

PACKET 9

Forms for a
Petition for Temporary Custody
When:

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



EIGHTH JUDICIAL CIRCUIT

~~Revised Kentucky 2013-~~
~~2012 REVISOR 11-2012~~

~~11-2012~~

HELPFUL HINTS TO FILE A FAMILY LAW CASE

Filing Fee: **\$300.00**

Sheriff's Fee (No personal checks): \$40.00 PER PERSON
Issuance Summons: \$10.00 PER PERSON

1. **You must choose the packet the clerk cannot tell you what packet you need.**
2. All documents must be completed and notarized, if the Clerk notarizes there is a fee for each document that is notarized. (\$3.50 per document)
3. When you file, you must provide the clerk with a copies of all documents that are being filed or the clerk will charge you to make copies. (.15 that day of filing)
4. You must also provide 6 self-address stamped envelopes (3 **for each party.**)
5. It is suggested that you meet with the Pro Se Coordinator for help with procedural questions **352-374-3665**; leave message and she will return your call to set up an appointment.
6. If the person you are serving does **NOT** live in Levy County it is your responsibility to take the documents to be served to the County, State where they live.
7. Please notify the Clerk **in writing** if your case has settled before your scheduled court date so we may cancel you hearing and have the case dismissed.
8. Payment plans are available upon request, additional \$25.00 fee.
9. We cannot advise you who needs served or what has to be filed, you may wish to contact an Attorney for legal advice.

WARNING

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

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated.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

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

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

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



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

NOTICE OF LIMITATION OF SERVICES PROVIDED/DISCLAIMER

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

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

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

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

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

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

_____ in _____
(Name) (Language)

YOUR SIGNATURE

CHECKLIST TEMPORARY CUSTODY

- Civil Cover Sheet
- Notice Of Limited Service/ Disclaimer
- Petition For Temporary Custody By Extended Family
- UCCJEA
- Notice Of Social Security Number
- Consent (Mother)
- Consent (Father)

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

OR (IF NO RESPONSE)

- Proof Of Service (Personal)
- Affidavit Of Personal Service Out Of State
- Proof Of Service (Constructive)
 - Affidavit Of Diligent Search
 - Proof Of Publication
 - Proof Of Posting
- Motion For Default

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

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

CASE NO: _____

DIVISION: _____

Plaintiff/ Petitioner/State

v.

Defendant/ Respondent

PERMISSION TO USE E-MAIL

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

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

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

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

Plaintiff/ Petitioner Name (print)

Plaintiff/ Petitioner Name (signature)

* email address (print *clearly*)

Date

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

Cover Sheet for Family Court Cases**I. Case Style**

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

Case No.: _____

Judge: _____

Petitioner

and

Respondent

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

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

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

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

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

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

ATTORNEY OR PARTY SIGNATURE

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

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

(Type or print name) Date

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.970(a)
PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY
(02/18)**

When should this form be used?

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

An Extended Family Member is:

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

OR

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

You may file a Petition for Temporary Custody if:

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

OR

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

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

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

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

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.

What should I do next?

IF YOU HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the child(ren)'s parents, and the case is uncontested, you may contact the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the child(ren)'s parents of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

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

IF YOU DO NOT HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the child(ren)'s parents, you must properly notify the parents of the **petition**. If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives after conducting a diligent search, you may use **constructive service**. You must complete all of the searches Instructions for Florida Supreme Court Approved Family Law Form 12.970(a), *Petition for Temporary Custody By Extended Family (02/18)*

listed in the **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(c), and file the form with the clerk. You should seek legal advice on constructive service as this is a complicated area of the law. If the identity of one parent is unknown, you will need to seek legal advice to determine the proper way to serve an unknown parent. For more information, see Chapter 49, Florida Statutes.

If personal service is used, the **parents** have 20 days to answer after being served with your petition. Your case will generally proceed in one of the following ways:

DEFAULT. If after 20 days, no **answer** has been filed, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. You must file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924. Then, if you have filed all of the required papers, you may contact the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the child(ren)'s parents of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

CONTESTED. If either parent files an answer which disagrees with or denies anything in your petition and you are unable to settle the disputed issues, you must file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, to request a final hearing. Some circuits may require the completion of **mediation** before a final hearing may be set. You should contact the clerk, **family law intake staff**, or **judicial assistant** for instructions on how to set your case for **trial** (final hearing).

