

**THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION**

**MOTION TO/FOR
RE-OPEN / REHEARING / VACATE / COMPEL**

(Packet #28)

**USE THIS PACKET IF YOU WANT TO ASK THE COURT TO
DO ONE OF THE FOLLOWING:**

- 1) Set aside a Dismissal and Reopen the case, or**
- 2) Give you a Rehearing, or**
- 3) Vacate an order from a Hearing Officer, or**
- 4) Compel compliance with Mandatory Disclosure.**

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 or general magistrate assigned to your case is not 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 the hours of operation.

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
Nonlawyer Disclosure	12.900(a)	Required if someone who is not a lawyer helps you with the forms
Motion to/for Re-Open / Rehearing / Vacate / Compel	Motion	Required to start
General Magistrate / Hearing Officer Division Referral Assignment Table	Table	To determine the General Magistrate / Hearing Officer assigned to your case
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

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. **Your CASE NUMBER AND DIVISION must be written on all documents.**
4. **Complete the following forms and notarize the ones with a notary signature line:**
 - A. 12 Rules of Courtroom Civility - (does not need to be notarized)
 - B. Motion form – (write specifically what you want the court to order and why the court should do so)

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have completed (one copy is for your records). If your case involves the Department of Revenue, Office of Child Support Enforcement, make 2 extra sets of copies – 1 for the Office of Child Support Enforcement, and 1 for the Attorney General's office. 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 motion

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.

STEP FOUR – Notifying the other party

Mail, fax, or hand-deliver 1 set of copies of your documents to the other party. If your case involves the Department of Revenue, Office of Child Support Enforcement, mail 1 set of copies to each of the following addresses:

- 1) Department of Revenue, Office of Child Support Enforcement, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619, and
- 2) Office of the Attorney General, Child Support Enforcement, P.O. Box 3342, St. Petersburg, FL 33731-3342

STEP FIVE – Scheduling the hearing

1. **For a MOTION TO SET ASIDE DISMISSAL AND RE-OPEN CASE**

- A. If neither party has an attorney, you will be contacted by the Case Management Unit once the judge has reviewed the file.
- B. If the other party has an attorney, follow the instructions below for scheduling a hearing with the judge in the division your case is assigned to.

2. **For a MOTION FOR REHEARING**

- A. If neither party has an attorney and the original hearing was heard by a judge, contact the Case Management Unit at 272-5173 to request a hearing with the judge.
- B. If neither party has an attorney and the original hearing was heard by a general magistrate/hearing officer, call the administrative assistant for the general magistrate/hearing officer who heard 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)
 - 1) Once a hearing date has been scheduled, complete a Notice of Hearing, Form 12.923, with the place, date, and time of the hearing.
 - 2) 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.
 - 3) Make 2 copies of the Notice of Hearing.
 - 4) 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.
- C. If the other party has an attorney, follow the instructions below for scheduling a hearing with the judge or general magistrate.
- D. If your hearing was heard by the Child Support Enforcement Hearing Officer and the **DEPARTMENT OF REVENUE - OFFICE OF CHILD SUPPORT ENFORCEMENT** is involved in your case, follow these instructions to schedule a hearing on your motion
 - 1) If you do not receive a notice of hearing within 45 days from the date you provided a copy of your motion to the Department of Revenue, call the Attorney General's office at 727-825-7600 and ask them to schedule a hearing on your motion (child support issues only).

3. **For a MOTION TO VACATE**

- A. If your hearing was heard by the Child Support Enforcement Hearing Officer and the **DEPARTMENT OF REVENUE - OFFICE OF CHILD SUPPORT ENFORCEMENT** is involved in your case, follow these instructions to schedule a hearing on your motion
 - 1) If you do not receive a notice of hearing within 45 days from the date you provided a copy of your motion to the Department of Revenue, call the Attorney General's office at 727-825-7600 and ask them to schedule a hearing on your motion (child support issues only).
- B. If neither party has an attorney and the original hearing was heard by a general magistrate/hearing officer, call the judicial assistant for the judge assigned to your case division and request a hearing date.
 - 1) Once a hearing date has been scheduled, complete a Notice of Hearing, Form 12.923, with the place, date, and time of the hearing.

