 Adoption. To help the many people in family law court cases who do not have attorneys to represent them (pro se litigants), the Florida Supreme Court added these simplified forms and directions to the Florida Family Law Rules of Procedure. The directions refer to the Florida Family Law Rules of Procedure or the Florida Rules of Civil Procedure. Many of the forms were adapted from the forms accompanying the Florida Rules of Civil Procedure. Practitioners should refer to the committee notes for those forms for rule history.

The forms were adopted by the Court pursuant to *Family Law Rules of Procedure*, 667 So. 2d 202 (Fla. 1995); *In re Petition for Approval of Forms Pursuant to Rule 10-1.1(b) of the Rules Regulating the Florida Bar—Stepparent Adoption Forms*, 613 So. 2d 900 (Fla. 1992); *Rules Regulating the Florida Bar—Approval of Forms*, 581 So. 2d 902 (Fla. 1991).

Although the forms are part of these rules, they are not all inclusive and additional forms, as necessary, should be taken from the Florida Rules of Civil Procedure as provided in Florida Family Law Rules of Procedure. Also, the following notice has been included to strongly encourage individuals to seek the advice, when needed, of an attorney who is a member in good standing of the Florida Bar.

1997 Amendment. In 1997, the Florida Family Law Forms were completely revised to simplify and correct the forms. Additionally, the appendices were eliminated, the instructions contained in the appendices were incorporated into the forms, and the introduction following the Notice to Parties was created. Minor changes were also made to the Notice to Parties set forth below.

NOTICE TO PARTIES WHO ARE NOT REPRESENTED BY AN ATTORNEY WHO IS A MEMBER IN GOOD STANDING OF THE FLORIDA BAR

If you have questions or concerns about these forms, instructions, commentary, the use of the forms, or your legal rights, it is strongly recommended that you talk to an attorney. If you do not know an attorney, you should call the lawyer referral service listed in the yellow pages of the telephone book under "Attorney." If you do not have the money to hire an attorney, you should call the legal aid office in your area.

Because the law does change, the forms and information about them may have become outdated. You should be aware that changes may have taken place in the law or court rules that would affect the accuracy of the forms or instructions.

In no event will the Florida Supreme Court, The Florida Bar, or anyone contributing to the production of these forms or instructions be liable for any direct, indirect, or consequential damages resulting from their use.

FAMILY LAW PROCEDURES

Communication with the court Ex parte communication is communication with the judge with only one party present. Judges are not allowed to engage in ex parte communication except in very limited circumstances, so, absent specific authorization to the contrary, you should not try to speak with or write to the judge in your case unless the other party is present or has been properly notified. **If you have something you need to tell the judge, you must ask for a hearing and give notice to the other party or file a written statement in the court file and send a copy of the written statement to the other party.**

Filing a case. A case begins with the filing of a petition. A petition is a written request to the court for some type of legal action. The person who originally asks for legal action is called the petitioner and remains the petitioner throughout the case.

A petition is given to the clerk of the circuit court, whose office is usually located in the county courthouse or a branch of the county courthouse. A case number is assigned and an official court file is opened. Delivering the petition to the clerk's office is called filing a case. A filing fee is usually required.

Once a case has been filed, a copy must be given to (served on) the respondent. The person against whom the original legal action is being requested is called the respondent, because he or she is expected to respond to the petition. The respondent remains the respondent throughout the case.

Service. When one party files a petition, motion, or other pleading, the other party must be "served" with a copy of the document. This means that the other party is given proper notice of the pending action(s) and any scheduled hearings. Personal service of the petition and summons on the respondent by a deputy sheriff or private process server is required in all original petitions and supplemental petitions, unless constructive service is permitted by law. Personal service may also be required in other actions by some judges. After initial service of the original or supplemental petition and summons by a deputy sheriff or private process server, service of most motions and other documents or papers filed in the case generally may be made by regular U.S. mail or hand delivery. However, service by

certified mail is required at other times so you have proof that the other party actually received the papers. The instructions with each form will advise you of the type of **service** required for that form. **If the other party is represented by an attorney, you should serve the attorney and send a copy to the other party, except for original or supplemental petitions, which must be personally served on the respondent.**

Other than the initial original or supplemental petitions, anytime you file additional pleadings or motions in your case, you must provide a copy to the other party and include a **certificate of service**. Likewise, the other party must provide you with copies of everything that he or she files. Service of additional documents is usually completed by U.S. mail. For more information, see the instructions for **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914.

Forms for service of process are included in the Florida Family Law Forms, along with more detailed instructions and information regarding service. The instructions to those forms should be read carefully to ensure that you have the other party properly served. **If proper service is not obtained, the court cannot hear your case.**

Note: If you absolutely do not know where the other party to your case lives or if the other party resides in another state, you may be able to use **constructive service**. However, if constructive service is used, other than granting a divorce, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). Additionally, if the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

Default... After being served with a petition or **counterpetition**, the other party has 20 days to file a response. If a response to a petition is not filed, the petitioner may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk. This means that you may proceed with your case and set a **final hearing**, and a **judge** will make a decision, even if the other party will not cooperate. For more information, see rule 12.080(c), Florida Family Law Rules of Procedure.

Answer and Counterpetition... After being served, the respondent has 20 days to file an answer admitting or denying each of the allegations contained in the petition. In addition to an answer, the respondent may also file a counterpetition. In a counterpetition, the respondent may request the same or some other relief or action not requested by the petitioner. If the respondent files a counterpetition, the petitioner should then file an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d), and either admit or deny the allegations in the respondent's counterpetition.

Mandatory disclosure... Rule 12.285, Florida Family Law Rules of Procedure, requires each party in a **dissolution of marriage** to exchange certain information and documents, and file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). Failure to make this required disclosure within the time required by the Florida Family Law Rules of Procedure may allow the court to dismiss the case or to refuse to consider the pleadings of the party failing to comply. This requirement also must be met in other family law cases, **except** adoptions, simplified dissolutions of marriage, enforcement proceedings, contempt proceedings, and proceedings for injunctions for domestic or repeat violence. The **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932, lists the documents that must be given to the other party. For more information see rule 12.285, Florida Family Law Rules of Procedure, and the instructions to the

Certificate of Compliance with Mandatory Disclosure, Florida Family Law Rules of Procedure Form 12.932.

Parenting Plan. If your case involves minor or dependent child(ren), a **Parenting Plan** shall be approved or established by the court. **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a) or **Safety-Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b). The Parenting Plan shall be developed and agreed to by the parents and approved by a court . **If the parents cannot agree, or if the agreed Parenting Plan is not approved, the court must establish a Parenting Plan** . The Parenting Plan shall contain a time-sharing schedule and should address the issues regarding the child(ren)'s education, health care, and physical, social, and emotional well-being.

Setting a hearing or trial. Generally, the court will have hearings on motions, final hearings on **uncontested** or **default** cases, and trials on contested cases. Before setting your case for **final hearing** or trial, certain requirements such as completing mandatory disclosure and filing certain papers and having them served on the other party must be met. These requirements vary depending on the type of case and the procedures in your particular jurisdiction. For further information, you should refer to the instructions for the type of form you are filing.

Next, you must obtain a hearing or trial date so that the court may consider your request. You should ask the clerk of court, or **family law intake staff** about the local procedure for setting a hearing or trial, which you should attend. These family law forms contain **orders** and **final judgments**, which the judge may use. You should ask the clerk of court or family law intake staff if you need to bring one of these forms with you to the hearing or trial. If so, 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.

Below are explanations of symbols or parts of different family law forms...

{specify}, {date}, {name(s)}, {street}, {city}, {state}, {phone}

Throughout these forms, you will find hints such as those above. These tell you what to put in the blank(s).

[one only] [all that apply]

These show how many choices you should check. Sometimes you may check only one, while other times you may check several choices. () This also shows an area where you must make a choice. Check the () in front of the choice that applies to you or your case.

IN THE CIRCUIT COURT OF THE _____ (1) _____ JUDICIAL CIRCUIT,
IN AND FOR _____ (2) _____ COUNTY, FLORIDA

Case No.: _____ (3)
Division: _____ (4)

_____, (5)
Petitioner,
and
_____, (6)
Respondent.

Line 1 The clerk of court can tell you the number of your judicial circuit. Type or print it here.

- Line 2** Type or print your county name on line (2).
- Line 3** If you are filing an initial petition or pleading, the Clerk of the Court will assign a case number after the case is filed. You should type or print this case number on all papers you file in this case.
- Line 4** The clerk of the court can tell you the name of the division in which your case is being filed, and you should type or print it here. Divisions vary from court to court. For example, your case may be filed in the civil division, the family division, or the juvenile division.
- Line 5** Type or print the legal name of the person who originally filed the case on line 5. This person is the petitioner because he/she is the one who filed the original petition.
- Line 6** Type or print the other party's legal name on line 6. The other party is the respondent because he/she is responding to the petition.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

| | |
|--------------|--------------------------------------------|
| Dated: _____ | _____ |
| | (1) (2) |
| | Signature of Petitioner |
| | Printed Name: _____ |
| | (3) |
| | Address: _____ |
| | (4) |
| | City, State, Zip: _____ |
| | (5) |
| | Telephone Number: _____ |
| | (6) |
| | Fax Number: _____ |
| | (7) |

Some forms require that your signature be witnessed. You must sign the form in the presence of a **notary public** or deputy clerk (employee of the clerk of the court's office). When signing the form, you must have a valid photo identification unless the notary knows you personally. You should completely fill in all lines (1 & 3–7) except 2 with the requested information, if applicable. **Line 2, the signature line, must be signed in the presence of the notary public or deputy clerk.**

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

____ Personally known
____ Produced identification
Type of identification produced _____

DO NOT SIGN OR FILL IN THIS PART OF ANY FORM. This section of the form is to be completed by the notary public who is witnessing your signature.

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____
a nonlawyer, located at {street} _____ (2) _____, {city} _____
{state} _____ (4) _____, {phone} _____ (5) _____, helped {name} _____ (6) _____,
who is the petitioner, fill out this form.

This section should be completed by anyone who helps you fill out these forms but is **not** an attorney who is a member in good standing of The Florida Bar, which means that he or she is not licensed to practice law in Florida.

- Line 1** The **nonlawyer** who helps you should type or print his or her name on line 1.
Lines 2–5 The nonlawyer’s address and telephone number should be typed or printed on lines 2–5.
Line 6 Your name should be typed or printed on line 6.

In addition, a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900 (a), should be completed if a nonlawyer assists you. The disclosure is available as a family law form and should be completed before the nonlawyer helps you. This is to be sure that you understand the role and limitations of a nonlawyer. You and the nonlawyer should keep a copy of this disclosure for your records.

FAMILY LAW GLOSSARY OF COMMON TERMS AND DEFINITIONS

Note: The following definitions are intended to be helpful, BUT they are not intended to constitute legal advice or address every possible meaning of the term(s) contained in this glossary.

Affidavit - a written statement in which the facts stated are sworn or affirmed to be true.

Answer - written response by a respondent that states whether he or she admits (agrees with) or denies (disagrees with) the allegations in the petition. Any allegations not specifically denied are considered to be admitted.

Appeal - asking a district court of appeal to review the decision in your case. There are strict procedural and time requirements for filing an appeal.

Asset - everything owned by you or your spouse, including property, cars, furniture, bank accounts, jewelry, life insurance policies, businesses, or retirement plans. An asset may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Attorney - a person with special education and training in the field of law who is a member in good standing of The Florida Bar and licensed to practice law in Florida. An attorney is the only person who is allowed to give you legal advice. An attorney may file your case and represent you in court, or just advise you of your rights before you file your own case. In addition to advising you of your rights, an attorney may tell you what to expect and help prepare you for court. In family law matters, you are not entitled to a court-appointed lawyer, like a public defender in a criminal case. However, legal assistance is often available for those who are unable to hire a private attorney. You may consult the yellow pages of the telephone directory for a listing of legal aid or lawyer referral services in your area, or ask your local clerk of court or family law intake staff what services are available in your area. You may also obtain information from the Florida Supreme Court's Internet site located at <http://www.flcourts.org>.

Bond - money paid to the clerk of court by one party in a case, to be held and paid to an enjoined party in the event that the first party causes loss or damage of property as a result of wrongfully enjoining the other party.

Central Governmental Depository - the office of the clerk of court that is responsible for collecting and disbursing court-ordered alimony and child support payments. The depository also keeps payment records and files judgments if support is not paid.

Certificate of Service - a document that must be filed whenever a form you are using does not contain a statement for you to fill in showing to whom you are sending copies of the form. Florida Supreme Court Approved Family Law Form 12.914 is the certificate of service form and contains additional instructions.

Certified Copy - a copy of an order or final judgment, certified by the clerk of the circuit court to be an authentic copy.

Certified Mail - mail which requires the receiving party to sign as proof that they received it.

Child Support - money paid from one parent to the other for the benefit of their dependent or minor child(ren).

Clerk of the Circuit Court - elected official in whose office papers are filed, a case number is assigned, and case files are maintained. The clerk's office usually is located in the county courthouse.

Constructive Service - notification of the other party by newspaper publication or posting of notice at designated places when the other party cannot be located for personal service. You may also be able to use constructive service when the other party lives in another state. Constructive service is also called “service by publication.” However, when constructive service is used, the relief the Court may grant is limited. For more information on service, see the instructions for Florida Family Law Rules of Procedure Forms 12.910(a) and 12.913(b) and Florida Supreme Court Approved Family Law Form 12.913(a).

Contested Issues - any or all issues upon which the parties are unable to agree and which must be resolved by the judge at a hearing or trial.

Contingent Asset - an asset that you **may** receive or get later, such as income, tax refund, accrued vacation or sick leave, a bonus, or an inheritance.

