

PACKET 13

Forms for a

Petition to Modify Final Order of Paternity



EIGHTH JUDICIAL CIRCUIT

Revised December 30, 2008

42 pages
\$6.30

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WARNING

IF THERE IS ANY QUESTION in your mind concerning these forms, the use of these forms, or your legal rights, it is strongly recommended that you obtain the services of an attorney. If you do not know an attorney, you may contact the Florida Lawyer Referral Service at 1-800-342-8011. If you are filing for divorce in a case involving domestic violence and are financially unable to afford the services of an attorney, you may contact Three Rivers Legal Services at (352) 372-0519 or 1-800-372-0936 to see if you are eligible for their services.

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated. Therefore, you should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

IN NO EVENT will the Florida Supreme Court, the Florida Bar, the Eighth Judicial Circuit Office of the Court Administrator, the Clerk of the Court or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any indirect or consequential damages resulting from the use of the packet.

Use these forms at your own risk. These forms may or may not be appropriate in your particular case. Any desired outcome from the use of these forms cannot be predicted or guaranteed. **It is strongly recommended that you seek legal advice.**

When the forms refer to: “General Information for Self-Represented Litigants),” the information is found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab) or the information is available in the Alachua County Law Library, Room 413, Alachua County Family/Civil Justice Center, 201 E. University Avenue, Gainesville, Florida 32601.



EIGHTH JUDICIAL CIRCUIT

Resources For Litigants Filing A Family Law Action Without Legal Counsel

Video- for people filing for divorce, there is a video, “How to File for Divorce in Florida without an Attorney,” that is available for viewing in the Law Library at the Courthouse during courthouse hours, 8:15 am. – 5:00 pm.

Internet Access- information on how to file family law cases without an attorney in the State of Florida can be found at:

<http://www.circuit8.org/prose/index.html> or <http://www.flcourts.org>
(select Family Forms located under the heading Self Help in the General Public Tab)

Internet access is available from the Law Library or the Alachua County Public Library.

FAMILY COURT CASE MANAGEMENT PROGRAM EIGHTH JUDICIAL CIRCUIT



SERVING ALACHUA COUNTY A PROGRAM OF THE ADMINISTRATIVE OFFICE OF THE COURT

The Family Court Case Management Program staff is employed by the Court to assist the Family Law Judges by making sure that all cases in which the petitioner is not represented by an attorney have met procedural requirements.

As in all matters involving law, it is recommended that you obtain the services of a competent lawyer. It is important for you to understand that the Court and Program staff do not represent you. **YOU** represent yourself.

If you decide to proceed without a lawyer, the Family Court Case Management Program staff **will**:

- › explain procedures
- › conduct an instructional seminar to explain how to file forms
- › inform you about additional court requirements
- › help you set a hearing with the judge

The staff **will not**:

- › give legal advice or explain rights
- › represent you in court
- › tell you what forms to file
- › tell you how to present your case
- › notify you that your case is ready to file

PROCEDURES

1. If you have decided to file a family law case without a lawyer, please follow these steps:
2. Purchase the applicable form &/or packet from the Clerk of the Court or the Law Library.
3. If you wish to attend the instructional seminar, sign up for the seminar that is for the type of case you are filing. Sign up sheets are in room 400.
4. Complete the packet of forms - in ink or typed. Court staff cannot assist you in completing the forms.
5. Further instructions regarding filing and procedures are addressed in the packet. Procedural questions can be answered by calling Family Court. They are also addressed at the seminar.
6. Attend the seminar if you have signed up in room 400. Phone calls and seminars are your opportunity to have your procedural questions answered directly by the Family Court Case Management staff.
7. Instructions regarding procedures after filing are addressed in the packet. Your case will be monitored for procedural requirements by the Family Court Case Manager.

OTHER SERVICES

In addition to the instructional seminar, the Family Court Case Management Program offers assistance to self-represented litigants in a variety of ways.

Internet Access- information on how to file family law cases without an attorney in the State of Florida can be found at:

Eighth Judicial Circuit Website:

<http://circuit8.org/prose/index.html> or

Florida Supreme Court Website:

<http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab)

Internet access is available from the Law Library or the Alachua County Public Library.

Legal Clinic- cases that are complex or present unusual situations may be referred by the staff to the University of Florida School of Law. The clinic is seasonal and available at certain times of the school year. To be eligible, litigants must also meet certain financial requirements. For more information, call Family Court at 352/374-3694.



