

Supreme Court of Florida

No. SC06-2513

IN RE: AMENDMENTS TO THE FLORIDA FAMILY LAW RULES.

[September 30, 2010]

PER CURIAM.

This matter is before the Court for consideration of proposed amendments to the Florida Family Law Rules of Procedure and Forms and the Florida Supreme Court Approved Family Law Forms. We have jurisdiction. See art. V, § 2(a), Fla. Const.

BACKGROUND

In this case, the Family Law Rules Committee (Committee) initially filed a report proposing two new forms for use in proceedings to disestablish paternity or terminate child support and three new forms for use in proceedings relating to the relocation of parents with children subject to visitation or custody orders. The forms were proposed in response to legislation passed in the 2006 legislative

session. See ch. 2006-265, Laws of Fla.; ch. 2006-245, Laws of Fla.¹ The Committee also stated that it believed that additional relocation forms would be necessary to implement chapter 2006-245 and requested the Court's direction as to whether these additional forms should be developed.² After considering the Committee's proposals, the Court informally sought input from the Advisory Workgroup on The Florida Supreme Court Approved Family Law Forms (Workgroup) with respect to the need for additional relocation forms and directed the Committee to submit a supplemental report clarifying whether a new Florida Family Law Rule of Procedure should be adopted to implement the statutory provisions and, if so, proposing an appropriate rule.

Subsequently, the Committee filed its supplemental report, proposing new Family Law Rule 12.635 (Relocation of Minor Child), and the Workgroup presented the Court with nine new relocation forms. Proposed new rule 12.635

1. The Committee also proposed amendments to rules 12.015, 12.280, 12.400, 12.490, 12.491, 12.610, 12.650, and 12.750 to reflect the renumbering of the Florida Rules of Judicial Administration. All of these amendments have since been made, in other cases, except for the proposed amendments to rule 12.280(c) and (d) and the proposed amendment to the commentary in rule 12.650. Accordingly, we adopt those amendments here.

2. The Committee also proposed amendments to rule 12.015 (Family Law Forms) to add the new forms it was proposing to the list of "rules forms" contained in that rule. However, we are adopting the proposed forms as Florida Supreme Court Approved Family Law Forms. Accordingly, no amendment to rule 12.015 is necessary.

and all of the new proposed forms (both on relocation and disestablishing paternity) were published for comment. The Family Law Section of The Florida Bar filed a comment opposing the proposed new rule 12.635 and subsequently worked with the Committee to develop a revised proposal. After considering the revised proposal, the Court, on its own motion, proposed an alternative version of the relocation rule, published it for comment, and again requested comments with regard to the twelve (three from the Committee and nine from the Workgroup) proposed relocation forms.

In the interim, in both the 2008 and 2009 legislative sessions, the Legislature amended section 61.13001, Florida Statutes, governing relocation. See ch. 2008-61, § 9, Laws of Fla. (amending section 61.13001 primarily to remove the terms “visitation,” “primary residential parent,” “primary residence,” “custody” and similar terms, and insert references to “time-sharing” and “parenting plan”); ch. 2009-180, § 4, Laws of Fla. (significantly amending the relocation process set out in section 61.13001). These legislative changes necessitated significant revisions to the proposed rule and forms. In fact, after the 2009 legislative session, the Committee advised the Court that the three relocation forms it had initially proposed were rendered unnecessary by the amendments to the statute. The Committee also later advised the Court that its position was that a rule addressing relocation was no longer necessary because the statute adequately set forth the

relocation process, and to propose a rule would serve only as a restatement of the statute. The Workgroup continued to revise the proposed relocation forms in order to have them conform with the 2008 and 2009 legislative changes and has now submitted to the Court eleven new relocation forms for consideration.

AMENDMENTS

The Court now has for consideration (1) the Committee's proposed new forms 12.951(a) (Petition to Disestablish Paternity and/or Terminate Child Support Obligation) and 12.951(b) (Order Disestablishing Paternity and/or Terminating Child Support Obligation); (2) new rule 12.635 (addressing relocation), as previously proposed by the Committee, and the alternative version of this rule proposed on the Court's own motion; and (3) eleven new relocation forms proposed by the Workgroup.

Disestablishment of Paternity Forms

Section 742.18, Florida Statutes (2009), permits a man who is not the biological father of a child to petition to disestablish paternity and terminate a child support obligation. Among other things, the statute sets forth the required content of a petition to disestablish paternity and specific factual findings which must be made by the court in granting such a petition. See § 742.18(1) - (2), Fla. Stat. (2009). The proposed new forms, providing a petition and order for use in these proceedings, are consistent with the relevant legislation, and no comments were

filed with regard to them. Accordingly, new forms 12.951(a) (Petition to Disestablish Paternity and/or Terminate Child Support Obligation) and 12.951(b) (Order Disestablishing Paternity and/or Terminating Child Support Obligation) are adopted as Florida Supreme Court Approved Family Law Forms.

Relocation Rule

As discussed above, the Committee, working with the Family Law Section of The Florida Bar, previously proposed new rule 12.635 (Relocation of Minor Child), but that proposal was based upon the prior version of section 61.13001 that set forth different requirements. The Court's own proposed rule 12.635 was also based upon the prior version of the statute. As noted, the Committee now recommends that no rule of procedure is necessary, in that section 61.13001, as amended, sufficiently sets forth the relocation procedures, and a rule would only reiterate the statute. We defer to the Committee on this matter and decline to adopt a relocation rule at this time.

Relocation Forms

The eleven new relocation forms submitted by the Workgroup are adopted as Florida Supreme Court Approved Family Law Forms. The first two forms, form 12.950(a) (Relocation by Agreement) and accompanying form 12.950(b) (Motion for Order Permitting Relocation by Agreement), are designed to implement section 61.13001(2), Florida Statutes (2009). In accordance with this section, the forms

elicit information regarding consent to the relocation, access and time-sharing for the nonrelocating parent or other person entitled to such, and any post-relocation transportation arrangements.

Forms 12.950(c) (Petition for Dissolution of Marriage with Dependent or Minor Children and Relocation) and 12.950(d) (Supplemental Petition to Permit Relocation with Minor Children) are intended to be used when the relocation process is initiated by a petition in accordance with section 61.13001(3), Florida Statutes (2009). Specifically, form 12.950(c) is to be used when relocation is to occur during a dissolution proceeding.

The next six forms, 12.950(e) (Motion for Temporary Order Granting Relocation), 12.950(f) (Temporary Order Granting/Denying Relocation), 12.950(g) (Motion for Civil Contempt and/or Return of Children), 12.950(h) (Order on Motion for Civil Contempt and/or Return of Children), 12.950(i) (Final Judgment/Supplemental Final Judgment Granting Relocation), and 12.950(j) (Final Judgment/Supplemental Final Judgment Denying Relocation), are intended to address issues which may arise during the course of relocation proceedings and to provide orders necessary to the proceedings.

Finally, form 12.995(c) (Relocation/Long Distance Parenting Plan) is designed for use as an alternative to the two existing Court-approved parenting plan forms, forms 12.995(a) and (b), when either relocation or geographic distance

between the parents of the minor children has a bearing on the issues of parental responsibility and time-sharing.

CONCLUSION

Accordingly, the Florida Family Law Rules of Procedure and the Florida Supreme Court Approved Family Law Forms are hereby amended as reflected in the appendix to this opinion. In the rules, new language is underscored; deletions are struck through. The new forms are fully engrossed and ready for use. The amendments and new forms shall become effective immediately upon the release of this opinion. Additionally, because the new relocation forms, in their revised form, have not yet been published for comment, interested persons shall have sixty days from the date of this opinion in which to file comments, as to those forms only, with the Court.³

It is so ordered.

CANADY, C.J., and PARIENTE, LEWIS, QUINCE, POLSTON, LABARGA, and PERRY, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

3. An original and nine paper copies of all comments must be filed with the Court on or before November 29, 2010, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. Electronic copies of all comments also must be filed in accordance with the Court's administrative order in In re Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004).

Original Proceeding – The Florida Family Law Rules Committee

Steven Patrick Combs, Chair, Family Law Rules Committee, Jacksonville, Florida, and John F. Harkness, Jr., Executive Director, The Florida Bar, Tallahassee, Florida,

for Complainant

Jeffrey A. Weissman of Gladstone and Weissman, P.A., Fort Lauderdale, Florida, and Allyson Hughes, P.A., New Port Richey, Florida; and Ronald L. Bornstein of Hodgson Russ, LLP, Boca Raton, Florida, and Scott L. Rubin of Fogel Rubin and Fogel, Miami, Florida,

Responding with comments

APPENDIX

RULE 12.280. GENERAL PROVISIONS GOVERNING DISCOVERY

Florida Rule of Civil Procedure 1.280 shall govern general provisions concerning discovery in family law matters with the following exceptions:

(a)- (b) [No change]

(c) Documents Considered Confidential. A determination as to the confidentiality of a court record shall be made in accordance with Florida Rule of Judicial Administration ~~2.051~~2.420.

(d) Sealing of Records. Records found to be confidential under Florida Rule of Judicial Administration ~~2.051~~2.420 shall be sealed on request of a party.

Commentary
[No change]

RULE 12.650. OVERRIDE OF FAMILY VIOLENCE INDICATOR

(a)-(i) [No change]

Commentary

This rule implements the requirements of 42 U.S.C. § 653, providing for a state court to override a family violence indicator on a record at the Federal Parent Locator Service. It does not apply to any other proceeding involving family violence or any other court records. The limitations on access to the Federal Parent Locator Service and this override process are governed by federal law.

Proceedings under this rule would arise when an authorized person has attempted to obtain information from the Federal Parent Locator Service but has been notified that the information cannot be released because of a family violence indicator. For example, a petitioner may be a noncustodial parent who has attempted to serve the custodial parent in an action to enforce visitation but was unable to effect service of process on the custodial parent. The court may have authorized access to the Federal Parent Locator Service in order to locate the custodial parent for purposes of service of process. If the report from the Federal Parent Locator Service indicates that the information cannot be released because of a family violence indicator, the noncustodial parent would be authorized to petition the court pursuant to this rule to override the family violence indicator.