Contingent Liability - a liability that you **may** owe later, such as payments for lawsuits, unpaid taxes, or debts that you have agreed or guaranteed to pay if someone else does not.

Counterpetition - a written request to the court for legal action, which is filed by a respondent after being served with a petition.

Custody Order – a judgment or order incorporating a Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. ss. 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980.

Default - a failure of a party to respond to the pleading of another party. This failure to respond may allow the court to decide the case without input from the party who did not appear or respond.

Delinquent - late.

Dependent Child(ren) - child(ren) who depend on their parent(s) for support either because they are under the age of 18, they have a mental or physical disability that prevents them from supporting themselves, or they are in high school while between the ages of 18 and 19 and are performing in good faith with reasonable expectation of graduation before the age of 19.

Deputy Clerk - an employee of the office of the clerk of court, which is usually located in the county courthouse or a branch of the county courthouse.

Dissolution of Marriage - divorce; a court action to end a marriage.

Electronic Communication – Contact, other than face-to-face contact, facilitated by tools such as telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies, or other means of communication to supplement fact-to face contact between a parent and that parent’s minor child.

Enjoined - prohibited by the court from doing a specific act.

Ex Parte - communication with the judge by only one party. In order for a judge to speak with either party, the other party must have been properly notified and have an opportunity to be heard. If you have something you wish to tell the judge, you should ask for a hearing or file information in the clerk of court’s office, with certification that a copy was sent to the other party.

Family Law Intake Staff - a court’s employee(s) who is (are) available to assist you in filing a family law case. Family law intake staff are not attorneys and cannot give legal advice. They may only assist you with filling out the form(s). Your local clerk’s office can tell you if your county has such assistance available.

Filing - delivering a petition, response, motion, or other pleading in a court case to the clerk of court’s office.

Filing Fee - an amount of money, set by law, that the petitioner must pay when filing a case. If you cannot afford to pay the fee, you must file an **Application for Determination of Civil Indigent Status**, to ask the clerk to file your case without payment of the fee. This form can be obtained from the clerk's office.

Final Hearing - trial in your case.

Financial Affidavit - a sworn statement that contains information regarding your income, expenses, assets, and liabilities.

Final Judgment - a written document signed by a judge and recorded in the clerk of the circuit court's office that contains the judge's decision in your case.

Guardian ad Litem - a neutral person who may be appointed by the court to evaluate or investigate your child's situation, and file a report with the court about what is in the best interests of your child(ren). Guardians do not "work for" either party. The guardian may interview the parties, visit their homes, visit the child(ren)'s school(s) and speak with teachers, or use other resources to make their recommendation.

Hearing - a legal proceeding before a judge or designated officer (general magistrate or hearing officer) on a motion.

Health Insurance-coverage under a fee-for-service arrangement, health care maintenance organization, or preferred provider organization, and other types of coverage available to either parent, under which medical services could be provided to a minor or dependent child.

Judge - an elected official who is responsible for deciding matters on which you and the other parties in your case are unable to agree. A judge is a neutral person who is responsible for ensuring that your case is resolved in a manner which is fair, equitable, and legal. **A judge is prohibited by law from giving you or the other party any legal advice, recommendations, or other assistance, and may not talk to either party unless both parties are present, represented, or at a properly scheduled hearing.**

Judicial Assistant - the judge's personal staff assistant.

Liabilities - everything owed by you or your spouse, including mortgages, credit cards, or car loans. A liability may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Lump Sum Alimony - money ordered to be paid by one spouse to another in a limited number of payments, often a single payment.

Mandatory Disclosure - items that must be disclosed by both parties except those exempted from disclosure by Florida Family Law Rule 12.285.

Marital Asset - generally, anything that you and/or your spouse acquired or received (by gift or purchase) during the marriage. For example, something you owned before your marriage **may** be nonmarital. An asset may only be determined to be marital by agreement of the parties or determination of the judge.

Marital Liability - generally, any debt that you and/or your spouse incurred during the marriage. A debt may only be determined to be nonmarital by agreement of the parties or determination of the judge.

Mediator - a person who is trained and certified to assist parties in reaching an agreement before going to court. Mediators do not take either party's side and are not allowed to give legal advice. They are only responsible for helping the parties reach an agreement and putting that agreement into writing. In some areas, mediation of certain family law cases may be required before going to court.

Modification - a change made by the court in an order or final judgment.

Motion - a request made to the court, other than a petition.

No Contact - a court order directing a party not speak to, call, send mail to, visit, or go near his or her spouse, ex-spouse, child(ren), or other family member.

Nonlawyer - a person who is not a member in good standing of The Florida Bar.

Nonmarital Asset - generally, anything owned separately by you or your spouse. An asset may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonmarital Liability - generally, any debt that you or your spouse incurred before your marriage or since your separation. A debt may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonparty - a person who is not the petitioner or respondent in a court case.

Notary Public - a person authorized to witness signatures on court related forms.

Obligee - a person to whom money, such as child support or alimony, is owed.

Obligor - a person who is ordered by the court to pay money, such as child support or alimony.

Order - a written decision signed by a judge and filed in the clerk of the circuit court's office, that contains the judge's decision on part of your case, usually on a motion.

Original Petition - see **Petition**.

Parenting Course - a class that teaches parents how to help their child(ren) cope with divorce and other family issues.

Parenting Plan – a document created to govern the relationship between the parents relating to the decisions that must be made regarding the minor child(ren). The Parenting Plan must contain a time-sharing schedule for the parents and child(ren) and shall address the issues concerning the minor child(ren). The issues concerning the minor child(ren) may include, but are not limited to, the child(ren)'s education, health care, physical, social, and emotional well-being. In creating the Plan, all circumstances between the parents, including their historic relationship, domestic violence, and other factors must be taken into consideration. The Parenting Plan must be developed and agreed to by the parents and approved by the court. If the parents cannot agree to a Parenting Plan, or if the parents agreed to a plan that is not approved by the court, a parenting plan will be established by the court with or without the use of **parenting plan recommendations**.

Parenting Plan Recommendation – A nonbinding recommendation concerning one or more elements of a parenting plan made by a court-appointed mental health practitioner or other professional designated pursuant to either section 61.20 or 61.401, Florida Statutes, or Florida Family Law Rule of Procedure 12.363.

Party - a person involved in a court case, either as a petitioner or respondent.

Paternity Action - A lawsuit used to determine whether a designated individual is the father of a specific child or children.

Payor - an employer or other person who provides income to an obligor.

Permanent Alimony - spousal support ordered to be paid at a specified, periodic rate until modified by a court order, the death of either party, or the remarriage of the Obligee, whichever occurs first.

Personal Service - when a summons and a copy of a petition (or other pleading) that has been filed with the court are delivered by a deputy sheriff or private process server to the other party. Personal service is required for all petitions and supplemental petitions.

Petition - a written request to the court for legal action, which begins a court case.

Petitioner - the person who files a petition that begins a court case.

Pleading - a formal written statement of exactly what a party wants the court to do in a lawsuit or court action.

Pro Se Litigant - a person who appears in court without the assistance of a lawyer.

Pro Se Coordinator - see **Family Law Intake Staff**.

Rehabilitative Alimony - spousal support ordered to be paid for a limited period of time to allow one of the parties an opportunity to complete a plan of education or training, according to a rehabilitative plan accepted by the court, so that he or she may better support himself or herself.

Respondent - the person who is served with a petition requesting some legal action against him or her.

Scientific Paternity Testing - a medical test to determine who is the father of a child.

Service - the delivery of legal documents to a party. This must be accomplished as directed by Florida Family Law Rules 12.070 and 12.080.

Shared Parental Responsibility - an arrangement under which both parents have full parental rights and responsibilities for their child(ren), and the parents make major decisions affecting the welfare of the child(ren) jointly. Shared Parental Responsibility is presumptive in Florida.

Sole Parental Responsibility - a parenting arrangement under which the responsibility for the minor child(ren) is given to one parent by the court, with or without rights of time-sharing to the other parent.

Supervised Time-Sharing- a parenting arrangement under which time-sharing between a parent and his or her child(ren) is supervised by either a friend, family member, or a supervised visitation center.

Supplemental Petition - a petition that may be filed by either party after the judge has made a decision in a case and a final judgment or order has been entered. For example, a supplemental petition may be used to request that the court modify the previously entered final judgment or order.

Time-Sharing Schedule – a timetable that must be included in the Parenting Plan that specifies the time, including overnights and holidays, that a minor child or children will spend with each parent. The time-sharing schedule shall either be developed and agreed to by the parents of a minor child or children and approved by the court, or established by the court if the parents cannot agree, or if their agreed-upon schedule is not approved by the court.

Trial - the final hearing in a contested case.

Uncontested - any and all issues on which the parties are able to agree and which are part of a marital settlement agreement.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division _____

_____ ,

Petitioner,

and

_____ ,

Respondent.

**HILLSBOROUGH COUNTY FAMILY LAW DIVISION
THE TWELVE RULES OF COURTROOM CIVILITY**

The judges, general masters and hearing officers assigned to the Family Law Division in Hillsborough County expect that all litigants, whether or not they are represented by attorneys, will conduct themselves in an appropriate fashion so that all parties will be afforded a fair opportunity to present their case.

The following guidelines are meant to assist you in meeting appropriate standards of conduct when you appear in court.

1. Be truthful in all statements that you make to the court. False statements under oath constitute perjury which is a criminal offense.
2. Do not call or write to the judge. As a general rule, documents and testimony can be read or heard by the judge only in the presence of both parties.
3. Be courteous. Other than to make appropriate objections, do not interrupt anyone who is speaking. If you are representing yourself and you have an objection to something a witness says, merely say, "Objection" and the court will allow you to state the nature of your objection.
4. Treat all court personnel with respect, including bailiffs, judicial assistants, clerks, court investigators, judges, general masters and hearing officers.
5. Do not make faces or gestures at the opposing party, his or her attorney, witnesses or the judge while in the courtroom. Speak directly to the judge or your attorney, not the opposing party or a witness. You will be given an opportunity to be heard by the court.

6. Show your respect for the court by dressing appropriately and wearing clean clothes. Coats, ties, suits and dresses are welcome but not required. Shorts, blue jeans, t-shirts and sneakers are not appropriate.
7. Do not bring any food or beverage into the courtroom and do not chew gum or eat candy in the courtroom.
8. Do not bring children to the courthouse (except in adoption cases), unless the court has so ordered.
9. Be aware that witnesses you bring to court are not usually permitted to remain in the courtroom while you, your spouse or former spouse, or other witnesses testify.
10. Bring at least four (4) copies of any documents that you intend to offer into evidence.
11. All documents should be pre-marked with a case number, name, the date and a space for the judge to admit the document into evidence.
12. The courthouse is located in a congested area. Parking is limited and takes time. Plan your time so you can park and be available at least fifteen (15) minutes before the hearing is scheduled to begin.

I have read and acknowledge my responsibilities as a litigant.

Signature of Petitioner

Date

Signature of Respondent

Date

I have read and reviewed with my client his or her responsibilities as a litigant.

Signature of Attorney

Date

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(a),
DISCLOSURE FROM NONLAWYER

When should this form be used?

This form must be used when anyone who is **not** a lawyer in good standing with The Florida Bar helps you complete any Florida Family Law Form. Attorneys who are licensed to practice in other states but not Florida, or who have been disbarred or suspended from the practice of law in Florida, are nonlawyers for the purposes of the Florida Family Law Forms and instructions.

The nonlawyer must complete this form and both of you are to sign it before the nonlawyer assists you in completing any Family Law Form.

In addition, on any other form with which a nonlawyer helps you, the nonlawyer shall complete the nonlawyer section located at the bottom of the form unless otherwise specified in the instructions to the form. This is to protect you and be sure that you are informed in advance of the nonlawyer's limitations.

What should I do next?

A copy of this disclosure, signed by both the nonlawyer and the person, must be given to the person and the nonlawyer must keep a copy in the person's file. The nonlawyer must keep copies for at least six years of all forms given to the person being assisted.

Special notes...

This disclosure form does NOT act as or constitute a waiver, disclaimer, or limitation of liability.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

DISCLOSURE FROM NONLAWYER

{Name} _____, told me that he/she is a nonlawyer and may not give legal advice, cannot tell me what my rights or remedies are, cannot tell me how to testify in court, and cannot represent me in court.

Rule 10-2.1(b) of the Rules Regulating The Florida Bar defines a paralegal as a person who works under the supervision of a member of The Florida Bar and who performs specifically delegated substantive legal work for which a member of The Florida Bar is responsible. Only persons who meet the definition may call themselves paralegals. {Name} _____, informed me that he/she is not a paralegal and cannot call himself/herself a paralegal.

{Name} _____, told me that he/she may only type the factual information provided by me in writing into the blanks on the form. {Name} _____, may not help me fill in the form and may not complete the form for me. If using a form approved by the Supreme Court of Florida, {name} _____, may ask me factual questions to fill in the blanks on the form and may also tell me how to file the form.

[**one** only]

I can read English.

I cannot read English, but this disclosure was read to me [fill in **both** blanks] by

{name} _____ in {language} _____, which I understand.

Dated: _____

Signature of Party

Signature of **NONLAWYER**

Printed Name: _____

Name of Business: _____

Address: _____

Telephone Number: _____

Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases (01/10)

When should this form be used?

The Cover Sheet for Family Court Cases and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form shall be filed by the petitioner/party opening or reopening a case for the use of the **clerk of the circuit court** for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075.

This form should be typed or printed in black ink. The petitioner must **file** this cover sheet with the first pleading or motion filed to open or reopen a case in all domestic and juvenile cases.

What should I do next?

