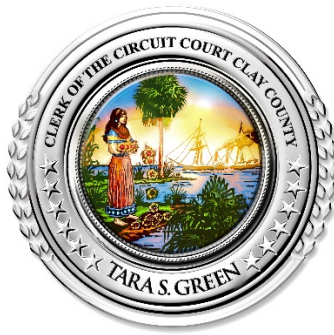


MOTION FOR CONTEMPT



Clay County Clerk of the Circuit Court
Tara S. Green

IMPORTANT INFORMATION

QUESTIONS REGARDING SCHEDULING A HEARING:

FAMILY COURT SERVICES
ROOM 103
MONDAY THROUGH FRIDAY
9:00 A.M. – 4:00 P.M.
(904) 278-3636

NOTE: Generally, there are two ways to serve a Motion for Contempt:

A: Certified Mail

B: Summons served by the Clay County Sheriff's Office (\$10.00 Summons Fee & \$40.00 Cash or Money Order issued to Clay County Sheriff's Office)

It is up to the filer to determine which method is legally appropriate for their case.

TABLE OF CONTENTS

- I. Forms Checklist
- II. Notice To Department Of Revenue
- III. Notice Of Service To Department Of Revenue
- IV. Standing Family Law Court Order
- V. Family Law Forms, Commentary, And Instructions General Information For Self-Represented Litigants
- VI. Cove Sheet For Family Court Cases
- VII. 12.960 – Motion For Civil Contempt/Enforcement
- VIII. Notice Of Service By Certified Mail Return Receipt Requested
- IX. 12.902(j) – Notice Of Social Security Number
- X. 12.915 – Designation Of Current Mailing And E-Mail Address
- XI. 12.910(b) – Process Service Memorandum
- XII. 12.914 – Certificate Of Service
- XIII. 12.900(a) – Disclosure From Nonlawyer
- XIV. Instructions For Income Deduction Order
- XV. 12.996(a) – Income Deduction Order
- XVI. 12.910(a) – Summons: Personal Service On An Individual
- XVII. Instructions For Income Deduction Order
- XVIII. Notice Of Confidential Information
- XIX. List Of Confidential Documents
- XX. Notice Of Confidential Information Within Court Filing
- XXI. Motion To Determine The Confidentiality Of Trial Court Records
- XXII. Order On Motion To Determine Trial Court Records Confidential Pursuant To Florida Rule Of Judicial Administration 2.420(C)(9)

FAMILY COURT SERVICES
825 North Orange Avenue, Room 103
Green Cove Springs, Florida 32043

CHECKLIST FOR:
MOTION FOR CIVIL CONTEMPT/ENFORCEMENT

Use this form to ask the court to enforce a prior court order for the other party who is failing to comply with the court order in your case.

You may obtain the following form at:

www.flcourts.org - **(select)** - Self Help, Family Law Forms

- ☐ Form 12.960
 - Motion for Civil Contempt/Enforcement
- ☐ Proof of Service to Other Party
 - Certificate of Service (either in the Motion or Form 12.914); OR
 - Certified Mail, Return Receipt Requested
- ☐ Proof of Service to Child Support Enforcement, if involved
 - Certified Mail, Return Receipt Requested
- ☐ Six (6) stamped (68¢) standard no.10 envelopes

INSTRUCTIONS:

1. Get a printout of your account balance from the Domestic Relations Depository (DRD).
2. Fully complete the provided form.
3. Make sure your form is notarized.
4. Make three (3) copies of each form.
5. File your original documents, completed and notarized in Room 1049 – Civil Clerk.
6. Send a copy of your Motion to the Other Party and Child Support Enforcement, if involved.

HOW TO SERVE THE PARTIES (INCLUDING DOR/CSE, IF INVOLVED) BY MAIL...

1. Take a copy (1) of your Motion and an envelope to your local U.S. Postal Service office. If DOR/CSE is involved, you will need two (2) copies and two (2) envelopes. You will need one (1) copy and one (1) envelope for ***each*** party.
2. At the post office, locate one (1) “White Receipt” for certified mail and one (1) “green card” for Return Receipt Requested – **for each Party**. If DOR/CSE is involved, you will need two (2) of each of these. If you need assistance, please contact a postal service worker.
3. Send a copy (1) of your Motion by certified mail, return receipt to the Other Party. Repeat for any additional Parties to your case.
4. If you need to serve DOR/CSE, send the copy of your Motion by certified mail, return receipt requested to:

Department of Revenue
Child Support Enforcement
1845 Town Center Blvd.
Ste. 215
Fleming Island, FL 32003

5. After the Motion(s) has been delivered, the Postal Service will mail the signed “green card” back to you. Once you have received it, you must file it with the Clerk of the Court in Room 1049.

**NOTICE TO DEPARTMENT OF REVENUE/
CHILD SUPPORT PROGRAM**

If the Department of Revenue/Child Support Program has ever been involved in this case or any other case between parties in this case and their minor children you must serve the Department with a copy of all documents filed with the Court. Service can be made by Certified U.S. Mail, Return Receipt Requested. Documents should be sent to:

**DEPARTMENT OF REVENUE
CHILD SUPPORT PROGRAM
1845 TOWN CENTER BLVD., SUITE 215
FLEMING ISLAND, FL 32003**

You must file the original green mail return receipt card with the Clerk of Courts in the county where your case is filed. Attach the green card to the enclosed form before filing.

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

_____,
Petitioner,

and

_____,
Respondent.

CASE NO.:

DIVISION:

**NOTICE OF SERVICE TO DEPARTMENT OF REVENUE, CHILD SUPPORT
ENFORCEMENT (DOR/CSE) BY CERTIFIED MAIL RETURN RECEIPT REQUESTED**

I HEREBY CERTIFY that the Department of Revenue/Child Support Enforcement Unit was served with a copy of:

_____ Motion _____
(*full name of pleading*)

_____ Other Documents/Form _____

By Certified Mail, Return Receipt Requested, Receipt Number _____
at Department of Revenue, Child Support Enforcement, 1845 Town Center Blvd., Ste. 215, Fleming Island,
Florida 32003, on (*month and day*) _____, 20____ as shown by the signed certified
mail card (attached to this notice).

Signature

Address: _____

Telephone: _____

ATTACH CERTIFIED MAIL CARD HERE

IMPORTANT NOTICE TO THE PETITIONER

PLEASE READ CAREFULLY THE ATTACHED STANDING FAMILY LAW COURT ORDER SIGNED BY THE HONORABLE DON H. LESTER ON 05/06/2019. A COPY OF THE ATTACHED ORDER MUST BE SERVED BY SUMMONS OR CERTIFIED MAIL AND THE ATTACHED CERTIFICATE OF SERVICE MUST BE FILED WITH PROOF OF SERVICE ATTACHED.

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

_____,
Plaintiff/Petitioner,
vs. CASE NO.:
DIVISION:
_____,
Defendant/Respondent.
_____ /

STANDING FAMILY LAW COURT ORDER

The following Standing Court Order (the “Order”) shall apply to all parties in an original action for dissolution of marriage, paternity, separate maintenance or annulment. It is beneficial to all parties that the Order become effective upon the petitioner upon filing of the petition and upon the respondent upon service of the summons and petition or upon waiver and acceptance of service. It is the Court’s intent that the Order remain in full force and effect during the pendency of this action, unless modified, terminated or amended by further order of the Court upon proper motion of either of the parties and after notice and hearing.

It is in the best interests of the parties in dissolution of marriage or paternity action to be informed of their rights, duties and responsibilities that apply during their dissolution of marriage or paternity proceeding, including, but not limited to, preservation of marital assets and compliance with court orders and applicable court rules. It is also important to act in the best interests of their children. It is therefore

ORDERED as follows:

IN ALL DISSOLUTION OF MARRIAGE ACTIONS:

DISSIPATION OF ASSETS: Neither party shall sell, transfer, encumber, conceal, assign, damage, remove or in any way dispose of any property, whether individually or jointly held, nor shall any party dissipate the value of an asset (such as, for example, encumbering real property with a mortgage) without the written consent of the other party, or without an order of the court, except in the ordinary course of business or in connection with customary and usual household expenses, or for reasonable attorney’s fees incurred in connection with this action. Neither party shall cancel, nor cause to be canceled, any utilities, including telephone, electric, or water and sewer if such cancellation would negatively affect the other party. Any party who violates this provision will be required to render an accounting and may be later sanctioned if found to have wasted or depleted a marital asset in violation of this Order.

ADDITIONAL DEBT: After this Order becomes effective, absent a court order or agreement of the parties, and with the exception of business debt incurred in the ordinary course of business or credit card debt that will be paid by the end of any applicable billing period,

neither party shall incur any debts, including, but not limited to, borrowing against any home equity credit line, encumbrance of marital assets, or cash advances against credit or bankcards.

INSURANCE POLICIES: Any insurance policies in effect at the time the petition was filed shall not be terminated, allowed to lapse, modified, borrowed against, pledged, or otherwise encumbered by either of the parties or at the direction of either party. This includes medical, hospital and/or dental insurance for the other party and/or the minor child(ren). Each party shall maintain all existing life insurance, automobile insurance, homeowner's or renter's insurance policies in full force and effect. Neither party shall change the beneficiaries of any existing life insurance policies. Each party shall maintain all existing insurance policies in full force and effect, without modification of their terms, unless agreed to in writing by both parties. All policy premiums will continue to be paid in full on a timely basis, unless there is an order of the court or a written agreement between the parties to the contrary.

SHARED PARENTAL REPOSIBILITY: These provisions shall apply unless there is a conflicting court order or allegations of domestic violence.

- a) If the parents of children live separately at the initiation of or during the dissolution proceedings, they shall assist their children in maintaining contact with both parties, consistent with the established family schedule. Such contact shall be in person, by telephone, audiovisual communications, and/or in writing.
- b) Neither party shall make any disparaging remarks about the other parent or question the child(ren) as to the other parent's private life. It is the child(ren)'s right to be spared from experiencing or witnessing any animosity or ill-feeling, if any should occur, between the parents. The minor child(ren) should be encouraged to maintain love, respect and affection for both parents.
- c) Neither parent shall conceal the whereabouts of the child(ren), and each parent shall keep the other advised at all times of the residential address and phone numbers where the child(ren) will be residing while with the other parent. Each parent shall notify the other immediately of any emergency pertaining to any child of the parties.
- d) Each party shall provide to the other party his or her residence address, work and cellular telephone numbers and e-mail address. Each party shall notify the other party, in writing, of any and all changes in his/her residence address, work and cellular telephone number(s) and e-mail address(es). Such notification shall be given within five (5) days of any such change and shall include the complete new address, telephone number(s) and/or email address(es).

PARENT RELOCATION FROM FAMILY HOME. If the parties have a child or children in common, a party vacating the marital residence shall notify the other party, or, if applicable, the other party's attorney, in writing, within forty-eight (48) hours of such move, of the address where the relocated party can receive communication. This provision shall not apply if there is a conflicting court order.

IN ALL DISSOLUTIONS OF MARRIAGE (WITH DEPENDENT CHILD(REN) OR PATERNITY ACTIONS:

RELOCATION: Unless there is a prior court order, judgment or agreement signed by both parties to the contrary, neither party shall permanently remove, cause to be removed or permit the removal of any minor child(ren) of the parties to a location greater than fifty (50) miles from the principal residence of the parent. The intent of the restriction is not to prohibit temporary travel within the State of Florida. Neither party shall apply for any passport or passport services on behalf of any child(ren) without consent of the other parent or without an order of the court.

