

# 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 15, 2011

62 pages  
\$9.30

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## WARNING

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

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated.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

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

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

When the forms refer to: “General Information for Self-Represented Litigants),” the information is found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab).



## EIGHTH JUDICIAL CIRCUIT

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

**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 Alachua County Public Library.

Three Rivers is available to assist pro se litigants in dissolution of marriage and paternity actions who qualify. Three Rivers can be reached at (352) 372-0519.

Legal information for litigants is available at the Alachua County Library Headquarters in Downtown Gainesville, which houses the J. H. Murphree Law Library Collection. Consult with a librarian for additional information. The web address for the library is <http://www.aclib.us/>.

**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 download the forms from the Clerk's website at [www.alachuaclerk.org](http://www.alachuaclerk.org).
3. Complete the packet of forms - in ink or typed. Court staff cannot assist you in completing the forms.
4. Further instructions regarding filing and procedures are addressed in the packet. Procedural questions can be answered by calling Family Court.
5. 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/self-help> 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 Alachua County Public Library.



## 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.

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

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

DIVISION: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff/ Petitioner/State

v.

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

**PERMISSION TO USE E-MAIL**

**Provide your email address below to receive a copy of your Orders, Judgments Notice of Hearings or other written communications from the court or clerk of court and by electronic mail.\***

By completing this form I am authorizing the Court and the Clerk, of Circuit Court to send copies of orders/judgments, notices or other written communications to me by e-mail.

I will ensure the software filters have been removed from my computer, so it does not interfere with my ability to receive any of the above documents.

I will file a written notice with the Clerk, if my current email address changes.

\_\_\_\_\_  
Plaintiff/ Petitioner Name (print)

\_\_\_\_\_  
Plaintiff/ Petitioner Name (signature)

\_\_\_\_\_  
\* email address (print *clearly*)

\_\_\_\_\_  
Date

**\*You will not need to provide a stamped self-envelope, if you provide your email address.**

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.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.970(a), PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY (04/11)**

***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 child(ren)'s parents as an adverse party.

You may file a Petition for Temporary Custody if:

You have the signed, notarized consents of the child(ren)'s legal parents;

OR

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

If one of the minor child(ren)'s parents objects to the Petition, the court shall grant the Petition only upon a finding, by clear and convincing evidence, that the child(ren)'s parent or parents are unfit to provide for the care and control of the child(ren). In determining that a parent is unfit, the court must find that the parent has abused, abandoned, or neglected the child(ren), 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.

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

IF YOU HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the child(ren)'s mother and father, and the case is uncontested, you may call the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the child(ren)'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 child(ren)'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(b), 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 call the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the child(ren)'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 child(ren)'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 child(ren).

### *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

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

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

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

and

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

\_\_\_\_\_,  
Respondent/Father.

**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 child(ren):

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 child(ren) has(have) lived during the past 5 years, the places where the child(ren) has(have) lived during the past 5 years, and information concerning any custody proceeding in this or any other state with respect to the child(ren). **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 child(ren) within the third degree by blood or marriage to a parent;  
OR  
\_\_\_\_ The stepparent of the minor child(ren), is married to the ( )Mother ( )Father 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 child(ren)'s parents as an adverse party.

5. Petitioner's relationship to the minor child(ren) 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 child(ren)'s legal parents;  
 OR  
 Petitioner is caring full time for the child(ren) in the role of a substitute parent and the child(ren) currently live with the Petitioner.

**If Petitioner does not have the signed consents from both parents or is not caring for the child(ren) 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 mother of the child(ren) is \_\_\_\_\_, whose current address is: \_\_\_\_\_.

- 9. The legal father of the child(ren) is \_\_\_\_\_, whose current address is: \_\_\_\_\_.

- 10. The Consents of \_\_\_\_\_ Father **and/or** \_\_\_\_\_ Mother is/are attached to the Petition.  
 OR

*{If Applicable}* The Consent of the \_\_\_\_\_ 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 child(ren) as defined in Chapter 39, Florida Statutes are: (attach additional sheets if necessary)

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

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

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

- 12. It is in the best interests of the child(ren) that the Petitioner have temporary custody of the child(ren) for the following reasons: \_\_\_\_\_

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

**13. 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 child(ren) 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 child(ren) in Florida or any other jurisdiction. The court entering the order and the case number is: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

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

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

OR

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

**15. 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)

- \_\_\_ Petitioner requests the court to order the parents to pay child support.
- \_\_\_ Petitioner requests the court to redirect all or part of Mother’s and/or Father’s existing child support obligation to the Petitioner.
- \_\_\_ Petitioner requests the court to redirect all or part of Mother’s and/or Father’s existing child support obligation to the Petitioner, and to award the Petitioner child support arrearages.

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

**17. Other**

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

WHEREFORE, Petitioner requests that this Court grant the Petitioner temporary custody of the child(ren) 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: \_\_\_\_\_

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

STATE OF FLORIDA

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

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

\_\_\_\_\_  
NOTARY PUBLIC OR DEPUTY CLERK

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

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

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

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

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

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

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

{name} \_\_\_\_\_ who is the Petitioner, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.902(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 (12/10)**

**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 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...**

Chapter 2008-61, Laws of Florida, effective October 1, 2008, eliminated such terms as custodial parent, noncustodial parent, primary residential parent, secondary residential parent, and visitation from Chapter 61, Florida Statutes. Instead, parents are to develop a Parenting Plan that includes, among other things, their time-sharing schedule with the minor child(ren). If the parents cannot agree, a parenting plan will be established by the Court. However, because the UCCJEA uses the terms custody and visitation, they are included in this form.

