

# Supreme Court of Florida

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No. SC08-2443

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**IN RE: IMPLEMENTATION OF COMMITTEE ON PRIVACY AND COURT RECORDS RECOMMENDATIONS—AMENDMENTS TO THE FLORIDA RULES OF CIVIL PROCEDURE; THE FLORIDA RULES OF JUDICIAL ADMINISTRATION; THE FLORIDA RULES OF CRIMINAL PROCEDURE; THE FLORIDA PROBATE RULES; THE FLORIDA SMALL CLAIMS RULES; THE FLORIDA RULES OF APPELLATE PROCEDURE; AND THE FLORIDA FAMILY LAW RULES OF PROCEDURE.**

[June 30, 2011]

PER CURIAM.

We have for consideration proposed amendments to the Florida rules of court and forms intended to minimize the amount of unnecessary personal information included in documents filed with the courts.<sup>1</sup> Reducing the amount of extraneous personal information in court records is another necessary step in the Court's ongoing effort to provide the public with electronic access to

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1. We have jurisdiction. See art. V, § 2(a), Fla. Const.; Fla. R. Jud. Admin. 2.140(d), (f).

nonconfidential court records.<sup>2</sup> As part of that effort, we recently adopted procedures that allow clerks of court to readily identify and screen from the public confidential information filed with the courts and refine the procedures for sealing and unsealing court records. See In re Amends. to Fla. Rule of Jud. Admin. 2.420 & Fla. Rules of App. Pro., 31 So. 3d 756, 757 (Fla. 2010) (recognizing that refinement of rule governing confidential court records was a necessary step in providing the public electronic access to court records).

The amendments at issue here further implement recommendations of the Committee on Privacy and Court Records (Privacy Committee) and are the result of the combined efforts of the Committee on Access to Court Records (Access

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2. See In re Revised Interim Policy on Elec. Release of Court Records, Fla. Admin. Order No. AOSC07-49 (Fla. Sept. 7, 2007) (providing revised interim policy for the electronic release of court records); In re Implementation of Report and Recommendations of the Comm. on Privacy and Court Records, Fla. Admin. Order No. AOSC06-20 (June 30, 2006) (“Admin. Order No. AOSC06-20”) (recognizing that certain conditions, including rule amendments, must be met before goal of providing the public electronic access to court records can be achieved); see also In re Statewide Standards for Elec. Access to the Courts, Fla. Admin. Order No. AOSC09-30 (July 1, 2009) (adopting the Florida Supreme Court Statewide Standards for Electronic Access to the Courts in response to chapter 2009-61, section 16, Laws of Florida, which requested that the Court establish statewide e-filing standards to be used by the clerks of court to implement electronic filing); In re Amends. to Fla. Rules of Civil Pro., Fla. Rules of Jud. Admin., Fla. Rules of Crim. Pro., Fla. Probate Rules, Fla. Small Claims Rules, Fla. Rules of Juv. Pro., Fla. Rules of App. Pro., & Fla. Family Law Rules of Pro.–Electronic Filing, No. SC11-399 (Fla. Petition filed Feb. 28, 2011) (Court considering proposed rule amendments to implement electronic filing of documents with courts).

Committee), its successor, the Florida Court Technology Commission's Subcommittee on Access to Court Records (Access Subcommittee),<sup>3</sup> and the Florida Bar Rules Committees. After considering the various proposals and comments filed in this case, and hearing oral argument, we amend the rules and forms to minimize the personal information filed with the court. Most notably, we adopt new Rule of Judicial Administration 2.425 (Minimization of the Filing of Sensitive Information) to govern the filing of sensitive personal information, which is the linchpin of the minimization efforts. We take this opportunity to emphasize that in order to avoid the electronic dissemination of sensitive personal information unnecessary to court proceedings, both attorneys and pro se litigants must be vigilant to file only authorized documents that comply with the requirements adopted here.

The newly enacted rules provide for sanctions for violations of these rules. However, continual education and a change in mindset for all those involved in the litigation process are necessary for these rules to work as intended. After all, with the benefits of electronic access to documents comes the responsibility to minimize unnecessary personal information in court records. With those beginning cautions,

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3. See In re Fla. Courts Tech. Comm'n, Subcomm. on Access to Court Records, Fla. Admin. Order No. AOSC09-3 (Jan. 27, 2009) (directing commission to establish a Subcommittee on Access to Court Records to act as the successor to the Access Committee for the purpose of advancing rule proposals) ("Admin. Order No. AOSC09-3").

we explain the evolution of the amendments and the substance of the major amendments.

## **BACKGROUND**

The Privacy Committee was created in November 2003 and charged with providing recommendations to the Court regarding electronic access to court records. See In re Comm. on Privacy and Court Records, Fla. Admin. Order No. AOSC04-04 (Feb. 12, 2004) (substituted for AOSC03-49). As relevant to the amendments at issue here, the Privacy Committee was charged with recommending strategies for reducing the amount of unnecessary personal information in court records. Id. at 5. After the Privacy Committee submitted its report and recommendations<sup>4</sup> and the Court held public hearings on the recommendations, an administrative order was issued partially implementing the Privacy Committee's recommendations.<sup>5</sup> That administrative order noted the Court's agreement with the Privacy Committee that the Florida judicial branch should have a goal of providing electronic access to nonconfidential court records when appropriate conditions are met, one of which is minimizing the amount of

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4. See Committee on Privacy and Court Records, Privacy, Access and Court Records: the Report and Recommendations of the Committee on Privacy and Court Records (2005) ("Privacy Committee Report").

5. Admin. Order No. AOSC06-20.

unnecessary personal information in court records.<sup>6</sup> By separate administrative order, the Access Committee was created to assist the Court in implementing a number of the Privacy Committee recommendations,<sup>7</sup> including the “minimization” recommendations addressed here.<sup>8</sup>

As relevant here, the Privacy Committee reported as follows:

Florida court files commonly contain information which is not required by law or rule and which is not needed by the court for purposes of adjudication or case management. Once entered into a court file this information becomes a matter of public record. Much of this information is personal or sensitive in nature. The Committee perceives that there is not a clear understanding on the part of attorneys and the general public of the negative effects on personal privacy of placing unnecessary information in a court record.

Privacy Committee Report at 56. The inclusion of unnecessary personal information in court filings is of special concern because providing electronic access, which would include internet access, to court records will make nonconfidential personal information contained in those records more readily accessible to the public.

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6. See Admin. Order AOSC06-20 at 1, 9.

7. The Court separately considered implementation recommendations concerning electronic access to court records contained in the Access Committee’s final report and recommendations submitted in September 2008. See Committee on Access to Court Records, Final Report and Recommendations (2008).

8. See In re Comm. on Access to Court Records, Fla. Admin. Order No. AOSC06-27 (Aug. 21, 2006) (“Admin. Order AOSC06-27”).

To mitigate this concern, the Privacy Committee made four recommendations intended to minimize the filing of extraneous personal information. Privacy Committee Recommendation Seven urges the review and revision of court rules and forms to avoid the filing of personal information that is not necessary for adjudication or case management.<sup>9</sup> Recommendation Eight recommends the study of a court rule to prohibit the filing of unauthorized documents.<sup>10</sup> Recommendation Nine suggests clarifying Family Law Rule of Procedure 12.285 (Mandatory Disclosure) to avoid the unnecessary filing of financial information in family law cases.<sup>11</sup> And Recommendation Ten urges the adoption of a rule that prohibits the filing of discovery information with the court unless the information is filed for good cause and that provides for sanctions if the rule is violated.<sup>12</sup> These “minimization” recommendations were referred to the Florida Bar rules committees to propose rule and form amendments implementing the recommendations.<sup>13</sup> The rules committees’ proposals were then referred to the

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9. Privacy Committee Report, Recommendation Seven, at 53.

10. Privacy Committee Report, Recommendation Eight, at 54.

11. Privacy Committee Report, Recommendation Nine, at 55.

12. Privacy Committee Report, Recommendation Ten, at 56.

13. See Admin. Order AOSC06-20 at 19-20. Privacy Committee Recommendation Eight, addressing unauthorized filings, see Privacy Committee Report at 54, was referred to the Access Committee. The Access Committee was

Access Committee for consideration<sup>14</sup> and preparation of an omnibus petition of proposed rule amendments. The Access Committee's petition of proposed amendments, as well as revised and new proposals offered by the rules committees are before the Court here.

In considering the proposals, the Court had the benefit of comments from interested persons, as well as responses and input from the Access Subcommittee (successor to the Access Committee)<sup>15</sup> and the various rules committees on a number of issues of concern to the Court. See In re Implementation of Comm. on Privacy & Court Records Recommendations, No. SC08-2443 (Fla. order filed April 1, 2010) (seeking input on a number of issues); see also In re Implementation of Comm. on Privacy & Court Records Recommendations, No. SC08-2443 (Fla.

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charged with studying the rules to “determine whether any sanctions [for unauthorized filings] need to be strengthened to further the goal of preventing gratuitous publication of extraneous and potentially damaging information.” Admin. Order AOSC06-27 at 3. However, the Access Committee did not directly address Recommendation Eight in its petition or report. We cannot fully implement the Privacy Committee's minimization recommendations without a clear mechanism in place to stop the filing of all unauthorized documents. Therefore, we ask the various Florida Bar rules committees to study the issue of unauthorized filings, as suggested in Recommendation Eight of the Privacy Committee Report, and report back to the Court with recommendations to address this issue. The committees should coordinate their efforts, with the Rules of Judicial Administration Committee overseeing the effort.

14. See, e.g., In re Amends. to Fla. Rules of App. Pro., 2 So. 3d 89, 90 n.1 (Fla. Nov. 13, 2008) (stating that proposed new rule 9.050 (Maintaining Privacy of Personal Data) was referred to Access Committee).

15. See Admin. Order No. AOSC09-3.

order filed May 19, 2010) (seeking input on suggested new rule 2.425). In response to the Court's concern about consistency among the various rules proposed to govern the filing of sensitive personal information, the committees now urge the adoption of new Rule of Judicial Administration 2.425 (Minimization of the Filing of Sensitive Information) and conforming amendments to the other bodies of rules and forms.

After considering the various proposals, we amend the Florida Rules of Civil Procedure, the Florida Rules of Judicial Administration, the Florida Rules of Criminal Procedure, the Florida Probate Rules, the Florida Small Claims Rules, the Florida Rules of Appellate Procedure, and the Florida Family Law Rules of Procedure and forms, as reflected in the appendix to this opinion. We discuss the more significant amendments below.

## **AMENDMENTS**

### **New Rule of Judicial Administration 2.425 and Other Amendments Limiting the Filing of Extraneous Personal Information**

New rule 2.425 (Minimization of the Filing of Sensitive Information) is the centerpiece of the amendments adopted in this case. The new rule governs the filing of sensitive personal information in all types of cases, except traffic and criminal proceedings.<sup>16</sup> It implements Privacy Committee Recommendation

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16. Subdivision (b) of the rule, which we adopt on an interim basis, exempts filings in criminal and traffic proceedings.

Seven, which urges revision of court rules and forms to avoid the filing of personal information that is not necessary for adjudication or case management.<sup>17</sup> The new rule of judicial administration sets forth the categories of personal information that must not be filed or must be truncated or redacted before filing, and provides exceptions that allow for the filing of complete information in appropriate circumstances.

The new rule serves as a companion to recently amended Rule of Judicial Administration 2.420 (Public Access to Judicial Branch Records).<sup>18</sup> New rule 2.425 provides the procedures for protecting personal information being filed with the court; while rule 2.420 governs the procedures for determining the confidentiality of information after it has been filed and for providing public access to nonconfidential information. Rule 2.425 is loosely modeled after Federal Rule of Civil Procedure 5.2 (Privacy Protection for Filings Made with the Court). The most important provisions of the new rule are discussed below.

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17. Privacy Committee Report, Recommendation Seven, at 53.

18. The Court previously adopted a number of amendments to Florida Rule of Judicial Administration 2.420 (Public Access to Judicial Branch Records) also proposed by the Access Committee to implement other Privacy Committee recommendations. See In re Amends. to Fla. Rule of Jud. Admin. 2.420 & Fla. Rules of App. Pro., 31 So. 3d 756 (amending Rule of Judicial Administration 2.420 to provide comprehensive procedures for identifying and segregating confidential information in court records, for sealing and unsealing court records, and for reviewing orders issued under the rule.)

First, under subdivision (a) (Limitations for Court Filings) of the new rule, unless exempted by subdivision (b) (Exceptions), or authorized by statute, another rule, or court order,<sup>19</sup> personal information of the type listed either must not be filed or must be truncated or redacted before filing. Under subdivisions (a)(1) and (a)(2) only the initials of a minor and the year of birth of a person's birth date may be included in filings, and under subdivision (a)(3), no portion of a social security number, bank account number, credit card account number, charge account number, or debit account number can be filed,<sup>20</sup> unless the number falls within one of the subdivision (b) exceptions, or is authorized by statute, another rule, or court order.

Only the last four digits of certain other personal identifying numbers (i.e., driver's license number, passport number, taxpayer identification number, and patient or health care number) are allowed under subdivision (a)(4). Similarly, a truncated version of other types of personal information (i.e., email address,

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19. The phrase "or authorized by statute, another rule, or court order" is meant to clarify that conflicting provisions of another rule of court, a statute, or a court order will control over the rule 2.425 requirements.

20. In proposing this prohibition, the Rules of Judicial Administration Committee recognized that the standard business and banking practice is to use the last four digits of such numbers, but the committee determined it would be best to completely preclude the filing of such numbers because of their confidential status under rule 2.420(d)(1)(B)(iii). We agree that these highly sensitive and otherwise confidential personal identifying numbers should not be filed, unless exempt from the rule 2.425(a) limitations as provided in the rule.

password, and other sensitive information as provided by court order) is allowed under subdivisions (a)(5) and (a)(6).

Next, subdivision (b) (Exceptions) allows for the filing of complete information under certain circumstances. For example, under subdivisions (b)(1), (b)(5), and (b)(6) respectively, an account number that identifies the property alleged to be the subject of a proceeding, the birth date of a minor whenever the birth date is necessary for the court to establish or maintain subject matter jurisdiction, and the name of a minor in any document or order affecting the minor's ownership of real property are exempt from the subdivision (a) limitations. Under subdivision (b)(10), information that is relevant and material to an issue before the court also is exempt.

Subdivision (b)(8), which we adopt on an interim basis, exempts from the requirements of the rule filings in traffic and criminal proceedings. This exception is strongly supported by the Criminal Procedure Rules Committee, prosecutors, and defense attorneys, as well as numerous Florida criminal justice organizations.<sup>21</sup> The Rules Committee and criminal justice organizations maintain that much of the

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21. The composite comments of the Florida criminal justice organizations filed in this case include comments or resolutions in support of the exemption from the Florida Association of Criminal Defense Lawyers, the Miami-Dade County Association of Chiefs of Police, the Florida Prosecuting Attorneys Association, the Florida Public Defender Association, Inc., and the Florida Bar Criminal Law Section.

information filed in criminal cases that would have to be truncated or redacted under the new rule must be available to defense attorneys, law enforcement, and others in the criminal justice system. The proponents of the exception also caution that application of the rule would result in substantial workload issues for prosecutors' offices that would be required to truncate or redact massive amounts of information routinely contained in arrest affidavits, search warrants, charging documents, traffic citations, police reports, and discovery documents filed with the court. We acknowledge the reasons advanced for treating filings in criminal and traffic proceedings differently than filings in other cases. However, filings in criminal and traffic cases contain a large portion of the personal information filed with our courts and a "blanket" exception for those filings would not be necessary if a finely tailored rule can be drafted to govern them. Therefore, we direct the Criminal Procedure Rules Committee, the Traffic Court Rules Committee, and the Rules of Judicial Administration Committee to work together to propose a rule or rules similar to Federal Rule of Criminal Procedure 49.1 (Privacy Protection for Filings Made with the Court) to govern the filing of sensitive personal information in criminal and traffic proceedings.<sup>22</sup>

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22. The Criminal Procedure Rules Committee should oversee this project, and the committees' joint report should be filed with the Court by December 1, 2011.

Finally, subdivision (c) (Remedies) provides remedies and sanctions for violations of the rule. And subdivisions (d) (Motions Not Restricted) and (e) (Application) clarify the new rule's interplay with rule 2.420 (Public Access to Judicial Branch Records) and explain that the new rule does not affect the application of constitutional provisions, statutes, or rules of court governing confidential information or access to public records.

Other rules of procedure and forms are amended to conform to or reference new rule 2.425.<sup>23</sup> For example, new Rule of Appellate Procedure 9.050

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23. The Small Claims Rules Committee declined to offer conforming amendments to the Small Claims Rules. Rather, that committee asks the Court to postpone amending the Small Claims Rules until the committee has an opportunity to consider the version of rule 2.425 the Court adopts. Therefore, we defer adoption of pending amendments to the Small Claim Rules that are impacted by the adoption of rule 2.425 and direct the Small Claims Rules Committee to use its fast-track procedures to file a report with conforming rule amendments by September 1, 2011. However, we adopt other pending amendments to the Small Claims Rules that will limit the filing of unnecessary personal information but are not directly affected by the adoption of new rule 2.425. They are new rule 7.140(e)(3), which requires the judge to assist an unrepresented party in the handling of private information, and forms 7.340 (Final Judgment) and 7.373 (Fact Information Sheet), which are amended to instruct that the Fact Information Sheet should not be filed with the Court.

We ask that in the future, when the Court seeks proposed rule amendments to address a given topic from a number of rules committees, each committee comply with the Court's request and individual committees not decline to act until proposals from other committees are acted upon. See, e.g., In re Amends. to Fla. Rules of Jud. Admin., Fla. Rules of Civil Pro., Fla. Rules of Crim. Pro., Fla. Rules of Civil Pro. for Involuntary Commitment of Sexually Violent Predators, Fla. Probate Rules, Fla. Rules of Traffic Court, Fla. Rules of Juv. Pro., Fla. Rules of App. Pro., & Fla. Family Law Rules of Pro.—Computation of Time, No. SC10-2299 (Fla. Petition filed Dec. 13, 2010) (Small Claims Rules Committee declining

(Maintaining Privacy of Personal Data) requires all briefs, petitions, replies, appendices, motions, notices, stipulations, and responses filed with the court comply with rule 2.425. Family Law Rules 12.130(c) (Protection of Account and Personal Identifying Numbers), 12.440(a) (Setting for Trial), 12.540 (Relief from Judgment, Decrees, or Orders), and 12.620 (Receivers) are amended to require compliance with rule 2.425. Amendments to the civil and family law discovery rules also incorporate the requirements of rule 2.425. See Appendix, infra, pp. 23-26, 55-63 (amending Fla. R. Civil P. 1.280; 1.310; 1.340; 1.350; Fla. Fam. L. R. P. 12.280; 12.285; 12.340; 12.370; 12.410; 12.560).

To further implement Privacy Committee Recommendation Seven (Revision of Rules and Forms Leading to Extraneous Personal Information), the various civil judgment forms are amended to require that only the last four digits of the judgment debtor's social security number be included in the judgment. Probate Rules 5.200 (Petition for Administration), 5.210 (Probate of Wills without Administration), and 5.530 (Summary Administration) are likewise amended to require that only the last four digits of the decedent's social security number be

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to propose amendments to Small Claims Rules until proposed Rule of Judicial Administration governing computation of time is adopted by the Court). Addressing all related proposals at the same time ensures consistency and conserves valuable judicial resources.

included in petitions filed under those rules.<sup>24</sup> Similarly, to limit the filing of personal information in criminal cases, Rule of Criminal Procedure 3.140(c)(4) (Personal Statistics) is amended to delete the requirement that the defendant's social security number be included in the charging document.<sup>25</sup>

### **Rule of Civil Procedure 1.280(f) and Other Amendments Limiting the Filing of Discovery and Financial Information**

New Rule of Civil Procedure 1.280(f) (Court Filing of Documents and Discovery) works in conjunction with new rule 2.425, by requiring that all discovery documents filed with the court comply with the requirements for the filing of personal information. However, the new discovery rule's primary purpose

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24. Although the general provisions of new rule 2.425 prohibit the inclusion of any portion of a social security number in a court filing, as noted above, requirements in other rules or forms, such as the requirement that the last four digits of a social security number be included in certain documents, control over conflicting requirements in the new rule.

25. We decline to adopt amendments to rules 3.211(c) (Competence to Proceed: Scope of Examination; Written Findings of Experts), 3.212(d) (Competence to Proceed: Hearing and Disposition; Release of Finding of Incompetence), 3.218(a) (Commitment of a Defendant Found Not Guilty by Reason of Insanity; Commitment; 6-Month Report), and 3.219(a) (Conditional Release; Release Plan) suggested by the Criminal Procedure Rules Committee. Instead, we amend those rules to provide: "The procedure for determinations of the confidential status of reports is governed by Rule of Judicial Administration 2.420." Further amendments to rule 2.420(d), which are urged in this case, will be considered in In re Amends. to the Fla. Rule of Jud. Admin. 2.420, No. SC10-2242 (Fla. Petition filed Nov. 19, 2010). See In re Implementation of Comm. on Privacy & Court Records Recommendations, No. SC08-2443 (Fla. order filed November 19, 2010) (stating that suggested amendments to rule 2.420(d)(1)(B) will be considered in case number SC10-2242).

is to implement Privacy Committee Recommendation Ten,<sup>26</sup> by prohibiting the filing of information obtained during discovery unless the information is filed for good cause and giving the court authority to impose sanctions for violation of the rule. The Court revised the language of proposed rule 1.280(f) to clarify that good cause is satisfied only where the filing of the information is allowed or required by another applicable rule of procedure or by court order. This requirement is intended to stop abuses of personal information obtained during discovery by preventing the filing of discovery information unless it is necessary to the proceedings. Other civil discovery rules are amended to require compliance with new rule 1.280(f). See Appendix, infra, pp. 23-26 (amending Fla. R. Civ. P. 1.310; 1.340; 1.350).

Family law discovery rules also are amended to limit the filing of discovery information. New subdivision (c) is added to Family Law Rule 12.340 (Interrogatories to Parties) to require that responses to interrogatories be served but not filed with the court, unless they are admitted into evidence and are in compliance with rule 2.425. Rule 12.370 (Requests for Admissions) is amended to require that documents attached to a request for admissions be served with the request but not filed with the court. The amendments to rule 12.560 (Discovery in

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26. Privacy Committee Report, Recommendation Ten, at 56.

Aid of Execution) prohibits the filing of a fact information sheet, civil form 1.977, unless ordered by the court for good cause shown.

Similarly, subdivisions (b) and (e) of rule 12.363 (Evaluations of Minor Child) are amended to prevent the filing of an evaluation of a minor child unless the report is being admitted into evidence. If the report is filed, the filing must comply with rule 2.425. The Media Organizations<sup>27</sup> that commented on these amendments urge us to reject the requirement, added to subdivision (e), that the court consider whether the report should be sealed under rule 2.420. The Media Organizations maintain that rule 2.420 places the burden of seeking a determination of confidentiality of court records on the proponent of closure, not the court. In response, the Family Law Rules Committee points out that the court has inherent authority to protect the interests of children whose parents are before the court, citing Simms v. State Department of Health & Rehabilitative Services, 641 So. 2d 957, 961 (Fla. 3d DCA 1994). The Access Subcommittee explains that the recent amendments to rule 2.420 were not intended to affect the power of a court to determine, sua sponte, that a particular court record is confidential. Therefore, we defer to the committee and adopt the subdivision (e) requirement.

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27. “The Media Organizations” include: Orlando Sentinel Communications Company, publisher of the Orlando Sentinel, and Sun-Sentinel Publishing Company, publisher of the South Florida Sun-Sentinel.

Next, to implement Privacy Committee Recommendation Nine, which requested that the mandatory disclosure rule be clarified to avoid the unnecessary filing of financial information in family law cases,<sup>28</sup> as well as Recommendations Seven and Ten, we adopt new Family Law Rule of Procedure 12.285(a)(3) (Mandatory Disclosure; Documents Not to be Filed with Court; Sanctions), and amend rule 12.287 (Financial Affidavits in Enforcement and Contempt Proceedings). New rule 12.285(a)(3)(A) highlights language currently in the rule stating that except for financial affidavits and child support guidelines worksheets, documents produced under the rule are not to be filed with the court absent a court order. Subdivision (a)(3)(B) requires that account numbers and personal identifying information are governed by rule 2.425. And subdivision (a)(3)(C) provides that sanctions are governed by new rule 1.280(f). New rule 12.285(c) (Exemption for Requirement to File and Serve Financial Affidavit) prohibits the filing and service of a financial affidavit if the parties are seeking a simplified dissolution of marriage under 12.105 and certain conditions are met. The current rule 12.105(c) requirement that the parties to a simplified dissolution proceeding file a financial affidavit and marital settlement agreement is deleted, and the family law forms are amended accordingly. Rule 12.287 is amended to delete the requirement that a requested financial affidavit be filed with the court in

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28. Privacy Committee Report, Recommendation Nine, at 55.

enforcement and contempt proceedings and to add a requirement that a notice of compliance with the service requirement be filed instead.<sup>29</sup>

The family law rules of procedure forms are amended to conform with the amendments to the family law rules. Additionally, the instructions to several of the rules forms and approved forms are amended to conform to section 119.071(2)(j)(1), Florida Statutes (2010), which was enacted to protect the confidentiality of victims of domestic violence, sexual battery, aggravated child abuse, aggravated stalking, and aggravated battery.

### **Amendments to Florida Supreme Court Approved Family Law Forms**

Finally, with input from the Court’s Advisory Workgroup on the Florida Supreme Court Approved Family Law Forms,<sup>30</sup> we amend the Florida Supreme Court Approved Family Law Forms to ensure that the forms do not prompt those who use them to provide unnecessary personal information, such as “place of marriage,” “date of separation,” “place of birth of minor children,” or “gender of minor children.” The requirement to include a statement of the “best interest of the

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29. The rules committee felt that the affidavit could be entered into evidence if necessary at the hearing and that only at that point is it necessary to include the affidavit in the court record.

30. See Amends. to the Fla. Family Law Rules of Procedure & Family Law Forms, 810 So. 2d 1, 14 (Fla. 2000) (providing that Court will seek input from advisory workgroup when making more substantial changes to the Supreme Court Approved Family Law Forms).

child(ren)” is deleted from form 12.905(d) (Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service), as unnecessary. Requests for financial information that is required to be provided in the family financial affidavits also is removed from form 12.943 (Motion to Deviate from Child Support Guidelines). Other more minor changes also are made to the approved forms.

## **CONCLUSION**

We thank the Access Committee, the Access Subcommittee, the Florida Bar Rules Committees, the Court’s Advisory Workgroup on the Florida Supreme Court Approved Family Law Forms, and those who submitted comments for assisting the Court in moving closer to our goal of providing the public with electronic access to court records. We also take this opportunity to emphasize that in order to avoid the electronic dissemination of sensitive personal information unnecessary to court proceedings, both attorneys and pro se litigants must be vigilant to file only authorized documents that comply with the requirements adopted here.

Accordingly, we amend the Florida Rules of Civil Procedure, the Florida Rules of Judicial Administration, the Florida Rules of Criminal Procedure, the Florida Probate Rules, the Florida Small Claims Rules, the Florida Rules of Appellate Procedure, and the Florida Family Law Rules as reflected in the

appendix to this opinion.<sup>31</sup> New language is indicated by underscoring; deletions are indicated by struck-through type. The committee notes are offered for explanation only and are not adopted as an official part of the rules. We also amend the Family Law Rules of Procedure Forms and the Florida Supreme Court Approved Family Law Forms, as set forth in the appendix to this opinion, fully engrossed for use on the effective date of the amendments. The forms can be accessed and downloaded from this Court's website at [www.flcourts.org/gen\\_public/family/forms\\_rules/index.shtml](http://www.flcourts.org/gen_public/family/forms_rules/index.shtml). By adopting the amended forms, we express no opinion as to their correctness or applicability.

The amendments to the rules and forms shall become effective October 1, 2011, at 12:01 a.m. Because the amendments to the Florida Supreme Court Approved Family Law Forms were not published for comment prior to their adoption, interested persons shall have sixty days from the date of this opinion to

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31. We recognize that the development and refinement of the numerous rule and form amendments adopted here has been an arduous task for all involved. Therefore, we ask the rules committees to carefully review the new and amended rules and forms for consistency and to ensure that interim amendments to the rules and forms amended here have not been inadvertently omitted. Any needed revisions should be brought to the Court's attention during the rehearing period in this case. We also ask the rules committees, as part of their regular-cycle review, to conduct a thorough review of rules and forms not amended here to determine whether any of those rules or forms should to be amended to ensure consistency with the amendments we adopt here.

file comments with the Court addressing only the amendments to the approved forms.<sup>32</sup>

It is so ordered.

CANADY, C.J., and PARIENTE, LEWIS, POLSTON, LABARGA, and PERRY, JJ., concur.

QUINCE, J., concurs in result.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceedings – The Civil Procedure Rules Committee, The Rules of Judicial Administration Committee, Criminal Procedure Rules Committee, The Probate Rules Committee, The Small Claims Rules Committee, The Appellate Court Rules Committee, and The Family Law Rules Committee

Judith L. Kreeger, Chair, Subcommittee on Access to Court Records, Senior Judge, Eleventh Judicial Circuit, Miami, Florida and Judge Melanie G. May, Fourth District Court of Appeal, West Palm Beach, Florida; Steven Patrick Combs, Chair, Family Law Rules Committee, Jacksonville, Florida,

for Petitioners

Frank T. Pilotte, Chair, Florida Probate Rules Committee, and John F. Harkness, Jr., Executive Director, The Florida Bar, Tallahassee, Florida; Russell Robert Winer, St. Petersburg, Florida; Robyn L. Vines, Past Chair, Fort Lauderdale, Florida; Carol Jean LoCicero and Deanna K. Shullman of Thomas, LoCicero and

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32. An original and nine paper copies of all comments addressing the approved forms must be filed with the Court on or before August 29, 2011. Electronic copies of all comments also must be filed in accordance with the Court's administrative order In re Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004).

Bralow, PL, Tampa, Florida; John S. Mills, Past Chair, Appellate Court Rules Committee, Jacksonville, Florida; Judge Robert W. Lee, Past Chair Small Claims Rules Committee, Seventeenth Judicial Circuit, Fort Lauderdale, Florida; Mark Romance, Past Chair, Civil Procedure Rules Committee, Miami, Florida; Jack A. Moring, Past Chair, Family Law Rules Committee, Crystal River, Florida; John G. Crabtree, Chair, Appellate Court Rules Committee, Key Biscayne, Florida; Fleur J. Lobree, Past Chair, Criminal Procedure Rules Committee; Robert T. Strain, Chair, Criminal Procedure Rules Committee, Tampa, Florida; Keith H. Park, on behalf of the Rules of Judicial Administration Committee, West Palm Beach, Florida,

#### Responding with comments

Donald E. Christopher, Chair, Civil Procedure Rules Committee, Orlando, Florida, and Jeffrey S. Goethe, Chair, Florida Probate Rules Committee, Bradenton, Florida,

#### Also attended oral arguments

## APPENDIX

### FLORIDA RULES OF CIVIL PROCEDURE

#### RULE 1.280. GENERAL PROVISIONS GOVERNING DISCOVERY

(a) - (e) [No change]

**(f) Court Filing of Documents and Discovery.** Information obtained during discovery shall not be filed with the court until such time as it is filed for good cause. The requirement of good cause is satisfied only where the filing of the information is allowed or required by another applicable rule of procedure or by court order. All filings of discovery documents shall comply with Florida Rule of Judicial Administration 2.425. The court shall have authority to impose sanctions for violation of this rule.

#### Committee Notes

**1972 Amendment - 1996 Amendment.** [No change]

**2011 Amendment.** Subdivision (f) is added to ensure that information obtained during discovery is not filed with the court unless there is good cause for the documents to be filed, and that information obtained during discovery that includes certain private information shall not be filed with the court unless the private information is redacted as required by Florida Rule of Judicial Administration 2.425.

#### Court Commentary

[No change]

#### RULE 1.310. DEPOSITIONS UPON ORAL EXAMINATION

(a) - (e) [No change]

(f) **Filing; Exhibits.**

(1) - (2) [No change]

(3) A copy of a deposition may be filed only under the following circumstances:

(A) It may be filed in compliance with Florida Rule of Judicial Administration 2.425 and rule 1.280(f) by a party or the witness when the contents of the deposition must be considered by the court on any matter pending before the court. Prompt notice of the filing of the deposition shall be given to all parties unless notice is waived. A party filing the deposition shall furnish a copy of the deposition or the part being filed to other parties unless the party already has a copy.

(B) If the court determines that a deposition previously taken is necessary for the decision of a matter pending before the court, the court may order that a copy be filed by any party at the initial cost of the party, and the filing party shall comply with rules 2.425 and 1.280(f).

(g) - (h) [No change]

#### **Committee Notes**

**1972 Amendment - 2010 Amendment.** [No change]

**2011 Amendment.** A reference to Florida Rule of Judicial Administration 2.425 and rule 1.280(f) is added to require persons filing discovery materials with the court to make sure that good cause exists prior to filing discovery materials and that certain specific personal information is redacted.

#### **Court Commentary** [No change]

### **RULE 1.340. INTERROGATORIES TO PARTIES**

(a) - (d) [No change]

(e) **Service and Filing.** Interrogatories shall be arranged so that a blank space is provided after each separately numbered interrogatory. The space shall be reasonably sufficient to enable the answering party to insert the answer within the space. If sufficient space is not provided, the answering party may attach additional papers with answers and refer to them in the space provided in the interrogatories.

The interrogatories shall be served on the party to whom the interrogatories are directed and copies shall be served on all other parties. A certificate of service of the interrogatories shall be filed, giving the date of service and the name of the party to whom they were directed. The answers to the interrogatories shall be served upon the party originally propounding the interrogatories and a copy shall be served on all other parties by the answering party. The original or any copy of the answers to interrogatories may be filed in compliance with Florida Rule of Judicial Administration 2.425 and rule 1.280(f) by any party when the court should consider the answers to interrogatories in determining any matter pending before the court. The court may order a copy of the answers to interrogatories filed at any time when the court determines that examination of the answers to interrogatories is necessary to determine any matter pending before the court.

### **Committee Notes**

**1992 Amendment – 1988 Amendment.** [No change]

**2011 Amendment.** A reference to Florida Rule of Judicial Administration 2.425 and rule 1.280(f) is added to require persons filing discovery materials with the court to make sure that good cause exists prior to filing discovery materials and that certain specific personal information is redacted.

### **Court Commentary** **[No change]**

## **RULE 1.350.        PRODUCTION OF DOCUMENTS AND THINGS AND ENTRY UPON LAND FOR INSPECTION AND OTHER PURPOSES**

**(a) - (c)** [No change]

**(d)    Filing of Documents.** Unless required by the court, a party shall not file any of the documents or things produced with the response. Documents or things may be filed in compliance with Florida Rule of Judicial Administration 2.425 and rule 1.280(f) when they should be considered by the court in determining a matter pending before the court.

### **Committee Notes**

**1972 Amendment – 1980 Amendment.** [No change]

**2011 Amendment.** A reference to Florida Rule of Judicial Administration 2.425 and rule 1.280(f) is added to require persons filing discovery materials with the court to make sure that good cause exists prior to filing discovery materials and that certain specific personal information is redacted.

## FORM 1.988. JUDGMENT AFTER DEFAULT

(a) **General Form.** This form is the general form for a judgment after default, not including recovery for prejudgment interest and attorneys' fees:

### FINAL JUDGMENT

This action was heard after entry of default against defendant and

IT IS ADJUDGED that plaintiff, .....(name and address)....., recover from defendant, .....(name and address, and last 4 digits of social security number if known)....., the sum of \$..... with costs in the sum of \$....., that shall bear interest at the rate of .....% a year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

(b) **Form with Interest and Fees.** This form is for judgment after default including prejudgment interest and attorneys' fees recovered:

### FINAL JUDGMENT

This action was heard after entry of default against defendant and

IT IS ADJUDGED that plaintiff, .....(name and address)....., recover from defendant, .....(name and address, and last 4 digits of social security number if known)....., the sum of \$..... on principal, \$..... for attorneys' fees with costs in the sum of \$....., and prejudgment interest in the sum of \$....., making a total of \$..... that shall bear interest at the rate of .....% a year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

## **Committee Notes**

**1980 Adoption.** This form is new.

**2003 Amendment.** Subdivision (b) is amended to include prejudgment interest in the total judgment pursuant to *Quality Engineered Installation, Inc. v. Higley South, Inc.*, 670 So. 2d 929 (Fla. 1996).

**FORM 1.990. FINAL JUDGMENT FOR PLAINTIFF. JURY ACTION FOR DAMAGES**

**FINAL JUDGMENT**

Pursuant to the verdict rendered in this action

IT IS ADJUDGED that plaintiff, .....(name and address)....., recover from defendant, .....(name and address, and last 4 digits of social security number if known)....., the sum of \$..... with costs in the sum of \$....., making a total of \$....., that shall bear interest at the rate of .....% a year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

**FORM 1.991. FINAL JUDGMENT FOR DEFENDANT. JURY ACTION FOR DAMAGES**

**FINAL JUDGMENT**

Pursuant to the verdict rendered in this action

IT IS ADJUDGED that plaintiff, .....(name and address, and last 4 digits of social security number if known)....., take nothing by this action and that defendant, .....(name and address)....., shall go hence without day and recover costs from plaintiff in the sum of \$..... that shall bear interest at the rate of .....% a year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

**FORM 1.993. FINAL JUDGMENT FOR PLAINTIFF. GENERAL FORM. NON-JURY**

**FINAL JUDGMENT**

This action was tried before the court. On the evidence presented

IT IS ADJUDGED that:

1. (list adjudications in numbered paragraphs)
2. ....

(See note below on name, address, and  
social security number requirements.)