The purpose of these proceedings is to determine whether to release location information from the Federal Parent Locator Service notwithstanding the family violence indicator. The court must determine whether release of the location information to the petitioner would be harmful to the respondent. If the court determines that release of the location information would not be harmful, the information may be released to the petitioner. If the respondent agrees to designate a third party for service of process, the court may deny the request for location information. In these circumstances, the designation of a third party for service of process is procedural only and does not provide a separate basis for jurisdiction over the respondent.

The court must use care to ensure that information from the Federal Parent Locator Service or other location information in the court record is not inadvertently released to the petitioner, thus defeating any interest of the respondent in maintaining nondisclosure.

The name of the state that placed the family violence indicator on the record may assist the petitioner in obtaining access to the respondent. If the name of the state that placed the family violence indicator on the record is supplied from the Federal Parent Locator Service, but an address for the respondent is not provided, the court should not release the name of the state to the petitioner. Disclosure of this information could assist the petitioner in locating the respondent, may place the respondent in danger, and does not give the respondent an opportunity to be heard by the court prior to release of the information.

Because the interest of the respondent is to keep location information from the petitioner, having both the petitioner and respondent appear at a hearing at the same time may also result in the petitioner obtaining location information about the respondent. If a hearing must be held where both the petitioner and respondent are present, the court should use whatever security measures are available to prevent inadvertent disclosure of the respondent's location information.

Each state establishes its own criteria, consistent with federal law, for placing a family violence indicator on a record. Some states require a judicial determination of domestic violence or child abuse before a family violence indicator is placed on a record. The criteria for a family violence indicator in Florida are in section 61.1825, Florida Statutes.

The records in these proceedings are confidential under 42 U.S.C. §§ 653 and 654. Florida Rule of Judicial Administration 2.051 [renumbered as 2.420 in 2006] also exempts from public disclosure any records made confidential by federal law.

Committee Note
[No change]

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED
FAMILY LAW FORM 12.950(a), AGREEMENT FOR RELOCATION
WITH MINOR CHILD(REN) (09/10)**

When should this form be used?

This form should be used when the parents and every other person entitled to access to, visitation, or time-sharing with the minor child(ren) are in agreement and are asking the court to permit the relocation of the child(ren)'s principal residence. "Other Person" means an individual who is not the parent, but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren). This form can be used at any time after either a petition or supplemental petition to relocate has been filed and the parties reach an agreement; OR can be used when the parties are in agreement and there is an existing cause of action, judgment, or decree of record pertaining to the child(ren)'s residence or time-sharing schedule. Either an agreement for relocation or a petition to relocate is required when:

1. You plan to relocate the child(ren)'s residence more than 50 miles from the child(ren)'s principal residence at the time of the last order which established or modified either a Parenting Plan or time-sharing schedule or at the time of filing of the pending action.
2. The court has not already entered an order granting permission to relocate.
3. The relocation will be for a period of 60 consecutive days or more, not including any absence for purposes of vacation, education, or health care for the child(ren).
4. Your order or final judgment defining custody, primary residence, the Parenting Plan, or time-sharing was entered before October 1, 2009 and the order does not expressly govern the relocation of the child(ren); or was entered on or after October 1, 2009, or your case was pending on October 1, 2009.
5. If the visitation or time-sharing schedule will change due to the relocation, a Parenting Plan with a time-sharing schedule must be included with the Agreement. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

This form should be typed or printed in black ink. **You must fill in all sections of the form.** If you are an "other person" entitled to access, visitation, or time-sharing with the child(ren), substitute your name for Mother or Father in the form and "parties" for "parents." After completing the form, you should sign the form before a **notary public** or **deputy clerk**.

What should I do next?

For your case to proceed, you must properly notify the court by filing the original of the Agreement and a **Motion for Order Permitting Relocation by Agreement**, Florida Supreme Court Approved Family Law Form, 12.950 (b), with the clerk of the circuit court of one of the following: the circuit court which has jurisdiction in accordance with the Uniform Child Custody Jurisdiction and Enforcement Act; the circuit court in the county in which either parent and the child(ren) reside; or the circuit court in which the original action was adjudicated. If the order was entered in another state, or if the child(ren) live(s) in another state, you should speak with an **attorney** about where to file this form. You should file the original with the **clerk of the circuit court** and keep a copy for your records.

If the issue of the child(ren)'s physical residence is already before the court in an ongoing proceeding or through a judgment issued by the court, the court may enter an order adopting the Agreement without holding a hearing once both parties have signed it and neither has requested a hearing. When a hearing is not timely requested, the court shall presume that relocation is in the best interest of the child(ren) and may adopt the Agreement without holding a hearing.

If one or more of the parties to the Agreement timely requests a hearing in writing within 10 days after the date the Agreement is filed with the court, then you must notify the other party(ies) 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. The court will then enter an order after the hearing.

Where can I look for more information?

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

If your case involves a modification of any provision relating to child support, you should also check with the clerk of the circuit court in the county in which you are filing this Agreement for Relocation to determine if any other forms must be filed.

If the parties agree to a modification of child support, the following forms should be filed with this Agreement:

- A Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e),
- A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d).

Special notes...

Instructions for Florida Supreme Court Approved Family Law Form 12.950(a), Agreement for Relocation with Minor Child(ren) (09/10)

The Agreement for Relocation with Minor Children must contain a **Parenting Plan** with a **time-sharing schedule**. At a minimum, the Parenting Plan must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The time-sharing schedule that specifies the time that the minor child(ren) will spend with each parent and every other person entitled to access or time-sharing,
- A designation of who will be responsible for any and all forms of health care, school-related matters, including the address to be used for school-boundary determination and registration, and any other activities,
- The methods and technologies that the parents will use to communicate with the child(ren), and
- Any transportation arrangements related to access or time-sharing.

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parties, including the parties' historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of the family as listed in s. 61.13(3), Florida Statutes.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

The Parenting Plan and time-sharing schedule may be set forth in the body of the Agreement for Relocation with Minor Children or may be attached as a separate document. You may attach a **Relocation/Long-Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c), or similar form.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

Nonlawyer. . . . Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of 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** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

**AGREEMENT FOR RELOCATION WITH MINOR CHILD (REN)
____ INCLUDING OR ____ NOT INCLUDING MODIFICATION OF
CHILD SUPPORT**

I, {full legal name} _____, (Petitioner) and I, {full legal name} _____, (Respondent) being sworn, certify that the following information is true:

1. The parties to this action were granted a final judgment of () dissolution of marriage () paternity on {date} _____. A copy of the final judgment and any modification(s) is/are attached.
2. [If Applicable]. The following other person is an individual who is not a parent, but with whom the child resides pursuant to a court order, or who has the right of access to, time-sharing with, of visitation with the child(ren) _____.
3. Paragraph(s) _____ of the () final judgment or () most recent modification thereof describes the present custody, visitation, or time-sharing schedule.
4. The dependent or minor child(ren) referred to in this Agreement are:

Name(s)	Birth Date(s)
_____	_____
_____	_____
_____	_____
_____	_____

SECTION I. RELOCATION

- A. Since the final judgment or last modification thereof, there has been a substantial change in

circumstances, requiring a modification of the present visitation, Parenting Plan, or time-sharing schedule. Both parties agree and stipulate to the following terms regarding modification to allow the _____ to relocate with the minor child (ren) and modify the terms regarding visitation or time-sharing, with or without a hearing.

B. The following relocation information is true and correct:

1. The location of the intended new residence, including the state, city, and physical address, if known, is: _____

2. The mailing address of the new physical residence, if not the same as the physical address, is: _____.
3. The home telephone number of the intended new residence, if known, is: _____
4. The date of the intended move or proposed relocation is: _____

SECTION II: PARENTAL RESPONSIBILITY AND TIME-SHARING SCHEDULE (Choose only one)

Parental Responsibility and Time-Sharing shall remain the same as previously set out in the () Final Judgment of Dissolution, () Final Judgment of Paternity or subsequent () Other {*title of supplemental order or judgment*} _____ dated _____ and will continue without modification;

OR

The parties shall comply with the Parenting Plan which is attached and incorporated herein as Exhibit _____.

OR

The parties shall comply with the following Parenting Plan and time-sharing schedule:

A. JURISDICTION

The United States is the country of habitual residence of the child(ren).

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

Other: _____.

B. PARENTAL RESPONSIBILITY AND DECISION MAKING

1. Parental Responsibility (Choose only one)

- Shared Parental Responsibility.
It is in the best interests of the child(ren) that the parents confer and **jointly** make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, and other responsibilities unique to this family.

OR

- Shared Parental Responsibility with Decision Making Authority.
It is in the best interests of the child(ren) that the parents confer and attempt to agree on the major decisions involving the child(ren). If the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic decisions	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
Non-emergency health care	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father
_____	<input type="checkbox"/> Mother	<input type="checkbox"/> Father

OR

- Sole Parental Responsibility:
It is in the best interests of the child(ren) that the Mother Father shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) for the parents to share decision making because:

_____.

2. Day-to-Day Decisions

Unless otherwise specified in this Parenting Plan, each parent shall make decisions regarding day-to-day care and control of each child, including the performance of daily tasks, while the child is with that parent. Regardless of the allocation of decision making in the Parenting Plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

3. Extracurricular Activities (Choose all that apply)

- Either parent may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.

- The parents must mutually agree to all extra-curricular activities.
- The costs of the extra-curricular activities shall be paid by:
Mother _____% Father _____%
- The uniforms and equipment required for the extra-curricular activities shall be paid by: Mother _____% Father _____%
- Other: _____ .