PARENTING COURSE: Pursuant to the administrative orders issued in the Fourth Judicial Circuit (Duval, Clay, and Nassau Counties) and pursuant to Section 61.21, Florida Statutes, all parties to a dissolution of marriage action with minor child(ren) or to a paternity proceeding shall complete a Parent Education and Family Stabilization Course, such as the Putting Children First in Divorce Course offered by Hope Haven (www.hope-haven.org/children-first-parenting-class); or Positive Divorce Resolution for the Children First in Divorce Class; or a similar qualified in-person program with Court approval.

In a dissolution action, the petitioner must complete the course within forty-five (45) days after the filing of the petition, and the respondent must complete the course within forty-five (45) days after service of the petition. In a paternity action, the petitioner must complete the course within forty-five (45) days after filing the petition, and the respondent must complete the course within forty-five (45) days after an acknowledgement of paternity by that party, an adjudication of paternity of the party, or an order granting time-sharing to that party. Within ten (10) days of completion of the course, each party must file a certificate of completion with the Court.

Non-compliance: If either party does not attend and complete the parenting course, the Court may enter an Order to Show Cause and schedule a hearing date. At the hearing, the non-complying party will be required to demonstrate why he or she has not attended the course. The Court may impose sanctions, to include, without limitation, a stay of proceedings, contempt or any other sanctions the Court finds just and permissible under Florida law.

NOTICE OF NO PRESUMPTION. If the parties have at least one minor child in common, the parties are notified that section 61.13(2)(c)(1), Florida Statutes, provides that: “[i]t is the public policy of this state that each minor child has frequent and continuing contact with both parents after the parents separate or the marriage of the parties is dissolved and to encourage parents to share the rights and responsibilities, and joys, of childrearing. There is no presumption for or against the father or mother of the child or for or against any specific time-sharing schedule when creating or modifying the parenting plan of the child.”

FINANCIAL DISCLOSURE: In any case in which financial matters are at issue (such as child support, spousal support, equitable distribution or contempt proceeding regarding support), each party must file a financial affidavit and comply with the mandatory disclosure required by Rule 12.285 of the Florida Family Law Rules of Procedure. Pursuant to Section 61.30(2)(b), Florida Statutes, income shall be imputed to any party that fails to file a financial affidavit or fails to participate in the proceeding. The Court may sanction any party who, without good cause, fails, to satisfactorily comply with the rules pertaining to the production of financial records and other documents.

JUDICIAL ENFORCEMENT: Failure to comply with the terms of this Order may result in appropriate sanctions against the offending party, as permitted by Florida law.

SERVICE AND APPLICATIONS OF THIS ORDER: The Petitioner or Petitioner's attorney shall serve a copy of this Order with a copy of the petition and no later than five (5) days from the date of service file a certificate of service with the clerk of the court. This Order shall bind the Petitioner upon the filing of this action and shall become binding on the Respondent upon service of the initial pleading. This Order shall remain in full force and effect until further order of the court. Nothing in this Order shall preclude either party from applying to the Court for further temporary orders. This entire Order shall terminate upon the entry of a final judgment or upon dismissal of the case.

DONE AND ORDERED in Chambers, at Green Cove Springs, Clay County, Florida
this 6th day of May, 2019.



DON H. LESTER, Administrative Judge

cc:

Petitioner
Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT THE ATTACHED STANDING FAMILY COURT ORDER WAS
SERVED ON: _____

AT THE ADDRESS OF: _____

BY:

_____ CERTIFIED MAIL RETURN RECEIPT (# _____)

_____ SERVICE OF PROCESS (AFFIDAVIT OF SERVICE ATTACHED)

ON _____ DAY OF _____, 20____.

SIGNATURE

DATE

FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS

GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS

(02/18)

You should read this General Information thoroughly before taking any other steps to file your case or represent yourself in court. Most of this information is **not** repeated in the attached forms. This information should provide you with an overview of the court system, its participants, and its processes. It should be useful whether you want to represent yourself in a pending matter or have a better understanding of the way family court works. **This is not intended as a substitute for legal advice from an attorney. Each case has its own particular set of circumstances, and an attorney may advise you of what is best for you in your individual situation.**

These instructions are not the only place that you can get information about how a family case works. You may want to look at other books for more help. The Florida Statutes, Florida Family Law Rules of Procedure, Florida Rules of Civil Procedure, and other legal information or books may be found at the public library or in a law library at your county courthouse or a law school in your area. If you are filing a petition for **Name Change** and/or **Adoption**, these instructions may not apply.

If the word(s) is printed in **bold**, this means that the word is being emphasized. Throughout these instructions, you will also find words printed in **bold** and **underlined**. This means that the definitions of these words may be found in the glossary of common family law terms at the end of this general information section.

Commentary

1995 Adoption. To help the many people in family law court cases who do not have attorneys to represent them (pro se litigants), the Florida Supreme Court added these simplified forms and directions to the Florida Family Law Rules of Procedure. The directions refer to the Florida Family Law Rules of Procedure or the Florida Rules of Civil Procedure. Many of the forms were adapted from the forms accompanying the Florida Rules of Civil Procedure. Practitioners should refer to the committee notes for those forms for rule history.

The forms were adopted by the Court pursuant to *Family Law Rules of Procedure*, 667 So. 2d 202 (Fla. 1995); *In re Petition for Approval of Forms Pursuant to Rule 10-1.1(b) of the Rules Regulating the Florida Bar—Stepparent Adoption Forms*, 613 So. 2d 900 (Fla. 1992); *Rules Regulating the Florida Bar—Approval of Forms*, 581 So. 2d 902 (Fla. 1991).

Although the forms are part of these rules, they are not all inclusive and additional forms, as necessary, should be taken from the Florida Rules of Civil Procedure as provided in Florida Family Law Rules of Procedure. Also, the following notice has been included to strongly encourage individuals to seek the advice, when needed, of an attorney who is a member in good standing of the Florida Bar.

1997 Amendment. In 1997, the Florida Family Law Forms were completely revised to simplify and correct the forms. Additionally, the appendices were eliminated, the instructions contained in the appendices were incorporated into the forms, and the introduction following the Notice to Parties was created. Minor changes were also made to the Notice to Parties set forth below.

NOTICE TO PARTIES WHO ARE NOT REPRESENTED BY AN ATTORNEY WHO IS A MEMBER IN GOOD STANDING OF THE FLORIDA BAR

If you have questions or concerns about these forms, instructions, commentary, the use of the forms, or your legal rights, it is strongly recommended that you talk to an attorney. If you do not know an attorney, you should call the lawyer referral service listed in the yellow pages of the telephone book under "Attorney." If you do not have the money to hire an attorney, you should call the legal aid office in your area.

Because the law does change, the forms and information about them may have become outdated. You should be aware that changes may have taken place in the law or court rules that would affect the accuracy of the forms or instructions.

In no event will the Florida Supreme Court, The Florida Bar, or anyone contributing to the production of these forms or instructions be liable for any direct, indirect, or consequential damages resulting from their use.

FAMILY LAW PROCEDURES

Communication with the court. Ex parte communication is communication with the judge with only one party present. Judges are not allowed to engage in ex parte communication except in very limited circumstances, so, absent specific authorization to the contrary, you should not try to speak with or write to the judge in your case unless the other party is present or has been properly notified. **If you have something you need to tell the judge, you must ask for a hearing and give notice to the other party or file a written statement in the court file and send a copy of the written statement to the other party.**

Filing a case. A case begins with the filing of a petition. A petition is a written request to the court for some type of legal action. The person who originally asks for legal action is called the petitioner and remains the petitioner throughout the case.

A petition is given to the clerk of the circuit court, whose office is usually located in the county courthouse or a branch of the county courthouse. A case number is assigned and an official court file is opened. Delivering the petition to the clerk's office is called filing a case. A filing fee is usually required.

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

Service of the original petition or supplemental petition. When one party files a petition, motion, or other pleading, the other party must be "served" with a copy of the document. This means that the other party is given proper notice of the pending action(s) and any scheduled hearings. The person

against whom the original legal action is being requested is called the **respondent**, because he or she is expected to respond to the petition. The respondent remains the respondent throughout the case.

Personal service of the petition and summons on the respondent by a deputy sheriff or private process server is required in all **original petitions** and **supplemental petitions**, unless **constructive service** is permitted by law. Personal service may also be required in other actions by some judges.

Constructive Service. If you absolutely do not know where the other party to your case lives or if the other party resides in another state, you may be able to use **constructive service**; however, if constructive service is used, other than granting a divorce, the court may only grant limited relief, which cannot include either alimony or child support. For more information on constructive service, see **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).. Additionally, if the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military is very complex and you may wish to consult an attorney regarding these issues.

Forms for service of process are included in the Florida Family Law Forms, along with more detailed instructions and information regarding service. The instructions to those forms should be read **carefully** to ensure that you have properly served the other party. **If proper service is not obtained, the court cannot hear your case. Service must be in accordance with Florida Rule of Judicial Administration 2.516.**

Subsequent Service. Other than the original or supplemental petitions, any time you file additional pleadings or motions in your case, you must provide a copy to the other party and include a **certificate of service**. Likewise, the other party must provide you with copies of everything that he or she files. **If the other party is represented by an attorney, you should serve the attorney unless service upon the other party is required by the court.**

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

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

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

Default. After being served with a petition or counterpetition, the other party has 20 days to file a response. If a response to a petition is not filed, the petitioner may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk. This means that you may proceed with your case and set a **final hearing**, and a **judge** will make a decision, even if the other party will not cooperate. For more information, see rule 12.080(c), Florida Family Law Rules of Procedure.

Answer and Counterpetition. After being served, the respondent has 20 days to file an answer admitting or denying each of the allegations contained in the petition. In addition to an answer, the respondent may also file a counterpetition. In a counterpetition, the respondent may request the same or some other relief or action not requested by the petitioner. If the respondent files a counterpetition, the petitioner should then file an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d), and either admit or deny the allegations in the respondent's counterpetition.

Mandatory disclosure. Rule 12.285, Florida Family Law Rules of Procedure, requires each party in a dissolution of marriage to exchange certain information and documents, and file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). Failure to make this required disclosure within the time required by the Florida Family Law Rules of Procedure may allow the court to dismiss the case or to refuse to consider the pleadings of the party failing to comply. This requirement also must be met in other family law cases, **except** adoptions, simplified dissolutions of marriage, enforcement proceedings, contempt proceedings, and proceedings for injunctions for domestic or repeat violence. The **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932, lists the documents that must be given to the other party. For more information see rule 12.285, Florida Family Law Rules of Procedure, and the instructions to the **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932.

Parenting Plan. If your case involves minor or dependent child(ren), a **Parenting Plan** shall be approved or established by the court. **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a), **Safety-Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b), or **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c). The Parenting Plan shall be developed and agreed to by the parents and approved by a court.

If the parents cannot agree, or if the agreed Parenting Plan is not approved, the court must establish a Parenting Plan. The Parenting Plan shall contain a time-sharing schedule and should address the issues regarding the child(ren)'s education, health care, and physical, social, and emotional well-being.

Setting a hearing or trial. Generally, the court will have hearings on motions, final hearings on uncontested or default cases, and trials on contested cases. Before setting your case for **final hearing** or trial, certain requirements such as completing mandatory disclosure and filing certain papers and having them served on the other party must be met. These requirements vary depending on the type of case and the procedures in your particular jurisdiction. For further information, you should refer to the instructions for the type of form you are filing.

Next, you must obtain a hearing or trial date so that the court may consider your request. You should ask the clerk of court, or **family law intake staff** about the local procedure for setting a hearing or trial, which you should attend. These family law forms contain **orders** and **final judgments**, which the judge may use. You should ask the clerk of court or family law intake staff if you need to bring one of these forms with you to the hearing or trial. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

The shaded areas below explain different parts of family law forms. Although each form you use may not contain each part explained below, all forms contain a case style which identifies the judicial circuit and county in Florida in which the case is filed, the division within that circuit to which the case is assigned, the parties in the case, and the number of the case. Some, but not all, forms require that the person signing the form state under oath that what he or she claims in the form is true; those particular forms must be signed in the presence of either a deputy clerk of the court or a notary public who witnesses your signature before notarizing the form. Most forms contain a nonlawyer clause which requests certain information be provided by any person who is not licensed to practice law in the State of Florida who has helped you to complete the form.

