

# PACKET 9

Forms Associated with Florida Supreme Court forms for Filing a

## Petition for Temporary Custody



EIGHTH JUDICIAL CIRCUIT

✓ This packet may be used if

1. You are Extended Family or you reasonably believe that you are fictive kin of the Minor Children
2. The children reside with you.

### THINGS TO DO AFTER FORMS ARE COMPLETE:

- Make 2 sets of copies, one for you and one for your spouse (the opposing party)
- File the original documents with the Clerk's office on the 1st floor of the civil courthouse  
OR
- E-file the documents on the eportal at [www.myflcourtaccess.com](http://www.myflcourtaccess.com)
- Optional: prior to filing, you may take the COMPLETED forms to the SELF-HELP CENTER on the 4th floor for review

### FEES

Filing fee .....\$400.00

Notary Fee ..... \$5.00 per notary signature

Summons .....\$10.00 to issue

Copies by clerk..... \$1.00 per page

Self-serve copies .....\$0.15 using copy machine in the official Records area

Fees paid to Sheriff for service of process are separate

### PAYMENT OPTIONS

The Clerk accepts payments in cash, personal check, cashier's check and money order payable to Clerk of Court. The Clerk also accepts Visa and MasterCard, which requires an additional 3.5% processing fee.

Revised December 17, 2024

67 pages

for forms Revised February 2024

\$10.05

Circuit Court forms Revised April 2017

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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DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated.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).



## EIGHTH JUDICIAL CIRCUIT

### **Resources for Litigants Filing a Family Law Action** **Without Legal Counsel**

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

<http://circuit8.org/family-court> or <http://www.flcourts.org> (select Family forms located under the heading Self Help in the General Public Tab)

**Internet access and procedural guidance is available at the Self Help Center, Room 413, of the Family/Civil Justice Center.**

Other helpful sites:

#### **Family Advocacy Clinic**

(352)273-0800

<https://www.law.ufl.edu/areas-of-study/experiential-learning/clinics/civil/family-advocacy-clinic>

#### **Florida Bar Referral Service**

(800) 342-8011

<http://www.floridabar.org/lawyerreferral>

#### **3 Rivers Legal Services, Inc. - Gainesville office**

(352) 372-0519

<http://www.trls.org>

# **FAMILY COURT**

## **SELF HELP CENTER**

### **EIGHTH JUDICIAL CIRCUIT**



#### **SERVING ALACHUA COUNTY**

#### **A PROGRAM OF THE ADMINISTRATIVE OFFICE OF THE COURT**

The Self Help Center 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 Self Help Center staff **will**:

- explain procedures
- guide you on informative and helpful websites
- 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

If you have decided to file a family law case without a lawyer, please follow these steps:

1. Purchase the applicable form and/or packet from the Clerk of the Court or download the forms from the Clerk's website at [www.alachuaclerk.org](http://www.alachuaclerk.org).
2. Complete the packet of forms - in ink or typed. Court staff cannot assist you in completing the forms.
3. Instructions regarding filing and procedures are addressed in the packet. Procedural questions can be answered by calling **(352)548-3781** or visiting the **Self Help Center, Alachua County Family/Civil Justice Center, 201 E. University Avenue, Room 413, Gainesville, Florida 32601.**
4. Further instructions regarding procedures after filing are addressed in the packet. Your case will be monitored for procedural requirements by the Self Help Center staff.

**Helpful websites** -- 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/services/familycourt> or

**Florida Supreme Court Website:**

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



## TEMPORARY CHILD CUSTODY PETITION PACKET INFORMATION

This packet is divided into three sections. Section "A" is used when the parties are in agreement with all issues. The petitioner will fill out and file section "A." If you are serving the other party through the Sheriff's office you will need the forms in sections "A" and "B." If you do not know the location of the other party then you will need the forms in sections "A," and "C" and the default forms in section "B."

### SECTION A

Section "A" includes forms for the petitioner and forms for the respondent:

#### PETITIONER'S FORMS

- Notice of Limited Service
- Civil Cover Sheet
- Petition for Temporary Custody by Extended Family
- Notice of Social Security Number
- Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit
- Notice of Related Cases
- **Copy of Children's Birth Certificate(s)**

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) 374-3618.

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

- Consent and Waiver by Natural Parent

#### AFTER PETITIONER'S AND RESPONDENT'S FORMS ARE FILED

Once both parties have filed their required forms, your case may be ready for a hearing. The Self Help Center Staff reviews all cases and assists the Court in scheduling hearings. If you have questions about the status of your case, please contact the Self Help Center at (352) 548-3781.



**EIGHTH JUDICIAL CIRCUIT  
FAMILY COURT SELF HELP CENTER**

**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



**CHECKLIST TEMPORARY CUSTODY**

- ☐ Civil Cover Sheet
- ☐ Notice of Limited Service/ Disclaimer
- ☐ Petition for Temporary Custody By Extended Family
- ☐ UCCJEA
- ☐ Notice of Social Security Number
- ☐ Consent (Mother)
- ☐ Consent (Father)
- ☐ **Copy of Children's Birth Certificate(s)**

\*\*\*\* A written consent is not the same as a power of attorney

OR (IF NO RESPONSE)

- ☐ Proof of Service (Personal)
- ☐ Affidavit of Personal Service Out of State
- ☐ Proof of Service (Constructive)
  - ☐ Affidavit of Diligent Search
  - ☐ Proof of Publication
  - ☐ Proof of Posting
- ☐ Motion for Default

\*\*\* This checklist is not intended as legal advice. It is a list of what the court needs in order to go forward with your case. You must provide the information that is listed above before your next court hearing.