Follow these instructions for completing the form:

- I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of the petitioner(s) and respondent(s).
- II. Type of Action /Proceeding. Place a check beside the proceeding you are initiating. If you are simultaneously filing more than one type of proceeding against the same opposing party, such as a modification and an enforcement proceeding, complete a separate cover sheet for each action being filed.
 - (A) Initial Action/Petition
 - (B) Reopening Case. If you check "Reopening Case," indicate whether you are filing a modification or supplemental petition or an action for enforcement by placing a check beside the appropriate action/petition.
 1. Modification/Supplemental Petition
 2. Motion for Civil Contempt/ Enforcement
 3. Other – All reopening actions not involving modification/supplemental petitions or petition enforcement.
- III. Type of Case. Place a check beside the appropriate case. If the case fits more than one category, select the most definitive. Definitions of the categories are provided below.
 - (A) Simplified Dissolution of Marriage- petitions for the termination of marriage pursuant to Florida Family Law Rule of Procedure 12.105.
 - (B) Dissolution of Marriage - petitions for the termination of marriage pursuant to Chapter 61, Florida Statutes, other than simplified dissolution.
 - (C) Domestic Violence - all matters relating to injunctions for protection against domestic violence pursuant to section 741.30, Florida Statutes.

- (D) Dating Violence - all matters relating to injunctions for protection against dating violence pursuant to section 784.046, Florida Statutes.
- (E) Repeat Violence - all matters relating to injunctions for protection against repeat violence pursuant to section 784.046, Florida Statutes.
- (F) Sexual Violence - all matters relating to injunctions for protection against sexual violence pursuant to section 784.046, Florida Statutes.
- (G) Support - IV-D - all matters relating to child or spousal support in which an application for assistance has been filed with the Department of Revenue, Child Support Enforcement under Title IV-D, Social Security Act, except for such matters relating to dissolution of marriage petitions (sections 409.2564, 409.2571, and 409.2597, Florida Statutes), paternity, or UIFSA.
- (H) Support-Non IV-D - all matters relating to child or spousal support in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (I) UIFSA- IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has been filed under Title IV-D, Social Security Act.
- (J) UIFSA - Non IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (K) Other Family Court - all matters involving time-sharing and/or parenting plans relating to minor child(ren), support unconnected with dissolution of marriage, annulment, delayed birth certificates pursuant to Florida Statutes section 382.0195, expedited affirmation of parental status pursuant to Florida Statutes section 742.16, termination of parental rights proceedings pursuant to Florida Statutes section 63.087, declaratory judgment actions related to premarital, marital, post-marital agreements, or other matters not included in the categories above.
- (L) Adoption Arising Out Of Chapter 63 - all matters relating to adoption pursuant to Chapter 63, Florida Statutes, excluding any matters arising out of Chapter 39, Florida Statutes.
- (M) Name Change - all matters relating to name change, pursuant to section 68.07, Florida Statutes.
- (N) Paternity/Disestablishment of Paternity – all matters relating to paternity pursuant to Chapter 742, Florida Statutes.
- (O) Juvenile Delinquency - all matters relating to juvenile delinquency pursuant to Chapter 985, Florida Statutes.
- (P) Petition for Dependency - all matters relating to petitions for dependency.
- (Q) Shelter Petition – all matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.
- (R) Termination of Parental Rights Arising Out Of Chapter 39 – all matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.
- (S) Adoption Arising Out Of Chapter 39 – all matters relating to adoption pursuant to Chapter 39, Florida Statutes.
- (T) CINS/FINS – all matters relating to children in need of services (and families in need of services) pursuant to Chapter 984, Florida Statutes.

ATTORNEY OR PARTY SIGNATURE. Sign the Cover Sheet for Family Court Cases. Print legibly the name of the person signing the Cover Sheet for Family Court Cases. Attorneys must include a Florida Bar number. Insert the date the Cover Sheet for Family Court Cases is signed. Signature is

a certification that filer has provided accurate information on the Cover Sheet for Family Court Cases.

Nonlawyer Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see Rule 12.100, Florida Family Law Rules of Procedure.

Cover Sheet for Family Court Cases

I. Case Style

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Judge: _____

Petitioner

and

Respondent

II. Type of Action/Proceeding. Place a check beside the proceeding you are initiating. If you are simultaneously filing more than one type of proceeding against the same opposing party, such as a modification and an enforcement proceeding, complete a separate cover sheet for each action being filed. **If you are reopening a case, choose one of the three options below it.**

- (A) Initial Action/Petition
- (B) Reopening Case
 - 1. Modification/Supplemental Petition
 - 2. Motion for Civil Contempt/Enforcement
 - 3. Other

III. Type of Case. If the case fits more than one type of case, select the most definitive.

- (A) Simplified Dissolution of Marriage
- (B) Dissolution of Marriage
- (C) Domestic Violence
- (D) Dating Violence
- (E) Repeat Violence
- (F) Sexual Violence
- (G) Support IV-D (Department of Revenue, Child Support Enforcement)
- (H) Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (I) UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (J) UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (K) Other Family Court
- (L) Adoption Arising Out Of Chapter 63
- (M) Name Change
- (N) Paternity/Disestablishment of Paternity
- (O) Juvenile Delinquency
- (P) Petition for Dependency

- (Q) ___ Shelter Petition
- (R) ___ Termination of Parental Rights Arising Out Of Chapter 39
- (S) ___ Adoption Arising Out Of Chapter 39
- (T) ___ CINS/FINS

IV. Rule of Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form 12.900(h), be filed with the initial pleading/petition by the filing attorney or self-represented litigant in order to notify the court of related cases. Is Form 12.900(h) being filed with this Cover Sheet for Family Court Cases and initial pleading/petition?

- ___ No, to the best of my knowledge, no related cases exist.
- ___ Yes, all related cases are listed on Family Law Form 12.900(h).

ATTORNEY OR PARTY SIGNATURE

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature _____ FL Bar No.: _____
 Attorney or party (Bar number, if attorney)

_____ Date _____
 (Type or print name)

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS
BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____, a nonlawyer,
 whose address is {street} _____, {city} _____,
 {state} _____, {phone} _____, helped {name} _____,
 who is the [choose one only] ___ petitioner or ___ respondent, fill out this form.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

_____,
Petitioner

and

_____,
Respondent

CASE NO.:

DIVISION:

PETITION TO PERMIT RELOCATION WITH MINOR CHILD(REN)

I, *{full legal name}* _____, being sworn, certify that the following information is true:

1. The parties to this action were granted a final judgment of () dissolution of marriage () paternity on *{date}* _____. A copy of the final judgment and any modification(s) is/are attached to this supplemental petition.
2. *{If applicable}* The following other person is an individual who is not a parent but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren)_____.
3. Paragraph(s) _____ of the () final judgment or () most recent modification thereof describes the present custody, visitation, and/or time-sharing ordered.
4. The parties _____ have _____ have not reached an agreement on relocation. If yes, a copy of the agreement is attached to this supplemental petition.
5. The parties' dependent or minor child(ren) is (are):

Name

Birth Date

| Name | Birth Date |
|-------|------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

6. Since the final judgment or last modification thereof, there has been a substantial change in circumstances, requiring a modification of the present visitation or time-sharing schedule because I seek to relocate my principal residence at least 50 miles from my principal residence. Pursuant to Section 61.13001(3), Florida Statutes, the following information is provided:

a. The location of the intended new residence, including the state, city, and physical address, (if known), is: _____

b. The mailing address of the new physical residence, if not the same as the physical address, is: _____

c. The home telephone number of the intended new residence, (if known), is: _____

d. The date of the intended move or proposed relocation is: _____

7. The specific reasons for the proposed relocation are: _____

Attach additional sheets if necessary.

8. One of the reasons for the proposed relocation is a job offer. [Choose only **one**] () Yes () No. The job offer is in writing. [Choose only **one**] () Yes () No. A copy of the written job offer is attached to this supplemental petition.

9. I ask the Court to modify access and time-sharing as follows: _____

10. This modification is in the best interests of the child(ren) because: *{explain}* _____

11. If the requested modification is granted, Petitioner requests that child support be modified, consistent with the modification of visitation or time-sharing. A Child Support

Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. [Choose only **one**] () Yes () No.

12. I am requesting a temporary relief hearing to permit relocation prior to the final hearing. [Choose only **one**] () Yes () No. If yes, explain why you cannot wait for a final hearing date.

Failure to obtain an Order prior to relocation renders the supplemental petition to relocate legally insufficient.

13. A completed **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.

14. A completed **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)** Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this petition.

15. If not previously filed in this case, a completed **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.

16. Other: _____

A RESPONSE TO THE SUPPLEMENTAL PETITION OBJECTING TO RELOCATION MUST BE MADE IN WRITING, FILED WITH THE COURT, AND SERVED ON THE PARENT OR OTHER PERSON SEEKING TO RELOCATE WITHIN 20 DAYS AFTER SERVICE OF THIS SUPPLEMENTAL PETITION TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

A response is in the form of an Answer and it must be sworn to under oath and must include the specific factual basis supporting the reasons for objecting to the relocation, including a statement of the amount of participation or involvement you currently have or have had in the life of the child(ren).

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary
or deputy clerk.]

____ Personally known

____ Produced identification

____ Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in **all** blanks] I, *{full legal name and trade name of nonlawyer}*

_____, a nonlawyer, whose address is *{street}*

_____, *{city}* _____, *{state}* _____, *{phone}*

_____, helped *{name}* _____, who is the petitioner, fill out this form.

Prepared with the Assistance of Counsel (check one): Yes () / No ()

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.902(d), UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA) AFFIDAVIT (12/10)

When should this form be used?

This form should be used in any case involving custody of, visitation with, or time-sharing with any minor child(ren). This **affidavit** is **required** even if the custody of, visitation, or time-sharing with the minor child(ren) are not in dispute.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should then **file** the original with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records.

What should I do next?

A copy of this form must be mailed or hand delivered to the other party in your case, if it is not served on him or her with your initial papers.

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there. For further information, see sections 61.501-61.542, Florida Statutes.

Special notes...

Chapter 2008-61, Laws of Florida, effective October 1, 2008, eliminated such terms as custodial parent, noncustodial parent, primary residential parent, secondary residential parent, and visitation from Chapter 61, Florida Statutes. Instead, parents are to develop a Parenting Plan that includes, among other things, their time-sharing schedule with the minor child(ren). If the parents cannot agree, a parenting plan will be established by the Court. However, because the UCCJEA uses the terms custody and visitation, they are included in this form.

If you are the petitioner in an injunction for protection against domestic violence case and you have filed a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), you should write confidential in any space on this form that would require you to write the address where you are currently living.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

**UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)
AFFIDAVIT**

I, {full legal name} _____, being sworn, certify that the following statements are true:

1. The number of minor child(ren) subject to this proceeding is _____. The name, place of birth, birth date, and sex of each child; the present address, periods of residence, and places where each child has lived **within the past five (5) years**; and the name, present address, and relationship to the child of each person with whom the child has lived during that time are:

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

Child's Full Legal Name: _____

Place of Birth: _____ Date of Birth: _____ Sex: _____

Child's Residence for the past 5 years:

| Dates (From/To) | Address (including city and state) where child lived | Name and present address of person child lived with | Relationship to child |
|-----------------|------------------------------------------------------|-----------------------------------------------------|-----------------------|
| ____/present* | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |

* If you are the petitioner in an injunction for protection against domestic violence case and you have Florida Supreme Court Approved Family Law Form 12.902(d), Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit (12/10)

filed a Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), you should write confidential in any space on this form that would require you to enter the address where you are currently living.

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

Place of Birth: _____ Date of Birth: _____ Sex: _____

Child's Residence for the past 5 years:

| Dates (From/To) | Address (including city and state) where child lived | Name and present address of person child lived with | Relationship to child |
|-----------------|------------------------------------------------------|-----------------------------------------------------|-----------------------|
| ____/present | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

Place of Birth: _____ Date of Birth: _____ Sex: _____

Child's Residence for the past 5 years:

| Dates (From/To) | Address (including city and state) where child lived | Name and present address of person child lived with | Relationship to child |
|-----------------|------------------------------------------------------|-----------------------------------------------------|-----------------------|
| ____/present | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |
| ____/____ | | | |

2. Participation in custody or time-sharing proceeding(s):

[Choose only one]

___ I HAVE NOT participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or any other state, concerning custody of or time-sharing with a child subject to this proceeding.

___ I HAVE participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or another state, concerning custody of or time-sharing with a child subject to this proceeding. Explain:

- a. Name of each child: _____
- b. Type of proceeding: _____
- c. Court and state: _____
- d. Date of court order or judgment (if any): _____

3. Information about custody or time-sharing proceeding(s):

[Choose only one]

___ I HAVE NO INFORMATION of any custody or time-sharing proceeding pending in a court of this or any other state concerning a child subject to this proceeding.

___ I HAVE THE FOLLOWING INFORMATION concerning a custody or time-sharing proceeding pending in a court of this or another state concerning a child subject to this proceeding, other than set out in item 2. Explain:

- a. Name of each child: _____
- b. Type of proceeding: _____
- c. Court and state: _____
- d. Date of court order or judgment (if any): _____

4. Persons not a party to this proceeding:

[Choose only one]

___ I DO NOT KNOW OF ANY PERSON not a party to this proceeding who has physical custody or claims to have custody, visitation or time-sharing with respect to any child subject to this proceeding.

___ I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this proceeding has (have) physical custody or claim(s) to have custody, visitation, or time-sharing with respect to any child subject to this proceeding:

a. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation or time-sharing

Name of each child: _____

b. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation. or time-sharing

Name of each child: _____

c. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation or time-sharing

Name of each child: _____

5. Knowledge of prior child support proceedings:

[Choose only one]

___ The child(ren) described in this affidavit are NOT subject to existing child support order(s) in this or any state or territory.