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

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there. For further information, see Chapter 751 and Chapter 39, Florida Statutes.

Special Notes...

If you do not have the money to pay the filing fee, you may obtain an application for Determination of Civil Indigent Status, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this petition, you must file the following and provide a copy to the other party:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Related Cases**, Florida Family Law Rules of Procedure Form 12.900(h).
- **Family Court Cover Sheet**, Florida Family Law Rules of Procedure Form 12.928.

Instructions for Florida Supreme Court Approved Family Law Form 12.970(a), Petition for Temporary Custody By Extended Family (02/18)

- **Non-Military Affidavit**, Florida Supreme Court Approved Family Law Form 12.912(b). (Required only for obtaining a default on petitions that have been personally or constructively served. Not required if both parents have signed a waiver and consent)

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

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

Case No: _____
Division: _____

IN THE INTEREST OF

Child(ren)

Petitioner,

and

Respondent/ _____

Respondent/ _____

PETITION FOR TEMPORARY CUSTODY BY EXTENDED FAMILY

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

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

Name	Date of Birth	Current Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
3. Petitioner completed a **Uniform Child Custody Jurisdiction and Enforcement Act Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), which was filed with this Petition. The affidavit includes the names and current addresses of the persons with whom the child(ren) has(have) lived during the past 5 years, the places where the child(ren) has(have) lived during the past 5 years, and information concerning any custody proceeding in this or any other state with respect to the child(ren). **If the Affidavit is not completely filled out, signed under oath, and filed with the Petition, the case may be dismissed without hearing.**
4. Petitioner is an extended family member who is: {Choose **one** only}
 Related to the minor child(ren) within the third degree by blood or marriage to a parent;

OR

The stepparent of the minor child(ren), is married to Respondent {full legal name} _____ and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the child(ren)'s parents as an adverse party.

5. Petitioner's relationship to the minor child(ren) is: _____.

6. The residence and post office address of the Petitioner is: _____
_____.

7. Petitioner is a proper person to be awarded temporary custody because: {Choose **one** only}

Petitioner has the signed, notarized consent from **both** of the child(ren)'s legal parents;

OR

Petitioner is caring full time for the child(ren) in the role of a substitute parent and the child(ren) currently live with the Petitioner.

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

8. The legal parents of the child(ren) are:

a. _____, whose current address is: _____
_____.

b. _____, whose current address is: _____
_____.

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

OR

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

OR

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

_____.

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

_____.
The reasons that support this request are: _____

_____.

11. It is in the best interests of the child(ren) that the Petitioner have temporary custody of the child(ren) for the following reasons: _____

_____.

12. ORDER OF PROTECTION

a. Petitioner **IS NOT** aware of any temporary or permanent order for protection entered on behalf of or against either parent, the Petitioner, or the child(ren) in Florida or any other jurisdiction.

OR

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

_____.

13. TEMPORARY OR PERMANENT CHILD SUPPORT ORDERS

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

OR

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

_____.

14. CHILD SUPPORT (Choose *one* only)

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

a. Petitioner requests the court to order the parents to pay child support.

b. Petitioner requests the court to redirect all or part of the parents' existing child support obligation(s) to the Petitioner.

c. Petitioner requests the court to redirect all or part of the parents' existing child support obligation(s) to the Petitioner, and to award the Petitioner retroactive child support .

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

16. Other: _____

WHEREFORE, Petitioner requests that this Court grant the Petitioner temporary custody of the child(ren) subject to this proceeding; award the Petitioner other relief as requested; and award any other relief that the Court deems necessary.

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

Dated: _____

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.970(b)
PETITION FOR CONCURRENT CUSTODY BY EXTENDED FAMILY
(02/18)**

When should this form be used?

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

An Extended Family Member is:

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

OR

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

You may file a Petition for Concurrent Custody if:

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

OR

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

In addition, you must currently have physical custody of the child(ren) and have had physical custody of the child(ren) for at least 10 days in any 30-day period within the last 12 months; and not have signed, written documentation from a parent which is sufficient to enable you to do all the things necessary to care for the child(ren).

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

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

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of 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.

What should I do next?