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** Findings of fact can be inserted after “presented” if desired. The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

**FORM 1.994. FINAL JUDGMENT FOR DEFENDANT. GENERAL FORM. NON-JURY**

**FINAL JUDGMENT**

This action was tried before the court. On the evidence presented

IT IS ADJUDGED that plaintiff, .....(name and address, and last 4 digits of social security number if known)....., take nothing by this action and that defendant, .....(name and address)....., shall go hence without day and recover costs from plaintiff in the sum of \$..... that shall bear interest at the rate of .....% a year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** Findings of fact can be inserted after “presented” if desired. The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

## FORM 1.995. FINAL JUDGMENT OF REPLEVIN

**NOTE APPLICABLE TO FORMS (a)–(d):** The address of the person who claims a lien as a result of the judgment must be included in the judgment in order for the judgment to become a lien on real estate when a certified copy of the judgment is recorded. Alternatively, an affidavit with this information may be simultaneously recorded. For the specific requirements, see section 55.10(1), Florida Statutes; *Hott Interiors, Inc. v. Fostock*, 721 So. 2d 1236 (Fla. 4th DCA 1998). The address and social security number (if known) of each person against whom the judgment is rendered must be included in the judgment, pursuant to section 55.01(2), Florida Statutes. However, for privacy reasons, only the last 4 digits of the social security number should be shown.

### (a) Judgment in Favor of Plaintiff when Plaintiff Has Possession.

#### FINAL JUDGMENT OF REPLEVIN

This matter was heard on plaintiff's complaint. On the evidence presented

IT IS ADJUDGED that:

1. Plaintiff, .....(name and address)....., has the right against defendant, .....(name and address, and last 4 digits of social security if known)....., to retain possession of the following described property:

(list the property and include a value for each item)

2. Plaintiff shall recover from defendant the sum of \$..... as damages for the detention of the property and the sum of \$..... as costs, making a total of \$....., which shall bear interest at the rate of .....% per year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** This form applies when the plaintiff has recovered possession under a writ of replevin and prevailed on the merits. Pursuant to section 78.18, Florida Statutes (1995), paragraph 2 of the form provides that the plaintiff can also recover damages for the wrongful taking and detention of the property, together with costs. Generally these damages are awarded in the form of interest unless loss of use can be proven. *Ocala Foundry & Machine Works v. Lester*, 49 Fla. 199, 38 So. 51 (1905).

If the defendant has possession of part of the property, see form 1.995(b).

### (b) Judgment in Favor of Plaintiff when Defendant Has Possession.

## FINAL JUDGMENT OF REPLEVIN

This matter was heard on plaintiff's complaint. On the evidence presented

IT IS ADJUDGED that:

1. Plaintiff, .....(name and address)....., has the right against defendant, .....(name and address, and last 4 digits of social security number if known)....., to possession of the following described property:

(list the property and include a value for each item)

for which the clerk of the court shall issue a writ of possession; or

2. Plaintiff shall recover from defendant [if applicable add "and surety on the forthcoming bond"] the sum of \$..... for the value of the property, which shall bear interest at the rate of .....% per year, for which let execution issue.

3. Plaintiff shall recover from defendant the sum of \$..... as damages for the detention of the property and the sum of \$..... as costs, making a total of \$....., which shall bear interest at the rate of .....% per year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** This form applies when the plaintiff prevails on the merits and the defendant retains possession of the property. Section 78.19, Florida Statutes (1995), allows the plaintiff to recover the property or its value or the value of the plaintiff's lien or special interest. The value for purposes of paragraph 2 is either the value of the property or the value of the plaintiff's lien or special interest.

Paragraph 3 of the form provides for damages for detention only against the defendant because the defendant's surety obligates itself only to ensure forthcoming of the property, not damages for its detention.

Pursuant to section 78.19(2), Florida Statutes, paragraphs 1 and 2 of the form provide the plaintiff the option of obtaining either a writ of possession or execution against the defendant and defendant's surety on a money judgment for property not recovered. *Demetree v. Stramondo*, 621 So. 2d 740 (Fla. 5th DCA 1993). If the plaintiff elects the writ of possession for the property and the sheriff is unable to find it or part of it, the plaintiff may immediately have execution against the defendant for the whole amount recovered or the amount less the value of the property found by the sheriff. If the plaintiff elects execution for the whole amount, the officer shall release all property taken under the writ.

If the plaintiff has possession of part of the property, see form 1.995(a).

**(c) Judgment in Favor of Defendant when Defendant Has Possession under Forthcoming Bond.**

**FINAL JUDGMENT OF REPLEVIN**

This matter was heard on plaintiff's complaint. On the evidence presented

IT IS ADJUDGED that:

1. Defendant, .....(name and address)....., has the right against plaintiff, .....(name and address, and last 4 digits of social security number if known)....., to possession of the following described property:

(list the property and include a value for each item)

2. Defendant retook possession of all or part of the property under a forthcoming bond, and defendant's attorney has reasonably expended ..... hours in representing defendant in this action and \$..... is a reasonable hourly rate for the services.

3. Defendant shall recover from plaintiff the sum of \$..... for the wrongful taking of the property, costs in the sum of \$....., and attorneys' fees in the sum of \$....., making a total of \$....., which shall bear interest at the rate of .....% per year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

\_\_\_\_\_  
Judge

**NOTE:** This form applies when the defendant prevails and the property was retained by or redelivered to the defendant. Section 78.20, Florida Statutes (1995), provides for an award of attorneys' fees. The prevailing defendant may be awarded possession, damages, if any, for the taking of the property, costs, and attorneys' fees.

If the plaintiff has possession of part of the property, see form 1.995(d).

**(d) Judgment in Favor of Defendant when Plaintiff Has Possession.**

**FINAL JUDGMENT OF REPLEVIN**

This matter was heard on plaintiff's complaint. On the evidence presented

IT IS ADJUDGED that:

1. Defendant, .....(name and address)....., has the right against plaintiff, .....(name and address, and last four digits of social security number if known)....., to recover possession of the following described property:

(list the property and include a value for each item)

for which the clerk of the court shall issue a writ of possession; or

2. Defendant shall recover from plaintiff [if applicable add “and surety on plaintiff’s bond”] the sum of \$..... for the value of the property, which shall bear interest at the rate of .....% per year, for which let execution issue.

3. Defendant shall recover from plaintiff the sum of \$..... as damages for detention of the property and the sum of \$..... as costs, making a total of \$....., which shall bear interest at the rate of .....% per year, for which let execution issue.

ORDERED at ....., Florida, on .....(date).....

---

Judge

**NOTE:** This form should be used when the defendant prevails but the plaintiff has possession of the property. Section 78.21, Florida Statutes (1995), does not provide for an award of attorneys’ fees when the defendant prevails and possession had been temporarily retaken by the plaintiff. Sections 78.21 and 78.19 allow the defendant to recover the property or its value or the value of the defendant’s special interest.

Paragraphs 1 and 2 of the form provide to the defendant the option of obtaining either a writ of possession or execution against the plaintiff and plaintiff’s surety on a money judgment for property not recovered and costs. *Demetree v. Stramondo*, 621 So. 2d 740 (Fla. 5th DCA 1993). If the defendant elects the writ of possession for the property and the sheriff is unable to find it or part of it, the defendant may immediately have execution against the plaintiff and surety for the whole amount recovered or the amount less the value of the property found by the sheriff. If the defendant elects execution for the whole amount, the officer shall release all property taken under the writ.

If the defendant has possession of part of the property, see form 1.995(c).

## FLORIDA RULES OF JUDICIAL ADMINISTRATION

### **RULE 2.425      MINIMIZATION OF THE FILING OF SENSITIVE INFORMATION**

**(a) Limitations for Court Filings.** Unless authorized by subdivision (b), statute, another rule of court, or the court orders otherwise, designated sensitive information filed with the court must be limited to the following format:

(1) The initials of a person known to be a minor;

(2) The year of birth of a person's birth date;

(3) No portion of any

(A) social security number,

(B) bank account number,

(C) credit card account number,

(D) charge account number, or

(E) debit account number;

(4) The last four digits of any

(A) taxpayer identification number (TIN),

(B) employee identification number,

(C) driver's license number,

(D) passport number,

(E) telephone number,

(F) financial account number, except as set forth in subdivision (a)(3),

(G) brokerage account number,

(H) insurance policy account number,

(I) loan account number,

(J) customer account number, or

(K) patient or health care number;

(5) A truncated version of any

(A) email address,

(B) computer user name,

(C) password, or

(D) personal identification number (PIN); and

(6) A truncated version of any other sensitive information as provided by court order.

**(b) Exceptions.** Subdivision (a) does not apply to the following:

(1) An account number which identifies the property alleged to be the subject of a proceeding;

(2) The record of an administrative or agency proceeding;

(3) The record in appellate or review proceedings;

(4) The birth date of a minor whenever the birth date is necessary for the court to establish or maintain subject matter jurisdiction;

(5) The name of a minor in any order relating to parental responsibility, time-sharing, or child support;

(6) The name of a minor in any document or order affecting the minor's ownership of real property;

(7) The birth date of a party in a writ of attachment or notice to payor;

(8) Traffic and criminal proceedings;

(9) Information used by the clerk for case maintenance purposes or the courts for case management purposes; and

(10) Information which is relevant and material to an issue before the court.

(c) **Remedies.** Upon motion by a party or interested person or sua sponte by the court, the court may order remedies, sanctions or both for a violation of subdivision (a). Following notice and an opportunity to respond, the court may impose sanctions if such filing was not made in good faith.

(d) **Motions Not Restricted.** This rule does not restrict a party's right to move for protective order, to move to file documents under seal, or to request a determination of the confidentiality of records.

(e) **Application.** This rule does not affect the application of constitutional provisions, statutes, or rules of court regarding confidential information or access to public information.

## **FLORIDA RULES OF CRIMINAL PROCEDURE**

### **RULE 3.140. INDICTMENTS; INFORMATIONS**

**(a) - (b) [No change]**

**(c) Caption, Commencement, Date, and Personal Statistics.**

**(1)- (3) [No change]**

**(4) Personal Statistics.** Every indictment or information shall include the defendant's race, gender, and date of birth, ~~and social security number~~ when any of these facts are known. Failure to include these facts shall not invalidate an otherwise sufficient indictment or information.

(d) - (o) [No change]

**Committee Notes**  
[No change]

**RULE 3.211. COMPETENCE TO PROCEED: SCOPE OF EXAMINATION AND REPORT**

(a) - (b) [No change]

(c) **Written Findings of Experts.** Any written report submitted by the experts shall:

- (1) identify the specific matters referred for evaluation;
- (2) describe the evaluative procedures, techniques, and tests used in the examination and the purpose or purposes for each;
- (3) state the expert's clinical observations, findings, and opinions on each issue referred for evaluation by the court, and indicate specifically those issues, if any, on which the expert could not give an opinion; and
- (4) identify the sources of information used by the expert and present the factual basis for the expert's clinical findings and opinions.

The procedure for determinations of the confidential status of reports is governed by Rule of Judicial Administration 2.420.

(d) [No change]

**Committee Notes**  
[No change]

**RULE 3.212. COMPETENCE TO PROCEED: HEARING AND DISPOSITION**

**(a) - (c) [No change]**

**(d) Release on Finding of Incompetence.** If the court decides that a defendant is not mentally competent to proceed but does not meet the criteria for commitment, the defendant may be released on appropriate release conditions for a period not to exceed 1 year. The court may order that the defendant receive outpatient treatment at an appropriate local facility and that the defendant report for further evaluation at specified times during the release period as conditions of release. A report shall be filed with the court after each evaluation by the persons appointed by the court to make such evaluations, with copies to all parties. The procedure for determinations of the confidential status of reports is governed by Rule of Judicial Administration 2.420.

**Committee Notes**  
**[No change]**

**RULE 3.218. COMMITMENT OF A DEFENDANT FOUND NOT GUILTY BY REASON OF INSANITY**

**(a) Commitment; 6-Month Report.** The Department of Children and Family Services shall admit to an appropriate facility a defendant found not guilty by reason of insanity under rule 3.217 and found to meet the criteria for commitment for hospitalization and treatment and may retain and treat the defendant. No later than 6 months from the date of admission, the administrator of the facility shall file with the court a report, and provide copies to all parties, which shall address the issues of further commitment of the defendant. If at any time during the 6-month period, or during any period of extended hospitalization that may be ordered under this rule, the administrator of the facility shall determine that the defendant no longer meets the criteria for commitment, the administrator shall notify the court by such a report and provide copies to all parties. The procedure for determinations of the confidential status of reports is governed by Rule of Judicial Administration 2.420.

**(b) - (c) [No change]**

**Committee Notes**  
**[No change]**

## **RULE 3.219.      CONDITIONAL RELEASE**

(a) **Release Plan.** The committing court may order a conditional release of any defendant who has been committed according to a finding of incompetency to proceed or an adjudication of not guilty by reason of insanity based on an approved plan for providing appropriate outpatient care and treatment. When the administrator shall determine outpatient treatment of the defendant to be appropriate, the administrator may file with the court, and provide copies to all parties, a written plan for outpatient treatment, including recommendations from qualified professionals. The plan may be submitted by the defendant. The plan shall include:

- (1) special provisions for residential care, adequate supervision of the defendant, or both;
- (2) provisions for outpatient mental health services; and
- (3) if appropriate, recommendations for auxiliary services such as vocational training, educational services, or special medical care.

In its order of conditional release, the court shall specify the conditions of release based on the release plan and shall direct the appropriate agencies or persons to submit periodic reports to the court regarding the defendant's compliance with the conditions of the release, and progress in treatment, and provide copies to all parties. The procedure for determinations of the confidential status of reports is governed by Rule of Judicial Administration 2.420.

(b) - (c) [No change]

**Committee Notes**  
[No change]

## **PROBATE RULES**

### **RULE 5.200.      PETITION FOR ADMINISTRATION**

The petition for administration shall be verified by the petitioner and shall contain:

(a) [No change]

(b) the name, and last known address of the decedent, last 4 digits of the decedent's social security number, date and place of death of the decedent, and state and county of the decedent's domicile;

(c) - (j) [No change]

## **Committee Notes**

### **Rule History**

1977 Revision - 2010 Revision: [No change]

2011 Revision: Subdivision (b) amended to limit listing of decedent's social security number to last four digits.

### **Statutory References**

[No change]

### **Rule References**

[No change]

## **RULE 5.210. PROBATE OF WILLS WITHOUT ADMINISTRATION**

**(a) Petition and Contents.** A petition to admit a decedent's will to probate without administration shall be verified by the petitioner and shall contain:

(1) [No change]

(2) the name, and last known address of the decedent, last 4 digits of the decedent's social security number, date and place of death of the decedent, and state and county of the decedent's domicile;

(3) - (8) [No change]

**(b) - (d) [No change]**

**Committee Notes**  
**[No change]**

**Rule History**

1975 Revision - 2010 Revision: [No change]

2011 Revision: Subdivision (a)(2) amended to limit listing of decedent's social security number to last four digits.

**Statutory References**

[No change]

**Rule References**

[No change]

**RULE 5.530. SUMMARY ADMINISTRATION**

(a) **Petition.** The petition shall be verified as required by law and shall contain:

(1) [No change]

(2) the name, and last known address of the decedent, last 4 digits of the decedent's social security number, and date and place of death of the decedent, and the state and county of the decedent's domicile;

(3) - (12) [No change]

(b) - (d) [No change]

**Committee Notes**  
**[No change]**

**Rule History**

1977 Revision - 2007 Revision: [No change]

2011 Revision: Subdivision (a)(2) amended to limit listing of decedent's social security number to last four digits.

## **Statutory References**

[No change]

## **Rule References**

[No change]

# **FLORIDA SMALL CLAIMS RULES**

## **RULE 7.140. TRIAL**

(a) - (d) [No change]

(e) **Unrepresented Parties.** In an effort to further the proceedings and in the interest of securing substantial justice, the court shall assist any party not represented by an attorney on:

- (1) courtroom decorum; ~~and~~
- (2) order of presentation of material evidence; and
- (3) handling private information.

The court may not instruct any party not represented by an attorney on accepted rules of law. The court shall not act as an advocate for a party.

(f) [No change]

## **Committee Notes**

**1984 Amendment - 1996 Amendment.** [No change]

**2011 Amendment.** Subdivision (e)(3) was added so that a judge can assist an unrepresented party in the handling of private information that might otherwise inadvertently become public by placement in the court file.

**FORM 7.340. FINAL JUDGMENT**

(CAPTION)

**FINAL JUDGMENT  
AGAINST (DEFENDANT(S)'S NAME)**

It is adjudged that the plaintiff(s), ....., recover from the defendant(s), ....., the sum of \$..... on principal, \$..... as prejudgment interest, \$..... for attorneys' fees, with costs of \$....., all of which shall bear interest at the rate of .....% per year as provided for by Florida Statute, for all of which let execution issue.

ORDERED at ....., Florida, on .....(date).....

\_\_\_\_\_  
County Court Judge

Copies furnished to:  
PLAINTIFF(S)  
DEFENDANT(S)

Plaintiff(s)'s address:

.....  
.....

Defendant(s)'s last known address and  
last four digits of defendant(s)'s Social Security Number (if known):

.....  
.....  
.....

**(OPTIONAL ENFORCEMENT PARAGRAPH —  
TO BE INCLUDED UPON REQUEST  
PURSUANT TO RULE 7.221)**

It is further ordered and adjudged that the defendant(s) shall complete Florida Small Claims Rules Form 7.343 (Fact Information Sheet) and return it to the plaintiff's attorney, or to the plaintiff if the plaintiff is not represented by an attorney, within 45 days from the date of this final judgment, unless the final judgment is satisfied or a motion for new trial or notice of appeal is filed. **The defendant should NOT file the completed form 7.343 with the court.**

Jurisdiction of this case is retained to enter further orders that are proper to compel the defendant(s) to complete form 7.343 and return it to the plaintiff's attorney, or the plaintiff if the plaintiff is not represented by an attorney.

**Committee Notes**

**1992 Amendment.** The optional enforcement paragraph was added to facilitate discovery.

## FORM 7.343. FACT INFORMATION SHEET

(a) For Individuals

(CAPTION)

### FACT INFORMATION SHEET — INDIVIDUAL

Full Legal Name: \_\_\_\_\_  
Nicknames or Aliases: \_\_\_\_\_  
Residence Address: \_\_\_\_\_  
Mailing Address (if different): \_\_\_\_\_  
Telephone Numbers: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_  
Name of Employer: \_\_\_\_\_  
Address of Employer: \_\_\_\_\_  
Position or Job Description: \_\_\_\_\_  
Rate of Pay: \$\_\_\_\_\_ per \_\_\_\_\_. Average Paycheck: \$\_\_\_\_\_ per \_\_\_\_\_  
Average Commissions or Bonuses: \$\_\_\_\_\_ per \_\_\_\_\_. Commissions or bonuses are based on \_\_\_\_\_  
Other Personal Income: \$\_\_\_\_\_ from \_\_\_\_\_  
(Explain details on the back of this sheet or an additional sheet if necessary.)  
Social Security Number: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_  
Marital Status: \_\_\_\_\_ Spouse's Name: \_\_\_\_\_  
Spouse's Address (if different): \_\_\_\_\_  
Spouse's Social Security Number: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
Spouse's Employer: \_\_\_\_\_  
Spouse's Average Paycheck or Income: \$\_\_\_\_\_ per \_\_\_\_\_  
Other Family Income: \$\_\_\_\_\_ per \_\_\_\_\_ (Explain details on back of this sheet or an additional sheet if necessary.)  
Names and Ages of All Your Children (and addresses if not living with you): \_\_\_\_\_  
\_\_\_\_\_  
Child Support or Alimony Paid: \$\_\_\_\_\_ per \_\_\_\_\_  
Names of Others You Live With: \_\_\_\_\_  
Who is Head of Your Household? \_\_\_\_\_ You \_\_\_\_\_ Spouse \_\_\_\_\_ Other Person  
Checking Account at: \_\_\_\_\_ Account # \_\_\_\_\_  
Savings Account at: \_\_\_\_\_ Account # \_\_\_\_\_  
(Describe all other accounts or investments you may have, including stocks, mutual funds, savings bonds, or annuities, on the back of this sheet or an additional sheet if necessary.)  
  
For Real Estate (land) You Own or Are Buying:  
Address: \_\_\_\_\_  
All Names on Title: \_\_\_\_\_  
Mortgage Owed to: \_\_\_\_\_  
Balance Owed: \_\_\_\_\_  
Monthly Payment: \$\_\_\_\_\_

(Attach a copy of the deed or mortgage, or list the legal description of the property on the back of this sheet or an additional sheet if necessary. Also provide the same information on any other property you own or are buying.)

For All Motor Vehicles You Own or Are Buying:

Year/Make/Model: \_\_\_\_\_ Color: \_\_\_\_\_

Vehicle ID #: \_\_\_\_\_ Tag No: \_\_\_\_\_ Mileage: \_\_\_\_\_

Names on Title: \_\_\_\_\_ Present Value: \$ \_\_\_\_\_

Loan Owed to: \_\_\_\_\_

Balance on Loan: \$ \_\_\_\_\_

Monthly Payment: \$ \_\_\_\_\_ (List all other automobiles, as well as other vehicles, such as boats, motorcycles, bicycles, or aircraft, on the back of this sheet or an additional sheet if necessary.)

Have you given, sold, loaned, or transferred any real or personal property worth more than \$100 to any person in the last year? If your answer is "yes," describe the property and sale price, and give the name and address of the person who received the property.

Does anyone owe you money? Amount Owed: \$ \_\_\_\_\_

Name and Address of Person Owing Money: \_\_\_\_\_

Reason money is owed: \_\_\_\_\_

Please attach copies of the following:

1. Your last pay stub.
2. Your last 3 statements for each bank, savings, credit union, or other financial account.
3. Your motor vehicle registrations and titles.
4. Any deeds or titles to any real or personal property you own or are buying, or leases to property you are renting.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

\_\_\_\_\_  
Judgment Debtor

STATE OF FLORIDA  
COUNTY OF .....

The foregoing instrument was acknowledged before me on .....(date)....., by ....., who is personally known to me or has produced ..... as identification and who .....did/did not..... take an oath.

WITNESS my hand and official seal, on .....(date).....

\_\_\_\_\_  
Notary Public  
State of Florida

My Commission expires: .....

MAIL OR DELIVER THE COMPLETED FORM TO THE JUDGMENT CREDITOR OR THE JUDGMENT CREDITOR'S ATTORNEY. DO NOT FILE THIS FORM WITH THE COURT.

(b) For Corporate Entities

(CAPTION)

FACT INFORMATION SHEET — BUSINESS ENTITY

Name/Title of person filling out this form: \_\_\_\_\_

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

Telephone Number: Home: \_\_\_\_\_ Business: \_\_\_\_\_

Address of Business Entity: \_\_\_\_\_

Type of Entity: (Check One) ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ Sole Proprietorship ☐ Limited Liability Corporation (LLC) ☐ Professional Association (PA) ☐

Other: (Please Explain)

Does Business Entity own/have interest in any other business entity? If so please explain.

Gross/Taxable income reported for Federal Income Tax purposes last three years:

\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Taxpayer Identification Number: \_\_\_\_\_

List Partners (General or Limited and Designate Percentage of Ownership): \_\_\_\_\_

Average No. of Employees/Month: \_\_\_\_\_

Names of Officers and Directors: \_\_\_\_\_

Checking Account at: \_\_\_\_\_ Account No: \_\_\_\_\_

Savings Account At: \_\_\_\_\_ Account No: \_\_\_\_\_

Does the Business Entity own any vehicles: \_\_\_\_\_

Years/Makes/Models: \_\_\_\_\_

Vehicle I.D. Nos.: \_\_\_\_\_

Tag Nos.: \_\_\_\_\_

Loans Outstanding: \_\_\_\_\_

Does the Business Entity own any real property: YES \_\_\_\_\_ NO \_\_\_\_\_

If Yes: Address: \_\_\_\_\_

Please check if the business entity owns the following:

\_\_\_\_\_ Boat

\_\_\_\_\_ Camper

\_\_\_\_\_ Stocks/Bonds

\_\_\_\_\_ Other Real Property

\_\_\_\_\_ Other Personal Property

\_\_\_\_\_ Intangible Property

Please attach copies of the following:

1. All tax returns for the past 3 years, including but not limited to state and federal income tax returns and tangible personal property tax returns.

2. All bank, savings and loan, and other account books or statements for accounts in institutions in which the defendant had any legal or equitable interest for the past 3 years.
3. All canceled checks for the 12 months immediately preceding the date of this judgment for accounts in which the defendant held any legal or equitable interest.
4. All deeds, leases, mortgages, or other written instruments evidencing any interest in or ownership of real property at any time within the 12 months immediately preceding the date of this judgment.
5. Bills of sale or other written evidence of the gift, sale, purchase, or other transfer of any personal or real property to or from the defendant within the 12 months immediately preceding the date of filing this lawsuit. Any transfer of property within the last year other than ordinary course of business transactions.
6. Motor vehicle documents, including titles and registrations relating to any motor vehicles owned by the defendant alone or with others.
7. Financial statements and any other business records, including but not limited to accounts payable and accounts receivable ledgers, as to the defendant's assets and liabilities prepared within the 12 months immediately preceding the date of this judgment.
8. Copies of articles, by-laws, partnership agreement, operating agreement, and any other governing documents, and minutes of all meetings of the defendant's shareholders, board of directors, or members held within 2 years of the date of this judgment.
9. Resolutions of the shareholders, board of directors, or members passed within 2 years of the date of this judgment.
10. A list or schedule of all inventory and equipment.

UNDER PENALTY OF PERJURY, I SWEAR OR AFFIRM THAT THE FOREGOING ANSWERS ARE TRUE AND COMPLETE.

\_\_\_\_\_  
 Defendant's Designated Representative  
 Title: .....

STATE OF FLORIDA  
 COUNTY OF .....

The foregoing instrument was acknowledged before me on ....(date)....., by ....., as the defendant's duly authorized representative, who is personally known to me or has produced ..... as identification and who .....did/did not..... take an oath.

WITNESS my hand and official seal, on .....(date).....

---

Notary Public  
State of Florida

My Commission expires: .....

MAIL OR DELIVER THE COMPLETED FORM TO THE JUDGMENT CREDITOR OR THE  
JUDGMENT CREDITOR'S ATTORNEY. DO NOT FILE THIS FORM WITH THE COURT.

## FLORIDA RULES OF APPELLATE PROCEDURE

### **RULE 9.050. MAINTAINING PRIVACY OF PERSONAL DATA**

**(a) Application.** Unless otherwise required by another rule of court or permitted by leave of court, all briefs, petitions, replies, appendices, motions, notices, stipulations, and responses and any attachment thereto filed with the court shall comply with the requirements of Florida Rule of Judicial Administration 2.425.

**(b) Limitation.** This rule does not require redaction of personal data from the record.

**(c) Motions Not Restricted.** This rule does not restrict a party's right to move to file documents under seal.

## FLORIDA FAMILY LAW RULES OF PROCEDURE

### **RULE 12.105. SIMPLIFIED DISSOLUTION PROCEDURE**

**(a) Requirements for Use.** The parties to the dissolution may file a petition for simplified dissolution if they certify under oath that

(1) ~~there are no minor or dependent children of the parties and the wife is not now pregnant~~the parties do not have any minor or dependent children together, the wife does not have any minor or dependent children who were born during the marriage, and the wife is not now pregnant;

(2) the parties have made a satisfactory division of their property and have agreed as to payment of their joint obligations; and

(3) the other facts set forth in Florida Family Law Rules of Procedure Form 12.901(a) (Petition for Simplified Dissolution of Marriage) are true.

**(b) [No change]**

**(c) ~~Financial Affidavit and Settlement Agreement.~~** ~~The parties must each file a financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b)~~

~~or 12.902(e)), and a marital settlement agreement (Florida Family Law Rules of Procedure Form 12.902(f)(3)).~~

**(dc) Final Judgment.** Upon the entry of the judgment, the clerk shall furnish to each party a certified copy of the final judgment of dissolution, which shall be in substantially the form provided in Florida Family Law Rules of Procedure Form 12.990(a).

**(ed) Forms.** The clerk or family law intake personnel shall provide forms for the parties whose circumstances meet the requirements of this rule and shall assist in the preparation of the petition for dissolution and other papers to be filed in the action.

**Commentary**  
**[No change]**

**RULE 12.130. DOCUMENTS SUPPORTING ACTION OR DEFENSE**

~~Attachment of documents supporting an action or defense shall be governed by Florida Rule of Civil Procedure 1.130.~~

**(a) Documents Attached.** If it is essential to state a cause of action, a copy of the bonds, notes, bills of exchange, contracts, accounts, or other documents or the relevant portions of the documents shall be incorporated in or attached to the pleadings.

**(b) Part for All Purposes.** Any exhibit attached to a pleading shall be considered part of the pleading. Statements in a pleading may be adopted by reference in a different part of the same pleading, in another pleading, or in any motion.

**(c) Protection of Account and Personal Identifying Numbers.** Any reference in any pleading or exhibit filed with the court to account numbers, social security numbers, employee identification numbers, driver's license numbers, passport numbers, or other personal identifying information shall be presented as provided in Florida Rule of Judicial Administration 2.425.

## **RULE 12.280. GENERAL PROVISIONS GOVERNING DISCOVERY**

Florida Rule of Civil Procedure 1.280 shall govern general provisions concerning discovery in family law matters with the following exceptions:

**(a) Redaction of Personal Information.** All filings of discovery information shall comply with Florida Rule of Judicial Administration 2.425. The court shall have authority to impose sanctions for violation of this rule.

**(ab) Supplementing of Responses.** A party is under a duty to amend a prior response or disclosure if the party:

(1) - (2) [No change]

**(bc) Time for Serving Supplemental Responses.** Any supplemental response served pursuant to this rule shall be served as soon as possible after discovery of the incorrect information or change, but in no case shall the supplemental response be served later than 24 hours before any applicable hearing absent a showing of good cause.

**(ed) Documents Considered Confidential.** A determination as to the confidentiality of a court record shall be made in accordance with Florida Rule of Judicial Administration 2.420.

**(de) Sealing of Records.** Records found to be confidential under Florida Rule of Judicial Administration 2.420 shall be sealed on request of a party.

**Commentary**  
[No change]

## **RULE 12.285. MANDATORY DISCLOSURE**

**(a) Application.**

(1) – (2) [No change]

**(3) Documents Not to be Filed with Court; Sanctions.**

(A) Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without first obtaining a court order.

(B) References to account numbers and personal identifying information to be filed in the court file shall be governed by Florida Rule of Judicial Administration 2.425.

(C) Sanctions shall be governed by Florida Rule of Civil Procedure 1.280(f).

**(b) [No change]**

**(c) Exemption from Requirement to File and Serve Financial Affidavit.** The parties shall not be required to file and serve a financial affidavit under subdivisions (d) and (e) if they are seeking a simplified dissolution of marriage under rule 12.105, they have no minor children, have no support issues, and have filed a written settlement agreement disposing of all financial issues, or if the court lacks jurisdiction to determine any financial issues.

**(ed) Disclosure Requirements for Temporary Financial Relief.** In any proceeding for temporary financial relief heard within 45 days of the service of the initial pleading or within any extension of the time for complying with mandatory disclosure granted by the court or agreed to by the parties, the following documents shall be served on the other party:

(1) - (4) [No change]

**(de) Parties' Disclosure Requirements for Initial or Supplemental Proceedings.** A party shall serve the following documents in any proceeding for an initial or supplemental request for permanent financial relief, including, but not limited to, a request for child support, alimony, equitable distribution of assets or debts, or attorneys' fees, suit money, or costs:

(1) - (16) [No change]

**(ef) Duty to Supplement Disclosure; Amended Financial Affidavit.**

(1) - (2) [No change]

**(fg) Sanctions.** Any document to be produced under this rule that is served on the opposing party fewer than 24 hours before a nonfinal hearing or in violation of the court's pretrial order shall not be admissible in evidence at that hearing unless the court finds good cause for the delay. In addition, the court may impose other sanctions authorized by rule 12.380 as may be equitable under the circumstances. The court may also impose sanctions upon the offending lawyer in lieu of imposing sanctions on a party.

**(gh) Extensions of Time for Complying with Mandatory Disclosure.** By agreement of the parties, the time for complying with mandatory disclosure may be extended. Either party may also file, at least 5 days before the due date, a motion to enlarge the time for complying with mandatory disclosure. The court shall grant the request for good cause shown.

**(hi) Objections to Mandatory Automatic Disclosure.** Objections to the mandatory automatic disclosure required by this rule shall be served in writing at least 5 days prior to the due date for the disclosure or the objections shall be deemed waived. The filing of a timely objection, with a notice of hearing on the objection, automatically stays mandatory disclosure for those matters within the scope of the objection. For good cause shown, the court may extend the time for the filing of an objection or permit the filing of an otherwise untimely objection. The court shall impose sanctions for the filing of meritless or frivolous objections.

**(ij) Certificate of Compliance.** All parties subject to automatic mandatory disclosure shall file with the court a certificate of compliance, Florida Family Law Rules of Procedure Form 12.932, identifying with particularity the documents which have been delivered and certifying the date of service of the financial affidavit and documents by that party. The party shall swear or affirm under oath that the disclosure is complete, accurate, and in compliance with this rule, unless the party indicates otherwise, with specificity, in the certificate of compliance. ~~Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without a court order.~~

**(jk) Child Support Guidelines Worksheet.** If the case involves child support, the parties shall file with the court at or prior to a hearing to establish or modify child support a Child Support Guidelines Worksheet in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(e). This requirement cannot be waived by the parties.

**(kl) Place of Production.**

(1) - (2) [No change]

**(lm) Failure of Defaulted Party to Comply.** Nothing in this rule shall be deemed to preclude the entry of a final judgment when a party in default has failed to comply with this rule.

**Commentary**  
[No change]

**Committee Notes**  
[No change]

**RULE 12.287. FINANCIAL AFFIDAVITS IN ENFORCEMENT  
AND CONTEMPT PROCEEDINGS**

Any party in an enforcement or contempt proceeding may serve upon any other party a written request to ~~file and~~ serve a financial affidavit if the other party's financial circumstances are relevant in the proceeding. The party to whom the request is made shall ~~file and~~ serve the requested financial affidavit and file a notice of compliance within 10 days after the service of the written request. The court may allow a shorter or longer time. The financial affidavit shall be in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(b) (Short Form), all sections of which shall be completed.

**RULE 12.340. INTERROGATORIES TO PARTIES**

Interrogatories to parties shall be governed generally by Florida Rule of Civil Procedure 1.340, with the following exceptions.

**(a) – (b) [No change]**

**(c) Serving of Responses.** Parties shall serve responses to interrogatories on the requesting party. Responses shall not be filed with the court unless they are admitted into evidence by the court and are in compliance with Florida Rule of Judicial Administration 2.425. The responding party shall file with the court

Florida Family Law Rules of Procedure Form 12.930(d), Notice of Service of  
Answers to Standard Family Law Interrogatories.

**Commentary**  
**[No change]**

**Committee Note**  
**[No change]**

**RULE 12.363. EVALUATION OF MINOR CHILD**

**(a) [No change]**

**(b) Providing of Reports.**

(1) Unless otherwise ordered, the expert shall prepare and provide a written report to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed, a reasonable time before any evidentiary hearing on the matter at issue. The expert also shall send written notice to the court that the report has been completed and that a copy of the written report has been provided to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed. In any event, the written report shall be prepared and provided no later than 30 days before trial or 75 days from the order of appointment, unless the time is extended by order of the court. The expert shall not send a copy of the report to the court unless the parties and their attorneys have agreed in writing that the report will be considered by the court and filed in the court file as provided in subdivision (e).

(2) [No change]

**(c) – (d) [No change]**

**(e) Use of Evidence.** An expert appointed by the court shall be subject to the same examination as a privately retained expert and the court shall not entertain any presumption in favor of the appointed expert's findings. Any finding or report by an expert appointed by the court may be entered into evidence on the court's own motion or the motion of any party in a manner consistent with the rules of evidence, subject to cross-examination by the parties. Any report filed in the court file shall be in compliance with Florida Rule of Judicial Administration 2.425. The

~~report shall not be considered by the court before it is properly admitted into evidence. The report shall not be filed in the court file unless or until it is properly admitted into evidence and considered by the court. The court shall consider whether the report should be sealed as provided by Florida Rule of Judicial Administration 2.420.~~

**Committee Note**  
**[No change]**

**RULE 12.370. REQUESTS FOR ADMISSION**

Requests for admission shall be governed by Florida Rule of Civil Procedure 1.370, except that

(a) the request and any response to it must comply with Florida Rule of Judicial Administration 2.425; and

(b) documents attached to the request for admission shall not be filed with the court and shall only be attached to the copy served on the party to whom the request for admissions is directed.

**RULE 12.410. SUBPOENA**

Subpoenas shall be governed by Florida Rule of Civil Procedure 1.410, except as follows:

(a) **Subpoenas.** No subpoena issued under Florida Rule of Civil Procedure 1.410, even if for the purpose of proof of service or nonservice of the subpoena, shall be filed with the court unless in compliance with Florida Rule of Judicial Administration 2.425.

(b) **Notice of Issuance of Subpoena.** A party issuing a subpoena through an attorney of record or clerk of the court under Florida Rule of Civil Procedure 1.410 shall, on the same day as the subpoena is issued, serve each party to the proceeding with a notice of issuance of subpoena and file this notice with the court. The notice of issuance of subpoena shall identify the person or entity subject to the subpoena, the date the subpoena was issued, and the date and time for appearance or production, and shall recite that all references to account numbers or personal

identifying numbers are in compliance with Florida Rule of Judicial Administration 2.425.

(c) **Notice to Produce.** Any notice to produce issued under Florida Rule of Civil Procedure 1.410 shall comply with Florida Rule of Judicial Administration 2.425.

### **Committee Note**

**2008 Amendment.** The provisions of ~~Fla. R. Civ. P.~~ Fla. R. Civ. P. 1.410(h) do not alter the requirements of ~~Rule~~rule 12.407 that a court order must be obtained before a minor child may be subpoenaed to appear at a hearing.