2

Each form that provides a blank space will have instructions on how to fill in the blank. Please follow all instructions which ask for specific information. Often these instructions appear in *italics*. [

IN THE CIRCUIT COURT OF THE (1) JUDICIAL CIRCUIT,
IN AND FOR (2) COUNTY, FLORIDA

Case No.: (3)
Division: (4)

(5),
Petitioner,
and
(6),
Respondent.

- Line 1** The clerk of court can tell you the number of your judicial circuit. Type or print it here.
- Line 2** Type or print your county name on line (2).
- Line 3** If you are filing an initial petition or pleading, the Clerk of the Court will assign a case number after the case is filed. You should type or print this case number on all papers you file in this case.
- Line 4** The clerk of the court can tell you the name of the division in which your case is being filed, and you should type or print it here. Divisions vary from court to court. For example, your case may be filed in the civil division, the family division, or the juvenile division.
- Line 5** Type or print the legal name of the person who originally filed the case on line 5. This person is the petitioner because he/she is the one who filed the original petition.
- Line 6** Type or print the other party's legal name on line 6. The other party is the respondent because he/she is responding to the petition.

Some forms require that your signature be witnessed. If so, you must sign the form in the presence of a **notary public** or deputy clerk (employee of the clerk of the court's office). When signing the form, you must have a valid photo identification unless the notary knows you personally. You should completely fill in all lines (1 & 3–8) except 2 with the requested information, if applicable. **Line 2, the signature line,**

must be signed in the presence of the notary public or deputy clerk. **DO NOT SIGN OR FILL IN THE PART OF THE FORM WHICH ASKS FOR THE NOTARY'S OR CLERK'S SIGNATURE.** This section of the form is to be completed by either the deputy clerk or the notary public who is witnessing your signature.

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: _____ (1)

_____ (2)

(2)

Signature of Petitioner

Printed Name:

_____ (3)

Address:

_____ (4)

City, State, Zip: _____ (5)

Telephone Number: _____ (6)

Fax Number: _____ (7)

Designated E-mail Address(es): _____ (8)

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 _____

Non-lawyer Clause. The section below should be completed by anyone who helps you fill out these forms but is **not** an attorney who is a member in good standing of The Florida Bar, which means that he or she is not licensed to practice law in Florida.

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

[fill in **all** blanks] This form was prepared for the: {either Petitioner or Respondent; or Husband or Wife}

This form was completed with the assistance of:

{name of individual} _____ (1) _____,
{name of business} _____ (2) _____,
{address} _____ (3) _____,
{city} _____ (4) _____, {state} _____ (5) _____, {zip code} _____ (6) _____, {telephone number} _____ (7) _____.

Line 1 The nonlawyer who helps you should type or print his or her name on line 1.

Lines 2–7 The nonlawyer’s business name, address, (including street, city, state, zip code, and telephone number) should be typed or printed on lines 2–7.

In addition, a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), should be completed if a nonlawyer assists you. The disclosure is available as a family law form and should be completed before the nonlawyer helps you. This is to be sure that you understand the role and limitations of a nonlawyer. You and the nonlawyer should keep a copy of this disclosure for your records.

FAMILY LAW GLOSSARY OF COMMON TERMS AND DEFINITIONS

Note: The following definitions are intended to be helpful, BUT they are not intended to constitute legal advice or address every possible meaning of the term(s) contained in this glossary.

Affidavit - a written statement in which the facts stated are sworn or affirmed to be true.

Alimony-spousal support which may be ordered by the court in a proceeding for dissolution of marriage. Types of alimony include: bridge-the-gap, durational, rehabilitative, or retroactive, and may be either temporary or permanent. The court may order periodic payments, payments in lump sum, or both. In determining whether to award alimony, the court must determine whether either party has an actual need for alimony and whether the other party has the ability to pay. The court must consider the factors set forth in section 61.08, Florida Statutes, and must make certain written findings. An alimony award may not leave the paying party with significantly less net income than that of the receiving party without written findings of exceptional circumstances.

Answer - written response by a respondent that states whether he or she admits (agrees with) or denies (disagrees with) the allegations in the petition. Any allegations not specifically denied are considered to be admitted.

Appeal - asking a district court of appeal to review the decision in your case. There are strict procedural and time requirements for filing an appeal.

Asset - everything owned by you or your spouse, including property, cars, furniture, bank accounts, jewelry, life insurance policies, businesses, or retirement plans. An asset may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Attorney - a person with special education and training in the field of law who is a member in good standing of The Florida Bar and licensed to practice law in Florida. An attorney is the only person who is allowed to give you legal advice. An attorney may file your case and represent you in court, or just advise you of your rights before you file your own case. In addition to advising you of your rights, an attorney may tell you what to expect and help prepare you for court. In family law matters, you are not entitled to a court-appointed lawyer, like a public defender in a criminal case. However, legal assistance is often available for those who are unable to hire a private attorney. You may consult the yellow pages of the telephone directory for a listing of legal aid or lawyer referral services in your area, or ask your local clerk of court or family law intake staff what services are available in your area. You may also obtain information from the Florida Supreme Court's Internet site located at <http://www.flcourts.org>.

Bond - money paid to the clerk of court by one party in a case, to be held and paid to an enjoined party in the event that the first party causes loss or damage of property as a result of wrongfully enjoining the other party.

Beneficiary Designation-Florida law provides that a beneficiary designation made by or on behalf of a party providing for the payment or transference of an asset or benefit upon his or her death to the other spouse is void when the final judgment dissolving or declaring a marriage invalid is signed, unless the final judgment specifically states otherwise. Federal law and other statutory provisions may also apply. This includes, but is not limited to, such assets as life insurance policies, annuities, employee benefit plans, individual retirement accounts, and payable-on-death accounts. Whether or not to continue a beneficiary designation is a complex area of the law and you may wish to consult with an attorney.

Bridge-the-Gap Alimony-spousal support which is ordered to assist a party to make the transition from being married to being single. Bridge-the-Gap alimony is designed to assist a party with legitimate, identifiable short-time needs; its length cannot exceed two years and it cannot be modified.

Central Depository-the office of the clerk of court that is responsible for collecting and disbursing court ordered alimony and child support payments. The depository also keeps payment records and files judgments if support is not paid.

Certificate of Service - a document that must be filed whenever a form you are using does not contain a statement for you to fill in showing to whom you are sending copies of the form. Florida Supreme Court Approved Family Law Form 12.914 is the certificate of service form and contains additional instructions.

Certified Copy - a copy of an order or final judgment, certified by the clerk of the circuit court to be an authentic copy.

Certified Mail - mail which requires the receiving party to sign as proof that they received it.

Child Support - money paid from one parent to the other for the benefit of their dependent or minor child(ren).

Clerk of the Circuit Court - elected official in whose office papers are filed, a case number is assigned, and case files are maintained. The clerk's office usually is located in the county courthouse.

Concurrent Custody-(for the purposes of a petition filed pursuant to chapter 751, Florida Statutes) means that an eligible extended family member is awarded custodial rights to care for a child or children concurrently with the child(ren)'s parent or parents.

Constructive Service - notification of the other party by newspaper publication or posting of notice at designated places when the other party cannot be located for personal service. You may also be able to use constructive service when the other party lives in another state. Constructive service is also called "service by publication." However, when constructive service is used, the relief the Court may grant is limited; that relief cannot include either alimony or child support. For more information on service, see the instructions for Florida Family Law Rules of Procedure Forms 12.910(a) and 12.913(b) and Florida Supreme Court Approved Family Law Forms 12.913(a)(1) and (2).

Contested Issues - any or all issues upon which the parties are unable to agree and which must be resolved by the judge at a hearing or trial.

Contingent Asset - an asset that you **may** receive or get later, such as income, tax refund, accrued vacation or sick leave, a bonus, or an inheritance.

Contingent Liability - a liability that you **may** owe later, such as payments for lawsuits, unpaid taxes, or debts that you have agreed or guaranteed to pay if someone else does not.

Counterpetition - a written request to the court for legal action, which is filed by a respondent after being served with a petition.

Custody Order – a judgment or order incorporating a Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. ss. 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980.

Default - a failure of a party to respond to the pleading of another party. This failure to respond may allow the court to decide the case without input from the party who did not appear or respond.

Delinquent - late.

Dependent Child(ren) - child(ren) who depend on their parent(s) for support either because they are under the age of 18, have a mental or physical disability that prevents them from supporting themselves, or are in high school, between the ages of 18 and 19, and performing in good faith with a reasonable expectation of graduation before the age of 19.

Deputy Clerk - an employee of the office of the clerk of court, which is usually located in the county courthouse or a branch of the county courthouse.

Dissolution of Marriage - divorce; a court action to end a marriage.

Durational Alimony-spousal support which is ordered to provide economic assistance for a set period of time following a marriage of short or moderate duration or following a marriage of long duration if there is no ongoing need for support on a permanent basis. Durational alimony terminates upon the death of either party or upon remarriage of the party receiving support. It may be modified or terminated, but cannot exceed the length of a marriage.

Electronic Communication – Contact, other than face-to-face contact, facilitated by tools such as telephones, electronic mail or email, webcams, video-conferencing equipment and software or other wired or wireless technologies, or other means of communication to supplement fact-to face contact between a parent and that parent’s minor child.

Enjoined - prohibited by the court from doing a specific act.

Ex Parte - communication with the judge by only one party. In order for a judge to speak with either party, the other party must have been properly notified and have an opportunity to be heard. If you have something you wish to tell the judge, you should ask for a hearing or file information in the clerk of court’s office, with certification that a copy was sent to the other party.

Extended Family Member-(for the purposes of a petition filed pursuant to chapter 751, Florida Statutes) is a person who is either:

- 1) A relative of a minor child within the third degree by blood or marriage to the parent; OR
- 2) 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’s parents as an adverse party.

Family Law Intake Staff - a court’s employee(s) who is (are) available to assist you in filing a family law case. Family law intake staff are not attorneys and cannot give legal advice. They may only assist you with filling out the form(s). Your local clerk’s office can tell you if your county has such assistance available.

Filing - delivering a petition, response, motion, or other pleading in a court case to the clerk of court’s office.

Filing Fee - an amount of money, set by law, that the petitioner must pay when filing a case. If you cannot afford to pay the fee, you must file an **Application for Determination of Civil Indigent Status**, to ask the clerk to file your case without payment of the fee. This form can be obtained from the clerk’s office.

Final Hearing - trial in your case.

Financial Affidavit - a sworn statement that contains information regarding your income, expenses, assets, and liabilities.

Final Judgment - a written document signed by a judge and recorded in the clerk of the circuit court’s office that contains the judge’s decision in your case.

Guardian ad Litem - a neutral person who may be appointed by the court to evaluate or investigate your child’s situation, and file a report with the court about what is in the best interests of your child(ren). Guardians do not “work for” either party. The guardian may interview the parties, visit their homes,

visit the child(ren)'s school(s) and speak with teachers, or use other resources to make their recommendation.

Hearing - a legal proceeding before a judge or designated officer (general magistrate or hearing officer) on a motion.

Health Insurance - coverage under a fee-for-service arrangement, health care maintenance organization, or preferred provider organization, and other types of coverage available to either parent, under which medical services could be provided to a minor or dependent child.