IF YOU HAVE SIGNED AND NOTARIZED WAIVERS OF SERVICE OF PROCESS AND CONSENTS from the child(ren)'s parents, you may contact the clerk, **family law intake staff**, or **judicial assistant**, to set a **final hearing**. You must notify the child(ren)'s parents of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

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

If one of the minor child(ren)'s parents objects to the Petition for Concurrent Custody in writing, the court may not grant the petition even if the other parent consents, in writing, to the entry of the order. If a Instructions for Florida Supreme Court Approved Family Law Form 12.970(b), Petition for Concurrent Custody By Extended Family (02/18)

parent objects, you have the option of converting the Petition to a **Petition for Temporary Custody by Extended Family**, Florida Supreme Court Approved Family Law Form 12.970(a). If the Petition is not converted into a **Petition for Temporary Custody by Extended Family**, it shall be dismissed without prejudice.

At any time, the Petitioner or either or both of the child(ren)'s parents may move the court to terminate the order granting concurrent custody. The court shall terminate the order upon a finding that either or both of the child(ren)'s parents objects to the order. The fact that the order for concurrent custody has been terminated does not preclude any person who is otherwise eligible to petition for temporary custody from filing such petition.

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there. For further information, see Chapter 751 and Chapter 39, Florida Statutes.

Special Notes...

If you do not have the money to pay the filing fee, you may obtain an application for Determination of Civil Indigent Status, fill it out, and the clerk will determine whether you are eligible to have filing fees deferred.

With this petition, you must file the following and provide a copy to the other party:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Related Cases**, Florida Family Law Rules of Procedure Form 12.900(h).
- **Family Court Cover Sheet**, Florida Family Law Rules of Procedure Form 12.928.
- **Non-Military Affidavit**, Florida Supreme Court Approved Family Law Form 12.912(b). (Required only for obtaining a default on petitions that have been personally or constructively served. Not required if both parents have signed a waiver and consent.)

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

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

Case No: _____

Division: _____

IN THE INTEREST OF:

_____,
Child(ren)

_____,
Petitioner,

and

Respondent/ _____,

Respondent/ _____.

PETITION FOR CONCURRENT CUSTODY BY EXTENDED FAMILY

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

1. This is an action for concurrent custody pursuant to Chapter 751, Florida Statutes.

2. Petitioner requests concurrent custody of the following minor child(ren):

Name	Date of Birth	Current Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Petitioner completed a **Uniform Child Custody Jurisdiction and Enforcement Act Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), which was filed with this Petition. The affidavit includes the names and current addresses of the persons with whom the child(ren) has (have) lived during the past 5 years, the places where the child(ren) has(have) lived during the past 5 years, and information concerning any custody proceeding in this or any other state with respect to the child(ren). **If the Affidavit is not completely filled out, signed under oath, and filed with the Petition, the case may be dismissed without a hearing.**

4. Petitioner is an extended family member who is: {Choose **one** only}

Related to the minor child(ren) within the third degree by blood or marriage to a parent;
OR

The stepparent of the minor child(ren), is married to Respondent {full legal name} _____ and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the child(ren)'s parents as an adverse party.

5. Petitioner's relationship to the minor child(ren) is: _____.

6. The residence and post office address of the Petitioner is: _____
_____.

7. The legal parents are:

a. _____, whose current address is: _____;

b. _____, whose current address is: _____.

8. Petitioner currently has physical custody of the child(ren) and has had physical custody of the child(ren) for at least 10 days in any 30-day period within the last 12 months. Detail the time periods during the past 12 months when the child(ren) have resided with the Petitioner:

_____.

9. Petitioner does not have signed, written documentation from a parent which is sufficient to enable the Petitioner to do all of the things necessary to care for the child(ren).

10. {If applicable} Describe the type of documents, if any, provided by the parent or parents which enables the Petitioner to act on behalf of the child(ren): _____

These documents are attached to this Petition as Exhibit _____.

11. Petitioner is unable to obtain or undertake the following services or actions without an order of custody:

_____.

12. The Consents of Parent {full legal name} _____ and/or Parent {full legal name} _____ is/are attached to the Petition.

