

PACKET 9

Forms for a
Petition for Temporary Custody
When:

1. You are Extended Family or you reasonably believe that you are the father of the Minor Child(ren)
2. The child(ren) reside with you.



EIGHTH JUDICIAL CIRCUIT

Revised December 31, 2009

52 pages
\$7.80

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WARNING

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

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated.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

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

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

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



EIGHTH JUDICIAL CIRCUIT

Resources For Litigants Filing A Family Law Action Without Legal Counsel

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

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

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

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

FAMILY COURT CASE MANAGEMENT PROGRAM EIGHTH JUDICIAL CIRCUIT



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

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

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

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

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

The staff **will not**:

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

PROCEDURES

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

OTHER SERVICES

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

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

Eighth Judicial Circuit Website:

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

Florida Supreme Court Website:

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

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

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



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

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

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

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

RESPONDENT’S FORMS

- Consent and Waiver by Natural Parent

AFTER PETITIONER’S AND RESPONDENT’S FORMS ARE FILED

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



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

NOTICE OF LIMITATION OF SERVICES PROVIDED/DISCLAIMER

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

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

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

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

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

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

_____ in _____
 (Name) (Language)

 YOUR SIGNATURE

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)

**** 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.

Cover Sheet for Family Court Cases

I. Case Style

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

Case No.: _____

Judge: _____

Petitioner
and

Respondent

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

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

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

- (A) Simplified Dissolution of Marriage
- (B) Dissolution of Marriage
- (C) Domestic Violence
- (D) Dating Violence
- (E) Repeat Violence
- (F) Sexual Violence
- (G) Support IV-D (Department of Revenue, Child Support Enforcement)
- (H) Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (I) UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (J) UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (K) Other Family Court
- (L) Adoption Arising Out of Chapter 63
- (M) Name Change
- (N) Paternity/Disestablishment of Paternity
- (O) Juvenile Delinquency
- (P) Petition for Dependency
- (Q) Shelter Petition
- (R) Termination of Parental Rights Arising Out of Chapter 39
- (S) Adoption Arising Out of Chapter 39
- (T) CINS/FINS

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

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

ATTORNEY OR PARTY SIGNATURE

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

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

 (Type or print name) Date

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

I, {full legal name and trade name of nonlawyer} _____, a nonlawyer, whose address is
 {street} _____, {city} _____, {state} _____,
 {phone} _____, helped {name} _____, who is the [choose **one** only] ___
 petitioner or ___ respondent, fill out this form.

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

In Re: The Matter of Custody of

CASE NO. _____

DIVISION _____

Minor child(ren),

by

Petitioner.

_____ /

PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY

1. Petitioner files this request for temporary custody of:
(LIST Child(ren)'s name(s) and date(s) of birth and address)

pursuant to section 751.03(2006), Fla. Stat.

2. Petitioner is _____ of the child(ren).
(Relationship to child(ren))

3. The minor child(ren) has/have been living in the State of Florida within the jurisdiction of the Court.

4. Attached to this Petition is my declaration under the Uniform Child Custody Jurisdiction Act.

5. The names and current addresses of the child(ren)'s parents are:

6. The child(ren)'s parent do ___ **OR** do not ___ consent to this petition.

7. The names and current addresses of the person(s) with whom the child(ren) has lived within the past 5 years.

8. The circumstances of the child(ren)'s current living situation with the petitioner are as follows:

9. The period of time the petitioner is requesting temporary custody is because

10. [IF APPLICABLE] The petitioner believes he is the father of the child(ren) because:

11. It is in the best interest of the child(ren) that the Petitioner be allowed temporary custody of the child(ren).

12. Petitioner does ____ **OR** does not ____ request support for the child(ren). If so, Petitioner states that the parent(s) has/have received personal or substituted service of process and there is evidence of the parent's ability to pay the support.

Signed and dated this ____ day of _____, 20____.

Petitioner's signature

Petitioner's Post Office address

Petitioner's Residence Address

Petitioner's Phone Number

STATE OF FLORIDA
COUNTY OF _____

Subscribed before me on this ____ day of _____ 20__ by

_____ who is personally known to me **OR** produced
_____ as identification.

(seal)

State of Florida Notary Public

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have or intend to provide a true and correct copy of the foregoing instrument by service of process to: _____
_____ this ____ day of _____,
20____.

Petitioner

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

When should this form be used?

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

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


What should I do next?


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

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). The words that are in “**bold underline**” in these instructions are defined there. For further information, see sections 61.052 and 61.13, Florida Statutes.

Special notes...