**PETITION TO MODIFY FINAL ORDER OF PATERNITY
AND ESTABLISH SPECIFIC VISITATION**

This packet is divided into two sections. Section “A” is used when the parties are in agreement with all issues. The petitioner will fill out and file section “A.” Section “B” is used if you decide to serve the other party through the Sheriff’s office. In that case you will need the forms in both sections “A” and “B.”

SECTION “A”

Section “A” includes forms for the petitioner and forms for the respondent:

PETITIONER’S FORMS

- Notice of Limited Service
- Supplemental Petition to Modify Final Judgment of Paternity and Establish Specific Visitation
- Notice of Social Security Number
- Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit
- Notice of Related Cases
- Certificate of attendance of an approved “Parenting Stabilization Course” (presented by court provider)

After you fill out the forms and have them notarized, make two copies, one for yourself and one for the other party. File the originals with the Clerk’s office and provide a copy to the other party. Include the filing fee and mail or deliver to the Clerk of Court, Alachua County Family/Civil Justice Center, 201 E. University Avenue, Gainesville, FL 32601, First Floor, (352) 374-3616.

If the parties cannot reach agreement on all issues, mediation will be required. Mediation can be ordered by the Court or the parties can make the arrangements themselves by contacting the program mediation office at (352) 491-4417.

The other party, known as the respondent, in turn will have to file the following forms:

RESPONDENT’S FORMS

- Answer to Supplemental Petition
- Certificate of attendance of an approved “Parenting Stabilization Course” (presented by court provider)

AFTER PETITIONER’S AND RESPONDENT’S FORMS ARE FILED

Once both parties have filed their required forms you can proceed to schedule a hearing. To do so fill in the “Notice That Action is at Issue and Motion for Hearing / Non-Jury Trial” at the end of the packet and follow the instructions provided. **Do not file the request for a hearing until all the above has been completed.** The forms in section “B” will not be needed at this point.



**EIGHTH JUDICIAL CIRCUIT
FAMILY COURT CASE MANAGEMENT PROGRAM**

NOTICE OF LIMITATION OF SERVICES PROVIDED/DISCLAIMER

The personnel in the office of the Clerk of the Court are not acting as your lawyer or providing legal advice to you.

Clerk of Court personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of a form or substitution of a different form. The judge is not required to grant the relief requested in a form.

The personnel in the office of the Clerk of the Court cannot tell you what your legal rights or remedies are, represent you in court, give legal advice or instructions on completing forms or tell you how to testify in court.

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits, assets, or liabilities.

_____ I can read English. - (Go to signature line)

_____ I cannot read English, but this notice was read to me by

_____ in _____
(Name) (Language)

YOUR SIGNATURE

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

Petitioner,

CASE NO. _____
DIVISION _____

vs.

Respondent.

_____ /

SUPPLEMENTAL PETITION TO MODIFY FINAL JUDGMENT OF PATERNITY
AND TO ESTABLISH SPECIFIC VISITATION

COMES NOW _____, the biological _____
(Your Name) (Mother/Father)

and files this Supplemental Petition to Modify Final Judgment of Paternity and to
Establish Specific Visitation and states:

1. The Final Judgment of Paternity was entered by this Court on _____
(date of Judge's signature)

which established _____
(Father's Name)

as the biological and legal father of:

| <u>Child's Name</u> | <u>Date of Birth</u> |
|---------------------|----------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

2. Said Final Judgment ordered _____ to pay child
(Father's Name)

support in the amount of \$_____ per _____
(dollar amount) (month/week)

3. The Final Judgment did not include a provision for shared parental responsibility
or for visitation.

4. Since the entry of said Final Judgment, _____ has been:
(Your Name)

(check any that apply)

- _____ frequently denied access to the minor child(ren)
- _____ occasionally denied access to the minor child(ren)

_____ denied telephone access to the minor child(ren)
 _____ denied written communication with the minor child(ren)
 _____ other _____.

WHEREFORE, _____ prays this Honorable court
 (Your Name)
 to enter an Order:

1. Awarding the parties shared parental responsibility for the minor children;
2. Awarding _____ rights of specific and
 (Your Name)
 reasonable access and visitation, including but not limited to alternating holidays and alternating times during the month;
3. Awarding such further relief as the Court deems appropriate and just.

RESPECTFULLY SUBMITTED this _____ day of _____, 20__.