___ The child(ren) described in this affidavit are subject to the following existing child support order(s):

- a. Name of each child: _____
- b. Type of proceeding: _____
- c. Court and address: _____
- d. Date of court order/judgment (if any): _____
- e. Amount of child support paid and by whom: _____

6. I acknowledge that I have a continuing duty to advise this Court of any custody, visitation or time-sharing, child support, or guardianship proceeding (including dissolution of marriage, separate maintenance, child neglect, or dependency) concerning the child(ren) in this state or any other state about which information is obtained during this proceeding.

I certify that a copy of this document was [**Choose only one**] () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Party
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

___ Personally known
___ Produced identification
___ Type of identification produced

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} _____,
who is the [Choose only one] ___ petitioner or ___ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(c), RELOCATION/LONG DISTANCE PARENTING PLAN (09/10)

When should this form be used?

A **Parenting Plan** is required in all cases involving **time-sharing** with minor child(ren), even when time-sharing is not in dispute. The Parenting Plan must be developed and agreed to by the parents and every other person entitled to access or time-sharing with the child(ren) and approved by the court. "Other Person" means an individual who is not the parent, but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with or visitation with the child(ren). If the parties cannot agree to a Parenting Plan or if the parents agreed to a Plan that is not approved by the court, a Parenting Plan will be established by the court with or without the use of Parenting Plan Recommendations.

This form or a similar form should be used in the development of a Parenting Plan when you are planning to relocate your or the child(ren)'s principal residence more than 50 miles from the principal place of residence:

- at the time of the last order either establishing or modifying time-sharing, or
- at the time of filing the pending action to either establish or modify time-sharing

This form should be typed or printed in black ink. If an agreement has been reached, **both** parties must sign the Parenting Plan and have their signatures witnessed by a **notary public** or **deputy clerk**. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records. You should then refer to the instructions for your petition, **answer**, or answer and **counterpetition** concerning the procedures for setting a hearing or **trial (final hearing)**. If an agreed Parenting Plan is not filed by the parties, the Court shall establish a Plan.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. The words that are in "**bold underline**" in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and the instructions for the petition and/or answer that were filed in this case.

Special notes...

At a minimum, the **Relocation/Long Distance Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** that specifies the time that the minor child(ren) will spend with each parent and every other person entitled to access or time-sharing,

- A designation of who will be responsible for any and all forms of health care, school-related matters, including the address to be used for school-boundary determination and registration, other activities,
- The methods and technologies that the parties will use to communicate with the child(ren), and
- Any transportation arrangements related to access or time-sharing.

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parties, including the parties' historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of the family as listed in section 61.13(3), Florida Statutes, including, but not limited to:

- The demonstrated capacity and disposition of each party to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
- The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
- The demonstrated capacity and disposition of each party to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
- The length of time the child(ren) has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- The geographic viability of the parenting plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either party with a child(ren);
- The moral fitness of the parties;
- The mental and physical health of the parties;
- The home, school, and community record of the child(ren);
- The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
- The demonstrated knowledge, capacity, and disposition of each party to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
- The demonstrated capacity and disposition of each party to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
- The demonstrated capacity of each party to communicate with and keep the other part(y)ies informed of issues and activities regarding the minor child(ren), and the willingness of each party to adopt a unified front on all major issues when dealing with the child(ren);
- Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought. If the court accepts evidence of prior or pending actions regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect, the court must specifically acknowledge in writing that such evidence was considered when evaluating the best interests of the child(ren);

- Evidence that any party has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
- The particular parenting tasks customarily performed by each party and the division of parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
- The demonstrated capacity and disposition of each party to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each party to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each party to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or electronic media related to the litigation with the child(ren), and refraining from disparaging comments about any other party to the child(ren); and
- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each party to meet the child(ren)'s developmental needs.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No: _____

Division: _____

Petitioner,

And

Respondent.

RELOCATION/LONG-DISTANCE PARENTING PLAN

This parenting plan is: (Choose only **one**)

- A Parenting Plan submitted to the court with the agreement of the parties.
- A proposed Parenting Plan submitted by or on behalf of:
*{Name of Parent or Other Person}*_____.
- A Parenting Plan established by the court.

This parenting plan is: (Choose only **one**)

- A final Parenting Plan established by the court.
- A temporary Parenting Plan established by the court.
- A modification of a prior final Parenting Plan or prior final order.

I. PARTIES

Mother

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

Father

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

Other Person {If Applicable}

Name: _____

Address: _____

Telephone Number: _____

E-mail: _____

II. CHILDREN: This parenting plan is for the following child(ren):

{Add additional lines as needed}

| Name(s) | Birth Date(s) |
|---------|---------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

III. JURISDICTION

The United States is the country of habitual residence of the child(ren).

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

Other: _____.

IV. PARENTAL RESPONSIBILITY AND DECISION MAKING

1. Parental Responsibility (Choose only one)

Shared Parental Responsibility.
 It is in the best interests of the child(ren) that the parties confer and **jointly** make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, and other responsibilities unique to this family.

OR

Shared Parental Responsibility with Decision Making Authority
 It is in the best interests of the child(ren) that the parties confer and attempt to agree on the major decisions involving the child(ren). If the parties are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

- Education/Academic decisions Mother Father Other Person
- Non-emergency health care Mother Father Other Person
- _____ Mother Father Other Person
- _____ Mother Father Other Person
- _____ Mother Father Other Person

OR

- Sole Parental Responsibility:**
It is in the best interests of the child(ren) that the Mother Father Other Person shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) for the parties to share decision making.

2. Day-to-Day Decisions

Unless otherwise specified in this plan, each party shall make decisions regarding day-to-day care and control of each child, including the performance of daily tasks, while the child is with that party. Regardless of the allocation of decision making in the Parenting Plan, any party may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that party. A party who makes an emergency decision shall share the decision with the other party as soon as reasonably possible.

3. Extracurricular Activities (Choose all that apply)

- Any party may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.
- The parties must mutually agree to all extracurricular activities.
- The party with the minor child(ren) shall transport the minor child(ren) to and/or from all mutually agreed upon extra-curricular activities, providing all necessary uniforms and equipment within the party's possession.
- The costs of the extracurricular activities shall be paid by:
Mother _____% Father _____%
- The uniforms and equipment required for the extracurricular activities shall be paid by:
Mother _____% Father _____%
- Other: _____ .

V. INFORMATION SHARING. Unless Otherwise Indicated or Ordered by the Court:

1. Unless otherwise prohibited by law, the parties shall have access to medical and school records, and information pertaining to the child(ren), and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parties shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that all parties have access to said records.
2. Each party shall be responsible for obtaining records and reports directly from the school and health care providers.

3. The parties have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).
4. The parties shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.
5. The parties shall be listed as "emergency contacts" for the child(ren).
6. Each party has a continuing responsibility to provide a residential and mailing address, and contact telephone number (s) to the other parties. Each party shall notify the other parties in writing within 24 hours of any changes. Each party shall notify the court in writing within seven (7) days of any changes.
7. Other: _____
_____.

VI. SCHEDULING

1. School Calendar

If necessary, on or before _____ of each year, the parties should obtain a copy of the school calendar for the next school year. The parties shall discuss the calendars and the time-sharing schedule so that any differences or questions can be resolved.

The parties shall follow the school calendar of: (Choose **all** that apply)

- the oldest child
- the youngest child
- the school calendar for _____ County
- the school calendar for _____ School

2. Academic Break Definition

When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the first day of regularly scheduled classes after the holiday or break.

3. Schedule Changes (Choose **all** that apply)

- A party making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than _____ before the change is to occur.
- A party requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.
- Other _____.

VII. TIME-SHARING SCHEDULE

1. Weekday and Weekend Schedule

The following schedule shall apply beginning on _____ with the
[] Mother [] Father [] *{If Applicable}* Other Person and continue as follows:

A. The child(ren) shall spend time with the **Mother** on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____

From _____ to _____

WEEKDAYS: *{Specify days}* _____

From _____ to _____

OTHER: *{Specify}* _____

B. The child(ren) shall spend time with the **Father** on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____

From _____ to _____

WEEKDAYS: *{Specify days}* _____

From _____ to _____

OTHER: *{Specify}* _____

C. The child(ren) shall spend time with the **Other Person** *{If Applicable}* on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____

From _____ to _____

WEEKDAYS: *{Specify Days}* _____

From _____ to _____

OTHER: *{Specify}* _____

D. **Please indicate if there is a different time sharing schedule for any child. Complete a separate Attachment for each child for whom there is a different time sharing schedule.**

[] There is a different time-sharing schedule for the following child(ren) in Attachment _____.

_____, and _____.
{Name of Child} *{Name of Child}*

2. Holiday Schedule (Choose only one)

[] No holiday time sharing shall apply. The regular time-sharing schedule set forth above shall apply.

- [] Holiday time-sharing shall be as the parties agree.
- [] Holiday time-sharing shall be in accordance with the following schedule. The Holiday schedule will take priority over the regular weekday, weekend, and summer schedules. Fill in the blanks with Mother, Father, or *{If Applicable}* Other Person to indicate where the child(ren) will be for the holidays. Provide the beginning and ending times. If a holiday is not specified as even, odd, or every year with one party, then the child(ren) will remain with the other party in accordance with the regular schedule

| <u>Holidays</u> | <u>Even Years</u> | <u>Odd Years</u> | <u>Every Year</u> | <u>Begin/End Time</u> |
|-------------------------|-------------------|------------------|-------------------|-----------------------|
| Mother's Day | _____ | _____ | _____ | _____ |
| Father's Day | _____ | _____ | _____ | _____ |
| President's Day | _____ | _____ | _____ | _____ |
| Martin Luther King Day | _____ | _____ | _____ | _____ |
| Easter | _____ | _____ | _____ | _____ |
| Passover | _____ | _____ | _____ | _____ |
| Memorial Day Weekend | _____ | _____ | _____ | _____ |
| 4 th of July | _____ | _____ | _____ | _____ |
| Labor Day Weekend | _____ | _____ | _____ | _____ |
| Columbus Day Weekend | _____ | _____ | _____ | _____ |
| Halloween | _____ | _____ | _____ | _____ |
| Thanksgiving | _____ | _____ | _____ | _____ |
| Veteran's Day | _____ | _____ | _____ | _____ |
| Hanukkah | _____ | _____ | _____ | _____ |
| Yom Kippur | _____ | _____ | _____ | _____ |
| Rosh Hashanah | _____ | _____ | _____ | _____ |
| Child(ren)'s Birthdays | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

This holiday schedule may affect the regular time-sharing schedule. Parties may wish to specify one or more of the following options:

- [] When the parties are using an alternating weekend plan and the holiday schedule would result in one party having the child(ren) for three weekends in a row, the parties will exchange the following weekend, so that each has two weekends in a row before the regular alternating weekend pattern resumes.
- [] If a party has the child(ren) on a weekend immediately before or after an unspecified holiday or non-school day, they shall have the child(ren) for the holiday or non-school day.

3. Winter Break

- A. Winter Break (Choose only **one**)

The Mother Father *{If Applicable}* Other Person shall have the child(ren) from the day and time school is dismissed until December ____ at ____ a.m./p. m in odd-numbered years even-numbered years every year. The other party will have the child(ren) for the second portion of the Winter Break. The parties shall alternate the arrangement each year.

The Mother Father *{If Applicable}* Other Person shall have the child(ren) for the entire Winter Break during odd-numbered years even-numbered years every year

Other: _____

B. Specific Winter Holidays

If not addressed above, the specific Winter Holidays such as Christmas, New Year's Eve, Hanukkah, Kwanzaa, etc. shall be shared as follows:

_____.

4. Spring Break (Choose only one)

The parties shall follow the regular schedule.

The parties shall alternate the entire Spring Break with the Mother Father *{If Applicable}* Other Person having the child(ren) during the odd-numbered even-numbered years

The Father Mother *{If Applicable}* Other Person shall have the child(ren) for the entire Spring Break every year.

The Spring Break will be evenly divided. The first half of the Spring Break will go to the party whose regularly scheduled weekend falls on the first half and the second half going to the party whose weekend falls during the second half.

Other: _____.

5. Summer Break (Choose only one)

The parents shall follow the regular schedule through the summer.

The Mother Father *{If Applicable}* Other Person shall have the entire Summer Break from _____ after school is out until _____ before school starts.

The parties shall equally divide the Summer Break as follows:

[] Other: _____
_____.

6. Number of Overnights:

Based upon the time-sharing schedule, the Mother has a total of _____ overnights per year, the Father has a total of _____ overnights per year and *{If Applicable}* the Other Person has a total of _____ overnights per year. **Note: The total of these numbers must equal 365.**

7. [] **If not set forth above**, the parties shall have time-sharing in accordance with the schedule which is attached as Attachment _____ and incorporated herein.

VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

The parties shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. All necessary information and medicines will accompany the child(ren).

The parties shall exchange travel information and finalize travel plans at least _____ days in advance of the date of travel. Except in cases of emergency, any party requesting a change of travel plans after the date of finalization shall be solely responsible for any additional costs.

1. Automobile Transportation and Exchange (Choose only one)

If a party is more than _____ minutes late without contacting the other party to make other arrangements, the party with the child(ren) may proceed with other plans and activities.

[] The [] Mother [] Father [] *{If Applicable}* Other Person shall provide all transportation.

[] The [] Mother [] Father [] *{If Applicable}* Other Person shall pick up the child(ren) at the beginning of the visit and the other party shall pick up the child(ren) at the end of the visit. The exchange shall take place:

[] At the parties' homes unless otherwise agreed

[] At the following location unless the parties agree in advance to a different location: _____.

[] The parties shall meet at the following central location: _____
_____.

[] Other: _____.

2. Airplane and Other Public Transportation and Exchange

Airline regulations govern the age at which a child may fly unescorted. An older child or children may fly under such regulations as each airline may establish.