OR

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

13. Petitioner requests concurrent custody be granted for the following period of time: _____

The reasons that support this request are: _____

14. It is in the best interests of the child(ren) that the Petitioner have concurrent custody of the child(ren) for the following reasons: _____

15. ORDER OF PROTECTION

- a. Petitioner **IS NOT** aware of any temporary or permanent order for protection entered on behalf of or against either parent, the Petitioner, or the child(ren) in Florida or any other jurisdiction.
OR
- b. Petitioner **IS** aware of the following temporary or permanent orders for protection entered on behalf of or against either parent, the Petitioner, or the child(ren) in Florida or any other jurisdiction. The court entering the order and the case number is: _____

16. TEMPORARY OR PERMANENT CHILD SUPPORT ORDERS

- a. Petitioner **IS NOT** aware of any temporary or permanent orders for child support for the minor child(ren).
OR
- b. Petitioner **IS** aware of the following temporary or permanent order for child support for the minor child(ren). The court entering the order and the case number is: _____

17. CHILD SUPPORT (If Petitioner is seeking child support) {Choose one only}
(You must have proof of service upon or waiver of process by the parent(s) or a Waiver of Service of Process and Consent for the court to consider an award for child support)

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

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

19. Other _____

WHEREFORE, Petitioner requests that this Court grant the Petitioner concurrent custody of the child(ren) subject to this proceeding; award the Petitioner other relief as requested; and award any other relief that the Court deems necessary.

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

Dated: _____

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

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

Case No.: _____

Division: _____

Petitioner,
and

Respondent.

NOTICE OF RELATED CASES

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

[check one only]

There are no related cases.

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

Related Case No. 1

Case Name(s): _____

Petitioner : _____

Respondent : _____

Case No.: _____ Division: _____

Type of Proceeding: [check all that apply]

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

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

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

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

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

Relationship of cases [check all that apply]:

pending case involves same parties, children, or issues;

- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases:

Related Case No. 2

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [check all that apply]

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

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

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

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

Court Order/Judgment (if any): _____

Relationship of cases [check all that apply]:

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

Statement as to the relationship of the cases:

Related Case No. 3

Case Name(s): _____

Petitioner: _____

Respondent: _____

Case No.: _____ Division: _____

Type of Proceeding: [check all that apply]

- Dissolution of Marriage Paternity
- Custody Adoption
- Child Support Modification/Enforcement/Contempt Proceedings
- Juvenile Dependency Juvenile Delinquency

Termination of Parental Rights Criminal
 Domestic/Sexual/Dating/Repeat Mental Health
 Violence Injunctions Other {specify} _____

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

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

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

Relationship of cases [check all that apply]:

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

Statement as to the relationship of the cases:

2. [check one only]

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

3. [check all that apply]

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

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

Dated: _____

 Petitioner's Signature
 Printed Name: _____
 Address: _____
 City, State, Zip: _____
 Telephone Number: _____
 Fax Number: _____
 E-mail Address(es): _____

CERTIFICATE OF SERVICE

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

Signature of Petitioner/Attorney for Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
E-mail Address(es): _____
Florida Bar Number: _____

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

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

This form was completed with the assistance of:

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

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 or dependent child(ren) in common.
- _____ 2. This notice is being filed in a paternity or child support case, or in a dissolution of marriage in which the parties have minor or dependent children in common. The minor or dependent 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 of Party
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} _____

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA) AFFIDAVIT

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

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

___/___			
___/___			

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ___ :

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ___ :

Child's Full Legal Name: _____

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

Child's Residence for the past 5 years:

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

___/___			
___/___			
___/___			
___/___			
___/___			

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

[Choose only one]

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

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

Explain:

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

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

[Choose only one]

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

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

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

4. Persons not a party to this proceeding:

[Choose only one]

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

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

a. Name and address of person: _____

- has physical custody
 claims parental responsibility or custody rights
 claims time-sharing or visitation

Name of each child: _____

Relationship to child, if any: _____

b. Name and address of person: _____

- has physical custody
 claims parental responsibility or custody rights
 claims time-sharing or visitation

Name of each child: _____

Relationship to child, if any: _____

c. Name and address of person: _____

- has physical custody
 claims parental responsibility or custody rights
 claims time-sharing or visitation

Name of each child: _____

Relationship to child, if any: _____

5. Knowledge of prior child support proceedings:

[Choose only one]

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

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

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and address: _____

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

e. Amount of child support ordered to be paid and by whom: _____

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

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

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

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

Dated: _____

Signature of Party
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
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 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, 12.970(c),
WAIVER OF SERVICE OF PROCESS AND CONSENT FOR TEMPORARY
CUSTODY BY EXTENDED FAMILY
(02/18)**

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

An Extended Family Member is:

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

OR

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

This form should be typed or printed in black ink. After completing this form, you should sign the form before a notary public or deputy clerk. You should file the original with the clerk of the circuit court in the county where the Petition for Temporary Custody by Extended Family, Florida Supreme Court Approved Family Law Form 12.970(a) is filed and keep a copy for your records.

