

# NINETEENTH JUDICIAL CIRCUIT

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## TEMPORARY CUSTODY BY A RELATIVE

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**THIS PACKET IS DESIGNED TO BE USED BY AN EXTENDED FAMILY MEMBER WHO WANTS TO ESTABLISH TEMPORARY CUSTODY OF A MINOR CHILD AND WHO EITHER HAS THE SIGNED, NOTARIZED CONSENT OF THE CHILD'S LEGAL PARENTS, OR WHO IS CARING FULL TIME FOR A CHILD WHO IS CURRENTLY RESIDING IN THE EXTENDED FAMILY MEMBER'S HOME. AN EXTENDED FAMILY MEMBER IS AN ADULT WITHIN THE THIRD DEGREE OF BLOOD RELATIONS TO THE MINOR CHILD (great-grandparents, grandparents, aunts, uncles, adult brothers or sisters, nieces, nephews, or cousins), OR A STEPPARENT WHO IS CURRENTLY MARRIED TO THE CHILD'S PARENT AND WHO IS NOT A PARTY IN ANY CRIMINAL OR CIVIL PROCEEDING INVOLVING ONE OR BOTH OF THE CHILD'S PARENTS AS ADVERSE PARTIES.**

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**THIS PACKET SHOULD CONTAIN THE FOLLOWING DOCUMENTS:**

- NOTICE OF LIMITATION OF SERVICES PROVIDED AND ACKNOWLEDGMENT
- CHECKLIST
- INSTRUCTIONS AND FREQUENTLY ASKED QUESTIONS
- CIVIL COVER SHEET
- PETITION FOR TEMPORARY LEGAL CUSTODY BY A RELATIVE
- UCCJEA AFFIDAVIT
- INDIAN CHILD WELFARE ACT AFFIDAVIT
- NOTICE OF RELATED CASES
- 20-DAY SUMMONS AND PROCESS SERVICE MEMORANDUM
- CONSENT TO PETITION FOR TEMPORARY LEGAL CUSTODY
- AFFIDAVIT OF DILIGENT SEARCH
- NOTICE OF ACTION
- MOTION FOR ENTRY OF DEFAULT / DEFAULT
- NON-MILITARY AFFIDAVIT
- FINAL DISPOSITION FORM
- FORM A: FAMILY CASE INQUIRY/UPDATE

**Read the enclosed instructions carefully and completely.** Please be advised that neither the clerk's office nor the case managers are able to provide legal advice. We can give you the forms, and general information, however, you may need to consult with an attorney if you have legal questions.

PRIOR TO filing, you may contact the Clerk's Office for general information, or you may need to consult an attorney. AFTER a case has been opened or re-opened, the case managers may assist you with general information or case status. Please use **Form A: Family Case Inquiry/Update** provided in this packet to request status or review of your case.

## TEMPORARY CUSTODY BY A RELATIVE

### CHECKLIST

This checklist has been prepared to assist you with a list of documents required to file your case and bring it to final hearing. The checklist contains the minimum requirements and may not be all inclusive for every case. **It is not intended, and should not be substituted for proper legal advice from an attorney.**

#### **A. What you must file to start your case:**

- Petition for Temporary Custody by a Relative
- Notice of Related Cases
- Civil Cover Sheet
- Notice of Limitation of Services Provided and Acknowledgment
- Indian Child Welfare Act Affidavit
- UCCJEA Affidavit
- Three (3) blank, stamped envelopes
- Final Disposition Form

#### **B. Additional documents:**

- Consent and Waiver by Parent
- Summons: Personal Service on an Individual
- Process Service Memorandum – Accompanies the summons
- Affidavit of Diligent Search
- Notice of Action
- Motion for Default / Default
- Form A: Family Case Inquiry/Update

#### **C. Fees:**

- Filing fee in the amount of \$400.00 (cash, money order, attorney check or credit cards).
- Fee for service: \$10.00 for each summons issued by the clerk, \$40.00 for service by Sheriff within the Nineteenth Judicial Circuit. Fees vary for out of circuit/state service. You must obtain that information from the agency who will be serving the documents if the agency is located outside the Nineteenth Circuit.
- Application for Determination of Civil Indigent Status. If you are unable to pay the filing fees up front, the clerk will provide you with an application for a determination of indigence.

**NOTICE OF LIMITATION OF SERVICES PROVIDED**

Fla.Fam.L.R.P. 12.750(h)

THE PERSONNEL IN THIS SELF-HELP PROGRAM ARE NOT ACTING AS YOUR LAWYER OR PROVIDING LEGAL ADVICE TO YOU.

SELF-HELP PERSONNEL ARE NOT ACTING ON BEHALF OF THE COURT OR ANY JUDGE. THE PRESIDING JUDGE IN YOUR CASE MAY REQUIRE AMENDMENT OF A FORM OR SUBSTITUTION OF A DIFFERENT FORM. THE JUDGE IS NOT REQUIRED TO GRANT THE RELIEF REQUESTED IN A FORM.

THE PERSONNEL IN THIS SELF-HELP PROGRAM CANNOT TELL YOU WHAT YOUR LEGAL RIGHTS OR REMEDIES ARE, REPRESENT YOU IN COURT, OR TELL YOU HOW TO TESTIFY IN COURT.

SELF-HELP SERVICES ARE AVAILABLE TO ALL PERSONS WHO ARE OR WILL BE PARTIES TO A FAMILY CASE.

THE INFORMATION THAT YOU GIVE TO AND RECEIVE FROM SELF-HELP PERSONNEL IS NOT CONFIDENTIAL AND MAY BE SUBJECT TO DISCLOSURE AT A LATER DATE. IF ANOTHER PERSON INVOLVED IN YOUR CASE SEEKS ASSISTANCE FROM THIS SELF-HELP PROGRAM, THAT PERSON WILL BE GIVEN THE SAME TYPE OF ASSISTANCE THAT YOU RECEIVE.

IN ALL CASES, IT IS BEST TO CONSULT WITH YOUR OWN ATTORNEY, ESPECIALLY IF YOUR CASE PRESENTS SIGNIFICANT ISSUES REGARDING CHILDREN, CHILD SUPPORT, ALIMONY, RETIREMENT OR PENSION BENEFITS, ASSETS, OR LIABILITIES.

**PLEASE COMPLETE THE FOLLOWING PARAGRAPH. FILE THE SIGNED DOCUMENT WITH THE CLERK OF COURT.**

**ACKNOWLEDGMENT**

I CAN READ ENGLISH.

I CANNOT READ ENGLISH. THIS NOTICE WAS READ TO ME BY \_\_\_\_\_(name)

IN \_\_\_\_\_(language).

I, \_\_\_\_\_(name)do acknowledge that I have read this Notice of Limitation of Services Provided. I have received an explanation of the notice above, and I understand the limitation of the services provided. I understand that it is in my best interest to secure an attorney to represent my interest in this case. I understand that this form must be signed and filed with the Clerk before the Self-Help program may provide services to me.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Signature

## **AVISO DE LIMITACIÓN DE LOS SERVICIOS PRESTADOS**

Fla.Fam.L.R.P. 12.750(h)

EL PERSONAL DE ÉSTE PROGRAMA DE AUTO-AYUDA NO ESTÁ ACTUANDO COMO SU ABOGADO NI LE ESTÁ DANDO ASESORAMIENTO JURÍDICO.

EL PERSONAL DEL PROGRAMA NO ACTUA EN NOMBRE NI DE LA CORTE NI DE NINGUN JUEZ. EL JUEZ QUE PRESIDEN EN SU CASO PUEDE REQUERIR UN CAMBIO EN EL IMPRESO O UN IMPRESO DIFERENTE. EL JUEZ NO ESTA OBLIGADO A CONCEDER LA REPARACIÓN QUE USTED PIDE EN EL IMPRESO. EL PERSONAL DE ÉSTE PROGRAMA DE AUTO-AYUDA NO LE PUEDE DECIR CUALES SON SUS DERECHOS NI QUE SOLUCIONES LEGALES HAY, NO PUEDE REPRESENTARLE EN CORTE, NI PUEDE DECIRLE COMO TESTIFICAR EN CORTE.