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

\_\_\_\_\_  
Petitioner                      and                      Case No: \_\_\_\_\_  
\_\_\_\_\_  
Respondent                      Division: \_\_\_\_\_

**DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS [FORM 12.915]**

I, \_\_\_\_\_, certify that:

My current mailing address is:

**MAILING ADDRESS:**

{Street or Post Office Box} \_\_\_\_\_

{Apartment, lot, etc.} \_\_\_\_\_

{City}, \_\_\_\_\_, {State}, \_\_\_\_\_, {Zip} \_\_\_\_\_.

{Telephone No.} \_\_\_\_\_ {Fax No.} \_\_\_\_\_.

**E-MAIL ADDRESS:**

The following is/are my e-mail address(es) for purposes of serving and receiving documents:

Primary e-mail address: \_\_\_\_\_

Secondary e-mail address No.1: \_\_\_\_\_

Secondary e-mail address No.2: \_\_\_\_\_

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

I certify that a copy of this document was [check all used] ☐ e-mailed, ☐ mailed, ☐ hand delivered on \_\_\_\_\_ to:

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

(insert name(s) and address(es))

**I HAVE READ EVERY STATEMENT MADE IN THIS DOCUMENT AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS DOCUMENT ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.**

Signature: \_\_\_\_\_

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

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

\_\_\_\_\_

E-mail address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Cover Sheet for Family Court Cases

I. Case Style

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

_____ and _____ Respondent	Case No.: _____
-------------------------------------	-----------------

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

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

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

- |  |   |
|--|---|
| (A) <input type="checkbox"/> Simplified Dissolution of Marriage<br>(B) <input type="checkbox"/> Dissolution of Marriage<br>(C) <input type="checkbox"/> Domestic Violence<br>(D) <input type="checkbox"/> Dating Violence<br>(E) <input type="checkbox"/> Repeat Violence<br>(F) <input type="checkbox"/> Sexual Violence<br>(G) <input type="checkbox"/> Stalking<br>(H) <input type="checkbox"/> Support IV-D (Department of Revenue, Child Support Enforcement)<br>(I) <input type="checkbox"/> Support Non-IV-D ( <b>not</b> Department of Revenue, Child Support Enforcement)<br>(J) <input type="checkbox"/> UIFSA IV-D (Department of Revenue, Child Support Enforcement)<br>(K) <input type="checkbox"/> Support for Dependent Adult Children—all matters related to support of a dependent adult child. | (L) <input type="checkbox"/> UIFSA Non-IV-D ( <b>not</b> Department of Revenue, Child Support Enforcement)<br>(M) <input type="checkbox"/> Other Family Court<br>(N) <input type="checkbox"/> Adoption Arising Out of Chapter 63<br>(O) <input type="checkbox"/> Name Change<br>(P) <input type="checkbox"/> Paternity/Disestablishment of Paternity<br>(Q) <input type="checkbox"/> Juvenile Delinquency<br>(R) <input type="checkbox"/> Petition for Dependency<br>(S) <input type="checkbox"/> Shelter Petition<br>(T) <input type="checkbox"/> Termination of Parental Rights Arising Out of Chapter 39<br>(U) <input type="checkbox"/> Adoption Arising Out of Chapter 39<br>(V) <input type="checkbox"/> CINS/FINS<br>(W) <input checked="" type="checkbox"/> Petition for Temporary or Concurrent Custody by Extended Family<br>(X) <input type="checkbox"/> Emancipation of a Minor |
|--|---|

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

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

**ATTORNEY OR PARTY SIGNATURE**

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

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

\_\_\_\_\_  
 (Type or print name)

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

\_\_\_\_\_  
 Date

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

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

This form was completed with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

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

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

*{email address}* \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.970(a),  
PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY (06/21)**

**When should this form be used?**

This form should be used by an **extended family member** to obtain temporary custody of a child or children pursuant to Chapter 751, Florida Statutes. This form **should not** be used if you are a parent seeking to establish parental responsibility or time-sharing with a child or children.

An **Extended Family Member** is:

A relative of a minor child within the third degree by blood or marriage to the parent;

OR

The stepparent of a minor child if the stepparent is currently married to the parent of the child and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the children's parents as an adverse party.

OR

An individual who qualifies as "fictive kin." As defined in section 39.01, Florida Statutes, fictive kin means a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child.

You may file a Petition for Temporary Custody if:

You have the signed, notarized consents of the children's legal parents;

OR

You are an extended family member who is caring full time for the children in the role of a substitute parent and with whom the children is (are) presently living.

If one of the minor children's parents objects to the Petition, the court shall grant the Petition only upon a finding, by clear and convincing evidence, that the children's parent or parents are unfit to provide for the care and control of the children. In determining that a parent is unfit, the court must find that the parent has abused, abandoned, or neglected the children, as defined in Chapter 39, Florida Statutes. If you do not have the parents' consents **you should consult a family law attorney before you file your papers.**

If you do not meet the qualifications above, you should talk to an attorney about other options. You may also report any suspected abuse, abandonment, or neglect to the appropriate authorities.

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.

**IMPORTANT INFORMATION REGARDING E-FILING**

The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must

follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

### **IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

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

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

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

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

IF YOU HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the children's parents, and the case is uncontested, you may contact the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the children's parents 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.

If one of the parents is deceased, you must file a certified copy of the proof of death.

IF YOU DO NOT HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the children's parents, you must properly notify the parents 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 after conducting a diligent search, you may use **constructive service**. You must complete all of the searches listed in the **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure form 12.913(c), and file the form with the clerk. You should seek legal advice on constructive service as this is a complicated area of the law. If the identity of one parent is unknown, you will need to seek legal advice to determine the proper way to serve an unknown parent. for more information, see Chapter 49, Florida Statutes.