Judge - an elected official who is responsible for deciding matters on which you and the other parties in your case are unable to agree. A judge is a neutral person who is responsible for ensuring that your case is resolved in a manner which is fair, equitable, and legal. **A judge is prohibited by law from giving you or the other party any legal advice, recommendations, or other assistance, and may not talk to either party unless both parties are present, represented, or at a properly scheduled hearing.**

Judicial Assistant - the judge's personal staff assistant.

Liabilities - everything owed by you or your spouse, including mortgages, credit cards, or car loans. A liability may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Lump Sum Alimony - money ordered to be paid by one spouse to another in a limited number of payments, often a single payment.

Mandatory Disclosure - items that must be disclosed by both parties except those exempted from disclosure by Florida Family Law Rule 12.285.

Marital Asset - generally, anything that you and/or your spouse acquired or received (by gift or purchase) during the marriage. For example, something you owned before your marriage **may** be nonmarital. An asset may only be determined to be marital by agreement of the parties or determination of the judge.

Marital Liability - generally, any debt that you and/or your spouse incurred during the marriage. A debt may only be determined to be nonmarital by agreement of the parties or determination of the judge.

Mediator - a person who is trained and certified to assist parties in reaching an agreement before going to court. Mediators do not take either party's side and are not allowed to give legal advice. They are only responsible for helping the parties reach an agreement and putting that agreement into writing. In some areas, mediation of certain family law cases may be required before going to court.

Modification - a change made by the court in an order or final judgment.

Motion - a request made to the court, other than a petition.

No Contact - a court order directing a party not speak to, call, send mail to, visit, or go near his or her spouse, ex-spouse, child(ren), or other family member.

Nonlawyer - a person who is not a member in good standing of The Florida Bar.

Nonmarital Asset - generally, anything owned separately by you or your spouse. An asset may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonmarital Liability - generally, any debt that you or your spouse incurred before your marriage or since your separation. A debt may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonparty - a person who is not the petitioner or respondent in a court case.

Notary Public - a person authorized to witness signatures on court related forms.

Obligee - a person to whom money, such as child support or alimony, is owed.

Obligor - a person who is ordered by the court to pay money, such as child support or alimony.

Order - a written decision, signed by a judge and filed in the clerk of the circuit court's office that contains the judge's decision on part of your case, usually on a motion.

Original Petition - see **Petition**.

Parenting Course - a class that teaches parents how to help their child(ren) cope with divorce and other family issues.

Parenting Plan – a document created to govern the relationship between the parents relating to the decisions that must be made regarding the minor child(ren). The Parenting Plan must contain a time-sharing schedule for the parents and child(ren) and shall address the issues concerning the minor child(ren). The issues concerning the minor child(ren) may include, but are not limited to, the child(ren)'s education, health care, and physical, social, and emotional well-being. In creating the Plan, all circumstances between the parents, including their historic relationship, domestic violence, and other factors must be taken into consideration. The Parenting Plan must be developed and agreed to by the parents and approved by the court. If the parents cannot agree to a Parenting Plan, or if the parents agreed to a plan that is not approved by the court, a Parenting Plan will be established by the court with or without the use of **parenting plan recommendations**.

Parenting Plan Recommendation – A nonbinding recommendation concerning one or more elements of a Parenting Plan made by a court-appointed mental health practitioner or other professional designated pursuant to either section 61.20 or 61.401, Florida Statutes, or Florida Family Law Rule of Procedure 12.363.

Party - a person involved in a court case, either as a petitioner or respondent.

Paternity Action - A lawsuit used to determine whether a designated individual is the father of a specific child or children.

Payor - an employer or other person who provides income to an obligor.

Permanent Alimony - spousal support ordered to provide for the needs and necessities of life as they were established during the marriage for a party who lacks the financial ability to meet his or her needs and necessities after dissolution of marriage. Permanent alimony is paid at a specified, periodic rate until: modification by a court order; the death of either party; or the remarriage of the party receiving alimony, whichever occurs first. Permanent alimony requires consideration of the factors set forth in section 61.08(2), Florida Statutes, and must include certain written findings by the court.

Personal Service - when a summons and a copy of a petition (or other pleading) that has been filed with the court are delivered by a deputy sheriff or private process server to the other party. Personal service is required for all petitions and supplemental petitions.

Petition - a written request to the court for legal action, which begins a court case.

Petitioner - the person who originally files a petition that begins a court case. The Petitioner remains the Petitioner throughout the duration of the case.

Pleading - a formal, written statement of exactly what a party wants the court to do in a lawsuit or court action.

Pro Se or Self-Represented Litigant - a person who appears in court without the assistance of a lawyer.

Pro Se Coordinator - see **Family Law Intake Staff**.

Rehabilitative Alimony - spousal support ordered to be paid for a limited period of time to allow one of the parties an opportunity to complete a plan of education or training, according to a rehabilitative plan accepted by the court, so that he or she may better support himself or herself after dissolution of marriage.

Relocation- a change in the location of the principal residence of a parent or other person in accordance with section 61.13001, Florida Statutes.

Respondent - the person who is served with a petition requesting some legal action against him or her. The Respondent remains the Respondent throughout the duration of the case.

Scientific Paternity Testing - a medical test to determine the biological father of a child

Service - the delivery of legal documents to a party. Service must be in accordance with Florida Rule of Judicial Administration 2.516.

Shared Parental Responsibility - an arrangement under which both parents have full parental rights and responsibilities for their child(ren), and the parents make major decisions affecting the welfare of the child(ren) jointly. Shared Parental Responsibility is presumptive in Florida.

Sole Parental Responsibility - a parenting arrangement under which the responsibility for the minor child(ren) is given to one parent by the court, with or without rights of time-sharing to the other parent.

State Disbursement Unit- the unit established and operated by the Title IV-D agency to provide one central address for the collection and disbursement of child support payments made in both Department of Revenue and non-Department of Revenue cases, in which the obligation is paid through an income deduction order.

Supervised Time-Sharing- a parenting arrangement under which time-sharing between a parent and his or her child(ren) is supervised by either a friend, family member, or a supervised visitation center.

Supplemental Petition - a petition that may be filed by either party after the judge has made a decision in a case and a final judgment or order has been entered. For example, a supplemental petition may be used to request that the court modify the previously entered final judgment or order.

Supportive Relationship-a relationship, defined in section 61.14(1)(b)1, Florida Statutes, existing between an obligee who receives alimony and a person with whom that obligee resides.

Time-Sharing Schedule – a timetable that must be included in the Parenting Plan that specifies the time, including overnights and holidays that a minor child or children will spend with each parent. The time-sharing schedule shall either be developed and agreed to by the parents of a minor child or children and is approved by the court, or established by the court if the parents cannot agree, or if their agreed-upon schedule is not approved by the court.

Trial - the final hearing in a contested case.

Uncontested - any and all issues on which the parties are able to agree and which are part of a marital settlement agreement.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.928, COVER SHEET FOR FAMILY COURT CASES (11/13)

When should this form be used?

The Cover Sheet for Family Court Cases and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form shall be filed by the petitioner/party opening or reopening a case for the use of the clerk of the circuit court for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075.

This form should be typed or printed in black ink. The petitioner must file this cover sheet with the first pleading or motion filed to open or reopen a case in all domestic and juvenile cases.

What should I do next?

Follow these instructions for completing the form:

- I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of the petitioner(s) and respondent(s).
- 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.
 - (A) Initial Action/Petition
 - (B) Reopening Case. If you check "Reopening Case," indicate whether you are filing a modification or supplemental petition or an action for enforcement by placing a check beside the appropriate action/petition.
 1. Modification/Supplemental Petition
 2. Motion for Civil Contempt/ Enforcement
 3. Other – All reopening actions not involving modification/supplemental petitions or petition enforcement.
- III. Type of Case. Place a check beside the appropriate case. If the case fits more than one category, select the most definitive. Definitions of the categories are provided below.
 - (A) Simplified Dissolution of Marriage- petitions for the termination of marriage pursuant to Florida Family Law Rule of Procedure 12.105.
 - (B) Dissolution of Marriage - petitions for the termination of marriage pursuant to Chapter 61, Florida Statutes, other than simplified dissolution.
 - (C) Domestic Violence - all matters relating to injunctions for protection against domestic violence pursuant to section 741.30, Florida Statutes.

- (D) Dating Violence - all matters relating to injunctions for protection against dating violence pursuant to section 784.046, Florida Statutes.
- (E) Repeat Violence - all matters relating to injunctions for protection against repeat violence pursuant to section 784.046, Florida Statutes.
- (F) Sexual Violence - all matters relating to injunctions for protection against sexual violence pursuant to section 784.046, Florida Statutes.
- (G) Stalking-all matters relating to injunctions for protection against stalking pursuant to section 784.0485, Florida Statutes
- (H) Support - IV-D - all matters relating to child or spousal support in which an application for assistance has been filed with the Department of Revenue, Child Support Enforcement under Title IV-D, Social Security Act, except for such matters relating to dissolution of marriage petitions (sections 409.2564, 409.2571, and 409.2597, Florida Statutes), paternity, or UIFSA.
- (I) Support-Non IV-D - all matters relating to child or spousal support in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (J) UIFSA- IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has been filed under Title IV-D, Social Security Act.
- (K) UIFSA - Non IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (L) Other Family Court - all matters involving time-sharing and/or parenting plans relating to minor child(ren), support unconnected with dissolution of marriage, annulment, delayed birth certificates pursuant to Florida Statutes section 382.0195, expedited affirmation of parental status pursuant to Florida Statutes section 742.16, termination of parental rights proceedings pursuant to Florida Statutes section 63.087, declaratory judgment actions related to premarital, marital, post-marital agreements, or other matters not included in the categories above.
- (M) Adoption Arising Out Of Chapter 63 - all matters relating to adoption pursuant to Chapter 63, Florida Statutes, excluding any matters arising out of Chapter 39, Florida Statutes.
- (N) Name Change - all matters relating to name change, pursuant to section 68.07, Florida Statutes.
- (O) Paternity/Disestablishment of Paternity – all matters relating to paternity pursuant to Chapter 742, Florida Statutes.
- (P) Juvenile Delinquency - all matters relating to juvenile delinquency pursuant to Chapter 985, Florida Statutes.
- (Q) Petition for Dependency - all matters relating to petitions for dependency.
- (R) Shelter Petition – all matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.
- (S) Termination of Parental Rights Arising Out Of Chapter 39 – all matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.
- (T) Adoption Arising Out Of Chapter 39 – all matters relating to adoption pursuant to Chapter 39, Florida Statutes.
- (U) CINS/FINS – all matters relating to children in need of services (and families in need of services) pursuant to Chapter 984, Florida Statutes.

ATTORNEY OR PARTY SIGNATURE. Sign the Cover Sheet for Family Court Cases. Print legibly the name of the person signing the Cover Sheet for Family Court Cases. Attorneys must include a Florida Bar number. Insert the date the Cover Sheet for Family Court Cases is signed. Signature is a certification that filer has provided accurate information on the Cover Sheet for Family Court Cases.

Nonlawyer Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **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.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see Rule 12.100, Florida Family Law Rules of Procedure.

COVER SHEET FOR FAMILY COURT CASES

I. Case Style

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ 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) ____ Stalking
- (H) ____ Support IV-D (Department of Revenue, Child Support Enforcement)
- (I) ____ Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (J) ____ UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) ____ UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) ____ Other Family Court
- (M) ____ Adoption Arising Out Of Chapter 63
- (N) ____ Name Change

- (O) ____ Paternity/Disestablishment of Paternity
 (P) ____ Juvenile Delinquency
 (Q) ____ Petition for Dependency
 (R) ____ Shelter Petition
 (S) ____ Termination of Parental Rights Arising Out Of Chapter 39
 (T) ____ Adoption Arising Out Of Chapter 39
 (U) ____ 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) (E-mail Address(es))

 Date

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

BELOW: [fill in **all** blanks]

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

This form was completed with the assistance of:

{name of individual} _____,
 {name of business} _____,
 {address} _____,
 {city} _____, {state} _____, {telephone number} _____.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.960, MOTION FOR CIVIL CONTEMPT/ENFORCEMENT (11/15)

When should this form be used?