 Petitioner

 Address

 Phone Number

STATE OF FLORIDA
 COUNTY OF ALACHUA

Sworn to (or affirmed) and **subscribed** before me this _____ day of _____, 20__,
 by _____.

_____ Personally known **OR** _____ Produced Identification _____

 Florida Notary

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.902(j),
NOTICE OF SOCIAL SECURITY NUMBER

When should this form be used?

This form must be completed and filed by each party in all **paternity**, **child support**, and **dissolution of marriage** cases, regardless of whether the case involves a minor child(ren) and/or property.

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


What should I do next?


A copy of this form must be mailed or hand delivered to the other party in your case, if 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 <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). The words that are in “**bold underline**” in these instructions are defined there. For further information, see sections 61.052 and 61.13, Florida Statutes.

Special notes...

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

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of 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 EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

NOTICE OF SOCIAL SECURITY NUMBER

I, *{full legal name}*, _____
certify that my social security number is _____, as required in section
61.052(7), sections 61.13(9) or (10), section 742.031(3), sections 742.032(1)-(3), and/or sections
742.10(1)-(2), Florida Statutes. My date of birth is _____.

[**one** only]

____ 1. This notice is being filed in a dissolution of marriage case in which the parties have **no** minor
children in common.

____ 2. This notice is being filed in a paternity or child support case, or in a dissolution of marriage in
which the parties have minor children in common. The minor child(ren)'s name(s), date(s) of
birth, and social security number(s) is/are:

| Name | Birth date | Social Security Number |
|-------|------------|------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

{Attach additional pages if necessary.}

Disclosure of social security numbers shall be limited to the purpose of administration of the Title IV-D program for child support enforcement.

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

Dated: _____

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

STATE OF FLORIDA
COUNTY OF ALACHUA

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.

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

When should this form be used?

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

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


What should I do next?


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

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). The words that are in “**bold underline**” in these instructions are defined there. For further information, see sections 61.501-61.542, Florida Statutes.

Special notes...

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

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

IN THE CIRCUIT COURT OF THE EIGHTH CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

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

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

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


THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

2. **Participation in custody proceeding(s):**

[**one** only]

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

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

Explain:

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and state: _____

d. Date of court order or judgment (if any): _____

3. **Information about custody proceeding(s):**

[**one** only]

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

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

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and state: _____

d. Date of court order or judgment (if any): _____

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

[**one** only]

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

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

a. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

b. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

c. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

5. **Knowledge of prior child support proceedings:**

[**one** only]

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

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

a. Name of each child: _____

b. Type of proceeding: _____

- c. Court and address: _____
 - d. Date of court order/judgment (if any): _____
 - e. Amount of child support paid and by whom: _____
6. **I acknowledge that I have a continuing duty to advise this Court of any custody, visitation, child support, or guardianship proceeding (including dissolution of marriage, separate maintenance, child neglect, or dependency) concerning the child(ren) in this state or any other state about which information is obtained during this proceeding.**

I certify that a copy of this document was [**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 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 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.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW RULES OF PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (01/09)

When should this form be used?

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

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

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

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

What should I do next?

A copy of the form must be served on the presiding judges and either the chief judge or the family law administrative judge. You should also keep a copy for your records.

Where can I look for more information?

See Florida Rule of Judicial Administration 2.545(d).

Special notes . . .

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

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,
and

Respondent.

NOTICE OF RELATED CASES

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

[v one only]

There are no related cases.

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

Related Case No. 1

Case Name(s): _____

Petitioner _____

Respondent _____

Case No.: _____ Division: _____

Type of Proceeding: [v all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Juvenile Dependency
- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat
- Violence Injunctions
- Mental Health
- Paternity
- Adoption
- Modification/Enforcement/Contempt Proceedings
- Juvenile Delinquency
- Criminal
- Other {specify} _____

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

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

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

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

Relationship of cases [v all that apply]:

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

Statement as to the relationship of the cases: _____

Related Case No. 2

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Juvenile Dependency
- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat Violence Injunctions
- Mental Health
- Paternity
- Adoption
- Modification/Enforcement/Contempt Proceedings
- Juvenile Delinquency
- Criminal
- Other {specify} _____

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

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

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

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

Relationship of cases [all that apply]:

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

Statement as to the relationship of the cases: _____

Related Case No. 3

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Juvenile Dependency
- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat Violence Injunctions
- Mental Health
- Paternity
- Adoption
- Modification/Enforcement/Contempt Proceedings
- Juvenile Delinquency
- Criminal
- Other {specify} _____

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

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

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

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

Relationship of cases [v all that apply]:

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

Statement as to the relationship of the cases: _____

2. [v one only]

- I **do not** request coordination of litigation in any of the cases listed above.
- I **do** request coordination of the following cases: _____

3. [v all that apply]

- Assignment to one judge
 - Coordination of existing cases
- will conserve judicial resources and promote an efficient determination of these cases because: _____.