If personal service is used, the **parents** have 20 days to answer after being served with your petition. Your case will generally proceed in one of the following 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. You must file a **Notice for Trial**, Florida Supreme Court Approved Family Law form 12.924. Then, if you have filed all of the required papers, you may contact the clerk, family law intake staff, or judicial assistant, to set a final hearing. You must notify the children's parents 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 either parent files an answer which disagrees with or denies anything in your petition, and you are unable to settle the disputed issues, you must file a **Notice for Trial**, Florida Supreme Court Approved Family Law form 12.924, to request a final hearing. 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).

At any time, either or both of the children's parents may petition the court to modify or terminate the order granting temporary custody. The court shall terminate the order upon a finding that the parent is a fit parent, or by the consent of the parties. The court may modify an order granting temporary custody if the parties consent or if the modification is in the best interest of the children.

### **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 751 and Chapter 39, 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.

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 Related Cases**, Florida Family Law Rules of Procedure form 12.900(h).
- **Family Court Cover Sheet**, Florida Family Law Rules of Procedure form 12.928.
- **Non-Military Affidavit**, Florida Supreme Court Approved Family Law form 12.912(b). (Required only for obtaining a default on petitions that have been personally or constructively served. Not required if both parents have signed a waiver and consent)

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

IN THE INTEREST OF

\_\_\_\_\_  
Children,

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

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

and

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

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

**PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY**

Petitioner, *{full legal name}* \_\_\_\_\_, being sworn, certifies that the following information is true:

1. This is an action for temporary custody pursuant to Chapter 751, Florida Statutes.
2. Petitioner requests temporary custody of the following minor children:  

Name	Date of Birth	Current Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
3. Petitioner completed a **Uniform Child Custody Jurisdiction and Enforcement Act Affidavit**, Florida Supreme Court Approved Family Law form 12.902(d), which was filed with this Petition. The affidavit includes the names and current addresses of the persons with whom the children has(have) lived during the past 5 years, the places where the children has(have) lived during the past 5 years, and information concerning any custody proceeding in this or any other state with respect to the children. **If the Affidavit is not completely filled out, signed under oath, and filed with the Petition, the case may be dismissed without hearing.**
4. Petitioner is an extended family member who is: {Choose **one** only}  
 \_\_\_\_\_ Related to the minor children within the third degree by blood or marriage to a parent;  
 OR  
 \_\_\_\_\_ The stepparent of the minor children, is married to the Respondent {full legal name} \_\_\_\_\_ and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the children's parents as an adverse party.  
 OR  
 \_\_\_\_\_ An individual who qualifies as fictive kin as defined in section 39.01, Florida Statutes.
5. Petitioner's relationship to the minor children is: \_\_\_\_\_.
6. The residence and post office address of the Petitioner is: \_\_\_\_\_.  
 \_\_\_\_\_.



7. Petitioner is a proper person to be awarded temporary custody because: [Choose **one** only]  
 \_\_\_\_\_ Petitioner has the signed, notarized consent from **both** of the children's legal parents; **OR**  
 \_\_\_\_\_ Petitioner is caring full time for the children in the role of a substitute parent and the children currently live with the Petitioner.

**If Petitioner does not have the signed consents from both parents or is not caring for the children full time as a substitute parent, Petitioner cannot obtain temporary custody under Chapter 751, Florida Statutes. Petitioner should consult an attorney about other options.**

8. The legal parents of the children are

a. \_\_\_\_\_, whose current address is:  
 \_\_\_\_\_.

b. \_\_\_\_\_, whose current address is:  
 \_\_\_\_\_.

9. \_\_\_\_\_ The Consents of Parent {full legal name} \_\_\_\_\_ and/or Parent {full legal name} \_\_\_\_\_ is/are attached to the Petition.

**OR**

\_\_\_\_\_ The Consent of Parent {full legal name} \_\_\_\_\_ is not attached because that parent is deceased. A certified copy of the proof of death is attached.

**OR**

Consent has NOT been obtained from the parents. The specific acts or omissions of the parents which demonstrate that the parents have abused, abandoned, or neglected the children as defined in Chapter 39, Florida Statutes are: (attach additional sheets if necessary)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

10. Petitioner requests temporary custody be granted for the following period of time: \_\_\_\_\_

The reasons that support this request are: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

11. It is in the best interests of the children that the Petitioner have temporary custody of the children for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

12. **ORDER OF PROTECTION**

\_\_\_\_\_ Petitioner **IS NOT** aware of any temporary or permanent order for protection entered on behalf of or against either parent, the Petitioner, or the children in Florida or any other jurisdiction.

**OR**

\_\_\_\_ Petitioner **IS** aware of the following temporary or permanent orders for protection entered on behalf of or against either parent, the Petitioner, or the children in Florida or any other jurisdiction. The court entering the order and the case number is: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

**13. TEMPORARY OR PERMANENT CHILD SUPPORT ORDERS**

\_\_\_\_ Petitioner **IS NOT** aware of any temporary or permanent orders for child support for the minor children.

OR

\_\_\_\_ Petitioner **IS** aware of the following temporary or permanent order for child support for the minor children. The court entering the order and the case number is: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

**14. CHILD SUPPORT {Choose **one** only}**

(You must have proof or waiver of service of process upon the parent(s) or a Waiver of Service of Process and Consent for the court to consider an award for child support)

- a. \_\_\_\_ Petitioner requests the court to order the parents to pay child support.
- b. \_\_\_\_ Petitioner requests the court to redirect all or part of the parents' existing child support obligation to the Petitioner.
- c. \_\_\_\_ Petitioner requests the court to redirect all or part of the parents' existing child support obligation to the Petitioner, and to award the Petitioner retroactive child support.