You may use this form to ask the court to enforce a prior court order or final judgment.

What should I do next?

To initiate a civil contempt/enforcement proceeding against a **party** who is not complying with a prior court order, you must file a **motion** with the court explaining what the party has failed to do. This form should be typed or printed in black ink. After completing this form, you should sign it before a **notary public** or **deputy clerk**. You should then **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.

IMPORTANT INFORMATION REGARDING E-FILING

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

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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

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

A copy of this form must be **personally served** by a sheriff or private process server or mailed,* e-mailed*, **or** hand delivered to any other party(ies) in your case. *Please note that if notice is mailed or e-mailed, the court in certain circumstances may not consider mailing or e-mailing, to be adequate notice. If you want to be sure, you should have the motion personally served. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a).

The court will then set a **hearing**. You should check with the clerk of court, **judicial assistant**, or **family law intake staff** for information on the local procedure for scheduling a hearing. Once you know the time and date of the hearing, you will need to complete **Notice of Hearing on Motion for Contempt/Enforcement**, Florida Supreme Court Approved Family Law Form 12.961, or, if applicable, **Notice of Hearing (Child Support Enforcement Hearing Officer)**, Florida Supreme Court Approved Family Law Form 12.921, or **[Notice of Hearing Before] General Magistrate**, Florida Family Law Rules of Procedure Form 12.920[(c)], which will specify a time and place for a hearing on the issue. A copy of this form must be mailed, e-mailed, or hand delivered to the other party. Again, if notice is mailed, the court in certain circumstances may not consider mailing or e-mailing to be adequate notice. If you want to be sure, you should have the notice personally served. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a).

At the hearing, as in any other civil proceeding, you, as the moving party, will have the burden of proving the other party has not obeyed a prior court order. Once noncompliance is established, the other party will have an opportunity to show an inability to comply with the prior court order. If he or she is unable to do so, the judge may find the other party to be in contempt. If so, the judge may order appropriate sanctions to compel compliance by the other party, including jail, payment of attorneys' fees, suit money, or costs, and coercive or compensatory fines, and may order any other relief permitted by law.

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. See also section 61.14, Florida Statutes and rule 12.615, Florida Family Law Rules of Procedure.

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

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

Case No: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

MOTION FOR CIVIL CONTEMPT/ENFORCEMENT

_____ Petitioner _____ Respondent requests that the Court enter an order of civil contempt/enforcement against _____ Petitioner _____ Respondent in this case because:

1. A final judgment or order *{title of final judgment or order}* _____
in this case was entered on *{date}* _____, by *{court, city, and state}* _____

_____ Please indicate here if the judgment or order is not from this Court and attach a copy.

2. This order of the Court required the other party in this case to do or not do the following:
{Explain what the other party was ordered to do or not do.} _____

_____ Please indicate here if additional pages are attached.

3. The other party in this case has willfully failed to comply with this order of the Court: *{Explain what the other party has or has not done.}* _____

_____ Please indicate here if additional pages are attached.

4. I respectfully request that the Court issue an order holding the above-named person in civil contempt, if appropriate, and/or providing the following relief:
 - a. _____ enforcing or compelling compliance with the prior order or judgment;

- b. _____ awarding a monetary judgment;
- c. _____ if a monetary judgment was included in the prior order, issuing a writ of execution or garnishment or other appropriate process;
- d. _____ awarding prejudgment interest;
- e. _____ requiring the other party to pay costs and fees in connection with this motion;
- f. _____ if the other party is found to be in civil contempt, ordering a compensatory fine;
- g. _____ if the other party is found to be in civil contempt, ordering a coercive fine;
- h. _____ if the other party is found to be in civil contempt, ordering incarceration of the other party with a purge;
- i. _____ issuing a writ of possession for real property, writ for possession of personal property, or other appropriate writ;
- j. _____ issuing a writ of bodily attachment if the other party fails to appear at the hearing set on this motion;
- k. _____ requiring the other party to make payments through the central governmental depository;
- l. _____ requiring the support payments to be automatically deducted from the other party's income or funds;
- m. _____ requiring the other party to seek employment;
- n. _____ awarding make-up time-sharing with minor child(ren) as follows {explain}: _____

_____ ; and

- o. _____ awarding other relief {explain}: _____

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

Other party or his/her attorney:

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

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

Dated: _____

Signature of Party or his/her attorney

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

STATE OF FLORIDA

COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

_____ Personally known

_____ Produced identification

_____ Type of identification produced _____

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

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

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {zip code} _____ {telephone number} _____.

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

_____,
Petitioner,

and

_____,
Respondent.

CASE NO.:

DIVISION:

_____/

**NOTICE OF SERVICE BY CERTIFIED MAIL
RETURNED RECEIPT REQUESTED**

I HEREBY CERTIFY that (*name of other party*) _____ was served
with a copy of:

_____ Motion _____
(*full name of pleading*)

_____ Other Documents/Forms _____

By Certified Mail, Return Receipt Requested, Receipt Number _____, at
_____, on

(*month and day*) _____ day of _____, 20____ as shown by the signed certified mail
card (attached to this notice).

Signature
Address: _____

Telephone: _____

ATTACH CERTIFIED MAIL CARD HERE

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.902(j),
NOTICE OF SOCIAL SECURITY NUMBER (11/15)**

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.

IMPORTANT INFORMATION REGARDING E-FILING

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

What should I do next?

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

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the

procedures must always be followed once the initial election is made.

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

Where can I look for more information?

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

Special notes...

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

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

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ 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 by the applicable section of
the Florida Statutes. My date of birth is _____.

[Choose **one** only]

- _____ 1. This notice is being filed in a dissolution of marriage case in which the parties have **no** minor 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: _____

Designated E-mail Address(es): _____

STATE OF FLORIDA
COUNTY OF _____

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

Date: _____

NOTARY PUBLIC or DEPUTY CLERK

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

_____ Personally known

_____ Produced identification

_____ Type of identification produced _____

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

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

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {zip code} _____, {telephone number} _____.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.915,
DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS (11/15)**

When should this form be used?

This form should be used to inform the clerk and the other **party** of your current mailing and e-mail address(es) or **any change of address**. It is very important that the court and the other party in your case have your correct address.

A party not represented by an attorney may choose to designate e-mail address(es) for **service**. A primary and up to two secondary e-mail addresses can be designated. If you do so and the other party is represented by an attorney or has also designated e-mail address(es) for service, e-mail will be the **exclusive means of service**.

If there is any change in your mailing or e-mail address(es), you must complete a new form, file it with the clerk, and serve a copy on any other party or parties in your case.

What should I do next?

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records. A copy of this form must be served on any other party in your case. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

IMPORTANT INFORMATION REGARDING E-FILING

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

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT

REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

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

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there.

Special notes...

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

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent,

DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS

I, {full legal name} _____, being sworn, certify
that my current mailing address is: {Street} _____
{City} _____, {State} _____, {Zip} _____
{Telephone No.} _____ {Fax No.} _____

I designate as my current e-mail address(es): _____

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

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

Dated: _____

Signature of Petitioner

STATE OF FLORIDA

COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

*{Print, type, or stamp commissioned name of
notary or clerk.}*

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

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

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

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {zip code} _____, {telephone number} _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.910(b), PROCESS SERVICE MEMORANDUM (11/15)

When should this form be used?

You should use this form to give the sheriff's department (or private process server) instructions for serving the other **party** in your case with the **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a), and other papers to be served. On this form you can tell the sheriff's department the best times to find the person at work and/or at home. You can also include a map to the other person's home or work place to help the sheriff find the person and deliver the summons. Do not forget to attach to the summons a copy of your initial petition and any other papers you want personally served on the other party.

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 petition was filed and attach a copy to the **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a). You should also keep a copy for your records.

IMPORTANT INFORMATION REGARDING E-FILING

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

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. You should read the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a), for additional information.

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT

REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

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

Special notes...

If you fear that disclosing your address would put you in danger because you are the victim of sexual battery, aggravated child abuse, stalking, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), file it with the clerk, and write confidential in the space provided on the petition.

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

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent,

PROCESS SERVICE MEMORANDUM

TO: _____ Sheriff of _____ County, Florida; _____ Division
_____ Private process server: _____

Please serve the *{name of document(s)}* _____

in the above-styled cause upon:

Party: *{full legal name}* _____

Address or location for service: _____

Work Address: _____

If the party to be served owns, has, and/or is known to have guns or other weapons, describe what type of weapon(s): _____

SPECIAL INSTRUCTIONS: _____

Dated: _____

Signature of Party

*Printed Name: _____

*Address: _____

*City, State, Zip: _____

*Telephone Number: _____

*Fax Number: _____

*Designated E-mail Address(es) _____

*** Please see the Special Notes section in the instructions to this form regarding Florida Supreme Court Approved Family Law Form 12.980(h), Request for Confidential Filing of Address, which may be used if you need to keep your addresses or telephone numbers confidential for safety reasons.**

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

[fill in **all** blanks] This form was prepared for the Petitioner. This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.914
CERTIFICATE OF SERVICE (11/15)**

When should this form be used?

After a petition or supplemental petition has been properly served (through either **personal service** or **constructive service**), both parties **must** serve copies of all additional documents or papers they **file** with the clerk on the other **party**, or his or her attorney, if he or she has one. Each time you file a document, you must certify that you provided the other party with a copy. Many of the Florida Family Law Forms already have a place above the signature line for this certification. It looks like this:

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

If a form you are filing has a certificate, you do not need to file a separate **Certificate of Service**, Florida Supreme Court Approved Family Law Form 12.914. However, **each time** you file a document that does **not** have a certificate like the one above, you must file a **Certificate of Service**, Florida Supreme Court Approved Family Law Form 12.914, and serve a copy of the document on the other party.

This form should be typed or printed in black ink. After completing this form (giving the name of each form, document, or paper filed), 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 your case was filed and keep a copy for your records.

IMPORTANT INFORMATION REGARDING E-FILING

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

What should I do next?

The copy you are providing to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service.

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

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

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

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

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. For more information, see rule 1.080, Florida Rules of Civil Procedure and rule 12.080, Florida Family Law Rules of Procedure.

Special notes

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

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent,

CERTIFICATE OF SERVICE

I certify that a copy of *{name of document(s)}* _____

was () mailed () faxed and mailed () e-mailed () hand-delivered to the person listed below on
{date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

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

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

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, {state} _____, {zip code} _____, {telephone number} _____

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORM 12.900(a)
DISCLOSURE FROM NONLAWYER (11/12)**

When should this form be used?

This form must be used when anyone who is **not** a lawyer in good standing with The Florida Bar helps you complete any Florida Family Law Form. Attorneys who are licensed to practice in other states but not Florida, or who have been disbarred or suspended from the practice of law in Florida, are nonlawyers for the purposes of the Florida Family Law Forms and instructions.

The nonlawyer must complete this form and both of you are to sign it before the nonlawyer assists you in completing any Family Law Form.

In addition, on any other form with which a nonlawyer helps you, the nonlawyer shall complete the nonlawyer section located at the bottom of the form unless otherwise specified in the instructions to the form. This is to protect you and be sure that you are informed in advance of the nonlawyer's limitations.

What should I do next?

A copy of this disclosure, signed by both the nonlawyer and the person, must be given to the person to retain and the nonlawyer must keep a copy in the person's file. The nonlawyer shall also keep copies for at least 6 years of all forms given to the person being assisted.