Airline reservations should be made well in advance and preferably, non-stop or direct.

All flight information shall be sent to the other party(ies) at least _____ days in advance of the flight by the party purchasing the tickets.

If the child(ren) are flying accompanied by a party, the party picking up the child(ren) shall exchange the child(ren) with the other party at _____ and the party returning the child(ren) shall exchange the children at _____.

If the exchange is to be made at the airport, the party flying in to pick up or drop off the child(ren) from/to the airport must notify the other party of any flight delays.

Unless otherwise agreed in advance, the party taking the child(ren) to the airport must call the other party(ies) immediately upon departure to notify the other party(ies) that the child(ren) is/are arriving, and the party who meets the child(ren) must immediately notify the other party(ies) upon the child(ren)'s arrival.

[] Until a child reaches the age of _____, the parties agree that the child(ren) shall take a direct flight and/or fly accompanied by: _____.

[] Once a child reaches the age of _____, the child shall be permitted to fly accompanied by an airline employee.

[] Once a child reaches the age of _____, the child shall be permitted to fly unescorted.

[] Other: _____.

3. Costs of Airline and Other Public Transportation (Choose all that apply)

[] Ticket Purchase *{If Applicable}*:
The parties shall work together to purchase the most convenient and least expensive tickets.

After consultation among the parties, it shall be the responsibility of _____ to purchase the tickets by *{date}* _____.

All parties entitled to access to, or time-sharing with the child(ren) shall be notified of the purchase by *{date}* _____.

Proof of the purchase and a copy of the itinerary (choose only **one**) [] shall be provided to all parties by *{date}* _____ [] shall not be provided.

Unless otherwise agreed or in the case of an unavoidable emergency, any costs incurred by a missed travel connection shall be the sole responsibility of the party who failed to timely deliver the child(ren) to the missed connection.

- Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.
- Mother shall pay _____% Father shall pay _____% of the transportation costs.
- Mother shall pay _____% Father shall pay _____% of the transportation costs for an adult to accompany the child(ren) during travel.
- If the parties are sharing travel costs, the non-purchasing party shall reimburse the other party within _____ days of receipt of documentation establishing the travel costs.
- Other: _____.

4. Foreign and Out-Of-State Travel (Choose all that apply)

- The parties may travel within the United States with the child(ren) during his/her time-sharing. The party traveling with the child(ren) shall give the other party(ies) at least ____ days written notice before traveling out of state unless there is an emergency, and shall provide the other party(ies) with a detailed itinerary, including locations and telephone numbers where the child(ren) and party can be reached at least ____ days in advance of the date of travel.
- A party may travel out of the country with the child(ren) during his/her time-sharing. At least ____ days in advance of the date of travel, the party shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and party may be reached during the trip. Each party agrees to provide whatever documentation is necessary for the other party(ies) to take the child(ren) out of the country.
- If a party wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child _____
_____.
- Other _____.

5. Other Travel and Exchange Arrangements: _____

IX. EDUCATION

1. **School designation.** For purposes of school boundary determination and registration, the Mother's Father's *{If Applicable}* Other Person's address shall be designated.

2. *{If Applicable}* The following provisions are made regarding private or home schooling:

_____.

3. **Other.** _____

_____.

X. DESIGNATION FOR OTHER LEGAL PURPOSES

The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the Mother Father *{If Applicable}* Other Person. This majority designation is SOLELY for purposes of all other state and federal laws which require such a designation.

This designation does not affect the rights or responsibilities of any party under this Parenting Plan.

XI. COMMUNICATION

1. Between Parties

All communications regarding the child(ren) shall be between the parties. The parties shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.

The parties shall communicate with each other by: (Choose **all** that apply)

- in person
- by telephone
- by letter
- by e-mail
- Other: _____.

2. Between Parties and Child(ren)

The parties shall keep contact information current. Telephone or other electronic communication between the child(ren) and another party shall not be monitored by or interrupted by the other party. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The child(ren) may have telephone e-mail other electronic communication in the form of _____ with the other party: (Choose **only one**)

- Anytime
- Every day during the hours of _____ to _____
- On the following days _____ during the hours of _____ to _____
- Other: _____

3. Costs of Electronic Communication shall be addressed as follows:

XII. CHILD CARE (Choose only **one**)

- Each party may select appropriate child care providers
- All child care providers must be agreed upon by the parties.
- Each party must offer the other party the opportunity to care for the child(ren) before using a child care provider for any period exceeding _____ hours.
- Other _____.

XIII. CHANGES TO OR MODIFICATIONS OF THE PARENTING PLAN

Temporary changes may be made informally without a written document. When the parties do not agree, this Parenting Plan remains in effect until further order of the court.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

XIV. RELOCATION

Any relocation of the child(ren) is subject to and must be sought in compliance with Section 61.13001, Florida Statutes.

XV. DISPUTES OR CONFLICT RESOLUTION

The parties shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parties may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

XVI. OTHER PROVISIONS

SIGNATURE OF PARTIES

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Mother

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk.]

- ____ Personally known
- ____ Produced identification
- ____ Type of identification produced _____

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Father

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or
deputy clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced _____

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Other Person

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or
deputy clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, whose address is *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____, who is
the _____, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.910(a), SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL (09/12)

When should this form be used?

This form should be used to obtain **personal service** on the other **party** when you begin your lawsuit. **Service** is required for **all** documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires. Generally, there are two ways to make service: (1) personal service, or (2) service by e-mail, mail, or hand delivery. A third method for service is called **constructive service**; however, the relief a court may grant may be limited in a case where constructive service has been used.

The law requires that certain documents be served by **personal service** if personal service is possible. **Personal service** means that a summons (this form) and a copy of the forms you are filing with the court that must be personally served are delivered by a deputy sheriff or private process server

- directly to the other party, **or**
- to someone over the age of fifteen with whom the other party lives.

Personal service is required for **all petitions**, including petitions for modification. You cannot serve these papers on the other party yourself or by mail or hand delivery. Personal service must be made by the sheriff's department in the county where the other party lives or works or by a private process server certified in the county where the other party lives or works.

In many counties, there are private process servers who, for a fee, will personally serve the summons and other documents that require personal service. You should look under **process servers** in the yellow pages of the telephone book for a list of private process servers in your area. You may use a private process server to serve any paper required to be personally served in a family law case **except** a petition for injunction for protection against domestic or repeat violence.

How do I start?

When you begin your lawsuit, you need to complete this form (summons) and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). The forms should be typed or printed legibly in black ink. Next, you will need to take these forms and, if you have not already done so, **file** your petition with the **clerk of the circuit court** in the county where you live. You should keep a copy of the forms for your records. The clerk will sign the summons, and then the summons, a copy of the papers to be served, and the process service memorandum must be delivered to the appropriate sheriff's office or to a private process server for service on the other party.

IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED: Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are

filing suit and you want the sheriff's department to serve the papers, you will file the summons along with a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office and have the clerk sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY LIVES IN ANOTHER COUNTY: If the other party lives in another county, service needs to be made by a sheriff in the county where the other party lives or by a private process server certified in the county where the other party lives. Make sure that you attach a copy of the papers you want personally served to the summons as well as the **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). If you want the sheriff to serve the papers, the clerk may send your papers to that sheriff's office for you, or you may have to send the papers yourself. The clerk will tell you which procedure to use. Either way, you will need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. You should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office where the clerk will sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as **constructive service**. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have** Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (09/12)

only limited jurisdiction over a party who is served by constructive service and may have only limited jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service; that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.

Regardless of the type of service used, if the other party once lived in Florida but is living outside of Florida now, you should include in your petition a statement regarding the length of time the party lived in Florida, if any, and when. For example: Respondent last lived in Florida from {date} _____ to {date} _____.

This area of the law is very complex and you may need to consult with an attorney regarding the proper type of service to be used in your case if the other party does not live in Florida or cannot be located.

What happens when the papers are served on the other party?

The date and hour of service are written on the original summons and on all copies of it by the person making the service. The person who delivers the summons and copies of the petition must file a proof of service with the clerk or provide a proof of service to you for filing with the court. **It is your responsibility to make sure the proof of service has been returned to the clerk and placed in your case file.**

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. For further information regarding service of process, see chapters 48 and 49, Florida Statutes, and rule 1.070, Florida Rules of Civil Procedure, as well as the instructions for **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Service and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).

Special notes...

If you have been unable to obtain proper service on the other party within **120 days** after filing your lawsuit, the court will dismiss your lawsuit against the other party unless you can show the court a good reason why service was not made within **120 days**. For this reason, if you had the local sheriff serve the papers, you should check with the clerk every couple of weeks after completing the service papers to see if service has been completed. You may need to supply the sheriff with a new or better address. If you had a private process server or a sheriff in another county serve the papers, you should be in contact with that person or sheriff until you receive proof of service from that person or sheriff. You should then file the proof of service with the clerk immediately.

If the other party fails to respond, i.e., fails to file a written response with the court, within **20 days** after the service of the summons, you are entitled to request a **default**. See the instructions to **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme Court Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (09/12)

Court Approved Family Law Form 12.922(b), for further information. You will need to file an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), before a default may be granted.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

**SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
ORDEN DE COMPARECENCIA: SERVICIO PERSONAL EN UN INDIVIDUO
CITATION: L'ASSIGNATION PERSONAL SUR UN INDIVIDUEL#**

#

TO/PARA/A: {enter other party's full legal name} _____
{address (including city and state)/location for service} _____.

IMPORTANT#

A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at: **800 East Twiggs Street, room 101, Tampa, Florida 33601. Mailing address: P.O. Box 3450, Tampa, FL 33601.**

A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be **filed** if you want the Court to hear your side of the case.

If you do not file your written response on time, you may lose the case, and your wages, money, and property may be taken thereafter without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the Court, you must also serve a copy of your written response on the party serving this summons at:

{Name and address of party serving summons} _____

If the party serving summons has designated e-mail address(es) for service or is represented by an attorney, you may designate e-mail address(es) for service by or on you. Service must be in accordance with Florida Rule of Judicial Administration 2.516.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents, upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-mail Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be served at the address on record at the clerk's office.

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.

IMPORTANTE#

Usted ha sido demandado legalmente. Tiene veinte (20) días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Localizado en: **800 East Twiggs Street, room 101, Tampa, Florida 33601. Mailing address: P.O. Box 3450, Tampa, FL 33601.** Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, usted puede consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presente su respuesta ante el tribunal, usted debe enviar por correo o entregar una copia de su respuesta a la persona denominada abajo.

Si usted elige presentar personalmente una respuesta por escrito, en el mismo momento que usted presente su respuesta por escrito al Tribunal, usted debe enviar por correo o llevar una copia de su respuesta por escrito a la parte entregando esta orden de comparecencia a:

Nombre y dirección de la parte que entrega la orden de comparecencia: _____

Copias de todos los documentos judiciales de este caso, incluyendo las ordenes, están disponibles en la oficina del Secretario de Juzgado del Circuito [Clerk of the Circuit Court's office]. Estos documentos pueden ser revisados a su solicitud.

Usted debe de mantener informada a la oficina del Secretario de Juzgado del Circuito de su dirección actual. (Usted puede presentar _____ el Formulario: Ley de Familia de la Florida 12.915, Florida Supreme Court Approved Family Law Form 12.915, Designation of Current Mailing and E-mail Address.) Los papeles que se presenten en el futuro en esta demanda judicial serán enviados por correo a la dirección que este registrada en la oficina del Secretario.

ADVERTENCIA: Regla 12.285 (Rule 12.285), de las Reglas de Procedimiento de Ley de Familia de la Florida [Florida Family Law Rules of Procedure], requiere cierta revelación automática de documentos e información. El incumplimiento, puede resultar en sanciones, incluyendo la desestimación o anulación de los alegatos.

IMPORTANT#

#

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Qui se trouve à: **800 East Twiggs Street, room 101, Tampa, Florida 33601. Mailing address: P.O. Box 3450, Tampa, FL 33601.** Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie au carbone ou une photocopie de votre réponse écrite à la partie qui vous a déposé cette citation.

Nom et adresse de la partie qui dépose cette citation: _____

Les photocopies de tous les documents tribunaux de cette cause, y compris des arrêts, sont disponibles au bureau du greffier. Vous pouvez consulter ces documents, sur demande.

Il faut aviser le greffier de votre adresse actuelle. (Vous pouvez déposer Florida Supreme Court Approved Family Law Form 12.915, Designation of Current Mailing and E-mail Address.) Les documents de l'avenir de ce procès seront envoyés à l'adresse que vous donnez au bureau du greffier.

ATTENTION: La règle 12.285 des règles de procédure du droit de la famille de la Floride exige que l'on remette certains renseignements et certains documents à la partie adverse. Tout refus de les fournir pourra donner lieu à des sanctions, y compris le rejet ou la suppression d'un ou de plusieurs actes de procédure.

THE STATE OF FLORIDA

TO EACH SHERIFF OF THE STATE: You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named person.

DATED: _____

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.910(b),
PROCESS SERVICE MEMORANDUM

When should this form be used?

You should use this form to give the sheriff's department (or private process server) instructions for serving the other **party** in your case with the **Summons: Personal Service on an Individual**,  Florida Family Law Rules of Procedure Form 12.910(a), and other papers to be served. On this form, you can tell the sheriff's department the best times to find the person at work and/or at home. You can also include a map to the other person's home or work place to help the sheriff find the person and deliver the summons. Do not forget to attach to the summons a copy of your initial petition and any other papers you want personally served on the other party.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your petition was filed and attach a copy to the **Summons: Personal Service on an Individual**,  Florida Family Law Rules of Procedure Form 12.910(a). You should also keep a copy for your records.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. You should read the instructions for **Summons: Personal Service on an Individual**,  Florida Family Law Rules of Procedure Form 12.910(a), for additional information.

Special notes...