LOS SERVICIOS DE AUTO-AYUDA ESTAN DISPONIBLES PARA TODAS LAS PERSONAS QUE SON O SERÁN PARTES DE UN CASO DE CORTE DE FAMILIA.

LA INFORMACIÓN QUE USTED DÁ Y RECIBE DE ÉSTE PERSONAL NO ES CONFIDENCIAL Y PUEDE SER EXPUESTA MAS ADELANTE. SI OTRA PERSONA QUE ES PARTE DE SU CASO PIDE AYUDA A ÉSTE PROGRAMA, ELLOS RECIBIRÁN EL MISMO TIPO DE AYUDA QUE USTED RECIBE.

EN TODO CASO, ES MEJOR CONSULTAR CON SU PROPIO ABOGADO, ESPECIALMENTE SI SU CASO TRATA DE TEMAS IMPORTANTES RESPECTO A MENORES, MANUTENCIÓN DE MENORES, PENSIÓN MATRIMONIAL, PENSIÓN DE JUBILACIÓN O BENEFICIOS DE PENSIÓN, CAPITAL O DEUDAS.

**FAVOR DE COMPLETAR EL SIGUIENTE PÁRRAFO, PRESENTE EL DOCUMENTO FIRMADO A LA SECRETARIA DEL TRIBUNAL**

### **CONSENTIMIENTO**

- YO PUEDO LEER ESPAÑOL.**
- YO NO PUEDO LEER ESPAÑOL. ÉSTE DOCUMENTO ME LO LEYÓ \_\_\_\_\_(nombre)**  
**EN \_\_\_\_\_(idioma).**

Yo, \_\_\_\_\_{nombre} Reconozco que he leído éste aviso de limitación de servicios prestados. He recibido la explicación correspondiente, y entiendo la limitación de servicios prestados. Entiendo que es en mi beneficio el contratar un abogado para que me represente en éste caso. Entiendo que éste impreso debe ser firmado y presentado a la Secretaría del Tribunal antes de que el programa de auto-ayuda pueda proveerme sus servicios.

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Número de Caso

\_\_\_\_\_  
Firma

# INSTRUCTIONS

## PETITION FOR TEMPORARY CUSTODY

These instructions will guide you in the process of seeking temporary legal custody of a minor child. Please read the instructions carefully and completely before you start to fill out the forms in the packet.

If you are an extended family member of the minor child (grandparent, great-grandparent, brother/sister, aunt/uncle, niece/nephew, or adult child of the minor child's parent) and you either (1) have the notarized consent of the child's legal parents; or (2) are caring full time for the child in your home, you may use this packet to request the court to enter an order giving you temporary legal custody of the minor child.

**Petition** - You are the petitioner. The case is brought in the interest of the minor child or children. Complete the petition, filling in all blank lines. You must sign the petition in front of a notary or the deputy clerk, who will also sign the petition.

**Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA)** – this is a document listing the residences of each child for the last five years and includes statements made under oath regarding other possible cases that may exist involving these children in this or any other county or state. This affidavit must be notarized and filed with your petition and all sections must be completed.

**Civil Cover Sheet.** Complete the cover sheet and file it with the petition. The Clerk will fill in the case number when you file the petition.

**Notice of Related Cases Form** - Use this form to list any other cases involving the minor child(ren), his or her parents, or yourself.

**Notice of Limitation of Services Provided and Acknowledgment** - Complete and file this form with the petition.

**Consent and Waiver by Parent** - This form should be filled out by the natural parent(s), if they agree to give temporary custody of the child(ren) to you. The parent(s) should sign the form in front of a notary. If the parent(s) do not agree to the transfer of custody to you, you must personally or constructively serve them with the petition. If either parent is deceased, you must file a certified copy of that parent's death certificate with the petition.

**20-Day Summons: Personal Service on an Individual** – This document is used to serve your petition on the other party. It will notify them that a law suit has been filed and what to do if they wish to respond.

**Process Service Memorandum** - This document accompanies the summons and informs the Sheriff or process server of the address and description of the person that will be served with the summons. Complete all the information requested.

**Indian Child Welfare Act (ICWA) Affidavit** - Complete this affidavit and sign it in front of a notary. This affidavit must be filed with the petition.

## PROCEDURE:

1. Make two copies of the *Petition*, the *UCCJEA Affidavit*, the *ICWA Affidavit* and the *Consent and Waiver*. Keep one copy for yourself. Make one copy for each parent who has not consented. The originals will be filed with the Clerk of Court. Please provide the clerk with three (3) blank, stamped envelopes. The clerk will open your court file and give it a case number.
2. **Personal Service:** If either natural parent of the child(ren) does not consent to give custody to you, you must have the Sheriff or a private process server serve that parent with the **20-day Summons: Personal Service on an Individual** and the **Process Service Memorandum**, along with a copy of the petition. You must serve a summons and copy of the petition on each parent who does not consent to the petition.
  - a. The clerk will issue and return the original summons(es) to you along with a copy for each natural parent that you are serving. Take the summons(es) to the Sheriff's Office or to a private process server, along with the copies of all the documents you have filed, so that they can serve the papers on the natural parents. The Sheriff's civil division in the Nineteenth Circuit charges \$40.00 for this service.
  - b. If you are serving parents outside the Nineteenth Circuit, you will need to contact the Sheriff or a private process server in the county where the parent to be served lives or works. They will tell you where to send your documents and how much they charge for service.
  - c. After the petition has been served on the parent(s), the Sheriff or process server will issue a document that shows when and where the parent(s) were served. This document is called a **Return of Service**. When you receive the Return of Service and the attached original summons back from the Sheriff or process server, file both documents with the Clerk of Court. This is your proof that the parent(s) were served. Keep copies of these documents for your records.
  - d. The parent has twenty (20) days to respond to the petition from the first full day after he or she receives the summons and attached documents. If the parents respond within twenty days by filing the *Consent and Waiver* or an agreed answer, then your case is ready to be set for hearing. If there is no response to the petition within the allotted time, complete the **Motion for Default** and the **Non-Military Affidavit** and take these forms to the clerk. The clerk will issue a **Default** in your case. Keep copies of these documents for your records.
3. **Constructive Service:** If you are still unable to locate or serve the other party you must serve by publishing a legal notice in the local newspaper. This packet contains documents that you can use to serve the natural parent(s) by publication.
  - a. You will need to complete the **Affidavit of Diligent Search**, which includes a checklist that shows your efforts at finding and serving the parent. Making a diligent search is very important. You must attach a log sheet or other evidence to your affidavit that details your efforts to find the parents.
  - b. You should also fill out the **Notice of Action**. The clerk will sign and seal the **Notice of Action** and give it back to you. You will then need to take the notice of action to the newspaper. The newspaper will publish the notice of your legal action for four (4) consecutive weeks and will mail a **Proof of Publication** to your home address. You must then file the proof of publication with the clerk of court.

- c. If there is no response to your publication notice, you should file a ***Motion for Default*** and a ***Non-Military Affidavit*** with the clerk of court. The clerk will issue a ***Default*** in your case.
4. You may file the ***Form A: Family Case Inquiry/Update*** to request a review of your file or a final hearing date. Your request will be forwarded to a case manager. You may also file ***Form A: Family Case Inquiry/Update*** online at [www.circuit19.org](http://www.circuit19.org) under the Family Division link. If you file is complete, the case manager will set a date and time for your final hearing and you will receive an order scheduling the hearing in the mail.
5. You should appear in the courtroom fifteen (15) minutes before your hearing is scheduled. Dress appropriately and place all electronic devices on silent.