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.**

Special notes . . .

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

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

Case No: _____
Division: _____

IN THE INTEREST OF

Child(ren)

Petitioner,

and

Respondent/_____

Respondent/_____.

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

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

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

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

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

Dated: _____

Signature of Parent
Printed Name: _____
Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Fax Number: _____
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} _____.

SERVICE OF PROCESS MEMORANDUM TO SHERIFF

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

RE: _____, Petitioner vs.
_____, Respondent.

In the Circuit Court, County of _____, Florida
Case Number: _____

DATE: _____

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

Respondent: _____

Residence Address: _____

Work Address: _____

SPECIAL INSTRUCTIONS for locating the Respondent:

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

Petitioner's Signature

Printed Name: _____

Petitioner's Address: _____

Telephone No.: () _____

**AFFIDAVIT FOR PERSONAL SERVICE OUTSIDE
THE STATE OF FLORIDA**

Sections 48.193 and 48.194, Fla. Stat.

STATE OF _____
COUNTY OF _____

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

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

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

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

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

Petitioner's Signature
Printed Name _____
Address _____

City State Zip

Telephone (area code and number)

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

NOTARY PUBLIC—STATE OF FLORIDA

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

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,
IN AND FOR LEVY 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} 355 S. COURT ST. BRONSON, FL. 32621

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

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

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

{Name and address of party serving summons} _____

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

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

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

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

IMPORTANTE

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

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

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

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

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

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

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

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs a partir de la date de l'assignation de cette citation pour déposer une réponse écrite a la plainte ci-jointe auprès de ce tribunal. Qui se trouve a: {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 a un service de référence d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de téléphones).

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

Nom et adresse de la partie qui dépose cette citation:

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

DANNY J. SHIPP
CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

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

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

STEP 1:

First you must determine how the other party was served:

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

STEP 2:

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

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

STEP 3:

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

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

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

Petitioner,

CASE NO: _____
DIVISION: _____

vs.

Respondent.

MOTION/REQUEST TO ENTER DEFAULT

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

DATED: _____

Signature

Name

Address

DEFAULT

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

DATED: _____

DANNY J. SHIPP
CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk

SECTION C

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

CONSTRUCTIVE SERVICE FORMS

- Affidavit of Diligent Search and Inquiry

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

- U.S. Postal Service Request for Change of Address
- Request for Information from Driver License Records
- Gainesville Police Department Public Record Request

- Memorandum for Certificate of Military Service (follow the instructions) **OR**

- Nonmilitary Affidavit

- Notice of Action (publish for four consecutive weeks in a newspaper)

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

DEFAULT

- Motion for Default and Default—use forms provided in Section B

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

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.913(b), AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY (11/12)

When should this form be used?

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

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

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

Where can I look for more information?

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

Special notes...

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

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

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

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

[Check all that apply]

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

___ Title IV-D (child support enforcement) agency records in the state of Respondent's last known address.

___ Hospitals in the last known area of Respondent's residence.

___ Utility companies, which include water, sewer, cable TV, and electric, in the last known area of Respondent's residence.

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

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

___ Other: {explain} _____

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

3. Respondent's current residence

[Choose only one]

- a. ___ Respondent's current residence is unknown to me.
- b. ___ Respondent's current residence is in some state or country other than Florida.

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

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

Address _____ City _____ State _____ Zip _____
Telephone No. _____ Fax No. _____.

Respondent's last known employment, as of {date} _____, was

Name of Employer _____
Address _____ City _____ State _____ Zip _____
Telephone No. _____ Fax No. _____.

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

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

STATE OF FLORIDA
COUNTY OF

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

NOTARY PUBLIC or DEPUTY CLERK

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

_____ Personally known

_____ Produced identification

Type of identification produced _____

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

[fill in all blanks]

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

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

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

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

Case No.: _____

Division: _____

Petitioner

and

Respondent.