### **RULE 12.440. SETTING ACTION FOR TRIAL**

Florida Rule of Civil Procedure 1.440 shall govern general provisions concerning setting an action for trial in family law matters, with the following exceptions and additions.

**(a) Setting for Trial.** If the court finds the action ready to be set for trial, it shall enter an order setting the action for trial, fixing a date for trial, and setting a pretrial conference, if necessary. In the event a default has been entered, reasonable notice of not less than 10 days shall be given unless otherwise required by law. Trial shall be set within a reasonable time from the service of the notice for trial. At the pretrial conference, the parties should be prepared, consistent with Florida Family Law Rule of Procedure 12.200, to present any matter that will prepare the parties for trial and that can expedite the resolution of the case. The trial court may also direct the parties to reciprocally exchange and file with the court all documents relative to the outcome of the case; a list of all witnesses, all issues to be tried, and all undisposed motions; an estimate of the time needed to try the case; and any other information the court deems appropriate. Any court filings shall be in conformity with Florida Rule of Judicial Administration 2.425. This information should be served and filed no later than 72 hours before the pretrial conference or 30 days before the trial.

**(b) [No change]**

**Commentary**  
**[No change]**

## **RULE 12.540. RELIEF FROM JUDGMENT, DECREES, OR ORDERS**

Florida Rule of Civil Procedure 1.540 shall govern general provision concerning relief from judgment, decrees, or orders, except:

(a) ~~that~~ there shall be no time limit for motions based on fraudulent financial affidavits in marital or paternity cases; and

(b) the motion and any attachment or exhibit to it shall be in compliance with Florida Rule of Judicial Administration 2.425.

**Commentary**  
**[No change]**

## **RULE 12.560. DISCOVERY IN AID OF EXECUTION**

(a) – (d) **[No change]**

(e) **Notice of Compliance.** The judgment debtor shall file with the clerk of court a notice of compliance with the order to complete form 1.977, and serve a copy of the notice of compliance on the judgment creditor or the judgment creditor's attorney. Form 1.977 shall not be filed with the clerk of the court or in any other public record, except by order of the court after a notice and hearing and for good cause shown. If the court permits the filing of form 1.977, it shall be in compliance with the requirements of Florida Rule of Judicial Administration 2.425.

### **Committee Notes**

**2000 Amendment.** Subdivisions (b) - (e) were added to the Florida Rules of Civil Procedure and adopted with amendments into the Family Law Rules of Procedure. The amendments to the Civil Rules were patterned after Florida Small Claims Rule 7.221(a) and Form 7.343. Although the judgment creditor is entitled to broad discovery into the judgment debtor's finances (Fla. R. Civ. P. 1.280(b); *Jim Appley's Tru-Arc, Inc. v. Liquid Extraction Systems*, 526 So. 2d 177, 179 (Fla. 2d DCA 1988)), in family law cases inquiry into the individual assets of the judgment debtor's spouse must be precluded until a proper predicate has been

shown. *Tru-Arc, Inc.*, 526 So. 2d at 179; *Rose Printing Co. v. D'Amato*, 338 So. 2d 212 (Fla. 3d DCA 1976).

#### **RULE 12.620. RECEIVERS**

Receivers shall be governed by Florida Rule of Civil Procedure 1.620, except that any inventory filed with the court shall be in compliance with Florida Rule of Judicial Administration 2.425.

# INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.901(a), PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE (10/11)

## When should this form be used?

This form should be used when a husband and wife are filing for a simplified **dissolution of marriage**. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. You may file a simplified dissolution of marriage in Florida if **all** of the following are true:

- You and your spouse agree that the marriage cannot be saved.
- You and your spouse have no minor or dependent child(ren) together, the wife does not have any minor or dependent children born during the marriage, and the wife is not now pregnant.
- You and your spouse have worked out how the two of you will divide the things that you both own (your **assets**) and who will pay what part of the money you both owe (your **liabilities**), and you are both satisfied with this division.
- You are not seeking support (**alimony**) from your spouse, and vice versa.
- You and your spouse have filed financial affidavits with the court or you have waived the filing of financial affidavits and you are satisfied with the financial disclosure received from the other spouse.
- You are willing to give up your right to **trial** and **appeal**.
- You and your spouse are both willing to go into the clerk's office to sign the petition (not necessarily together).
- You and your spouse are both willing to go to the **final hearing** (at the same time).

If you do not meet the criteria above, you must file a regular **petition** for dissolution of marriage.

This petition should be typed or printed in black ink. Each of you must sign the petition in the presence of a deputy clerk (in the clerk's office), although you do not have to go into the clerk's office at the same time. You will need to provide picture identification (valid driver's license or official identification card) for the clerk to witness your signatures.

## What should I do next?

1. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

If you did not waive the filing of a financial affidavit in the petition, each of you must file a **Financial Affidavit**. Florida Family Law Rules of Procedure Form 12.902(b) or (c). You may document your agreement by signing a **Marital Settlement Agreement**, Florida Family Law Rules of Procedure Form 12.902(f)(3) and filing it with the **clerk of the circuit court** or you

may agree that all of your assets (what you own) and liabilities (what you owe) have been disposed of by oral agreement.

2. You must prove to the court that the husband **and/or** wife has (have) lived in Florida for more than 6 months before filing the petition for dissolution of marriage. Residence can be proved by:
  - a valid Florida driver's license, Florida identification card, or voter registration card issued to one of you at least 6 months prior to filing for dissolution of marriage; or
  - the testimony of another person who knows that either you or your spouse has resided in Florida for more than 6 months and is available to testify in court; or
  - an **affidavit**. To prove residence by affidavit, use an **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i). This form must be signed by a person who knows that either you or your spouse has lived in Florida for more than 6 months before the date that you filed the petition for dissolution of marriage. This affidavit may be signed in the presence of the clerk of the court or in the presence of a **notary public**, who must affix his or her seal at the proper place on the affidavit.
3. You must pay the appropriate **filing fees** to the clerk of the circuit court. If you and your spouse cannot afford to pay the filing fees, you may fill out an **Application for Determination of Civil Indigent Status**, and file it with your petition for dissolution of marriage. You may obtain this form from the clerk and he or she will determine whether you are eligible to have filing fees waived.
4. Either you or the clerk of court will need to complete a **Family Court Cover Sheet**, Florida Family Law Rules of Procedure Form 12.928 . The clerk's office can provide this form.
5. You must obtain a date and time for a court appearance from the clerk of court. On that date, **you and your spouse must appear together before a judge**. You should complete a **Final Judgment of Simplified Dissolution of Marriage**, Florida Family Law Rules of Procedure Form 12.990(a), and bring it with you to the hearing. At that time, if all of the papers are in order, the judge may grant a final judgment dissolving your marriage under simplified dissolution of marriage procedures by signing the final judgment which you have provided.
6. **If you fail to complete this procedure, the court may dismiss the case to clear its 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.** The words that are in "**bold underline**" in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and Rule 12.105, Florida Family Law Rules of Procedure.

Instructions for Florida Family Law Rules of Procedure Form 12.901(a), Petition for Simplified Dissolution of Marriage (10/11)

### **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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

\_\_\_\_\_,  
Husband,  
and  
\_\_\_\_\_,  
Wife.

### PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

We, *{full legal name}* \_\_\_\_\_, Husband,  
and *{full legal name}* \_\_\_\_\_, Wife,  
being sworn, certify that the following information is true:  
[fill in **all** blanks]

1. We are both asking the Court for a dissolution of our marriage.
2. Husband lives in *{name}* \_\_\_\_\_ County, *{state}* \_\_\_\_\_, and has lived there since *{date}* \_\_\_\_\_. Wife lives in *{name}* \_\_\_\_\_ County, *{state}* \_\_\_\_\_, and has lived there since *{date}* \_\_\_\_\_.
3. We were married to each other on *{date}* \_\_\_\_\_ in the city of *{city}* \_\_\_\_\_ in state of *{state}* \_\_\_\_\_, or country of *{country}* \_\_\_\_\_.
4. Our marriage is irretrievably broken.
5. We do not have any minor or dependent children together, the wife does not have any minor or dependent children born during the marriage, **and** the wife is not pregnant.
6. We have divided our assets (what we own) and our liabilities (what we owe) by agreement. We are satisfied with this agreement.

[Check **one** only]

( ) Our marital settlement agreement, Florida Family Law Rules of Procedure Form 12.902(f)(3), is attached. This agreement was signed freely and voluntarily by each of us and we intend to be bound by it.

( ) Our marital settlement agreement is not in writing. We prefer to keep our financial agreements private.

7. [check **one** only]

( ) We have each completed and signed financial affidavits, Florida Family Law Rules of Procedure Forms 12.902(b) or (c), which are attached to this petition.

( ) Each of us is satisfied with the financial disclosure we received from the other spouse and we waive the filing of financial affidavits.

8. [ Check **one** only ] ( ) yes ( ) no Wife wants to be known by her former name, which was *{full legal name}* \_\_\_\_\_.

9. We each certify that we have not been threatened or pressured into signing this petition. We each understand that the result of signing this petition may be a final judgment ending our marriage and allowing no further relief.

10. We each understand that **we both must come to the hearing** to testify about the things we are asking for in this petition.

11. We understand that we each may have legal rights as a result of our marriage and that by signing this petition we may be giving up those rights.

12. We ask the Court to end our marriage and approve our marital settlement agreement.

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

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

\_\_\_\_\_  
Signature of HUSBAND

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

\_\_\_\_\_  
Signature of WIFE  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

I, *{full legal name and trade name of nonlawyer}* \_\_\_\_\_,  
a nonlawyer, located at *{street}* \_\_\_\_\_, *{city}* \_\_\_\_\_,  
*{state}* \_\_\_\_\_, *{phone}* \_\_\_\_\_, helped *{name}* \_\_\_\_\_,  
[Choose only **one**] (    ) Husband (    ) Wife **or** (    ) both, fill out this form.

## INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.901(b)(1), PETITION FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN) (10/11)

### When should this form be used?

This form should be used when a husband or wife is filing for a **dissolution of marriage** and you and your spouse have a dependent or minor child(ren) together or the wife is pregnant. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. You must **file** this form if the following is true:

- You and your spouse have a dependent or minor child(ren) together or the wife is pregnant.

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 with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

### What should I do next?

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

If personal service is used, the **respondent** has 20 days to answer after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT.** If after 20 days, your spouse has not filed an **answer**, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**UNCONTESTED.** If your spouse files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED.** If your spouse files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing). If your spouse files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### Where can I look for more information?

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** The words that are in **“bold underline”** in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

### Special notes...

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

With this form, you must also file the following:

- Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d).
- Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking that child support be ordered in the final judgment. (If you do not know your spouse’s income, you may file this worksheet after his or her financial affidavit has been served on you.)
- Affidavit of Corroborating Witness, Florida Supreme Court Approved Family Law Form 12.902(i) OR photocopy of current Florida driver’s license, Florida identification card, or voter’s registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(1), if you and your spouse have reached an agreement on any or all of the issues.
- Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j).
- Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed with the petition if the petitioner seeks to establish child support. Otherwise, it must be filed within 45 days of service of the petition on the respondent.)

- Certificate of Compliance with Mandatory Disclosure, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition, unless you and your spouse have agreed not to exchange these documents.)
- Parenting Plan, Florida Supreme Court Approved Family Law Form 12.995(a) or Supervised/Safety Focused Parenting Plan, Form 12.995(b) If the parents have reached an agreement, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan may be filed.

**Parenting Plan and Time-Sharing.** If you and your spouse are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide for you as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing based on the child(ren)'s best interests. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

The judge may request a parenting plan recommendation or appoint a guardian ad litem in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is (are) being served. For more information, you may consult section 61.13, Florida Statutes.

A **parenting course** must be completed prior to entry of the final judgment. You should contact the clerk, family law intake staff, or judicial assistant about requirements for parenting courses where you live.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- Shared Parental Responsibility
- Sole Parental Responsibility
- Supervised Time-Sharing
- No contact
- Parenting Plan
- Parenting Plan Recommendation
- Time-Sharing Schedule

**Child Support.** The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You must file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and your spouse will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid using the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to

state, your child support obligation may be more or less than that of other people in seemingly similar situations.

**Alimony.** Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in the original petition or counterpetition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either permanent alimony, lump sum alimony, or rehabilitative alimony.

**Marital/Nonmarital Assets and Liabilities.** Florida law requires an **equitable distribution** of marital assets and marital liabilities. “Equitable” does not necessarily mean “equal.” Many factors, including child support, time-sharing, and alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. Nonmarital assets and nonmarital liabilities are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

**Temporary Relief.** If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, parental responsibility and time-sharing with child(ren), temporary child support, or temporary alimony, you may file a **Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(a). For more information, see the instructions for that form.

**Marital Settlement Agreement.** If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1). Both of you must sign this agreement before a notary public or deputy clerk. Any issues on which you are unable to agree will be considered contested and settled by the judge at the final hearing.

**Parenting Plan.** In all cases involving minor or dependent child(ren), a Parenting Plan shall be approved or established by the court. If you and your spouse have reached an agreement, you should file a **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), or a **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b) which addresses the time-sharing schedule for the child(ren). If you have not reached an agreement, a proposed Parenting Plan may be filed. If the parties are unable to agree, a **Parenting Plan will be established by the court.**

**Final Judgment Form.** These family law forms contain a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.990(c)(1), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(1). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties’ names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**PETITION FOR DISSOLUTION OF MARRIAGE  
WITH DEPENDENT OR MINOR CHILD(REN)**

I, {full legal name} \_\_\_\_\_, the  
[Choose only one] ( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

1. JURISDICTION/RESIDENCE

( ) Husband ( ) Wife ( ) Both has (have) lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.

2. The husband [Choose only one] ( ) is ( ) is not a member of the military service.

The wife [Choose only one] ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} \_\_\_\_\_

Date of separation: {month, day, year} \_\_\_\_\_ (Please indicate if approximate)

4. DEPENDENT OR MINOR CHILD(REN)

[Choose all that apply]

a. \_\_\_\_ The wife is pregnant. Baby is due on: {date} \_\_\_\_\_

b. \_\_\_\_ The minor (under 18) child(ren) common to both parties are:

**Name**

**Birth date**


- c. \_\_\_\_ The minor child(ren) born or conceived during the marriage who are **not** common to both parties are:

**Name**

**Birth date**

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

The birth father(s) of the above minor child(ren) is (are) {*name and address*} \_\_\_\_\_  
\_\_\_\_\_

- d. \_\_\_\_ The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability are:

**Name**

**Birth date**

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

5. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) ( ) is filed or ( ) will be timely filed.
6. 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. (You **must** complete and attach this form in a dissolution of marriage with minor child(ren)).
7. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
8. This petition for dissolution of marriage should be granted because:  
[Choose **only one**]
- a. \_\_\_\_ The marriage is irretrievably broken.
- b. \_\_\_\_ One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this petition. A copy of the Judgment of Incapacity is attached.

#### **SECTION I. MARITAL ASSETS AND LIABILITIES[]**

1. \_\_\_\_ There are no marital assets or liabilities.
2. \_\_\_\_ There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 2.902(b) or (c), to be filed in this case.  
[Choose **all** that apply]
- a. \_\_\_\_ All marital assets and liabilities have been divided by a written agreement between the parties, which is attached, to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(1).
- b. \_\_\_\_ The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- c. \_\_\_\_ Petitioner should be awarded an interest in Respondent's property because:

Florida Supreme Court Approved Family Law Form 12.901(b)(1), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) (10/11)

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## SECTION II. SPOUSAL SUPPORT (ALIMONY)

[Choose only one]

1. \_\_\_\_ Petitioner forever gives up his/her right to spousal support (alimony) from Respondent.
2. \_\_\_\_ Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting **and Respondent has the ability to pay that support**. Spousal support (alimony) is requested in the amount of \$\_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_ and continuing until {date or event} \_\_\_\_\_

Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): \_\_\_\_\_

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[Choose if applicable] ( ) Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

## SECTION III. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor child(ren) currently reside(s) with ( ) Mother ( ) Father ( ) Other: {explain} \_\_\_\_\_
2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:  
[Choose only one]
  - a. \_\_\_\_ shared by both Father and Mother.

Florida Supreme Court Approved Family Law Form 12.901(b)(1), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) (10/11)

b. ☐ awarded solely to ( ☐ ) Father ( ☐ ) Mother. Shared parental responsibility would be detrimental to the child(ren) because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Parenting Plan and Time-Sharing. It is in the best interests of the child(ren) that the family be** ordered to comply with a Parenting Plan that ( ☐ ) includes ( ☐ ) does not include parental time-sharing with the child(ren). The Petitioner states that it is in the best interests of the child (ren) that:  
[Choose only one]

a. ☐ The attached proposed Parenting Plan should be adopted by the court. The parties ( ☐ ) have ( ☐ ) have **not** agreed to the Parenting Plan.

b. ☐ The court should establish a Parenting Plan with the following provisions:

☐ No time-sharing for the ☐ Father ☐ Mother.

☐ Limited time-sharing with the ☐ Father ☐ Mother.

☐ Supervised Time-Sharing for the ☐ Father ☐ Mother.

☐ Supervised or third-party exchange of the child(ren).

☐ Time-Sharing Schedule as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Explain why this request is in the best interests of the child(ren): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### SECTION IV. CHILD SUPPORT

[Choose **all** that apply]

1. ☐ Petitioner requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. Such support should be ordered retroactive to:

a. ☐ the date of separation {date} \_\_\_\_\_.

b. ☐ the date of the filing of this petition.

c. ☐ other {date} \_\_\_\_\_ {explain} \_\_\_\_\_

2. ☐ Petitioner requests that the Court award child support to be paid beyond the age of 18 years because:

a. ☐ the following child(ren) {name(s)} \_\_\_\_\_  
is (are) dependent because of a mental or physical incapacity which began before the age of 18.  
{explain} \_\_\_\_\_  
\_\_\_\_\_

b. ☐ the following child(ren) {name(s)} \_\_\_\_\_ is (are) dependent in fact  
and is (are) in high school while he/she (they) are between the ages of 18 and 19; said child(ren)  
is (are) performing in good faith with reasonable expectation of graduation before the age of 19.

3. \_\_\_ Petitioner requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Petitioner understands that Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, **must** be filed before the court will consider this request.
  
4. \_\_\_ Petitioner requests that medical/dental insurance coverage for the minor child(ren) be provided by:  
**[Choose only one]**
  - a. \_\_\_ Father.
  - b. \_\_\_ Mother.
  
5. \_\_\_ Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid:  
**[Choose only one]**
  - a. \_\_\_ by Father.
  - b. \_\_\_ by Mother.
  - c. \_\_\_ by Father and Mother [each pay one-half].
  - d. \_\_\_ according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
  - e. \_\_\_ Other {explain}: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
6. Petitioner requests that life insurance to secure child support be provided by:
  - a. \_\_\_ Father.
  - b. \_\_\_ Mother.
  - c. \_\_\_ Both.

#### SECTION V. OTHER

1. [If Petitioner is also the Wife, please indicate by either ( ) yes ( ) or no whether Petitioner/Wife wants to be known by her former name, which was {full legal name}  
 \_\_\_\_\_
  
2. Other relief {specify}:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### SECTION VI. PETITIONER'S REQUEST (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Petitioner requests that the Court enter an order dissolving the marriage **and**:

[Choose **all** that apply]

1. \_\_\_ distributing marital assets and liabilities as requested in Section I of this petition;
2. \_\_\_ awarding spousal support (alimony) as requested in Section II of this petition;

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3. \_\_\_ adopt or establish a Parenting Plan containing provisions for parental responsibility and time-sharing for the dependent or minor child(ren) common to both parties, as requested in Section III of this petition;
4. \_\_\_ establishing child support for the dependent or minor child(ren) common to both parties, as requested in Section IV of this petition;
5. \_\_\_ restoring Wife's former name as requested in Section V of this petition;
6. \_\_\_ awarding other relief as requested in Section V of this petition; and any other terms the Court deems necessary.

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

[fill in **all** blanks]

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

\_\_\_\_\_,

a nonlawyer, whose address is *{street}* \_\_\_\_\_,

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{phone}* \_\_\_\_\_,

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.901(b)(2), PETITION FOR DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO  
DEPENDENT OR MINOR CHILD(REN)(10/11)**

**When should this form be used?**

This form may be used when a husband or wife is filing for a **dissolution of marriage**, and the husband and wife have **marital assets** and/or **marital liabilities** but they do not have any dependent children nor is the wife is now pregnant. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. If you and your spouse agree on all issues and both can attend the hearing, you may want to file a **simplified dissolution of marriage petition**, Florida Family Law Rules of Procedure Form 12.901(a). However, you cannot file for a simplified dissolution of marriage if **any** of the following are true:

- You disagree about property, debts, or other matters and wish to have a judge settle them for you.
- Either you or your spouse is seeking support (**alimony**).
- You would like to ask questions and get documents concerning your spouse's income, expenses, assets, debts, or other matters before having a trial or settlement.
- You would like to reserve your rights to have any matters reconsidered or appeal the judge's decision.

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 with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

**What should I do next?**

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

If personal service is used, the **respondent** has 20 days to answer after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT**... If after 20 days, your spouse has not filed an **answer**, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set

a **final hearing**. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form. **UNCONTESTED...** If the respondent files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** If the respondent files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in “**bold underline**” in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

### Special notes...

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery or domestic violence do not enter the address, telephone, and fax information at the bottom of this form. Instead, file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

With this form, you must also file the following:

- **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i) **OR** photocopy of current Florida driver’s license, Florida identification card, or voter’s registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- **Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(2), if you and your spouse have reached an agreement on any or all of the issues.
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).

- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition, unless you and your spouse have agreed not to exchange these documents.)

**Alimony...** Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in the original petition or counterpetition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either permanent alimony, lump sum alimony, or rehabilitative alimony.

**Marital/Nonmarital Assets and Liabilities...** Florida law requires an **equitable distribution** of marital assets and marital liabilities. “Equitable” does not necessarily mean “equal.” Many factors, including alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. Nonmarital assets and nonmarital liabilities are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

**Temporary Relief...** If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, or temporary alimony, you may file a **Motion for Temporary Support with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(c). For more information, see the instructions for that form.

**Marital Settlement Agreement...** If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with Property But No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(2). Both husband and wife must sign this agreement before a notary public or deputy clerk. Any issues on which you are unable to agree will be considered contested and settled by the judge at the final hearing.

**Final Judgment Form...** These family law forms contain a **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.990(c)(2), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use a **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(2). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties’ names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**PETITION FOR DISSOLUTION OF MARRIAGE  
WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN)**

I, {full legal name} \_\_\_\_\_, the  
[Choose **one** only] ( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

1. JURISDICTION/RESIDENCE

( ) Husband ( ) Wife ( ) Both has (have) lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.

2. The husband [Choose **one** only] ( ) is ( ) is not a member of the military service.

The wife [Choose **one** only] ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} \_\_\_\_\_

Date of separation: {month, day, year} \_\_\_\_\_ [Please indicate **if** approximate]

4. THERE ARE NO MINOR (under 18) OR DEPENDENT CHILD(REN) COMMON TO BOTH PARTIES AND THE WIFE IS NOT PREGNANT.

5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.

6. THIS PETITION FOR DISSOLUTION OF MARRIAGE SHOULD BE GRANTED BECAUSE:

[ Choose **one** only]

a. \_\_\_\_ The marriage is irretrievably broken.

b. \_\_\_\_ One of the parties has been adjudged mentally incapacitated for a period of 3 years before the filing of this petition. A copy of the Judgment of Incapacity is attached.

## SECTION I. MARITAL ASSETS AND LIABILITIES

[Choose **one** only]

1. ☐ There are no marital assets or liabilities.
2. ☐ There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.

[Choose **all** that apply]

- a. ☐ All marital assets and debts have been divided by a written agreement between the parties, which is attached to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Simplified Dissolution of Marriage, Florida Family Law Rules of Procedure Form 12.902(f)(3) or Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(2).
- b. ☐ The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- c. ☐ Petitioner should be awarded an interest in Respondent's property because:

## SECTION II. SPOUSAL SUPPORT (ALIMONY)

[Choose **one** only]

1. ☐ **Petitioner forever gives up his/her right to spousal support (alimony) from Respondent.**
2. ☐ Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting **and Respondent has the ability to pay that support.** Spousal support (alimony) is requested in the amount of \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_ and continuing until {date or event} \_\_\_\_\_.  
Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum):

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[ Indicate **if** applicable] ( ) Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

## SECTION III. OTHER

1. [If Petitioner is also the Wife, choose **one** only] ( ) yes ( ) no Petitioner/Wife wants to be known by her former name, which was {full legal name} \_\_\_\_\_.
2. Other relief {specify}: \_\_\_\_\_.

Florida Supreme Court Approved Family Law Form 12.901(b)(2), Petition for Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (10/11)

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**SECTION IV. PETITIONER'S REQUEST** (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Petitioner requests that the Court enter an order dissolving the marriage **and**:

[ Choose **all** that apply]

1. \_\_\_\_ distributing marital assets and liabilities as requested in Section I of this petition;
2. \_\_\_\_ awarding spousal support (alimony) as requested in Section II of this petition;
3. \_\_\_\_ restoring Wife's former name as requested in Section III of this petition;
4. \_\_\_\_ awarding other relief as requested in Section III of this petition; and any other terms the Court deems necessary.

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

\_\_\_\_ Type of identification produced \_\_\_\_\_

Florida Supreme Court Approved Family Law Form 12.901(b)(2), Petition for Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (10/11)

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

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

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.901(b)(3), PETITION FOR DISSOLUTION OF MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN) OR PROPERTY(10/11)

## When should this form be used?

This form may be used when a husband or wife is filing for a **dissolution of marriage**, and the husband and wife have no **marital assets** and/or **marital liabilities** and they do not have any dependent children nor is the wife is now pregnant. You and/or your spouse must have lived in Florida for at least 6 months before filing for a dissolution in Florida. If you and your spouse agree on all issues and both can attend the hearing, you may want to file a petition for simplified dissolution of marriage, Florida Family Law Rules of Procedure Form 12.901(a). However, you may **file** this form if **all** of the following are true:

- You have no marital assets or marital debts.
- Neither you nor your spouse is seeking support (alimony).

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 with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

## What should I do next?

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

If personal service is used, the **respondent** has 20 days to answer after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT...** If after 20 days, your spouse has not filed an **answer**, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**UNCONTESTED...** If the respondent files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required

Instructions for Florida Supreme Court Approved Law Form 12.901(b)(3), Petition for Dissolution of Marriage with No Dependent or Minor Child(ren) or Property (10/11)

papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify your spouse of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** If the respondent files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### Where can I look for more information?

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** The words that are in “**bold underline**” in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

### Special notes...

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence do not enter the address, telephone, and fax information at the bottom of this form. Instead, file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

With this form, you must also file the following:

- **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i) **OR** photocopy of current Florida driver’s license, Florida identification card, or voter’s registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on the respondent, if not filed at the time of the petition, unless you and your spouse have agreed not to exchange these documents.)

**Final Judgment Form...** These family law forms contain a **Final Judgment of Dissolution of Marriage with No Property or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(3). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**PETITION FOR DISSOLUTION OF MARRIAGE  
WITH NO DEPENDENT OR MINOR CHILD(REN) OR PROPERTY**

I, {full legal name} \_\_\_\_\_, the  
[ Choose only one] ( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

1. JURISDICTION/RESIDENCE  
( ) Husband ( ) Wife ( ) Both has (have) lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.
2. The husband [Choose only one] ( ) is ( ) is not a member of the military service.  
The wife [Choose only one] ( ) is ( ) is not a member of the military service.
3. MARRIAGE HISTORY  
Date of marriage: {month, day, year} \_\_\_\_\_
4. THERE ARE NO MINOR (under 18) OR DEPENDENT CHILD(REN) COMMON TO BOTH PARTIES AND THE WIFE IS NOT PREGNANT.
5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
6. THIS PETITION FOR DISSOLUTION OF MARRIAGE SHOULD BE GRANTED BECAUSE:  
[Choose only one]
  - a. \_\_\_\_\_ The marriage is irretrievably broken.
  - b. \_\_\_\_\_ One of the parties has been adjudged mentally incapacitated for a period of 3 years before the filing of this petition. A copy of the Judgment of Incapacity is attached.
7. THERE ARE NO MARITAL ASSETS OR LIABILITIES.
8. **PETITIONER FOREVER GIVES UP HIS/HER RIGHTS TO SPOUSAL SUPPORT (ALIMONY) FROM RESPONDENT.**

9. [If Petitioner is also the Wife, Choose only one] (    ) yes (    ) no Petitioner/Wife wants to be known by her former name, which was *{full legal name}* \_\_\_\_\_.

10. Other relief *{specify}*: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITIONER'S REQUEST** (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Petitioner requests that the Court enter an order dissolving the marriage **and**:

[ Choose **all** that apply]

1.    \_\_\_ restoring Wife's former name as specified in paragraph 9 of this petition;
2.    \_\_\_ awarding other relief as specified in paragraph 10 of this petition; and any other terms the Court deems necessary.

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

## **INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.902(b), FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM)(10/11)**

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

This form should be used when you are involved in a family law case which requires a **financial affidavit** and your individual gross income is **UNDER \$50,000 per year** unless.

- (1) you are filing a simplified dissolution of marriage under rule 12.105 and both parties have waived the filing of a financial affidavit.
- (2) you have no minor children, no support issues, and have filed a written settlement agreement disposing of all financial issues, or
- (3) the court lacks jurisdiction to determine any financial issues.

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 with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records.

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

A copy of this form must be mailed or hand delivered to the other **party** in your case, if it is not served on him or her with your initial papers. This must be accomplished within 45 days of service of the petition.

### **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 rule 12.285, Florida Family Law Rules of Procedure.

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

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family

Instructions to Florida Family Law Rules of Procedure Form 12.902(b), Family Law Financial Affidavit (Short Form)  
(10/11)

Law Form 12.980(h).

The affidavit must be completed using **monthly** income and expense amounts. If you are paid or your bills are due on a schedule which is not monthly, you must convert those amounts. Hints are provided below for making these conversions.

**Hourly** - If you are paid by the hour, you may convert your income to monthly as follows:

Hourly amount	x	Hours worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	<b>Monthly Amount</b>

**Daily** - If you are paid by the day, you may convert your income to monthly as follows:

Daily amount	x	Days worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	<b>Monthly Amount</b>

**Weekly** - If you are paid by the week, you may convert your income to monthly as follows:

Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	<b>Monthly Amount</b>

**Bi-weekly** - If you are paid every two weeks, you may convert your income to monthly as follows:

Bi-weekly amount	x	26	=	Yearly amount
Yearly amount	÷	12 Months per year	=	<b>Monthly Amount</b>

**Semi-monthly** - If you are paid twice per month, you may convert your income to monthly as follows:

Semi-monthly amount	x	2	=	<b>Monthly Amount</b>
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Expenses may be converted in the same manner.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

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

### FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM)

(Under \$50,000 Individual Gross Annual Income)

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

My Occupation: \_\_\_\_\_ Employed by: \_\_\_\_\_

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

Pay rate: \$ \_\_\_\_\_ ( ) every week ( ) every other week ( ) twice a month ( ) monthly ( ) other:

\_\_\_ Check here if unemployed and explain on a separate sheet your efforts to find employment.

#### SECTION I. PRESENT MONTHLY GROSS INCOME:

**All amounts must be MONTHLY.** See the instructions with this form to figure out money amounts for anything that is NOT paid monthly. Attach more paper, if needed. Items included under "other" should be listed separately with separate dollar amounts.

1. \_\_\_\_\_ Monthly gross salary or wages
2. \_\_\_\_\_ Monthly bonuses, commissions, allowances, overtime, tips, and similar payments
3. \_\_\_\_\_ Monthly business income from sources such as self-employment, partnerships, close corporations, and/or independent contracts (gross receipts minus ordinary and necessary expenses required to produce income) ( Attach sheet itemizing such income and expenses.)
4. \_\_\_\_\_ Monthly disability benefits/SSI
5. \_\_\_\_\_ Monthly Workers' Compensation
6. \_\_\_\_\_ Monthly Unemployment Compensation
7. \_\_\_\_\_ Monthly pension, retirement, or annuity payments
8. \_\_\_\_\_ Monthly Social Security benefits
9. \_\_\_\_\_ Monthly alimony actually received (Add 9a and 9b)
  - a. From this case: \$ \_\_\_\_\_

- b. From other case(s): \_\_\_\_\_
10. \_\_\_\_\_ Monthly interest and dividends
11. \_\_\_\_\_ Monthly rental income (gross receipts minus ordinary and necessary expenses required to produce income) (☐ Attach sheet itemizing such income and expense items.)
12. \_\_\_\_\_ Monthly income from royalties, trusts, or estates
13. \_\_\_\_\_ Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses
14. \_\_\_\_\_ Monthly gains derived from dealing in property (not including nonrecurring gains)
15. \_\_\_\_\_ Any other income of a recurring nature (list source) \_\_\_\_\_
16. \_\_\_\_\_
17. \$ \_\_\_\_\_ **TOTAL PRESENT MONTHLY GROSS INCOME** (Add lines 1–16)

**PRESENT MONTHLY DEDUCTIONS:**

18. \_\_\_\_\_ Monthly federal, state, and local income tax (corrected for filing status and allowable dependents and income tax liabilities)
- a. Filing Status \_\_\_\_\_
- b. Number of dependents claimed \_\_\_\_\_
19. \_\_\_\_\_ Monthly FICA or self-employment taxes
20. \_\_\_\_\_ Monthly Medicare payments
21. \_\_\_\_\_ Monthly mandatory union dues
22. \_\_\_\_\_ Monthly mandatory retirement payments
23. \_\_\_\_\_ Monthly health insurance payments (including dental insurance), excluding portion paid for any minor children of this relationship
24. \_\_\_\_\_ Monthly court-ordered child support actually paid for children from another relationship
25. Monthly court-ordered alimony actually paid (Add 25a and 25b)
- a. from this case: \$ \_\_\_\_\_
- b. from other case(s): \_\_\_\_\_
26. \$ \_\_\_\_\_ **TOTAL DEDUCTIONS ALLOWABLE UNDER SECTION 61.30, FLORIDA STATUTES** (Add lines 18 through 25).
27. \$ \_\_\_\_\_ **PRESENT NET MONTHLY INCOME** (Subtract line 26 from line 17)

## SECTION II. AVERAGE MONTHLY EXPENSES

### A. HOUSEHOLD:

Mortgage or rent \$ \_\_\_\_\_  
Property taxes \$ \_\_\_\_\_  
Utilities \$ \_\_\_\_\_  
Telephone \$ \_\_\_\_\_  
Food \$ \_\_\_\_\_  
Meals outside home \$ \_\_\_\_\_  
Maintenance/Repairs \$ \_\_\_\_\_  
Other: \_\_\_\_\_ \$ \_\_\_\_\_

Clothing \$ \_\_\_\_\_  
Medical/Dental (uninsured) \$ \_\_\_\_\_  
Grooming \$ \_\_\_\_\_  
Entertainment \$ \_\_\_\_\_  
Gifts \$ \_\_\_\_\_  
Religious organizations \$ \_\_\_\_\_  
Miscellaneous \$ \_\_\_\_\_  
Other: \_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

### B. AUTOMOBILE

Gasoline \$ \_\_\_\_\_  
Repairs \$ \_\_\_\_\_  
Insurance \$ \_\_\_\_\_

### C. CHILD(REN)'S EXPENSES

Day care \$ \_\_\_\_\_  
Lunch money \$ \_\_\_\_\_  
Clothing \$ \_\_\_\_\_  
Grooming \$ \_\_\_\_\_  
Gifts for holidays \$ \_\_\_\_\_  
Medical/Dental (uninsured) \$ \_\_\_\_\_  
Other: \_\_\_\_\_ \$ \_\_\_\_\_

### D. INSURANCE

Medical/Dental \$ \_\_\_\_\_  
Child(ren)'s medical/dental \$ \_\_\_\_\_  
Life \$ \_\_\_\_\_  
Other: \_\_\_\_\_ \$ \_\_\_\_\_

### F. PAYMENTS TO CREDITORS

MONTHLY CREDITOR:  
PAYMENT  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

## OTHER EXPENSES NOT LISTED ABOVE

28. \$ \_\_\_\_\_ **TOTAL MONTHLY EXPENSES** (add **ALL** monthly amounts in A through F above)

## SUMMARY

29. \$ \_\_\_\_\_ **TOTAL PRESENT MONTHLY NET INCOME** (from line 27 of SECTION I. INCOME)

30. \$ \_\_\_\_\_ **TOTAL MONTHLY EXPENSES** (from line 28 above)

31. \$ \_\_\_\_\_ **SURPLUS** (If line 29 is more than line 30, subtract line 30 from line 29. This is the amount of your surplus. Enter that amount here.)

32. \$ \_\_\_\_\_ **(DEFICIT)** (If line 30 is more than line 29, subtract line 29 from line 30. This is the amount of your deficit. Enter that amount here.)

## SECTION III. ASSETS AND LIABILITIES

Use the nonmarital column only if this is a petition for dissolution of marriage and you believe an item is "nonmarital," meaning it belongs to only one of you and should not be divided. You should indicate to whom you believe the item(s) or debt belongs. (Typically, you will only use this column if property/debt was owned/owed by one spouse before the marriage. See the "General Information for Self-Represented Litigants" found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of "marital" and "nonmarital" assets and liabilities.)