Special Notes

This disclosure form does **NOT** act as or constitute a waiver, disclaimer, or limitation of liability.

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

DISCLOSURE FROM NONLAWYER

{Name} _____ told me that he/she is a nonlawyer and may not give legal advice, cannot tell me what my rights or remedies are, cannot tell me how to testify in court, and cannot represent me in court.

Rule 10-2.1(b) of the Rules Regulating The Florida Bar defines a paralegal as a person who works under the supervision of a member of The Florida Bar and who performs specifically delegated substantive legal work for which a member of The Florida Bar is responsible. Only persons who meet the definition may call themselves paralegals. {Name} _____, informed me that he/she is not a paralegal as defined by the rule and cannot call himself/herself a paralegal.

{Name} _____, told me that he/she may only type the factual information provided by me in writing into the blanks on the form. Except for typing, {name} _____, may not tell me what to put in the form and may not complete the form for me. However, if using a form approved by the Supreme Court of Florida, {name} _____, may ask me factual questions to fill in the blanks on the form and may also tell me how to file the form.

{Choose **one** only}

_____ I can read English.

_____ I cannot read English, but this disclosure was read to me [fill in **both** blanks] by
{name} _____ in {language} _____, which I understand.

Dated: _____

Signature of Party

Signature of **NONLAWYER**

Printed Name: _____

Name of Business: _____

Address: _____

INSTRUCTIONS FOR INCOME DEDUCTION ORDER

YOU MUST PREPARE AN INCOME DEDUCTION ORDER (IDO) FOR THE PAYMENT OF ALIMONY, AND/OR CHILD SUPPORT. YOUR IDO MUST BE TYPED. IT MUST BE SPECIFIC TO YOUR CASE. DO NOT FILL IN ANY OF THE INFORMATION CONCERNING THE AMOUNT OF CHILD SUPPORT OR ALIMONY TO BE PAID OR THE PAYMENT SCHEDULE AS THIS WILL BE DETERMINED BY THE JUDGE, GENERAL MASTER OR CHILD SUPPORT HEARING OFFICER.

ALL CHILD SUPPORT PAYMENTS MADE BY INCOME DEDUCTION ORDER MUST BE SENT TO:

**STATE OF FLORIDA DISBURSEMENT UNIT
P.O. BOX 8500
TALLAHASSEE, FL 32314-8500**

THE DOMESTIC RELATIONS DEPOSITORY/GOVERNMENT DEPOSITORY FOR CLAY COUNTY MUST BE LISTED IN THE COPY TO ON THE LAST PAGE OF YOUR IDO. THEIR ADDRESS IS:

**CENTRAL GOVERNMENT DEPOSITORY
CLAY COUNTY COURTHOUSE
P.O. BOX 698
GREEN COVE SPRINGS, FL 32043**

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.996(a), INCOME DEDUCTION ORDER (06/11)

When should this form be used?

This form should be used in non-Title IV-D cases when the court has ordered that support be paid by the **obligor's payor** through an income deduction order.

This form includes several blanks that must be filled in as applicable. The obligor is the person who is obligated to pay the support ordered by the court and the **obligee** is the person entitled to receive the support awarded by the court.

In Paragraph 1, one of the three lines must be checked off. The court order that establishes the support award and/or the settlement or mediation agreement entered into between the parties should state the effective date of the **Income Deduction Order**. The appropriate effective date should be checked off in Paragraph 1.

The blank lines in Paragraph 2 should be completed tracking the same terms of support as are in the court order that establishes the support award and/or the settlement or mediation agreement. The first blank in each line should state the amount of the support payment and the second blank in each line should state the time period that covers said support award. For example, if the child support is \$100 per month the first blank would say \$ "100" and the second blank in that line would say "month". Similarly, if the payments are to be payable weekly, then the second blank would say "week". If there are any arrearages owed at the time the **Income Deduction Order** is entered, they must be included in the line for arrearages, along with the amount and frequency of the payments due for the arrearages, which shall be no less than 20% of the current support obligation. All orders for immediate income deduction must be paid through the State Disbursement Unit. The actual dollar amount of the service fee for the support awarded in your case (4% of each payment not to exceed \$5.25 per payment) should be included on the appropriate line.

Paragraph 6 must be completed to show what percentage, if any, of a one-time payment made to the obligor should be applied to any arrearage in support that may be due to the obligee.

You must complete the schedule in paragraph 7 to show the amount of child support for all the minor children at the time of the entry of this order and the amount of the child support that will be owed for any remaining child(ren) after one or more of the children are no longer entitled to receive child support. You should also show in the schedule the day, month, and year that the child support obligation terminates for each minor child. The date child support terminates should be listed as the child's 18th birthday unless the court has found that section 743.07(2), Florida Statutes, applies, or the parties have otherwise agreed to a different date. You should use the record existing at the time of this order for the basis of computing all child support obligations.

What should I do next?

For this order to be effective, it must be signed by the judge. This form should be typed or printed in black ink. After completing this form, you must first send a copy to the other party or his or her attorney, if he or she is represented by an attorney, for approval or objection to the form before you send it to the judge assigned to your case. If the opposing party or his or her attorney, if represented, approves the form order, you may send the original proposed order and two copies to the judge assigned to your case with a letter telling the judge that you have first sent a copy of this proposed order to the opposing counsel or party, if unrepresented, and that they have no objection to the judge signing this order. If the other party or his or her attorney, if represented, has an objection to the proposed order as completed by you, you must tell the judge that you have sent a copy of this proposed order to the opposing party or his or her counsel, if represented, and that they specifically object to the entry of the proposed form **Income Deduction Order**. You must also send stamped self-addressed envelopes to the judge addressed to you and the opposing party or his or her attorney, if represented. You should keep a copy for your own records. If the judge signs the **Income Deduction Order**, the judge will mail you and the opposing party (or their attorney) copies of the signed order in the envelopes you provide to the court.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in “**bold underline**” in these instructions are defined there. For further information see section 61.1301, Florida Statutes.

Special Instructions...

When the **Income Deduction Order** becomes effective (either immediately or delayed until arrearage), you must then also send a copy of the **Income Deduction Order** to the obligor’s employer along with a **Notice to Payor**, Florida Family Law Rules of Procedure Form 12.996(b), for the **Income Deduction Order** to take effect.

It is your responsibility to determine what extra steps and/or forms, if any, must be taken, supplied, and/or filed to insure the **Income Deduction Order** is implemented.

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

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

Case No: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

INCOME DEDUCTION ORDER (Non-Title IV-D Case)

TO: ANY PRESENT OR SUBSEQUENT EMPLOYERS/PAYORS OF OBLIGOR
{name} _____

YOU ARE HEREBY ORDERED to make regular deductions from all income due and payable to the
above-named obligor in accordance with the terms of this order as follows:

1. This Income Deduction Order shall be effective

[Choose only one]

- ___ immediately.
- ___ upon a delinquency in the amount of \$ _____ but not to exceed one month's payment,
pursuant to the order establishing, enforcing, or modifying the obligation.
- ___ beginning {date} _____.

2. You shall deduct:

\$ _____ per _____ for child support. Child support shall be automatically reduced or terminated
consistent with the schedule in paragraph 7.

\$ _____ per _____ for permanent alimony

\$ _____ per _____ for rehabilitative alimony

\$ _____ per _____ for _____ arrears totaling \$ _____

The deduction for arrears shall be no less than 20% of the current support obligation. After the full
amount of any arrears is paid, you shall deduct for attorneys' fees and costs owed until the full amount
is paid.

\$ _____ per _____ for attorneys' fees and costs totaling \$ _____

\$ _____ per _____ for State of Florida Disbursement Unit fee
(4% of each payment not to exceed \$5.25 per payment)

\$ _____ Total amount of income to be deducted each pay period

3. You shall pay the deducted amount to the "State of Florida Disbursement Unit", and mail it to the State of Florida Disbursement Unit P.O. Box 8500, Tallahassee, FL 32314-8500, (tel.) (877) 769-0251. All payments must include the obligor's name (last, middle, first), obligor's social security number, obligee's name (last, middle, first), name of county where court order originated, and case number. All payments must be made by check, money order, cashier's check, certified check, or through the Internet with access provided by the State of Florida www.floridasdu.com. No credit will be given for any payments made directly to the obligee without a court order permitting direct payments.
4. If a delinquency accrues after the order establishing, modifying, or enforcing the obligation has been entered and there is no order for repayment of the delinquency or a preexisting arrearage, a payor shall deduct an additional 20 percent of the current support obligation or other amount agreed to by the parties until the delinquency and any attorneys' fees and costs are paid in full. No deduction may be applied to attorneys' fees and costs until the delinquency is paid in full.
5. You shall not deduct in excess of the amounts allowed under the Consumer Credit Protection Act, 15 U.S.C. §673(b), as amended.
6. You shall deduct (Choose only one) () the full amount, () _____%, or () none of the income which is payable to the obligor in the form of a bonus or other similar one-time payment, up to the amount of arrearage reported in the Income Deduction Order or the remaining balance thereof, and forward the payment to the State of Florida Disbursement Unit. For purposes of this subparagraph, "bonus" means a payment in addition to an obligor's usual compensation and which is in addition to any amounts contracted for or otherwise legally due and shall not include any commission payments due an obligor.
7. Child Support Reduction/Termination Schedule. Child support shall be automatically reduced or terminated as set forth in the following schedule:

Please list children by initials from eldest to youngest		Insert in this column the day, month, and year the child support obligation terminates for each designated child (see instructions)		Insert in this column the amount of child support for all minor children remaining (including designated child).
Child 1 (Eldest) Initials & year of birth:	<i>From the effective date of this Income Deduction Order until the following date:</i>		<i>child support for Child 1 and all other younger child(ren) should be paid in the following monthly amount:</i>	

Child 2 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 2 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 3 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 3 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 4 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 4 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 5 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 5 and all other younger child(ren) should be paid in the following monthly amount:</i>	

(Continue on additional pages for additional children)

8. This Income Deduction Order shall remain in effect so long as the underlying order of support is effective or until further order of the court.

STATEMENT OF OBLIGOR'S RIGHTS, REMEDIES, AND DUTIES

9. The obligor is required to pay all amounts and fees specified within this Income Deduction Order.
10. The amounts deducted may not be in excess of that allowed under the Consumer Credit Protection Act, 15 U.S.C. §1673(b) as amended.
11. This income deduction order applies to all of the obligor's current and subsequent payors and periods of employment.
12. A copy of the Income Deduction Order will be served upon the obligor's payor or payors.
13. Enforcement of the Income Deduction Order may only be contested on the ground of mistake of fact regarding the amount owed pursuant to the order establishing, enforcing, or modifying the obligation, the arrearages, or the identity of the obligor, the payor, or the obligee.
14. The obligor is required to notify the obligee and, when the obligee is receiving IV-D services, the IV-D agency, within 7 days of any changes in the obligor's address, payors, and the addresses of the obligor's payors.

15. In a Title IV-D case, if an obligation to pay current support is reduced or terminated due to emancipation of a child and the obligor owes an arrearage, retroactive support, delinquency, or costs, income deduction continues at the rate in effect immediately prior to emancipation until all arrearages, retroactive support, delinquencies, and costs are paid in full or until the amount of withholding is modified.

ORDERED on _____.

CIRCUIT JUDGE

COPIES TO:

Obligee

Obligor

Other: _____

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM
12.910(a)
SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
(03/17)**

When should this form be used?

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

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

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

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

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

How do I start?

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

IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED: Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are filing suit and you want the sheriff's department to serve the papers, you will file the summons along with a

Process Service Memorandum, Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

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

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

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

IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as constructive service. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have only limited jurisdiction over a party who is served by constructive service and may have only limited**

jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service; that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.