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

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

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

NOTICE OF SOCIAL SECURITY NUMBER

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

[**one** only]

- _____ 1. This notice is being filed in a dissolution of marriage case in which the parties have **no** minor children in common.
- _____ 2. This notice is being filed in a paternity or child support case, or in a dissolution of marriage in which the parties have minor children in common. The minor child(ren)'s name(s), date(s) of birth, and social security number(s) is/are:

Name	Birth date	Social Security Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

{Attach additional pages if necessary.}

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

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

Dated: _____

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

STATE OF FLORIDA
COUNTY OF ALACHUA

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

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

____ Personally known
____ Produced identification
Type of identification produced _____.

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

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [✓ **one** only] ___ petitioner **or** ___ respondent, fill out this form.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.902(d), UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT
(UCCJEA) AFFIDAVIT (03/09)**

When should this form be used?

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

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

What should I do next?

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

Where can I look for more information?

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

Special notes...

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

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

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
 IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
 Division: _____

 Petitioner,
 and

 Respondent.

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

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

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

Child's Full Legal Name: _____
 Place of Birth: _____ Date of Birth: _____ Sex: _____

Child's Residence for the past 5 years:

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

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

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

[✓ one only]

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

___ I HAVE participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or another state, concerning custody of or time-sharing 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):

[✓ one only]

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

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

- a. Name of each child: _____
- b. Type of proceeding: _____
- c. Court and state: _____
- d. Date of court order or judgment (if any): _____

4. Persons not a party to this proceeding:

[✓ one only]

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

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

a. Name and address of person: _____

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

Name of each child: _____

b. Name and address of person: _____

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

Name of each child: _____

c. Name and address of person: _____

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

Name of each child: _____

5. Knowledge of prior child support proceedings:

[✓ one only]

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

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

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

6. I acknowledge that I have a continuing duty to advise this Court of any custody, visitation or time-sharing, child support, or guardianship proceeding (including dissolution of marriage, separate maintenance, child neglect, or dependency) concerning the child(ren) in this state or any other state about which information is obtained during this proceeding.

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

Other party or his/her attorney:

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

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

Dated: _____

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

STATE OF FLORIDA
 COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

 NOTARY PUBLIC or DEPUTY CLERK

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

___ Personally known
 ___ Produced identification
 Type of identification produced _____

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

I, {full legal name and trade name of nonlawyer} _____,
 a nonlawyer, located at {street} _____, {city} _____,
 {state} _____, {phone} _____, helped {name} _____,
 who is the [**one only**] ___ petitioner **or** ___ respondent, fill out this form.

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

When should this form be used?

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

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

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

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

What should I do next?

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

Where can I look for more information?

See Florida Rule of Judicial Administration 2.545(d).

Special notes . . .

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

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

Case No.: _____
Division: _____

Petitioner,
and

Respondent.

NOTICE OF RELATED CASES

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

[v one only]

There are no related cases.

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

Related Case No. 1

Case Name(s): _____
Petitioner _____
Respondent _____
Case No.: _____ Division: _____

Type of Proceeding: [v all that apply]

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

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

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

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

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

Relationship of cases [v all that apply]:

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

Statement as to the relationship of the cases: _____

Related Case No. 2

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

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

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

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

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

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

Relationship of cases [all that apply]:

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

Statement as to the relationship of the cases: _____

Related Case No. 3

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

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

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

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

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

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

Relationship of cases [v all that apply]:

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

Statement as to the relationship of the cases: _____

2. [v one only]

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

3. [v all that apply]

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

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

Dated: _____

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

CERTIFICATE OF SERVICE

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

Petitioner/Attorney for Petitioner

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

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

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

In Re: The Matter of Custody of

CASE NO. _____

DIVISION _____

Minor child(ren),

by

Petitioner.

_____ /

CONSENT AND WAIVER BY NATURAL PARENT

THE RESPONDENT, _____, responding to the Petition for
Temporary Custody by Extended Family Member filed herein says:

1. I, _____, am the birth ____ father OR ____ mother of the above-
named child(ren), who was/were born on _____, at _____
_____. I have received a copy of the
Petition dated _____ and do hereby temporarily relinquish all rights to
and custody of this/these minor child(ren), _____, and
do consent to the temporary custody by the Petitioner, _____, with full knowledge of the legal
effect of the order granting temporary custody.

2. I understand my legal rights as a parent and I understand that I do not have to sign this
consent and temporary release of my parental rights. I acknowledge that this consent is being
given knowingly, freely, and voluntarily. I further acknowledge that my consent is not given
under fraud or duress.

3. Respondent submits him/herself to the jurisdiction of this Court, and waives service of
process of the Petition for Temporary Custody by Extended Family Member but does **not** waive

further notice in this action, specifically notice of the entry of an order pursuant to Florida Rule of Civil Procedure 1.440(b).

Respondent's Signature

Respondent's Mailing Address

Respondent's Telephone Number

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and **subscribed** before me on _____, 20____, by

Personally known **OR** _____Produced Identification, Type of Identification Produced (and number) _____.