### **ADDITIONAL INFORMATION**

**Interpreters** – The Family division in the Nineteenth Circuit does not provide interpreters for hearings. If you cannot speak English well enough to participate in the hearing and understand the judge’s questions, you will need to bring an interpreter with you at your own expense. If you do not bring an interpreter with you (someone other than the other parties in your case) your hearing may be rescheduled to a later date. The judge cannot proceed with the hearing if you cannot understand what is being asked or discussed in the courtroom.

**Legal Advice** – Legal advice may only be provided by a licensed attorney. Court personnel are prohibited by law from giving you legal advice. Many times the issues surrounding a legal action are complex. A lay person may not always know or understand what is in their best interest, or the best interest of the children. The forms included in this packet are designed to allow you to represent yourself in a legal action. You alone are responsible for the content of the documents that you sign. The court personnel, including the judge, cannot help you decide what to do or suggest what actions you might take in your case. **YOU ARE CAUTIONED TO SEEK THE ADVICE OF A LICENSED ATTORNEY IN ALL MATTERS.**

**Additional Forms** – Some situations may require the use of forms that are not provided in this packet. You may find additional forms on the State Court’s website at [www.flcourts.org](http://www.flcourts.org), Family Law Forms.

## Frequently Asked Questions by Self-Represented Litigants

### 1. When is my hearing?

Cases are reviewed by case managers in the self-help program. If the case is ready for a hearing, it is set on the first available docket and parties are notified by mail. Due to both legislatively mandated budget cuts in the case manager office as well as the large number of filings in the four counties of the circuit, it may take time for your case to be set for hearing.

### 2. Where do I find the forms I need?

Forms are available online in the Self-Help section of the Florida State Courts website at [http://www.flcourts.org/gen\\_public/family/forms\\_rules/index.shtml](http://www.flcourts.org/gen_public/family/forms_rules/index.shtml) (spaces in the web address are underscored). Additionally, forms are located in each of the clerks' offices in the four counties for a fee:

**Indian River County Clerk of the Circuit Court**  
2000 16th Avenue  
Vero Beach, Florida 32960  
(772) 770-5185  
<http://www.clerk.indian-river.org/>

**Martin County Clerk of the Circuit Court**  
100 East Ocean Boulevard  
Suite 200  
Stuart, Florida 34994  
(772) 288-5660  
<http://clerk-web.martin.fl.us/ClerkWeb/>

**Okeechobee County Clerk of the Circuit Court**  
312 North West 3rd Street  
Okeechobee, Florida 34972  
(863) 763-2131  
<http://www.clerk.co.okeechobee.fl.us/>

**Saint Lucie County Clerk of the Circuit Court**  
201 South Indian River Drive  
Fort Pierce, Florida 34950  
(772) 462-6910  
<http://www.slclerkofcourt.com/>

### 3. Where do I file my completed forms?

All forms should be filed at the clerk's office in the county of your case (contact information for each of the clerks' offices is available in question 2) and a copy should be provided to the other party according to Florida Law and Florida Family Law Rules of Procedure.

### 4. How much are the filing fees?

Questions regarding filing fees should be directed to the clerk's office in the county of your case. See the answer to question 2 for locations and contact information for the clerks' offices.

### 5. How can I schedule a mediation with the 19<sup>th</sup> Judicial Circuit's Mediation Program?

Both parties must submit a completed Financial Affidavit before the case can be referred. If the combined gross annual income of both parties is less than \$100,000.00 then the case manager may refer the case to the 19<sup>th</sup> Judicial Circuit Mediation Program. The mediation program case manager will submit an Order for Mediation for the judge's signature. Once the judge has signed the Order, the mediation program will schedule the mediation and provide written notification of the date, time, and location of the mediation.

### 6. I have no attorney but the other party does – how do I set a hearing?

The self-represented litigant will need to contact the judge's office and request available hearing dates from the judicial assistant. You will then need to contact the attorney's office to coordinate the date with the attorney. Once a date has been agreed upon, you will need to call the judicial assistant again to reserve the hearing date. To shorten this process, you may request the judicial assistant to conference the attorney's office into your initial call to the judicial assistant. You will then need to complete a Notice of Hearing and provide it to the clerk's office, attorney's office, and judicial assistant. A Notice of Hearing is available on the Florida State Courts website at [http://www.flcourts.org/gen\\_public/family/forms\\_rules/index.shtml](http://www.flcourts.org/gen_public/family/forms_rules/index.shtml) (spaces in this web address are underscored).

### 7. I need to speak to the judge or magistrate about my case – how do I contact their office?

Judges and magistrates are not permitted to speak to parties about their case outside of the courtroom. If you have an issue you need addressed by the court, you must file a proper pleading and, if appropriate, a hearing will be scheduled.



## **8. How long will it take for me to get a divorce?**

There are many factors (such as minor children, property, assets, etc.) which add to the length of time an action takes to get to a final hearing, but, generally speaking, most uncontested cases (cases in which the parties sign and file an agreement resolving all issues) are set for a final hearing within 90 days from the filing date. Due to both legislatively mandated budget cuts in the case manager office as well as the large number of filings in the four counties of the circuit, contested cases may take significantly longer to get to final hearing.

## **9. What is a magistrate?**

A magistrate is an attorney who hears cases referred by a judge and acts in a quasi-judicial capacity. In our Circuit, magistrates hear post-judgment family cases (that is, they do not hear any cases such as divorce or establishment of paternity). The magistrate hears the cases and provides recommendations to the judge. An Order of Referral is sent to all parties of a case before the case is heard by the magistrate, and the parties must agree that the magistrate can hear the case. An Order of Referral contains the following language:

A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BEFORE A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BEFORE THE GENERAL MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN 10 DAYS OF THE TIME OF SERVICE OF THIS ORDER. IF THE TIME SET FOR THE HEARING IS LESS THAN 10 DAYS AFTER THE SERVICE OF THIS ORDER, THE OBJECTION MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST 20 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 RULE 12.490(f), FLA. FAM. L. R. P. A RECORD, WHICH INCLUDES A TRANSCRIPT OF PROCEEDINGS, MAY BE REQUIRED TO SUPPORT THE EXCEPTIONS.

If there are no exceptions to the recommendations of the magistrate timely filed by the parties, the recommendations are forwarded to the judge to be signed as an Order.

## **10. What should I bring to court and what am I supposed to do?**

- Dress appropriately for court
- Be on time for your hearing
- Both parties should attend scheduled hearings
- Remain calm
- Speak directly to the judge or the magistrate
- Listen to the judge or the magistrate and do not interrupt someone when he/she is speaking – each party will have time to speak
- The court can only hear matters that have been properly filed and are scheduled for hearing, so stay focused on the issues that are in the pleading and scheduled for that hearing
- Do not bring your children to court with you unless you have been ordered by the judge to have the children present. If you bring your children you will need to have someone who can supervise them outside of the courtroom while your case is being heard.
- Bring your valid Florida Drivers License, Florida Voter's Registration Card, or valid Florida Identification Card with you
- Bring any documents you think may be necessary for your case depending on the issues that have been identified in the petition or motion (such as receipts, bills, proof of real estate, copies of checks, etc. – see Chapter 90 "Evidence Code" [Florida Statutes](#) for more information)
- Know what you want before the hearing and be able to explain to the judge or magistrate why it is you want it
- Ask questions if you do not understand what is going on – you should leave the hearing knowing what happened

## **11. I need an interpreter for the hearing – what should I do?**

If you need a foreign language interpreter to fully participate in your hearing, it is your responsibility to bring a qualified interpreter as the Court does not provide a foreign language interpreter free of charge for family law cases.

If you need a sign language interpreter for your hearing, please contact the ADA Coordinator at (772) 807-4370.