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

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

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

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

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. For further information regarding service of process, see chapters 48 and 49, Florida Statutes, and Florida Family Law Rule of Procedure 12.070, as well as the instructions for **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Service and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).

Special notes

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

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

Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (03/17)

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

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

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

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

IMPORTANT

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

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

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

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

{Name and address of party serving summons} _____

_____.

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

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

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and Email 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, [Designation of Current Mailing and Email Address].) Los papeles que se presenten en el futuro en esta demanda judicial serán enviados por correo a la dirección que este registrada en la oficina del Secretario.

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

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Qui se trouve à: {L'Adresse} _____. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende

votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

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

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

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

LIST OF CONFIDENTIAL DOCUMENTS

“THE LIST OF 22”

1. **DEPENDENCY** (2.420(d)(1)(B)(i)): Includes termination of parental rights, guardians ad litem, child abuse, neglect, and abandonment Access: Child, parents, attorney for child, court-appointed guardians, SAO, law enforcement, DCF.
2. **ADOPTION FILES** (2.420(d)(1)(B)(ii)), FS 63.162: Provide access in accordance with the Matrix, which is part of the Florida Supreme Court AO and is, therefore, a court order that complies with the statute limiting access without a court order. This applies to open cases. On closed cases, a court order is required to view records as the attorney of record is automatically dismissed 30 days after it is closed.
3. **SSN, BANK ACCT, CHARGE, DEBIT & CREDIT CARD #s** (2.420(d)(1)(B)(iii)): Access: Parties, attorneys of record.
4. **HIV** (2.420(d)(1)(B)(iv)): Includes test results and ID of any person upon whom an HIV test has been performed. Access: Test subject and his/her attorney ONLY. Any other parties cannot see HIV test results.
5. **SEXUALLY TRANSMISSIBLE DISEASES** (2.420(d)(1)(B)(v)): Records including test results held by DOH or its authorized representatives. Access: Test subject, attorneys of record, medical/state agencies in medical emergencies for benefit of law enforcement, firefighters etc.
6. **BIRTH AND DEATH RECORDS** (2.420(d)(1)(B)(vi)): Birth and portions of death and fetal death records. ACCESS: Parties, attorneys of record.
7. **PREGNANCY TERMINATION BY MINOR** (2.420(d)(1)(B)(vii)): Information that can be used to identify a minor petitioning for a waiver of parental notice when seeking to terminate pregnancy. Access: Petitioner, petitioner’s attorney. Parents of petitioner ARE NOT allowed access!
8. **BAKER ACT RECORDS** (2.420(d)(1)(B)(viii)): Clinical records in Baker Act cases. Access: Patient, patient's attorney, patient’s court-appointed guardian or court-appointed guardian advocate, SAO.
9. **SUBSTANCE ABUSE RECORDS** (2.420(d)(1)(B)(ix)): Records of substance abuse providers that pertain to the identity, diagnosis, and prognosis of and service provision to individuals. Access: Patient, attorney of record, medical personnel in medical emergencies.
10. **CLINICAL RECORDS** (2.420(d)(1)(B)(x)): For Defendant in criminal case found incompetent to proceed or acquitted by reason of insanity. Access: Patient, patient’s court-appointed legal guardian, patient’s attorney, law enforcement, SAO, defense attorneys of record, judges, jail personnel, community services re follow up care.
11. **ESTATE INVENTORIES AND ACCOUNTINGS** (2.420(d)(1)(B)(xi)): Access: Court-appointed personal representatives and their attorneys and other attorneys of record.
12. **DOMESTIC VIOLENCE** (2.420(d)(1)(B)(xii)): Victim’s address upon request by victim/petitioner. Access: Petitioner and petitioner’s attorney only. Respondent is not to have access even though he/she is a party!
13. **CHILD ABUSE & SEXUAL OFFENSES** (2.420(d)(1)(B)(xiii)): Victim Identification information. Sexual Offenses include Sexual Battery (FS 794), Lewdness, Indecent Exposure (FS 800), Child Abuse, Aggravated Child Abuse (FS 827), Sexual Performance by a Child, Obscenity (FS 847). Information to be redacted (ADULT & MINOR Victims): Photograph, Name, Home and/or Employment Address, Home and/or Employment Phone Numbers. In addition, MINOR VICTIMS of sexual offenses are entitled to have the following redacted: Videotapes of the victim,

School, Church, Place of Employment Addresses and Telephone Numbers. Access: Parties, attorneys of record, SAO, law enforcement.

14. **GESTATIONAL SURROGACY** (2.420(d)(1)(B)(xiv)): Access: Parties, attorneys of record.
15. **GUARDIANSHIP** (2.420(d)(1)(B)(xv)): Reports and orders appointing Court Monitors. Access: Guardianship reports: To court-appointed guardian and guardian's attorney of record, ward (unless a minor or incapacitated) and ward's attorney. Orders appointing Court Monitors and orders relating to findings of no probable cause in GA cases: Only by court order.
16. **GRAND JURY RECORDS** (2.420(d)(1)(B)(xvi)): Access: Only by court order. Also see, [Informal AGO issued on September 8, 1995](#), determining that the names and addresses of grand jurors are privileged as part of the record of the grand jury proceedings.
17. **FAMILY SERVICES FOR CHILDREN (CINS/FINS cases)** (2.420(d)(1)(B)(xvii)): Access: Parties, attorneys of record.
18. **JUVENILE DELINQUENCY** (2.420(d)(1)(B)(xviii)): Access: Parties, attorneys of record, SAO, military representative with an original signed waiver of the defendant (always make a copy of the waiver for the file.) This includes protecting sexting violations by minors under FS 847.0141(1), which require a "promise to appear before the juvenile court," per 985.0301, which adds noncriminal violations assigned to juvenile court by law to the jurisdiction of the juvenile court. If these cases are not filed in the Juvenile division, then they will need to be identified and separately protected.
19. **TUBERCULOSIS** (2.420(d)(1)(B)(xix)): Records disclosing the identity of persons subject to tuberculosis proceedings and records held by DOH or its authorized representatives relating to know or suspected cases of tuberculosis or exposure. Access: NO ONE has access without a court order. Access can be given by Court Order to those not allowed access by statute. In that case, identify the Court Order, check ID for that person and make a copy of the person's ID for the file before allowing access.
20. **PRESENTENCE INVESTIGATION REPORTS (PSIs)** (2.420(d)(1)(B)(xx)): Complete PSI reports. Access: Sentencing Court, SAO, defendant, and defendant's attorney. Fla. R. Crim. Proc. 3.712 also allows viewing to persons or agencies having a legitimate interest in the information in the PSI, which could include a probation officer. Requests made under this provision will need to be addressed on a case-by-case basis.
21. **FORENSIC BEHAVIORAL HEALTH EVALUATIONS** under FS 916.1065, for defendants charged with felony and found to be incompetent to proceed, including competency, substance abuse, psychosexual, psychological, psychiatric, psychosocial, cognitive impairment, sanity, or other mental health evaluation individual. Access: Parties, attorneys of record.
22. **DRUG COURT REPORTS**, including reports regarding eligibility screening, substance abuse screening, behavioral health evaluations, and treatment status reports for defendants referred to or considered for referral to a drug court program. FS 397.334(10)(a). Access: Parties, attorneys of record.

DOCUMENTS PROTECTED IN RULE 2.420(c)(6)

Rule 2.420(d)(1) protects information in (d)(1)(B), which is the list of 22, but also protects information in (d)(1)(A), which includes the records in 2.420(c)(1)-(6). The records in (c)(1)-(5) are primarily records in the hands of court administration or individual judges, such as judge's notes on a file. However, clerks hold search warrants and arrest warrants covered in 2.420(c)(6). Rule 2.420(b)(4) allows confidential information released to those designated by law, statute, or court order.

1. **Arrest Warrants** are confidential until executed or until law enforcement determines they cannot be executed. Access: state attorney (authorized to view confidential information per

Access Security Matrix) and bail bond agents (FS 903.26(2)(c) requires clerk to provide certified copy of warrant to bail bond agent if there is a bond forfeiture).

2. **Search Warrants** are confidential until executed or until law enforcement determines they cannot be executed.

DOCUMENTS PROTECTED BY MEMORANDUM OF UNDERSTANDING

3. Criminal History Records, which are filed in Name Change and Guardianship cases.
4. Driver information received from DHSMV that is protected by the DPPA: the driver identification number (driver's license number), address, telephone number, and medical or disability information. Information related to vehicular crashes, driving violations, driver's status, or vehicle ownership or liens are not protected. The MOU protects information DHSMV is required to protect by statute.
 - a. FS 119.0712 protects any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration or identification card issued by DHSMV.
 - b. FS 316.066 protects crash reports that reveal the identity, home or employment telephone number or home or employment address of, or other personal information concerning the parties involved in the crash for 60 days after the referenced crash.
 - c. Information from DHSMV records that is used to create new documents does not remain confidential. AGO 2010-10. For example, the clerk can obtain vehicle ownership information from DHSMF and generate as a notice to lienholders or non-defendant owners of a vehicle being impounded due to a DUI conviction. The notice and the name and address on the notice are not confidential information.
 - d. A driver license filed in a court case by parties or other persons is not subject to the MOU, because it is not information received from DHSMV, so it is not confidential.
 - e. A traffic citation filed in a case is not confidential, even though it contains information that would otherwise be protected if received from DHSMV, because our office did not receive it from DHSMV.

DOCUMENTS SEALED BY COURT ORDER

1. Examples of documents required to be sealed
 - a. Wire applications, FS 934.098(8)(c) (court required to seal)
 - b. Jimmy Ryce reports, FS 394.921(2)(shall be sealed)
2. Examples of documents courts may seal or restrict viewing
 - a. Photo, video, audio of killing, FS 406.135(7) & (8) (criminal proceeding exempt, but court may restrict disclosure)
 - b. Photo, video, audio of killing of law enforcement, FS 406.136(c) (criminal proceeding exempt, but court may restrict disclosure)

OTHER DOCUMENTS NOT PROTECTED BY LIST OF 22

1. Attorney Fee Contingency Contracts under R. Reg. Fla Bar 4-1.5(f)(4). This is not Type I information identified in the List of 22. The rule allows the party to ask the court to seal the documents. The attorneys ordinarily include in the motion a request to have both the motion and order sealed.
2. Criminal investigative information under 119.071(2)(c). This is not Type I information identified in the List of 22.
3. Federal Tax Returns, FS 192.105(1), 26 USC 6103. This is not Type I information identified in the List of 22. Since clerks have not obtained federal tax information pursuant to 26 USC 6103,

which regulates entities such as federal or state agencies who obtain these records as part of their official duties (e.g., IRS tax agents) or are officers of companies or are shareholders who are entitled to receive copies of such returns (financial officers, etc.). The statutes do not apply to people who voluntarily file their returns or file tax information. Some clerks have this docket code set to VOR to ensure confidential exemptions required by Rule 2.420(d) are redacted as tax returns may have SSNs and bank account numbers.