- 2) 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.
 - 3) Make 2 copies of the Notice of Hearing.
 - 4) 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.
- C. If the other party has an attorney, follow the instructions below for scheduling a hearing with the judge.
4. **For a MOTION TO COMPEL COMPLIANCE WITH MANDATORY DISCLOSURE**
- A. If your case is a pre-judgment case (divorce, support without divorce, or paternity), then your Motion to Compel Compliance with Mandatory Disclosure will be heard by the judge. If your case is a modification case (modify child support or alimony), your motion will be heard by a general magistrate. If the Department of Revenue – Office of Child Support Enforcement is involved in your case, your motion will be heard by a support enforcement hearing officer.
 - B. **SCHEDULING A HEARING WITH THE JUDGE**
 - 1) If neither party has an attorney, contact the Case Management Unit at 813-272-5173 to request a hearing with the judge on your motion.
 - 2) If the other party has an attorney, follow the instructions below for scheduling a hearing.
 - C. **SCHEDULING A HEARING WITH A GENERAL MAGISTRATE/HEARING OFFICER**
 - 1) If neither party has an attorney, call the administrative assistant for the general magistrate/hearing officer 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, keep a copy for your records.
 - D. **SCHEDULING A HEARING WITH A SUPPORT ENFORCEMENT HEARING OFFICER**
(Department of Revenue – Office of Child Support Enforcement)
 - 1) If you do not receive a notice of hearing within 45 days from the date you provided a copy of your motion to the Department of Revenue, call the Attorney General’s office at 727-825-7600 and ask them to schedule a hearing on your motion (child support issues only).

SCHEDULING A HEARING IF THE OPPOSING PARTY IS REPRESENTED BY AN ATTORNEY:

1. Contact the judicial assistant (J.A.) for the judge or general magistrate/hearing officer 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 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 opposing party’s attorney, and keep a copy of the notice for your records.

STEP SIX – The hearing

Normally the hearing is when the request in your motion will be decided.

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 motion

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, hearing officer or judge. Do not interrupt the magistrate, hearing officer or judge when he or she speaks. When speaking to the magistrate, hearing officer 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 your motion 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 court, 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 court with admissible evidence to support the claims in your motion and your statements in court. Telling your story may not be enough to have your motion granted.

Usually you will be notified of the court’s decision at the hearing and the written order or recommended order will be mailed to you.

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**

**MOCIÓN PARA
REABRIR /REPETIR AUDIENCIA/ANULAR/
OBLIGAR AL CUMPLIMIENTO
(Paquete #28)**

**USE ESTE PAQUETE SI USTED DESEA PEDIR A LA CORTE QUE
TOME UNA DE LAS SIGUIENTES MEDIDAS:**

- 1) Anule la Desestimación (*Dismissal*) y Reabra el caso, o**
- 2) Le otorgue una nueva audiencia (*Rehearing*), o**
- 3) Anule (*Vacate*) una orden de un Oficial de Audiencia, u**
- 4) Obligue al cumplimiento de la Revelación Obligatoria
(*Mandatory Disclosure*)**

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 o magistrado general 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/o 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 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.

FORMULARIOS INCLUIDOS EN ESTE PAQUETE	FORMULARIO #	<u>CUÁNDO 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
Declaración de que no se es Abogado	12.900(a)	Necesaria si una persona que no es abogado le ayuda con los formularios
Moción para Reabrir / Nueva Audiencia /Anular/ Obligar al Cumplimiento	Moción	Utilizar cuando se haya fijado fecha para audiencia.
División de Magistrado General/ Oficial de Audiencias - Tabla de Asignaciones	Tabla	Para determinar el Magistrado General / Oficial de Audiencia asignado a su caso
Notificación de 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 - Complete los formularios para iniciar el proceso y adelante 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. Su NÚMERO DE CASO Y LA DIVISIÓN debe estar escritos en todos los documentos.**
- 4. Completar los siguientes formularios y adelantar trámite notarial en aquellos que provean una línea para la firma del notario:**
 - A) 12 Reglas de Civismo en la Corte - (no requiere trámite notarial)
 - B) Formulario de Moción - (describir específicamente qué es lo que usted desea que la corte ordene y por qué la corte debería ordenar esto)

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 su caso involucra al *Department of Revenue, Office of Child Support Enforcement*, haga dos copias adicionales - 1 para la *Office of Child Support Enforcement*, y 1 para la oficina del *Attorney General*. 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.

Lleve el juego original completo y firmado a la oficina del escribano (*clerk*) en el 1er piso de la corte principal y pague los cargos, si estos aplican.