C. INFORMATION SHARING. Unless Otherwise Indicated or Ordered by the Court:

1. Unless otherwise prohibited by law, both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.
2. Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.
3. Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).
4. Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.
5. Both parents shall be listed as "emergency contacts" for the child(ren).
6. Each parent has a continuing responsibility to provide a residential and mailing address, and contact telephone number(s) to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.
7. Other: _____

D. SCHEDULING

1. **School Calendar**
If necessary, on or before _____ of each year, both parents should obtain a copy of the school calendar for the next school year. The parents shall discuss the

calendars and the time-sharing schedule so that any differences or questions can be resolved.

The parents shall follow the school calendar of: (Choose **all** that apply)

- the oldest child
- the youngest child
- the school calendar for _____ County
- the school calendar for _____ School

2. Academic Break Definition

When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the first day of regularly scheduled classes after the holiday or break.

3. Schedule Changes (Choose **all** that apply)

- A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than _____ before the change is to occur.
- A parent requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.
- Other _____.

E. TIME-SHARING SCHEDULE

1. Weekday and Weekend Schedule

The following schedule shall apply beginning on _____ with the
 Mother Father and continue as follows:

The child(ren) shall spend time with the **Mother** on the following dates and times:

WEEKENDS: Every Every Other Other (*specify*): _____

From _____ to _____

WEEKDAYS: Specify days _____

From _____ to _____

OTHER: (Specify) _____

_____.

The child(ren) shall spend time with the **Father** on the following dates and times:

WEEKENDS: Every Every Other Other (*specify*): _____

From _____ to _____

WEEKDAYS: (*Specify days*) _____

From _____ to _____

OTHER: (*specify*) _____

_____.

The child(ren) shall spend time with _____ on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other (*specify*): _____

From _____ to _____

WEEKDAYS: (*Specify days*) _____

From _____ to _____

OTHER: (*specify*) _____

Please indicate below if there is a different time-sharing schedule for any child. Complete a separate Attachment for each child for whom there is a different time-sharing schedule.

[] There is a different time-sharing schedule for the following child(ren) in Attachment ____.

_____, and _____.
(Name of Child) (Name of Child)

2. Holiday Schedule (Choose only one)

[] No holiday time sharing shall apply. The regular time-sharing schedule set forth above shall apply.

[] Holiday time-sharing shall be as the parties agree.

[] Holiday time-sharing shall be in accordance with the following schedule. The holiday schedule will take priority over the regular weekday, weekend, and summer schedules. Fill in the blanks with Mother or Father to indicate where the child(ren) will be for the holidays. Provide the beginning and ending times. If a holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent in accordance with the regular schedule

<u>Holidays</u>	<u>Even Years</u>	<u>Odd Years</u>	<u>Every Year</u>	<u>Begin/End Time</u>
Mother's Day	_____	_____	_____	_____
Father's Day	_____	_____	_____	_____
President's Day	_____	_____	_____	_____
Martin Luther King Day	_____	_____	_____	_____
Easter	_____	_____	_____	_____
Passover	_____	_____	_____	_____
Memorial Day Weekend	_____	_____	_____	_____

4 th of July	_____	_____	_____	_____
Labor Day Weekend	_____	_____	_____	_____
Columbus Day Weekend	_____	_____	_____	_____
Halloween	_____	_____	_____	_____
Thanksgiving	_____	_____	_____	_____
Veteran's Day	_____	_____	_____	_____
Hanukkah	_____	_____	_____	_____
Yom Kippur	_____	_____	_____	_____
Rosh Hashanah	_____	_____	_____	_____
Child(ren)'s Birthdays	_____	_____	_____	_____
_____	_____	_____	_____	_____

3. Winter Break

A. Winter Break (Choose only **one**)

The Mother Father shall have the child(ren) from the day and time school is dismissed until December _____ at _____ a.m./p. m in odd-numbered years even-numbered years every year. The other parent will have the children for the second portion of the Winter Break. The parties shall alternate the arrangement each year.

The Mother Father shall have the child(ren) for the entire Winter Break during odd-numbered years even-numbered years every year.

Other:

 _____.

B. Specific Winter Holidays

If not addressed above, the specific Winter Holidays such as Christmas, New Year's Eve, Hanukkah, Kwanzaa, etc. shall be shared as follows:

 _____.

4. Spring Break (Choose only **one**)

The parents shall follow the regular schedule.

The parents shall alternate the entire Spring Break with the Mother having the child(ren) during the odd-numbered even-numbered years.

The Father Mother shall have the child(ren) for the entire Spring Break every year.

The Spring Break will be evenly divided. The first half of the Spring Break will go to the parent whose regularly scheduled weekend falls on the first half and the second half going to the parent whose weekend falls during the second half.

Other: _____

5. **Summer Break (Choose only one)**

The parents shall follow the regular schedule through the summer.

The Mother Father shall have the entire Summer Break from _____ after school is out until _____ before school starts.

The parents shall equally divide the Summer Break. During odd-numbered years even-numbered years, the Mother Father shall have the child(ren) from _____ after school is out until _____. The other parent shall have the child(ren) for the second half of the summer break. The parents shall alternate the first and second halves of Summer Break each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren) _____.

Other: _____.

6. **Number of Overnights:**

Based upon the time-sharing schedule, the Mother has a total of ____ overnights per year and the Father has a total of ____ overnights per year. **Note: The two numbers must equal 365.**

F. **TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. All necessary information and medicines will accompany the child(ren).

The parties shall exchange travel information and finalize travel plans at least ____ days in advance of the date of travel. Except in cases of emergency, any parent requesting a change of travel plans after the date of finalization shall be solely responsible for any additional costs.

1. **Automobile Transportation and Exchange (Choose only one)**

If a parent is more than ____ minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

- The Mother Father shall provide all transportation.
- The Mother Father shall pick up the child(ren) at the beginning of the visit and the other parent shall pickup the child(ren) at the end of the visit. The exchange shall take place:
 - At the parents' homes unless otherwise agreed
 - At the following location unless the parties agree in advance to a different place _____.
 - The parents shall meet at the following central location: _____.
 - Other: _____.

2. Airplane and Other Public Transportation and Exchange (Choose **all** that apply)

Airline regulations govern the age at which a child may fly unescorted. An older child or children may fly under such regulations as each airline may establish.

Airline reservations should be made well in advance, and preferably non-stop.

All flight information shall be sent to the other party(ies) at least ____ days in advance of the flight by the party purchasing the tickets.

If the child(ren) are flying accompanied by a party, the parent picking up the child(ren) shall exchange the child(ren) with the other parent at _____ and the parent returning the child(ren) shall exchange the child(ren) at _____.

If the exchange is to be made at the airport, the party flying in to pick up or drop off the child(ren) from/to the airport must notify the other party of any flight delays.

Unless otherwise agreed in advance, if the child(ren) are flying unaccompanied, the parent taking the child(ren) to the airport must call the other parent immediately upon departure to notify the other parent that the child(ren) is/are arriving, and the parent who meets the child(ren) must immediately notify the other parent upon the child(ren)'s arrival.

- Until a child reaches the age of _____, the parties agree that the child(ren) shall take a direct flight and/or fly accompanied by _____.
- Once a child reaches the age of ____ the child shall be permitted to fly accompanied by an airline employee.
- Once a child reached the age of ____ the child shall be permitted to fly unescorted.

[] Other: _____.

3. **Costs of Airline and Other Public Transportation** (Choose **all** that apply)

The parents shall work together to purchase the most convenient and least expensive tickets.

Unless otherwise agreed or in the case of an unavoidable emergency, any costs incurred by a missed travel connection shall be the sole responsibility of the parent who failed to timely deliver the child(ren) to the missed connection.

[] Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.

[] The Mother shall pay _____% and the Father shall pay _____% of the transportation costs.

[] The Mother shall pay _____% and the Father shall pay _____% of the transportation costs for an adult to accompany the child(ren) during travel.

[] If the parents are sharing travel costs, the non-purchasing parent shall reimburse the other parent within ____ days of receipt of documentation establishing the travel costs.

[] Other: _____.

4. **Foreign and Out-Of-State Travel** (Choose **all** that apply)

[] Either parent may travel within the United States with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least ____ days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least ____ days prior to traveling.

[] Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least ____ days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip. Each parent agrees to provide whatever documentation is necessary for the other parent to take the child(ren) out of the country.

[] If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child(ren) _____

_____.

Other _____.

5. **Other travel and exchange arrangements:**

G. **EDUCATION**

1. **School designation.** For purposes of school boundary determination and registration, the Mother's Father's address shall be designated.

2. *{If Applicable}* The following provisions are made regarding private or home schooling:

_____.

3. **Other.** _____

_____.

H. **DESIGNATION FOR OTHER LEGAL PURPOSES**

The child(ren) named in this Relocation Agreement are scheduled to reside the majority of the time with the Mother Father. This majority designation is SOLELY for purposes of all other state and federal laws which require such a designation. **This designation does not affect either parent's rights or responsibilities under this Relocation Agreement.**

I. **COMMUNICATION**

1. **Between Parents**

All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.

The parents shall communicate with each other by: (Choose **all** that apply)

in person

by telephone

by letter

by e-mail

Other: _____.

2. **Between Parent and Child(ren)**

Both parents shall keep contact information current. Telephone or other electronic communication between the child(ren) and the other parent shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The child(ren) may have telephone e-mail other electronic communication in the form of _____ with the other parent: (Choose only **one**)

- Anytime
- Every day during the hours of _____ to _____.
- On the following days _____ during the hours of _____ to _____.
- Other: _____.

3. **Costs of Electronic Communication** shall be addressed as follows:

J. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

Temporary changes may be made informally without a written document. When the parents do not agree, the Parenting Plan remains in effect until further order of the court.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

K. DISPUTES OR CONFLICT RESOLUTION

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parents may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

SECTION III: CHILD SUPPORT AND INSURANCE

- A. If the requested modification is granted, the parties:
- agree that child support should be modified, consistent with the modification of the time-sharing schedule
 - agree that child support will NOT be modified.