## **12. What does "pro se" mean?**

"Pro se" is another term for someone who represents himself or herself in court. It is still your responsibility to be aware of laws and legal rules before appearing in court as neither the judge, magistrate, case managers, clerks, nor other court

personnel are allowed to give you any legal advice. Additional information and links are available on our [Self Help Program/Self-Represented Litigants](#) webpage. If possible, it is best to consult with an attorney before appearing in court.

### **13. How does the Court calculate child support?**

There are a number of factors that could affect the amount of child support that is ordered, but generally child support is calculated based on guidelines provided in §61.30 [Florida Statutes](#).

### **14. How is child support paid?**

There are three options for payment of child support: direct pay (one parent is ordered to pay the child support directly to the other parent), state disbursement unit (one parent is ordered to send payments to the state disbursement unit who then sends the payment to the other parent), and Income Deduction Order (this is an Order entered by the Court that is sent to the employer of the parent ordered to pay with an amount that must be deducted from the parent's paycheck and sent to the state disbursement unit – the state disbursement unit then sends the payment to the other parent). Florida law requires that all child support payments must be paid through the state disbursement unit unless both parties agree to have it paid directly. Self-represented litigants whose pleadings include issues of child support should consider which option would work best for their situation – this information should be explained to the judge or magistrate during the hearing so that the best solution can be worked out for the parties and entered into an Order.

### **15. I received an Order to File directing the other party to file a document(s) – how do I know if the other party has done this?**

As noted in question 3, all documents should be filed with the clerk's office in the county of your case and a copy should be provided to the other party in the case according to [Florida Law](#) and [Florida Family Law Rules of Procedure](#). If you have questions or concerns about what has been filed, you can contact the appropriate clerk's office to see what has been filed by the other party (contact information for each of the clerk's offices is available in question 2).

### **16. My hearing is scheduled, but I cannot wait that long and need an earlier date – what should I do?**

You may call the office of the [judge](#) or [magistrate](#), as applicable, and request an earlier hearing date. However, an earlier hearing date may not be available.

### **17. I have a Final Judgment/Order directing the other party to pay child support, participate in time sharing, etc. The other party has not done this – what should I do?**

If you believe that the other party has not complied with what was ordered and you are seeking relief, you must file a proper pleading with the clerk's office. The pleading will be scheduled for a hearing before a judge or magistrate. It is your responsibility to provide proof or evidence that the other party has not complied with the Order. Please refer to question 10 for information about what you should bring to Court and what you are supposed to do. You may also see the Florida Supreme Court approved forms and instructions at [http://www.flcourts.org/gen\\_public/family/forms\\_rules/index.shtml](http://www.flcourts.org/gen_public/family/forms_rules/index.shtml) (spaces in this web address are underscored) to determine the proper form to complete and file.

### **18. I have been ordered to take a parenting course – why do I have to do this?**

[Florida Statute § 61.21\(4\)](#) requires that all parties to a dissolution of marriage with children or a paternity action that involves issues of parental responsibility are required to complete a parenting course before a Final Judgment is entered. The court may hold any parent who fails to attend this required parenting course in contempt and impose appropriate sanctions. A current list of approved parenting course providers is located at this website: <http://www.myfloridafamilies.com/docs/ParentEducationFamilyStabilizationCourseProvidersList.pdf>.

# INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.928, COVER SHEET FOR FAMILY COURT CASES (11/13)

## 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) Stalking-all matters relating to injunctions for protection against stalking pursuant to section 784.0485, Florida Statutes
- (H) 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.
- (I) 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.
- (J) 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.
- (K) 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.
- (L) 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.
- (M) 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.
- (N) Name Change - all matters relating to name change, pursuant to section 68.07, Florida Statutes.
- (O) Paternity/Disestablishment of Paternity – all matters relating to paternity pursuant to Chapter 742, Florida Statutes.
- (P) Juvenile Delinquency - all matters relating to juvenile delinquency pursuant to Chapter 985, Florida Statutes.
- (Q) Petition for Dependency - all matters relating to petitions for dependency.
- (R) Shelter Petition – all matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.
- (S) Termination of Parental Rights Arising Out Of Chapter 39 – all matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.
- (T) Adoption Arising Out Of Chapter 39 – all matters relating to adoption pursuant to Chapter 39, Florida Statutes.
- (U) 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE 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) \_\_\_\_ Stalking
- (H) \_\_\_\_ Support IV-D (Department of Revenue, Child Support Enforcement)
- (I) \_\_\_\_ Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (J) \_\_\_\_ UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) \_\_\_\_ UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) \_\_\_\_ Other Family Court
- (M) \_\_\_\_ Adoption Arising Out Of Chapter 63
- (N) \_\_\_\_ Name Change

- (O) \_\_\_\_\_ Paternity/Disestablishment of Paternity
- (P) \_\_\_\_\_ Juvenile Delinquency
- (Q) \_\_\_\_\_ Petition for Dependency
- (R) \_\_\_\_\_ Shelter Petition
- (S) \_\_\_\_\_ Termination of Parental Rights Arising Out Of Chapter 39
- (T) \_\_\_\_\_ Adoption Arising Out Of Chapter 39
- (U) \_\_\_\_\_ 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)

\_\_\_\_\_  
 (Type or print name) (E-mail Address(es))

\_\_\_\_\_  
 Date

**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} \_\_\_\_\_.

## **PETITION FOR TEMPORARY CUSTODY**

### ***When should this form be used?***

This form is intended for use in cases involving the temporary custody of a child by any extended family member who (1) has the signed, notarized consent of the child's parents, or (2) is caring full time for the child in the role of a substitute parent and with whom the child is presently living.

This form may be used by:

- The great-grandparents, grandparents, sisters, brothers, aunts, uncles, nieces, nephews, or adult children of a parent of the minor child; or
- The minor child's stepparent if the stepparent is currently married to the parent of the child and is not a party in a pending lawsuit filed against one of the child's parents (such as divorce, separate maintenance, domestic violence, etc.)
  
- This form may NOT be used:
  - To file for custody of a child you are not related to;
  - To file for the custody of a minor child who is the subject of a dependency action;
  - To file for custody of an adult;
  - By an unwed biological father.

This form should be typed or printed in blue or black ink. After completing this form, you should sign the form before a notary public or deputy clerk. You should file the original petition along with the **Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA)**, Florida Supreme Court Approved Family Law Form 12.902(d) with the clerk of the circuit court ***IN THE COUNTY WHERE THE CHILDREN WHO ARE THE SUBJECT OF THIS PETITION RESIDE.***

### ***What should I do next?***

If both parents have signed a **Temporary Custody: Consent and Waiver by Parent**, Local Form, and all the required forms have been filed with the clerk, you should make a request for a hearing by submitting a completed **Self Help Referral Form** with the clerk of the court. You will receive a Notice of Hearing in the mail with the date, time and location of the hearing.

If both parents have not consented to this temporary custody arrangement, you must properly notify the parent(s) of the petition. If you know where he or she lives, you should use personal service, **Summons: Personal Service on an Individual**, Florida Supreme Court Approved Family Law Form 12.910(a) and **Process Server Memorandum/ Memo to Sheriff**, Florida Supreme Court Approved Family Law Form 12.910(b). If you absolutely do not know where he or she lives, you may use constructive service. Constructive service is also known as "service by publication." You will need to complete an **Affidavit of Diligent Search and Inquiry**, Florida Supreme Court Approved Family Law Form 12.913(b), and a **Notice of Action**, Local Form, with the clerk of the court. The document must be posted or published before you can proceed further with your case. If the other party is in the military service of the United States, additional steps for service may be required. The law regarding service on an individual in the military service is very complex and you may wish to consult an attorney.



After being served with your petition, the parent has 20 days to answer. If an answer is filed or any other paper is filed by the parent who was served and you have filed all of the required papers, you will receive a Notice of Hearing in the mail with the date, time and location of the hearing.