**A. ASSETS:**

DESCRIPTION OF ITEM(S). List a description of each separate item owned by you (and/or your spouse, if this is a petition for dissolution of marriage). LIST ONLY LAST 4 DIGITS OF ACCOUNT NUMBERS. Check the box next to any asset(s) which you are requesting the judge award to you.		Current Fair Market Value	Nonmarital (Check correct column)	
			husband	wife
<input type="checkbox"/>	Cash (on hand)	\$		
<input type="checkbox"/>	Cash (in banks or credit unions)			
<input type="checkbox"/>	Stocks, Bonds, Notes			
<input type="checkbox"/>	Real estate: (Home)			
<input type="checkbox"/>	(Other)			
<input type="checkbox"/>	Automobiles			
<input type="checkbox"/>	Other personal property			
<input type="checkbox"/>	Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)			
<input type="checkbox"/>	Other			
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>	Check here if additional pages are attached.			
<b>Total Assets</b> (add next column)		\$		

**B. LIABILITIES:**

DESCRIPTION OF ITEM(S). List a description of each separate debt owed by you (and/or your spouse, if this is a petition for dissolution of marriage). LIST ONLY LAST 4 DIGITS OF ACCOUNT NUMBERS. Check the box next to any debt(s) for which you believe you should be responsible.		Current Amount Owed	Nonmarital (check correct column)	
			husband	wife
<input type="checkbox"/>	Mortgages on real estate: First mortgage on home	\$		
<input type="checkbox"/>	Second mortgage on home			
<input type="checkbox"/>	Other mortgages			
<input type="checkbox"/>				
<input type="checkbox"/>	Auto loans			
<input type="checkbox"/>				
<input type="checkbox"/>	Charge/credit card accounts			
<input type="checkbox"/>				
<input type="checkbox"/>				

DESCRIPTION OF ITEM(S). List a description of each separate debt owed by you (and/or your spouse, if this is a petition for dissolution of marriage). LIST ONLY LAST 4 DIGITS OF ACCOUNT NUMBERS. Check the box next to any debt(s) for which you believe you should be responsible.	Current Amount Owed	Nonmarital (check correct column)	
		husband	wife
Other			
Check here if additional pages are attached.			
<b>Total Debts</b> (add next column)	\$		

**C. CONTINGENT ASSETS AND LIABILITIES:**

INSTRUCTIONS: If you have any **POSSIBLE assets** (income potential, accrued vacation or sick leave, bonus, inheritance, etc.) or **POSSIBLE liabilities** (possible lawsuits, future unpaid taxes, contingent tax liabilities, debts assumed by another), you must list them here.

Contingent Assets Check the box next to any contingent asset(s) which you are requesting the judge award to you.	Possible Value	Nonmarital (check correct column)	
		husband	wife
	\$		
<b>Total Contingent Assets</b>	\$		

Contingent Liabilities Check the box next to any contingent debt(s) for which you believe you should be responsible.	Possible Amount Owed	Nonmarital (check correct column)	
		husband	wife
	\$		
<b>Total Contingent Liabilities</b>	\$		

**SECTION IV. CHILD SUPPORT GUIDELINES WORKSHEET**

(Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet, MUST be filed with the court at or prior to a hearing to establish or modify child support. This requirement cannot be waived by the parties.)

[Check **one** only]

\_\_\_\_\_ **A Child Support Guidelines Worksheet IS or WILL BE filed in this case.** This case involves the establishment or modification of child support.

\_\_\_\_\_ **A Child Support Guidelines Worksheet IS NOT being filed in this case.** The establishment or modification of child support is not an issue in this case.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, located at {street} \_\_\_\_\_, {city} \_\_\_\_\_,

{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,

who is the [choose only **one**] \_\_ petitioner **or** \_\_ respondent, fill out this form.

## INSTRUCTIONS FOR FLORIDA FAMILY LAW RULE OF PROCEDURE FORM 12.902(c), FAMILY LAW FINANCIAL AFFIDAVIT (10/11)

### When should this form be used?

This form should be used when you are involved in a family law case which requires a **financial affidavit** and your individual gross income is **\$50,000 OR MORE** per year unless:

- (1) You are filing a simplified dissolution of marriage under rule 12.105 and both parties have waived the filing of financial affidavits;
- (2) you have no minor children, no support issues, and have filed a written settlement agreement disposing of all financial issues, or
- (3) the court lacks jurisdiction to determine any financial issues.

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

### What should I do next?

A copy of this form must be mailed or hand delivered to the other **party** in your case, if it is not served on him or her with your initial papers. This must be accomplished within 45 days of service of the petition.

### 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 rule 12.285, Florida Family Law Rules of Procedure.

### Special notes...

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

The affidavit must be completed using **monthly** income and expense amounts. If you are paid or your bills are due on a schedule which is not monthly, you must convert those amounts. Hints are provided below for making these conversions.

**Hourly** - If you are paid by the hour, you may convert your income to monthly as follows:

Hourly amount	x	Hours worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	<b>Monthly Amount</b>

**Daily** - If you are paid by the day, you may convert your income to monthly as follows:

Daily amount	x	Days worked per week	=	Weekly amount
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IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

and

\_\_\_\_\_  
Respondent.

### **FAMILY LAW FINANCIAL AFFIDAVIT**

(\$50,000 or more Individual Gross Annual Income)

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

#### **SECTION I. INCOME**

1. My age is: \_\_\_\_\_
2. My occupation is: \_\_\_\_\_
3. I am currently

[Check **all** that apply]

- a. ☐ Unemployed

Describe your efforts to find employment, how soon you expect to be employed, and the pay you expect to receive: \_\_\_\_\_

- b. ☐ Employed by: \_\_\_\_\_

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

City, State, Zip code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Pay rate: \$ \_\_\_\_\_ ( ) every week ( ) every other week ( ) twice a month  
( ) monthly ( ) other: \_\_\_\_\_

If you are expecting to become unemployed or change jobs soon, describe the change you expect and why and how it will affect your income: \_\_\_\_\_

\_\_\_\_ Check here if you currently have more than one job. List the information above for the second job(s) on a separate sheet and attach it to this affidavit.

- c. \_\_\_\_\_ Retired. Date of retirement: \_\_\_\_\_  
Employer from whom retired: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip code: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**LAST YEAR'S GROSS INCOME:**

	Your Income	Other Party's Income ( <i>if known</i> )
YEAR _____	\$ _____	\$ _____

**PRESENT MONTHLY GROSS INCOME:**

**All amounts must be MONTHLY.** See the instructions with this form to figure out money amounts for anything that is NOT paid monthly. Attach more paper, if needed. Items included under "other" should be listed separately with separate dollar amounts.

1. \_\_\_\_\_ Monthly gross salary or wages
  2. \_\_\_\_\_ Monthly bonuses, commissions, allowances, overtime, tips, and similar payments
  3. \_\_\_\_\_ Monthly business income from sources such as self-employment, partnerships, close corporations, and/or independent contracts (Gross receipts minus ordinary and necessary expenses required to produce income.)( Attach sheet itemizing such income and expenses.)
  4. \_\_\_\_\_ Monthly disability benefits/SSI
  5. \_\_\_\_\_ Monthly Workers' Compensation
  6. \_\_\_\_\_ Monthly Unemployment Compensation
  7. \_\_\_\_\_ Monthly pension, retirement, or annuity payments
  8. \_\_\_\_\_ Monthly Social Security benefits
  9. \_\_\_\_\_ Monthly alimony actually received (Add 9a and 9b)
    - a. From this case: \$ \_\_\_\_\_
    - b. From other case(s): \_\_\_\_\_
  10. \_\_\_\_\_ Monthly interest and dividends
  11. \_\_\_\_\_ Monthly rental income (gross receipts minus ordinary and necessary expenses required to produce income) ( \_\_\_\_\_ Attach sheet itemizing such income and expense items.)
  12. \_\_\_\_\_ Monthly income from royalties, trusts, or estates
  13. \_\_\_\_\_ Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses ( \_\_\_\_\_ Attach sheet itemizing each item and amount.)
  14. \_\_\_\_\_ Monthly gains derived from dealing in property (not including nonrecurring gains)
- Any other income of a recurring nature (identify source)
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \$ \_\_\_\_\_ **TOTAL PRESENT MONTHLY GROSS INCOME** (Add lines 1-16).

**PRESENT MONTHLY DEDUCTIONS:**

**All amounts must be MONTHLY.** See the instructions with this form to figure out money amounts for anything that is NOT paid monthly.

18. \$ \_\_\_\_\_ Monthly federal, state, and local income tax (corrected for filing status and allowable dependents and income tax liabilities)
  - a. Filing Status \_\_\_\_\_
  - b. Number of dependents claimed \_\_\_\_\_
19. \_\_\_\_\_ Monthly FICA or self-employment taxes

20. \_\_\_\_\_ Monthly Medicare payments
21. \_\_\_\_\_ Monthly mandatory union dues
22. \_\_\_\_\_ Monthly mandatory retirement payments
23. \_\_\_\_\_ Monthly health insurance payments (including dental insurance), excluding portion paid for any minor children of this relationship
24. \_\_\_\_\_ Monthly court-ordered child support actually paid for children from another relationship
25. \_\_\_\_\_ Monthly court-ordered alimony actually paid (Add 25a and 25b).
  - a. from this case: \$ \_\_\_\_\_
  - b. from other case(s): \_\_\_\_\_
26. \$ \_\_\_\_\_ **TOTAL DEDUCTIONS ALLOWABLE UNDER SECTION 61.30, FLORIDA STATUTES**  
(Add lines 18 through 25).

27. \$ \_\_\_\_\_ **PRESENT NET MONTHLY INCOME** (Subtract line 26 from line 17).

## SECTION II. AVERAGE MONTHLY EXPENSES

**Proposed/Estimated Expenses.** If this is a dissolution of marriage case **and** your expenses as listed below do not reflect what you actually pay currently, you should write "estimate" next to each amount that is estimated.

### HOUSEHOLD:

1. \$ \_\_\_\_\_ Monthly mortgage or rent payments
2. \_\_\_\_\_ Monthly property taxes (if not included in mortgage)
3. \_\_\_\_\_ Monthly insurance on residence (if not included in mortgage)
4. \_\_\_\_\_ Monthly condominium maintenance fees and homeowner's association fees
5. \_\_\_\_\_ Monthly electricity
6. \_\_\_\_\_ Monthly water, garbage, and sewer
7. \_\_\_\_\_ Monthly telephone
8. \_\_\_\_\_ Monthly fuel oil or natural gas
9. \_\_\_\_\_ Monthly repairs and maintenance
10. \_\_\_\_\_ Monthly lawn care
11. \_\_\_\_\_ Monthly pool maintenance
12. \_\_\_\_\_ Monthly pest control
13. \_\_\_\_\_ Monthly misc. household
14. \_\_\_\_\_ Monthly food and home supplies
15. \_\_\_\_\_ Monthly meals outside home
16. \_\_\_\_\_ Monthly cable t.v.
17. \_\_\_\_\_ Monthly alarm service contract
18. \_\_\_\_\_ Monthly service contracts on appliances
19. \_\_\_\_\_ Monthly maid service

Other:

20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_
25. \$ \_\_\_\_\_ **SUBTOTAL** (add lines 1 through 24).

**AUTOMOBILE:**

26. \$\_\_\_\_\_ Monthly gasoline and oil  
27. \_\_\_\_\_ Monthly repairs  
28. \_\_\_\_\_ Monthly auto tags and emission testing  
29. \_\_\_\_\_ Monthly insurance  
30. \_\_\_\_\_ Monthly payments (lease or financing)  
31. \_\_\_\_\_ Monthly rental/replacements  
32. \_\_\_\_\_ Monthly alternative transportation (bus, rail, car pool, etc.)  
33. \_\_\_\_\_ Monthly tolls and parking  
34. \_\_\_\_\_ Other: \_\_\_\_\_  
35. \_\_\_\_\_ **SUBTOTAL** (add lines 26 through 34)

**MONTHLY EXPENSES FOR CHILDREN COMMON TO BOTH PARTIES:**

36. \$\_\_\_\_\_ Monthly nursery, babysitting, or day care  
37. \_\_\_\_\_ Monthly school tuition  
38. \_\_\_\_\_ Monthly school supplies, books, and fees  
39. \_\_\_\_\_ Monthly after school activities  
40. \_\_\_\_\_ Monthly lunch money  
41. \_\_\_\_\_ Monthly private lessons or tutoring  
42. \_\_\_\_\_ Monthly allowances  
43. \_\_\_\_\_ Monthly clothing and uniforms  
44. \_\_\_\_\_ Monthly entertainment (movies, parties, etc.)  
45. \_\_\_\_\_ Monthly health insurance  
46. \_\_\_\_\_ Monthly medical, dental, prescriptions (nonreimbursed only)  
47. \_\_\_\_\_ Monthly psychiatric/psychological/counselor  
48. \_\_\_\_\_ Monthly orthodontic  
49. \_\_\_\_\_ Monthly vitamins  
50. \_\_\_\_\_ Monthly beauty parlor/barber shop  
51. \_\_\_\_\_ Monthly nonprescription medication  
52. \_\_\_\_\_ Monthly cosmetics, toiletries, and sundries  
53. \_\_\_\_\_ Monthly gifts from child(ren) to others (other children, relatives, teachers, etc.)  
54. \_\_\_\_\_ Monthly camp or summer activities  
55. \_\_\_\_\_ Monthly clubs (Boy/Girl Scouts, etc.)  
56. \_\_\_\_\_ Monthly time-sharing expenses  
57. \_\_\_\_\_ Monthly miscellaneous  
58. \$\_\_\_\_\_ **SUBTOTAL** (add lines 36 through 57)

**MONTHLY EXPENSES FOR CHILD(REN) FROM ANOTHER RELATIONSHIP: (other than court-ordered child support)**

59. \_\_\_\_\_  
60. \_\_\_\_\_  
61. \_\_\_\_\_  
62. \_\_\_\_\_  
63. \$\_\_\_\_\_ **SUBTOTAL** (add lines 59 through 62)

**MONTHLY INSURANCE:**

64. \$ \_\_\_\_\_ Health insurance, excluding portion paid for any minor child(ren) of this relationship

65. \_\_\_\_\_ Life insurance

66. \_\_\_\_\_ Dental insurance

Other:

67. \_\_\_\_\_

68. \_\_\_\_\_

69. \$ \_\_\_\_\_ **SUBTOTAL** (add lines 64 through 68)**OTHER MONTHLY EXPENSES NOT LISTED ABOVE:**

70. \$ \_\_\_\_\_ Monthly dry cleaning and laundry

71. \_\_\_\_\_ Monthly clothing

72. \_\_\_\_\_ Monthly medical, dental, and prescription (unreimbursed only)

73. \_\_\_\_\_ Monthly psychiatric, psychological, or counselor (unreimbursed only)

74. \_\_\_\_\_ Monthly non-prescription medications, cosmetics, toiletries, and sundries

75. \_\_\_\_\_ Monthly grooming

76. \_\_\_\_\_ Monthly gifts

77. \_\_\_\_\_ Monthly pet expenses

78. \_\_\_\_\_ Monthly club dues and membership

79. \_\_\_\_\_ Monthly sports and hobbies

80. \_\_\_\_\_ Monthly entertainment

81. \_\_\_\_\_ Monthly periodicals/books/tapes/CDs

82. \_\_\_\_\_ Monthly vacations

83. \_\_\_\_\_ Monthly religious organizations

84. \_\_\_\_\_ Monthly bank charges/credit card fees

85. \_\_\_\_\_ Monthly education expenses

Other: (include any usual and customary expenses not otherwise mentioned in the items listed above)

86. \_\_\_\_\_

87. \_\_\_\_\_

88. \_\_\_\_\_

89. \_\_\_\_\_

90. \$ \_\_\_\_\_ **SUBTOTAL** (add lines 70 through 89)**MONTHLY PAYMENTS TO CREDITORS:** (only when payments are currently made by you on outstanding balances) List only last 4 digits of account numbers.

NAME OF CREDITOR(s):

91. \$ \_\_\_\_\_

92. \_\_\_\_\_

93. \_\_\_\_\_

94. \_\_\_\_\_

95. \_\_\_\_\_

96. \_\_\_\_\_

97. \_\_\_\_\_

98. \_\_\_\_\_

99. \_\_\_\_\_

100. \_\_\_\_\_

101. \_\_\_\_\_

102. \_\_\_\_\_

103. \_\_\_\_\_  
 104. \$ \_\_\_\_\_ **SUBTOTAL** (add lines 91 through 103)  
 105. \$ \_\_\_\_\_ **TOTAL MONTHLY EXPENSES:**(add lines 25, 35, 58, 63, 69, 90, and 104 of Section II, Expenses)

**SUMMARY**

106. \$ \_\_\_\_\_ **TOTAL PRESENT MONTHLY NET INCOME** (from line 27 of SECTION I. INCOME)  
 107. \$ \_\_\_\_\_ **TOTAL MONTHLY EXPENSES** (from line 105 above)  
  
 108. \$ \_\_\_\_\_ **SURPLUS** (If line 106 is more than line 107, subtract line 107 from line 106. This is the amount of your surplus. Enter that amount here.)  
 109. (\$ \_\_\_\_\_) **(DEFICIT)** (If line 107 is more than line 106, subtract line 106 from line 107. This is the amount of your deficit. Enter that amount here.)

**SECTION III. ASSETS AND LIABILITIES**

**A. ASSETS (This is where you list what you OWN.)**

**INSTRUCTIONS:**

**STEP 1:** In column A, list a description of each separate item owned by you (and/or your spouse, if this is a petition for dissolution of marriage). Blank spaces are provided if you need to list more than one of an item.

**STEP 2:** If this is a petition for dissolution of marriage, check the box in Column A next to any item that you are requesting the judge award to you.

**STEP 3:** In column B, write what you believe to be the current fair market value of all items listed.

**STEP 4:** Use column C only if this is a petition for dissolution of marriage and you believe an item is "nonmarital," meaning it belongs to only one of you and should not be divided. You should indicate to whom you believe the item belongs. (Typically, you will only use Column C if property was owned by one spouse before the marriage. See the "General Information for Self-Represented Litigants" found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of "marital" and "nonmarital" assets and liabilities.)

A ASSETS: DESCRIPTION OF ITEM(S)  LIST ONLY LAST 4 DIGITS OF ACCOUNT NUMBERS. Check the box next to any asset(s) which you are requesting the judge award to you.		B Current Fair Market Value	C Nonmarital (Check correct column)	
			husband	wife
<input type="checkbox"/>	Cash (on hand)	\$		
<input type="checkbox"/>	Cash (in banks or credit unions)			
<input type="checkbox"/>				
<input type="checkbox"/>	Stocks/Bonds			
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>	Notes (money owed to you in writing)			
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>	Money owed to you (not evidenced by a note)			

	Real estate: (Home)			
	(Other)			
	Business interests			
	Automobiles			
	Boats			
	Other vehicles			
	Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)			
	Furniture & furnishings in home			
	Furniture & furnishings elsewhere			
	Collectibles			
	Jewelry			
	Life insurance (cash surrender value)			



<b>A</b> <b>LIABILITIES: DESCRIPTION OF ITEM(S)</b> <b>LIST ONLY LAST FOUR DIGITS OF ACCOUNT NUMBERS.</b> <b>Check the box next to any debt(s) for which you believe you should be responsible.</b>		<b>B</b> <b>Current Amount Owed</b>	<b>C</b> <b>Nonmarital (Check correct column)</b>	
			husband	wife
	Mortgages on real estate: First mortgage on home	\$		
	Second mortgage on home			
	Other mortgages			
	Charge/credit card accounts			
	Auto loan			
	Auto loan			
	Bank/Credit Union loans			
	Money you owe (not evidenced by a note)			
	Judgments			
	Other			
<b>Total Debts</b> (add column B)		\$		

**C. NET WORTH (excluding contingent assets and liabilities)**

\$ \_\_\_\_\_ **Total Assets** (enter total of Column B in Asset Table; Section A)

\$ \_\_\_\_\_ **Total Liabilities** (enter total of Column B in Liabilities Table; Section B)

\$ \_\_\_\_\_ **TOTAL NET WORTH (Total Assets minus Total Liabilities)**

(excluding contingent assets and liabilities)

**D. CONTINGENT ASSETS AND LIABILITIES**

**INSTRUCTIONS:**

If you have any **POSSIBLE assets** (income potential, accrued vacation or sick leave, bonus, inheritance, etc.) or **POSSIBLE liabilities** (possible lawsuits, future unpaid taxes, contingent tax liabilities, debts assumed by another), you must list them here.

<b>A</b> <b>Contingent Assets</b>		<b>B</b> <b>Possible Value</b>	<b>C</b> <b>Nonmarital</b> <b>(Check correct column)</b>	
Check the box next to any contingent asset(s) which you are requesting the judge award to you.			husband	wife
<input type="checkbox"/>		\$		
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<b>Total Contingent Assets</b>		\$		

<b>A</b> <b>Contingent Liabilities</b>		<b>B</b> <b>Possible Amount Owed</b>	<b>C</b> <b>Nonmarital</b> <b>(Check correct column)</b>	
Check the box next to any contingent debt(s) for which you believe you should be responsible.			husband	wife
<input type="checkbox"/>		\$		
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<b>Total Contingent Liabilities</b>		\$		

**E. CHILD SUPPORT GUIDELINES WORKSHEET.** Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet, **MUST** be filed with the court at or prior to a hearing to establish or modify child support. This requirement cannot be waived by the parties.

[Check **one** only]

\_\_\_\_\_ **A Child Support Guidelines Worksheet IS or WILL BE filed in this case.** This case involves the establishment or modification of child support.

\_\_\_\_\_ **A Child Support Guidelines Worksheet IS NOT being filed in this case.** The establishment or modification of child support is not an issue in this case.

**I certify that a copy of this financial affidavit was: ( ) mailed, ( ) faxed and mailed, or ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.**

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

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

## **INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.902(e), CHILD SUPPORT GUIDELINES WORKSHEET (10/11)**

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

You should complete this worksheet if **child support** is being requested in your case. If you know the income of the other **party**, this worksheet should accompany your **financial affidavit**. If you do not know the other party's income, this form must be completed after the other party files his or her financial affidavit, and **serves** a copy on you.

This form should be typed or printed in black ink. You should file the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records.

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

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

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

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** The words that are in "**bold underline**" in these instructions are defined there. For further information, see section 61.30, Florida Statutes.

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

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, , do not enter the address, telephone, and fax information at the bottom of this form. Instead, file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

The chart below contains the guideline amounts that you should use when calculating child support. This amount is based on the number of children and the combined income of the parents, and it is divided between the parents in direct proportion to their income or earning capacity. From time to

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet (10/11)

time, some of the amounts in the child support guidelines chart will change. Be sure you have the most recent version of the chart before using it.

Because the guidelines are based on monthly amounts, it may be necessary to convert some income and expense figures from other frequencies to monthly. You should do this as follows:

<b>If payment is twice per month</b>	Payment amount	x	2	=	<b>Monthly amount</b>
<b>If payment is every two weeks</b>	Payment amount	x	26	=	Yearly amount due
	Yearly amount	÷	12	=	<b>Monthly amount</b>
<b>If payment is weekly</b>	Weekly amount	x	52	=	Yearly amount due
	Yearly amount	÷	12	=	<b>Monthly amount</b>

If you or the other parent request that the court award an amount that is different than the guideline amount, you must also complete and attach a **Motion to Deviate from Child Support Guidelines**, Florida Supreme Court Approved Family Law Form 12.943.

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.

### CHILD SUPPORT GUIDELINES CHART

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
850.00	202	257	259	262	265	268
900.00	213	302	305	309	312	315
950.00	224	347	351	355	359	363
1000.00	235	365	397	402	406	410
1050.00	246	382	443	448	453	458
1100.00	258	400	489	495	500	505
1150.00	269	417	522	541	547	553
1200.00	280	435	544	588	594	600
1250.00	290	451	565	634	641	648
1300.00	300	467	584	659	688	695
1350.00	310	482	603	681	735	743
1400.00	320	498	623	702	765	790
1450.00	330	513	642	724	789	838
1500.00	340	529	662	746	813	869
1550.00	350	544	681	768	836	895
1600.00	360	560	701	790	860	920
1650.00	370	575	720	812	884	945
1700.00	380	591	740	833	907	971
1750.00	390	606	759	855	931	996
1800.00	400	622	779	877	955	1022
1850.00	410	638	798	900	979	1048
1900.00	421	654	818	923	1004	1074
1950.00	431	670	839	946	1029	1101
2000.00	442	686	859	968	1054	1128
2050.00	452	702	879	991	1079	1154
2100.00	463	718	899	1014	1104	1181
2150.00	473	734	919	1037	1129	1207
2200.00	484	751	940	1060	1154	1234
2250.00	494	767	960	1082	1179	1261
2300.00	505	783	980	1105	1204	1287
2350.00	515	799	1000	1128	1229	1314
2400.00	526	815	1020	1151	1254	1340
2450.00	536	831	1041	1174	1279	1367
2500.00	547	847	1061	1196	1304	1394

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet  
(10/11)

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
2550.00	557	864	1081	1219	1329	1420
2850.00	616	956	1197	1349	1471	1573
2900.00	626	971	1215	1370	1494	1598
2950.00	635	986	1234	1391	1517	1622
3000.00	644	1001	1252	1412	1540	1647
3050.00	654	1016	1271	1433	1563	1671
3100.00	663	1031	1289	1453	1586	1695
3150.00	673	1045	1308	1474	1608	1720
3200.00	682	1060	1327	1495	1631	1744
3250.00	691	1075	1345	1516	1654	1769
3300.00	701	1090	1364	1537	1677	1793
3350.00	710	1105	1382	1558	1700	1818
3400.00	720	1120	1401	1579	1723	1842
3450.00	729	1135	1419	1599	1745	1867
3500.00	738	1149	1438	1620	1768	1891
3550.00	748	1164	1456	1641	1791	1915
3600.00	757	1179	1475	1662	1814	1940
3650.00	767	1194	1493	1683	1837	1964
3700.00	776	1208	1503	1702	1857	1987
3750.00	784	1221	1520	1721	1878	2009
3800.00	793	1234	1536	1740	1899	2031
3850.00	802	1248	1553	1759	1920	2053
3900.00	811	1261	1570	1778	1940	2075
3950.00	819	1275	1587	1797	1961	2097
4000.00	828	1288	1603	1816	1982	2119
4050.00	837	1302	1620	1835	2002	2141
4100.00	846	1315	1637	1854	2023	2163
4150.00	854	1329	1654	1873	2044	2185
4200.00	863	1342	1670	1892	2064	2207
4250.00	872	1355	1687	1911	2085	2229
4300.00	881	1369	1704	1930	2106	2251
4350.00	889	1382	1721	1949	2127	2273
4400.00	898	1396	1737	1968	2147	2295
4450.00	907	1409	1754	1987	2168	2317
4500.00	916	1423	1771	2006	2189	2339
4550.00	924	1436	1788	2024	2209	2361

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines  
Worksheet  
(10/11)

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
4600.00	933	1450	1804	2043	2230	2384
4650.00	942	1463	1821	2062	2251	2406
4700.00	951	1477	1838	2081	2271	2428
4750.00	959	1490	1855	2100	2292	2450
4800.00	968	1503	1871	2119	2313	2472
4850.00	977	1517	1888	2138	2334	2494
4900.00	986	1530	1905	2157	2354	2516
4950.00	993	1542	1927	2174	2372	2535
5000.00	1000	1551	1939	2188	2387	2551
5050.00	1006	1561	1952	2202	2402	2567
5100.00	1013	1571	1964	2215	2417	2583
5150.00	1019	1580	1976	2229	2432	2599
5200.00	1025	1590	1988	2243	2447	2615
5250.00	1032	1599	2000	2256	2462	2631
5300.00	1038	1609	2012	2270	2477	2647
5350.00	1045	1619	2024	2283	2492	2663
5400.00	1051	1628	2037	2297	2507	2679
5450.00	1057	1638	2049	2311	2522	2695
5500.00	1064	1647	2061	2324	2537	2711
5550.00	1070	1657	2073	2338	2552	2727
5600.00	1077	1667	2085	2352	2567	2743
5650.00	1083	1676	2097	2365	2582	2759
5700.00	1089	1686	2109	2379	2597	2775
5750.00	1096	1695	2122	2393	2612	2791
5800.00	1102	1705	2134	2406	2627	2807
5850.00	1107	1713	2144	2418	2639	2820
5900.00	1111	1721	2155	2429	2651	2833
5950.00	1116	1729	2165	2440	2663	2847
6000.00	1121	1737	2175	2451	2676	2860
6050.00	1126	1746	2185	2462	2688	2874
6100.00	1131	1754	2196	2473	2700	2887
6150.00	1136	1762	2206	2484	2712	2900
6200.00	1141	1770	2216	2495	2724	2914
6250.00	1145	1778	2227	2506	2737	2927
6300.00	1150	1786	2237	2517	2749	2941
6350.00	1155	1795	2247	2529	2761	2954

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines  
Worksheet  
(10/11)

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
6400.00	1160	1803	2258	2540	2773	2967
6450.00	1165	1811	2268	2551	2785	2981
6500.00	1170	1819	2278	2562	2798	2994
6550.00	1175	1827	2288	2573	2810	3008
6600.00	1179	1835	2299	2584	2822	3021
6650.00	1184	1843	2309	2595	2834	3034
6700.00	1189	1850	2317	2604	2845	3045
6750.00	1193	1856	2325	2613	2854	3055
6800.00	1196	1862	2332	2621	2863	3064
6850.00	1200	1868	2340	2630	2872	3074
6900.00	1204	1873	2347	2639	2882	3084
6950.00	1208	1879	2355	2647	2891	3094
7000.00	1212	1885	2362	2656	2900	3103
7050.00	1216	1891	2370	2664	2909	3113
7100.00	1220	1897	2378	2673	2919	3123
7150.00	1224	1903	2385	2681	2928	3133
7200.00	1228	1909	2393	2690	2937	3142
7250.00	1232	1915	2400	2698	2946	3152
7300.00	1235	1921	2408	2707	2956	3162
7350.00	1239	1927	2415	2716	2965	3172
7400.00	1243	1933	2423	2724	2974	3181
7450.00	1247	1939	2430	2733	2983	3191
7500.00	1251	1945	2438	2741	2993	3201
7550.00	1255	1951	2446	2750	3002	3211
7600.00	1259	1957	2453	2758	3011	3220
7650.00	1263	1963	2461	2767	3020	3230
7700.00	1267	1969	2468	2775	3030	3240
7750.00	1271	1975	2476	2784	3039	3250
7800.00	1274	1981	2483	2792	3048	3259
7850.00	1278	1987	2491	2801	3057	3269
7900.00	1282	1992	2498	2810	3067	3279
7950.00	1286	1998	2506	2818	3076	3289
8000.00	1290	2004	2513	2827	3085	3298
8050.00	1294	2010	2521	2835	3094	3308
8100.00	1298	2016	2529	2844	3104	3318
8150.00	1302	2022	2536	2852	3113	3328

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines  
Worksheet  
(10/11)

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
8200.00	1306	2028	2544	2861	3122	3337
8250.00	1310	2034	2551	2869	3131	3347
8300.00	1313	2040	2559	2878	3141	3357
8350.00	1317	2046	2566	2887	3150	3367
8400.00	1321	2052	2574	2895	3159	3376
8450.00	1325	2058	2581	2904	3168	3386
8500.00	1329	2064	2589	2912	3178	3396
8550.00	1333	2070	2597	2921	3187	3406
8600.00	1337	2076	2604	2929	3196	3415
8650.00	1341	2082	2612	2938	3205	3425
8700.00	1345	2088	2619	2946	3215	3435
8750.00	1349	2094	2627	2955	3224	3445
8800.00	1352	2100	2634	2963	3233	3454
8850.00	1356	2106	2642	2972	3242	3464
8900.00	1360	2111	2649	2981	3252	3474
8950.00	1364	2117	2657	2989	3261	3484
9000.00	1368	2123	2664	2998	3270	3493
9050.00	1372	2129	2672	3006	3279	3503
9100.00	1376	2135	2680	3015	3289	3513
9150.00	1380	2141	2687	3023	3298	3523
9200.00	1384	2147	2695	3032	3307	3532
9250.00	1388	2153	2702	3040	3316	3542
9300.00	1391	2159	2710	3049	3326	3552
9350.00	1395	2165	2717	3058	3335	3562
9400.00	1399	2171	2725	3066	3344	3571
9450.00	1403	2177	2732	3075	3353	3581
9500.00	1407	2183	2740	3083	3363	3591
9550.00	1411	2189	2748	3092	3372	3601
9600.00	1415	2195	2755	3100	3381	3610
9650.00	1419	2201	2763	3109	3390	3620
9700.00	1422	2206	2767	3115	3396	3628
9750.00	1425	2210	2772	3121	3402	3634
9800.00	1427	2213	2776	3126	3408	3641
9850.00	1430	2217	2781	3132	3414	3647
9900.00	1432	2221	2786	3137	3420	3653
9950.00	1435	2225	2791	3143	3426	3659

Instructions for Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines  
Worksheet  
(10/11)

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
10000.00	1437	2228	2795	3148	3432	3666

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

### NOTICE OF FILING CHILD SUPPORT GUIDELINES WORKSHEET

PLEASE TAKE NOTICE, that {name} \_\_\_\_\_, is filing his/her Child  
Support Guidelines Worksheet attached and labeled Exhibit 1.

### CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Filing with the Child Support Guidelines Worksheet was  
[check **one** only] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on  
{date} \_\_\_\_\_.

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

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Date: \_\_\_\_\_

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

CHILD SUPPORT GUIDELINES WORKSHEET			
	A. FATHER	B. MOTHER	TOTAL
1. Present Net Monthly Income Enter the amount from line number 27, Section I of Florida Family Law Rules of Procedure Form 12.902(b) or (c), Financial Affidavit.			
2. Basic Monthly Obligation There is (are) {number} ____ minor child(ren) common to the parties. Using the total amount from line 1, enter the appropriate amount from the child support guidelines chart.			
3. Percent of Financial Responsibility Divide the amount on line 1A by the total amount on line 1 to get Father's percentage financial responsibility. Enter answer on line 3A. Divide the amount on line 1B by the total amount on line 1 to get Mother's percentage financial responsibility. Enter answer on line 3B.	%	%	
4. Share of Basic Monthly Obligation Multiply the number on line 2 by the percentage on line 3A to get Father's share of basic obligation. Enter answer on line 4A. Multiply the number on line 2 by the percentage on line 3B to get Mother's share of basic obligation. Enter answer on line 4B.			
<b>Additional Support — Health Insurance, Child Care &amp; Other</b>			
5. a. 100% of Monthly Child Care Costs [Child care costs should not exceed the level required to provide quality care from a licensed source. See section 61.30(7), Fla. Stat. for more information.]			

CHILD SUPPORT GUIDELINES WORKSHEET			
	A. FATHER	B. MOTHER	TOTAL
b. Total Monthly Child(ren)'s Health Insurance Cost [This is only amounts actually paid for health insurance on the child(ren).]			
c. Total Monthly Child(ren)'s Noncovered Medical, Dental and Prescription Medication Costs			
d. Total Monthly Child Care & Health Costs [Add lines 5a+5b+5c]			
6. Additional Support Payments Multiply the number on line 5d by the percentage on line 3A to determine the Father's share. Enter answer on line 6A. Multiply the number on line 5d by the percentage on line 3B to determine the Mother's share. Enter answer on line 6B.			
Statutory Adjustments/Credits			
7. a. Monthly child care payments actually made			
b. Monthly health insurance payments actually made			
c. Other payments/credits actually made for any noncovered medical, dental and prescription medication expenses of the child(ren) not ordered to be separately paid on a percentage basis. [See § 61.30 (8), Florida Statutes]			
8. Total Support Payments actually made [Add 7a through 7c]			
9. <b>MINIMUM CHILD SUPPORT OBLIGATION FOR EACH PARENT</b> [Line 4 plus line 6; minus line 8]			

CHILD SUPPORT GUIDELINES WORKSHEET			
	A. FATHER	B. MOTHER	TOTAL
<b>Substantial Time-Sharing (GROSS UP METHOD) If each parent exercises time-sharing at least 20 percent of the overnights in the year (73 overnights in the year), complete Nos. 10 through 21</b>			
10. Basic Monthly Obligation x 150% [ Multiply line 2 by 1.5]			
11. Increased Basic Obligation for each parent Multiply the number on line 10 by the percentage on line 3A to determine the Father's share. Enter answer on line 11A. Multiply the number on line 10 by the percentage on line 3B to determine the Mother's share. Enter answer on line 11B.			
12. Percentage of overnight stays with each parent The child(ren) spend(s) _____ overnight stays with the father each year. Using the number on the above line, multiply it by 100 and divide by 365. Enter this number on line 12A. The child(ren) spend(s) _____ overnight stays with the mother each year. Using the number on the above line, multiply it by 100 and divide by 365. Enter this number on line 12B.	%	%	
13. Parent's support multiplied by other Parent's percentage of overnights [Multiply line 11A by line 12B. Enter this number in 13A. Multiply line 11B by line 12A. Enter this number in 13B.]			

Additional Support — Health Insurance, Child Care & Other			
14.			
a. Total Monthly Child Care Costs [Child care costs should not exceed the level required to provide quality care from a licensed source. See section 61.30(7), Fla. Stat. for more information.]			
b. Total Monthly Child(ren)'s Health Insurance Cost. [This is only amounts actually paid for health insurance on the child(ren).]			
c. Total Monthly Child(ren)'s Noncovered Medical, Dental and Prescription Costs.			
d. Total Monthly Child Care & Health Costs [Add lines 14a+14b+14c]			
15. Additional Support Payments Multiply the number on line 14d by the percentage on line 3A to determine the Father's share. Enter answer on line 15A. Multiply the number on line 14d by the percentage on line 3B to determine the Mother's share. Enter answer on line 15B.			
Statutory Adjustments/Credits			
16.			
a. Monthly child care payments actually made			
b. Monthly health insurance payments actually made			

c. Other payments/credits actually made for any noncovered medical, dental and prescription medication expenses of the child(ren) not ordered to be separately paid on a percentage basis. [See § 61.30 (8), Florida Statutes]			
17. Total Support Payments actually made [Add 16a through 16c]			
18. Total Additional Support Transfer Amount [Line 15 minus line 17; Enter any negative number as zero]			
19. Total Child Support Owed from Father to Mother [Add line 13A+18A]			
20. Total Child Support Owed from Mother to Father [Add line 13B+18B]			
21. <b>Actual Child Support to Be Paid.</b> [Comparing lines 19 and 20, Subtract the smaller amount owed from the larger amount owed and enter the result in the column for the parent that owes the larger amount of support]	\$	\$	

**ADJUSTMENTS TO GUIDELINES AMOUNT.** If you or the other parent is requesting the Court to award a child support amount that is more or less than the child support guidelines, you must complete and file Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943.