B. The Mother Father will pay child support, under Florida's child support guidelines, section 61.30, Florida Statutes, to the other parent. The Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is completed and

attached.

This parent shall be obligated to pay child support in the amount of \$ _____, every week other week month, beginning {date} _____ and continuing until : modification by court order; the youngest child turns 18, becomes emancipated, marries, dies, or joins the armed services; or if after the age of 18, until {date} _____. If the child support amount above deviates from the guidelines by 5% or more, explain the reason(s) here:

_____.

C. **Child Support Arrearage.** There currently is a child support arrearage of \$ _____ for retroactive child support and/or \$ _____ for previously ordered unpaid child support. The total of \$ _____ in child support arrearage shall be repaid at the rate of \$ _____ every week other week month, beginning {date} _____, until paid in full including statutory interest.

D. **Health Insurance.** The Mother Father will maintain health insurance for the parties' minor child(ren). The party providing health insurance will provide insurance cards to the other party showing coverage.

OR

Health insurance is not reasonable in cost and accessible to the child(ren) at this time. Any uninsured/ unreimbursed medical costs for the minor child(ren) shall be assessed as follows:

- a. Shared equally by both parents.
- b. Prorated according to the child support guideline percentages.
- c. Other {explain}: _____

As to these uninsured/unreimbursed medical expenses, the party who incurs the expense shall submit a request for reimbursement to the other party within 30 days, and the other party, within 30 days of receipt, shall submit the applicable reimbursement for that expense, according to the schedule of reimbursement set out in this paragraph.

E. **Dental Insurance.** The Mother Father will maintain dental insurance for the parties' minor child(ren). The party providing dental insurance will provide insurance cards to the other party showing coverage.

OR

Dental insurance is not reasonably available at this time. Any uninsured/unreimbursed dental costs for the minor child(ren) shall be assessed as follows:

- a. Shared equally by both parents.
- b. Prorated according to the child support guideline percentages.
- c. Other {explain}: _____

As to these uninsured/unreimbursed dental expenses, the party who incurs the expense shall submit a request for reimbursement to the other party within 30 days, and the other party, within 30 days of receipt, shall submit the applicable reimbursement for that expense, according to the schedule of reimbursement set out in this paragraph.

F. **Life Insurance.** The [] Mother [] Father shall be required to maintain life insurance coverage for the benefit of the parties' minor child(ren) in the amount of \$ _____ until the youngest child turns 18, becomes emancipated, marries, joins the armed services, or dies.

SECTION IV: OTHER

I certify that I have been open and honest in entering into this relocation agreement. I am satisfied with this agreement and intend to be bound by it.

Dated: _____

Signature of Mother

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 deputy clerk.]

____ Personally known

____ Produced identification

____ Type of identification produced _____

I certify that I have been open and honest in entering into this relocation agreement. I am satisfied with this agreement and intend to be bound by it.

Dated: _____

Signature of Father

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 deputy clerk.]

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

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

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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.950(b), MOTION FOR ORDER PERMITTING RELOCATION BY AGREEMENT (09/10)

When should this form be used?

This form should be used when the parents and every other person entitled to access to, visitation, or time-sharing with the minor child(ren) are in agreement and are asking the court to permit the relocation of the child(ren). "Other Person" means an individual who is not the parent, but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren). You may file a Motion for Order Permitting Relocation with Agreement if the following are true:

- One of the parents or a person entitled to access to or time-sharing with the children wishes to relocate the child(ren) to a residence more than 50 miles from the child(ren)'s principal place of residence at the time of the last order establishing or modifying time-sharing or at time of filing of the pending action.
- There is an existing cause of action, judgment, or decree of record pertaining to the child(ren)'s residence or time sharing schedule.
- The parents and every other person entitled to access to or time-sharing with the children have signed a written agreement, **Agreement for Relocation with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form, 12.950(a), or similar form which:
 1. Reflects the consent to the relocation;
 2. Defines an access or time-sharing schedule for the non-relocating parent and any other persons who are entitled to access or time-sharing; and
 3. Describes, if necessary, any transportation arrangements related to access or time-sharing.
- Your order regarding custody, primary residence, the parenting plan, time-sharing, or access to or with the child(ren) was entered before October 1, 2009 and the order does not expressly govern the relocation of the child(ren); was entered on or after October 1, 2009; or your case was pending on October 1, 2009.

This form should be typed or printed in black ink. **You must fill in all sections of the form.** If you are an "other person" entitled to access, visitation, or time-sharing with the child(ren), substitute your name for Mother or Father in the form. After completing the form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the form in the county where the original order or judgment was entered. If the order or judgment was entered in another state, or if the child(ren) live(s) in another state, you should speak with an **attorney** about where to file this form.

What should I do next?

After completing this form, you should file the original with the **clerk of the circuit court** where there is an existing cause of action, judgment, or decree of record pertaining to the child(ren)'s residence or Instructions for Motion for Order Permitting Relocation by Agreement, Florida Supreme Court Approved Family Law Form 12.950(b) (09/10)

time-sharing schedule and keep a copy for your records. The original Agreement for Relocation with Minor Child(ren) should be attached to Motion or filed with the clerk of the circuit court at the same time.

If both parties agree, the court may ratify the Agreement without the necessity of an evidentiary hearing. You should check with the clerk, family law intake staff, or judicial assistant for the proper way to submit the Motion and a proposed **Final Judgment/Supplemental Final Judgment Granting Relocation**, Florida Supreme Court Approved Family Law Form 12.950(i), to the judge. If one or more of the parties to the Agreement timely requests a hearing in writing within 10 days after the date the Agreement is filed with the court, then you must notify the other party(ies) 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. The court will then enter an order after hearing. If a hearing is not timely requested, the court shall presume that relocation is in the best interest of the child(ren) and may ratify the Agreement without an evidentiary hearing.

Where can I look for more information?

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

If your case involved a modification of any provision relating to child support, you should also check with the clerk of the circuit court in the county in which you are filing the Motion for Order Permitting Relocation with Minor Child(ren) and Agreement for Relocation with Minor Child(ren) to determine if any other forms must be filed.

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

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

MOTION FOR ORDER PERMITTING RELOCATION WITH AGREEMENT

We, {full legal name} _____, Father, {full legal name} _____, Mother, and/or {full legal name} Other Person entitled to Access or Time-Sharing with child(ren), _____, being sworn, certify that the following information is true:
[fill in **all** blanks]

1. We are asking the Court to permit relocation of the minor child(ren) to a residence at least 50 miles from the child(ren)'s principal place of residence at the time of entry of the last order establishing or modifying time-sharing, or at the time of filing of the pending action.
2. There is an existing cause of action, judgment, decree of record pertaining the child(ren)'s residence or time-sharing schedule.

3. **WE CONSENT TO THE RELOCATION OF THE MINOR CHILD(REN)** to the following address:
_____.

4. The dependent or minor child(ren) is (are):

Name(s)	Birth Date(s)
_____	_____
_____	_____
_____	_____
_____	_____

5. **Agreement.** A written **Agreement for Relocation with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.950(a) or similar form, is filed with this motion which reflects consent to the relocation; defines an access or time-sharing schedule for the nonrelocating parent and any other persons who are entitled to access or time-sharing; and describes, if necessary, any transportation arrangements related to access or time-sharing.

6. The specific reasons for the proposed relocation of the child(ren) are: _____

Attach additional sheets if necessary.

7. This modification is in the best interests of the child(ren) because: *{explain}* _____

8. **Hearing.** We seek ratification of the agreement by court order:

[Choose only **one**]

With hearing

Without hearing

9. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this Agreement.

10. If not previously filed in this case, a completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this Agreement.

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

Dated: _____

Signature of 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 deputy clerk.]

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

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

Dated: _____

Signature of RESPONDENT

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 deputy clerk.]

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

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

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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.950(c), PETITION FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN) AND RELOCATION (09/10)

When should this form be used?

This form should be used when a husband or wife is filing for **dissolution of marriage**, there are dependent or minor children and pursuant to Section 61.13001, Florida Statutes:

1. You plan to relocate your residence more than 50 miles from the principal place of residence you have at the time of filing this petition; and
2. The change of location is for at least 60 consecutive days, not including a temporary absence from your principal place of residence for purposes of vacation, education or the provision of health care for the minor child(ren).

You and/or your **spouse** must have lived in Florida for at least 6 months before filing for dissolution of marriage in Florida.

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

What should I do next?

For your case to proceed, you must properly notify your spouse and every other person entitled to access or time-sharing with the child(ren) of the petition. "Other Person" means an individual who is not the parent but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren). If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**. You may also be able to use constructive service if your spouse or the other person resides in another state or country. However, if constructive service is used, other than granting a divorce, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). If your spouse is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

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

Instructions for Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)

DEFAULT. If after 20 days, your spouse has not filed an answer, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a **final hearing**. You must notify your spouse 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.

UNCONTESTED. If your spouse files an answer that agrees with everything in your petition or an answer and waiver, **and** you have complied with mandatory disclosure and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify your spouse 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 your spouse files an answer or an answer and counterpetition, which disagrees with or denies anything in your petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. 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). If your spouse files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

Where can I look for more information?

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

Special notes...

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

If you want to keep your address confidential because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking that child support be ordered in the final judgment. (If you do not know your

Instructions for Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)

spouse's income, you may file this worksheet after his or her financial affidavit has been served on you.)