If this is a domestic violence case and you want to keep your address confidential for safety reasons, do not enter your address, telephone, and fax information at the bottom of this form. Instead, write "confidential" in the spaces provided for that information and file **Petitioner's Request for Confidential Filing of Address**,  Florida Supreme Court Approved Family Law Form 12.980(i).

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

PROCESS SERVICE MEMORANDUM

TO: () Sheriff of _____ County, Florida; _____
Division

() Private process server: _____

Please serve the *{name of document(s)}* _____

in the above-styled cause upon:

Party: *{full legal name}* _____

Address or location for service: _____

Work Address: _____

If the party to be served owns, has, and/or is known to have guns or other weapons, describe what type of weapon(s): _____

SPECIAL INSTRUCTIONS: _____

Dated: _____

Signature of Party

*Printed Name: _____

*Address: _____

*City, State, Zip: _____

*Telephone Number: _____

*Fax Number: _____

*** If this is a domestic violence case, do not enter this information if your address or telephone number need to be kept confidential for safety reasons; instead write "confidential" in the spaces provided and file**

 Florida Supreme Court Approved Family Law Form 12.980(i), Petitioner's Request for Confidential Filing of Address.

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [✍ fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the petitioner, fill out this form.

INSTRUCTIONS FOR THIRTEENTH JUDICIAL CIRCUIT FORM
NOTICE OF ACTION FOR PETITION TO RELOCATE WITH MINOR CHILD(REN)

When should this form be used?

This form may be used to obtain **constructive service** (also called service by publication) in a **relocation** case when a parent seeks to relocate with the minor child(ren) and you are unable to obtain **personal service** on the other parent. However, if you use constructive service, the court may grant only limited relief because its jurisdiction is limited. This is a complicated area of the law and you may wish to consult an attorney before using constructive service.

You should complete this form by typing or printing the appropriate information in black ink. You should insert the other parent's name and last known address and then **file** this form with the **clerk of the circuit court** in the county where your petition to relocate was filed. You must also complete and file an **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(c). You should keep a copy for your records.

After the **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(c), is filed, the clerk will sign this form. The form must then be given to a qualified local newspaper to be published for four consecutive weeks. When in doubt, ask the clerk which newspapers in your area are "qualified." The newspaper will charge you for this service. If you cannot afford to pay the cost of publication of this notice in a qualified newspaper, you may ask the clerk to post the notice at a place designated for such postings. You will need to file an **Application for Determination of Civil Indigent Status**, which you can obtain from the clerk. If the clerk determines that you cannot afford these costs, the clerk will post the notice of action.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. For further information, see rule 12.070, Florida Family Law Rules of Procedure, and rule 1.070, Florida Rules of Civil Procedure.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner

and

_____,
Respondent.

NOTICE OF ACTION FOR PETITION TO RELOCATE WITH MINOR CHILD(REN)

TO: *{name of other parent}* _____
{other parent's last known address} _____

YOU ARE NOTIFIED that a petition to relocate with minor child(ren) has been filed for your child and that you are required to serve a copy of your written defenses, if any, to it on *{name of Petitioner}* _____, whose address is _____

on or before *{date}* _____, and file the original with the clerk of this Court at *{Physical address}* 800 East Twiggs Street, Room 101, Tampa, Florida, 33602 or *{Mailing address}* P.O. Box 3450, Tampa, Florida 33601, before service on Petitioner or immediately thereafter. **If you fail to do so, a default may be entered against you for the relief demanded in the petition.**

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed to the address on record at the clerk's office.

Dated: _____.

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____ *{Zip}* _____, *{phone}* _____, helped *{name}* _____,
who is the petitioner, fill out this form.

Name of Newspaper _____

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.913(b), AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY (01/12)

When should this form be used?

This form is to be used with **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1) and **Notice of Action For Family Cases With Minor Child(ren)**, Form 12.913(a)(2), to obtain constructive service (also called service by publication).

The other party is entitled to actual notice of the proceedings when possible. When it is necessary to use constructive notice, it must be given in a way that is likely to provide actual notice. You must disclose the last known address of the other party. A last known address cannot be unknown. This form includes a checklist of places you can look for information on the location of the other party. While you do not have to look in all of these places, the court must believe that you have made a very serious effort to get information about the other party's location and that you have followed up on any information you received.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a notary public or deputy clerk. You should file the original and a **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), or **Notice of Action For Family Cases With Minor Child(ren)**, Form 12.913(a)(2), with the clerk of the circuit court in the county where your petition is filed. You should keep a copy for your records.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. For further information, see rule 12.070, Florida Family Law Rules of Procedure and chapter 49, Florida Statutes.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

I, *{full legal name}* _____, being sworn, certify that the following information is true:

1. I have made diligent search and inquiry to discover the name and current residence of Respondent: *{Specify details of search}* **Refer to checklist below and identify all actions taken (any additional information included such as the date the action was taken and the person with whom you spoke is helpful) (attach additional sheet if necessary):**

[Check **all** that apply]

- _____ United States Post Office inquiry through Freedom of Information Act for current address or any relocations.
- _____ Last known employment of Respondent, including name and address of employer. You should also ask for any addresses to which W-2 Forms were mailed, and, if a pension or profit-sharing plan exists, then for any addresses to which any pension or plan payment is and/or has been mailed.
- _____ Unions from which Respondent may have worked or that governed his or her particular trade or craft.
- _____ Regulatory agencies, including professional or occupational licensing.
- _____ Names and addresses of relatives and contacts with those relatives, and inquiry as to Respondent's last known address. You are to follow up any leads of any addresses where Respondent may have moved. Relatives include, but are not limited to: parents, brothers, sisters, aunts, uncles, cousins, nieces, nephews, grandparents, great-grandparents, former in-laws, stepparents, stepchildren.
- _____ Information about the Respondent's possible death and, if dead, the date and location of the death.
- _____ Telephone listings in the last known locations of Respondent's residence.
- _____ Internet at <http://www.switchboard.com> or other Internet databank locator service. Please indicate if a public library assisted you in your search.
- _____ Law enforcement arrest and/or criminal records in the last known residential area of Respondent.
- _____ Highway Patrol records in the state of Respondent's last known address.
- _____ Department of Motor Vehicle records in the state of Respondent's last known address.
- _____ Department of Corrections records in the state of Respondent's last known address.

- _____ Title IV-D (child support enforcement) agency records in the state of Respondent's last known address.
- _____ Hospitals in the last known area of Respondent's residence.
- _____ Utility companies, which include water, sewer, cable TV, and electric, in the last known area of Respondent's residence.
- _____ Letters to the Armed Forces of the U.S. and their response as to whether or not there is any information about Respondent. (See Memorandum for Certificate of Military Service, Florida Supreme Court Approved Family Law Form 12.912(a)).
- _____ Tax Assessor's and Tax Collector's Office in the area where Respondent last resided.
- _____ Other: *{explain}* _____
- _____
- _____
- _____
- _____

2. The age of Respondent is [Choose only **one**] () known *{enter age}* _____ or () unknown.

3. Respondent's current residence

[Choose only **one**]

- a. _____ Respondent's current residence is unknown to me.
- b. _____ Respondent's current residence is in some state or country other than Florida.

- c. _____ The Respondent, having residence in Florida, has been absent from Florida for more than 60 days prior to the date of this affidavit, or conceals him (her)self so that process cannot be served personally upon him or her, and I believe there is no person in the state upon whom service of process would bind this absent or concealed Respondent.

4. **Respondent's last known address** as of *{date}* _____, was:

Address _____ City _____ State _____ Zip _____
 Telephone No. _____ Fax No. _____.

Respondent's last known employment, as of *{date}* _____, was

Name of Employer _____
 Address _____ City _____ State _____ Zip _____
 Telephone No. _____ Fax No. _____.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

____ Personally known

____ Produced identification

Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____ {city} _____,
{state} _____, {phone} _____, helped {name} _____,
who is the petitioner, fill out this form.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

_____,
Petitioner

and

_____,
Respondent

CASE NO.: _____

DIVISION: _____

NOTICE OF FILING RETURN RECEIPT

{Name} _____, the [Choose only one] ()Petitioner ()Respondent, files the attached Return Receipt (sent by certified mail, restricted delivery, return receipt requested) in reference to the Petition to Relocate with Minor Child(ren) sent by certified mail to _____*{Name}*, the [Choose only one] ()Petitioner () Respondent.

I certify that a copy of this document was: () mailed () faxed and mailed () hand delivered to the person(s) listed below on _____*{date}*.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Signature of Party or his/her attorney

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, whose address is *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (11/13)

When should this form be used?

Florida Rule of Judicial Administration 2.545(d) requires the **petitioner** in a family law case to file with the court a notice of related cases, if any. Your circuit may also require this form to be filed even if there are no related cases. A case is considered related if

- it involves the same parties, children, or issues and is pending when the family law case is filed; or
- it affects the court's jurisdiction to proceed; or
- an order in the related case may conflict with an order on the same issues in the new case; or
- an order in the new case may conflict with an order in the earlier case.

This form is used to provide the required notice to the court.

This form should be typed or printed in black ink. It must be **filed** with the **clerk of the circuit court** with the initial pleading in the family law case.

What should I do next?

A copy of the form must be served on the presiding judges, either the chief judge or the family law administrative judge, and all parties in the related cases. You should also keep a copy for your records. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. The words that are in "**bold underline**" in these instructions are defined there. For further information, see Florida Rule of Judicial Administration 2.545(d).

Special notes . . .

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida

Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms **must** also put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,
and

Respondent.

NOTICE OF RELATED CASES

1. Petitioner submits this Notice of Related Cases as required by Florida Rule of Judicial Administration 2.545(d). A related case may be an open or closed civil, criminal, guardianship, domestic violence, juvenile delinquency, juvenile dependency, or domestic relations case. A case is "related" to this family law case if it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; if it affects the court's jurisdiction to proceed; if an order in the related case may conflict with an order on the same issues in the new case; or if an order in the new case may conflict with an order in the earlier litigation.

[check **one** only]

There are no related cases.

The following are the related cases (add additional pages if necessary):

Related Case No. 1

Case Name(s): _____

Petitioner _____

Respondent _____

Case No.: _____ Division: _____

Type of Proceeding: [check **all** that apply]

Dissolution of Marriage

Paternity

Custody

Adoption

Child Support

Modification/Enforcement/Contempt Proceedings

Juvenile Dependency

Juvenile Delinquency

Termination of Parental Rights

Criminal

Domestic/Sexual/Dating/Repeat

Mental Health

Violence or Stalking Injunctions

Other {specify} _____

State where case was decided or is pending: Florida Other: {specify} _____

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): _____

Title of last Court Order/Judgment (if any): _____

Date of Court Order/Judgment (if any): _____

Relationship of cases check **all** that apply]:

pending case involves same parties, children, or issues;

may affect court's jurisdiction;

order in related case may conflict with an order in this case;

order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

Related Case No. 2

Case Name(s): _____

Petitioner _____

Respondent _____

Case No.: _____ Division: _____

Type of Proceeding: [check **all** that apply]

Dissolution of Marriage

Paternity

Custody

Adoption

Child Support

Modification/Enforcement/Contempt Proceedings

Juvenile Dependency

Juvenile Delinquency

Termination of Parental Rights

Criminal

Domestic/Sexual/Dating/Repeat

Mental Health

Violence or Stalking Injunctions

Other {specify} _____

State where case was decided or is pending: Florida Other: {specify} _____

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): _____

Title of last Court Order/Judgment (if any): _____

Date of Court Order/Judgment (if any): _____

Relationship of cases check all that apply]:

pending case involves same parties, children, or issues;

- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

Related Case No. 3

Case Name(s): _____
 Petitioner _____
 Respondent _____
 Case No.: _____ Division: _____

Type of Proceeding: [check **all** that apply]

- | | |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Dissolution of Marriage | <input type="checkbox"/> Paternity |
| <input type="checkbox"/> Custody | <input type="checkbox"/> Adoption |
| <input type="checkbox"/> Child Support | <input type="checkbox"/> Modification/Enforcement/Contempt Proceedings |
| <input type="checkbox"/> Juvenile Dependency | <input type="checkbox"/> Juvenile Delinquency |
| <input type="checkbox"/> Termination of Parental Rights | <input type="checkbox"/> Criminal |
| <input type="checkbox"/> Domestic/Sexual/Dating/Repeat Violence or Stalking Injunctions | <input type="checkbox"/> Mental Health |
| | <input type="checkbox"/> Other {specify} _____ |

State where case was decided or is pending: Florida Other: {specify} _____

Name of Court where case was decided or is pending (*for example, Fifth Circuit Court, Marion County, Florida*): _____

Title of last Court Order/Judgment (if any): _____

Date of Court Order/Judgment (if any): _____

Relationship of cases check all that apply]:

- pending case involves same parties, children, or issues;
- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

2. [check **one** only]

I **do not** request coordination of litigation in any of the cases listed above.

_____ I **do** request coordination of the following cases: _____

3. [check **all** that apply]

_____ Assignment to one judge

_____ Coordination of existing cases

will conserve judicial resources and promote an efficient determination of these cases because: _____.

4. The Petitioner acknowledges a continuing duty to inform the court of any cases in this or any other state that could affect the current proceeding.

Dated: _____

Petitioner's Signature

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

CERTIFICATE OF SERVICE

I **CERTIFY** that I delivered a copy of this Notice of Related Cases to the _____ County Sheriff's Department or a certified process server for service on the Respondent, and [**check all used**] () e-mailed () mailed () hand delivered, a copy to {name} _____, who is the [**check all that apply**] () judge assigned to new case, () chief judge or family law administrative judge, () {name} _____ a party to the related case, () {name} _____, a party to the related case on {date} _____.