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

Dated: _____

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

CERTIFICATE OF SERVICE

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

Petitioner/Attorney for Petitioner

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

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

**SUMMARY OF ADMINISTRATIVE ORDER NO. 5.1120(e)
ORDER AND NOTICE FOR PARENT EDUCATION
AND FAMILY STABILIZATION COURSE**

This summary has been prepared to help the parties in certain types of family division cases involving children understand what is required of them by the administrative order. A copy of the complete administrative order can be obtained from the civil clerk's office or online at www.circuit8.org , under Circuit Information, then Administrative Orders, then Family.

1. Both parties **must attend a parent education and family stabilization course in the following types of cases:**
 - a. Dissolution of marriage (divorce) where minor children are involved
 - b. Paternity actions involving issues of parental responsibility
 - c. Actions to modify (change) visitation
 - d. Actions to modify (change) primary parental responsibility
2. For dissolution actions, all petitioners are required to complete the parenting course within 45 days after filing the petition and all others must complete the course within 45 days after service of the petition.
3. For paternity actions, petitioners must complete the course within 45 days after filing the petition and all others must complete the course within 45 days after acknowledgment of paternity by that party, an adjudication of paternity of that party, or an order granting visitation to, or support from, that party.
4. The parties may attend separate courses.
5. The fee for the course is \$40.00 for each person. Either party may request that the Court reduce the fee to \$5.00, based on the party's financial affidavit of indigence.
6. All parties must file a certificate of completion with the court before the entry of the final judgment.

**APPROVED PARENTING EDUCATION COURSES
IN THE EIGHTH JUDICIAL CIRCUIT**

The following are approved courses in the Eighth Judicial Circuit that meet the requirements of section 61.21, Florida Statutes, and Administrative Order No. 5.1120 (D). **PLEASE CALL EACH PROVIDER FOR ADDITIONAL INFORMATION.**

A Positive Divorce Resolution

Classes are held weekly in Gainesville, Monthly in Starke and Macclenny. Call (352) 375-4399 in Gainesville or toll free (888) 747-5362 (24 hour/day 7 days/week).
Class schedules and online registration are available at www.divorce-resolution.com.

In The Best Interest Of Children And Family

When Parents are No Longer a Couple
Courses are offered twice monthly: Tuesdays 6:00PM to 10:00PM & Saturdays 9:00AM to 1:00PM.
Gainesville Family Institute, 1031 NW 6th Street, Bldg. C, Gainesville, FL 32601
Phone: (352) 376-5543 Fax: (352) 376-2042

Parents, Children And Divorce

Offering classes throughout the Eighth Judicial Circuit as well as most counties in the State of Florida. Classes are offered evenings and Saturday mornings. Web Site: www.educationprograms.com
E-mail: pcd@educationprograms.com Phone: (800) 767-8193

Parent Education And Family Stabilization Course

Alliance for Better Co-Parenting, Inc.
Alachua County, 2nd and 4th Thursday (6:00 pm) and 2nd and 4th Saturday (1:00 pm) of each month.
Satellite Offices: (Bradford, Levy and Union Counties): call (866) 632-7296 for location and schedule.
Main Office - 4432 NW 23rd Ave., Suite 4, Gainesville, FL 32606
Phone: (352) 379-4665 Fax: (352) 377-0002
email contact: (for Info/Class Schedule) mentalhealth@prodigy.net

List of Approved Web-Based Courses

- www.parentingchoice.com
- www.onlinedivorceprogram.com
- www.divorce-resolution.com
- www.floridaparentingcourse.com
- www.floridaparenting.com
- www.floridadivorceeducation.com

NOTE: Online courses will be accepted upon showing a special need, such as disability, military service, or residence in a State where such a course is not available.

FORMS FOR THE RESPONDENT (the person responding to the supplemental petition for modification)

The following blank forms are included in this packet for the Respondent to fill out:

- ♦ Answer and Waiver*

* Must be signed by Respondent and notarized by a Notary Public.