If after 20 days, no answer has been filed, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Once the default is entered by the clerk and all of the required papers have been filed with the clerk, you will receive a Notice of Hearing in the mail.

### ***Where can I look for more information?***

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of the Family Law Forms in the Florida Rules of Court, Family Law Rules or visit [www.flcourts.org](http://www.flcourts.org). For further information, see chapter 751, Florida Statutes.

### ***Special notes...***

If you do not have the money to pay the filing fees, you may obtain an Application for Determination of Civil Indigent Status from the clerk or at [www.flcourts.org](http://www.flcourts.org). The clerk will determine whether you are eligible to have filing fees deferred.

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 this form 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 NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

IN RE: IN THE INTEREST OF

\_\_\_\_\_  
\_\_\_\_\_  
Name(s) of Minor Child(ren).

\_\_\_\_\_

**PETITION FOR TEMPORARY CUSTODY**

Petitioner, *{full legal name}* \_\_\_\_\_, being sworn, certifies that the following information, to the best of the Petitioner's knowledge and belief, is true.

1. This is an action for temporary custody of a minor child by extended family pursuant to Chapter 751, Florida Statutes.

2. The petitioner is a resident of *{county, state}*: \_\_\_\_\_.

3. The petitioner's residential address is *{street address, city, state, zip}*:

\_\_\_\_\_  
\_\_\_\_\_

The petitioner's mailing address (if different from above) is:

\_\_\_\_\_  
\_\_\_\_\_

4. The following minor child(ren) is/are the subject of this petition:

Name	Date of Birth <i>{mm/dd/yyyy}</i>	Place of Birth <i>{City, County, State}</i>

5. 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.

6. Petitioner's relationship to the minor child(ren) is: \_\_\_\_\_.

Petitioner's relationship to the minor child(ren)'s parent is: \_\_\_\_\_.

7. The names and current addresses of the minor child(ren)'s parent(s) are:

(a) Name/address of biological or legal father:

\_\_\_\_\_  
\_\_\_\_\_

(b) Name/address of the mother:

\_\_\_\_\_  
\_\_\_\_\_

8. The minor child(ren)'s **mother** *{√ one}*  has  has not consented to this temporary custody arrangement  is deceased. If consent has been obtained, a completed **Temporary Custody: Consent and Waiver by Parent(s)**, Local Form, is attached to the petition. If deceased, a certified copy of her death certificate is attached. If consent has not been obtained, the specific acts or omissions of the mother that demonstrate that she has abused, abandoned or neglected the child(ren) are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. The minor child(ren)'s **father** *{√ one}*  has  has not consented to this temporary custody arrangement  is deceased. If consent has been obtained, a completed **Temporary Custody: Consent and Waiver by Parent(s)**, Local Form, is attached to the petition. If deceased, a certified copy of his death certificate is attached. If consent has not been obtained, the specific acts or omissions of the father that demonstrate that he has abused, abandoned or neglected the child(ren) are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Is there a temporary or permanent order for protection entered on behalf of or against either parent, the petitioner, or the child? *{√ one}*  Yes  No

(a) If the answer to the above is "Yes":

(i) Case name: \_\_\_\_\_

(ii) Case number: \_\_\_\_\_

(iii) Court issuing order for protection *{name, county, state}*: \_\_\_\_\_  
\_\_\_\_\_

11. The Petitioner is requesting temporary custody of the minor child(ren) for the following period of time: \_\_\_\_\_  
\_\_\_\_\_

12. The reasons why Petitioner is requesting that the court grant temporary custody for time period described above is as follows: \_\_\_\_\_  
\_\_\_\_\_

13. Granting temporary custody to the Petitioner is in the best interest of the child(ren) for the following reason(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
14. The Petitioner requests the court to:
- Redirect any or all of an existing child support order.
15. The Petitioner requests the following additional relief: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
16. A completed Indian Child Welfare Act (ICWA) Affidavit, Florida Supreme Court Approved Family Law Form 12.981(a)(5), is filed with this petition.
17. The Petitioner requests the entry of a judgment awarding the petitioner temporary care, custody, and control of the minor child(ren) named therein and granting the petitioner authority to consent to all necessary and reasonable medical and dental care for the child(ren), including, but not limited to, medical screening, immunization and PPT-Tuberculin testing, non-emergency surgery and psychiatric care; to secure copies of the child(ren)'s records, held by third parties, that are necessary to the care of the child(ren), including, but not limited to, medical, dental, psychiatric records, birth certificates, birth records, and educational records; to consent to school or daycare enrollment and grant or withhold consent for a child to be tested or placed in special school programs, including, but not limited to, exceptional education, after school programs, holiday recreational programs, and field trips; and to do all other things necessary for the care of the child(ren), and such other relief as the Court deems appropriate.

I understand that I am swearing or affirming under oath that to the best of my knowledge and belief the claims made in this petition are true.

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Petitioner  
 Print Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_

STATE OF FLORIDA  
 COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me \_\_\_\_\_ at \_\_\_\_\_  
**JERALD D. BRYANT, CLERK OF CIRCUIT COURT  
 AND COMPTROLLER**

\_\_\_\_\_  
 NOTARY PUBLIC OR DEPUTY CLERK  
 {Print, type or stamp commission name of notary or clerk}

\_\_\_\_\_ Personally known  
\_\_\_\_\_ Produced identification  
Type of identification produced \_\_\_\_\_

**IF A NON-LAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

I, \_\_\_\_\_, a non-lawyer, located at \_\_\_\_\_  
(Full legal name and trade name of nonlawyer) \_\_\_\_\_ (Street Address, City,  
State, Zip Code) \_\_\_\_\_, assisted \_\_\_\_\_ who is the  
Petitioner, fill out this form.  
\_\_\_\_\_ (Phone) \_\_\_\_\_ (Name of Petitioner)

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.902(d)  
UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT  
(UCCJEA) AFFIDAVIT  
(02/18)**

**When should this form be used?**

This form should be used in any case involving parental responsibility for, custody of, or time-sharing or visitation with, any minor child(ren). This **affidavit** is **required** even if the parental responsibility for, custody of, or time-sharing or visitation with, the minor child(ren) is 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** it with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records.

**IMPORTANT INFORMATION REGARDING E-FILING**

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed**

**What should I do next?**

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

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at [www.flcourts.org](http://www.flcourts.org) through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in

the A-Z Topical Index.

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and 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 sections 61.501-61.542, Florida Statutes.

### **Special notes...**

With this form, you must also file a **Notice of Confidential Information within Court Filing**, Florida Rules of Judicial Administration Appendix to Rule 2.420 Form.

Effective October 1, 2008, terms such as custodial parent, noncustodial parent, primary residential parent, secondary residential parent, and visitation were removed from Chapter 61, Florida Statutes; however, because the UCCJEA uses the terms, custody and visitation, they are included in this form. Parents must 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.

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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: DOMESTIC RELATIONS

\_\_\_\_\_  
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 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, jurisdiction, or country, concerning parental responsibility for, custody of, or time-sharing or visitation 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, jurisdiction, or country, concerning parental responsibility for, custody of, or time-sharing or visitation 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 parental responsibility, custody, time-sharing, or visitation proceeding pending in a court of this or any other state, jurisdiction, or country concerning a child subject to this proceeding.