- **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i) OR photocopy of current Florida driver's license, Florida identification card, or voter's registration card (issue date of copied document must be at least six months before date case is actually filed with the clerk of the circuit court).
- **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1), if you and your spouse have reached an agreement on any or all of the issues.
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed with the petition if the petitioner seeks to establish child support. Otherwise, it must be filed within 45 days of service of the petition on the respondent.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the petition on the respondent, if not filed at the time of the petition, unless you and your spouse have agreed not to exchange these documents.)
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), Safety-Focused Parenting Plan, Form 12.995(b), or Relocation/Long-Distance Parenting Plan, Form 12.995(c). If the parents have reached an agreement, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan may be filed.

Updating Information. A parent or other person seeking to relocate has a continuing duty to provide current and updated information required by the relocation statute when that information becomes known.

Parenting Plan and Time-Sharing. If you and your spouse are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide for you as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing based on the child(ren)'s best interests. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is (are) being served. For more information, you may consult section 61.13, Florida Statutes.

A **parenting course** must be completed prior to entry of the final judgment. You should contact the clerk, family law intake staff, or judicial assistant about requirements for parenting courses where you live.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

Instructions for Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)

- Shared Parental Responsibility
- Sole Parental Responsibility
- Supervised Time-Sharing
- No contact
- Parenting Plan
- Parenting Plan Recommendation
- Time-Sharing Schedule

Child Support. The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You must file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and your spouse will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid using the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

Alimony. Alimony may be awarded to a spouse if the judge finds that he or she needs it and that the other spouse has the ability to pay it. **If you want alimony, you must request it in writing in the original petition or counterpetition. If you do not request alimony in writing before the final hearing, it is waived (you may not request it later).** You may request either permanent alimony, lump sum alimony, or rehabilitative alimony.

Marital/Nonmarital Assets and Liabilities. Florida law requires an **equitable distribution** of marital assets and marital liabilities. "Equitable" does not necessarily mean "equal." Many factors, including child support, time-sharing, and alimony awards, may lead the court to make an unequal (but still equitable) distribution of assets and liabilities. Nonmarital assets and nonmarital liabilities are those assets and liabilities which the parties agree or the court determines belong to, or are the responsibility of, only one of the parties. If the parties agree or the court finds an asset or liability to be nonmarital, the judge will not consider it when distributing marital assets and liabilities.

Temporary Relief. If you need temporary relief regarding temporary use of assets, temporary responsibility for liabilities, parental responsibility, relocation and time-sharing with child(ren), temporary child support, or temporary alimony, you may file a **Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(a) and a **Motion for Temporary Relocation**, Florida Supreme Court Approved Family Law Form 12.950(e). For more information, see the instructions for those forms.

Marital Settlement Agreement. If you and your spouse are able to reach an agreement on any or all of the issues, you should file a **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1). Both of you must follow the **Instructions for Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)**

sign this agreement before a **notary public** or **deputy clerk**. Any issues on which you are unable to agree will be considered **contested** and settled by the judge at the final hearing.

Parenting Plan. In all cases involving minor or dependent child(ren), a Parenting Plan shall be approved or established by the court. As you are seeking to relocate, the Parenting Plan must include a post-relocation schedule for access and time-sharing together with the necessary transportation arrangements. If you and your spouse have reached an agreement, you should file a **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), a **Safety-Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b), or a **Relocation/Long-Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c), which addresses the time-sharing schedule for the child(ren). If you have not reached an agreement, a proposed Parenting Plan may be filed. If the parties are unable to agree, a **Parenting Plan will be established by the court.**

Final Judgment Form. These family law forms contain a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.990(c)(1), which the judge may use if your case is contested. If you and your spouse reach an agreement on all of the issues, the judge may use a **Final Judgment of Dissolution of Marriage with Dependent or Minor Child(ren) (Uncontested)**, Florida Supreme Court Approved Family Law Form 12.990(b)(1). You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring a final judgment with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

**PETITION FOR DISSOLUTION OF MARRIAGE
WITH DEPENDENT OR MINOR CHILD(REN) AND RELOCATION**

I, {full legal name} _____, the
[Choose only **one**] () Husband () Wife, being sworn, certify that the following statements are true:

1. JURISDICTION/RESIDENCE
() Husband () Wife () Both Spouses has/have lived in Florida for at least six (6) months before the filing of this Petition for Dissolution of Marriage.
2. The husband [Choose only **one**] () is () is not a member of the military service.
The wife [Choose only **one**] () is () is not a member of the military service.
3. MARRIAGE HISTORY
Date of marriage: {month, day, year} _____.
Date of separation: {month, day, year} _____ (Please indicate if approximate).
4. DEPENDENT OR MINOR CHILD(REN)
[Choose **all** that apply]
 - a. ___ The wife is pregnant. Baby is due on: {date} _____
 - b. ___ The minor (under 18) child(ren) common to both parties are:

Name(s)	Birth Date(s)
_____	_____
_____	_____
_____	_____
_____	_____

c. ___ The minor child(ren) born or conceived during the marriage who are **not** common to both parties are:

Name(s)

Birth Date(s)

The birth father(s) of the above minor child(ren) is/are *{name(s) and address(es)}* _____

d. ___ The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability are:

Name(s)

Birth Date(s)

5. A completed **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c) [Choose only **one**] ___ has been filed or ___ will be filed.
6. A completed **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this petition. (You **must** complete and attach this form in a dissolution of marriage with minor child(ren)).
7. A completed **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
8. This petition for dissolution of marriage should be granted because:
[Choose only **one**]
 - a. ___ The marriage is irretrievably broken.
 - b. ___ One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this petition. A copy of the Judgment of Incapacity is attached to this Petition.

SECTION I. MARITAL ASSETS AND LIABILITIES

[Choose only **one**]

1. ___ There are no marital assets or liabilities.
2. ___ There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.
[Choose **all** that apply]
 - a. ___ All marital assets and liabilities have been divided by a written agreement between the parties, which is attached, to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(f)(1)).

- b. ___ The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- c. ___ Petitioner should be awarded an interest in Respondent's property because:

SECTION II. SPOUSAL SUPPORT (ALIMONY)

[Choose only **one**]

- 1. ___ Petitioner forever gives up his/her right to spousal support (alimony) from Respondent.
- 2. ___ Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting **and Respondent has the ability to pay that support**. Spousal support (alimony) is requested in the amount of \$_____ every () week () other week () month, beginning {date}_____ and continuing until {date or event}_____.

Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent, rehabilitative, and/or lump sum): _____

{Indicate if applicable} () Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

SECTION III. RELOCATION

- 1. The ___ Mother ___ Father seeks to relocate his/her residence to a place more than 50 miles from his/her place of residence at the time of filing of the Petition. The change of location is for a period of at least consecutive 60 days not including a temporary absence from the principal residence for purposes of vacation, education, or the provision of health care for the child(ren).
- 2. { if applicable} The following other person is an individual who is not a parent but with whom the child resides pursuant to a court order, or who has the right of access to, time-sharing with, or visitation with the child(ren)_____.
- 3. Pursuant to Section 61.13001(3), Florida Statutes, the following information is provided:
 - a. The location of the intended new residence, including the state, city, and physical address, if known, is:

b. The mailing address of the new physical residence, if not the same as the physical address, is:

c. The home telephone number of the intended new residence, if known, is:

d. The date of the intended move or proposed relocation is:

e. The specific reasons for the proposed relocation are:

Attach additional sheets, if necessary.

f. One of the reasons for the proposed relocation is a job offer. [Choose only **one**]

() Yes () No. The job offer is in writing. [Choose only **one**] () Yes () No. A copy of the written job offer is attached to this Petition.

4. The relocation and time-sharing have been agreed to by the parties. [Choose only **one**] () Yes () No. If yes, attach a copy of the Agreement for Relocation to the Petition.

Failure to obtain an Order prior to the relocation renders the petition to relocate legally insufficient.

SECTION IV. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor child(ren) currently reside(s) with () Mother () Father () Other Person: *{explain}*

2. Parental Responsibility.

It is in the child(ren)'s best interests that parental responsibility be: [Choose only **one**]

a. ___ shared by both Father and Mother.

b. ___ awarded solely to () Father () Mother. Shared parental responsibility would be detrimental to the child(ren) because: _____

3. Parenting Plan and Time-Sharing.

It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that () includes () does not include parental time-sharing with the child(ren). The Petitioner states that it is in the best interests of the child (ren) that:

(Choose only one)

a. ___ The attached proposed Parenting Plan should be adopted by the court. The parties () have () have **not** agreed to the Parenting Plan.

b. ___ The court should establish a Parenting Plan with the following provisions:

- ___ No time-sharing for the ___ Father ___ Mother.
- ___ Limited time-sharing with the ___ Father ___ Mother.
- ___ Supervised Time-Sharing for the ___ Father ___ Mother.
- ___ Supervised or third-party exchange of the child(ren).
- ___ Time-Sharing Schedule as follows:

4. The proposed post-relocation transportation arrangements are as follows: _____

5. Explain why the relocation time-sharing schedule is in the best interests of the child(ren): _____

SECTION V. CHILD SUPPORT

[Choose **all** that apply]

1. ___ Petitioner requests that the Court award child support as determined by Florida’s child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. Such support should be ordered retroactive to:

- a. ___ the date of separation {date} _____
- b. ___ the date of the filing of this petition.
- c. ___ other {date} _____ {explain} _____

2. ___ Petitioner requests that the Court award child support to be paid beyond the age of 18 years because:

a. ___ the following child(ren) {name(s)} _____ is (are) dependent because of a mental or physical incapacity which began before the age of 18. {explain} _____

b. ___ the following child(ren) {name(s)} _____ is (are) dependent in fact and is (are) in high school while he/she (they) are between the ages of 18 and 19; said child(ren) is (are) performing in good faith with reasonable expectation of graduation before the age of 19.

3. ___ Petitioner requests that the Court award a child support amount that is more than or less than Florida’s child support guidelines. Petitioner understands that Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, **must** be filed before the court will consider this request.