15. Petitioner \_\_\_\_ requests \_\_\_\_ does not request that the court establish reasonable visitation or a time-sharing schedule with the parents.

16. Petitioner \_\_\_\_ requests \_\_\_\_ does not request additional provisions which are related to the children's best interests, including, but not limited to, a reasonable plan for transitioning custody. The additional provisions requested are: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

WHEREFORE, Petitioner requests that this Court grant the Petitioner temporary custody of the children subject to this proceeding; award the Petitioner other relief as requested; and award any other relief that 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 Code: \_\_\_\_\_

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

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

STATE OF FLORIDA

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

Sworn to or affirmed and signed before me by means of {choose one} \_\_physical presence or \_\_online notarization 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] This form was prepared for the: {choose only **one**} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

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

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

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

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

{email address} \_\_\_\_\_.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.902(j),  
**NOTICE OF SOCIAL SECURITY NUMBER (06/18)**

**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 children 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.

**CONFIDENTIAL INFORMATION**

Under Rule 2.420 of the Florida Rules of General Practice and Judicial Administration, Social Security Numbers are confidential; however, this information is required by the Florida Statutes. A Notice of Confidential Information within Court Filing must be filed with the Notice of Social Security Number. This Notice is an appendix to rule 2.420.

**IMPORTANT INFORMATION REGARDING E-FILING**

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

**What should I do next?**

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

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

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

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

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

Court Approved Family Law Form 12.915; and Florida Rule of General Practice and Judicial Administration 2.516.

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

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

_____ Petitioner,  vs.  _____ Respondent.	CASE NO: _____ DIVISION: _____
---	-----------------------------------

**NOTICE OF SOCIAL SECURITY NUMBER**

I, *{full legal name}*, \_\_\_\_\_  
 certify that my social security number is \_\_\_\_\_, as required by the  
 applicable section of the Florida Statutes. My date of birth is \_\_\_\_\_.

[Choose **one** only]

- \_\_\_\_\_ 1. This notice is being filed in a dissolution of marriage case in which the parties have **no** minor or dependent 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 or dependent children in common. The minor or dependent children'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 of Party \_\_\_\_\_

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

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

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

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

STATE OF FLORIDA

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

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

\_\_\_\_\_.

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

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

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

\_\_\_\_\_ Produced identification; Type of identification produced \_\_\_\_\_

\_\_\_\_\_.

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

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

This form was completed with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

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

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

*{email address}* \_\_\_\_\_.

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

**When should this form be used?**

This form should be used in any case involving parental responsibility for, custody of, or time-sharing with any minor children. This **affidavit** is **required** even if the parental responsibility, custody of, time-sharing, or visitation with the minor children is not in dispute.

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

**IMPORTANT INFORMATION REGARDING E-FILING**

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

**What should I do next?**

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

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

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

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

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



Court Approved Family Law Form 12.915; and Florida Rule of General Practice and Judicial Administration 2.516.

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

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

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

Effective October 1, 2008, terms such as custodial parent, noncustodial parent, primary residential parent, secondary residential parent, and visitation were removed from Chapter 61, Florida Statutes; however, because the UCCJEA uses the terms, custody and visitation, they are included in this form. Parents must develop a Parenting Plan that includes, among other things, their time-sharing schedule with the minor children. If the parents cannot agree, a parenting plan will be established by the Court.

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

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

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

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

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

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

**THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :**

Child's Full Legal Name: \_\_\_\_\_

Place of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Sex: \_\_\_\_\_

**Child's Residence for the past 5 years:**

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

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

**THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # \_\_\_\_ :**

Child's Full Legal Name: \_\_\_\_\_

Place of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Sex: \_\_\_\_\_

**Child's Residence for the past 5 years:**

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

___/present*			
___/___			
___/___			
___/___			
___/___			
___/___			

**THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # \_\_\_:**

Child's Full Legal Name: \_\_\_\_\_

Place of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Sex: \_\_\_\_\_

**Child's Residence for the past 5 years:**

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

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

**[Choose only one]**

\_\_\_ I HAVE NOT participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or any other state, jurisdiction, or country, concerning parental responsibility for, custody of, or time-sharing or visitation with a child subject to this proceeding.

\_\_\_ I HAVE participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or any other state, jurisdiction, or country, concerning parental responsibility for, custody of, or time-sharing or visitation with a child subject to this proceeding. Explain:

a. Name of each child: \_\_\_\_\_

b. Type of proceeding: \_\_\_\_\_

c. Court and state: \_\_\_\_\_

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

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

**[Choose only one]**

\_\_\_ I HAVE NO INFORMATION of any parental responsibility, custody, time-sharing, or visitation proceeding pending in a court of this or any other state, jurisdiction, or country concerning a child subject to this proceeding.