IMPORTANT

The Respondent must file the original documents with the Clerk of Court, CIVIL Department, and furnish the Petitioner with a set of copies of all forms completed by the Respondent. The Clerk of the Court is located on the first floor of the Alachua County Family/Civil Justice Center, 201 E. University Avenue, Gainesville, FL 32601. Documents (with filing fee if petitioner's documents) may also be submitted to the Clerk of Court by mail at P.O. Box 600, Gainesville, FL 32602. The Clerk of Court may be reached by calling (352) 374-3636.

IN THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

IN RE: The Marriage of

Petitioner,
and

Respondent.

CASE NO.: _____
DIVISION: _____

ANSWER AND WAIVER

THE RESPONDENT, _____, responding to the Supplemental Petition to Modify Final Judgment of Paternity and Establish Specific Visitation filed herein says:

- Respondent, has received a copy of the Petition and _____ the allegations
(write **denies** or **admits**)
contained in paragraphs ____ through ____ of the Petition dated _____.
- Respondent submits him/herself to the jurisdiction of this Court, and waives service of process of the Supplemental Petition to Modify Final Judgment of Paternity and Establish Specific Visitation but does **not** waive further notice in this action, specifically notice of the entry of Final Judgment pursuant to Fla. R. Civ. P. 1.440(b).

Respondent's Signature

Printed Name

Respondent's Mailing Address

Respondent's Telephone Number

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and **subscribed** before me on _____, 20____, by _____, who is _____ Personally known **OR** _____ Produced Identification, Type of Identification Produced (and number) _____.

(seal)

Notary Public

CERTIFICATE OF SERVICE

I HEREBY certify that a true and correct copy of the foregoing Answer and Waiver has been furnished by United States mail/hand delivery to _____, Petitioner, this _____ day of _____, 20____.

Respondent's Signature

**SUMMARY OF ADMINISTRATIVE ORDER NO. 5.1120(e)
ORDER AND NOTICE FOR PARENT EDUCATION
AND FAMILY STABILIZATION COURSE**

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- www.floridaparenting.com
- www.floridadivorceeducation.com

NOTE: Online courses will be accepted upon showing a special need, such as disability, military service, or residence in a State where such a course is not available.

SECTION “B”

This section is to be used when you are going to have the other party in your case served by the Sheriff’s Office. The petitioner will have to fill out the forms in section “A” and file them with the clerk’s office at the Courthouse. Take a copy of the forms you have filed and the following SHERIFF’S FORMS from section “B”:

- Directions for Memorandum to Sheriff
- Memorandum to Sheriff
- Affidavit for Personal Service Outside the State of Florida (used when the other party resides in another State). **Failure to use this document can result in the Sheriff’s service being invalid.**
- Summons

Contact the Sheriff’s Office where the other party resides to find out what they require of you. Deliver or mail a complete copy of what you have filed and the Sheriff’s forms, including any fees, and envelopes. On serving these papers on the other party the Sheriff’s Office will send you a “Notice of Service” which is proof that the other party was served. When the twenty (20) day time line has expired and the other party has not filed a response you can file the following:

DEFAULT PAPERS:

- Motion for Default
- Notice That Action is at Issue and Motion for Hearing/Non-Jury Trial located at the end of the packet (follow the instructions provided with the form)

DIRECTIONS FOR SERVICE OF PROCESS MEMORANDUM TO SHERIFF

This form should be sent to the sheriff's department in the county of the state where you wish to have the Respondent served.

With this form you can inform the sheriff's department of the best times to find the Respondent at work and/or home. (You may also include a map to the Respondent's home or work place to help the sheriff find the Respondent and deliver the summons.)

IT IS SUGGESTED THAT YOU:

1. Contact the Sheriff of that county and get the following information:

- Their address
- Cost of service
- Whether they will take a check or money order.
- Anything else they may require for service of process.

2. Mail or Deliver to the Sheriff:

- a) Memorandum to Sheriff
- b) Original Summons
- c) Set of photocopies of all the papers that you filed
- d) Self-addressed, stamped envelope.

The self-addressed, stamped envelope is for the Sheriff to mail you the original Return of Service. **

**UPON RECEIVING THE RETURN OF SERVICE, DELIVER IT OR MAIL IT TO
THE CLERK OF COURT IN THE COUNTY WHERE YOU FILED!

Pay attention to the date the Return of Service says the respondent was served with the summons. Remember, the Respondent is required to file a written response to your petition within 20 days from the day after being served.