CUARTO PASO - Notificar a la Contraparte

Mande por correo, por fax, o entregue personalmente una copia de sus documentos a la contraparte. Si su caso involucra al *Department of Revenue, Office of Child Support Enforcement*, mande por correo 1 juego de copias a cada una de las siguientes direcciones:

- 1) *Department of Revenue, Office of Child Support Enforcement*, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619, y
- 2) *Office of the Attorney General, Child Support Enforcement*, P.O. Box 3342, St. Petersburg, Fl 33731-3342

QUINTO PASO - Programar la audiencia final

1. Para una MOCIÓN PARA HACER A UN LADO LA DESESTIMACIÓN (DISMISSAL) Y REABRIR EL CASO

- A. Si ninguna de las partes tiene un abogado, la oficina de *Case Management Unit* le contactará una vez que el juez haya revisado su expediente.
- B. Si la contraparte tiene abogado, siga las instrucciones a continuación para programación de audiencia con el juez de la división a la cual su caso haya sido asignado.

2. Para una MOCIÓN PARA REPETIR LA AUDIENCIA (REHEARING)

- A. Si ninguna de las partes tiene un abogado y la audiencia inicial se surtió frente a un juez, llame a la oficina de *Case Management Unit* al 272-5173 para solicitar nueva audiencia con el juez.
- B. Si ninguna de las partes tiene un abogado y la audiencia inicial se surtió frente a un magistrado general/oficial de audiencia, llame al asistente administrativo de dicho magistrado general/oficial de audiencia que oyó su caso y solicite una fecha de 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)

- 1) 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.
- 2) 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.
- 3) Haga 2 copias de la Notificación de Audiencia.
- 4) 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.
- C. Si la contraparte tiene un abogado, siga las instrucciones a continuación para programación de audiencia con el juez o magistrado general.
- D. Si su audiencia se surtió frente a un *Child Support Enforcement Hearing Officer* y el **DEPARTMENT OF REVENUE - OFFICE OF CHILD SUPPORT ENFORCEMENT** está involucrado en su caso, siga estas instrucciones para programar una audiencia para su moción
 - 1) Si no recibe una notificación de audiencia dentro de los 45 días siguientes a la fecha en que usted entregó una copia de su moción al *Department of Revenue*, llame a la oficina

del *Attorney's General* al 727-82507600 y pídale que fijen una fecha para la audiencia de su moción (únicamente asuntos de pensión alimentaria de hijos).

3. **Para una MOCIÓN PARA ANULAR (VACATE)**

A. Si su audiencia se surtió frente a un *Child Support Enforcement Hearing Officer* y el **DEPARTMENT OF REVENUE - OFFICE OF CHILD SUPPORT ENFORCEMENT** está involucrado en su caso, siga estas instrucciones para programar una audiencia para su moción.

1) Si no recibe una notificación de audiencia dentro de los 45 días siguientes a la fecha en que usted entregó una copia de su moción al Department of Revenue, llame a la oficina del *Attorney's General* al 727-825-7600 y pídale que fijen una fecha para la audiencia de su moción (únicamente asuntos de alimentos para hijos).

B. Si ninguna de las partes tiene un abogado y la audiencia inicial se surtió frente a un magistrado general/ oficial de audiencias, llame al asistente administrativo de dicho magistrado general/ oficial de audiencias que oyó su caso y solicite una fecha de audiencia.

1) 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.

2) 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.

3) Haga 2 copias de la Notificación de Audiencia.

4) 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.

C. Si la contraparte tiene un abogado, siga las instrucciones a continuación para programación de audiencia con el juez o magistrado general.

4. **Para una MOCIÓN PARA OBLIGAR AL CUMPLIMIENTO DE REVELACIÓN OBLIGATORIA (MANDATORY DISCLOSURE)**

A. Si su caso se refiere a una decisión pre-sentencia (*pre-judgment*) (divorcio, alimentos para hijo/s sin divorcio, o paternidad) su Moción para Obligar al Cumplimiento de Revelación Obligatoria se surtirá frente a un juez. Si se trata de un caso de modificación (modificación de alimentos para hijo/s o alimentos para cónyuge) su moción se surtirá frente a un magistrado general. Si el *Department of Revenue - Office of Child Support Enforcement* está involucrado en su caso, su moción se surtirá frente a un oficial coadyuvante de casos de alimentos (*support enforcement hearing officer*).

B. PROGRAMANDO UNA AUDIENCIA CON EL JUEZ

1) Si ninguna de las partes tiene un abogado y la audiencia inicial se surtió frente a un juez, llame a la oficina de *Case Management Unit* al 272-5173 para solicitar audiencia con el juez de la moción.

2) Si la contraparte tiene un abogado, siga las instrucciones a continuación para programar una audiencia.