\_\_\_ I HAVE THE FOLLOWING INFORMATION concerning a parental responsibility, custody, time-sharing,

or visitation proceeding pending in a court of this or another state concerning a child subject to this proceeding, other than set out in item 2. Explain:

- a. Name of each child involved in said litigation: \_\_\_\_\_
- b. Type of proceeding: \_\_\_\_\_
- c. Court and state: \_\_\_\_\_
- d. Date of court order or judgment (if any): \_\_\_\_\_
- e. Case Number: \_\_\_\_\_

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

[Choose only **one**]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[Choose only **one**]

\_\_\_\_ The children described in this affidavit are NOT subject to existing child support order(s) in this or any other state, jurisdiction, or country

\_\_\_\_ The children described in this affidavit are subject to the following existing child support order(s):

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

**6. I acknowledge that I have a continuing duty to advise this Court of any parental responsibility, custody, time-sharing, or visitation, child support, or guardianship proceeding (including dissolution of marriage, separate maintenance, child neglect, or dependency) concerning the**

**children in this state or any other state about which information is obtained during this proceeding.**

- 7.** A completed Notice of **Confidential Information within Court Filing**, Florida Rules of General Practice and Judicial Administration Appendix to Rule 2.420 Form, is filed with this Affidavit

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

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

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

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

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

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

Designated e-mail address \_\_\_\_\_

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

E-mail address: \_\_\_\_\_

STATE OF FLORIDA

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

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

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

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

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

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

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

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

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

This form was completed with the assistance of:

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

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

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

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

{email address} \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(h),**  
**NOTICE OF RELATED CASES (02/24)**

**When should this form be used?**

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

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

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

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

**What should I do next?**

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

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

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

**Special notes . . .**

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

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

_____ Petitioner,  vs.  _____ Respondent.	CASE NO: _____ DIVISION: _____
---	-----------------------------------

**NOTICE OF RELATED CASES**

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

[check **one** only]

☐ **There are no related cases.**

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

**Related Case No. 1**

Case Name(s): \_\_\_\_\_

Petitioner : \_\_\_\_\_

Respondent : \_\_\_\_\_

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

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

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

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

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

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

Date of Court Order/Judgment (if any): \_\_\_\_\_

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

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

Statement as to the relationship of the cases: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Related Case No. 2

Case Name(s): \_\_\_\_\_

Petitioner : \_\_\_\_\_

Respondent : \_\_\_\_\_

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

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

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

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

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

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

Date of Court Order/Judgment (if any): \_\_\_\_\_

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

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

Statement as to the relationship of the cases: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Related Case No. 3

Case Name(s): \_\_\_\_\_

Petitioner : \_\_\_\_\_

Respondent : \_\_\_\_\_

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



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

☐ Dissolution of Marriage

☐ Custody

☐ Child Support

☐ Juvenile Dependency

☐ Termination of Parental Rights

☐ Domestic/Sexual/Dating/Repeat

☐ Violence or Stalking Injunctions

☐ Paternity

☐ Adoption

☐ Support for Dependent Adult Children

☐ Modification/Enforcement/Contempt  
Proceedings

☐ Juvenile Delinquency

☐ Criminal

☐ Mental Health

☐ Other {specify} \_\_\_\_\_

State where case was decided or is pending: ☐ Florida ☐ Other: {specify} \_\_\_\_\_

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

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

Date of Court Order/Judgment (if any): \_\_\_\_\_

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

☐ pending case involves same parties, children, or issues;

☐ may affect court's jurisdiction;

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

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

Statement as to the relationship of the cases: \_\_\_\_\_

\_\_\_\_\_

2. [check **one** only]

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

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

\_\_\_\_\_

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

☐ Assignment to one judge

☐ Coordination of existing cases

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

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

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

\_\_\_\_\_  
Petitioner's Signature

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

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

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

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

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

**CERTIFICATE OF SERVICE**

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

\_\_\_\_\_  
Signature of Petitioner/Attorney for Petitioner

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

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

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

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

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

Florida Bar Number: \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**[fill in **all** blanks] This form was prepared for the: {choose only **one**} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

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

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

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

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

{email address} \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM, 12.970(c),  
WAIVER OF SERVICE OF PROCESS AND CONSENT FOR  
TEMPORARY CUSTODY BY EXTENDED FAMILY (06/21)**

This form is to be completed and signed by a parent who agrees to grant temporary custody of a minor child or children to an **extended family member** and agrees to waive **service** of process. Service of process occurs when a summons and a copy of the petition (or other pleading) that has been filed with the court are delivered by a deputy or private process server.

An **Extended Family Member** is:

A relative of a minor child within the third degree by blood or marriage to the parent;

**OR**

The stepparent of a minor child if the stepparent is currently married to the parent of the child and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the children's parents as an adverse party.

**OR**

An individual who qualifies as "fictive kin." As defined in section 39.01, Florida Statutes, fictive kin means a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child.

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 for Temporary Custody by Extended Family**, Florida Supreme Court Approved Family Law Form 12.970(a) is filed and keep a copy for your records.

**IMPORTANT INFORMATION REGARDING E-FILING**

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

**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

IN THE INTEREST OF

\_\_\_\_\_  
Children,

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

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

vs.

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

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

**WAIVER OF SERVICE OF PROCESS AND CONSENT FOR TEMPORARY CUSTODY BY EXTENDED FAMILY**

I, \_\_\_\_\_, {full legal name} the legal parent of  
{children's name(s)} \_\_\_\_\_, having received a copy of  
the Petition for Temporary Custody by Extended Family filed herein and waived service of process, freely  
and voluntarily consent to the Petition filed by: {Petitioner's full legal name}

\_\_\_\_\_.

I realize that by signing this document, I am consenting to the Petitioner having temporary legal custody of the minor children and that such temporary custody is in the best interest of the children. Upon entry of an Order, the Petitioner shall be able to:

1. Consent to all necessary and reasonable medical and dental care for the children, including nonemergency surgery and psychiatric care;
2. Secure copies of the children's records, held by third parties, that are necessary for the care of the children, including, but not limited to:
  - a. Medical, dental, and psychiatric records;
  - b. **Birth Certificates** and other records, and
  - c. Educational records.
3. Enroll the children in school and grant or withhold consent for the children to be tested or placed in special school programs, including exceptional education; and
4. Do all other things necessary for the care of the children.