[check **one** only]

- a. ☐ **Deviation from the guidelines amount is requested.** The Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, is attached.
- b. ☐ **Deviation from the guidelines amount is NOT requested.** The Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, is not attached.

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

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

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.903(c)(1), ANSWER TO PETITION AND COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)(10/11)

## When should this form be used?

This form should be used when you are responding to a petition for dissolution of marriage with dependent or minor child(ren) and you are asking the court for something not contained in the petition. The answer portion of this form is used to admit or deny the allegations contained in the petition, and the counterpetition portion of this form is used to ask for whatever you want the court to do for you.

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 with the clerk of the circuit court in the county where the petition was filed and keep a copy for your records.

## What should I do next?

You have 20 days to answer after being served with the other party's petition. A copy of this form must be mailed **or** hand delivered to the other party. After you file an answer and counterpetition your case will then generally proceed as follows:

The other party is required to answer your counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

**UNCONTESTED...** Your dissolution is uncontested if you and your spouse agree on all issues raised in the petition and the counterpetition. If this is the case, **and** you and the other party have complied with mandatory disclosure and filed all of the required papers, either party may call the clerk, family law intake staff, or judicial assistant to set a final hearing. If you request the hearing, you must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** Your dissolution is contested if you and your spouse disagree on any issues raised in the petition or counterpetition. If you are unable to settle the disputed issues, either party may file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of mediation before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing).

## Where can I look for more information?

**Before proceeding, you should read General Information for Self-Represented Litigants found at the**

Instructions for Florida Supreme Court Approved Family Law Form 12.903(c)(1), Answer to Petition and Counterpetition for Dissolution of Marriage with Dependent or Minor Child(ren)(10/11)

**beginning of these forms.** The words that are in **bold underline** in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

### Special notes...

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party's income, you may file this worksheet after his or her financial affidavit has been served on you.)
- **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i) **OR** photocopy of current Florida driver's license, Florida identification card, or voter's registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1), if you have reached an agreement on any or all of the issues.
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a) or **Supervised/Safety Focused Parenting Plan**, Form 12.995(b). If the parents have reached an agreement, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan **may** be filed.
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of service of the petition on you, if not filed at the time you file this answer.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on you, if not filed at the time you file this answer, unless you and the other party have agreed not to exchange these documents.)

**Parenting Plan and Time-Sharing.** . . If you and your **spouse** are unable to agree on parenting arrangements and a time-sharing schedule, a **judge** will decide for you as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing schedule based on the child(ren)'s best interests. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is (are) being served. For more information, you may consult section 61.13, Florida Statutes.

A **parenting course** must be completed prior to entry of the final judgment. You should contact the clerk, family law intake staff, or judicial assistant about requirements for parenting courses or mediation

Instructions for Florida Supreme Court Approved Family Law Form 12.903(c)(1), Answer to Petition and Counterpetition for Dissolution of Marriage with Dependent or Minor Child(ren)(10/11)

where you live.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- Shared Parental Responsibility
- Sole Parental Responsibility
- Supervised Time-Sharing
- No contact
- Parenting Plan
- Parenting Plan Recommendation
- Time-Sharing Schedule

**Child Support...** The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You must file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and your spouse will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid using the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

**Alimony...** Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in your counterpetition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either permanent alimony, lump sum alimony, or rehabilitative alimony.

**Marital/Nonmarital Assets and Liabilities...** Florida law requires an **equitable distribution** of marital assets and marital liabilities. Equitable does not necessarily mean "equal." Many factors, including child support, time-sharing and alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. Nonmarital assets and nonmarital liabilities are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

**Parenting Plan. . .** In all cases involving minor or dependent child(ren), a Parenting Plan shall be approved or established by the court. If you and your spouse have reached an agreement, you should

file a **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), 12.995(b), or 12.995(c) which addresses the time-sharing schedule for the child(ren). If you have not reached an agreement, a proposed Parenting Plan **may** be filed. **A Parenting Plan will be established by the court.**

**Temporary Relief...** If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, parental responsibility and time-sharing with child(ren), temporary child support, or temporary alimony, you may file a **Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(a). For more information, see the instructions for that form.

**Marital Settlement Agreement...** If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1). Both parties must sign this agreement before a notary public or deputy clerk. Any issues on which you are unable to agree will be considered contested and settled by the judge at the final hearing.

**Final Judgment Form...** These family law forms contain a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.990(c)(1), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(1). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**ANSWER TO PETITION AND COUNTERPETITION  
FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)**

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

**ANSWER TO PETITION**

1. I **agree** with Petitioner as to the allegations raised in the following numbered paragraphs in the  
Petition and, therefore, **admit** those allegations: *{indicate section and paragraph number}*

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

2. I **disagree** with Petitioner as to the allegations raised in the following numbered paragraphs in the  
Petition and, therefore, **deny** those allegations: *{indicate section and paragraph number}*

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

3. I currently am unable to admit or deny the following paragraphs due to lack of information: *{indicate  
section and paragraph number}* \_\_\_\_\_

\_\_\_\_\_

**COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH MINOR CHILD(REN)**

1. JURISDICTION/RESIDENCE

( ) Husband ( ) Wife ( ) Both has (have) lived in Florida for at least 6 months before the filing of  
this Petition for Dissolution of Marriage.

2. Petitioner [**one** only] ( ) is ( ) is not a member of the military service.  
Respondent [ **one** only] ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} \_\_\_\_\_

Date of separation: {month, day, year} \_\_\_\_\_ (indicate if approximate)

4. DEPENDENT OR MINOR CHILD(REN)

[Choose **all** that apply]

a. \_\_\_\_ The wife is pregnant. Baby is due on: {date} \_\_\_\_\_

b. \_\_\_\_ The minor (under 18) child(ren) common to both parties are:

**Name**

**Birth date**


c. \_\_\_\_ The minor child(ren) born or conceived during the marriage who are **not** common to both parties are:

**Name**

**Birth date**

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The birth father(s) of the above minor child(ren) is (are) {name and address} \_\_\_\_\_

d. \_\_\_\_ The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability are:

**Name**

**Birth date**

--	--

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 counterpetition. You **must** complete and attach this form in a dissolution of marriage with minor child(ren).
6. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this counterpetition.
7. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) ( ) is filed or ( ) will be timely filed.

8. This counterpetition for dissolution of marriage should be granted because:

[Choose only one]

- a. \_\_\_ The marriage is irretrievably broken.
- b. \_\_\_ One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this counterpetition. A copy of the Judgment of Incapacity is attached.

#### SECTION I. MARITAL ASSETS AND LIABILITIES

[Choose only one]

- 1. \_\_\_ There are no marital assets or liabilities.
- 2. \_\_\_ There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.

[Choose all that apply]

- a. \_\_\_ All marital assets and liabilities have been divided by a written agreement between the parties, which is attached to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(1).
- b. \_\_\_ The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- c. \_\_\_ Respondent should be awarded an interest in Petitioner's property because: \_\_\_\_\_

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#### SECTION II. SPOUSAL SUPPORT (ALIMONY)

[Choose only one]

- 1. \_\_\_ Respondent forever gives up his/her right to spousal support (alimony) from Petitioner.
- 2. \_\_\_ Respondent requests that the Court order Petitioner to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting **and that Petitioner has the ability to pay that support.** Spousal support (alimony) is requested in the amount of \$\_\_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_ and continuing until {date or event} \_\_\_\_\_.

Explain why the Court should order Petitioner to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): \_\_\_\_\_

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\_\_\_\_\_  
[Please indicate **if** applicable] ( ) Respondent requests life insurance on Petitioner's life, provided by Petitioner, to secure such support.

**SECTION III. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING**

1. The minor child(ren) currently reside(s) with ( ) Mother ( ) Father ( ) Other: {explain} \_\_\_\_\_  
\_\_\_\_\_

2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:  
[Choose only one]

- a. \_\_\_ shared by both Father and Mother.  
b. \_\_\_ awarded solely to ( ) Father ( ) Mother. Shared parental responsibility would be detrimental to the child(ren) because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that ( ) includes ( ) does not include parental time-sharing with the child(ren). The Respondent states that it is in the best interests of the child(ren) that:  
[Choose only one]

- a. \_\_\_ The attached proposed Parenting Plan should be adopted by the court. The parties ( ) have ( ) have **not** agreed to the Parenting Plan.  
b. \_\_\_ The court should establish a Parenting Plan with the following provisions:  
( ) No time-sharing for the \_\_\_ Father \_\_\_ Mother  
( ) Limited time-sharing with the \_\_\_ Father \_\_\_ Mother ( ) Supervised time-sharing for the \_\_\_ Father \_\_\_ Mother.  
( ) Supervised or third-party exchange of the child(ren).  
( ) Time-sharing as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explain why this request is in the best interests of the child(ren): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV. CHILD SUPPORT** [Choose **all** that apply]

1. Respondent requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet,

Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. Such support should be ordered retroactive to:

- a. ☐ the date of separation {date} \_\_\_\_\_.
- b. ☐ the date of the filing of this petition.
- c. ☐ other {date} \_\_\_\_\_ {explain} \_\_\_\_\_

2. ☐ Respondent requests that the Court award child support to be paid beyond the age of 18 years because:

- a. ☐ the following child(ren) {name(s)} \_\_\_\_\_  
\_\_\_\_\_ is (are) dependent because of a mental or physical incapacity which began before the age of 18.  
{explain} \_\_\_\_\_
- b. ☐ the following child(ren) {name(s)} \_\_\_\_\_ is (are) dependent in fact and is (are) in high school while he/she (they) are between the ages of 18 and 19; said child(ren) is (are) performing in good faith with reasonable expectation of graduation before the age of 19.

3. ☐ Respondent requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Respondent understands that Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, **must** be filed before the court will consider this request.

4. Respondent requests that medical/dental insurance coverage for the minor child(ren) be provided by:

**[Choose only one]**

- a. ☐ Father.
- b. ☐ Mother.

5. ☐ Respondent requests that uninsured medical/dental expenses for the child(ren) be paid:

**[Choose only one]**

- a. ☐ by Father.
- b. ☐ by Mother.
- c. ☐ by Father and Mother each paying one-half.
- d. ☐ according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
- e. ☐ Other {explain}: \_\_\_\_\_

6. ☐ Respondent requests that life insurance to secure child support be provided by:

- a. ☐ Father.
- b. ☐ Mother.
- c. ☐ Both.

## SECTION V. OTHER

1. If Respondent is also the Wife, please indicate by either ( ) yes **OR** ( ) no whether Respondent/Wife wants to be known by her former name, which was *{full legal name}* :

\_\_\_\_\_

2. Other relief *{specify}*: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## SECTION VI. RESPONDENT'S/COUNTERPETITIONER'S REQUEST (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Respondent requests that the Court enter an order dissolving the marriage **and**:

[Choose **all** that apply]

1. \_\_\_ distributing marital assets and liabilities as requested in Section I of this petition;
2. \_\_\_ awarding spousal support (alimony) as requested in Section II of this petition;
3. \_\_\_ adopt or establish a Parenting Plan containing provisions for parental responsibility and time-sharing for the dependent or minor child(ren) common to both parties, as requested in Section III of this petition;
4. \_\_\_ establishing child support for the dependent or minor child(ren) common to both parties, as requested in Section IV of this petition;
5. \_\_\_ restoring Wife's former name as requested in Section V of this petition;
6. \_\_\_ awarding other relief as requested in Section V of this petition; and any other terms the Court deems necessary.

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

### Petitioner or his/her attorney:

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

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

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

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

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

**imprisonment.**

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

\_\_\_\_\_  
Signature of Respondent/Counterpetitioner

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

[fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* \_\_\_\_\_,

a nonlawyer, whose address is *{street}* \_\_\_\_\_,

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{phone}* \_\_\_\_\_,

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

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.903(c)(2), ANSWER TO PETITION AND COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN)(10/11)

## When should this form be used?

This form should be used when you are responding to a petition for dissolution of marriage with property but no dependent or minor child(ren) and you are asking the court for something not contained in the petition. The answer portion of this form is used to admit or deny the allegations contained in the petition, and the counterpetition portion of this form is used to ask for whatever you want the court to do for you.

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 with the clerk of the circuit court in the county where the petition was filed and keep a copy for your records.

## What should I do next?

You have 20 days to answer after being served with the other party's petition. A copy of this form must be mailed **or** hand delivered to the other party. After you file an answer and counterpetition your case will then generally proceed as follows:

The other party is required to answer your counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

**UNCONTESTED...** Your dissolution is uncontested if you and your spouse agree on all issues raised in the petition and the counterpetition. If this is the case, **and** you and the other party have complied with mandatory disclosure and filed all of the required papers, either party may call the clerk, family law intake staff, or judicial assistant to set a final hearing. If you request the hearing, you must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** Your dissolution is contested if you and your spouse disagree on any issues raised in the petition or counterpetition. If you are unable to settle the disputed issues, either party may file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of mediation before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing).

## Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

## Special notes...

With this form, you must also file the following:

- **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i) **OR** photocopy of current Florida driver’s license, Florida identification card, or voter’s registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- **Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(2), if you have reached an agreement on any or all of the issues.
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of **service** of the petition on you, if not filed at the time you file this answer.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on you, if not filed at the time you file this answer, unless you and the other party have agreed not to exchange these documents.)

**Alimony...** **Alimony** may be awarded to a spouse if the judge finds that he or she needs it and that the other **spouse** has the ability to pay it. **If you want alimony, you must request it in writing in your counterpetition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either **permanent alimony**, **lump sum alimony**, or **rehabilitative alimony**.

**Marital/Nonmarital Assets and Liabilities...** Florida law requires an **equitable distribution** of **marital assets** and **marital liabilities**. Equitable does not necessarily mean equal. Many factors, including alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. **Nonmarital assets** and **nonmarital liabilities** are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

**Temporary Relief...** If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, or temporary alimony, you may file a **Motion for Temporary Support with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(c). For

Instructions for Florida Supreme Court Approved Family Law Form 12.903(c)(2), Answer to Petition and Counterpetition for Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (10/11)

more information, see the instructions for that form.

**Marital Settlement Agreement...** If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(2). Both parties must sign this agreement before a notary public. Any issues on which you are unable to agree will be considered contested and settled by the judge at the final hearing.

**Final Judgment Forms...** These family law forms contain a **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.990(c)(2), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use a **Final Judgment of Dissolution of Marriage with Property but No Dependent or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(2). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

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

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

**ANSWER TO PETITION AND COUNTERPETITION FOR DISSOLUTION OF MARRIAGE  
WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN)**

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

**ANSWER TO PETITION**

1. I **agree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **admit** those allegations: {indicate section and paragraph number} \_\_\_\_\_

2. I **disagree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **deny** those allegations: {indicate section and paragraph number} \_\_\_\_\_

3. I currently am unable to admit or deny the following paragraphs due to lack of information: {indicate section and paragraph number} \_\_\_\_\_

**COUNTERPETITION FOR DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO  
DEPENDENT OR MINOR CHILD(REN)**

1. JURISDICTION/RESIDENCE  
( ) Husband ( ) Wife ( ) Both has (have) lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.
2. Petitioner [ Choose only one ] ( ) is ( ) is not a member of the military service.  
Respondent [ Choose only one ] ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} \_\_\_\_\_

4. THERE ARE NO MINOR (UNDER 18) OR DEPENDENT CHILD(REN) COMMON TO BOTH PARTIES AND THE WIFE IS NOT PREGNANT.

5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this counterpetition.

6. This counterpetition for dissolution of marriage should be granted because:

[Choose only one]

- a. \_\_\_\_ The marriage is irretrievably broken.
- b. \_\_\_\_ One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this counterpetition. A copy of the Judgment of Incapacity is attached.

**SECTION I. MARITAL ASSETS AND LIABILITIES**

[Choose only one]

- 1. \_\_\_\_ There are no marital assets or liabilities.
- 2. \_\_\_\_ There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.

[Choose **all** that apply]

- a. \_\_\_\_ All marital assets and liabilities have been divided by a written agreement between the parties, which is attached to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with No Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(2).
- b. \_\_\_\_ The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- c. \_\_\_\_ Respondent should be awarded an interest in Petitioner's property because:

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**SECTION II. SPOUSAL SUPPORT (ALIMONY)**

[Choose only one]

- 1. \_\_\_\_ **Respondent forever gives up his/her right to spousal support (alimony) from Petitioner.**
- 2. \_\_\_\_ Respondent requests that the Court order Petitioner to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting **and Petitioner has the ability to pay that support.** Spousal support (alimony) is requested in the amount of \$ \_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_ and continuing until {date or event} \_\_\_\_\_.  
Explain why the Court should order Petitioner to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): \_\_\_\_\_

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[ Choose **if** applies] (    ) Respondent requests life insurance on Petitioner's life, provided by Petitioner, to secure such support.

### SECTION III. OTHER

1. [If Respondent is also the Wife, Choose one only] (    ) yes (    ) no Respondent/Wife wants to be known by her former name, which was *{full legal name}*\_\_\_\_\_.

2. Other relief *{specify}*: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### SECTION IV. RESPONDENT'S/COUNTERPETITIONER'S REQUEST (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Respondent requests that the Court enter an order dissolving the marriage **and**:  
 [Choose **all** that apply]

1. \_\_\_\_ distributing marital assets and liabilities as requested in Section I of this petition;
2. \_\_\_\_ awarding spousal support (alimony) as requested in Section II of this petition;
3. \_\_\_\_ restoring Wife's former name as requested in Section III of this petition;
4. \_\_\_\_ awarding other relief as requested in Section III of this petition; and any other terms the Court deems necessary.

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

### Petitioner or his/her attorney:

Printed Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature of Respondent/Counterpetitioner

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.904(a),  
PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF  
MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN) (10/11)**

**When should this form be used?**

This form may be used to ask the court to enter a support order if you and your spouse are separated, and your spouse has the ability to contribute to you and your minor child(ren), but has failed to do so. You can **only** use this form if a dissolution of marriage has not been filed **and** based upon the time-sharing schedule, you are entitled to support. If a petition for dissolution of marriage has been filed, you should file a **Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(a), instead of using this petition. Also, if you are requesting that an order be entered for you to pay support to your spouse, you should not file this form.

This petition cannot address the issues of property, debts, or parental responsibility and time-sharing with child(ren). It only deals with alimony and child support.

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 with the clerk of the circuit court in the county where you live and keep a copy for your records.

**What should I do next?**

For your case to proceed, you must properly notify the other party in your case of the petition. If you know where he or she lives, you should use personal service. If you absolutely do not know where he or she lives, you may use constructive service. You may also be able to use constructive service if the other party resides in another state or country. However, if constructive service is used, other than granting a divorce, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). If you need to use constructive service, use the **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), after striking through “for Dissolution of Marriage” and inserting “for Support Unconnected with Dissolution of Marriage with Dependent or Minor Child(ren).” If the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

If personal service is used, the other party has 20 days to answer after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT.** 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. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**UNCONTESTED.** If the **respondent** files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED.** If the respondent files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### 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 section 61.09, Florida Statutes.

### Special notes...

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this form you must also file the following:

- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), if the case involves minor or dependent child(ren).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on the respondent, if not filed at the time of the petition, unless you and the other party have agreed not to exchange these documents.)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking that child support be ordered in the final judgment. (If you do not know the

other party's income, you may file this worksheet after his or her financial affidavit has been served on you.)

**Child Support.** The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents and the number of overnights the child(ren) spend with each parent. You must file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and your spouse will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid using the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

**Temporary Relief.** If you need temporary relief regarding child support or temporary alimony, you may file a **Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(a). For more information, see the instructions for that form.

**Final Judgment Form.** These family law forms contain a **Final Judgment of Support Unconnected with Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.994(a), which the judge may use if your case is contested. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION  
OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)**

I, *{full legal name}* \_\_\_\_\_, the  
( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

1. JURISDICTION

( ) Husband ( ) Wife ( ) Both live in Florida at the filing of this Petition for Support Unconnected with Dissolution of Marriage, which is filed pursuant to section 61.09, Florida Statutes.

2. Petitioner **[Choose only one]** ( ) is ( ) is not a member of the military service.  
Respondent **[Choose only one]** ( ) is ( ) is not a member of the military service.

3. MARRIAGE HISTORY

- a. Date of marriage: *{month, day, year}* \_\_\_\_\_  
b. Date of separation: *{month, day, year}* \_\_\_\_\_ (\_\_\_ Please indicate if  
**approximate**)

4. MINOR CHILD(REN)

[Choose **all** that apply]

- a. \_\_\_ The wife is pregnant. The baby is due on: *{date}* \_\_\_\_\_.  
b. \_\_\_ The minor (under 18) child(ren) common to both parties are:

**Name**

**Birth date**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- c. \_\_\_\_ The minor child(ren) born or conceived during the marriage who are **not** common to both parties are:

**Name**

**Birth date**

\_\_\_\_\_

The birth father(s) of the above minor child(ren) is (are) {name and address} \_\_\_\_\_

\_\_\_\_\_

- d. \_\_\_\_ The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical incapacity are:

**Name**

**Birth date**

\_\_\_\_\_

\_\_\_\_\_

5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if required, is filed with this petition.
6. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.
7. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be, filed.
8. 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.

#### **SECTION I. SPOUSAL SUPPORT (ALIMONY)**

**[Choose only one]**

1. \_\_\_\_ Petitioner does not request spousal support (alimony) from Respondent at this time.
2. \_\_\_\_ Respondent has the ability to contribute to the maintenance of Petitioner and has failed to do so. Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting. Spousal support (alimony) is requested in the amount of \$\_\_\_\_\_ every ( ) week  
( ) other week ( ) month, beginning {date} \_\_\_\_\_, and continuing until  
{date or event} \_\_\_\_\_

Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): \_\_\_\_\_

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

**[Choose if applies]** ( ) Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

## SECTION II. CHILD SUPPORT

Respondent has the ability to contribute to the maintenance of his or her minor child(ren) and has failed to do so. Based upon the time-sharing schedule, the Petitioner is entitled to child support.

[Choose **all** that apply]

1. ☐ Petitioner requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes.
2. ☐ Petitioner requests that the Court award child support to be paid beyond the age of 18 years because:
  - a. ☐ the following child(ren), {name(s)} \_\_\_\_\_, is (are) dependent because of a mental or physical incapacity which began prior to the age of 18 {explain}: \_\_\_\_\_  
\_\_\_\_\_
  - b. ☐ the following child(ren), {name(s)} \_\_\_\_\_, is (are) dependent in fact and is (are) in high school while he/she (they) are between the ages of 18 and 19; said child(ren) is (are) performing in good faith with reasonable expectation of graduation before the age of 19.
3. ☐ Petitioner requests that medical/dental insurance coverage for the minor child(ren) be provided by: [Choose **only one**]
  - a. ☐ Father.
  - b. ☐ Mother.
4. ☐ Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid: [Choose **only one**]
  - a. ☐ by father.
  - b. ☐ by mother.
  - c. ☐ by Father and Mother each paying one-half.
  - d. ☐ according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
  - e. ☐ Other {explain}: \_\_\_\_\_  
\_\_\_\_\_
5. ☐ Petitioner requests that life insurance to secure child support be provided by:
  - a. ☐ Father.
  - b. ☐ Mother.
  - c. ☐ Both.

## SECTION III. OTHER RELIEF

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**SECTION IV. PETITIONER'S REQUEST** (This section summarizes what you are asking the Court to include in the order for support.)

Petitioner requests that the Court enter an order establishing support **and**:

[Choose **all** that apply]

- a. ☐ awarding spousal support (alimony) as requested in Section I of this petition;
- b. ☐ establishing child support for the minor child(ren) common to both parties, as requested in Section II of this petition;
- c. ☐ awarding other relief as requested in Section III of this petition; and any other terms the Court deems necessary.

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

☐ Personally known

☐ Produced identification

☐ Type of identification produced \_\_\_\_\_

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

I, *{full legal name and trade name of nonlawyer}* \_\_\_\_\_,  
a nonlawyer, whose address is *{street}* \_\_\_\_\_,  
*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{phone}* \_\_\_\_\_,

Florida Supreme Court Approved Family Law Form 12.904(a), Petition for Support Unconnected with Dissolution of Marriage with Dependent or Minor Child(ren) (10/11)

helped {name} \_\_\_\_\_, who is the petitioner, fill out this form.

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.904(b), PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN)(10/11)

## When should this form be used?

This form may be used if you and your spouse are separated, but a **dissolution of marriage** has not been filed, and you are requesting **alimony**. If a petition for dissolution has been filed, you should file a **Motion for Temporary Support with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(c), instead of using this **petition**. Also, if you are requesting that an order be entered for you to pay support to your spouse, you should not file this form.

This petition does not address the issues of property or debts. It only deals with alimony.

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 with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

## What should I do next?

For your case to proceed, you must properly notify the other party in your case of the petition. If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**. You may also be able to use constructive service if the other party resides in another state or country. However, if constructive service is used, other than granting a divorce, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). If you need to use constructive service, use the **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), after striking through “for Dissolution of Marriage” and inserting “for Support Unconnected with Dissolution for Marriage with No Dependent or Minor Child(ren).” If the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

If personal service is used, the other party has 20 days to **answer** after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT**... 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. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

Instructions for Florida Supreme Court Approved Family Law Form 12.904(b), Petition for Support Unconnected with Dissolution of Marriage with No Dependent or Minor Child(ren) (10/11)

**UNCONTESTED...** If the **respondent** files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** If the respondent files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### **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 section 61.09, Florida Statutes.

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

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this form you must also file the following:

- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the petition on the respondent, if not filed at the time of the petition, unless you and the other party have agreed not to exchange these documents.)

**Alimony...** Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in the original petition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either **permanent alimony**, **lump sum alimony**, or **rehabilitative alimony**.

**Temporary Relief...** If you need temporary relief regarding alimony, you may file a **Motion for Temporary Support with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(c). For more information, see the instructions for that form.

**Final Judgment Form...** These family law forms contain a **Final Judgment of Support Unconnected with Dissolution of Marriage with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.994(b), which the judge may use if your case is contested. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**PETITION FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF MARRIAGE  
WITH NO DEPENDENT OR MINOR CHILD(REN)**

I, {full legal name} \_\_\_\_\_, the  
[ Choose only one ] ( ) Husband ( ) Wife, being sworn, certify that the following statements are true:

**1. JURISDICTION**

( ) Husband ( ) Wife ( ) Both live in Florida at the filing of this Petition for Support Unconnected with Dissolution of Marriage, which is filed pursuant to section 61.09, Florida Statutes.

2. Petitioner [Choose only one] ( ) is ( ) is not a member of the military service.

Respondent [Choose only one] ( ) is ( ) is not a member of the military service.

**3. MARRIAGE HISTORY**

Date of marriage: {month, day, year} \_\_\_\_\_

Date of separation: {month, day, year} (Choose if approximate) \_\_\_\_\_

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

5. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if required, is, or will be, filed.

**SECTION I. SPOUSAL SUPPORT (ALIMONY)**

1. \_\_\_\_\_ Respondent has the ability to contribute to the maintenance of Petitioner and has failed to do so. Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting. Spousal support (alimony) is requested in the amount of \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month, beginning {date} \_\_\_\_\_, and continuing until {date or event} \_\_\_\_\_

Florida Supreme Court Approved Family Law Form 12.904(b), Petition for Support Unconnected with Dissolution of Marriage with No Dependent or Minor Child(ren) (10/11)

Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): \_\_\_\_\_

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[indicate **if** applicable] (    ) Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

## **SECTION II. OTHER RELIEF**

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**SECTION III. PETITIONER'S REQUEST** (This section summarizes what you are asking the Court to include in the order for support.)

Petitioner requests that the Court enter an order establishing support **and**:

Choose **all** that apply]

- a.    \_\_\_ awarding spousal support (alimony) pursuant to Section I of this petition;
- b.    \_\_\_ awarding other relief as specified in Section II of this petition; and any other terms the Court deems necessary.

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY  
LAW FORM 12.905(d), SUPPLEMENTAL PETITION FOR  
TEMPORARY MODIFICATION OF PARENTING ISSUES FOR  
CHILD(REN) OF PARENT ACTIVATED, DEPLOYED, OR  
TEMPORARILY ASSIGNED TO MILITARY SERVICE (10/11)**

**When should this form be used?**

This form should be used when a parent seeks a temporary modification of an order establishing custody, visitation, a parenting plan, or time-sharing schedule because the parent is activated, deployed, or temporarily assigned to military service and the parent's ability to comply with the prior order (s) and time-sharing schedule is materially affected.

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 with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

**What should I do next?**

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

If personal service is used, the other party has 20 days to **answer** after being served with your supplemental petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT...** 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. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify the other party of the hearing by using a **Notice**

Instructions for Florida Supreme Court Approved Family Law Form 12.905(d), Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service (10/11)

**of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**UNCONTESTED...** If the **respondent** files an answer that agrees with everything in your supplemental petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** If the respondent files an answer or an answer and **counterpetition**, which disagrees with or denies anything in your supplemental petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

### **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 section 61.13002, Florida Statutes.

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

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status from the clerk, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party’s income, you may file this worksheet after his or her financial affidavit has been served on you.)
- **Settlement Agreement**, if you have reached an agreement on any or all of the issues. Although there is no form for this in these Florida Family Law Forms, you may construct a settlement agreement using the pertinent sections contained in **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida

Instructions for Florida Supreme Court Approved Family Law Form 12.905(d), Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service (10/11)

- Supreme Court Approved Family Law Form 12.902(f)(1).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), if not previously filed.
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a), (b), or (c). If the parties have reached an agreement, a signed and notarized Parenting Plan should be attached. If you have not reached an agreement, a proposed Parenting Plan may be filed. If this involves relocation of minor child(ren) pursuant to section 61.13001, Florida Statutes, a Parenting Plan must be attached.
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the supplemental petition on the respondent, if not filed at the time of the supplemental petition, unless you and the other party have agreed not to exchange these documents.)

**Temporary Judgment Form...** These family law forms contain a **Supplemental Temporary Judgment Modifying Parenting Issues for Children of a Parent Activated, Deployed or Temporarily Assigned to Military Service** Florida Supreme Court Approved Family Law Form 12.993(d)), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**SUPPLEMENTAL PETITION FOR TEMPORARY MODIFICATION OF PARENTING ISSUES  
FOR CHILD(REN) OF PARENT ACTIVATED, DEPLOYED, OR TEMPORARILY ASSIGNED  
TO MILITARY SERVICE**

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

1. The parties to the action, {names} \_\_\_\_\_, were granted a final judgment of [Choose **one** only] ( ) dissolution of marriage ( ) paternity on {date} \_\_\_\_\_. A copy/copies of the final judgment or any modification(s) is/are attached.
2. Paragraph(s) \_\_\_\_\_ of the [Choose **one** only] ( ) final judgment or ( ) most recent modification of it grants custody or time-sharing of the minor child(ren), {name(s)} \_\_\_\_\_, with {name of parent} \_\_\_\_\_.
3. The parent, {name} \_\_\_\_\_, is [Choose **all** that apply] ( ) activated ( ) deployed ( ) temporarily assigned to military service.
4. The parent, {name} \_\_\_\_\_, is temporarily unable to continue the current parenting plan and time-sharing schedule with the minor child(ren) during the period of time that the parent is [Choose **all** that apply] ( ) activated ( ) deployed ( ) temporarily assigned to military service.
5. I ask the court to temporarily modify/amend the parental responsibility and time-sharing schedule of the minor child(ren) during the period of time that the parent, {name} \_\_\_\_\_, is [Choose **all** that apply] ( ) activated ( ) deployed ( ) temporarily assigned to military service as

Florida Supreme Court Approved Family Law Form 12.905(d), Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service  
(10/11)

follows:{explain} \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. This temporary modification/amendment is in the best interests of the child(ren).
7. I ask that the court adopt ( ) the attached temporary Parenting Plan ( ) time-sharing schedule set forth below during the time that the parent is [Choose **all** that apply] ( ) activated ( ) deployed ( ) temporarily assigned to military service:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. If the requested modification/amendment is granted, Petitioner requests that child support be temporarily modified/amended, consistent with the temporary modification/amendment of the Parenting Plan and time-sharing schedule. A Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e) is, or will be, filed.
9. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) is filed with this Petition.
10. 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.
11. Other: \_\_\_\_\_  
a. \_\_\_\_\_  
b. \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, whose address is {street} \_\_\_\_\_,

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {phone} \_\_\_\_\_,

helped {name} \_\_\_\_\_, who is the petitioner, fill out this form.

## **INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(b), STANDARD FAMILY LAW INTERROGATORIES FOR ORIGINAL OR ENFORCEMENT PROCEEDINGS (10/11)**

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

This form should be used to ask the other **party** in your case to answer certain standard questions in writing. These questions are called **interrogatories**, and they must relate to your case. If the other party fails to answer the questions, you may ask the **judge** to order the other party to answer the questions. (You cannot ask these questions before the **petition** has been **filed**.)

The questions in this form should be used in **original proceedings** or **enforcement proceedings** and are meant to supplement the information provided in the **Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should read all of the questions in this form to determine which questions, if any, the other party needs to answer in order to provide you with information not covered in the financial affidavit forms. If there are questions to which you already know the answer, you may choose not to ask them.

This form should be typed or printed in black ink. You must complete the box at the beginning of this form to indicate which questions you are requesting that the other party answer. You should send an original and one copy of this form and the **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), to the other party. You should also keep a copy for your records. You shall not **file** this form with the **clerk of the circuit court** unless the answers are admitted into evidence by the court and are in compliance with Florida Rule of Judicial Administration 2.425. However, you must file the **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), to tell the court that you have sent this form to the other party.

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

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** For further information, see the instructions for **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), rules 12.280, 12.285, 12.340, and 12.380, Florida Family Law Rules of Procedure, and rules 1.280, 1.340, and 1.380, Florida Rules of Civil Procedure.

Instructions for Florida Family Law Rules of Procedure Form 12.930(b), Standard Family Law Interrogatories for Original or Enforcement Proceedings (10/11)

### Special notes...

In addition to the standard questions in this form, you may ask up to 10 additional questions. You should type or print legibly your additional questions on a separate sheet of paper and attach it to this form. If you want to ask more than 10 additional questions, you will need to get permission from the judge.

**You may want to inform the other party of the following information:** As a general rule, within **30 days** after service of interrogatories, the other party must answer the questions in writing and mail (have postmarked) the answers to you. His or her answers shall be written in the blank space provided after each separately numbered interrogatory. If sufficient space is not provided, the answering party may attach additional papers with the answers and refer to them in the space provided in the interrogatories. He or she should be sure to make a copy for him/herself. All answers to these questions are made under oath or affirmation as to their truthfulness. Each question must be answered separately and as completely as the available information permits. The original of the answers to the interrogatories is to be provided to the requesting party. **DO NOT FILE THE ORIGINAL OR A COPY WITH THE CLERK OF THE COURT EXCEPT AS PROVIDED BY FLORIDA RULE OF CIVIL PROCEDURE 1.340(e) AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.425.** The other party may object to a question by writing the legal reason for the objection in the space provided. He or she may also ask the court for a protective order granting him or her permission not to answer certain questions and protecting him or her from annoyance, embarrassment, apprehension, or undue burden or expense. If the other party fails to either answer or object to the questions within 30 days, he or she may be subject to court sanctions.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

and

\_\_\_\_\_  
Respondent.

**STANDARD FAMILY LAW INTERROGATORIES  
FOR ORIGINAL OR ENFORCEMENT PROCEEDINGS**

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**TO BE COMPLETED BY THE PARTY SERVING THESE INTERROGATORIES**

I am requesting that the following standard questions be answered: [check **all** that apply]

____1	____2	____3	____4	____5	____6	____7
Background	Education	Employment	Assets	Liabilities	Miscellaneous	Long Form
Information				Affidavit		

In addition, I am requesting that the attached {#} \_\_\_\_\_ questions be answered.

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The answers to the following questions are intended to supplement the information provided in the Financial Affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should answer the group of questions indicated in the above shaded box. The questions should be answered in the blank space provided below each separately numbered question. If sufficient space is not provided, you may attach additional papers with the answers and refer to them in the space provided in the interrogatories. You should be sure to make a copy for yourself. Each question must be answered separately and as completely as the available information permits. All answers are to be made under oath or affirmation as to their truthfulness.

**AFTER YOU ANSWER THE INTERROGATORIES, DO NOT FILE THE ORIGINAL WITH THE CLERK OF THE COURT. ALL PERSONAL INFORMATION CONTAINED IN THE COURT FILE BECOMES PUBLIC RECORD. INSTEAD, SERVE THE ORIGINAL OF THE ANSWERS TO THE INTERROGATORIES ON THE OTHER PARTY AND FILE FORM 12.930(d), NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES, WITH THE CLERK.**

I, {name of person answering interrogatories} \_\_\_\_\_,  
being sworn, certify that the following information is true:

Florida Family Law Rules of Procedure Form 12.930(b), Standard Family Law Interrogatories for Original or Enforcement Proceedings (10/11)

**1. BACKGROUND INFORMATION:**

- a. State your full legal name and any other name by which you have been known.
- b. State your present residence and telephone numbers.

**2. EDUCATION:**

- a. List all business, commercial, and professional licenses that you have obtained.
- b. List all of your education including, but not limited to, vocational or specialized training, including the following:
  - (1) name and address of each educational institution.
  - (2) dates of attendance.
  - (3) degrees or certificates obtained or anticipated dates of same.