4. ___ Petitioner requests that medical/dental insurance for the minor child(ren) be provided by:

[Choose only **one**]

Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)

- a. ___ Father.
 - b. ___ Mother.
5. ___ Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid:
 [Choose only **one**]
- a. ___ by Father.
 - b. ___ by Mother.
 - c. ___ by Father and Mother [each pay one-half].
 - d. ___ according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
 - e. ___ Other *{explain}*: _____

6. Petitioner requests that life insurance to secure child support be provided by:
- a. ___ Father.
 - b. ___ Mother.
 - c. ___ Both.

SECTION VI. OTHER

1. If Petitioner is also the Wife, please indicate by either () Yes or () No whether Petitioner/Wife wants to be known by her former name, which was *{full legal name}*_____.
2. Other relief *{specify}*:

SECTION VII. PETITIONER’S REQUEST (This section summarizes what you are asking the Court to include in the final judgment of dissolution of marriage.)

Petitioner requests that the Court enter an order dissolving the marriage **and**:
 [Choose **all** that apply]

- 1. ___ distribute marital assets and liabilities as requested in Section I of this petition;
- 2. ___ award spousal support (alimony) as requested in Section II of this petition;
- 3. ___ adopt or establish a Parenting Plan containing provisions for parental responsibility and time-sharing for the dependent or minor child(ren) common to both parties, as requested in Section IV of this petition;
- 4. ___ permit relocation in accordance with Section III of this petition;
- 5. ___ establish child support for the dependent or minor child(ren) common to both parties, as requested in Section V of this petition;
- 6. ___ restore Wife’s former name as requested in Section VI of this petition;
- 7. ___ award other relief as requested in Section VI of this petition; and any other terms the Court deems necessary.

A RESPONSE TO THE PETITION OBJECTING TO THE RELOCATION MUST BE MADE IN WRITING, FILED WITH THE COURT, AND SERVED ON THE SPOUSE SEEKING TO RELOCATE WITHIN 20 DAYS AFTER SERVICE OF THIS PETITION TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

The Response is in the form of an Answer and it must be sworn to under oath and must include the specific factual basis supporting the reasons for objecting to the relocation, including a statement of the amount of participation or involvement you currently have or have had in the life of the child(ren).

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: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

Florida Supreme Court Approved Family Law Form 12.950(c), Petition for Dissolution of Marriage with Dependent or Minor Child(ren) and Relocation (09/10)

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.950(d), SUPPLEMENTAL PETITION TO PERMIT RELOCATION WITH MINOR CHILD(REN) (09/10)

When should this form be used?

This form should be used when you are asking the court to permit the relocation of the principal residence of the petitioner if:

1. You plan to relocate your residence more than 50 miles from your principal residence at the time of entry of the last order which established or modified primary residence, custody, visitation, or time-sharing;
2. The court has not entered an order granting permission to relocate.
3. The relocation will be for a period of 60 consecutive days or more, not including any absence for purposes of vacation, education, or health care for the child(ren).
4. Your order regarding custody, primary residence, visitation, time-sharing or parenting plan was entered before October 1, 2009 and the order does not expressly govern the relocation of the child(ren); was entered on or after October 1, 2006; or your case was pending on October 1, 2009.

This form should be typed or printed in black ink. **You must fill in all sections of the form.** After completing the form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** this form in the county where the original order was entered. If the order was entered in another state, or if the child(ren) live(s) in another state, you should speak with an **attorney** about where to file this form. You should file the original with the **clerk of the circuit court** and keep a copy for your records.

What should I do next?

For your case to proceed, you must properly notify the other parent and every other person entitled to, access, time-sharing, or visitation with the child(ren) in your case of the **supplemental petition**. "Other Person" means an individual who is not the parent but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren). If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**. You may also be able to use constructive service if the other party resides in another state or country. However, if constructive service is used, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). If the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved

Instructions for Florida Supreme Court Approved Family Law Form 12.950(d), Supplemental Petition to Permit Relocation with Child(ren) (09/10)

Family Law Form 12.912(a). The law regarding constructive service and service on an individual in the military service is very complex. If you have any questions about service, you may wish to consult an attorney regarding these issues.

If personal service is used, the other party has 20 days to **answer** after being served with your supplemental petition. Your case will then generally proceed in one of the following three 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. Then, if you have filed all of the required papers, you may call the clerk, **family law intake staff**, or **judicial assistant** to set a **final hearing**. You must notify the other party 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.

UNCONTESTED... If the **respondent** files either an answer that agrees with everything in your supplemental petition or an answer and waiver, **and** you have complied with **mandatory disclosure** and filed all of the required papers, you may call the clerk, family law intake staff, or judicial assistant to set a final hearing. You must notify the other party 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 the respondent files either an answer or an answer and **counterpetition**, which disagrees with or denies anything in your supplemental petition, **and** you are unable to settle the disputed issues, you should file a **Notice for Trial**, Florida Supreme Court Approved Family Law Form 12.924, after you have complied with mandatory disclosure and filed all of the required papers. Some circuits may require the completion of **mediation** before a final hearing may be set. Then you should contact the clerk, family law intake staff, or judicial assistant for instructions on how to set your case for **trial** (final hearing). If the respondent files an answer and counterpetition, you should answer the counterpetition within 20 days using an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d).

Where can I look for more information?

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

Special notes...

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

If there is a domestic violence case and you want to keep your address confidential for safety

Instructions for Florida Supreme Court Approved Family Law Form 12.950(d), Supplemental Petition to Permit Relocation with Child(ren) (09/10)

reasons, do not enter the address, telephone number, and fax information at the bottom of this form. Instead, file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).

With this form, you must also file the following:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party's income, you may file this worksheet after his or her financial affidavit has been served on you.)
- **Agreement for Relocation**, if you have reached an agreement on any or all of the issues attach the proposed Agreement For Relocation with Minor Child(ren). Florida Supreme Court Approved Family Law 12.950(a). Both parties must sign this agreement before a **notary public**. Any issues on which you are unable to agree will be considered **contested** and settled by the judge at the final hearing.
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), if not previously filed.
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of **service** of the supplemental petition on the respondent, if not filed at the time of the supplemental petition, unless you and the other party have agreed not to exchange these documents.)

Updating Information. A parent or other person seeking to relocate has a continuing duty to provide current and updated information required by the relocation statute when that information becomes known.

Parenting and Time-Sharing... If you and the other parent and every other person entitled to access to or time-sharing with the child(ren) are unable to agree on the parenting arrangements and a time-sharing schedule, a judge will decide for you as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and a time-sharing schedule based upon the child(ren)'s best interests. Regardless of whether there is an agreement, the court reserves jurisdiction to modify issues relating to the minor child(ren).

Failure to obtain an Order prior to relocation renders the supplemental petition to relocate legally insufficient.

The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) is (are) being served. For more information, you may consult section 61.13, Florida Statutes.

If one has not already been completed, the court may require the completion of a **parenting course** before a final hearing is set. You should contact the clerk, family law intake staff, or judicial assistant about requirements for parenting courses or mediation where you live.

Instructions for Florida Supreme Court Approved Family Law Form 12.950(d), Supplemental Petition to Permit Relocation with Child(ren) (09/10)

Child Support... The court may order one parent to pay child support to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You must file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and the other parent will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid using the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

Temporary Relief... If you need temporary relief regarding relocation of the minor child(ren), complete paragraph eleven contained in the Supplemental Petition To Permit Relocation of Minor Child(ren).

Final Judgment Form... These family law forms contain a **Final Judgment/Supplemental Final Judgment Permitting Relocation**, Florida Supreme Court Approved Family Law Form 12.950(i), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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

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

Case No: _____

Division: _____

_____,
Petitioner,

And

_____,
Respondent.

SUPPLEMENTAL PETITION TO PERMIT RELOCATION WITH MINOR CHILD(REN)

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

1. The parties to this action were granted a final judgment of () dissolution of marriage () paternity on *{date}* _____. A copy of the final judgment and any modification(s) is/are attached to this supplemental petition.
2. *{If applicable}* The following other person is an individual who is not a parent but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with, or visitation with the child(ren) _____.
3. Paragraph(s) _____ of the () final judgment or () most recent modification thereof describes the present custody, visitation, and/or time-sharing ordered.
4. The parties _____ have _____ have not reached an agreement on relocation. If yes, a copy of the agreement is attached to this supplemental petition.

5. The parties' dependent or minor child(ren) is (are):

Name

Birth Date

Name	Birth Date
_____	_____
_____	_____
_____	_____
_____	_____

6. Since the final judgment or last modification thereof, there has been a substantial change in circumstances, requiring a modification of the present visitation or time-sharing schedule because I seek to relocate my principal residence at least 50 miles from my principal residence. Pursuant to Section 61.13001(3), Florida Statutes, the following information is provided:

a. The location of the intended new residence, including the state, city, and physical address, (if known), is: _____

b. The mailing address of the new physical residence, if not the same as the physical address, is: _____

c. The home telephone number of the intended new residence, (if known), is: _____

d. The date of the intended move or proposed relocation is: _____

7. The specific reasons for the proposed relocation are: _____

Attach additional sheets if necessary.

8. One of the reasons for the proposed relocation is a job offer. [Choose only **one**] () Yes () No. The job offer is in writing. [Choose only **one**] () Yes () No. A copy of the written job offer is attached to this supplemental petition.

9. I ask the Court to modify access and time-sharing as follows:

10. This modification is in the best interests of the child(ren) because: *{explain}* _____

11. If the requested modification is granted, Petitioner requests that child support be modified, consistent with the modification of visitation or time-sharing. A Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. [Choose only **one**] () Yes () No.

12. I am requesting a temporary relief hearing to permit relocation prior to the final hearing. [Choose only **one**] () Yes () No. If yes, explain why you cannot wait for a final hearing date.

Failure to obtain an Order prior to relocation renders the supplemental petition to relocate legally insufficient.