\_\_\_\_\_ I HAVE THE FOLLOWING INFORMATION concerning a parental responsibility, custody, time-sharing, or visitation 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 involved in said litigation: \_\_\_\_\_
- b. Type of proceeding: \_\_\_\_\_
- c. Court and state: \_\_\_\_\_
- d. Date of court order or judgment (if any): \_\_\_\_\_
- e. Case Number: \_\_\_\_\_

**4. Persons not a party to this proceeding:**

*[Choose only one]*

\_\_\_\_\_ I DO NOT KNOW OF ANY PERSON in this or any other state, jurisdiction, or country, who is not a party to this proceeding and who has physical custody or claims to have parental responsibility for, custody of, or time-sharing or visitation 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 parental responsibility for, custody of, , or time-sharing or visitation with respect to any child subject to this proceeding:

a. Name and address of person: \_\_\_\_\_

\_\_\_\_\_ has physical custody  
\_\_\_\_\_ claims parental responsibility or custody rights  
\_\_\_\_\_ claims time-sharing or visitation

Name of each child: \_\_\_\_\_

Relationship to child, if any: \_\_\_\_\_

b. Name and address of person: \_\_\_\_\_

\_\_\_\_\_ has physical custody  
\_\_\_\_\_ claims parental responsibility or custody rights  
\_\_\_\_\_ claims time-sharing or visitation

Name of each child: \_\_\_\_\_

Relationship to child, if any: \_\_\_\_\_

c. Name and address of person: \_\_\_\_\_

\_\_\_\_\_ has physical custody  
\_\_\_\_\_ claims parental responsibility or custody rights  
\_\_\_\_\_ claims time-sharing or visitation

Name of each child: \_\_\_\_\_

Relationship to child, if any: \_\_\_\_\_

**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 other state, jurisdiction, or country..

\_\_\_\_\_ 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 ordered to be paid and by whom: \_\_\_\_\_

6. I acknowledge that I have a continuing duty to advise this Court of any parental responsibility, custody, time-sharing or visitation , 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.
7. A completed Notice of Confidential Information within Court Filing, Florida Rules of Judicial Administration Appendix to Rule 2.420 Form, is filed with this Affidavit.

I certify that a copy of this document was ( ) e-served ( ) 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: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

**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: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

JERALD D. BRYANT  
CLERK OF CIRCUIT COURT AND COMPTOLLER

\_\_\_\_\_  
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}* \_\_\_\_\_

*{address}* \_\_\_\_\_

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.981(a)(5),  
INDIAN CHILD WELFARE ACT AFFIDAVIT (03/15)**

**When should this form be used?**

This form should be used in cases involving stepparent adoption of a child. This affidavit is **required**.

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.

**IMPORTANT INFORMATION REGARDING E-FILING**

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleading or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

**What should I do next?**

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

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.**

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and 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 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: DOMESTIC RELATIONS

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
{use name to be given to the minor child(ren)} Adoptee(s).

**INDIAN CHILD WELFARE ACT AFFIDAVIT**

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

Upon information and belief the child \_\_\_\_\_ {name} subject to this proceeding: {choose **one** only}

1. \_\_\_\_\_ is not an Indian child. The Indian Child Welfare Act does not apply to this proceeding.
2. \_\_\_\_\_ is an Indian child within the meaning of the Indian Child Welfare Act of 1978 (25 U.S.C. Section 1901 et seq.).

I certify that a copy of this document was ( ) mailed ( ) faxed and mailed ( ) e-mailed ( ) hand-delivered to the person(s) listed below on {date} \_\_\_\_\_.

Other party or his/her attorney:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

**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: \_\_\_\_\_



Designated E-mail Address(es) \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

JERALD D. BRYANT  
CLERK OF CIRCUIT COURT AND COMPTROLLER

\_\_\_\_\_  
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} \_\_\_\_\_

{address} \_\_\_\_\_

\_\_\_\_\_  
{city} \_\_\_\_\_, {state} \_\_\_\_\_, {zip code} \_\_\_\_\_, {telephone number} \_\_\_\_\_

\_\_\_\_\_.

# INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (10/21)

## When should this form be used?

Florida Rule of General Practice and 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 General Practice and 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 General Practice and 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: Domestic Relations

\_\_\_\_\_  
Petitioner,  
and  
\_\_\_\_\_  
Respondent.

**NOTICE OF RELATED CASES**

1. Petitioner submits this Notice of Related Cases as required by Florida Rule of General Practice and 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]

<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	<input type="checkbox"/> Mental Health
<input type="checkbox"/> Violence or Stalking Injunctions	<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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Related Case No. 2**

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	<input type="checkbox"/> Mental Health
<input type="checkbox"/> Violence or Stalking Injunctions	<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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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    | <input type="checkbox"/> Mental Health                                 |
| <input type="checkbox"/> Violence or Stalking Injunctions | <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: \_\_\_\_\_  
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 FAMILY LAW RULES OF PROCEDURE FORM  
12.910(a)  
SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL  
(03/17)**

**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 email, 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

- a. directly to the other party, **or**
- b. 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 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 Florida Family Law Rule of Procedure 12.070, 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 Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (03/17)**

**Default**, Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: DOMESTIC RELATIONS

\_\_\_\_\_  
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: *{street address}* \_\_\_\_\_.

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 email address(es) for service or is represented by an attorney, you may designate email 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 Email 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.

**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) dias, contados a partir del recibo de esta notificacion, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Localizado en: \_\_\_\_\_ . Una llamada telefonica no lo protegera. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podria perder el caso y podria 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 guia telefonica.

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 direccion de la parte que entrega la orden de comparecencia: \_\_\_\_\_

**Copias de todos los documentos judiciales de este caso, incluyendo las ordenes, estan 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 direccion 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 Email Address].) Los papeles que se presenten en el futuro en esta demanda judicial seran enviados por correo a la direccion 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 revelacion automatica de documentos e informacion. El incumplimiento, puede resultar en sanciones, incluyendo la desestimacion o anulacion de los alegatos.**

## IMPORTANT

Des poursuites judiciaires ont ete entreprises contre vous. Vous avez 20 jours consecutifs a partir de la date de l'assignation de cette citation pour deposer une reponse ecrite a la plainte ci-jointe aupres de ce tribunal. Qui se trouve a: {L'Adresse} \_\_\_\_\_. Un simple coup de telephone est insuffisant pour vous proteger; vous etes obliges de deposer votre reponse ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommees ici, si vous souhaitez que le tribunal

entende votre cause. Si vous ne deposez pas votre reponse ecrite dans le delai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requerir les services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de deposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie au carbone ou une photocopie de votre reponse ecrite a la partie qui vous depose cette citation.

Nom et adresse de la partie qui depose cette citation: \_\_\_\_\_

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

**Il faut aviser le greffier de votre adresse actuelle. (Vous pouvez deposer Florida Supreme Court Approved Family Law Form 12.915, Designation of Current Mailing and Email Address.) Les documents de l'avenir de ce proces seront envoyer a l'adresse que vous donnez au bureau du greffier.**

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

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: \_\_\_\_\_

JERLAD D. BRYANT  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.910(b),  
PROCESS SERVICE MEMORANDUM (11/15)**

**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.

**IMPORTANT INFORMATION REGARDING E-FILING**

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

**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.

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at [www.flcourts.org](http://www.flcourts.org) through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT**

**REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

### **Special notes...**

If you fear that disclosing your address would put you in danger because you are the victim of sexual battery, aggravated child abuse, stalking, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), file it with the clerk, and write confidential in the space provided on the petition.

**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.

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division.: DOMESTIC RELATIONS

\_\_\_\_\_  
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: \_\_\_\_\_

\*Designated E-mail Address(es) \_\_\_\_\_



**\* Please see the Special Notes section in the instructions to this form regarding Florida Supreme Court Approved Family Law Form 12.980(h), Request for Confidential Filing of Address, which may be used if you need to keep your addresses or telephone numbers confidential for safety reasons.**

**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}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

IN THE INTEREST OF

\_\_\_\_\_  
\_\_\_\_\_  
Name(s) of Minor Child(ren).  
\_\_\_\_\_

**TEMPORARY CUSTODY - CONSENT AND WAIVER BY PARENT**

I, (full legal name), \_\_\_\_\_ having received a copy of the  
Petition for Temporary Custody filed herein, hereby consent to the temporary custody of the above  
stated child(ren) being awarded to the Petitioner.