(seal)

NOTARY PUBLIC

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing *Consent and Waiver by Natural Parent* has been furnished by United States mail/hand delivery to:
(list all parties names and addresses in this case)

On _____, 20_____.

Respondent's Signature

SECTION “B”

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

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

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

DEFAULT PAPERS:

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

DIRECTIONS FOR SERVICE OF PROCESS MEMORANDUM TO SHERIFF

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

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

IT IS SUGGESTED THAT YOU:

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

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

2. Mail or Deliver to the Sheriff:

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

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

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

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

SERVICE OF PROCESS MEMORANDUM TO SHERIFF

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

RE: _____, Petitioner vs.
_____, Respondent.

In the Circuit Court, County of _____, Florida

Case Number:

DATE: _____

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

Respondent: _____

Residence Address: _____

Work Address: _____

SPECIAL INSTRUCTIONS for locating the Respondent:

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

Petitioner's Signature

Printed Name: _____

Petitioner's Address: _____

Telephone No.: () _____

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

STATE OF _____
COUNTY OF _____

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

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

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

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

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

Petitioner's Signature
Printed Name _____
Address _____

City State Zip

Telephone (area code and number)

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

NOTARY PUBLIC—STATE OF FLORIDA

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

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

When should this form be used?

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



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



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

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



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



How do I start?



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

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

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

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

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

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

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



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

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

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



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


Where can I look for more information?

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

Special notes...

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

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

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

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

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

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

IMPORTANT


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

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

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

{Name and address of party serving summons} _____

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

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

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

IMPORTANTE


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

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

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

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

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

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

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


IMPORTANT

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

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

Nom et adresse de la partie qui dépose cette citation: _____

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

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

(SEAL)

By: _____
Deputy Clerk

INSTRUCTIONS FOR FLORIDA FAMILY LAW FORM

REQUEST TO ENTER DEFAULT/DEFAULT
(COMBINED FORM)

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

STEP 1:

First you must determine how the other party was served:

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

STEP 2:

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

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

STEP 3:

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

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

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

Petitioner,

CASE NO: _____
DIVISION: _____

vs.

Respondent.

MOTION/REQUEST TO ENTER DEFAULT

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

DATED: _____

Signature
Name _____
Address _____

DEFAULT

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

DATED: _____

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

By: _____
Deputy Clerk

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

When should this form be used?

This form is to be used with **Notice of Action for Dissolution of Marriage**,  Florida Supreme Court Approved Family Law Form 12.913(a), to obtain **constructive service** (also called service by publication) in a **dissolution of marriage** case.


This form includes a checklist of places you can look for information on the location of your spouse. 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 your spouse's location and that you have followed up on any information you received.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the original and a **Notice of Action for Dissolution of Marriage**,  Florida Supreme Court Approved Family Law Form 12.913(a), with the **clerk of the circuit court** in the county where your petition for dissolution of marriage is filed. You should keep a copy for your records.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). For further information, see rule 12.070, Florida Family Law Rules of Procedure and rule 1.070(e) and (f), Florida Rules of Civil Procedure.

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

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):**

[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 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 people finder or the library checked for me.
- 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 [**one** only] () known {enter age} _____ or () unknown.

3. **Respondent's current residence**

[**one** only]

____ a. Respondent's current residence is unknown to me.

____ b. Respondent's current residence is in some state or country other than Florida, and Respondent's last known address is: _____.

____ 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.

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]

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

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

When should this form be used?

This form should be used if you **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. Fill out this form and **mail one copy to each** of the military offices at the addresses on the form. You may be charged a service fee by each military service branch for their response. To assist you in determining the amount of each military branch's fee, phone numbers are listed below. You will need to call each number to find out their fee for this search. 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 the **Nonmilitary Affidavit**,  Florida Supreme Court Approved Family Law Form 12.912(b), for additional information.

COAST GUARD: U.S. Coast Guard Commander (CGPC-ADM-3), Coast Guard Personnel Command, 2100 2nd St., S.W., Room 1616, Washington, D. C. 20593, Phone: (202) 267-1340


AIR FORCE: AFPC MSIMDL, 550 C Street, W., Suite 50, Randolph AFB, TX 78150-4752, Phone: (210) 652-5775

NAVY: BUPERS, PERS 02116, 2 Navy Annex, Washington, D. C. 20370-0216, Phone: (703) 614-5011 or (703) 614-9221


MARINE CORPS: USMC-CMC, HQMC-MMSB-10, 2008 Elliot Road, Room 201, Quantico, VA 22134-5030, Phone: (703) 784-3941

PUBLIC HEALTH SERVICE: Surgeon General, U.S. Public Health Service, Div. of Comm., Off. Personnel, 5600 Fishers Lane, Room 4-21, Rockville, MD 20857, Phone: (301) 594-2963

ARMY: Army World Wide Locator, U.S. Army Enlisted Records and Evaluation Center, 8899 East 56th Street, Indianapolis, IN 46249-5301, Phone: (703) 325-3732

This form should be typed or printed in black ink. You should complete this form for each branch of the 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 nonmilitary status from each branch, you will need to attach those verifications to a **Nonmilitary Affidavit**,  Florida Supreme Court Approved Family Law Form 12.912(b), for filing with the clerk.