13. A completed **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.

14. A completed **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this petition.

15. If not previously filed in this case, a completed **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.

16. Other: _____

A RESPONSE TO THE SUPPLEMENTAL PETITION OBJECTING TO RELOCATION MUST BE MADE IN WRITING, FILED WITH THE COURT, AND SERVED ON THE PARENT OR OTHER PERSON SEEKING TO RELOCATE WITHIN 20 DAYS AFTER SERVICE OF THIS SUPPLEMENTAL PETITION TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.

A response is in the form of an Answer and it must be sworn to under oath and must include the specific factual basis supporting the reasons for objecting to the relocation, including a statement of the amount of participation or involvement you currently have or have had in the life of the child(ren).

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: _____
Telephone Number: _____
Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.950(e), MOTION FOR TEMPORARY ORDER GRANTING RELOCATION (09/10)

When should this form be used?

This form should be used when you have filed a Petition or Supplemental Petition to permit relocation of a child or children, or you are seeking relocation in a pending action. You should use this form to ask the court to permit a temporary relocation of the child(ren)'s principal residence, temporary modification of visitation or time-sharing, temporary modification of child support, and other relief before the court has had an opportunity to make a permanent decision on the question of relocation.

This form should be typed or printed in black ink. **You must fill in all sections of the form.** After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the Petition or Supplemental Petition for Modification to Permit Relocation with Minor Child(ren) was filed and keep a copy for your records.

What should I do next?

A copy of this form, along with all of the other forms required with this motion, must be mailed or hand delivered to the other party in your case. When you have filed all of the required forms, you are ready to set a **hearing** on your motion. You should check with the clerk, **family law intake staff**, or **judicial assistant** for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should notify the other party using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

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. Words in "**bold underline**" in these instructions are defined there. For further information, see chapter 61, Florida Statutes.

Special notes...

If the temporary relocation of the child(ren) is approved, the court may require you to provide reasonable security, financial or otherwise, and guarantee that the court-ordered contact with the child(ren) will not be interrupted or interfered with by you.

If the relocation is not permitted and the child(ren) is/are relocated nevertheless, there could be serious consequences affecting the person violating the court order, including his or her parental responsibility and time-sharing or access with the child(ren)

With this form you must also file the following, **if not already filed**:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (This must be filed within 45 days if not filed at the time of the petition.)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking for a temporary modification of child support. (If you do not know the other party's income, you may file this worksheet as soon as a copy of his or her financial affidavit has been served on you.)

Temporary Order... These family law forms contain a **Temporary Order Granting/Denying Relocation**, Florida Supreme Court Approved Family Law Form 12.950(f) which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing.

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

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

MOTION FOR TEMPORARY ORDER GRANTING RELOCATION

The () Petitioner () Respondent requests that the Court enter a temporary order permitting relocation of the minor child(ren).

1. I have filed a Petition or a Supplemental Petition to Permit Relocation to the following:
 - a. The location of the intended new residence, including the state, city, and physical address, if known, is _____

 - b. The new principal residence is more than 50 miles from my principal place of residence at the time of the entry of the last order establishing or modifying time-sharing, or at the time of filing the pending action to establish or modify time-sharing. The change of location is at least 50 miles from that residence and is for at least 60 consecutive days.
 - c. The mailing address of the new physical residence, if not the same as the physical address, is:

_____.
 - d. The home telephone number of the intended new residence, if known, is _____
_____.
 - e. The date of the intended move or proposed relocation is: _____.

2. The dependent or minor child(ren) is (are):

Name	Birth Date
_____	_____
_____	_____
_____	_____

3. A petition or supplemental petition to relocate has been filed with the court and was served on the
() Petitioner () Respondent () Other Person {name} _____ entitled to access or time-sharing with the child(ren) on _____.

() A response objecting to the Relocation was filed OR () the time for filing a response has not passed as of the filing of this Motion.

4. The specific reasons for the proposed temporary relocation of the child(ren) are:

Attach additional sheets if necessary.

5. One of the reasons for the proposed temporary relocation is a job offer.
[Choose **one** only] () Yes () No.
The job offer is in writing. [Choose one only] () Yes () No.
If yes, a copy of the written job offer is attached to this Motion.

6. I am requesting a temporary relief hearing to permit relocation and cannot wait for the final hearing because

7. The temporary relocation is in the best interests of the child(ren) because: {explain}

8. I ask the Court to temporarily establish or modify visitation or the time-sharing schedule as follows: {explain}

9. () Yes () No. I ask the Court to temporarily modify child support, consistent with the modification of visitation or the time-sharing schedule. A Child Support Guidelines Worksheet, Florida Supreme Court Approved Family Law Form 12.950(e), Motion for Temporary Order Granting Relocation (09/10)

Florida Family Law Rules of Procedure Form 12.902(e),() is, or () will be filed.

10. **Other Relief.**

{specify} _____

11. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this motion or has already been filed with the Court.

12. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is filed with this motion or has already been filed with the Court.

13. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this motion or has already been filed with the Court.

14. I request that the Court hold a hearing on this matter and grant the relief specifically requested and any other relief this Court may deem just and proper.

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

Other party or his/her attorney:

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

Date

Signature of Party or his/her attorney
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} _____,

Florida Supreme Court Approved Family Law Form 12.950(e), Motion for Temporary Order Granting Relocation (09/10)

a nonlawyer, whose address is *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____, who
is the petitioner, fill out this form.

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

Case No: _____
Division: _____

Petitioner,
and

Respondent.

TEMPORARY ORDER GRANTING/ DENYING RELOCATION

The cause came before this Court for a hearing on a Motion for Temporary Order Permitting Relocation. The Court, having reviewed the file and heard the testimony, makes these findings of fact and ORDERS as follows:

SECTION I: FINDINGS

1. The Court has jurisdiction over the subject matter and the parties.
2. The last order establishing or modifying parental responsibility, visitation, or time-sharing was entered on *{date}* _____.
3. The parties' dependent or minor child(ren) is/are:

Name	Birth Date
_____	_____
_____	_____
_____	_____
_____	_____
4. The () Petitioner () Respondent has filed a Motion for Temporary Order Permitting Relocation to *{address of intended new residence}* _____.
5. The new location is more than 50 miles from the principal place of residence at the time of the entry of the last order establishing or modifying the parenting plan or time-sharing schedule, or at the time of filing of the pending action, and the relocation is for a period of at least 60 consecutive days.
6. The other parent or person who is entitled to access, visitation, or time-sharing:
___ has filed an Answer agreeing with the relocation;
___ has filed an Answer objecting to the relocation;
___ has failed to file a timely Answer.

SECTION II: GRANTING OF TEMPORARY ORDER PERMITTING RELOCATION

[Please choose **all** that apply]

- 1. The Motion for Temporary Order Permitting Relocation is **GRANTED** as the Court finds: The petition to relocate was properly filed and is otherwise in compliance with the requirements of Section 61.13001(3), Florida Statutes;

AND

From an examination of the evidence presented at the preliminary hearing, there is a likelihood that at a final hearing the court will approve the relocation of the child, based upon the factors set forth in Section 61.13001(7), Florida Statutes.

Facts in support of finding: _____

- 2. **Security:** The Temporary Order Permitting Relocation **IS** **IS NOT** conditioned upon the

() Petitioner () Respondent providing reasonable security by:

[If security is required, please indicate all that apply]

a. Posting bond in the amount of \$ _____ with the clerk of this Court;

b. Providing _____

c. Guaranteeing that the court-ordered contact with the child(ren) will not be interrupted or interfered with by the relocating party by

- 3. **Time-Sharing.** To ensure that the child(ren) has/have frequent, continuing, and meaningful contact, access, and time-sharing, the nonrelocating parent or person entitled to access shall have: (Please choose only **one**)

a. **reasonable time-sharing** with the parties' minor child(ren) after reasonable notice and as agreed to by the parties. The Court reserves jurisdiction to set a specific schedule;

b. the following **specified time-sharing** with the parties' minor child(ren): _____

_____;

c. **time-sharing** in accordance with the temporary **Parenting Plan** attached as Exhibit and incorporated herein.

4. ___ **No Contact**. The () Petitioner () Respondent and/or () Other Person entitled to access or time-sharing shall have **no contact** with the parties' minor child(ren) until further court order, as such contact is detrimental to the welfare of the minor child(ren). *{Explain}*:

5. ___ **Communication** via telephone, Internet, web-cam, etc. with the parties' minor child(ren) subject to the following limitations *{if any}*

6. ___ **Exchange of Minor Child(ren)**. The exchange of the minor child(ren) shall be on time as scheduled by the parties. The following conditions, if checked below, shall also apply.

a. ___ The parties shall temporarily exchange the child(ren) at the following location(s):

b. ___ Other conditions for exchange of the child(ren) are as follows:

7. ___ **Costs of Transportation**

a. ___ The Petitioner shall pay ___% and the Respondent shall pay ___% of the post-relocation transportation costs.

b. ___ Other

8. ___ The Court finds that based upon the Temporary Order Granting Relocation, the () Petitioner's () Respondent's child support obligation should be temporarily modified in consideration of the costs of transportation and the respective net incomes of the parents.

[Please choose only **one**]

.....a. ___ The amounts in the attached Child Support Guidelines Worksheet, Florida Family Law Rules Procedure Form 12.902(e), filed by the () Petitioner () Respondent are correct.

OR

b. ___ The Court makes the following findings:

The Petitioner's net monthly income is \$_____.

The Respondent's net monthly income is \$_____.

Monthly child care costs are \$_____.

Monthly health/dental insurance costs are \$_____
Transportation costs are \$_____.

9. **Amount.** The Obligor's child support obligation shall be temporarily modified to \$_____ per month payable () in accordance with Obligor's payroll cycle, and in any event, at least once a month () *{explain}* _____, commencing *{date}* _____ and continuing until further court order.