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 ALACHUA JUDICIAL CIRCUIT,  
IN AND FOR ALACHUA COUNTY, FLORIDA

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

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

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

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

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

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

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

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

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

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

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

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

\* If you are the petitioner in an injunction for protection against domestic violence case and you have filed a 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):**

**[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, 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):**

**[Choose only one]**

\_\_\_ 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:**

**[Choose only one]**

\_\_\_ 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:**

**[Choose only one]**

\_\_\_ 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 [Choose only one] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

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

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_  
 NOTARY PUBLIC or DEPUTY CLERK  
 [Print, type, or stamp commissioned name of notary or 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 ]

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

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

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

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

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

Relationship of cases [  all that apply ]:

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

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

**Related Case No. 3**

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

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

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

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

Type of Proceeding: [  all that apply ]

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

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

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

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

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

Relationship of cases [v all that apply]:

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

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

2. [v one only]

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

3. [v all that apply]

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

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

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

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

**CERTIFICATE OF SERVICE**

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

\_\_\_\_\_  
Petitioner/Attorney for Petitioner

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

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

**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 (04/11)**

This form is to be completed and signed by a parent who agrees to grant temporary custody of a minor child or child(ren) 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 child(ren)'s parents as an adverse party.

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.

***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/Mother,

\_\_\_\_\_  
Respondent/Father.

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

I, \_\_\_\_\_, the legal \_\_\_\_\_ Mother \_\_\_\_\_ Father of

{child(ren)'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 Name} \_\_\_\_\_.

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

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

I realize that the custody of my child(ren) by the Petitioner is temporary and that I may, at any time, petition the court to return legal custody to me.

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

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

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

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

\_\_\_\_\_  
 NOTARY PUBLIC OR DEPUTY CLERK

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

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

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

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

## 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 pápelos 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-meme 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: \_\_\_\_\_

**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 proces 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. 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 you 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. 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](#) (01/12)

**When should this form be used?**

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

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

\*6 This form should be typed or printed in black ink. After completing this form, you should sign the form before a *notary public* or *deputy clerk*. You should *file* the original and a **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), or **Notice of Action For Family Cases With Minor Child(ren)**, Form 12.913(a)(2), with the *clerk of the circuit court* in the county where your petition is filed. You should keep a copy for your records.

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

**Before proceeding, you should read “General Information for Self-Represented Litigants”** found at <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 and chapter 49, Florida Statutes.

**Special notes...**

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

IN THE CIRCUIT COURT OF THE EIGHT H 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 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 [ **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.

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

Address \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

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

Employer \_\_\_\_\_ Address

\_\_\_\_\_ City \_\_\_\_\_ State

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

\_\_\_\_\_

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

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

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

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  
(12/10)**

**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.

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

To obtain certificates of service or non-service under the Servicemembers Civil Relief Act (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940) you may use the public website:

<https://www.dmdc.osd.mil/scra/owa/home>. This website will provide you with the current active military status of an individual enlisted in the Army, Navy, Air Force, and Marines.

You can also receive certificates from the individual services by sending your correspondence to the appropriate military office listed below. 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.

**COAST GUARD:** USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd., Suite 1100, Arlington VA 22203, Phone (202) 493-1200  
Arlington Va. 22203, Phone: (202) 493-1200, NOTE: All requests must be in writing.  
[www.uscg.mil/hq/cgpc/home/locator/html](http://www.uscg.mil/hq/cgpc/home/locator/html).

**AIR FORCE:** HQ AFPC/DPDXIDL, Attn: World Wide Locator, 550 C Street, West, Suite 50, Randolph AFB, TX 78150-4752, Phone: (210) 565-2660, NOTE: Requests will be taken by phone.  
[www.afpc.randolph.af.mil/library/airforcelocator.asp](http://www.afpc.randolph.af.mil/library/airforcelocator.asp)

**NAVY:** Bureau of Naval Personnel, PERS-312E, 5720 Integrity Drive, Millington, TN 38055-3120, Phone: (901) 874-3388 NOTE: Requests will be taken by phone.

**MARINE CORPS:** CMC HQ (MMSB17), 2008 Elliot Road, Room 201, Quantico, VA 22134, Phone (703)784-3941 NOTE: All requests must be in writing.

**PUBLIC HEALTH SERVICE:** Attn: Director, Division of Commissioned Corps Officer Support, [http://dcp.psc.gov/ad\\_search.asp](http://dcp.psc.gov/ad_search.asp) NOTE: Please direct all inquiries to the website.

**ARMY:** Army World Wide Locator Service, Enlisted Records and Evaluation Center, 8899 East 56th Street, Indianapolis, IN 46249-5301, Phone: (1-866) 771-6357, fax (317) 510-3685

NOTE: All requests must be in writing

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 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.

### **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.



**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.912(b), AFFIDAVIT OF MILITARY SERVICE (12/10)**

**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.

**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 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]

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

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

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

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

who is the petitioner, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.913(a)(2), [NOTICE OF ACTION FOR FAMILY CASES WITH MINOR CHILDREN](#) (01/12)

**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.

**\*4** 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.

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 the last known address of the other party is in a different county or state from where your case is pending, you must also publish notice once each week for four consecutive weeks in a "qualified" newspaper located in the county where the other party last resided. 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 <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, sections 61.501–61.542, Florida Statutes and chapter 49, Florida Statutes.

**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 who is the 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 ACTION FOR DISSOLUTION OF MARRIAGE**

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 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. 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 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 showsthat 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)

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

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

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

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

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

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

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

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