Signature of Petitioner/Attorney for Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

Florida Bar Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the {choose **only one**}: () Petitioner () Respondent.

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____ {state} _____, {telephone number} _____.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.912(b),
NONMILITARY AFFIDAVIT

When should this form be used?

You should use this form when ALL of the following statements are true:

- The other person in your case has been served, whether by **personal service** or **constructive service**.
- The other person in your case has not responded to your petition.
- You are requesting that the court enter a **default** judgment against the other person.
- You **ABSOLUTELY KNOW FOR CERTAIN** that the other person is **NOT** in the military service.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You must **file** the original of this form with the **clerk of the circuit court** when you file your **Motion for Default**,  Florida Supreme Court Approved Family Law Form 12.922(a). You must also attach copies of all verifications of nonmilitary service that you received from each branch of the United States' military service. You should keep a copy for your records.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

NONMILITARY AFFIDAVIT

I, {full legal name} _____, being sworn, certify
that the following information is true:

[all that apply]

___ 1. I know of my own personal knowledge that Respondent is not on active duty in the
armed services of the United States.

___ 2. I have inquired of the armed services of the United States and the U.S. Public Health
Service to determine whether the Respondent is a member of the armed services and am
attaching certificates stating that Respondent is not now in the armed services.

**I understand that I am swearing or affirming under oath to the truthfulness of the
claims made in this affidavit and that the punishment for knowingly making a false
statement includes fines and/or imprisonment.**

DATED: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of
notary or clerk.]

___ Personally known

___ Produced identification

___ Type of identification produced

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [✍ fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the petitioner, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS
12.922(a), MOTION FOR DEFAULT, and
12.922(b), DEFAULT

When should these forms be used?

If the other **party** has failed to **file** or **serve** any documents within 20 days after the date of service of your **petition**, you may ask the **clerk of the circuit court** to enter a **default** against him or her by filling out this form and filing it with the court. Generally, a default allows you to obtain an earlier **final hearing** to finish your case. Once the default is signed by the clerk, you can request a **trial** or final hearing in your case.

To obtain a default, you will need to complete **Motion for Default**,  Florida Supreme Court Approved Family Law Form 12.922(a). You will then need to file your motion for default along with the **Default**,  Florida Supreme Court Approved Family Law Form 12.922(b), so that the clerk can enter a default for you if your motion is proper.

This form should be typed or printed in black ink. After completing this form, you should file the original with the **clerk of the circuit court** in the county where you filed your petition and keep a copy for your records.

What should I do next?

After the default has been entered, you must ask for a hearing, so that the **judge** can consider your petition. To do this, you must contact the clerk's office, **family law intake staff**, or **judicial assistant** to schedule a hearing and file a **Notice of Hearing (General)**,  Florida Supreme Court Approved Family Law Form 12.923, with the clerk. A copy of the notice of hearing must be mailed or hand-delivered to each party in the case. **You must send a notice of final hearing to the defaulted party.**

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. For further information, see rule 1.500, Florida Rules of Civil Procedure, concerning defaults and rule 1.140, Florida Rules of Civil Procedure, concerning the time within which a party can file an answer or other responsive pleading to a petition. See also rule 12.080, Florida Family Law Rules of Procedure.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

MOTION FOR DEFAULT (D1270)

TO THE CLERK OF THE CIRCUIT COURT:

**PLEASE ENTER A DEFAULT AGAINST RESPONDENT WHO HAS FAILED TO
RESPOND TO THE PETITION.**

I certify that a copy of this document was [one only] () mailed () faxed and mailed ()
hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [✍ fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} _____,
who is the petitioner, fill out this form.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

DEFAULT (D1271)

A default is entered in this action against Respondent for failure to serve or file a response or any paper as is required by law.

Dated: _____

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

I certify that a copy of this document was [**one** only] () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE

BLANKS BELOW: [✍ fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} _____,

a nonlawyer, located at {street} _____, {city} _____,

{state} _____, {phone} _____, helped {name} _____,

who is the petitioner, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORMS
12.920(a), MOTION FOR REFERRAL TO GENERAL MAGISTRATE,
12.920(b), ORDER OF REFERRAL TO GENERAL MAGISTRATE, and
12.920(c), NOTICE OF HEARING BEFORE GENERAL MAGISTRATE

When should these forms be used?

A **general magistrate** is an attorney appointed by a **judge** to take testimony and recommend decisions on certain matters connected with a divorce. These recommendations are then reviewed by the judge and are generally approved unless contrary to the law or the facts of the case. The primary purposes of having general magistrates hear family law matters are to reduce the costs of litigation and to speed up cases. Either **party** may request that their case, or portions of their case, be heard by a general magistrate by filing **Motion for Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(a). You must also prepare an **Order of Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(b), to submit to the judge assigned to your case.

Many times, the court, either on its own motion or under current administrative orders of the court, may refer your case to a general magistrate. Even in those instances, you may be required to prepare and submit an **Order of Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(b), to the judge.

Once a general magistrate has been appointed to your case, the general magistrate will assign a time and place for a **hearing** as soon as reasonably possible after the referral is made. The general magistrate will give notice of that hearing to each of the parties directly or will direct a party or attorney in the case to file and serve a notice of hearing on the other party. If you are asked to send the notice of hearing, you will need to use the form entitled **Notice of Hearing Before General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(c). Regardless of who prepares the notice of hearing, the moving party (the one who requested referral to the general magistrate) is required to have the notice properly served on the other party.

These forms should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records.

What should I do next?

If you are filing a **Motion for Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(a), you need to send or deliver your motion directly to the judge assigned to your case, along with an **Order of Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(b), and an addressed, stamped envelope for each party in the case. The judge will then either grant or deny the motion, usually without a hearing.

If you are required to submit a **Order of Referral to General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(b), to the judge assigned to your case, you will need to send or deliver the order directly to the judge, along with addressed, stamped envelopes for each party in the case.

The party who prepares any of these forms must file the original with the clerk of the circuit court. A copy of the motion must be mailed **or** hand delivered to any other party in your case.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see rule 12.490, Florida Family Law Rules of Procedure.

Special notes...

IMPORTANT: After the judge refers your case to a general magistrate, either party (including the party who was required to prepare and submit the Order of Referral) may object to the referral within 10 days of the date that the referral is made (if the Order of Referral is served by mail, the parties have an additional 5 days within which to object to the referral). Every litigant is entitled to have his or her case heard by a judge. However, before you decide to object to an Order of Referral to General Magistrate, you should consider the potential extra costs and time delays that may result from having a judge hear your case instead of a general magistrate. You may want to speak with an attorney in your area who can assist you in making a more informed decision regarding whether you should file an objection to an Order of Referral to General Magistrate.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

MOTION FOR REFERRAL TO GENERAL MAGISTRATE

I, *{full legal name}* _____, request that the Court enter an order referring this case to a general magistrate. The case should be referred to a general magistrate on the following issues: *{identify the relevant pleadings}*_

I certify that a copy of this document was [**one only**] () mailed () faxed and mailed () hand delivered to the person(s) listed below on *{date}* _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____
who is the [**one only**] ___ petitioner **or** ___ respondent, fill out this form.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

Petitioner,
and

Respondent.

Case No.: _____

Division: _____

ORDER OF REFERRAL TO GENERAL MAGISTRATE

IT IS ORDERED that this case is referred to General Magistrate _____
(phone: _____), for further proceedings on the issues raised in the following pleadings:

The General Magistrate is authorized to administer oaths and conduct hearings, which may include taking of evidence, and shall file a report and recommendations that contains findings of fact, conclusions of law, and the name of the court reporter, if any.

Florida Family Law Rule of Procedure 12.490(b)(4) provides that any party or the general magistrate may set the action for hearing. PLEASE NOTE that in the Thirteenth Judicial Circuit, the general magistrate will set a hearing only after being requested to do so by one or both parties. The request may be made by phone at the number provided above.

A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BY A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BY THE GENERAL MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN TEN DAYS AFTER SERVICE OF THIS ORDER. IF THE TIME SET FOR THE HEARING IS LESS THAN TEN DAYS AFTER THE SERVICE OF THIS ORDER, THE OBJECTION MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST TWENTY DAYS AFTER SERVICE OF PROCESS, THE TIME TO FILE AN OBJECTION IS EXTENDED TO THE TIME WITHIN WHICH A RESPONSIVE PLEADING IS DUE. FAILURE TO FILE A WRITTEN OBJECTION WITHIN THE APPLICABLE TIME PERIOD IS DEEMED TO BE A CONSENT TO THE REFERRAL. REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE GENERAL MAGISTRATE SHALL BE BY EXCEPTIONS AS PROVIDED IN FLORIDA FAMILY LAW RULE OF PROCEDURE RULE 12.490(f). A RECORD, WHICH INCLUDES A TRANSCRIPT OF PROCEEDINGS, MAY BE REQUIRED TO SUPPORT EXCEPTIONS.

If either party files a timely objection, this matter shall be returned to the undersigned judge, and the objecting party must schedule a hearing or case management conference before the judge within ten days of filing the objection.

SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH FLORIDA FAMILY LAW RULE OF PROCEDURE 12.490(f). YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS, OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED IF NECESSARY FOR THE COURT'S REVIEW.

You are advised that in the Thirteenth Judicial Circuit, electronic recording is provided by the Court. A party may provide a court reporter at his or her own expense.

PLEASE NOTE: Any case or part thereof constituting a CHILD SUPPORT ENFORCEMENT issue proceeds pursuant to current Administrative Orders of the Court, as well as Florida Family Law Rule of Procedure 12.491 (Child Support Enforcement) and 12.615 (Civil Contempt in Support Matters), if applicable. The language above in bold capital letters does not apply to child support enforcement issues.

DONE AND ORDERED on _____, _____.

CIRCUIT COURT JUDGE

COPIES TO:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Hillsborough County Courthouse, 800 E. Twiggs St., Room 604, Tampa, Florida 33602, (813) 272-7040, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

NOTICE OF HEARING BEFORE GENERAL MAGISTRATE

[✎ fill in **all** blanks]

TO: _____

There will be a hearing before General Magistrate _____,
on {date} _____, at {time} _____ m., in Room _____ of the George
Edgecomb Courthouse, 800 East Twiggs Street, Tampa, Florida 33602, on the following issues: _____

_____ hour(s)/ _____ minutes have been reserved for this hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

If the matter before the General Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.

PLEASE GOVERN YOURSELF ACCORDINGLY.

This part to be filled out by the court or filled in with information you have obtained from the court:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Hillsborough County Courthouse, 800 E. Twiggs St., Room 604, Tampa, Florida 33602, (813) 272-7040, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATION MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH RULE 12.490(f), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS, OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED IF NECESSARY FOR THE COURT'S REVIEW.

YOU ARE HEREBY ADVISED THAT IN THIS CIRCUIT:

- a. electronic recording is provided by the court. A party may provide a court reporter at that party's expense.
- b. a court reporter is provided by the court.

If you are represented by an attorney or plan to retain an attorney for this matter you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the General Magistrate's Office to cancel this hearing.

I certify that a copy of this document was [one only] () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____
Address: _____
City, State, Zip: _____
Fax Number: _____

Dated: _____

Signature of Party
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [✎ fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} ,who is the [one only] ___
petitioner or ___ respondent, fill out this form.

General Magistrate / Hearing Officer Division Referral Assignment Table

| <u>Last 2 Digits of Case No.</u> | <u>G.M. Div.</u> |
|--------------------------------------|----------------------|--------------------------------------|----------------------|--------------------------------------|----------------------|--------------------------------------|----------------------|
| 00 | GM-1 | 01 | GM-2 | 02 | GM-3 | 03 | GM-4 |
| 04 | GM-1 | 05 | GM-2 | 06 | GM-3 | 07 | GM-4 |
| 08 | GM-1 | 09 | GM-2 | 10 | GM-3 | 11 | GM-4 |
| 12 | GM-1 | 13 | GM-2 | 14 | GM-3 | 15 | GM-4 |
| 16 | GM-1 | 17 | GM-2 | 18 | GM-3 | 19 | GM-4 |
| 20 | GM-1 | 21 | GM-2 | 22 | GM-3 | 23 | GM-4 |
| 24 | GM-1 | 25 | GM-2 | 26 | GM-3 | 27 | GM-4 |
| 28 | GM-1 | 29 | GM-2 | 30 | GM-3 | 31 | GM-4 |
| 32 | GM-1 | 33 | GM-2 | 34 | GM-3 | 35 | GM-4 |
| 36 | GM-1 | 37 | GM-2 | 38 | GM-3 | 39 | GM-4 |
| 40 | GM-1 | 41 | GM-2 | 42 | GM-3 | 43 | GM-4 |
| 44 | GM-1 | 45 | GM-2 | 46 | GM-3 | 47 | GM-4 |
| 48 | GM-1 | 49 | GM-2 | 50 | GM-3 | 51 | GM-4 |
| 52 | GM-1 | 53 | GM-2 | 54 | GM-3 | 55 | GM-4 |
| 56 | GM-1 | 57 | GM-2 | 58 | GM-3 | 59 | GM-4 |
| 60 | GM-1 | 61 | GM-2 | 62 | GM-3 | 63 | GM-4 |
| 64 | GM-1 | 65 | GM-2 | 66 | GM-3 | 67 | GM-4 |
| 68 | GM-1 | 69 | GM-2 | 70 | GM-3 | 71 | GM-4 |
| 72 | GM-1 | 73 | GM-2 | 74 | GM-3 | 75 | GM-4 |
| 76 | GM-1 | 77 | GM-2 | 78 | GM-3 | 79 | GM-4 |
| 80 | GM-1 | 81 | GM-2 | 82 | GM-3 | 83 | GM-4 |
| 84 | GM-1 | 85 | GM-2 | 86 | GM-3 | 87 | GM-4 |
| 88 | GM-1 | 89 | GM-2 | 90 | GM-3 | 91 | GM-4 |
| 92 | GM-1 | 93 | GM-2 | 94 | GM-3 | 95 | GM-4 |
| 96 | GM-1 | 97 | GM-2 | 98 | GM-3 | 99 | GM-4 |

The general magistrate/hearing officer assigned is determined by **the last two digits of your case number (see attached table).**

GM-1 = Magistrate Cuellar-Stilo (Phone : 272-5351) / GM-2 = Magistrate Johnson (Phone: 276-2335)

GM-3 = Magistrate Montagno (Phone: 276-2337) / GM-4 = Magistrate Proctor (Phone: 272-6435)

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

FINAL JUDGMENT/SUPPLEMENTAL FINAL JUDGMENT GRANTING RELOCATION

This cause came before this Court on a Petition/Supplemental Petition to relocate filed by (name) _____ the _____ of the child(ren). The Court makes these findings of fact and ORDERS as follows:

SECTION I. FINDINGS

1. The Court has jurisdiction over the subject matter and the parties.
2. The last judgment or order establishing or modifying parental responsibility, custody, visitation, or time-sharing (if any) was entered on (date)_____.
3. ____ {If Applicable} A prior order or judgment in this cause expressly governs the issue of relocation of the child(ren).