4. Fingerprints, FS 119.071(5)(g). This is not Type I information identified in the List of 22. See Fred Baggett Memo of July 26, 2006, at the end of the exhibit, which determines that this statutory provision does not apply to court records, since only the court can regulate its own records.
5. Guardian ad litem reports not filed in chapter 39 cases—there no authority to protect these.
6. Hospital Records, FS 395.3025(4)(5)(7)(8). Statute applies to “any licensed facility,” not clerks handling court cases. These are patient records in the hands of the hospital, provisions allow the hospitals to turn records over to DCF, DOH, etc., and, again, has no applicability to such records filed in a court case. It is be up to the filer to ask the court to determine that records are confidential. [Trying to protect such records is a heavy burden on clerks to read each document to see if it is a medical record that is from a hospital and should be protected.]
7. Juror Notes. These are written notes taken by jurors during civil or criminal trials and are considered administrative records of the judicial branch, rather than court records, per the Judicial Branch Records Retention Schedule for Administrative Records in the Appendix to the Florida Rules of Judicial Administration. Fla. R. Jud. Admin. 2.430(k) provides that, at the conclusion of the trial and promptly following discharge of the jury, the court shall collect all juror notes and immediately destroy them. The Retention Schedule similarly provides that juror notes are to be immediately destroyed upon the issuance of a verdict or if the trial ends prematurely as a result of a mistrial, plea, or settlement. Fla. Stat. 40.50(2) also contemplates that, after a civil jury has rendered its verdict, juror notes are to be collected by the bailiff or the clerk and promptly destroyed. If, despite the foregoing, a court does not destroy juror notes or allow their destruction, it is recommended that the clerk’s office discuss the foregoing with the court and explain that, while juror notes are confidential records of the judicial branch, see Fla. Stat. 40.50(2), they are not technically court records, much less the type of court records that the clerk is required to designate and maintain as confidential pursuant to Fla. R. Jud. Admin. 2.420(d)(1)(B) (i.e., the “List of 22”). Thus, if a court insists that they be made part of a court file and the court does not want them to be made public, the court will need to order that they either be sealed or kept confidential for the clerk to maintain them as either sealed or confidential.
8. Juror Questions. Fla. Stat. 40.50(4) requires the court in civil cases to instruct the jury that any questions directed to witnesses or the court must be in writing, unsigned, and given to the bailiff. If the court determines that the question calls for admissible evidence, the question may be asked by the court or counsel in the court’s discretion. If the court determines the question calls for inadmissible evidence, the question may not be read or answered. Written juror questions are not referenced in either the Judicial Branch Records Retention Schedule for Administrative Records or Fla. R. Jud. Admin. 2.420, and it is not clear from FS 40.50(4) what is to be done with written juror questions once they have been reviewed by the court. In the absence of any such directive or guidance, it is recommended that, if a court does not destroy the written juror questions and routes them to the clerk’s office for keeping, then discuss with the court the fact that, irrespective of whether they are court records, written juror questions are not among the types of court records that the clerk is required to designate and maintain as confidential pursuant to Fla. R. Jud. Admin. 2.420(d)(1)(B) (i.e., the “List of 22”). Thus, if a court wants them to be made part of a court file and does not want them to be made public, the court

will need to order that they either be sealed or kept confidential for the clerk to maintain them as either sealed or confidential.

9. Mediation reports, FS 44.102(3). This is not Type I information identified in the List of 22. A mediation report is not a “written communication in a mediation proceeding.” A mediation report is either a report that the case did not settle or is a settlement agreement that is not confidential. The mediator or the parties keep any other mediation communications (pre-settlement discussions or papers that might include some admissions or damaging information) that were used in the mediation process and do not file them.
10. Medical records. Not on the List of 22. HIPAA does not apply to court records.
11. Paternity DNA test results, FS 760.40(2)(a). Paternity DNA test results are not Type I information identified in the List of 22. Regardless of how the statute is interpreted, since every exemption statute was considered by the rules committee recommending the 2.420 list and this did not make it on the list, clerks cannot automatically seal these records, as this determination is reserved for the court. However, if a paternity DNA test was recorded in the Official Record, a request for removal should be accommodated. Note that the statute itself exempts results in criminal prosecution and paternity cases by using “AND” to both allow consent to testing and make the results public, which explains why the committee did not add it to the “List.”
12. Photo, video audio of autopsy, FS 406.135(7) & (8). This is not Type I information identified in the List of 22. Per the statute, this exemption applies to records held by a medical examiner. In addition, these records are not exempt in criminal proceedings, but the court may restrict disclosure.
13. Photo, video audio of killing of law enforcement, FS 406.136(c). This is not Type I information identified in the List of 22. Per the statute, these are not exempt in criminal proceedings, but the court may restrict disclosure.
14. Nurse (Identity) Disciplinary Records – FS 464.018(1)(j). This is not Type I information identified in the List of 22. This statute requires the department to identify the respondent by initials in any public court records or documents, and it would be up to the department to make sure the proceedings are closed to the public, this is between the court and the department, not the clerk.
15. 2017 LEGISLATION:
 - a. Witness to a murder: Information that reveals the identity of a witness to a murder is confidential for two years after the date on which the murder is observed by the witness, but may be disclosed by a criminal justice agency. HB 111.
 - b. DV Injunction Petitions: On or after July 1, 2017, a petition for injunction for domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking is confidential, if the petition is dismissed or denied (?). A respondent may request that a petition be made confidential if the dismissal happened before July 1, 2017. HB 239..
 - c. Marchman Act: Pleadings and other documents, and the images of all pleadings and other documents, in court involved involuntary admissions proceedings under the Marchman Act confidential. HB 791.

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

Plaintiff/Petitioner,

v.

Case #: _____

Defendant/Respondent.

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), I hereby certify that:

____ 1. I am filing herewith a document containing confidential information as described in Rule 2.420(d)(1)(B) and:

a. The title/type of document is: _____; **and**

b. _____ The entire document is confidential, **OR** _____ the confidential
information within the document is precisely located at: _____

OR

____ 2. A document was previously filed in this case that contains confidential information as described in Rule 2.420(d)(1)(B), but a Notice of Confidential Information within Court Filing was not filed with the document and the confidential information was not maintained as confidential by the Clerk. I hereby notify the Clerk that this confidential information is located as follows:

a. Title/type of document: _____

b. Date of filing (if known): _____

c. Date of document: _____

d. Docket entry number: _____

e. _____ Entire document is confidential, OR _____ Precise location of confidential information in document: _____

I HEREBY CERTIFY that a copy of the foregoing was furnished by email/delivery/mail/fax
to: _____, on _____.

Signature

Name: _____

Address: _____

Phone: _____

Florida Bar #, if applicable: _____

Email address: _____

Note: The clerk of court shall review filings identified as containing confidential information to determine whether the information is facially subject to confidentiality under subdivision (d)(1)(B). The clerk shall notify the filer in writing within 5 days if the clerk determines that the information is NOT subject to confidentiality, and the records shall not be held as confidential for more than 10 days, unless a motion is filed pursuant to subdivision (d)(3) of Rule 2.420.

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

Plaintiff,

v.

Case #: _____

Defendant.

MOTION TO DETERMINE THE CONFIDENTIALITY OF TRIAL COURT RECORDS

The undersigned, by and through his/her attorney, moves the Court pursuant to Florida Rule of Judicial Administration 2.420 for an order determining the confidentiality of court records.

a. The undersigned's attorney has given written notice of the subject motion to all affected non-parties _____, and filed copies of the notice provided. The notice identified this case by docket number; described the confidential information with as much specificity as possible without revealing the confidential information, including the "precise location" of the information in the file/record; and advised that if the motion is denied by the court then the subject material will not be treated as confidential by the Clerk.

b. The particular court records or portion of a record that the movant seeks to have determined as confidential are:

c. The movant seeks an order sealing the following information relative to this case: *[select all that apply]*

- ☐ the party's name on the progress docket.
☐ particular documents within the court file, specifically _____
☐ the entire court file, but not the progress docket.
☐ the entire court file and the progress docket.

d. The legal basis for determining the court records to be confidential is: _____

e. The specific legal authority and applicable legal standards for determining such court records to be confidential are: _____

f. *[For rule 2.420(c)(9) motions]* Confidentiality of _____ is required to protect the following interest(s): *[select any/all that apply]*

- ☐ 1. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____
☐ 2. A trade secret.
☐ 3. A compelling government interest, specifically: _____
☐ 4. Obtaining evidence to determine the legal issues in a case;
☐ 5. Avoiding substantial injury to innocent third parties, specifically: _____

☐ 6. Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically: _____

☐ 7. Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically: _____

g. There is no less restrictive measure available to protect this/these interest(s), and the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, the undersigned **REQUESTS** that:

The Court _____ this motion for a hearing.

The Court finds that _____ documents are confidential and for the Court to seal the following materials related to this matter and to keep such materials from public access: *[select all that apply]*

☐ 1. The party's name on the progress docket and in the case style. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for the party's name: _____
Further, the Clerk shall ensure that the party's name is redacted from all public materials in the file and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.

☐ 2. The following documents within the court file: _____
However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.

☐ 3. The entire court file. However, the progress docket shall remain open to the public subject to any substitution of a party's name set forth above.

☐ 4. The entire court file and the progress docket. The progress docket shall not be available on any public information system. However, the case number shall remain public.

I certify that this motion is made in good faith and is supported by a sound factual and legal basis.

Submitted and filed on _____.

I hereby certify that a copy of the foregoing was furnished by e-mail/U.S. Mail/personal service on _____ to: _____

Party/Attorney's Signature

Attorney Name.....

Florida Bar No.

Address

Phone

E-mail

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

_____,
Plaintiff,

v.

Case #: _____

_____,
Defendant.

**ORDER ON MOTION TO DETERMINE TRIAL COURT RECORDS CONFIDENTIAL
PURSUANT TO FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.420(C)(9)**

THIS MATTER is before the Court on the Motion to Determine Trial Court Records Confidential filed by _____ pursuant to rule 2.420(c)(9), Florida Rule of Judicial Administration. _____ seeks an order sealing the following information relative to this case: *[select all that apply]*

- ☐ the party's name on the progress docket.
☐ particular documents within the court file, specifically _____

☐ the entire court file, but not the progress docket.
☐ the entire court file and the progress docket.

This motion _____ contested and a hearing _____ conducted.

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **DENIES** the motion because the moving party has failed to establish that confidentiality of the information sought to be sealed is necessary to protect any interest under Rule 2.420(c).

– OR –

The Court **GRANTS** the motion as follows:

1. Confidentiality of the [information sought to be sealed] is required to protect the following interest(s): *[select any/all that apply]*

- ☐ a. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____
☐ b. A trade secret.
☐ c. A compelling government interest, specifically: _____
☐ d. Obtaining evidence to determine the legal issues in a case;
☐ e. Avoiding substantial injury to innocent third parties, specifically: _____

☐ f. Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically: _____

☐ g. Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically: _____

2. The Court further finds that no less restrictive measure is available to protect this/these interest(s), and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, it is **ORDERED** that:

The Clerk of the Circuit Court is hereby directed to seal immediately the following materials related to this matter and to keep such materials from public access: *[select all that apply]*

- ☐ 1. The party's name on the progress docket and in the case style. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for the party's name: _____ . Further, the Clerk shall ensure that the party's name is redacted from all public materials in the file and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.
- ☐ 2. The following documents within the court file: _____ . However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.
- ☐ 3. The entire court file. However, the progress docket shall remain open to the public subject to any substitution of a party's name set forth above.
- ☐ 4. The entire court file and the progress docket. The progress docket shall not be available on any public information system. However, the case number shall remain public.

It is further **ORDERED** that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further **ORDERED** that any materials sealed pursuant to this Order may otherwise be disclosed only as follows:

- A. to any judge of this Circuit for case-related reasons;
- B. to the Chief Judge or his or her designee;
- C. to adult parties or their attorneys of record; or
- D. by further order of the Court.

It is further **ORDERED** that, within 10 days of the date of this Order, the Clerk shall post a copy of this Order on the bulletin board of the Leon County Clerk's Office and the Clerk's website for a period of 30 days to provide public notice.

It is further **ORDERED** that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of the filing.

DONE AND ORDERED in Chambers, at Leon County, Florida, on _____.

County/Circuit Judge

I hereby certify that a copy of the foregoing was furnished by e-mail/U.S. Mail/personal service to: _____ on _____.

Judicial Assistant