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

Case No.: _____

Petitioner,

Division: _____

and

Respondent.

MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE

- TO:** () U.S. Coast Guard Commander (CGPC-ADM-3), Coast Guard Personnel Command, 2100 2nd St., S.W., Room 1616, Washington, D. C. 20593
- () AFPC MSIMDL, 550 C Street, W., Suite 50, Randolph AFB, TX 78150-4752
- () BUPERS, PERS 02116, 2 Navy Annex, Washington, D. C. 20370-0216
- () USMC-CMC, HQMC-MMSB-10, 2008 Elliot Road, Room 201, Quantico, VA 22134-5030
- () Surgeon General, U.S. Public Health Service, Div. of Comm., Off. Personnel, 5600 Fishers Lane, Room 4-21, Rockville, MD 20857
- () Army World Wide Locator, U.S. Army Enlisted Records and Evaluation Center, 8899 East 56th Street, Indianapolis, IN 46249-5301

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 section 581 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended. Please supply a 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: _____

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


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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.912(b),
NONMILITARY AFFIDAVIT


When should this form be used?

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.
- You **ABSOLUTELY KNOW FOR CERTAIN** that the other person is **NOT** in the military service.

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.

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

Case No.: _____
Division: _____

_____,
Petitioner,
and
_____,
Respondent.

NONMILITARY AFFIDAVIT

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

[all that apply]

- _____ 1. I know of my own personal knowledge that Respondent is not on active duty in the armed services of the United States.
- _____ 2. I have inquired of the armed services of the United States and the U.S. Public Health Service to determine whether the Respondent is a member of the armed services and am attaching certificates stating that Respondent is not now in the armed services.

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]

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

INSTRUCTIONS FOR NOTICE OF ACTION FOR TEMPORARY CUSTODY PETITION¹**When should this form be used?**

This form may be used to obtain **constructive service** (also called service by publication) in a **temporary custody** case if you do not know where the **other party who must consent** lives or if they live outside Florida and you are unable to obtain **personal service**. However, if you use constructive service, the court may grant only limited relief because its jurisdiction is limited. This is a complicated area of the law and you may wish to consult an attorney before using constructive service.

You should complete this form by typing or printing the appropriate information in black ink. You should insert the name of the other party who must consent and last known address and then **file** this form with the **clerk of the circuit court** in the county where your petition for dissolution of marriage was filed. You must also complete and file an **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). You should keep a copy for your records.

After the **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), is filed, the clerk will sign this form. The form must then be given to a qualified local newspaper to be published for four consecutive weeks. When in doubt, ask the clerk which newspapers in your area are “qualified.” The newspaper will charge you for this service. If you cannot afford to pay the cost of publication of this notice in a qualified newspaper, you may ask the clerk to post the notice at a place designated for such postings. You will need to file an **Application for Determination of Civil Indigent Status**, which you can obtain from the clerk. If the clerk determines that you cannot afford these costs, the clerk will post the notice of action. In Dade, Broward, and Duval counties, you may ask the clerk to publish your notice without charge.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab). For further information, see rule 12.070, Florida Family Law Rules of Procedure, and rule 1.070, Florida Rules of Civil Procedure.

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.

¹ Modeled after Florida Supreme Court Approved Family Law Form 12.913(a), Notice of Action for Dissolution of Marriage (06/05), but modified for a temporary custody proceeding.

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

Case No.: _____

Division: _____

_____,
Petitioner

and

_____,
Respondent.

NOTICE OF ACTION FOR DISSOLUTION OF MARRIAGE

TO: *{name of Respondent}* _____
{Respondent's last known address} _____

YOU ARE NOTIFIED that an action 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.**

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

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

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

Dated: _____.

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

By: _____
Deputy Clerk

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

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

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

DO NOT SUBMIT THE NOTICE THAT ACTION IS AT ISSUE.

Until:

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

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

Fill in the following information:

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

Make 2 copies of the original:

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

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

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

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

Petitioner,

CASE NO.: _____

and

DIVISION: _____

Respondent.

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

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

Dated: _____
(today's date)

YOUR SIGNATURE

CERTIFICATE OF SERVICE

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

Your Signature

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