NOTICE OF ACTION FOR

{Specify action} _____

TO: *{name of Respondent}* _____

{Respondent's last known address} _____

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

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

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

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

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

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

Dated: _____.

CLERK OF THE CIRCUIT COURT

By: _____
{Deputy Clerk}

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

[fill in all blanks] 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 12.912(a), MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE
(12/10)**

When should this form be used?

This form should be used if you **KNOW OR DO NOT KNOW** whether the other party in your case is on active duty in a branch of the military service of the United States. "Active duty" includes reserve personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and members of the Florida National Guard who have been called to active duty for more than thirty (30) days. Even if you believe that the other party **has never** or **would never** join the military, you must show the court proof that he or she is not a member of the military. Therefore, you may need to use this form to provide the court with such proof. See the instructions for an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), for additional information.

Servicemembers Civil Relief Act (SCRA) Certificates

To obtain certificates of service or non-service under the Servicemembers Civil Relief Act (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940) you may use the public website: <https://www.dmdc.osd.mil/scra/owa/home>. This website will provide you with the current active military status of an individual enlisted in the Army, Navy, Air Force, and Marines.

You can also receive certificates from the individual services by sending your correspondence to the appropriate military office listed below. Fill out this form and **mail one copy to each** of the military offices at the addresses on the form. You may be charged a service fee by each military service branch for their response. To assist you in determining the amount of each military branch's fee, phone numbers are listed below. You will need to call each number to find out their fee for this search.

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

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

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

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

PUBLIC HEALTH SERVICE: Attn: Director, Division of Commissioned Corps Officer Support, http://dcp.psc.gov/ad_search.asp NOTE: Please direct all inquiries to the website.

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

NOTE: All requests must be in writing

This form should be typed or printed in black ink. You should complete this form for each branch of the

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

Special notes...

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

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

Case No.: _____
Division: _____

Petitioner,
and

Respondent.

MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE

- TO:** () USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd, Suite 1100, Arlington, VA 22203
 () HQ AFPC/DPDXIDL, Attn: World Wide Locator, 550 C. Street West, Suite 50, Randolph AFB, TX 78150-4752
 () Bureau of Naval Personnel, PERS-312E, 5720 Integrity Drive, Millington, TN 38055-3120
 () CMC, HQ, (MMSB17), 2008 Elliot Road, Room 201, Quantico, VA 22134
 () Public Health Service: Attn: Director, Division of Commissioned Corps Officer Support http://dcp.psc.gov/ad_search.asp
 () Army World Wide Locator Service, Enlisted Records and Evaluation Center, 8899 East 56th Street, Indianapolis, IN 46249-5301

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

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

Dated: _____
Signature of Petitioner

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

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

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

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

When should this form be used?

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

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

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

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

Special notes...

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

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

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

AFFIDAVIT OF MILITARY SERVICE

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

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

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

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

Dated: _____

Signature of Petitioner _____

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA

COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

___ Personally known

___ Produced identification

___ Type of identification produced _____.

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

[fill in all blanks]

I, {full legal name and trade name of nonlawyer}, _____,

a nonlawyer, whose address is {street} _____

{city} _____, {state} _____,

{phone} _____, helped {name} _____

who is the petitioner, fill out this form.

Special notes...

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

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

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

DO NOT SUBMIT THE NOTICE THAT ACTION IS AT ISSUE

Until:

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

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

Fill in the following information:

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

Make 2 copies of the original:

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

Mail or hand deliver one copy to the **Case Manager in Room 400** (Family Courts) in the Alachua County Family/Civil Justice Center, 201 E. University Avenue, Room 400, Gainesville, FL 32601.

Each party must bring a self-addressed, stamped/metered envelope to the hearing or provided a valid e-mail address for mailing/e-mailing the final judgment or other court orders. A party that fails to provide the necessary envelopes with postage or an e-mail address may retrieve a copy of the results of the hearing from the Clerk of the Court at the cost of \$1 per page.

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

Petitioner,

CASE NO.: _____

and

DIVISION: _____

Respondent.

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

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

Dated: _____ (today's date)

YOUR SIGNATURE

CERTIFICATE OF SERVICE

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

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____