I understand that I may petition the court to modify or terminate the order granting temporary  
custody at any time. I understand that the order granting temporary custody may be terminated by  
consent of the parties. I understand that if I petition to court to terminate the order granting temporary  
custody that I must show that I am a fit parent. I understand that the court may modify the order  
granting temporary custody if the parties consent or if modification is in the best interest of the  
child(ren).

I hereby waive any further notice of the temporary custody proceeding.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent  
Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me \_\_\_\_\_ at \_\_\_\_\_

(Date) (Time)  
JERALD D. BRYANT CLERK OF CIRCUIT COURT  
AND COMPTROLLER

\_\_\_\_\_  
NOTARY PUBLIC OR DEPUTY CLERK  
(Print, type or stamp commission name of notary or clerk)

- Personally known  
 Produced identification  
Type of identification produced \_\_\_\_\_

Consent and Waiver of Parent

10/2009

# INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.913(b), AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY (11/12)

## 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: Domestic Relations

\_\_\_\_\_  
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: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_

JERALD D. BRYANT  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

\_\_\_\_\_  
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: {choose only one} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_

{name of business} \_\_\_\_\_

{address} \_\_\_\_\_

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {telephone number} \_\_\_\_\_.

## **NOTICE OF ACTION ON PETITION FOR TEMPORARY CUSTODY INSTRUCTIONS**

### ***When should this form be used?***

This form may be used to obtain constructive service (also called service by publication) in a case seeking to establish temporary custody of minor child(ren) by an extended family member. Constructive service can only be used when you do not know where a parent lives or if the parent(s) live outside Florida and you are unable to obtain personal service.

This form should be typed or printed in blue or black ink. You should insert the 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 was filed. You must also complete and file an **Affidavit of Diligent Search and Inquiry**, Florida Supreme Court Approved Family Law Form 12.913(b). You should keep a copy for your records.

After the Affidavit of Diligent Search and Inquiry is filed, the clerk will sign this form. The signed form must be given to a qualified local newspaper to be published for four consecutive weeks. 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 the Family Law Forms in the Florida Rules of Court, Family Law Rules or visit [www.flcourts.org](http://www.flcourts.org). For further information, see chapter 49, Florida Statutes.

### ***Special notes...***

If the parent fails to respond to your petition within the time limit stated in the notice of action that is published or posted, you are entitled to request a default. (See **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a) and **Default**, Florida Supreme Court Approved Family Law Form 12.922(b).)

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 this form 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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

IN THE INTEREST OF:

\_\_\_\_\_  
Name(s) of Minor Child(ren).  
\_\_\_\_\_

**NOTICE OF ACTION ON PETITION FOR TEMPORARY CUSTODY**

TO: *{Name of Parent}* \_\_\_\_\_

*{Parent=s last known address}* \_\_\_\_\_  
\_\_\_\_\_

**YOU ARE NOTIFIED** that an action has been filed for the temporary custody of minor child(ren) against you and that you are required to serve a copy of your answer/written objections, 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 *{clerk=s address}* \_\_\_\_\_ 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: \_\_\_\_\_

JERLAD D. BRYANT  
CLERK OF CIRCUIT COURT AND COMPTRROLLER

By: \_\_\_\_\_  
Deputy Clerk

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

I, (Full legal name and trade name of non-lawyer) \_\_\_\_\_, a non-lawyer located at \_\_\_\_\_ (Street Address, City, State) \_\_\_\_\_ (Phone number), assisted (Name of Petitioner) \_\_\_\_\_, 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 (11/15)

## 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.

## IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

## 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, e-mailed, or hand-delivered to each party in the case. **You must send a notice of final hearing to the defaulted party.**

## IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must**

review Florida Rule of Judicial Administration 2.516. You may find this rule at [www.flcourts.org](http://www.flcourts.org) through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and 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.** For further information, see Florida Rules of Civil Procedure 1.500, concerning defaults and Rule 1.140, concerning the time within which a party can file an answer or other responsive pleading to a petition. See also Florida Family Law Rule of Procedure 12.080.

### **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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: DOMESTIC RELATIONS

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent,

**MOTION FOR DEFAULT**

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 ( ) mailed ( ) faxed and mailed ( ) e-mailed ( ) hand-delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Party

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_

\_\_\_\_\_

**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}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: DOMESTIC RELATIONS

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent,

**DEFAULT**

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: \_\_\_\_\_

JERALD D. BRYANT  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

I certify that a copy of this document was ( ) mailed ( ) faxed and mailed ( ) e-mailed ( ) hand-delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Party

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Designated E-mail Address(es): \_\_\_\_\_

**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}* \_\_\_\_\_, *{zip code}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.

## INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.912(b), AFFIDAVIT OF MILITARY SERVICE (11/15)

### When should this form be used?

An Affidavit of Military Service is required in every case where the Respondent has not filed an answer or appearance. The purpose is to protect the men and women serving in the U.S. military from having a court judgment entered against them without first receiving notice of the lawsuit and a chance to defend the case.

#### 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.

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.

### IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

### IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at [www.flcourts.org](http://www.flcourts.org) through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

### **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 NINETEENTH JUDICIAL CIRCUIT,  
IN AND FOR OKEECHOBEE COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: DOMESTIC RELATIONS

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent,

**AFFIDAVIT OF MILITARY SERVICE**

I, {full legal name} \_\_\_\_\_, am the Petitioner in this case. To support my application for a default judgment and to comply with the Servicemembers Civil Relief Act (SCRA) (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), I swear or affirm that the following information is true:

**{Please choose only one}**

1. \_\_\_\_\_ I know of my own personal knowledge that the Respondent **IS** on active duty in the military service of the United States.
2. \_\_\_\_\_ I know of my own personal knowledge that Respondent **IS NOT** now on active duty in the military service of the United States, nor has the Respondent been on active military service of the United States within a period of thirty (30) days immediately before this date. "Active Service" includes reserve members of the Army, Navy, Air Force, Coast Guard, and Marines who have been ordered to report for active duty and members of the Florida National Guard who have been ordered to report to active duty for a period of more than thirty (30) days.
3. \_\_\_\_\_ I have contacted the military services of the United States and the U.S. Public Health Service and have obtained certificates showing that the Respondent is not on active duty status. These certificates are attached.
4. \_\_\_\_\_ I have attempted to determine the military status of the Respondent, but do not have sufficient information. This is what I have done to determine whether or not Respondent is on active duty in the United States military:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have no reason to believe that s/he is on active duty at this time.

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: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF OKEECHOBEE

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

JERLAD D. BRYANT  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

\_\_\_\_\_  
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 Petitioner.

This form was completed with the assistance of:

{name of individual}, \_\_\_\_\_  
{name of business} \_\_\_\_\_  
{address} \_\_\_\_\_  
{city} \_\_\_\_\_, {state} \_\_\_\_\_, {zip code} \_\_\_\_\_, {telephone number} \_\_\_\_\_.

## FORM 1.998. INSTRUCTIONS FOR COMPLETING FINAL DISPOSITION FORM

**I. Case Style.** Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned to the case and the names (last, first, middle initial) of plaintiff(s) and defendant(s).

**II. Means of Final Disposition.** Place an "x" in the appropriate major category box and in the appropriate subcategory box, if applicable. The following are the definitions of the disposition categories.