SERVICE OF PROCESS MEMORANDUM TO SHERIFF

TO: Sheriff of _____ County, _____, Civil Division
State of _____

RE: _____, Petitioner vs.
_____, Respondent.

In the Circuit Court, County of _____, Florida

Case Number:

DATE: _____

Enclosed you will find a check or money order for the fee for service of process along with the summons and petition to be served on the respondent.

Respondent: _____

Residence Address: _____

Work Address: _____

SPECIAL INSTRUCTIONS for locating the Respondent:

Please use the enclosed self-addressed stamped envelope to send the Affidavit for Return of Service. Thank you for you time.

Petitioner's Signature

Printed Name: _____

Petitioner's Address: _____

Telephone No.: () _____

**AFFIDAVIT FOR PERSONAL SERVICE OUTSIDE
THE STATE OF FLORIDA**
Sections 48.193 and 48.194, Fla. Stat.

STATE OF _____
COUNTY OF _____

BEFORE ME, this day personally appeared _____, who being duly sworn, deposes and says that the following information is true and correct according to his/her best knowledge and belief:

Respondent _____ is subject to the jurisdiction of the Courts of Florida, and to personal service of process outside the state of Florida, for a cause of action arising out of the following: (check one or more)

_____ With respect to a proceeding for alimony, child support, and/or property division in connection with a dissolution of marriage while maintaining a marital domicile in Florida or if the defendant resided in Florida before the commencement of the action, whether cohabitating during that time or not.

_____ With respect to a proceeding for support for dependant(s) in an independent action while maintaining a marital domicile in Florida or if the defendant resided in Florida before commencement of the action, whether cohabitating during that time or not.

_____ With respect to paternity actions when the father had sexual intercourse in Florida from which the child could have been conceived.

Petitioner's Signature

Printed name _____

Address _____

City State Zip

Telephone (area code and number)

Sworn to and subscribed before me on _____, 20____
by {name} _____ who is _____ Personally known **OR**
_____ Produced identification. Type of identification produced _____

NOTARY PUBLIC—STATE OF FLORIDA

NOTE: Service of process on persons outside Florida must be made in the same manner as service in Florida by any officer authorized to serve process in the state where the person is served. **AN AFFIDAVIT OF THE OFFICER SHALL BE FILED STATING THE TIME, MANNER, AND PLACE OF THE SERVICE.**

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

When should this form be used?

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



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



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

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



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



How do I start?



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

IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED: Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are filing suit and you want the sheriff's department to serve the papers, you will file the summons along with a **Process Service Memorandum**,   Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to

the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

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

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

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

IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as **constructive service**. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have only limited jurisdiction over a party who is served by constructive service and may have only limited jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service;** that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.



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

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

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


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


Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). For further information regarding service of process, see chapters 48 and 49, Florida Statutes, and rule 1.070, Florida Rules of Civil Procedure, as well as the instructions for **Notice of Action for Dissolution of Marriage**,  Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Service and Inquiry**,  Florida Family Law Rules of Procedure Form 12.913(b).

Special notes...

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

If the other party fails to respond, i.e., fails to file a written response with the court, within **20 days** after the service of the summons, you are entitled to request a **default**. See the instructions to **Motion for Default**,  Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme Court Approved Family Law Form 12.922(b), for further information. You will need to file a **Nonmilitary Affidavit**,  Florida Supreme Court Approved Family Law Form 12.912(b), before a default may be granted.

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

IN THE CIRCUIT COURT OF THE EIGHTH CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

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

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

IMPORTANT


A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at: *{street address}* _____. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be **filed** if you want the Court to hear your side of the case.

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

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

{Name and address of party serving summons} _____

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

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

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

IMPORTANTE


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

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

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

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

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

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

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


IMPORTANT

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

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

Nom et adresse de la partie qui dépose cette citation:

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

J. K. "BUDDY" IRBY
CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

INSTRUCTIONS FOR FLORIDA FAMILY LAW FORM
REQUEST TO ENTER DEFAULT/DEFAULT
(COMBINED FORM)

If the other party has failed to file or serve any documents on you in response to your lawsuit as required, and the other party was properly served (i.e., by process, or by publication, etc.), you may ask the Clerk of the Court to enter a default against that person by completing this form and filing it with the clerk.