**3. EMPLOYMENT:**

- a. For each place of your employment or self-employment during the last 3 years, state the following:
  - (1) name, address, and telephone number of your employer.
  - (2) dates of employment.
  - (3) job title and brief description of job duties.
  - (4) starting and ending salaries.
  - (5) name of your direct supervisor.
  - (6) all benefits received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

- b. Other than as an employee, if you have been engaged in or associated with any business, commercial, or professional activity within the last 3 years that was not detailed above, state for each such activity the following:
  - (1) name, address, and telephone number of each activity.
  - (2) dates you were connected with such activity.
  - (3) position title and brief description of activities.
  - (4) starting and ending compensation.
  - (5) name of all persons involved in the business, commercial, or professional activity with you.
  - (6) all benefits and compensation received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.
  
- c. If you have been unemployed at any time during the last 3 years, state the dates of unemployment. If you have not been employed at any time in the last 3 years, give the information requested above in question 3.a for your last period of employment.

4. **ASSETS:**

- a. **Real Estate.** State the street address, if any, and if not, the legal description of all real property that you own or owned during the last 3 years. For each property, state the following:
  - (1) the names and addresses of any other persons or entities holding any interest and their percentage of interest.
  - (2) the purchase price, the cost of any improvements made since it was purchased, and the amount of any depreciation taken.
  - (3) the fair market value on the date of your separation from your spouse.
  - (4) the fair market value on the date of the filing of the petition for dissolution of marriage.
  
- b. **Tangible Personal Property.** List all items of tangible personal property that are owned by you or in which you have had any interest during the last 3 years including, but not limited to, motor

vehicles, tools, furniture, boats, jewelry, art objects or other collections, and collectibles whose fair market value exceeds \$100. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest.
- (3) the date you acquired your interest.
- (4) the purchase price.
- (5) the present fair market value.
- (6) the fair market value on the date of your separation from your spouse.
- (7) the fair market value on the date of the filing of the petition for dissolution of marriage.

- c. **Intangible Personal Property.** Other than the financial accounts (checking, savings, money market, credit union accounts, retirement accounts, or other such cash management accounts) listed in the answers to interrogatories 4.d and 4.e below, list all items of intangible personal property that are owned by you or in which you have had any ownership interest (including closed accounts) within the last 3 years, including but not limited to, partnership and business interests (including good will), deferred compensation accounts unconnected with retirement, including but not limited to stock options, sick leave, and vacation pay, stocks, stock funds, mutual funds, bonds, bond funds, real estate investment trust, receivables, certificates of deposit, notes, mortgages, and debts owed to you by another entity or person. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest and the names and addresses of the persons and entities who are indebted to you.
- (3) the date you acquired your interest.
- (4) the purchase price, acquisition cost, or loaned amount.
- (5) the fair market value or the amounts you claim are owned by or owed to you:
  - (a) presently, at the time of answering these interrogatories.
  - (b) on the date of your separation from your spouse.
  - (c) on the date of the filing of the petition for dissolution of marriage.

**You may comply with this interrogatory (4.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. However, if the date of acquisition, the purchase price and the market valuations are not clearly reflected in the periodic statements which are furnished then these questions must be answered separately. You do not have to resubmit any periodic statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- d. **Retirement Accounts:** List all information regarding each retirement account/plan, including but not limited to defined benefit plans, 401k, 403B, IRA accounts, pension plans, Florida Retirement System plans (FRS), Federal Government plans, money purchase plans, HR10 (Keogh) plans, profit sharing plans, annuities, employee savings plans, etc. that you have established and/or that have been established for you by you, your employer, or any previous employer. For each account, state the following:
- (1) the name and the last 4 digits of the account number of each account/plan and where it is located.
  - (2) the type of account/plan.
  - (3) the name and address of the fiduciary plan administrator/service representative.
  - (4) the fair market value of your interest in each account/plan.
    - (a) present value.
    - (b) value on the date of separation.
    - (c) value on the date of filing of the petition for dissolution of marriage
  - (5) whether you are vested or not vested; and if vested, in what amount, as of a certain date and the schedule of future vesting.
  - (6) the date at which you became/become eligible to receive some funds in this account/plan.
  - (7) monthly benefits of the account/plan if no fair market value is ascertained.
  - (8) beneficiary(ies) and/or alternate payee(s).
- e. **Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each institution.
  - (2) name in which the account is or was maintained.
  - (3) the last 4 digits of account numbers.
  - (4) name of each person authorized to make withdrawals from the accounts.
  - (5) highest balance within each of the preceding 3 years.
  - (6) lowest balance within each of the preceding 3 years.

**You may comply with this interrogatory (4.e) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished pursuant to rule 12.285 (Mandatory Disclosure).**

- f. **Closed Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) closed within the last 3 years, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each institution.
  - (2) name in which the account is or was maintained.
  - (3) the last 4 digits of account numbers.
  - (4) name of each person authorized to make withdrawals from the accounts.
  - (5) date account was closed.
- g. **Trust.** For any interest in an estate, trust, insurance policy, or annuity, state the following:
- (1) If you are the beneficiary of any estate, trust, insurance policy, or annuity, give for each one the following:
    - (a) identification of the estate, trust, insurance policy, or annuity.
    - (b) the nature, amount, and frequency of any distributions of benefits.
    - (c) the total value of the beneficiaries' interest in the benefit.
    - (d) whether the benefit is vested or contingent.
  - (2) If you have established any trust or are the trustee of a trust, state the following:
    - (a) the date the trust was established.
    - (b) the names and addresses of the trustees.
    - (c) the names and addresses of the beneficiaries.
    - (d) the names and addresses of the persons or entities who possess the trust documents.
    - (e) each asset that is held in each trust, with its fair market value.
- h. **Canceled Life Insurance Policies.** For all policies of life insurance within the preceding 3 years that you no longer hold, own, or have any interest in, state the following:
- (1) name of company that issued the policy and the last 4 digits of policy number.
  - (2) name, address, and telephone number of agent who issued the policy.
  - (3) amount of coverage.
  - (4) name of insured.
  - (5) name of owner of policy.
  - (6) name of beneficiaries.
  - (7) premium amount.

- (8) date the policy was surrendered.
- (9) amount, if any, of monies distributed to the owner.

- i. **Name of Accountant, Bookkeeper, or Records Keeper.** State the names, addresses, and telephone numbers of your accountant, bookkeeper, and any other persons who possess your financial records, and state which records each possesses.
  
- j. **Safe Deposit Boxes, Lock Boxes, Vaults, Etc.** For all safe deposit boxes, lock boxes, vaults, or similar types of depositories, state the following:
  - (1) The names and addresses of all banks, depositories, or other places where, at any time during the period beginning 3 years before the initiation of the action, until the date of your answering this interrogatory, you did any of the following:
    - (a) had a safe deposit box, lock box, or vault.
    - (b) were a signatory or co-signatory on a safe deposit box, lock box, or vault.
    - (c) had access to a safe deposit box, lock box, or vault.
    - (d) maintained property.
  - (2) The box or identification numbers and the name and address of each person who has had access to any such depository during the same time period.
  - (3) All persons who have possession of the keys or combination to the safe deposit box, lock box, or vault.
  - (4) Any items removed from any safe deposit boxes, lock boxes, vaults, or similar types of depositories by you or your agent during that time, together with the present location and fair market value of each item.
  - (5) All items in any safe deposit boxes, lock boxes, vaults, or similar types of depositories and fair market value of each item.

## 5. LIABILITIES:

- a. **Loans, Liabilities, Debts, and Other Obligations.** For all loans, liabilities, debts, and other obligations (other than credit cards and charge accounts) listed in your Financial Affidavit, indicate for each the following:

- (1) name and address of the creditor.
- (2) name in which the obligation is or was incurred.
- (3) the last 4 digits of loan or account number, if any.
- (4) nature of the security, if any.
- (5) payment schedule.
- (6) present balance and current status of your payments.
- (7) total amount of arrearage, if any.
- (8) balance on the date of your separation from your spouse.
- (9) balance on the date of the filing of the petition for dissolution of marriage.

**You may comply with this interrogatory (5.a) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- b. **Credit Cards and Charge Accounts.** For all financial accounts (credit cards, charge accounts, or other such accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of the creditor.
- (2) name in which the account is or was maintained.
- (3) names of each person authorized to sign on the accounts.
- (4) the last 4 digits of account numbers.
- (5) present balance and current status of your payments.
- (6) total amount of arrearage, if any.
- (7) balance on the date of your separation from your spouse.
- (8) balance on the date of the filing of the petition for dissolution of marriage.
- (9) highest and lowest balance within each of the preceding 3 years.

**You may comply with this interrogatory (5.b) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- c. **Closed Credit Cards and Charge Accounts.** For all financial accounts (credit cards, charge accounts, or other such accounts) closed with no remaining balance, within the last 3 years, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each creditor.
  - (2) name in which the account is or was maintained.
  - (3) the last 4 digits of account numbers.
  - (4) names of each person authorized to sign on the accounts.
  - (5) date the balance was paid off.
  - (6) amount of final balance paid off.

**You may comply with this interrogatory (5.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

**6. MISCELLANEOUS:**

- a. If you are claiming an unequal distribution of marital property or enhancement or appreciation of nonmarital property, state the amount claimed and all facts upon which you rely in your claim.
- b. If you are claiming an asset or liability is nonmarital, list the asset or liability and all facts upon which you rely in your claim.
- c. If the mental or physical condition of a spouse or child is an issue, identify the person and state the name and address of all health care providers involved in the treatment of that person for said mental or physical condition.
- d. Detail your proposed parenting plan for the minor child(ren), including your proposed time-sharing schedule. Alternatively, attach a copy of your proposed parenting plan.
- e. If you are claiming that the other parent's time-sharing with the minor child(ren) should be limited, supervised, or otherwise restricted, or that you should have sole parental responsibility for the minor child(ren), with or without time-sharing with the other parent, or that you should have ultimate responsibility over specific aspects of the child(ren)'s welfare or that these responsibilities should be divided between you and the other parent, state your reasons and all facts which you rely upon to support your claim.

7. **LONG FORM AFFIDAVIT:** If you filed the short form affidavit, Florida Family Law Rules of Procedure Form 12.902(b), and you were specifically requested in the Notice of Service of Standard Family Law Interrogatories to file the Long Form Affidavit, Form 12.902(c), you must do so within the time to serve the answers to these interrogatories.

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

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

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

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

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

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

**I understand that I am swearing or affirming under oath to the truthfulness of the answers to these interrogatories and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

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

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

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

\_\_\_\_ Type of identification produced \_\_\_\_\_

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, located at {street} \_\_\_\_\_, {city} \_\_\_\_\_,

{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,

who is the [ choose **one** only ] \_\_\_ petitioner **or** \_\_\_ respondent, fill out this form.

## INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(c), STANDARD FAMILY LAW INTERROGATORIES FOR MODIFICATION PROCEEDINGS (10/11)

### When should this form be used?

This form should be used to ask the other **party** in your case to answer certain standard questions in writing. These questions are called **interrogatories**, and they must relate to your case. If the other party fails to answer the questions, you may ask the **judge** to order the other party to answer the questions. (You cannot ask these questions before the **petition** has been filed.)

The questions in this form should be used in **modification proceedings** and are meant to supplement the information provided in the **Financial Affidavits**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should read all of the questions in this form to determine which questions, if any, the other party needs to answer in order to provide you with information not covered in the financial affidavit forms. If there are questions to which you already know the answer, you may choose not to ask them.

This form should be typed or printed in black ink. You must complete the box at the beginning of this form to indicate which questions you are requesting that the other party answer. You should send an original and one copy of this form and the **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), to the other party. You should also keep a copy for your records. You do not need to **file** this form with the **clerk of the circuit court**. However, you must file the **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), to tell the court that you have sent this form to the other party.

After you receive the completed answers to the interrogatories, **DO NOT FILE THE ORIGINAL OR A COPY WITH THE CLERK OF THE COURT UNLESS THE ANSWERS ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.425.**

### 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 the instructions for **Notice of Service of Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(a), rules 12.280, 12.285, 12.340, and 12.380, Florida Family Law Rules of Procedure and rules 1.280, 1.340, and 1.380, Florida Rules of Civil Procedure.

### Special notes...

In addition to the standard questions in this form, you may ask up to 10 additional questions. You should type or print your additional questions on a separate sheet of paper and attach it to this form. If you want to ask more than 10 additional questions, you will need to get permission from the judge.

Instructions for Florida Family Law Rules of Procedure Form 12.930(c), Standard Family Law Interrogatories for Modification Proceedings (10/11)

**You may want to inform the other party of the following information:** As a general rule, within **30 days** after service of interrogatories, the other party must answer the questions in writing and mail (have postmarked) the answers to you. His or her answers shall be written in the blank space provided after each separately numbered interrogatory. If sufficient space is not provided, the answering party may attach additional papers with the answers and refer to them in the space provided in the interrogatories. He or she should be sure to make a copy for him/herself. All answers to these questions are made under oath or affirmation as to their truthfulness. Each question must be answered separately and as completely as the available information permits. The original of the answers to the interrogatories is to be provided to the requesting party. **DO NOT FILE THE ORIGINAL OR A COPY WITH THE CLERK OF THE COURT UNLESS THE ANSWERS ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.425.** The other party may object to a question by writing the legal reason for the objection in the space provided. He or she may also ask the court for a protective order granting him or her permission not to answer certain questions and protecting him or her from annoyance, embarrassment, apprehension, or undue burden or expense. If the other party fails to either answer or object to the questions within 30 days, he or she may be subject to court sanctions.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent.

### STANDARD FAMILY LAW INTERROGATORIES FOR MODIFICATION PROCEEDINGS

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#### TO BE COMPLETED BY THE PARTY SERVING THESE INTERROGATORIES

I am requesting that the following standard questions be answered: [check all that apply]

____1	____2	____3	____4	____5	____6	____7
Background	Education	Employment	Assets	Liabilities	Miscellaneous	Long Form
Information				Affidavit		

In addition, I am requesting that the attached {#} \_\_\_\_\_ questions be answered.

---

The answers to the following questions are intended to supplement the information provided in the Financial Affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should answer the group of questions indicated in the above shaded box. The questions should be answered in the blank space provided below each separately numbered question. If sufficient space is not provided, you may attach additional papers with the answers and refer to them in the space provided in the interrogatories. You should be sure to make a copy for yourself. Each question must be answered separately and as completely as the available information permits. All answers are to be made under oath or affirmation as to their truthfulness.

**AFTER YOU ANSWER THE INTERROGATORIES, DO NOT FILE THE ORIGINAL WITH THE CLERK OF THE COURT. ALL PERSONAL INFORMATION CONTAINED IN THE COURT FILE BECOMES PUBLIC RECORD. INSTEAD, SERVE THE ORIGINAL OF THE ANSWERS TO THE INTERROGATORIES ON THE OTHER PARTY AND FILE FORM 12.930(d), NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES, WITH THE CLERK.**

I, {name of person answering interrogatories} \_\_\_\_\_,  
being sworn, certify that the following information is true:

**1. BACKGROUND INFORMATION:**

- a. State your full legal name and any other name by which you have been known.
- b. State your present residence and telephone numbers.

**2. EDUCATION:**

- a. List all business, commercial, and professional licenses that you have obtained since the entry of the Final Judgment sought to be modified.
- b. List all of your education since the entry of the Final Judgment sought to be modified including, but not limited to, vocational or specialized training, including the following:
  - (1) name and address of each educational institution.
  - (2) dates of attendance.
  - (3) degrees or certificates obtained or anticipated dates of same.

**3. EMPLOYMENT:**

- a. For each place of your employment or self-employment since the entry of the Final Judgment sought to be modified, state the following:
  - (1) name, address, and telephone number of your employer.
  - (2) dates of employment.
  - (3) job title and brief description of job duties.
  - (4) starting and ending salaries.
  - (5) name of your direct supervisor.
  - (6) all benefits received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

- b. Other than as an employee, if you have been engaged in or associated with any business, commercial, or professional activity since the entry of the Final Judgment sought to be modified that was not detailed above, state for each such activity the following:
  - (1) name, address, and telephone number of each activity.
  - (2) dates you were connected with such activity.
  - (3) position title and brief description of activities.
  - (4) starting and ending compensation.
  - (5) name of all persons involved in the business, commercial, or professional activity with you.
  - (6) all benefits and compensation received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.
- c. If you have been unemployed at any time since the entry of the Final Judgment sought to be modified, state the dates of unemployment. If you have not been employed at any time since the entry of the Final Judgment sought to be modified, give the information requested above in question 3.a for your last period of employment

**4. ASSETS:**

- a. **Real Estate.** State the street address, if any, and if not, the legal description of all real property that you own or owned during the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. For each property, state the following:
  - (1) the names and addresses of any other persons or entities holding any interest and their percentage of interest.
  - (2) the present fair market value.

- b. **Tangible Personal Property.** List all items of tangible personal property that are owned by you or in which you have had any interest during the last 3 years, or since the entry of the Final Judgment sought to be modified, including, but not limited to, motor vehicles, tools, furniture, boats, jewelry, art objects or other collections, and collectibles whose fair market value exceeds \$100. For each item, state the following:
- (1) the percentage and type interest you hold.
  - (2) the names and addresses of any other persons or entities holding any interest.
  - (3) the present fair market value.
- c. **Intangible Personal Property.** Other than the financial accounts (checking, savings, money market, credit union accounts, retirement accounts, or other such cash management accounts) listed in the answers to interrogatories 4.d and 4.e below, list all items of intangible personal property that are owned by you or in which you have had any ownership interest (including closed accounts) within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, including but not limited to, partnership and business interests (including good will), deferred compensation accounts unconnected with retirement, including but not limited to stock options, sick leave, and vacation pay, stocks, stock funds, mutual funds, bonds, bond funds, real estate investment trust, receivables, certificates of deposit, notes, mortgages, and debts owed to you by another entity or person. For each item, state the following:
- (1) the percentage and type interest you hold.
  - (2) the names and addresses of any other persons or entities holding any interest and the names and addresses of the persons and entities who are indebted to you.
  - (3) the present fair market value or the amounts you claim are owned by or owed to you, at the time of answering these interrogatories.

**You may comply with this interrogatory (4.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. However, if the date of acquisition, the purchase price, and the market valuations are not clearly reflected in the periodic statements which are furnished, then these questions must be answered separately. You do not have to resubmit any periodic statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- d. **Retirement Accounts:** List all information regarding each retirement account/plan, including but not limited to defined benefit plans, 401k, 403B, IRA accounts, pension plans, Florida Retirement System plans (FRS), Federal Government plans, money purchase plans, HR10 (Keogh) plans, profit sharing plans, annuities, employee savings plans, etc. that you have established and/or that have been established for you by you, your employer, or any previous employer. For each account, state the following:
- (1) the name and last 4 digits of the account number of each account/plan and where it is located.
  - (2) the type of account/plan.
  - (3) the name and address of the fiduciary plan administrator/service representative.
  - (4) the fair market value of your interest in each account/plan.
  - (5) whether you are vested or not vested; and if vested, in what amount, as of a certain date and the schedule of future vesting.
  - (6) the date at which you became/become eligible to receive some funds in this account/plan.
  - (7) monthly benefits of the account/plan if no fair market value is ascertained.
  - (8) beneficiary(ies) and/or alternate payee(s).

- e. **Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each institution.
  - (2) name in which the account is or was maintained.
  - (3) last 4 digits of account numbers.
  - (4) name of each person authorized to make withdrawals from the accounts.
  - (5) highest balance within each of the preceding 3 years.
  - (6) lowest balance within each of the preceding 3 years.

**You may comply with this interrogatory (4.e) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do**

**not have to resubmit account statements previously furnished pursuant to rule 12.285 (Mandatory Disclosure).**

- f. **Closed Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) closed within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each institution.
  - (2) name in which the account is or was maintained.
  - (3) last 4 digits of account numbers.
  - (4) name of each person authorized to make withdrawals from the accounts.
  - (5) date account was closed.
- g. **Trust.** For any interest in an estate, trust, insurance policy, or annuity, state the following:
- (1) If you are the beneficiary of any estate, trust, insurance policy, or annuity, give for each one the following:
    - (a) identification of the estate, trust, insurance policy, or annuity.
    - (b) the nature, amount, and frequency of any distributions of benefits.
    - (c) the total value of the beneficiaries' interest in the benefit.
    - (d) whether the benefit is vested or contingent.
  - (2) If you have established any trust or are the trustee of a trust, state the following:
    - (a) the date the trust was established.
    - (b) the names and addresses of the trustees.
    - (c) the names and addresses of the beneficiaries.
    - (d) the names and addresses of the persons or entities who possess the trust documents.
    - (e) each asset that is held in each trust, with its fair market value.
- h. **Name of Accountant, Bookkeeper, or Records Keeper.** State the names, addresses, and telephone numbers of your accountant, bookkeeper, and any other persons who possess your records, and state which records each possesses.

**5. LIABILITIES:**

- a. **Loans, Liabilities, Debts, and Other Obligations.** For all loans, liabilities, debts, and other obligations (other than credit cards and charge accounts) listed in your Financial Affidavit, indicate for each the following:
- (1) name and address of the creditor.
  - (2) name in which the obligation is or was incurred.
  - (3) last 4 digits of loan or account number, if any.
  - (4) nature of the security, if any.
  - (5) payment schedule.
  - (6) present balance and current status of your payments.
  - (7) total amount of arrearage, if any.

**You may comply with this interrogatory (5.a) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- b. **Credit Cards and Charge Accounts.** For all financial accounts (credit cards, charge accounts, or other such accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of the creditor.
  - (2) name in which the account is or was maintained.
  - (3) names of each person authorized to sign on the accounts.
  - (4) last 4 digits of account numbers.
  - (5) present balance and current status of your payments.
  - (6) total amount of arrearage, if any.
  - (7) highest and lowest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

**You may comply with this interrogatory (5.b) by providing copies of all periodic (monthly quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

- c. **Closed Credit Cards and Charge Accounts.** As to all financial accounts (credit cards, charge accounts, or other such accounts) closed with no remaining balance, within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:
- (1) name and address of each creditor.
  - (2) name in which the account is or was maintained.
  - (3) last 4 digits of account numbers.
  - (4) names of each person authorized to sign on the accounts.
  - (5) date the balance was paid off.
  - (6) amount of final balance paid off.

**You may comply with this interrogatory (5.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).**

**6. MISCELLANEOUS:**

- a. If you are claiming a diminished earning capacity since the entry of the Final Judgment sought to be modified as grounds to modify alimony or deviate from the child support established in your case, describe in detail how your earning capacity is lowered and state all facts upon which you rely in your claim. If unemployed, state how, why, and when you lost your job.
- b. If you are claiming a change in a mental or physical condition since the entry of the Final Judgment sought to be modified as grounds to modify alimony or change the child support established in your case, describe in detail how your mental and/or physical capacity has changed and state all facts upon which you rely in your claim. Identify the change in your mental and/or physical capacity, and state the name and address of all health care providers involved in the treatment of this mental or physical condition.
- c. If you are requesting a change in shared or sole parental responsibility, ultimate decision-making, the time-sharing schedule, the parenting plan, or any combination thereof, for the minor child(ren), describe in detail the change in circumstances since the entry of the Final Judgment sought to be modified that you feel justify the requested change. State when the change of circumstances occurred, how the change of circumstances affects the child(ren), and why it is in the best interests of the child(ren) that the Court make the requested change. Attach your proposed parenting plan.
- d. If you do not feel the requested change in shared or sole parental responsibility, ultimate decision-making, the time-sharing schedule, the parenting plan, or any combination thereof, for the minor child(ren) is in their best interests, or if you feel

Florida Family Law Rules of Procedure Form 12.930(c), Standard Family Law Interrogatories for Modification Proceedings (10/11)

there has not been a change in circumstances since the entry of the Final Judgment sought to be modified, describe in detail any facts since the entry of the Final Judgment sought to be modified that you feel justify the Court denying the requested change. State what requested change, if any in shared or sole parenting responsibility, ultimate decision-making, the time-sharing schedule, or of the parenting plan is justified or agreeable to you and why it is in the best interests of the child(ren).

7. **LONG FORM AFFIDAVIT:** If you filed the short form affidavit, Florida Family Law Rules of Procedure Form 12.902(b), and you were specifically requested in the Notice of Service of Standard Family Law Interrogatories to file the Long Form Affidavit, Form 12.902(c), you must do so within the time to serve the answers to these interrogatories.

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

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

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

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

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

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

**I understand that I am swearing or affirming under oath to the truthfulness of the answers to these interrogatories and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

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

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

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

\_\_\_\_ Type of identification produced \_\_\_\_\_

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, located at {street} \_\_\_\_\_, {city} \_\_\_\_\_,

{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,

who is the [check **one** only] \_\_ petitioner **or** \_\_ respondent, fill out this form.

Florida Family Law Rules of Procedure Form 12.930(c), Standard Family Law Interrogatories for Modification Proceedings (10/11)

## INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(d), NOTICE OF SERVICE OF ANSWERS TO STANDARD FAMILY LAW INTERROGATORIES (10/11)

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

You should use this form to tell the court that you have responded to the other **party's** request to answer certain standard questions (**interrogatories**) in writing.

This form should be typed or printed in black ink. You must indicate whether you are sending the answers to interrogatories for original and enforcement proceedings, Florida Family Law Rules of Procedure Form 12.930(b), or modification proceedings, Florida Family Law Rules of Procedure Form 12.930(c). You must also indicate whether you have additional questions that you were asked to answer. After completing this form you should **file** the original with the **clerk of the circuit court** in the county where your case was filed and keep a copy for your records.

### *What should I do next?*

A copy of this form and the original completed answers to the interrogatories must be mailed or hand delivered to the other party in your case. However, **file** only this form with the clerk. **DO NOT FILE THE ORIGINAL ANSWERS TO THE INTERROGATORIES OR ANY ATTACHMENTS WITH THE CLERK UNLESS THEY ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.425.**

### *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 Family Law Rules of Procedure Rules 12.280, 12.285, 12.340, and 12.380, and Florida Rules of Civil Procedure Rules 1.280, 1.340, and 1.380.

### *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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

**NOTICE OF SERVICE OF ANSWERS TO STANDARD FAMILY LAW INTERROGATORIES**

I, {full legal name} \_\_\_\_\_, have on {date} \_\_\_\_\_ served on {name} \_\_\_\_\_ fully completed and sworn answers to the standard family law interrogatories served on me, and additional interrogatories if requested. The interrogatories were for [check **one** only] ( ) original or enforcement proceedings ( ) modification proceedings.

**I UNDERSTAND THAT I SHOULD NOT FILE THE ANSWERS TO INTERROGATORIES WITH THE CLERK OF THE CIRCUIT COURT EXCEPT AS PROVIDED BY FLORIDA RULE OF CIVIL PROCEDURE 1.340(e).**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.932, CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE (10/11)

## When should this form be used?

**Mandatory disclosure** requires each **party** in a **dissolution of marriage** case to provide the other party with certain financial information and documents. These documents must be provided by mail or hand delivery to the other party within 45 days of **service** of the petition for **dissolution of marriage** or supplemental petition for modification on the **respondent**. The mandatory disclosure rule applies to all original and **supplemental** dissolution of marriage cases, except simplified dissolution of marriage cases and cases where the respondent is served by **constructive service** and does not answer. You should use this form to notify the court and the other party that you have complied with the mandatory disclosure rule.

Each party must provide the other party with the documents listed in section 2 of this form if the relief being sought is permanent regardless of whether it is an initial or supplemental proceeding. Of the documents listed on this form, the **financial affidavit and child support guidelines worksheet** are the only documents that may be required to be **filed** with the court under Florida Family Law Rules of Procedure 12.285(c) and (k) but must be sent to the other party; all other documents should be sent to the other party but not filed with the court. If your individual gross annual income is under \$50,000, you should complete the **Family Law Financial Affidavit (Short Form)**, Florida Family Law Rules of Procedure Form 12.902(b). If your individual gross annual income is \$50,000 or more, you should complete the **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(c).

In addition, there are separate mandatory disclosure requirements that apply to **temporary financial hearings**, which are listed in section 1 of this form. The party seeking temporary financial relief must serve these documents on the other party with the notice of temporary financial hearing. The responding party must either deliver the required documents to the party seeking temporary relief on or before 5:00 p.m., 2 business days before the hearing on temporary relief, **or** mail (postmark) them to the other party seeking temporary relief 7 days before the hearing on temporary financial relief. Any documents that have already been served under the requirements for temporary or initial proceedings, do not need to be reserved again in the same proceeding. If a supplemental petition is filed, seeking modification, then the mandatory disclosure requirements begin again.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records. A copy of this form must be mailed **or** hand delivered to any other party in your case.

## What should I do next?

After you have provided the other party all of the financial information and documents and have filed this form certifying that you have complied with this rule, you are under a continuing duty to promptly give the other party any information or documents that change your financial status or that make the information already provided inaccurate. You should not file with the clerk any of the documents listed in the certificate of compliance other than the financial affidavit and child support guidelines worksheet. Refer to the instructions regarding the **petition** in your case to determine how you should proceed after filing this form.

### **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 12.285, Florida Family Law Rules of Procedure.

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

You may provide copies of required documents; however, the originals must be produced for inspection if the other party requests to see them.

Although the financial affidavits are based on individual gross income, either party may ask the other party to complete the **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(c), by serving the appropriate interrogatory form. (See **Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(b) (original proceedings) or (c) (modification proceedings)).

Any portion of the mandatory disclosure rule may be modified by order of the **judge** or agreement of the parties. Therefore, you and your **spouse** may agree that you will not require each other to produce the documents required under the mandatory disclosure rule. This exception does **not** apply to the **Financial Affidavit**, Family Law Rules of Procedure Form 12.902(b) or (c), which is required in all cases and cannot be waived.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

and

\_\_\_\_\_  
Respondent.

### **CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE**

I, {full legal name} \_\_\_\_\_, certify that I have  
complied with the mandatory disclosure required by Florida Family Law Rule 12.285 as follows:

#### **1. FOR TEMPORARY FINANCIAL RELIEF, ONLY:**

The date the following documents were served: \_\_\_\_\_.

[Check **all** that apply]

- a. ☐ Financial Affidavit
  - ☐ Florida Family Law Rules of Procedure Form 12.902(b) (short form)
  - ☐ Florida Family Law Rules of Procedure Form 12.902(c) (long form)
- b. ☐ ☐ All personal (1040) federal tax, gift tax, and intangible personal property tax returns for the preceding year; or
  - ☐ Transcript of tax return as provided by IRS form 4506-T; or
  - ☐ IRS forms W-2, 1099, and K-1 for the past year because the income tax return for the past year has not been prepared.
- c. ☐ Pay stubs or other evidence of earned income for the 3 months before the service of the financial affidavit.

#### **2. FOR INITIAL, SUPPLEMENTAL, AND PERMANENT FINANCIAL RELIEF:**

The date the following documents were served: \_\_\_\_\_.

[Check **all** that apply]

- a. ☐ Financial Affidavit
  - ☐ Florida Family Law Rules of Procedure Form 12.902(b) (short form)
  - ☐ Florida Family Law Rules of Procedure Form 12.902(c) (long form)
- b. ☐ ☐ All personal (1040) federal and state tax income returns, gift tax returns, and intangible personal property tax returns for the preceding 3 years;
  - ☐ IRS forms W-2, 1099, and K-1 for the past year because the income tax return for the past year has not been prepared.
- c. ☐ Pay stubs or other evidence of earned income for the 3 months before the service of the financial affidavit.

- d. \_\_\_ A statement identifying the source and amount of all income for the 3 months before the service of the financial affidavit, if not reflected on the pay stubs produced.
- e. \_\_\_ All loan applications and financial statements prepared for any purpose or used for any purpose within the 12 months preceding the service of the financial affidavit.
- f. \_\_\_ All deeds to real estate in which I presently own or owned an interest within the past 3 years. All promissory notes in which I presently own or owned an interest within the last 12 months. All present leases in which I own an interest.
- g. \_\_\_ All periodic statements for the last 3 months for all checking accounts and for the last year for all savings accounts, money market funds, certificates of deposit, etc.
- h. \_\_\_ All brokerage account statements for the last 12 months.
- i. \_\_\_ Most recent statement for any pension, profit sharing, deferred compensation, or retirement plan (for example, IRA, 401(k), 403(b), SEP, KEOGH, etc.) and summary plan description for any such plan in which I am a participant or alternate payee.
- j. \_\_\_ The declaration page, the last periodic statement, and the certificate for any group insurance for all life insurance policies insuring my life or the life of me or my spouse.
- k. \_\_\_ All health and dental insurance cards covering either me or my spouse and/or our dependent child(ren).
- l. \_\_\_ Corporate, partnership, and trust tax returns for the last 3 tax years, in which I have an ownership or interest greater than or equal to 30%.
- m. \_\_\_ All credit card and charge account statements and other records showing my (our) indebtedness as of the date of the filing of this action and for the prior 3 months. All promissory notes on which I presently owe or owned within the past year. All lease agreements I presently owe.
- n. \_\_\_ All premarital and marital agreements between the parties to this case.
- o. \_\_\_ If a modification proceeding, all written agreements entered into between the parties at any time since the order to be modified was entered.
- p. \_\_\_ All documents and tangible evidence relating to claims for an unequal distribution of marital property, enhancement or appreciation in nonmarital property, or nonmarital status of an asset or debt.
- q. \_\_\_ Any court order directing that I pay or receive spousal support (alimony) or child support.

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

I understand that I am swearing or affirming under oath to the accuracy of my compliance with the mandatory disclosure requirements of Fla. Fam. L. R. P. 12.285 and that, unless otherwise indicated with specificity, this disclosure is complete. I further understand that the punishment for knowingly making a false statement or incomplete disclosure includes fines and/or imprisonment.

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

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

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

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

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

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

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

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

\_\_\_\_ Type of identification produced \_\_\_\_\_

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, located at {street} \_\_\_\_\_, {city} \_\_\_\_\_,

{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,

who is the [Check **one** only] \_\_\_\_ petitioner **or** \_\_\_\_ respondent, fill out this form.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.943,  
MOTION TO DEVIATE FROM CHILD SUPPORT GUIDELINES (10/11)**

**When should this form be used?**

Child support in Florida is determined by the child support guidelines found in section 61.30, Florida Statutes. The court, at its discretion, may raise or lower the child support guidelines amount by up to 5%. In addition, the court may raise or lower the guidelines support amount by more than 5%, if written reasons are given for the adjustment. The court may make these additional adjustments based on certain considerations, which are reflected in this form. You should review this form to determine if any of the reasons for adjusting the child support guidelines amount apply to your situation and you should complete this form **only** if you want the court to order **more child support or less child support** than the amount required by the child support guidelines.

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

**What should I do next?**

A copy of this form must be mailed **or** hand delivered to the other party in your case.

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

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** For further information, see section 61.30, Florida Statutes.

**Special notes...**

More information on the child support guidelines as well as a chart for converting income and expenses to monthly amounts if paid or incurred on other than a monthly basis is contained in the instructions to **Florida Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e).

With this form you must also file the following, if not already filed:

- **Florida Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party's income, you should file this worksheet as soon as you receive a copy of his or her **financial affidavit**.)

Instructions for Florida Supreme Court Approved Family Law Form 12.943, Motion to Deviate from Child Support Guidelines (10/11)

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

### **MOTION TO DEVIATE FROM CHILD SUPPORT GUIDELINES**

( ) Petitioner ( ) Respondent requests that the Court enter an order granting the following:

#### **SECTION I**

[Choose only **one**]

**A..**      **MORE** child support than the amount required by the child support guidelines. The Court should order MORE child support than the amount required by the child support guidelines because of:

[Choose **all** that apply to your situation]

1.      Extraordinary medical, psychological, educational, or dental expenses;
2.      Seasonal variations in one or both parent's income or expenses;
3.      Age(s) of the child(ren), taking into consideration the greater needs of older child(ren);
4.      Special needs, such as costs that may be associated with the disability of a child or child(ren), that have traditionally been met within the family budget even though the fulfilling of those needs will cause support to exceed the presumptive amount established by the guidelines;
5.      Total available assets of obligee, obligor, and the child(ren);
6.      Impact of IRS dependency exemption and waiver of that exemption;
7.      The Parenting Plan, such as where the child or children spend a significant amount of time, but less than 40 percent of the overnights, with one parent, thereby reducing the financial expenditures incurred by the other parent, or the refusal of a parent to become involved in the activities of the child(ren);
8.      Any other adjustment that is needed to achieve an equitable result, which may include reasonable and necessary expenses or debts jointly incurred during the marriage.

Explain any items marked above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B..\_\_\_LESS child support than the amount required by the child support guidelines. The Court should order LESS child support than the amount required by the child support guidelines because of:

[Choose **all** that apply to your situation]

1. \_\_\_ Extraordinary medical, psychological, educational, or dental expenses;
2. \_\_\_ Independent income of child(ren), excluding the child(ren)'s SSI (supplemental security income)
3. \_\_\_ Payment of both child support and spousal support to a parent that regularly has been paid and for which there is a demonstrated need;
4. \_\_\_ Seasonal variations in one or both parent's income or expenses;
5. \_\_\_ Age of the child(ren), taking into consideration the greater needs of older child(ren);
6. \_\_\_ Total available assets of obligee, obligor, and child(ren);
7. \_\_\_ Impact of IRS dependency exemption and waiver of that exemption;
8. \_\_\_ Application of the child support guidelines which requires the obligor to pay more than 55% of gross income for a single support order;
9. \_\_\_ Residency of subsequently born or adopted child(ren) with the obligor, include consideration of the subsequent spouse's income;
10. \_\_\_ The Parenting Plan, where the child(ren) spend a significant amount of time, but less than 40 percent of the overnights, with one parent, thereby reducing the financial expenditures incurred by the other parent; or the refusal of a parent to become involved in the activities of the child(ren);
11. \_\_\_ Any other adjustment that is needed to achieve an equitable result, which may include reasonable and necessary expenses or debts jointly incurred during the marriage.