I realize that the custody of my children by the Petitioner is temporary and that I may, at any time, petition the court to return legal custody to me. I understand and acknowledge that I may have to comply with a reasonable transition plan prior to the court returning legal custody to me

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

\_\_\_\_\_  
Signature of Parent

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

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

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

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

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

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] This form was prepared for the: {choose only **one**} (\_\_\_) Petitioner (\_\_\_) Respondent

This form was completed with the assistance of:

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

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

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

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

{email address} \_\_\_\_\_.

## 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 your time.

\_\_\_\_\_  
Petitioner's Signature

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

Petitioner's Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone No.: ( \_\_\_\_\_ ) \_\_\_\_\_

E-mail Address: \_\_\_\_\_



**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 dependent(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: \_\_\_\_\_

Petitioner's Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone No.: (\_\_\_\_\_) \_\_\_\_\_

E-mail Address: \_\_\_\_\_

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 (11/20)**

**When should this form be used?**

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

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

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

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

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

**How do I start?**

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

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

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

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

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

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

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

Regardless of the type of service used, if the other party once lived in Florida but is living outside of Florida now, you should include in your petition a statement regarding the length of time the party lived in Florida,

if any, and when. For example: Respondent last lived in Florida from {date} \_\_\_\_\_ to {date}\_\_\_\_\_.

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

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

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

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

A copy of this form must be filed with the court and served on the other party or his or her attorney. The copy you are serving to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service. Service must be in accordance with [Florida Rule of General Practice and Judicial Administration 2.516](#).

#### **IMPORTANT INFORMATION REGARDING E-FILING**

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

#### **IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

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

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

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

### Where can I look for more information?

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

### Special notes...

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

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

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

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

_____ Petitioner,  vs.  _____ Respondent.	CASE NO: _____ DIVISION: _____
---	-----------------------------------

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

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

**IMPORTANT**

A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at: {street address} \_\_\_\_\_.

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

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

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

{Name and address of party serving summons} \_\_\_\_\_

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

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

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

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

### IMPORTANTE

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

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

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

Nombre y dirección de la parte que entrega la orden de comparecencia: \_\_\_\_\_

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

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

connaissiez pas d'avocat, vous pourriez téléphoner a un service de référence d'avocats ou a un bureau d'assistance juridique (figurant a 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 a la partie qui vous dépose cette citation.

Nom et adresse de la partie qui dépose cette citation:

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**Les photocopies de tous les documents tribunaux de cette cause, y compris des arrêts, sont disponible 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, Designation of Current Mailing and E-mail Address.) Les documents de l'avenir de ce procès seront envoyer a 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 a la partie adverse. Tout refus de les fournir pourra donner lieu a des sanctions, y compris le rejet ou la suppression d'un ou de plusieurs actes de 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. "JESS" IRBY, ESQ.  
CLERK OF THE CIRCUIT COURT

(SEAL)

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



## INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS 12.922(a), MOTION FOR DEFAULT, AND 12.922(b), DEFAULT (11/15)

### When should these forms be used?

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

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

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

### IMPORTANT INFORMATION REGARDING E-FILING

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

### What should I do next?

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

### IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Petitioner,  
vs.  
\_\_\_\_\_  
Respondent.

CASE NO: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

**MOTION FOR DEFAULT**

TO THE CLERK OF THE CIRCUIT COURT:

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

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

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

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

\_\_\_\_\_  
Signature of Petitioner  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address: \_\_\_\_\_  
\_\_\_\_\_

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

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

This form was completed with the assistance of:

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

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

\_\_\_\_\_  
Petitioner,  
vs.  
\_\_\_\_\_  
Respondent.

CASE NO: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

**DEFAULT**

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

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

CLERK OF THE CIRCUIT COURT

(SEAL)

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

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

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

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

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

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

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

Designated E-mail Address: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

Designated E-mail Address: \_\_\_\_\_

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

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

This form was completed with the assistance of:

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

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

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

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

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

## **SECTION C**

This section is to be used when you do not know the location of the other party in your case. The petitioner will have to fill out the forms in section “A” and file them with the Clerk’s office at the Family/Civil Justice Center. Make at least two copies for yourself. After this step then you can complete the following forms:

### **CONSTRUCTIVE SERVICE FORMS**

- Affidavit of Diligent Search and Inquiry

Additional local forms to support the affidavit of diligent search include:

- U.S. Postal Service Request for Change of Address
- Request for Information from Driver License Records
- Gainesville Police Department Public Record Request
- Memorandum for Certificate of Military Service (follow the instructions) **OR**
- Nonmilitary Affidavit
- Notice of Action (publish for four consecutive weeks in a newspaper)

After you have completed the Affidavit of Diligent Search and Inquiry bring the above forms back to the clerk’s office to file. Place one of the copies of the forms you have already filed in a large postage paid envelope. Address the envelope to the last known address of the respondent and leave it with the Clerk’s office. You must now publish for four consecutive weeks in a newspaper in the county where your case was filed. When the publishing period has ended you can file the forms below.

### **DEFAULT**

- Motion for Default and Default—use forms provided in Section B
- Notice That Action is at Issue and Motion for Hearing/Non-Jury Trial at the end of the packet (follow the instructions provided with the above form)

## INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.913(b), [AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY \(11/20\)](#)

When should this form be used?

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

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

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

### What should I do next?

A copy of this form must be filed with the court and served on the other party or his or her attorney. The copy you are serving to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service. Service must be in accordance with [Florida Rule of General Practice and Judicial Administration 2.516](#).