STEP 1:

First you must determine how the other party was served:

- The other party was **served by Process (summons)**: Generally, the other party has 20 days to respond to your petition.
- The other party was **served by Publication or Posting**: The Notice of Action that was posted or published contains the date by which the other party must respond to your petition (between 30 - 90 days).

STEP 2:

You must provide to the Clerk one of the following documents to prove that the other party has defaulted (failed to respond to your petition within the prescribed time period):

- the original Sheriff's Affidavit for Return of Service—**if served by process**
or
- the Editor's Certificate of Publication—**if served by publication**
or
- the Clerk's Certificate of Posting—**if served by posting**

STEP 3:

Once the default is entered against the other party by the Clerk of Court, you may request that your case be set for trial.

- You will need to fill out the **top portion** of the **NOTICE THAT ACTION IS AT ISSUE** and your **address on the second page**
- Make **three copies** of the request.
- File the **original** Notice with the Clerk of the Circuit Court.
- A copy of the form must be sent by mail to the opposing party.
- Bring a copy of the **NOTICE THAT ACTION IS AT ISSUE** and two stamped business size #10 envelopes to room 400 to be placed in the Case Manager's "In" box. Have one of the envelopes addressed to yourself and the other addressed to the opposing party.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

Petitioner,

CASE NO: _____

vs.

DIVISION: _____

Respondent.

MOTION/REQUEST TO ENTER DEFAULT

TO THE CLERK OF COURT: Please enter a default against the Respondent who has failed to respond to the petition.

DATED: _____

Signature

Name _____

Address _____

DEFAULT

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

DATED: _____

J.K. "BUDDY" IRBY
CLERK OF CIRCUIT COURT

By: _____

Deputy Clerk

Requesting a Hearing/Non-Jury Trial in a Family Court Case in Alachua County, Florida

DO NOT SUBMIT THE NOTICE THAT ACTION IS AT ISSUE.

Until:

1. *All the appropriate forms or documents have been filed to include financial affidavits, child support worksheet, parenting stabilization course, etc.*
2. *You have filed Proof of Service of Process Or Proof of Publication AND the Clerk has entered a default.*
3. *Or the Respondent has filed a response or an Answer and Waiver.*
4. *AND Mediation (352) 491-4417 has been completed if necessary.*

You will use the combined form titled “*Notice that Action is at Issue and Request for a Hearing/Non-Jury Trial*” to request a Hearing/Non-Jury Trial on your motion or petition. If you do so before the above has taken place a Hearing/Non-Jury Trial will **not** be scheduled.

Fill in the following information:

- Parties’ names (Petitioner and Respondent)
- Case number and Division
- Your name (Comes Now _____)
- Amount of time you think necessary for the judge to hear all the issues in your case. If your case has no disputed issues, it may take only ten minutes.
- Today’s date
- Your signature (no Notary needed)
- The Respondent’s name and address

Make 2 copies of the original:

- File the original with the clerk’s office.
- Mail or hand deliver one copy to the Respondent.

•Mail or hand deliver one copy to the **Case Manager in Room 400** (Family Courts) in the Alachua County Family/Civil Justice Center along with 2 stamped business size envelopes, one addressed to you and the other addressed to the Respondent. You may submit these items by mail to the Case Manager at the Alachua County Family/Civil Justice Center, 201 E. University Avenue, Room 400, Gainesville, FL 32601.

In about **three weeks**, you should receive a response from the judge’s office. If not, you may call Family Courts at (352) 374-3694 to ask about the status of your request for a court hearing.

IN THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

Petitioner,

CASE NO.: _____

and

DIVISION: _____

Respondent.

NOTICE THAT ACTION IS AT ISSUE AND REQUEST FOR HEARING/NON-JURY TRIAL

COMES NOW _____, and shows that this action is at issue and ready for a hearing/non-jury trial. The hearing/trial is on the original action. It is estimated that the trial will require _____ minutes. Therefore, the undersigned requests the court schedule a hearing/non-jury trial in this action.

Dated: _____
(today's date)

YOUR SIGNATURE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Action has been furnished by U.S. Mail or hand delivery on _____, 20____ to:
(Print the respondent's name and address below)

Your Signature

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Persons with a disability who need any accommodation in order to participate should call Jan Phillips, ADA Coordinator, Alachua County Courthouse, 201 E. University Ave., Gainesville FL 32601 at (352) 337-6237 within two working days of your receipt of this notice; if you are hearing impaired call (800) 955-8771; if you are voice impaired, call (800) 955-8770.