4. The parties' dependent or minor child(ren) is (are):

Name(s)

Birth Date(s)

| Name(s) | Birth Date(s) |
|---------|---------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

5. The () Petitioner () Respondent () Other Person entitled to access or time-sharing {name} _____ has filed a petition to relocate to {location/or address} _____, a location more than 50 miles from his/her principal place of residence at the time of entry of the last order establishing or modifying time-sharing, or at the time of filing of the pending action to establish or modify time-sharing. The relocation is for a period of at least 60 consecutive days.
6. This judgment/supplemental judgment was entered: (Choose only **one**)
____ **After** a Hearing;
____ **Without** an evidentiary hearing due to the () written agreement of the parties
() other party's failure to respond.

SECTION II. GRANTING REQUEST TO RELOCATE

The Court finds that the relocation IS **GRANTED** based upon:

[Choose only **one**]

- 1. **No response.** The other parent or person entitled to access to or time-sharing with the child(ren) failed to timely file a response objecting to the petition to relocate. The Court finds that the relocation is in the best interests of the child(ren) based upon the undisputed pleadings. The access or time-sharing schedule and post-relocation transportation arrangements contained within the petition are adopted by the Court.
- 2. **Agreement.** The parents or other person entitled to time-sharing with the child(ren) agree to the relocation and have signed a written agreement which consents to the relocation; defines the access or time-sharing schedule for the parents or any other persons entitled to access and time-sharing, and describes, if necessary, any post-relocation transportation arrangements relating to access or time-sharing. The Court finds that the relocation is in the best interests of the child(ren) based upon the pleadings and the Agreement.

A copy of this Agreement is attached as Exhibit _____.

- 3. **Evidentiary Hearing.** The Court finds that the relocation is in the best interests of the child(ren) based upon the evidence presented at the evidentiary hearing. The Court has evaluated each of the factors enumerated in Section 61.13001(7), Florida Statutes, and **FINDS:**

SECTION III. PARENTAL RESPONSIBILITY AND TIME-SHARING

[Choose only **one**]

- 1. **Time-Sharing.** The () Petitioner () Respondent () Other Person entitled to access or time-sharing shall have frequent, continuing, and meaningful contact, access, and time-sharing in accordance with:

(Choose only **one**)

- a. the **Agreement for Relocation** attached as Exhibit _____ and incorporated herein.
- b. the **Parenting Plan** attached as Exhibit _____ and incorporated herein.
- c. the following **specified time-sharing schedule:**

- 2. **No Contact.** The () Petitioner () Respondent () Other Person entitled to access, visitation, or time-sharing shall have no contact with parties minor child(ren) until further order of the Court, as such contact is detrimental to the welfare of the minor child(ren).

{Explain} _____

_____.

SECTION IV: MODIFICATION OF CHILD SUPPORT

[Choose **all** that apply]

1. ___ The Court finds that based upon the relocation, the () Petitioner's () Respondent's child support obligation should be modified in consideration of the costs of transportation and the respective net incomes of the parents.

[Choose only **one**]

- a. ___ The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the () Petitioner () Respondent are correct and are adopted by the Court.

OR

- b. ___ The Court makes the following findings:
The Petitioner's net monthly income is \$_____. The Respondent's net monthly income is \$_____. Monthly child care costs are \$_____. Monthly health/dental insurance costs are \$_____. Transportation costs are \$_____.

2. ___ **Amount.** The Obligor's child support obligation shall be modified to \$_____ per month payable in accordance with the Obligor's payroll cycle, and in any event, at least once a month {explain}_____, commencing on:{date} _____ and continuing thereafter until further court order.

SECTION V. OTHER

1. ___ **Other Provisions** _____

_____.

2. ___ The Court reserves jurisdiction to address all issues of time-sharing and parental responsibility, as well as to enforce or modify the provisions of this Judgment.

3. ___ Unless specifically modified herein, the provisions of all prior judgments or orders remain in effect.

DONE AND ORDERED at _____, Florida, on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his/her attorney)

Respondent (or his/her attorney)

Other Person (or his/her attorney)

State Disbursement Unit

Other: _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.923, NOTICE OF HEARING (GENERAL) (9/11)

When should this form be used?

Anytime you have set a hearing before a **judge**, you must send notice of the **hearing** to the other party. **IMPORTANT:** If your hearing has been set before a general magistrate, you should use **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c). If your hearing has been set before a child support enforcement hearing officer, you should use **Notice of Hearing (Child Support Hearing Officer)**, Florida Supreme Court Approved Family Law Form 12.921.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case was filed and keep a copy for your records.

What should I do next?

A copy of this form must be mailed **or** hand delivered to the other party in your case. If a **default** has been entered, you must still send this form to the other party to notify the other party of the **final hearing**.

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. For further information on serving notices of hearing, see rule 1.090(d), Florida Civil Rules of Procedure.

Special notes...

To set a hearing date and time, you will usually have to make a good-faith effort to coordinate a mutually convenient date and time for you, the other parties in the case, and the judge, except in certain emergency situations. Some circuits may have additional procedural requirements that you must follow when you notify the court and other parties of your scheduled hearing. Therefore, before you complete this form, you should contact the clerk's office, **family law intake staff**, or **judicial assistant** for information regarding the proper procedure to follow.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900 (a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

NOTICE OF HEARING (GENERAL)#

[fill in **all** blanks]

TO: *{name of other party}*: _____

There will be a hearing before Judge *{name}* _____,

on *{date}* _____, at *{time}* _____ m., in Room _____ of the _____

Courthouse, on the following issues: _____

_____.

_____ hour(s)/_____ minutes have been reserved for this hearing.

This part is to be filled out by the court or to be filled in with information you obtained from the court:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Hillsborough County Courthouse, 800 E. Twiggs St., Room 604, Tampa, Florida 33602, (813) 272-7040, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

If you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

I certify that a copy of this document was [Choose only **one**] () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date}_____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Email Address: _____

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,

a nonlawyer, whose address is {street} _____,

{city} _____ (state) _____, {phone} _____,

helped {name} _____,

who is the [Choose only **one**] ___ petitioner **or** ___ respondent, fill out this form.

Fee Schedule For Family Law Cases

(These fees are effective June 1, 2009)

Clerk fees (payable to The Clerk of the Circuit Court):

| Type | Fee | Statute Reference |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--------------------------------------------------|
| Adoption * | \$442.00 | 63.102 & 28.241(1)(a) |
| Termination of Parental Rights * | \$442.00 | 63.087 & 28.241(1)(a) |
| Delayed Birth Certificate * | \$442.00 | 682.0195 & 28.241(1)(a) |
| Disabilities of nonage; removed (Emancipation) * | \$400.00 | 743.015 & 28.241(1)(a) |
| Temporary Custody by Extended Family Member * | \$400.00 | 751.03 & 28.241(1)(a) |
| Name Change * | \$414.00 | 68.07 & 28.241(1)(a) |
| Counter Petition <i>for case indicated with *</i> | \$395.00 | 28.101 & 28.241(1)(c) |
| Dissolution of Marriage ** | \$408.00 | 28.241 & 28.101 |
| All other Family Law actions not listed above ** | \$300.00 | 28.241(1)(a) |
| Counter Petition <i>for case indicated with **</i> | \$295.00 | 28.101 & 28.241(1)(c) |
| Sealing Fee | \$42.00 | 28.24(25) |
| Attorney appearing Pro Hac Vice | \$100.00 | 28.241(6) |
| Notice of Appeal <i>(Requires 2 separate checks: (1) \$300.00 made payable to the <u>Second District Court of Appeals</u>; (2) \$100.00 +\$1.00 per page of entire Notice of Appeal and \$2.00 for certifying made payable to Clerk of the Circuit Court)</i> | \$300.00 (Second DCA) \$100.00 plus copy and certification fee (Clerk) | 28.241(2); 28.24(3); 28.24(5)(a); 35.22 |
| Reopen fee | \$50.00 | 28.241(1)(b) |
| Writ of Garnishment issued | \$188.00 | 28.241(1)(a) |
| Issuing a Summons (Initial, Alias, and Pluries) | \$10.00 | 28.241(1)(d) |
| Issue & filing a subpoena | \$7.00 | 28.241(18)(a) |
| Signing and sealing a subpoena | \$2.00 | 28.24(18)(b) |
| Copies | \$1.00 (per page) | 28.24(5)(a) |
| Certification | \$2.00 | 28.24(3) |
| Notary fee | \$10.00 (each) | 117.05(2)(a) |
| Approving Bond | \$8.50 | 28.24(19) |
| Administering oath | \$3.50 | 38.25(13) |
| Exemplified certificate | \$7.00 | 28.24(16) |
| Clerk Certificate | \$7.00 | 28.24(8) |
| <i>Child Support Fees</i> | | |
| Judgment payoff statement (Child Support) | \$25.00 | 61.14(6)(f)1 |
| Payment History (Child Support, Alimony) | \$1.00 - \$2.00 per year | 28.24(5)(a) |
| Affidavit of Delinquency | \$7.00 | 28.24(8) |
| Notice of Delinquency fee | \$25.00 | 61.14(6)(b)1.b. |
| Driver License/Non Payment of Child Support | \$25.00 | 61.14(6)(f)1. |
| Verification form | \$7.00 | 28.24(8) |

Mediation (payable to The Clerk of the Circuit Court)

| | | |
|----------------------------------------------------------------------|----------|--------------|
| Family income greater than \$50,000 but less than \$100,000 per year | \$120.00 | 44.108(2)(b) |
| Family income less than \$50,000 per year | \$60.00 | 44.108(2)(b) |

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.915,
DESIGNATION OF CURRENT MAILING AND EMAIL ADDRESS (09/12)**

When should this form be used?

This form should be used to inform the clerk and the other **party** of your current mailing and e-mail address(es) or **any change of address**. It is very important that the court and the other party in your case have your correct address.

A party not represented by an attorney may choose to designate e-mail address(es) for **service**. A primary and up to two secondary e-mail addresses can be designated. If you do so and the other party is represented by an attorney or has also designated e-mail address(es) for service, e-mail will be the **exclusive means of service**.

If there is any change in your mailing or e-mail address(es), you must complete a new form, file it with the clerk, and serve a copy on any other party or parties in your case.

What should I do next?

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records. A copy of this form must be served on any other party in your case. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there.

Special notes...

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS

I, {full legal name} _____, being sworn, certify that
my current mailing address is: {Street} _____
{City} _____, {State} _____ {Zip} _____ {Telephone No.} _____
{Fax No.} _____.

I designate as my current e-mail address(es): _____

I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing and e-mail address(es) and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.

I certify that a copy of this document was [check all used]: () e-mailed () mailed () faxed
() hand-delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

E-mail Address(es): _____

Dated: _____

Signature of Party

STATE OF FLORIDA

COUNTY OF

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

_____ Personally known

_____ Produced identification

Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the: *{choose only one}* () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{street} _____,

{city} _____, *{state}* _____, *{telephone number}* _____.

IN THE _____ COURT, 13TH
JUDICIAL CIRCUIT, IN AND FOR
HILLSBOROUGH COUNTY, FLORIDA

CASE NO.: _____

Plaintiff/Petitioner,

v.

Defendant/Respondent.

_____ /

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), I hereby certify:

() (1) I am filing herewith a document containing confidential information as described in Rule 2.420(d)(1)(B) and that:

(a) The title/type of document is _____, and:

(b) () the entire document is confidential, or

() the confidential information within the document is precisely located at:

_____.

OR

() (2) A document was previously filed in this case that contains confidential information as described in Rule 2.420(d)(1)(B), but a Notice of Confidential Information within Court Filing was not filed with the document and the confidential information was not maintained as confidential by the clerk of the court. I hereby notify the clerk that this confidential information is located as follows:

(a) Title/type of document: _____;

(b) Date of filing (if known): _____;

(c) Date of document: _____;

(d) Docket entry number: _____;

(e) () Entire document is confidential, or

() Precise location of confidential information in document: _____

_____.

Filer's Signature

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by _____ on: _____

_____ on _____, 20__.

Name
Address
Phone
Florida Bar No. (if applicable)
E-mail address

Note: The clerk of court shall review filings identified as containing confidential information to determine whether the information is facially subject to confidentiality under subdivision (d)(1)(B). The clerk shall notify the filer in writing within 5 days if the clerk determines that the information is NOT subject to confidentiality, and the records shall not be held as confidential for more than 10 days, unless a motion is filed pursuant to subdivision (d)(3) of the Rule. Fla. R. Jud. Admin. 2.420(d)(2).