C. PROGRAMANDO UNA AUDIENCIA CON EL MAGISTRADO GENERAL/ OFICIAL DE AUDIENCIAS

1) Si ninguna de las partes tiene un abogado llame al asistente del magistrado general/oficial de audiencia 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.

D. PROGRAMANDO UNA AUDIENCIA CON UN OFICIAL DE AUDIENCIAS COADYUVANTE DE ALIMENTOS (*SUPPORT ENFORCEMENT HEARING OFFICER*) (Department of Revenue - Office of Child Support Enforcement)

1) Si usted no recibe una notificación de una audiencia dentro de los 45 días siguientes contados a partir de la fecha en que usted entregó una copia de su moción al *Department of Revenue*, llame a la Oficina del *Attorney General* al 727-825-7600 y solicite que fijen una fecha para la audiencia de su moción (únicamente asuntos relacionados con la pensión alimentaria de hijos)

PROGRAMANDO UNA AUDIENCIA SI LA CONTRAPARTE ESTÁ REPRESENTADA POR ABOGADO:

1. Contacte al Asistente Judicial (*J.A.*) del juez o magistrado general/oficial de audiencia a quien su caso haya sido asignado y solicítele 3 posibles fechas y horas 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 con el lugar, fecha y hora de la audiencia.

5. 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.

6. Haga 3 copias de la Notificación de Audiencia.
7. Radique el original de la Notificación de Audiencia con el escribano (*clerk*)
8. Entregue una copia de la notificación al Asistente Judicial (*J.A.*), envíe una copia al abogado de la contraparte, y guarde una copia para su archivo personal.

SEXTO PASO - La audiencia final

Normalmente en la audiencia final es cuando se considerará la petición de su moción.

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 para la decisión de su moción.

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 magistrado, oficial de audiencia o un juez. No interrumpa al magistrado, oficial de audiencia o juez cuando el o ella hable. Cuando se dirija al magistrado, oficial de audiencia o 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 su moción y esté listo para presentar pruebas de cualquiera de los hechos controvertidos 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.

Usualmente usted será notificado sobre la decisión de la corte durante la audiencia y la orden u orden recomendada le será enviada por correo.

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: _____

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

Petitioner,

Case No. _____

AND

Division _____

Respondent.

_____ /

MOTION [check one]:

TO SET ASIDE DISMISAL AND RE-OPEN CASE

FOR REHEARING

TO VACATE

TO COMPEL COMPLIANCE WITH MANDATORY DISCLOSURE

I, [state your name] _____, the [circle one] Petitioner / Respondent in this case am requesting that the following Motion [check one] be granted:

TO SET ASIDE DISMISAL AND RE-OPEN CASE,

My petition was dismissed and I would like the court to set aside the dismissal which was entered on [date] _____ for the following reasons: _____

FOR REHEARING

A hearing was held on [date] _____ and I am requesting a re-hearing pursuant to Fla.R.Civ.P. 1.530. This Motion for Rehearing is being filed within 15 days from the date of the filing of the judgment or order. The reasons I am requesting a rehearing are: _____

TO VACATE

A child support order was entered on [date] _____ upon a recommended order of a Support Enforcement Hearing Officer. I am requesting that this order be vacated pursuant to Fla.Fam.L.R.P. 12.491(f). This Motion to Vacate is being filed within 10 days from the date the order was entered. The reasons I am requesting that the order be vacated are: _____

_____ TO COMPEL COMPLIANCE WITH MANDATORY DISCLOSURE

A Petition has been filed and it has been more than 45 days since the Respondent was served with the Petition. The other party has not complied with Mandatory Disclosure rule Fla.Fam.L.R.P. 12.285 which requires each party to provide certain financial records to the other party within 45 days from the date of service. The other party [check one]: ___ has not provided any of the required documents / ___ has provided some but not all of the required documents. The reasons I am requesting that the other party be ordered to comply with mandatory disclosure are: _____

WHEREFORE, I request that the court grant this motion.

I HEREBY CERTIFY that a copy of this Motion has been furnished by [check one only] () mail () faxed and mailed () hand delivered to the person(s) listed below on [date] _____.

Other party or his/her attorney:

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

Your signature

Your Address

City, State, Zip

Telephone

STATE OF FLORIDA

COUNTY OF _____)

Sworn to (or affirmed) and subscribed before me on (date) _____ 200 ____ by {name} _____.

NOTARY PUBLIC-STATE OF FLORIDA

____ Personally known

____ Produced identification

Type of identification produced: _____

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)

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).