(A) Dismissed Before Hearing—the case is settled, voluntarily dismissed, or otherwise disposed of before a hearing is held;

(B) Dismissed Pursuant to Settlement – Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation before a hearing is held;

(C) Dismissal Pursuant to Mediated Settlement – Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation before a hearing is held;

(D) Other - Before Hearing—the case is dismissed before hearing in an action that does not fall into one of the other disposition categories listed on this form;

(E) Dismissed After Hearing—the case is dismissed by a judge, voluntarily dismissed, or settled after a hearing is held;

(F) Dismissal Pursuant to Settlement – After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation after a hearing is held;

(G) Dismissal Pursuant to Mediated Settlement - After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation after a hearing is held;

(H) Other - After Hearing—the case is dismissed after hearing in an action that does not fall into one of the other disposition categories listed on this form;

(I) Disposed by Default—a defendant chooses not to or fails to contest the plaintiff's allegations and a judgment against the defendant is entered by the court;

(J) Disposed by Judge—a judgment or disposition is reached by the judge in a case that is not dismissed and in which no trial has been held. Includes stipulations by the parties, conditional judgments, summary judgment after hearing and any matter in which a judgment is entered excluding cases disposed of by default as in category (I) above;

(K) Disposed by Non-Jury Trial—the case is disposed as a result of a contested trial in which there is no jury and in which the judge determines both the issues of fact and law in the case;

(L) Disposed by Jury Trial—the case is disposed as a result of a jury trial (consider the beginning of a jury trial to be when the jurors and alternates are selected and sworn);

(M) Other—the case is consolidated, submitted to arbitration or mediation, transferred, or otherwise disposed of by other means not listed in categories (A) through (L).

**DATE AND ATTORNEY SIGNATURE.** Date and sign the final disposition form.

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORM 12.999  
FINAL DISPOSITION FORM  
(03/17)**

**When should this form be used?**

This form is filed by the petitioner or respondent for the use of the clerk of the court for the purpose of reporting judicial workload data under section 25.075, Florida Statutes. When your case is completed, the petitioner or respondent must complete this form and file it with the clerk.

**What should I do next?**

This form must be typed or printed in black ink. After completing and signing this form, you should then file it and keep a copy for your records.

A copy of this form must be e-mailed, mailed, or hand delivered to the other party(ies) in your case.

**Instructions for completing this form**

- I. **Case Style.** Enter the name of the court, the case number assigned at the time of the filing of the petition, counterpetition, or motion, the name of the judge assigned, and the names of the petitioner and respondent.
  
- II. **Means of Final Disposition.** Place an "x" on the appropriate line before the major category and the appropriate subcategory, if applicable. The following are the definitions of the disposition categories.
  - A. Dismissed Before Hearing or Trial. The case is settled, voluntarily dismissed, or otherwise disposed of before a hearing or trial is held.
  - B. Dismissed Under Settlement, Before Hearing or Trial. Before hearing or trial, the case is voluntarily dismissed by the petitioner, respondent, or movant after a settlement.
  - C. Dismissal Under Mediated Settlement, Before Hearing or Trial. The case is voluntarily dismissed by the petitioner or respondent after a settlement is reached with mediation before a hearing or trial is held.
  - D. Other, Before Hearing or Trial. The case is dismissed before a hearing or trial in an action that does not fall into one of the other disposition categories on this form.
  - E. Dismissal Before Hearing or Trial. The case is dismissed by a judge voluntarily after a hearing or trial is held.

- F. Dismissed Under a Settlement, After Hearing or Trial. The case is voluntarily dismissed by the petitioner, respondent, or movant after a settlement is reached without mediation after a hearing or trial is held.
- G. Dismissal Under a Mediated Settlement, After Hearing or Trial. The case is voluntarily dismissed by the petitioner, respondent, or movant after a settlement is reached with mediation after a hearing or trial.
- H. Other, After Hearing or Trial. The case is dismissed after hearing in an action that does not fall into the categories listed on this form.
- I. Disposed by **Default**. A respondent chooses not to or fails to contest the petitioner's allegations and a judgment against the respondent is entered by the court.
- J. Disposed by Judge. A judgment or disposition is reached by the judge in a case that is not dismissed and in which no trial has been held. Includes stipulations by the parties, conditional judgments, summary judgment after hearing, and any manner in which a judgment is entered, excluding cases disposed of by default as in category I. above.
- K. Disposed by Nonjury Trial. The case is disposed as a result of a contested trial in which there is no jury and in which the judge determines both the issues of fact and the law in the case.
- L. Disposed by Jury Trial. Any part of the case is disposed as a result of a jury trial (considered the beginning of a jury trial to be when the jurors and alternates are selected and sworn).
- M. Other. The case is consolidated, submitted to mediation or arbitration, transferred, or otherwise disposed of by any other means not listed in categories (A) to (L).

### **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.

# FINAL DISPOSITION FORM

## I. Case Style

{Name of Court} \_\_\_\_\_

{Petitioner} \_\_\_\_\_

{Case number} \_\_\_\_\_

{Respondent} \_\_\_\_\_

{Judge} \_\_\_\_\_

## II. Means of Final Disposition

Place an "x" on the line for the major category and one subcategory, if applicable only.

- \_\_\_\_\_ Dismissed before hearing/trial
  - === Dismissed pursuant to settlement, before hearing or trial
  - === Dismissed under a mediated settlement before hearing or trial
  - === Other, before hearing or trial
  
- \_\_\_\_\_ Dismissed after hearing or trial
  - === Dismissed pursuant to a settlement, after hearing or trial
  - === Dismissed pursuant to a mediated settlement, after hearing or trial
  - === Other after hearing or trial
  
- \_\_\_\_\_ Disposed by default
  
- \_\_\_\_\_ Disposed by judge
  
- \_\_\_\_\_ Disposed by nonjury trial
  
- \_\_\_\_\_ Disposed by jury trial
  
- \_\_\_\_\_ Other {specify} \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney or Party  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail address(es): \_\_\_\_\_  
Fax 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}* \_\_\_\_\_.

### Form A: Family Case Inquiry/Update

Use this form only when your case has already been filed and you need assistance. This form is used to inquire about the status of your case, request a hearing date, notify the case manager that you have filed additional documents, or seek information about procedural matters.

Please avoid making the following common mistakes when completing the form.

- Do not use this form to change your address. Case managers cannot update your address for you. Please file your change of address with the clerk of the court.
- Do not use this form to file a motion or pleading. All requests of the court must be filed with the clerk of the court.
- Do not use this form to request legal advice. Case managers cannot provide legal assistance.

Due to increases in caseloads and the Court's improved responsiveness and accountability, most business will be conducted by email. You must complete the following form to obtain assistance on an open case. **You must submit a separate Form A each time you request assistance from the Case Management office.** You will receive a response as soon as possible but definitely within 3 to 5 business days by email. Please check your spam/junk folders in addition to your inbox in case our response to you has been sent there by your computer program.

Please complete the following sections:

Date this form submitted: \_\_\_\_\_

County of Case: Check appropriate box

Indian River       Martin       Okeechobee       Saint Lucie

Court Case Number: (required) \_\_\_\_\_ Judge/Magistrate: \_\_\_\_\_

Type of Case: Check appropriate box

<input type="checkbox"/> Divorce – Simplified	<input type="checkbox"/> Name Change - Adult	<input type="checkbox"/> Contempt/Enforcement
<input type="checkbox"/> Divorce – No Children	<input type="checkbox"/> Name Change - Child	<input type="checkbox"/> Rehearing
<input type="checkbox"/> Divorce – With Children	<input type="checkbox"/> Modify Timesharing	<input type="checkbox"/> Compel – Financial Affidavit
<input type="checkbox"/> Paternity	<input type="checkbox"/> Modify Child Support	<input type="checkbox"/> Continuance
<input type="checkbox"/> Abate Child Support	<input type="checkbox"/> Temporary Custody	<input type="checkbox"/> Clarification of Order
<input type="checkbox"/> Stepparent Adoption		
<input type="checkbox"/> Other: _____		

I am requesting/informing you:

Hearing Date       All required documents have been filed in Court file  
 Case Management       I need to know what additional documents are required before a final hearing can be scheduled  
 Other party filed an Answer and does not agree with my Petition  
 Other: \_\_\_\_\_

**Information for Person Requesting Assistance (must be completed)**

Name:

Daytime Phone:

Other:

Email Address:



**If you have questions, you may write them on a separate paper and attach to this form.**