Explain any items marked above \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SECTION II. INCOME AND ASSETS OF CHILD(REN) COMMON TO BOTH PARTIES

List the total of any independent income or assets of the child(ren) common to both parties (income from Social Security, gifts, stocks/bonds, employment, trust fund(s), investment(s), etc.). If any account numbers are listed, please list only the last four (4) digits of the number. Attach an explanation.

<b>TOTAL VALUE OF ASSETS OF CHILD(REN)</b>	<b>\$ _____</b>
<b>TOTAL MONTHLY INCOME OF CHILD(REN)</b>	<b>\$ _____</b>

I have filed, will file, or am filing with this form the following additional documents:

1. Florida Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
2. Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Party or his/her attorney

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

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

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

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

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

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

[fill in **all** blanks]

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

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.947(a), MOTION FOR TEMPORARY SUPPORT AND TIME- SHARING WITH DEPENDENT OR MINOR CHILD(REN) (10/11)

## When should this form be used?

This form may be used by:

- (1) The **respondent** or the **petitioner** in a pending **dissolution of marriage** action. For you to use this form, a **petition** for dissolution of marriage must have already been filed. You should use this form to ask the court to award any of the following: temporary use of assets; temporary exclusive use of the marital home; temporary responsibility for liabilities/debts; temporary spousal support (**alimony**); temporary time-sharing schedule with minor child(ren); temporary **child support**; and other relief.

OR

- (2) The petitioner in a pending action for support unconnected with dissolution. For you to use this form, a petition for support unconnected with dissolution of marriage must have already been filed. You should use this form to ask the court to award temporary spousal support (alimony) and/or temporary child support.

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 the petition for dissolution of marriage was filed and keep a copy for your records.

## What should I do next?

A copy of this form, along with all of the other forms required with this motion, must be mailed or hand delivered to the other party in your case. When you have filed all of the required forms, you are ready to set a **hearing** on your motion. You should check with the clerk, **family law intake staff**, or **judicial assistant** for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should notify the other party using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

## 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.** Words in **bold underline** in these instructions are defined there. For further information, see chapter 61, Florida Statutes, rule 12.285, Florida Family Law Rules of Procedure, and rule 1.610, Florida Rules of Civil Procedure.

Instructions for Florida Supreme Court Approved Family Law Form 12.947(a), Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren) (10/11)

### Special notes...

If you use paragraph 1.c. of this form to ask the court to enter a temporary injunction, the court may require you to post a **bond**.

With this form you must also file the following, if not already filed:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), if this case involves a minor or dependent child(ren).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking that temporary child support be ordered. (If you do not know the other party's income, you may file this worksheet as soon as a copy of his or her financial affidavit has been served on you.)

The parties seeking relief shall serve a financial affidavit (Florida Family Law Rules of Procedure Form 12.902 (b) or (c) ) and certificate of compliance (Florida Family Law Rules of Procedure Form 12.932) with the notice of hearing on the motion for temporary support and time-sharing.

**Parenting Plan.** If you have reached an agreement on either a temporary Parenting Plan or time-sharing schedule, the proposed temporary Parenting Plan or time-sharing schedule, signed by both parties, should be filed. Florida Supreme Court Family Law Form 12.995(a), 12.995(b), or 12.995(c). If you have **not** reached an agreement, a proposed Parenting Plan or temporary time-sharing schedule may be filed for consideration by the Court.

**Temporary Order...** These family law forms contain a **Temporary Order for Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(b), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing.

**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 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.

THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**MOTION FOR TEMPORARY SUPPORT AND TIME-SHARING  
WITH DEPENDENT OR MINOR CHILD(REN)**

The ( ) Petitioner ( ) Respondent requests that the Court enter an order granting the following temporary support:

[complete all that apply]

**1. Assets and Liabilities.**

- a. \_\_\_ **Award temporary exclusive use and possession of the marital home.** *{address}* \_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

- b. \_\_\_ **Award temporary use and possession of marital assets.** *{Specify, without giving account numbers}*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- c. \_\_\_ **Enter a temporary injunction** prohibiting the parties from disposing of any marital assets, other than ordinary and usual expenses. *{Explain}* \_\_\_\_\_

\_\_\_\_\_

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

The Court should do this because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d. \_\_\_\_ **Require temporary payment of specific marital debts.** *{Explain without using account numbers}* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Court should do this because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. **Child(ren).**

- a. \_\_\_\_ Enter a temporary Parenting Plan with a time-sharing schedule for the parties' minor child(ren). \_\_\_\_\_  
b. \_\_\_\_ Enter a temporary injunction prohibiting the parties from permanently removing the child(ren) from the jurisdiction of the Court. The Court should do this because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Support.**

- a. \_\_\_\_ Award temporary child support of \$ \_\_\_\_\_ per month.  
b. \_\_\_\_ Award temporary spousal support/alimony of \$ \_\_\_\_\_ per month.  
The Court should do this because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Attorney's fees and costs.**

- a. \_\_\_\_ Award temporary attorney's fees of \$ \_\_\_\_\_  
b. \_\_\_\_ Award temporary costs of \$ \_\_\_\_\_.  
The Court should do this because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **Other Relief.** *{specify}* \_\_\_\_\_

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6. 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 motion or has already been filed with the Court.
7. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if required, is filed with this motion or has already been filed with the Court.

I request that the Court hold a hearing on this matter and grant the relief specifically requested and any other relief this Court may deem just and proper.

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Party or his/her attorney

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

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

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

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

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

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

[fill in **all** blanks]

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

Instructions for Florida Supreme Court Approved Family Law Form 12.947(a), Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren) (10/11)

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**TEMPORARY ORDER OF SUPPORT AND TIME-SHARING  
WITH DEPENDENT OR MINOR CHILD(REN)**

This cause came before this Court for a hearing on a Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren). The Court, having reviewed the file and heard the testimony, makes these findings of fact and ORDERS as follows:

The Court has jurisdiction over the subject matter and the parties.

**SECTION I. MARITAL ASSETS AND LIABILITIES**

**A. Injunction.**

1. ( ) Petitioner ( ) Respondent is (are) prohibited and enjoined from disposing of any marital assets without the written permission of the other party or a court order. If checked here ( ), the person(s) prohibited and enjoined from disposing of any marital assets may continue to pay all ordinary and usual expenses.
2. The Court may enforce compliance with the terms of this injunction through civil and/or indirect criminal contempt proceedings, which may include arrest, incarceration, and/or the imposition of a fine.
3. Violation of this injunction may constitute criminal contempt of court.
4. Bond. This order is conditioned upon ( ) Petitioner ( ) Respondent posting bond in the sum of \$\_\_\_\_\_ with the clerk of this Court.

**B. Temporary Use of Assets.**

1. The assets listed below are temporarily determined to be marital assets. Each party shall temporarily have the use of, as his/her own, the assets awarded in this section, and the other party shall temporarily have no further use of said assets. **Any personal property not listed below shall be for the use of party currently in possession of that item(s), and he or she may not dispose of that item(s) without the written permission of the other party or a**

court order.

ASSETS: DESCRIPTION OF ITEM(S)	Wife Shall Have Temporary Use	Husband Shall Have Temporary Use
Automobiles		
Furniture & furnishings in home		
Furniture & furnishings elsewhere		
Jewelry		
Business interests		
Other Assets		

**C. Temporary Responsibility for Liabilities/Debts.**

1. The liabilities listed below are temporarily determined to be marital. Each party shall pay as his or her own the marital liabilities indicated below and shall keep said payments current. The other party shall temporarily have no further responsibility for the payment of these debts.

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay
Mortgages on real estate: (home)	\$	\$	\$
Charge/credit card accounts			
Auto loan			
Auto loan			
Bank/Credit Union loans			
Money owed (not evidenced by a note)			
Other			

## SECTION II. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[Choose **all** that apply]

- \_\_\_ ( ) Petitioner ( ) Respondent shall have temporary exclusive use and possession of the dwelling located at: *{address}* \_\_\_\_\_

until: *{date or event}* \_\_\_\_\_.
- \_\_\_ ( ) Petitioner ( ) Respondent may make a visit to the premises described in the paragraph above for the purpose of obtaining his or her clothing and items of personal health and hygiene and to obtain any items awarded in this order. This visit shall occur after notice to the person granted temporary exclusive use and possession of the dwelling and at the earliest convenience of both parties.
- \_\_\_ Other: \_\_\_\_\_

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**SECTION III. TEMPORARY PARENTAL RESPONSIBILITY AND TIME-SHARING WITH DEPENDENT OR MINOR CHILD(REN)**

1. **Jurisdiction.** The Court has jurisdiction to determine temporary parental responsibility and time-sharing for the parties' minor child(ren) listed in paragraph 2 below.

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

**Name**

**Birth date**


3. **Temporary Parental Responsibility for the Minor Child(ren).**

[Choose only **one**]

- a. ☐ The parties shall have temporary **shared parental responsibility** for the parties' minor child(ren).

- b. ☐ ( ) Mother ( ) Father shall have temporary **sole parental responsibility** for the parties' minor child(ren). Temporary shared parental responsibility would be detrimental to the child(ren) at this time because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- c. ( ) Mother ( ) Father shall have ultimate decision making authority regarding the following:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. **Other provisions:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. **Temporary Time-sharing Schedule with Minor Child(ren).** The parent(s) shall have:

[Choose only **one**]

- a. ☐ **reasonable** time-sharing schedule with the parties' minor child(ren) as agreed to by the parties, subject to any limitations in paragraph 5 below. The Court reserves jurisdiction to set a specific schedule.

- b. \_\_\_\_ the following **specified time-sharing schedule** with the parties' minor child(ren), subject to any limitations set out in paragraph 5 below: *{specify days and times}* \_\_\_\_\_

**Mother's Temporary Time-Sharing Schedule .**

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**Father's Temporary Time-sharing Schedule.**

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- c. \_\_\_\_ Time-sharing in accordance with the temporary **Parenting Plan** attached as Exhibit \_\_\_\_.
- d. \_\_\_\_ **No contact** with the parties' minor child(ren) until further order of the Court, due to the existing conditions that are detrimental to the welfare of the minor child(ren): *{explain}*: \_\_\_\_\_

5. **Limitations on Time-sharing.** Neither parent shall take the child(ren) from the other parent or any child care provider or other person entrusted by the other parent with the care of the child(ren) without the agreement of the other party during the other party's time-sharing. The above time-sharing shall be:

[Choose if applies]

- a. \_\_\_\_ **supervised by a responsible adult** who is mutually agreeable to the parties. If the parties cannot agree, the supervising adult shall be: *{name}* \_\_\_\_\_.
- b. \_\_\_\_ at a **supervised visitation** center located at: *{address}* \_\_\_\_\_

\_\_\_\_\_,  
subject to the available times and rules of the supervised visitation center. The cost of such visits shall be paid by ( ) Mother ( ) Father ( ) Both.

6. **Communication Arrangements for Temporary Secondary Parenting, Visitation, and Parental Responsibility and Time-sharing with Minor Child(ren).**

[Choose if applies]

\_\_\_\_\_ The parties' communications to arrange time-sharing and discuss issues relating to the child(ren) (if temporary shared parenting, or time-sharing is provided in paragraph 3 above) are restricted as follows: ( ) telephone, ( ) fax, e-mail, or letter, ( ) a responsible person shall coordinate the time-sharing arrangements of the minor child(ren). If the parties cannot agree, the responsible person shall be: *{name}* \_\_\_\_\_  
( ) other conditions for arrangements or discussions: *{explain}* \_\_\_\_\_

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7. **Exchange of Minor Child(ren).** The exchange of the minor child(ren) shall be on time as scheduled and as agreed to by the parties. The following conditions, if checked below, shall also apply.

[Choose **all** that apply]

a. ☐ The parties shall temporarily exchange the child(ren) at the following location(s): \_\_\_\_\_

b. ☐ ( ☐ ) Mother ( ☐ ) Father shall not get out of the vehicle, and the other parent shall not approach the vehicle, during the time the child(ren) are exchanged.

c. ☐ A responsible person shall conduct all exchanges of the child(ren). ( ☐ ) Mother ( ☐ ) Father shall not be present during the exchange. If the parties cannot agree, the responsible person shall be: {name} \_\_\_\_\_

d. ☐ Other conditions for exchange of the child(ren) are as follows: \_\_\_\_\_

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8. ☐ **Injunction Prohibiting Removing the Child(ren).** The Court hereby temporarily prohibits and enjoins the ( ☐ ) Mother ( ☐ ) Father ( ☐ ) Both from permanently removing the minor child(ren) from the State of Florida without a court order or the written consent of the other party.

9. ☐ **Other Temporary Provisions Relating to the Minor Child(ren).**

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#### SECTION IV. TEMPORARY ALIMONY

1. ( ☐ ) The Court denies the request(s) for temporary alimony. **OR**

( ) The Court finds that there is a need for, and that ( ) Petitioner ( ) Respondent, hereinafter Obligor, has/had the present ability to pay temporary alimony as follows:

[Choose **all** that apply]

- a. **Temporary Periodic.** Obligor shall pay temporary periodic alimony to Oblige in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month ( ) other {explain} \_\_\_\_\_

beginning {date} \_\_\_\_\_. This temporary periodic alimony shall continue until modified by court order, the death of either party, or until, {date/event} \_\_\_\_\_, whichever occurs first.

- b. **Lump Sum.** Obligor shall pay temporary lump sum alimony to Oblige in the amount of \$\_\_\_\_\_. This amount shall be paid as follows: \_\_\_\_\_

- c. **Rehabilitative.** Obligor shall pay temporary rehabilitative alimony to Oblige in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month ( ) other {explain} \_\_\_\_\_

beginning {date} \_\_\_\_\_. This temporary rehabilitative alimony shall continue until modified by court order, the death of either party or until {date/event} \_\_\_\_\_

\_\_\_\_\_ whichever occurs first. The temporary rehabilitative plan presented demonstrated the following: \_\_\_\_\_

- d. **Retroactive.** Obligor shall pay retroactive alimony in the amount of \$\_\_\_\_\_ for the period of {date} \_\_\_\_\_ through {date} \_\_\_\_\_, which shall be paid pursuant to paragraph 3 below.

2. **Reasons for Awarding/Denying Temporary Alimony Award.** The reasons for awarding/denying temporary alimony are as follows:

- a. \_\_\_\_\_ length of the marriage of the party receiving temporary alimony: \_\_\_\_\_ years;  
b. \_\_\_\_\_ age of party receiving temporary alimony: \_\_\_\_\_ years;

- c. \_\_\_\_\_ health of party receiving temporary alimony: ( ) excellent ( ) good ( ) poor ( ) other \_\_\_\_\_;

- d. \_\_\_\_\_ other factors \_\_\_\_\_

\_\_\_\_\_ Please indicate here if additional pages are attached.

3. **Retroactive Alimony.** ( ) Petitioner ( ) Respondent shall pay to the other party the temporary retroactive alimony of \$\_\_\_\_\_, as of {date} \_\_\_\_\_. This amount shall be paid in the amount of \$\_\_\_\_\_ per month, payable in accordance with Obligor's employer's payroll cycle, and in any event at least once a month ( ) other {explain} \_\_\_\_\_

Beginning: {date} \_\_\_\_\_, until paid in full including statutory interest.

4. **Insurance.**

[Choose **all** that apply]

- a. **Health Insurance.** ( ) Petitioner ( ) Respondent shall temporarily be required to pay health insurance premiums for the other party not to exceed \$\_\_\_\_\_ per month. Further, ( ) Petitioner ( ) Respondent shall pay any uninsured medical costs for the other party not exceed \$\_\_\_\_\_ per year. As to these uninsured medical expenses, the party who is entitled to reimbursement of the uninsured medical expense shall submit request for reimbursement to the other party within 30 days, and the other party shall, within 30 days after receipt, submit the applicable reimbursement for that expense.
- b. **Life Insurance (to secure payment of support).** To secure the temporary alimony obligations set forth in this order, the Obligor shall temporarily maintain life insurance coverage on his/her life naming the Oblige as the sole irrevocable beneficiary, so long as reasonably available. This temporary insurance shall be in the amount of at least \$\_\_\_\_\_ and shall remain in effect until this temporary obligation for alimony terminates.

5. **Other provisions relating to temporary alimony:**

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

**SECTION V. TEMPORARY CHILD SUPPORT**

1. The Court finds that there is a need for temporary child support and that the ( ) Mother ( ) Father (hereinafter Obligor) has the present ability to pay child support. The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the ( ) Mother ( ) Father are correct **OR** the Court makes the following findings: The Mother's net monthly income is \$\_\_\_\_\_. The Father's net monthly income is \$\_\_\_\_\_. Monthly child care costs are \$\_\_\_\_\_. Monthly health/dental insurance costs are \$\_\_\_\_\_.
2. **Amount.** Obligor shall be obligated to pay temporary child support in the amount of \$\_\_\_\_\_ per month payable ( ) in accordance with Obligor's payroll cycle, and in any event at least once a month ( ) {explain} \_\_\_\_\_

beginning {date} \_\_\_\_\_, and continuing until further court order or until

{date/event} \_\_\_\_\_,

{explain} \_\_\_\_\_.

If the temporary child support ordered deviates from the guidelines by more than 5%, the factual findings which support that deviation are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

3. **Retroactive Child Support.**

[Choose **if** applies]

( ) Mother ( ) Father shall pay to the other party the temporary retroactive child support of \$ \_\_\_\_\_, as of {date} \_\_\_\_\_. This amount shall be paid in the amount of \$ \_\_\_\_\_ per month, payable in accordance with Obligor's employer's payroll cycle, and in any event at least once a month ( ) other {explain} \_\_\_\_\_

beginning {date} \_\_\_\_\_, until paid in full including statutory interest.

4. **Insurance.**

[Choose **all** that apply]

**Health/Dental Insurance.** ( ) Mother ( ) Father shall be required to temporarily maintain ( ) health ( ) dental insurance coverage for the parties' minor child(ren), so long as reasonably available. The party providing coverage shall be required to convey cards showing coverage to the other party.

**OR**

( ) Health ( ) dental insurance is not reasonably available at this time.

Reasonable and necessary **uninsured medical/dental/prescription drug costs** for the minor child(ren) shall temporarily be assessed as follows:

( ) Shared equally by both parents.

( ) Prorated according to the child support guideline percentages.

( ) Other {explain}: \_\_\_\_\_

As to these uninsured medical/dental/prescription drug expenses, the party who incurs the expense shall submit request for reimbursement to the other party within 30 days, and the other party, within 30 days of receipt, shall submit the applicable reimbursement for that expense, according to the schedule of reimbursement set out in this paragraph.

5. **Life Insurance (to secure payment of support).** To secure the temporary child support obligations in this order, ( ) Petitioner ( ) Respondent ( ) Each party shall temporarily maintain life insurance coverage, in an amount of at least \$ \_\_\_\_\_, on ( ) his life ( ) her life ( ) his/her life naming the ( ) minor child(ren) as the beneficiary (ies) **OR** naming the

( ) Mother Father ( ) other {name}: \_\_\_\_\_  
as trustee for the minor child(ren), so long as reasonably available. The obligation to maintain  
the life insurance coverage shall continue until the Court orders otherwise or until {date/event}

6. **IRS Income Tax Deduction(s).** The assignment of any tax deduction for the child(ren) shall be as follows: \_\_\_\_\_

7. **Other provisions relating to temporary child support:** \_\_\_\_\_

## SECTION VI. METHOD OF PAYMENT

Obligor shall pay any temporary court-ordered child support/alimony and arrears, if any, as follows:

1. **State Disbursement Unit.**

[Choose if applies]

- a. \_\_\_\_ Obligor shall pay temporary court-ordered support directly to the State Disbursement Unit, along with any applicable service charge.
- b. \_\_\_\_ Both parties have requested and the court finds that it is in the best interests of the child(ren) that temporary support payments need not be directed through the State Disbursement Unit. However, either party may subsequently apply, pursuant to section 61.13(1)(d)3, Florida Statutes, to require payments through the State Disbursement Unit.

2. **Income Deduction.**

[Choose if applies]

\_\_\_\_ **Immediate.** Obligor shall pay through income deduction, pursuant to a separate Income Deduction Order which shall be effective immediately. Obligor is individually responsible for paying this temporary support obligation until all of said support is deducted from Obligor's income. Until temporary support payments are deducted from Obligor's paycheck, Obligor is responsible for making timely payments directly to the State Disbursement Unit or the Obligee, as previously set forth in this order.

\_\_\_\_ **Deferred.** Income deduction is ordered this day, but it shall not be effective until a delinquency of \$\_\_\_\_\_, or, if not specified, an amount equal to one month's obligation occurs. Income deduction is not being implemented immediately based on the following findings: Income deduction is **not** in the best interests of the child(ren) because: {explain}

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

**AND**

there is proof of timely payment of a previously ordered obligation without an income

deduction order in cases of modification,

**AND**

( ) there is an agreement by the Obligor to advise the central governmental depository of any change in payor and health insurance **OR** ( ) there is a signed written agreement providing an alternative arrangement between the Obligor and the Obligee.

3. **Bonus/one-time payments.** ( ) All ( ) \_\_\_\_\_% ( ) No income paid in the form of a bonus or other similar one-time payment, up to the amount of any arrearage or the remaining balance thereof owed pursuant to this order, shall be forwarded to Obligee pursuant to the payment method prescribed above.
4. **Other provisions relating to method of payment.** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **SECTION VII. TEMPORARY ATTORNEY FEES, COSTS, AND SUIT MONEY**

1. \_\_\_\_ ( ) Petitioner's ( ) Respondent's request(s) for temporary attorney fees, costs, and suit money is (are) denied because \_\_\_\_\_  
\_\_\_\_\_.
2. \_\_\_\_ The Court finds there is a need for and an ability to pay temporary attorney fees, costs, and suit money. ( ) Petitioner ( ) Respondent is hereby ordered to pay to the other party \$\_\_\_\_\_ in temporary attorney fees, and \$\_\_\_\_\_ in costs. The Court further finds that the temporary attorney fees awarded are based on the reasonable rate of \$\_\_\_\_\_ per hour and \_\_\_\_\_reasonable hours. Other provisions relating to temporary attorney fees, costs, and suit money are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **SECTION VIII. OTHER PROVISIONS**

**Other Provisions:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE AND ORDERED at \_\_\_\_\_, Florida on {date} \_\_\_\_\_.

\_\_\_\_\_

CIRCUIT JUDGE

A copy of the {*name of document(s)*} \_\_\_\_\_ was [Choose one  
**only**] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the parties listed below on  
{ *date* } \_\_\_\_\_.

Petitioner (or his or her attorney)

Respondent (or his or her attorney)

State Disbursement Unit

Other: \_\_\_\_\_

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.947(c), MOTION FOR TEMPORARY SUPPORT WITH NO DEPENDENT OR MINOR CHILD(REN)(10/11)

## When should this form be used?

This form may be used by:

- (1) the **respondent** or the **petitioner** in a pending **dissolution of marriage** action. For you to use this form, a **petition** for dissolution of marriage must have already been filed. You should use this form to ask the court to award any of the following: temporary use of assets; temporary exclusive use of the marital home; temporary responsibility for liabilities/debts; temporary spousal support (**alimony**); and other relief.

OR

- (2) the petitioner in a pending action for support unconnected with a dissolution. For you to use this form, a petition for support unconnected with a dissolution of marriage must have already been filed. You should use this form to ask the court to award temporary spousal support (alimony).

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 the petition for dissolution of marriage was filed and keep a copy for your records.

## What should I do next?

A copy of this form, along with all of the other forms required with this motion, must be mailed or hand delivered to the other party in your case. When you have filed all of the required forms, you are ready to set a hearing on your motion. You should check with the clerk, **family law intake staff**, or **judicial assistant** for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should notify the other party using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

## 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.** Words in “**bold underline**” in these instructions are defined there. For further information, see chapter 61, Florida Statutes, rule 12.285, Florida Family Law Rules of Procedure, and rule 1.610, Florida Rules of Civil Procedure.

Instructions for Florida Supreme Court Approved Family Law Form 12.947(c), Motion for Temporary Support with No Dependent or Minor Child(ren) (10/11)

### Special notes...

If you use paragraph 1.c. of this form to ask the court to enter a temporary injunction, the court may require you to post a **bond**.

With this form you must also file the following, if not already filed:

- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days if not filed at the time of the petition.)
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932.

**Temporary Order...** These family law forms contain a **Temporary Support Order with No Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(d), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing.

**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 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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

**MOTION FOR TEMPORARY SUPPORT WITH  
NO DEPENDENT OR MINOR CHILD(REN)**

( ) Petitioner ( ) Respondent requests that the Court enter an order granting the following temporary support:

[ **complete all** that apply]

**1. Assets and Liabilities.**

- a. **\_\_\_ Award temporary exclusive use and possession of the marital home.** *{address}* \_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

- b. **\_\_\_ Award temporary use and possession of marital assets.** *{Specify, without using account numbers}* \_\_\_\_\_

\_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

- c. **\_\_\_ Enter a temporary injunction** prohibiting the parties from disposing of any marital assets, other than ordinary and usual expenses. *{Explain}*

\_\_\_\_\_

\_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. \_\_\_\_ Require temporary payment of specific marital debts. *{Explain, without using account numbers}*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. **Support.** Award temporary spousal support/alimony of \$\_\_\_\_\_ per month. The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. **Attorney's fees and costs.**

a. \_\_\_\_ Award temporary attorney's fees of \$\_\_\_\_\_.

b. \_\_\_\_ Award temporary costs of \$\_\_\_\_\_.

The Court should do this because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. **Other Relief.** *{specify}* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. A completed Certificate of Compliance with Mandatory Disclosure, Florida Family Law Rules of Procedure Form 12.932, is filed with this motion or has already been filed with the Court.

6. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if required, is filed with this motion or has already been filed with the Court.

I request that the Court hold a hearing on this matter and grant the relief specifically requested

and any other relief this Court may deem just and proper.

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

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

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

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

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

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

\_\_\_\_\_  
Signature of Party or his/her attorney

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

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

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

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

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

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

[fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, whose address is {street} \_\_\_\_\_,

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {phone} \_\_\_\_\_,

helped {name} \_\_\_\_\_, who is the petitioner, fill out this form.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

\_\_\_\_\_  
Respondent.

### TEMPORARY SUPPORT ORDER WITH NO DEPENDENT OR MINOR CHILD(REN)

This cause came before this Court for a hearing on a Motion for Temporary Support with No Dependent or Minor Child(ren). The Court, having reviewed the file and heard the testimony, makes these findings of fact and ORDERS as follows:

The Court has jurisdiction over the subject matter and the parties.

#### SECTION I. MARITAL ASSETS AND LIABILITIES

##### A. Injunction.

1. ( ) Petitioner ( ) Respondent is (are) prohibited and enjoined from disposing of any marital assets without the written permission of the other party or a court order. If checked here ( ), the person(s) prohibited and enjoined from disposing of any marital assets may continue to pay all ordinary and usual expenses.
2. The Court may enforce compliance with the terms of this injunction through civil and/or indirect criminal contempt proceedings, which may include arrest, incarceration, and/or the imposition of a fine.
3. Violation of this injunction may constitute criminal contempt of court.
4. Bond. This order is conditioned upon ( ) Petitioner ( ) Respondent posting bond in the sum of \$\_\_\_\_\_ with the clerk of this Court.

##### B. Temporary Use of Assets.

1. The assets listed below are temporarily determined to be marital assets. Each party shall temporarily have the use of, as his/her own, the assets awarded in this section, and the other party shall temporarily have no further use of said assets. **Any personal property not listed below shall be for the use of party currently in possession of that item(s), and he or**

**she may not dispose of that item(s) without the written permission of the other party or a court order.**

ASSETS: DESCRIPTION OF ITEM(S)	Wife Shall Have Temporary Use	Husband Shall Have Temporary Use
Automobiles		
Furniture & furnishings in home		
Furniture & furnishings elsewhere		
Jewelry		
Business interests		
Other Assets		

**C. Temporary Responsibility for Liabilities/Debts.**

1. The liabilities listed below are temporarily determined to be marital. Each party shall pay as his or her own the marital liabilities indicated below and shall keep said payments current. The other party shall temporarily have no further responsibility for the payment of these debts.

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay
Mortgages on real estate: (home)	\$	\$	\$

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay
Charge/credit card accounts			
Auto loan			
Auto loan			
Bank/Credit Union loans			
Money owed (not evidenced by a note)			
Other			

## SECTION II. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[ Choose **all** that apply]

- \_\_\_ ( ) Petitioner ( ) Respondent shall have temporary exclusive use and possession of the dwelling located at: *{address}* \_\_\_\_\_

\_\_\_\_\_

until *{date or event}* \_\_\_\_\_

\_\_\_\_\_.
- \_\_\_ ( ) Petitioner ( ) Respondent may make a visit to the premises described in the paragraph above for the purpose of obtaining his or her clothing and items of personal health and hygiene and to obtain any items awarded in this order. This visit shall occur after notice to the person granted temporary exclusive use and possession of the dwelling and at the earliest convenience of both parties.
- \_\_\_ Other: \_\_\_\_\_

---

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### SECTION III. TEMPORARY ALIMONY

1. ( ) The Court denies the request(s) for temporary alimony. **OR**  
( ) The Court finds that there is a need for, and that ( ) Petitioner ( ) Respondent, hereinafter Obligor, has/had the present ability to pay, temporary alimony as follows:  
[ Choose **all** that apply ]
  - a.      **Temporary Periodic.** Obligor shall pay temporary periodic alimony to Obligee in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month ( ) other {*explain*} \_\_\_\_\_  
\_\_\_\_\_ beginning {*date*} \_\_\_\_\_. This temporary periodic alimony shall continue until modified by court order, the death of either party, or until, {*date/event*} \_\_\_\_\_, whichever occurs first.
  - b.      **Lump Sum.** Obligor shall pay temporary lump sum alimony to Obligee in the amount of \$\_\_\_\_\_. This amount shall be paid as follows: \_\_\_\_\_  
\_\_\_\_\_
  - c.      **Rehabilitative.** Obligor shall pay temporary rehabilitative alimony to Obligee in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month ( ) other {*explain*} \_\_\_\_\_  
\_\_\_\_\_ beginning {*date*} \_\_\_\_\_. This temporary rehabilitative alimony shall continue until modified by court order, the death of either party or until {*date/event*} \_\_\_\_\_, whichever occurs first. The temporary rehabilitative plan presented demonstrated the following:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
  - d.      **Retroactive.** Obligor shall pay retroactive alimony in the amount of \$\_\_\_\_\_ for the period of {*date*} \_\_\_\_\_ through {*date*} \_\_\_\_\_, which shall be paid pursuant to paragraph 3 below.
2. **Reasons for Awarding/Denying Temporary Alimony Award.** The reasons for awarding/denying temporary alimony are as follows:
  - a.      length of the marriage of the party receiving temporary alimony: \_\_\_\_\_ years;
  - b.      age of party receiving temporary alimony: \_\_\_\_\_;

c. \_\_\_ health of party receiving temporary alimony: ( ) excellent ( ) good ( ) poor ( ) other \_\_\_\_\_;

d. \_\_\_ other factors \_\_\_\_\_

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

\_\_\_ Please indicate here if additional pages are attached.

3. **Retroactive Alimony.** ( ) Petitioner ( ) Respondent shall pay to the other party the temporary retroactive alimony of \$\_\_\_\_\_, as of {date} \_\_\_\_\_. This amount shall be paid in the amount of \$\_\_\_\_\_ per month, payable in accordance with Obligor's employer's payroll cycle, and in any event at least once a month ( ) other {explain} \_\_\_\_\_

\_\_\_\_\_ beginning {date} \_\_\_\_\_, until paid in full including statutory interest.

4. **Insurance.**

[ Choose all that apply]

- a. \_\_\_ **Health Insurance.** ( ) Petitioner ( ) Respondent shall temporarily be required to pay health insurance premiums for the other party not to exceed \$\_\_\_\_\_ per month. Further, ( ) Petitioner ( ) Respondent shall pay any uninsured medical costs for the other party not exceed \$\_\_\_\_\_ per year. As to these uninsured medical expenses, the party who is entitled to reimbursement of the uninsured medical expense shall submit request for reimbursement to the other party within 30 days, and the other party shall, within 30 days after receipt, submit the applicable reimbursement for that expense.
- b. \_\_\_ **Life Insurance (to secure payment of support).** To secure the temporary alimony obligations set forth in this order, the Obligor shall temporarily maintain life insurance coverage on his/her life naming the Obligee as the sole irrevocable beneficiary, so long as reasonably available. This temporary insurance shall be in the amount of at least \$\_\_\_\_\_ and shall remain in effect until this temporary obligation for alimony terminates.

5. **Other provisions relating to temporary alimony:** \_\_\_\_\_

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

**SECTION IV. METHOD OF PAYMENT**

Obligor shall pay any temporary court-ordered alimony and arrears, if any, as follows:

1. **State Disbursement Unit.**

[ Choose if applies]

- a. \_\_\_ Obligor shall pay temporary court-ordered support directly to the State Disbursement Unit, along with any applicable service charge.
- b. \_\_\_ Both parties have requested and the court finds that it is in the best interests that

temporary support payments need not be directed through the State Disbursement Unit. However, either party may subsequently apply to the depository pursuant to section 61.13(1)(d)3, Florida Statutes, to require payments through the State Disbursement Unit.

2. **Income Deduction.**

[ Choose if applies]

a. ☐ **Immediate.** Obligor shall pay through income deduction, pursuant to a separate Income Deduction Order which shall be effective immediately. Obligor is individually responsible for paying this temporary support obligation until all of said support is deducted from Obligor's income. Until support payments are deducted from Obligor's paycheck, Obligor is responsible for making timely payments directly to the State Disbursement Unit or the Obligee, as previously set forth in this order.

b. ☐ **Deferred.** Income deduction is ordered this day, but it shall not be effective until a delinquency of \$\_\_\_\_\_, or, if not specified, an amount equal to one month's obligation occurs. Income deduction is not being implemented immediately based on the following findings: there are no minor child(ren) common to the parties,

**AND**

there is proof of timely payment of a previously ordered obligation without an income deduction order in cases of modification,

**AND**

( ) there is an agreement by the Obligor to advise the State Disbursement Unit of any change in payor and health insurance **OR** ( ) there is a signed written agreement providing an alternative arrangement between the Obligor and the Obligee.

3. **Bonus/one-time payments.** ( ) All ( ) \_\_\_\_\_% ( ) No income paid in the form of a bonus or other similar one-time payment, up to the amount of any arrearage or the remaining balance thereof owed pursuant to this order, shall be forwarded to Obligee pursuant to the payment method prescribed above.

4. **Other provisions relating to method of temporary payment:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION V. TEMPORARY ATTORNEY FEES, COSTS, AND SUIT MONEY**

1. ☐ ( ) Petitioner's ( ) Respondent's request(s) for temporary attorney fees, costs, and suit money is (are) denied because \_\_\_\_\_  
\_\_\_\_\_.

2. \_\_\_\_ The Court finds there is a need for and an ability to pay temporary attorney fees, costs, and suit money. ( ) Petitioner ( ) Respondent is hereby ordered to pay to the other party \$\_\_\_\_\_ in temporary attorney fees, and \$\_\_\_\_\_ in costs. The Court further finds that the temporary attorney fees awarded are based on the reasonable rate of \$\_\_\_\_\_ per hour and \_\_\_\_\_ reasonable hours. Other provisions relating to temporary attorney fees, costs, and suit money are as follows: \_\_\_\_\_

## SECTION VI. OTHER PROVISIONS

Other Provisions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE AND ORDERED in \_\_\_\_\_, Florida on {date} \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

### COPIES TO:

Petitioner (or his or her attorney)  
Respondent (or his or her attorney)  
State Disbursement Unit  
Other: \_\_\_\_\_

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.983(a), PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF (10/11)

## When should this form be used?

This form should be used by a birth mother or father to ask the court to establish paternity, a time-sharing schedule, and/or child support of a minor child or children. This means that you are trying to legally establish who is the father of the child(ren).

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 with the clerk of the circuit court in the county where you live and keep a copy for your records.

## What should I do next?

For your case to proceed, you must properly notify the respondent of the petition. If you know where he or she lives, you should use personal service. If you absolutely do not know where he or she lives, you may use constructive service. However, if constructive service is used, the court may only grant limited relief. You should seek legal advice on constructive service in a paternity case. For more information see chapter 49, Florida Statutes, or you may contact Child Support Enforcement at the Florida Department of Revenue if you need assistance with your case.

If personal service is used, the respondent has 20 days to answer after being served with your petition. Your case will then generally proceed in one of the following three ways:

**DEFAULT...** 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. Then, if you have filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**UNCONTESTED...** If the respondent files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with mandatory disclosure and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED...** If the respondent files an answer or an answer and counterpetition, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure, completed the scientific paternity testing, if necessary, and filed all of the required papers. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing). If the respondent files an answer and

counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.983(d).

### Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in “**bold underline**” in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

### Special notes...

If you do not have the money to pay the filing fee, you may obtain an Application for Determination of Civil Indigent Status, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

More than one child of the same alleged father may be listed on a single petition. However, if you are filing a paternity action involving more than one possible father, a separate petition must be filed for each alleged father.

If the respondent files an answer denying that the person named in the petition is the child(ren)’s father, one of you should file a Motion for **Scientific Paternity Testing**, Florida Supreme Court Approved Family Law Form 12.983(e). This is used to ask the court to order a scientific test to determine who is the child(ren)’s father.

If the father signed papers at the hospital acknowledging that he was the father, paternity was established as a matter of law. This should be indicated on page 2, section 9a on this form.

If the paternity of a child who was conceived or born during a marriage is at issue, the court may appoint a **guardian ad litem** to assist the court in this matter and to protect the rights of child.

With this petition, you must file the following and provide a copy to the other party:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days, if not filed with the petition, unless you and the other party have agreed not to exchange these documents.)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party’s income, you may file this worksheet after his or her financial affidavit has been filed.)
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a), 12.995(b), or 12.995(c). If the parents have reached an agreement, a signed and notarized Parenting Plan

should be attached. If the parents have not reached an agreement, a proposed Parenting Plan **may** be filed.