### IMPORTANT INFORMATION REGARDING E-FILING

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

### IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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

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

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

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

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

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

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

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

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

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

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

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

### AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

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

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

[Check **all** that apply]

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



\_\_\_\_ Letters to the Armed Forces of the U.S. and their response as to whether or not there is any information about Respondent. (See Memorandum for Certificate of Military Service, Florida Supreme Court Approved Family Law Form 12.912(a).)

\_\_\_\_ Tax Assessor's and Tax Collector's Office in the area where Respondent last resided.

\_\_\_\_ Other: *{explain}* \_\_\_\_\_

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

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

3. **Respondent's current residence**

[Choose only **one**]

a. \_\_\_\_\_ Respondent's current residence is unknown to me.

b. \_\_\_\_\_ Respondent's current residence is in some state or country other than Florida.

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

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

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_.

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

Name of Employer \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_.

**Under penalties of perjury, I declare that I have read this document and the facts stated in it are true.**

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

\_\_\_\_\_  
 Signature of Petitioner

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

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

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

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

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

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

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

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

This form was completed with the assistance of:

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

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

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

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

*{email address}* \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.912(a),  
MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE (09/16)**

**When should this form be used?**

This form should be used if you **KNOW OR DO NOT KNOW** whether the other party in your case is on active duty in a branch of the military service of the United States. "Active duty" includes reserve personnel of the Army, Navy, Air force, Marine Corps, and Coast Guard, and members of the Florida National Guard who have been called to active duty for more than thirty (30) days. Even if you believe that the other party **has never** or **would never** join the military, you must show the court proof that he or she is not a member of the military. Therefore, you may need to use this form to provide the court with such proof. See the instructions for an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law form 12.912(b), for additional information. Please note that the contact information below is correct as of the effective date of this form; however, it may be subject to change. If you have difficulty obtaining the certificates or need additional information, you may wish to contact Military One Source at <https://www.militaryonesource.mil/> or 800.824.9647.

**Servicemembers Civil Relief Act (SCRA) Certificates**

Act (SCRA)(formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), please refer to the Defense Manpower Data Center (DMDC) SCRA website: <https://www.dmdc.mil/appj/scra> .

You may also write the DMDC at the following address:  
Defense Manpower Data Center [Attn: Military Verification]  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593  
Telephone: 703.696.6762

You may be charged a service fee by each military service branch for its response. Please refer to the websites and/or phone numbers listed below for help in determining the amount of each military branch's fee and to verify its current mailing address.

**COAST GUARD:** USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd., Suite 1100, Arlington VA 22203, Phone (866) 772-872,4 <https://www.uscg.mil/psc/bops/>.

**AIR FORCE:** HQ AFPC/DS1W, Attn: World Wide Locator, 550 C Street, West, Suite 50, JBSA-Randolph AFB, TX 78150-4752, Phone: 210.565.266.. [www.afpc.af.mil/Air-force-Worldwide-Locator](http://www.afpc.af.mil/Air-force-Worldwide-Locator)

**NAVY:** Navy World Wide Locator, Navy Personnel Command, PERS 1, 5720 Integrity Drive, Millington, TN 38055-3120, Phone: 901.874.5111. [www.public.navy.mil/bupers-npc/organization/npc/csc/Pages/NavyLocatorService.aspx](http://www.public.navy.mil/bupers-npc/organization/npc/csc/Pages/NavyLocatorService.aspx)

**MARINE CORPS:** Headquarters, United States Marine Corps, Personnel Management Support Branch (MMSB-17), 2008 Elliot Road, Room 201, Quantico, VA 22134 Phone: 703.784.3941  
[www.hqmc.marines.mil/dmcs](http://www.hqmc.marines.mil/dmcs).

**PUBLIC HEALTH SERVICE:** Attn: Director, Division of Commissioned Corps officer Support, 1101 Wooten Parkway, Plaza Level, Suite 100, Rockville, MD 20852 <https://scra.dmdc.osd.mil/>.

**ARMY:** <https://www.dmdc.osd.mil/appj/dwp/index.jsp>

This form should be typed or printed in black ink. You should complete this form for each branch of the Instructions for Florida Supreme Court Approved Family Law form 12.912(a), Memorandum for Certificate of Military Service (09/16)

United States' military listed above, and mail the form to each branch with a **check for the appropriate amount and a stamped, self-addressed envelope**. You should keep a copy of the form for your records. After you have received a verification of military status from each branch, you will need to attach those verifications to an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law form 12.912(b), for filing with the clerk.

### IMPORTANT INFORMATION REGARDING E-FILING

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

### IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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

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

### Special notes...

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

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

vs. Petitioner,

CASE NO: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

Respondent.

# MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE

**TO:** ☐ USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd, Suite 1100,  
Arlington, VA 22203 (Coast Guard)

☐ HQ AFPC/DPDXIDL, Attn: World Wide Locator, 550 C. Street West, Suite 50, Randolph AFB, TX  
78150-4752 (Air force)

☐ Navy World Wide Locator, Navy Personnel Command, PERS-1, 5720 Integrity Drive, Millington,  
TN 38055-3120 (Navy)

☐ United States Marine Corps, Personnel Support Management Branch, (MMSB-17), 2008 Elliot  
Road, Room 201, Quantico, VA 22134 (Marines)

☐ Public Health Service: Attn: Director, Division of Commissioned Corps officer Support  
<https://scra.dmdc.osd.mil/> (Public Health)

☐ Locator <https://scra.dmdc.osd.mil/> (Army)

RE: \_\_\_\_\_  
 {Name of Respondent} \_\_\_\_\_  
 {Respondent's Social Security Number}

This case involves a family matter. It is imperative that a determination be made whether the above-named individual, who has an interest in these proceedings, is presently in the military service of the United States, and the dates of induction and discharge, if any. This information is requested under the Servicemembers Civil Relief Act (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940). Please supply verification as soon as possible. My check for \$\_\_\_\_\_ for your search fee and a self-addressed, stamped envelope are enclosed.