**Parenting Plan and Time-Sharing.** If the parties are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing based on the child(ren)'s best interests. Regardless of whether there is an agreement between the parties, the court reserves jurisdiction to modify issues relating to minor or dependent child(ren).

The judge may request a parenting plan recommendation or appoint a guardian ad litem in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) are being served. For more information, you may consult sections 61.401–61.405, Florida Statutes.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- Shared Parental Responsibility
- Sole Parental Responsibility
- Supervised Time-Sharing
- No contact
- Parenting Plan
- Parenting Plan Recommendation
- Time-Sharing Schedule

Many circuits require that parents of a minor or dependent child(ren) who are involved in dissolution or paternity actions attend mediation before being allowed to schedule a final hearing. A parenting course must be completed prior to entry of the final judgment. You should check with your local clerk of court's office, family law intake staff, or judicial assistant for more information on the parenting course and mediation requirements in your area.

**Child Support.** The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent.

Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You should file a financial affidavit, and the other parent will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid. Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

**Final Judgments.** These family law forms contain a **Final Judgment of Paternity**, Florida Supreme Court Approved Family Law Form 12.983(g), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF**

Petitioner, {full legal name} \_\_\_\_\_, being sworn, certifies that the following information is true:

This is an action for paternity and to determine parental responsibility, time-sharing, and child support under chapter 742, Florida Statutes.

**SECTION I.**

1. Petitioner is the [ ] mother [ ] father of the following minor child(ren):

**Name**

**Birth date**

- (1). \_\_\_\_\_  
(2). \_\_\_\_\_  
(3). \_\_\_\_\_  
(4). \_\_\_\_\_  
(5). \_\_\_\_\_  
(6). \_\_\_\_\_

2. Petitioner's current address is: {street address, city, state} \_\_\_\_\_  
\_\_\_\_\_.

3. Respondent's current address is: {street address, city, state} \_\_\_\_\_  
\_\_\_\_\_.

4. Both parties are over the age of 18.

5. Petitioner [Choose only one] ( ) is ( ) is not a member of the military service.

Respondent [Choose only one] ( ) is ( ) is not a member of the military service.

6. Neither Petitioner nor Respondent is mentally incapacitated.

7. 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.
8. A completed **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
9. A completed **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.
10. **Paternity Facts.**  
[Choose only one]
  - a. ☐ Paternity has previously been established as a matter of law.
  - b. ☐ The parties engaged in sexual intercourse with each other in the month(s) of *{list month(s) and year(s)}* \_\_\_\_\_ in *{city and state}* \_\_\_\_\_
  - c. As a result of the sexual intercourse, ☐ Petitioner ☐ Respondent conceived and gave birth to the minor child(ren) named in paragraph 1. ☐ Petitioner ☐ Respondent is the natural father of the minor child(ren). The mother ☐ was ☐ was not married at the time of the conception and/or birth of the minor child(ren) named in paragraph 1. If the mother was married, the name and address of her husband at the time of conception and/or birth is:  
\_\_\_\_\_  
\_\_\_\_\_

## SECTION II. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor child(ren) currently reside(s) with ☐ Mother ☐ Father ☐ Other: *{explain}* \_\_\_\_\_  
\_\_\_\_\_
2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:  
[Choose only one]
  - a. ☐ shared by both Father and Mother.
  - b. ☐ awarded solely to ☐ Father ☐ Mother. Shared parental responsibility would be detrimental to the child(ren) because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that ☐ includes ☐ does **not** include parental time-sharing with the child(ren). The Petitioner states that it is in the best interests of the child(ren) that:  
[Choose only one]
  - a. ☐ The attached proposed Parenting Plan should be adopted by the court.  
The parties ☐ have ☐ have **not** agreed to the Parenting Plan.
  - b. ☐ The court should establish a Parenting Plan with the following provisions:
 

<input type="checkbox"/> No time-sharing for the	<input type="checkbox"/> Father <input type="checkbox"/> Mother
<input type="checkbox"/> Limited time-sharing with the	<input type="checkbox"/> Father <input type="checkbox"/> Mother
<input type="checkbox"/> Supervised time-sharing for the	<input type="checkbox"/> Father <input type="checkbox"/> Mother.
<input type="checkbox"/> Supervised or third-party exchange of the child(ren).	
<input type="checkbox"/> Time-sharing schedule as follows:	

---

---

---

Explain why this schedule is in the best interests of the child(ren): \_\_\_\_\_

---

---

---

4. The minor child(ren) should

[Choose only one]

a. \_\_\_ retain his/her (their) present name(s).

b. \_\_\_ receive a change of name as follows:

present name(s)

be changed to

(1). \_\_\_\_\_

(1). \_\_\_\_\_

(2). \_\_\_\_\_

(2). \_\_\_\_\_

(3). \_\_\_\_\_

(3). \_\_\_\_\_

(4). \_\_\_\_\_

(4). \_\_\_\_\_

(5). \_\_\_\_\_

(5). \_\_\_\_\_

(6). \_\_\_\_\_

(6). \_\_\_\_\_

c. The name change would be in the best interest of the child(ren) because: \_\_\_\_\_

---

**SECTION III. CHILD SUPPORT**

[Choose as applicable]

1. \_\_\_ Petitioner requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be, filed. Such support should be ordered retroactive to:

[Choose only one]

a. \_\_\_ the date when the parents did not reside together in the same household with the child, not to exceed a period of 24 months before the date of filing of this petition.

b. \_\_\_ the date of the filing of this petition.

c. \_\_\_ other: {date} \_\_\_\_\_. {Explain} \_\_\_\_\_

---

2. \_\_\_ Petitioner requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Petitioner understands that a **Motion to Deviate from Child Support Guidelines**, Florida Supreme Court Approved Family Law Form 12.943, **must** be completed before the Court will consider this request.

3. \_\_\_ Petitioner requests that medical/dental insurance coverage for the minor child(ren) be provided by:

[Choose only one]

a. \_\_\_ Father.

b. \_\_\_ Mother.

4. \_\_\_ Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid by:  
[Choose only one]
- a. \_\_\_ Father.
  - b. \_\_\_ Mother.
  - c. \_\_\_ Father and Mother each pay one-half.
  - d. \_\_\_ Father and Mother each pay according to the percentages in the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e).
  - e. \_\_\_ Other {explain}: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_ Petitioner requests that life insurance to secure child support be provided by:  
[Choose only one]
- a. \_\_\_ Father.
  - b. \_\_\_ Mother.
  - c. \_\_\_ Both
6. \_\_\_[ ] Petitioner [ ] Respondent [ ] Both has (have) incurred medical expenses in the amount of \$\_\_\_\_\_ on behalf of the minor child(ren), including hospital and other expenses incidental to the birth of the minor child(ren). There should be an appropriate allocation or apportionment of these expenses.
7. \_\_\_[ ] Petitioner [ ] Respondent [ ] Both has (have) received past public assistance for this (these) minor child(ren).

#### PETITIONER'S REQUEST

1. Petitioner requests a hearing on this petition and understands that he or she must attend the hearing.
  2. Petitioner requests that the Court enter an order that:  
[Choose **all** that apply]
- a. \_\_\_ establishes paternity of the minor child(ren), ordering proper scientific testing, if necessary;
  - b. \_\_\_ adopts or establishes a Parenting Plan containing provisions for parental responsibility and time-sharing for the minor or dependent child(ren);
  - c. \_\_\_ awards child support, including medical/dental insurance coverage for the minor child(ren);
  - d. \_\_\_ determines the appropriate allocation or apportionment of all expenses incidental to the birth of the child(ren), including hospital and medical expenses;
  - e. \_\_\_ determines the appropriate allocation or apportionment of all other past, present, and future medical and dental expenses incurred or to be incurred on behalf of the minor child(ren);
  - f. \_\_\_ changes the child(ren)'s name(s);
  - g. \_\_\_ other relief as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and  
grants such other relief as may be appropriate and in the best interests of the minor child(ren).

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

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

\_\_\_\_\_  
Signature of PETITIONER

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_\_ Personally known

\_\_\_\_\_ Produced identification

\_\_\_\_\_ Type of identification produced \_\_\_\_\_

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

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

## **INSTRUCTIONS FOR FLORIDA FAMILY LAW FORM 12.983(c), ANSWER TO PETITION AND COUNTERPETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF (10/11)**

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

This form should be used when you are responding to a petition to determine paternity and asking the court for something different than what was in the petition, such as parental responsibility, time-sharing, and child support. The answer is used to admit or deny the allegations contained in the petition, and the counterpetition is used to ask for whatever you want the court to do for you. The other party has 20 days to answer your counterpetition after being served with your counterpetition.

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

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

You have 20 days to file an answer or answer and counterpetition to the other party's petition. A copy of this form, along with all of the other forms required with this answer and counterpetition, must be mailed **or** hand delivered to the other party in your case.

If you deny that the person named in the petition is the child(ren)'s father, a **Motion for Scientific Paternity Testing** Florida Supreme Court Approved Family Law Form 12.983(e), should be filed. This is used to ask the court to order a scientific test to determine who is the child(ren)'s father.

After you file an answer and counterpetition, the case will then generally proceed as follows:

**UNCONTESTED.** This case is uncontested if you and the other party agree on all issues raised in the petition and the counterpetition. If this is the case, **and** you and the other party have complied with mandatory disclosure and filed all of the required papers, either party may call the clerk, family law intake staff, or judicial assistant to set a final hearing. If you request the hearing, you must notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

**CONTESTED.** This case is contested if you and the other party disagree on any issues raised in the petition or counterpetition. If you are unable to settle the disputed issues, either party may file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of mediation before a final hearing may be set. You should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for trial (final hearing).

## Where can I look for more information?

**Before proceeding, you should read General Information for Self-Represented Litigants” for some basic information.** The words that are in **bold underline** in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

### Special notes...

If the child(ren)’s father signed papers at the hospital acknowledging that he was the father, paternity was established as a matter of law. This should be checked on page 2, section 9a of the counterpetition part of this form. With this answer, you must file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Social Security Number** Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days of **service** of the petition on you if not filed with this answer.)
- **Certificate of Compliance with Mandatory Disclosure** Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the petition on you, if not filed with this answer, unless you and the other party have agreed not to exchange these documents.)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party’s income, you may file this worksheet after his or her financial affidavit has been filed.)
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), 12.995(b), or (c). If the parents have reached an agreement, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan **may** be filed.

Many jurisdictions may require the completion of **mediation** before a final hearing may be set. A **parenting course** must be completed prior to entry of the final judgment. You should contact the office of your local clerk of court, family law intake staff, or the judicial assistant about requirements for parenting courses or mediation where you live.

**Parenting Plan and Time-Sharing.** If the parties are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing schedule based on the child(ren)’s best interests. Regardless of whether there is an agreement between the parties, the court reserves jurisdiction to modify issues relating to minor child(ren).

The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is being served. For more information, you may consult section 61.401 and 61.405, Florida Statutes.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- **Shared Parental Responsibility**
- **Sole Parental Responsibility**
- **Supervised Time-Sharing**
- **No contact**
- **Parenting Plan**
- **Parenting Plan Recommendations**
- **Time-Sharing Schedule**

**Child Support.** The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent.

Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You should file a **financial affidavit**, and the other parent will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid. Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

**Parenting Plan.** In all cases involving minor or dependent child(ren), a Parenting Plan shall be approved or established by the court. If the parties have reached an agreement, you should file a **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), 12.995(b), or 12.995(c) which addresses the time-sharing schedule for the child(ren). If you have not reached an agreement, a proposed Parenting Plan **may** be filed. **A Parenting Plan will be established by the court.**

**Final Judgments.** These family law forms contain a **Final Judgment of Paternity**, Florida Supreme Court Approved Family Law Form 12.983(g), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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 \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

And

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

**ANSWER TO PETITION AND COUNTERPETITION  
TO DETERMINE PATERNITY AND FOR RELATED RELIEF**

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

**ANSWER TO PETITION**

1. I **agree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **admit** those allegations: {indicate section and paragraph number}

\_\_\_\_\_.

2. I **disagree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **deny** those issues: {indicate section and paragraph number}.

\_\_\_\_\_.

3. I currently am unable to admit or deny the following paragraphs due to lack of information: {indicate section and paragraph number} \_\_\_\_\_.

\_\_\_\_\_.

**COUNTERPETITION TO DETERMINE PATERNITY  
AND FOR RELATED RELIEF**

**SECTION I. PATERNITY**

1. Respondent is the [ ] mother [ ] father of the following minor child(ren):

**Name**

**Birth Date**

(1). \_\_\_\_\_

(2). \_\_\_\_\_

- (3). \_\_\_\_\_  
 (4). \_\_\_\_\_  
 (5). \_\_\_\_\_  
 (6). \_\_\_\_\_

2. Petitioner's current address is: {street address, city, state}

\_\_\_\_\_  
 \_\_\_\_\_.

3. Respondent's current address is: {street address, city, state}

\_\_\_\_\_  
 \_\_\_\_\_.

4. Both parties are over the age of 18 .

5. Petitioner [Choose only one] ( ) is ( ) is not a member of the military service.  
 Respondent [Choose only one] ( ) is ( ) is not a member of the military service.

6. Neither Petitioner nor Respondent is mentally incapacitated.

7. 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 counterpetition.

8. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this counterpetition.

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

**10. Paternity Facts.**

**[Choose only one]**

- a. \_\_\_ Paternity has previously been established as a matter of law.  
 b. \_\_\_ The parties engaged in sexual intercourse with each other in the month(s) of {list month(s) and year(s)} \_\_\_\_\_, in: {city and state}

\_\_\_\_\_  
 As a result of the sexual intercourse, [ ] Petitioner [ ] Respondent conceived and gave birth to the minor child(ren) named in paragraph 1. [ ] Petitioner [ ] Respondent is the natural father of the minor child(ren). The mother [ ] was [ ] was not married at the time of the conception and/or birth of the minor child(ren) named in paragraph 1. If the mother was married, the name and address of her husband at the time of conception and/or birth is: \_\_\_\_\_

\_\_\_\_\_.

**SECTION II. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING**

1. The minor child(ren) currently reside(s) with ☐ Mother ☐ Father ☐ Other: {explain}\_\_\_\_\_

2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:  
[Choose only one]

- a. ☐ shared by both Father and Mother.
- b. ☐ awarded solely to ☐ Father ☐ Mother. Shared parental responsibility would be detrimental to the child(ren) because: \_\_\_\_\_

3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that ☐ includes ☐ does not include parental time-sharing with the child(ren). The Respondent states that it is in the best interests of the child(ren) that:

[Choose only one]

a. ☐ The attached proposed Parenting Plan should be adopted by the court.

The parties ☐ have ☐ have **not** agreed to the Parenting Plan.

b. ☐ The court should establish a Parenting Plan with the following provisions:

- ☐ No time-sharing for the ☐ Father ☐ Mother.
- ☐ Limited time-sharing with the ☐ Father ☐ Mother.
- ☐ Supervised time-sharing for the ☐ Father ☐ Mother
- ☐ Supervised or third-party exchange for the child(ren).
- ☐ Time-sharing schedule as follows:

4. **Explain why this request is in the best interest of the child(ren):**\_\_\_\_\_

5. The minor child(ren) should:

[Choose only one]

- a. retain his/her (their) present name(s).
- b. receive a change of name as follows:

present name(s)	be changed to
(1). _____	(1). _____
(2). _____	(2). _____
(3). _____	(3). _____
(4). _____	(4). _____
(5). _____	(5). _____
(6). _____	(6). _____

### SECTION III. CHILD SUPPORT

[Choose **all** that apply]

1. Respondent requests that the court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be, filed. Such support should be ordered retroactive to:

[Choose only one]

- a. ☐ the date when the parents did not reside together in the same household with the child, not to exceed a period of 24 months before the date of filing of this counterpetition.
- b. ☐ the date of the filing of this petition.
- c. ☐ other: {date} \_\_\_\_\_. {Explain} \_\_\_\_\_

2. ☐ Respondent requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Respondent understands that a **Motion to Deviate from Child Support Guidelines**, Florida Supreme Court Approved Family Law Form 12.943, **must** be completed before the Court will consider this request.

3. ☐ Respondent requests that medical/dental insurance coverage for the minor child(ren) be provided by:

[Choose only one]

- a. ☐ Father.
- b. ☐ Mother.

4. ☐ Respondent requests that uninsured medical/dental expenses for the child(ren) be paid by:

[Choose only one]

- a. ☐ Father.
- b. ☐ Mother.
- c. ☐ Father and Mother each pay one-half.
- d. ☐ Father and Mother each pay according to the percentages in the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e).
- e. ☐ Other {explain}: \_\_\_\_\_

5. \_\_\_ Respondent requests that life insurance to secure child support be provided by:  
[Choose only one]
- \_\_\_ Father.
  - \_\_\_ Mother.
  - \_\_\_ Both.
6. \_\_\_[ ] Petitioner [ ] Respondent [ ] Both has (have) incurred medical expenses in the amount of \$\_\_\_\_\_ on behalf of the minor child(ren), including hospital and other expenses incidental to the birth of the minor child(ren). There should be an appropriate allocation or apportionment of these expenses.
7. \_\_\_[ ] Petitioner [ ] Respondent [ ] Both has (have) received past public assistance for this (these) minor child(ren).

### RESPONDENT'S REQUEST

- Respondent requests a hearing on this petition and understands that he or she must attend the hearing.
  - Respondent requests that the Court enter an order that:  
[Choose **all** that apply]
- \_\_\_ establishes paternity of the minor child(ren), ordering proper scientific testing, if necessary;
  - \_\_\_ establishes a Parenting Plan containing provisions for parental responsibility and time-sharing for the minor or dependent child(ren);
  - \_\_\_ awards child support, including medical/dental insurance coverage, for the minor child(ren);
  - \_\_\_ determines the appropriate allocation or apportionment of all expenses incidental to the birth of the child(ren), including hospital and medical expenses;
  - \_\_\_ determines the appropriate allocation or apportionment of all other past, present, and future medical and dental expenses incurred or to be incurred on behalf of the minor child(ren);
  - \_\_\_ changes the child(ren)'s name(s); and
  - \_\_\_ other relief as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- \_\_\_\_\_ ; and  
grants such other relief as may be appropriate and in the best interests of the minor child(ren).

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

**Petitioner or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature of Respondent/Counterpetitioner  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

## INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(a), PARENTING PLAN (10/11)

### When should this form be used?

A **Parenting Plan** is required in all cases involving **time-sharing** with minor child(ren), even when time-sharing is not in dispute. This form or a similar form should be used in the development of a Parenting Plan. If the case involves **supervised time-sharing**, the **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995 (b) or a similar form should be used. If the case involves relocation, pursuant to Section 61.13001, Florida Statutes, then **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c) or a similar form should be used.

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

### Where can I look for more information?

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

### Special notes...

At a minimum, the **Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parties, including the parties’ historic relationship,

domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the minor child(ren), including, but not limited to:

- The demonstrated capacity and disposition of each parent to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
- The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
- The demonstrated capacity and disposition of each parent to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
- The length of time the child(ren) has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- The geographic viability of the parenting plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either parent with a child(ren);
- The moral fitness of the parents;
- The mental and physical health of the parents;
- The home, school, and community record of the child(ren);
- The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
- The demonstrated knowledge, capacity, and disposition of each parent to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
- The demonstrated capacity and disposition of each parent to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
- The demonstrated capacity of each parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent to adopt a unified front on all major issues when dealing with the child(ren);
- Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought;
- Evidence that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
- The particular parenting tasks customarily performed by each parent and the division or parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
- The demonstrated capacity and disposition of each parent to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each parent to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or

electronic media related to the litigation with the child(ren), and refraining from disparaging comments about the other parent to the child(ren); and

- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent to meet the child(ren)'s developmental needs.

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

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

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

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case

No: \_\_\_\_\_

Division: \_\_\_\_\_

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

### PARENTING PLAN

This parenting plan is: (Choose only one)

- ☐ A Parenting Plan submitted to the court with the agreement of the parties.
- ☐ A proposed Parenting Plan submitted by or on behalf of:  
    {Parent's Name} \_\_\_\_\_.
- ☐ A Parenting Plan established by the court.

This parenting plan is: (Choose only one)

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

#### I. PARENTS

##### Mother

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

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

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

E-Mail: \_\_\_\_\_

##### Father

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

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

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

E-Mail: \_\_\_\_\_

- II. **CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties:  
(add additional lines as needed)

Name

Date of Birth

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### III. JURISDICTION

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

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

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

Other: \_\_\_\_\_.

### IV. PARENTAL RESPONSIBILITY AND DECISION MAKING

#### 1. Parental Responsibility (Choose only one)

☐ **Shared** Parental Responsibility.

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

**OR**

☐ **Shared** Parental Responsibility with Decision Making Authority

It is in the best interests of the child(ren) that the parents confer and attempt to agree on the major decisions involving the child(ren). If the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic decisions

☐ Mother ☐ Father

Non-emergency health care

☐ Mother ☐ Father

\_\_\_\_\_

☐ Mother ☐ Father

\_\_\_\_\_

☐ Mother ☐ Father

\_\_\_\_\_

☐ Mother ☐ Father

**OR**

☐ **Sole Parental Responsibility:**

It is in the best interests of the child(ren) that the ☐ Mother ☐ Father shall have sole authority to make major decisions for the child(ren.)

**2. Day-to-Day Decisions**

Each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

**3. Extra-curricular Activities ( Choose all that apply)**

☐ Either parent may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.

☐ The parents must mutually agree to all extra-curricular activities.

☐ The parent with the minor child(ren) shall transport the minor child(ren) to and/or from all mutually agreed upon extra-curricular activities, providing all necessary uniforms and equipment within the parent's possession.

☐ The costs of the extra-curricular activities shall be paid by:

Mother \_\_\_\_\_%      Father \_\_\_\_\_%

☐ The uniforms and equipment required for the extra-curricular activities shall be paid by:

Mother \_\_\_\_\_%      Father \_\_\_\_\_%

☐ Other: \_\_\_\_\_.

**V. INFORMATION SHARING.** Unless otherwise indicated or ordered by the Court:

Both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.

Other: \_\_\_\_\_  
\_\_\_\_\_.

## VI. SCHEDULING

### 1. School Calendar

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

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

- ☐ the oldest child
- ☐ the youngest child
- ☐ the school calendar for \_\_\_\_\_ County
- ☐ the school calendar for \_\_\_\_\_ School

### 2. Academic Break Definition

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

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

- ☐ A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than \_\_\_\_\_ before the change is to occur.

☐ A parent requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.

☐ Other \_\_\_\_\_.

## VII. TIME-SHARING SCHEDULE

### 1. Weekday and Weekend Schedule

The following schedule shall apply beginning on \_\_\_\_\_ with the  
☐ Mother ☐ Father and continue as follows:

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

WEEKENDS: ☐ Every ☐ Every Other ☐ Other (specify) \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

WEEKDAYS: Specify days \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

OTHER: (Specify) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

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

WEEKENDS: ☐ Every ☐ Every Other ☐ Other (specify) \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

WEEKDAYS: Specify days \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

OTHER: (Specify) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

**C. Check box if there is a different time sharing schedule for any child. Complete a separate Attachment for each child for whom there is a different time sharing schedule.**

☐ There is a different time-sharing schedule for the following child(ren) in Attachment \_\_\_\_\_.

\_\_\_\_\_, and \_\_\_\_\_.  
(Name of Child) (Name of Child)

### 2. Holiday Schedule (Choose only one)

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

[ ] Holiday time-sharing shall be as the parties agree.

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

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

This holiday schedule may affect the regular Time-Sharing Schedule. Parents may wish to specify one or more of the following options:

[ ] When the parents are using an alternating weekend plan and the holiday schedule would result in one parent having the child(ren) for three weekends in a row, the parents will exchange the following weekend, so that each has two weekends in a row before the regular alternating weekend pattern resumes.

[ ] If a parent has the child(ren) on a weekend immediately before or after an unspecified holiday or non-school day, they shall have the child(ren) for the holiday or non-school day.

**3. Winter Break**

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

- ☐ The ☐ Mother ☐ Father shall have the child(ren) from the day and time school is dismissed until December \_\_\_\_\_ at \_\_\_\_ a.m./p. m in ☐ odd-numbered years ☐ even-numbered years ☐ every year. The other parent will have the children for the second portion of the Winter Break. The parties shall alternative the arrangement each year.
- ☐ The ☐ Mother ☐ Father shall have the child(ren) for the entire Winter Break during ☐ odd-numbered years ☐ even-numbered years ☐ every year.
- ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**B. Specific Winter Holidays**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**4. Spring Break (Choose only one)**

- ☐ The parents shall follow the regular schedule.
- ☐ The parents shall alternate the entire Spring Break with the Mother having the child(ren) during the ☐ odd-numbered years ☐ even numbered years.
- ☐ The ☐ Father ☐ Mother shall have the child(ren) for the entire Spring Break every year.
- ☐ The Spring Break will be evenly divided. The first half of the spring Break will go to the parent whose regularly scheduled weekend falls on the first half and the second half going to the parent whose weekend falls during the second half.
- ☐ Other: \_\_\_\_\_.

**5. Summer Break (Choose only one)**

- ☐ The parents shall follow the regular schedule through the summer.
- ☐ The ☐ Mother ☐ Father shall have the entire Summer Break from \_\_\_\_\_ after school is out until \_\_\_\_\_ before school starts.

☐ The parents shall equally divide the Summer Break. During ☐ odd-numbered years ☐ even numbered years, the ☐ Mother ☐ Father shall have the children from \_\_\_\_\_ after school is out until \_\_\_\_\_. The other parent shall have the child(ren) for the second one-half of the summer break. The parents shall alternate the first and second one-halves each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren) \_\_\_\_\_.

☐ Other: \_\_\_\_\_.

**6. Number of Overnights:**

Based upon the time-sharing schedule, the Mother has a total of \_\_\_\_\_ overnights per year and the Father has a total of \_\_\_\_\_ overnights per year. **Note: The two numbers must equal 365.**

7. ☐ If not set forth above, the parties shall have time-sharing in accordance with the schedule which is attached and incorporated herein.

**VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

**1. Transportation** (Choose only one)

☐ The ☐ Mother ☐ Father shall provide all transportation.

☐ The parent beginning their time-sharing shall provide transportation for the child(ren).

☐ The parent ending their time-sharing shall provide transportation for the child(ren).

☐ Other: \_\_\_\_\_.

**2. Exchange** (Choose only one)

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than \_\_\_\_\_ minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

☐ Exchanges shall be at Mother's and Father's homes unless both parents agree to a different meeting place.

☐ Exchanges shall occur at \_\_\_\_\_.

\_\_\_\_\_ unless both parties agree in advance to a different meeting place.

[ ] Other: \_\_\_\_\_.

**3. Transportation Costs** (Choose only one)

[ ] Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.

[ ] The Mother shall pay \_\_\_\_\_% and the Father shall pay \_\_\_\_\_ % of the transportation costs.

[ ] Other: \_\_\_\_\_.

**4. Foreign and Out-Of-State Travel** (Choose only one)

[ ] Either parent may travel with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least \_\_\_\_ days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least \_\_\_\_ days before traveling.

[ ] Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least \_\_\_\_ days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip. Each parent agrees to provide whatever documentation is necessary for the other parent to take the child(ren) out of the country.

[ ] If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child \_\_\_\_\_.

[ ] Other \_\_\_\_\_.

**IX. EDUCATION**

**1. School designation.** For purposes of school boundary determination and registration, the [ ] Mother's [ ] Father's address shall be designated.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

3. Other. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**X. DESIGNATION FOR OTHER LEGAL PURPOSES**

The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the ☐ Mother ☐ Father. This majority designation is SOLELY for purposes of all other state and federal laws which require such a designation. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

**XI. COMMUNICATION**

**1. Between Parents**

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

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

- ☐ in person  
☐ by telephone  
☐ by letter  
☐ by e-mail  
☐ Other: \_\_\_\_\_.

**2. Between Parent and Child(ren)**

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

The child(ren) may have ☐ telephone ☐ e-mail ☐ other electronic communication in the form of \_\_\_\_\_ with the other parent: (Choose only one)

- ☐ Anytime  
☐ Every day during the hours of \_\_\_\_\_ to \_\_\_\_\_.  
☐ On the following days \_\_\_\_\_  
during the hours of \_\_\_\_\_ to \_\_\_\_\_.  
☐ Other: \_\_\_\_\_.

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

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

- ☐ Each parent may select appropriate child care providers
- ☐ All child care providers must be agreed upon by both parents.
- ☐ Each parent must offer the other parent the opportunity to care for the child(ren) before using a child care provider for any period exceeding \_\_\_\_\_ hours.
- ☐ Other \_\_\_\_\_.

**XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further order of the court.

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

**XIV. RELOCATION**

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

**XV. DISPUTES OR CONFLICT RESOLUTION**

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

**XVI. OTHER PROVISIONS**

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**SIGNATURE OF PARENTS**

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

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

Signature of Mother

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

Type of identification produced \_\_\_\_\_

**I certify that I have been open and honest in entering into this settlement agreement. I am satisfied with this agreement and intend to be bound by it.**

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

\_\_\_\_\_  
Signature of Father

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

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

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

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

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

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

Type of identification produced \_\_\_\_\_

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

[fill in **all** blanks]

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

**ORDER OF THE COURT**

**IT IS HEREBY ORDERED AND ADJUDGED THAT THE PARENTING PLAN SET FORTH ABOVE IS  
ADOPTED AND ESTABLISHED AS AN ORDER OF THIS COURT.**

**ORDERED ON** \_\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT JUDGE**

**COPIES TO:**

Father (or his Attorney)

Mother (or her Attorney)

Other

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(b), SUPERVISED/SAFETY-FOCUSED PARENTING PLAN (10/11)

## When should this form be used?

A **Parenting Plan** is required in all cases involving minor child(ren). This form or a similar form should be used in cases when you feel your child(ren) cannot be safely alone with the other parent or if you believe **shared parental responsibility** presents a detriment to the child(ren). In this case, a Parenting Plan must be developed that allows **time-sharing** with any minor child(ren), while providing protection for the child(ren). If safety or supervised time-sharing is not a concern, **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a) or a similar form should be used. If the case involves relocation, pursuant to Section 61.13001, Florida Statutes, then **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c) or a similar form should be used.

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

## Where can I look for more information?

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

## Special notes...

At a minimum, the **Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

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

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

- The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each parent to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or electronic media related to the litigation with the child(ren), and refraining from disparaging comments about the other parent to the child(ren); and
- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent to meet the child(ren)'s developmental needs.

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

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

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

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

Division: \_\_\_\_\_

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

\_\_\_\_\_  
Respondent.

### **SUPERVISED/SAFETY-FOCUSED PARENTING PLAN**

This parenting plan is: (Choose only one)

- ☐ A Parenting Plan submitted to the court with the agreement of the parties.
- ☐ A proposed Parenting Plan submitted by or on behalf of:  
(Parent's Name)\_\_\_\_\_.
- ☐ A Parenting Plan established by the court.

This parenting plan is: (Choose only one)

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

#### **I. PARENTS**

##### **Mother**

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

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

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

E-Mail: \_\_\_\_\_

##### **Father**

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

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

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

E-Mail: \_\_\_\_\_

#### **II. CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties: (add additional lines as needed)

Name	Date of Birth
_____	_____
_____	_____

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### III. JURISDICTION

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

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

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

Other: \_\_\_\_\_.

### IV. PARENTAL RESPONSIBILITY (Choose only one)

☐ It is in the best interests of the child(ren) that the ☐ Mother ☐ Father shall have **sole** authority to make major decisions for the child(ren.)

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

Education/Academic decisions	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
Non-emergency health care	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father

☐ Other: *(Explain)* \_\_\_\_\_.

### V. TIME SHARING SCHEDULE (Choose only one)

☐ **No Time-Sharing:** The ☐ Mother ☐ Father shall have no contact with the child(ren) until further order of the court. All parenting decisions shall be made by the other parent.

☐ **Supervised Time-Sharing:** Whenever the child(ren) are with the ☐ Mother ☐ Father, the supervisor shall be present. The ☐ Mother ☐ Father has the right to spend time

with the child(ren) even though the other parent will be making most, if not all, of the parenting decisions which are made on the child(ren)'s behalf. The time-sharing schedule shall be mutually agreed to between the parents, but not less than the schedule set forth below: (Choose only one)

☐ \_\_\_\_\_ hours per week. The place(s), and time(s) shall be set by the ☐ Mother ☐ Father.

☐ From \_\_\_\_\_ m. to \_\_\_\_\_ m, on the following day(s) \_\_\_\_\_.

☐ Other: \_\_\_\_\_.

**VI. SUPERVISOR AND SUPERVISION** (Choose only one)

**1. Supervisor.** The person supervising the time-sharing shall: (Choose only one)

☐ Be selected by the ☐ Mother ☐ Father.

☐ Be selected by the ☐ Mother ☐ Father, subject to the other parent's approval.

☐ Other: \_\_\_\_\_.

**2. Restrictions or Level of Supervision:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**3. Costs of Supervision**

☐ The costs of the supervision shall be paid by the ☐ Mother ☐ Father

☐ Other: \_\_\_\_\_.

**VII. LOCATION:** (Choose only one)

The ☐ Mother ☐ Father shall spend his/her time-sharing with the child(ren) at the following location(s):

☐ Supervised visitation center (*name of facility*) \_\_\_\_\_  
\_\_\_\_\_.

☐ \_\_\_\_\_ (*location*) or other location designated by the  
☐ Mother ☐ Father

☐ Any location designated by the ☐ Mother ☐ Father with the approval of the supervisor.

☐ Other: \_\_\_\_\_.

## VIII. DESIGNATION FOR OTHER LEGAL PURPOSES

1. The child(ren) named in this Supervised/Safety-Focused Parenting Plan are scheduled to reside the majority of the time with the ☐ Mother ☐ Father. This majority designation is SOLELY for purposes of all other state and federal statutes which require such a designation. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**
2. For purposes of school boundary determination and registration, the ☐ Mother's ☐ Father's address shall be designated.

## IX. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

### 1. Transportation

The child(ren) shall not be driven in a car unless the driver has a valid driver's license, automobile insurance, seat belts, and child safety seats as required by Florida law.

The ☐ Mother ☐ Father or mutually agreed upon person shall be responsible for transporting the child(ren) to the exchange point. The child(ren) shall be picked up and/or returned to the exchange point by **(Choose only one)**;

☐ The ☐ Mother ☐ Father with the supervisor present.

☐ The supervisor alone.

☐ A monitored exchange location (*specify*) \_\_\_\_\_.

☐ Other: \_\_\_\_\_.

### 2. Exchange

The exchange of the child(ren) shall occur at: **(Choose all that apply)**

☐ The site of the supervised visit.

☐ Other: \_\_\_\_\_.

☐ The ☐ Mother ☐ Father may not come to the exchange point.

## IX. COMMUNICATION

### 1. Between Parents (Choose only one)

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

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

- ☐ in person  
☐ by telephone  
☐ by letter  
☐ by e-mail  
☐ Other: \_\_\_\_\_.

- ☐ **No Communication.** Unless otherwise prohibited by court order, all information and communication regarding the child(ren) shall be exchanged via or through

\_\_\_\_\_.

**2. Between Parent and Child(ren)**

The ☐ Mother ☐ Father (Choose all that apply)

- ☐ Shall not telephone, write, or e-mail the child(ren) unless the contact is agreed to in advance by the other parent.
- ☐ May write or e-mail the child(ren) at any time. Each parent shall provide a contact address (and e-mail address if appropriate) to the other parent, unless other prohibited by court order.
- ☐ May call the child(ren) on the telephone \_\_\_\_ times per week. The call shall last no more than \_\_\_\_ minutes and shall take place between \_\_\_\_ m. and \_\_\_\_ m.. Long distance telephone calls made by the child(ren) shall be paid for by the parent receiving the call. Each parent shall provide a telephone number to the other parent, unless otherwise prohibited by court order.
- ☐ Other: \_\_\_\_\_.

**3. Costs of Electronic Communication**

“Electronic communication” includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to face contact.

The costs of electronic communication shall be addressed as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**X. ACCESS TO ACTIVITIES AND EVENTS**

The ☐ Mother ☐ Father

☐ Shall not attend the child(ren)'s activities and events, including but not limited to, school, athletic, and extra-curricular activities and events.

☐ May attend the child(ren)'s school, athletic, and extra-curricular activities and events.

☐ The ☐ Mother ☐ Father must stay \_\_\_\_ feet from the other parent and \_\_\_\_ feet from the child.

☐ Other

\_\_\_\_\_.

**XI. CHILD(REN)'S SAFETY**

The ☐ Mother ☐ Father shall follow the safety rules checked below. (Choose all that apply)

☐ There shall be no firearms in the home, car, or in the child(ren)'s presence during time-sharing.

☐ No alcoholic beverages shall be consumed from twenty-four (24) hours before the child(ren) arrive until they are returned to the other parent.

☐ The child(ren) shall not be disciplined by corporal punishment.

☐ The following person(s) present a danger to the child(ren) and shall not be present during time-sharing: \_\_\_\_\_.

☐ Other: \_\_\_\_\_.

**XII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

All changes to the Supervised/Safety-Focused Parenting Plan must be pursuant to a court order.

**XIII. OTHER PROVISIONS**

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



**SIGNATURE OF PARENTS**

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

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

\_\_\_\_\_  
Signature of Mother  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

**I certify that I have been open and honest in entering into this settlement agreement. I am satisfied with this agreement and intend to be bound by it.**

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

\_\_\_\_\_  
Signature of Father  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

#### ORDER OF THE COURT

**IT IS ORDERED AND ADJUDGED THAT THE PARENTING PLAN SET FORTH ABOVE IS ADOPTED AND ESTABLISHED AS AN ORDER OF THIS COURT.**

**ORDERED ON** \_\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT JUDGE**

COPIES TO:

Father (or his Attorney)

Mother (or her Attorney)

Other \_\_\_\_\_