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

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

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

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

This form was completed with the assistance of:

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

---

*{name of business}*

---

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

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

```
{email address}
```

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

**When should this form be used?**

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

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

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

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

**IMPORTANT INFORMATION REGARDING E-FILING**

**\*67** The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with [Florida Rule of General Practice and Judicial Administration 2.525](#), and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

**IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

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

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

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please

CAREFULLY read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law form 12.915; and [Florida Rule of General Practice and Judicial Administration 2.516](#).

**Special notes...**

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

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

_____ Petitioner, vs.  _____ Respondent.	CASE NO: _____ DIVISION: _____
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**AFFIDAVIT OF MILITARY SERVICE**

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

**[please choose only one]**

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

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

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in**

**this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

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

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

STATE OF FLORIDA

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

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

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

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

\_\_\_ Personally known

\_\_\_ Produced identification

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

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

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

This form was completed with the assistance of:

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

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

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

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

{email address} \_\_\_\_\_.



**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.913(a)(2), NOTICE OF ACTION FOR FAMILY CASES WITH MINOR CHILDREN (11/15)**

**When should this form be used?**

This form may be used to obtain **constructive service** (also called service by publication) in an action involving a parenting plan for a minor child under chapter 61, Florida Statutes; an action to determine temporary custody by extended family under chapter 751, Florida Statutes; and termination of a legal father's parental rights when another man is alleged to be the biological father. "Parenting plan" means a document created to govern the relationship between the parents relating to decisions that must be made regarding the minor child and must contain a time-sharing schedule for the parents and child. Section 61.046(14), Florida Statutes.

You may use constructive service if you do not know where the other party lives or if the other party lives outside Florida and you are unable to obtain **personal service**. Constructive notice will allow the court to grant the relief requested, but personal service is required before a court can order payment or termination of **child support**, spousal support (**alimony**), or costs. If you are asking the court to decide how real or personal property located in Florida should be divided, the **Notice of Action** must include a specific description of the property. If you use constructive service, the court can grant only limited relief because its jurisdiction is limited. This is a complicated area of the law and you should consult an attorney before using constructive service.

You should complete this form by typing or printing the appropriate information in black ink. You must insert the other party's name and last known address and then **file** this form with the **clerk of the circuit court** in the county where your petition was filed. You must also complete and file an **Affidavit of Diligent Search and Inquiry**. Use Florida Family Law Rules of Procedure form 12.913(b) unless you are serving the legal father in a paternity case where another man is alleged to be the biological father, in which case, you must use form 12.913(c). You should keep a copy for your records.

**IMPORTANT INFORMATION REGARDING E-FILING**

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

After the **Affidavit of Diligent Search and Inquiry**, Family Law Rules of Procedure form 12.913(b) or 12.913(c), is filed, the clerk will sign this form. You will need to publish notice once each week for four consecutive weeks in a "qualified" newspaper in the county where the case is pending. When in doubt, ask the clerk which newspapers are "qualified." The newspaper will charge you for this service. If you cannot afford to pay the cost of publishing this notice, you may ask the clerk to post the notice at a place designated for such postings. You will need to file an **Application for Determination of Civil Indigent Status**, which you can obtain from the clerk. If the clerk determines that you cannot afford these costs, the clerk will post the notice of action. If your case involves termination of a legal father's parental rights when another man is alleged to be the biological father, you need to publish the notice only in the county where the legal father was last known to have resided. You are responsible for locating a "qualified" newspaper in the county where the other party last resided and paying the cost of publication.

### Where can I look for more information?

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** for further information, see rule 12.070, Florida Family Law Rules of Procedure, rule 1.070, Florida Rules of Civil Procedure, sections 61.501–61.542, Florida Statutes and chapter 49, Florida Statutes.

### IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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### Special notes...

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

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure form 12.900(a), before he or she helps you. A nonlawyer helping you fill out 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

_____ Petitioner, vs. _____ Respondent.	CASE NO: _____ DIVISION: _____
---	-----------------------------------

### NOTICE OF ACTION FOR

*{Specify action}* \_\_\_\_\_

TO: *{name of Respondent}* \_\_\_\_\_

*{Respondent's last known address}* \_\_\_\_\_

YOU ARE NOTIFIED that an action for *{identify the type of case}* \_\_\_\_\_ has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on *{name of Petitioner}* \_\_\_\_\_, whose address is \_\_\_\_\_ on or before *{date}* \_\_\_\_\_, and file the original with the clerk of this Court at *{clerk's address}* \_\_\_\_\_.

before service on Petitioner or immediately thereafter. **If you fail to do so, a default may be entered against you for the relief demanded in the petition.**

*{If applicable, insert the legal description of real property, a specific description of personal property, and the name of the county in Florida where the property is located}* \_\_\_\_\_.

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

**You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-Mail Address, Florida Supreme Court Approved Family Law form 12.915.) Future papers in this lawsuit will be mailed or e-mailed to the addresses 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.**

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

J. K. "JESS" IRBY, ESQ., ALACHUA COUNTY CLERK

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

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

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

This form was completed with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

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

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

*{email address}* \_\_\_\_\_.