SECTION III: DENIAL OF TEMPORARY ORDER PERMITTING RELOCATION

[Please choose **all** that apply]

1. The Motion for Temporary Order Permitting Relocation is **DENIED** because
- a. The petition to relocate does not comply with subsection (3) of Section 61.13001, Florida Statutes;
 - b. The child(ren) has/have already been relocated without a written agreement of the parties or without court approval;
 - c. From an examination of the evidence presented at the preliminary hearing, there is a likelihood that upon final hearing, relocation of the child(ren) would not be approved.
Facts in support of finding: _____

_____.

2. **Temporary Injunction Prohibiting Relocation of Child(ren)**
The Court hereby temporarily prohibits and enjoins the () Petitioner () Respondent from relocating and removing the child(ren) from the jurisdiction of this Court during the pendency of this proceeding, or until further order of this Court.
The Court may enforce compliance with this restraining order through civil and/or indirect criminal contempt proceedings, which may include arrest, incarceration, and/or the imposition of a fine.

3. **Immediate Return of Child(ren)**
The () Petitioner () Respondent has failed to comply with the relocation procedures set forth in Section 61.13001, Florida Statutes, and has relocated the child(ren) in violation of that section. The () Petitioner () Respondent **shall immediately return the child(ren)** to the jurisdiction of this Court.
Failure to immediately return the child(ren) shall subject the non-complying party to contempt and other proceedings to compel return of the child(ren) and may be taken into account in any initial or post judgment action seeking a determination or modification of the parenting plan or time-sharing schedule.

SECTION IV: OTHER

1. Other Provisions:

-
-
2. The Court reserves jurisdiction to modify and enforce this Temporary Order regarding relocation.
 3. Unless specifically modified by this Temporary Order, the provisions of all final judgments or orders remain in effect.
 4. No weight shall be given to the decision to grant or deny the temporary relocation as a factor in reaching a final decision.

DONE AND ORDERED at _____, Florida, on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his/her attorney)

Respondent (or his/her attorney)

Central Governmental Depository

Other: _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.950(g), MOTION FOR CIVIL CONTEMPT AND/OR RETURN OF CHILD(REN) (09/10)

When should this form be used?

You may use this form to ask the court to enforce a prior court **order, final judgment** or to request the return of a child(ren) who has been relocated in violation of Section 61.13001, Florida Statutes .

What should I do next?

To initiate a civil contempt/enforcement proceeding against a **party** who has relocated with a child contrary to the requirements of a prior court order, or is otherwise not complying with a prior court order concerning relocation, or in the event there has been a relocation in violation of Section 61.13001, Florida Statutes, you must file a **motion** with the court explaining what the party has failed to do. This form should be typed or printed in black ink. After completing this form, you should sign it before a **notary public** or **deputy clerk**. You should then **file** the original with the **clerk of the circuit court** in the county where your case was filed and keep a copy for your records.

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

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

At the hearing, as in other civil proceedings, you, as the party seeking contempt or return of children, will have the burden of proof. The other party will have an opportunity to put on defenses, if any apply. If the judge finds the other party to be in willful contempt or in violation of Section 61.13001, Florida

Statutes, the judge may order appropriate sanctions to compel compliance or return of the child(ren) by the other party, including jail, payment of attorneys' fees, suit money, court costs, coercive or compensatory fines, and may order any other relief permitted by law.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. See also section 61.14, Florida Statutes and rule 12.615, Florida Family Law Rules of Procedure.

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

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

MOTION FOR CIVIL CONTEMPT AND/OR RETURN OF CHILD(REN)

() Petitioner () Respondent requests that the Court enter an order of civil contempt and/or an order for return of child(ren) against () Petitioner () Respondent because he/she has relocated with the parties' minor child(ren) or has taken other action with respect to relocation.

I. NONCOMPLIANCE OR VIOLATION

A. The other part in this case has willfully failed to comply with the: (Choose only **one**)
___ **Court order or judgment** entered on {date}_____, by {court, city, and state}_____.
___ Please indicate here if the judgment or order is not from this Court and attach a copy of the judgment or order to this motion.

___ **Written Agreement** of the parties.

___ **Relocation procedures** of Section 61.13001,Florida Statutes.

B. This order, judgment, agreement, or statute, required the other party in this case to do or not do the following: {Explain what the other party was ordered to do or not do} _____

___ Please indicate here if additional pages are attached.

C. The other party in this case has willfully failed to comply with this order or judgment of the court , a written agreement, or the requirements of Section 61.13001,Florida Statutes: {Explain what the other party has or has not done}. _____

___ Please indicate here if additional pages are attached.

II. REQUEST FOR RELIEF OR SANCTION

A. ___ There **is** a prior court order or judgment and I respectfully request that the court issue an order holding the above-named person in civil contempt, if appropriate, and/or providing the following relief: [Choose **all** that apply]

- 1. ___ ordering the immediate return of the minor child(ren);
- 2. ___ granting a temporary order restraining the relocation of minor child(ren);
- 3. ___ enforcing or compelling compliance with the prior order or judgment;
- 4. ___ requiring the other party to pay costs and fees in connection with this motion;
- 5. ___ if the other party is found to be in civil contempt, ordering a compensatory fine;
- 6. ___ if the other party is found to be in civil contempt, ordering a coercive fine;
- 7. ___ if the other party is found to be in civil contempt, ordering incarceration of the other party after setting an appropriate purge;
- 8. ___ issuing a writ of bodily attachment as appropriate;
- 9. ___ awarding make-up time-sharing with minor child(ren) as follows *{explain}*

- 10. ___ awarding attorneys fees; and/or
- 11. ___ awarding other relief, including sanctions , *{explain}*: _____

OR

B. ___ There **is no** prior court order; however, the above-named person has violated the requirements of Section 61.13001, Florida Statutes, and I respectfully request that the court issue an order providing the following relief:

- 1. ___ ordering the immediate return of the minor child(ren);
- 2. ___ granting a temporary order restraining the relocation of the minor child(ren);
- 3. ___ enforcing or compelling compliance with Section 61.13001, Florida Statutes;
- 4. ___ requiring the other party to pay costs and fees in connection with this motion;
- 5. ___ awarding make-up time-sharing with minor child(ren) as follows *{explain}*: _____

- 6. ___ awarding attorneys' fees; and/or
- 7. ___ awarding other relief, including sanctions, *{explain}*: _____

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

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

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

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

Case No: _____

Division: _____

Petitioner,

And

Respondent.

**ORDER ON MOTION FOR CIVIL CONTEMPT FOR
RELOCATION AND/OR RETURN OF CHILD(REN)**

A Motion was filed by () Petitioner () Respondent for Civil Contempt for Improper Relocation and/or Return of the Minor Child(ren), and the Court finding as follows:

1. ___ () Petitioner () Respondent has relocated with the parties' minor child(ren) more than 50 miles from the child(ren)'s principal place of residence at the time of the entry of the last order establishing or modifying the parenting plan or time-sharing schedule and the relocation places the child(ren) more than 50 miles away from either parent or other person entitled to access, time-sharing or visitation;
 - a. ___ Contrary to a court order or judgment entered on {date} _____, by this Court;
 - b. ___ Contrary to a court order or judgment entered on {date} _____, by {court, city, and state} _____

The order of the Court required the other party in this case to do or not do the following:

- c. ___ Contrary to the relocation procedures set forth in Section 61.13001, Florida Statutes.
2. ___ The () Petitioner () Respondent has willfully failed to comply either with the order of the Court or with the requirements of Section 61.13001, Florida Statutes as follows:

Based upon the above findings it is ORDERED AND ADJUDGED as follows:

- A. ___ The Motion for Civil Contempt for Relocation/Return of Child is hereby **GRANTED.**

- (1) ___ () Petitioner () Respondent is hereby ordered to immediately return the minor child(ren) to the jurisdiction of this Court.
- (2) ___ () Petitioner () Respondent is hereby temporarily restrained from relocating with the minor child(ren), pending further order of this Court.
- (3) ___ This Court shall issue a Writ of Bodily Attachment against the () Petitioner () Respondent at the hearing on the Motion for Contempt.
- (4) ___ The () Petitioner () Respondent may purge himself/herself of the Contempt by immediately returning the minor child(ren) to the jurisdiction of this Court.
- (5) ___ The () Petitioner () Respondent shall be awarded makeup time-sharing with the minor child(ren) as follows:

- (6) ___ The following additional relief, including sanctions, is granted:

OR

B. ___ The Motion For Civil Contempt For Relocation And/Or Return Of Child(ren) is hereby **DENIED**.

C. ___ **Attorney's Fees, Costs and Suit Money**

- (1) ___ () Petitioner's () Respondent's request(s) for attorney fees, costs, and suit money is/are denied because _____

OR

- (2) ___ The Court finds there is a need for and an ability to pay attorney's fees, costs, and suit money. () Petitioner () Respondent is hereby ordered to pay to the other party \$_____ in attorney's fees, and \$_____ in costs. The Court further finds that the attorney's fees awarded are based on the reasonable rate of \$_____ per hour and _____ reasonable hours. Other provisions relating to attorney fees, costs, and suit money are as follows: _____

_____.

DONE AND ORDERED at _____, Florida, on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his or her attorney)

Respondent (or his or her attorney)

Other Person (or his or her attorney)

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

Case No: _____
Division: _____

_____,
Petitioner,
And
_____,
Respondent.

FINAL JUDGMENT/SUPPLEMENTAL FINAL JUDGMENT GRANTING RELOCATION

This cause came before this Court on a Petition/Supplemental Petition to relocate filed by (name) _____ the _____ of the child(ren). The Court makes these findings of fact and ORDERS as follows:

SECTION I. FINDINGS

1. The Court has jurisdiction over the subject matter and the parties.
2. The last judgment or order establishing or modifying parental responsibility, custody, visitation, or time-sharing (if any) was entered on (date)_____.
3. ____ {If Applicable} A prior order or judgment in this cause expressly governs the issue of relocation of the child(ren).

4. The parties' dependent or minor child(ren) is (are):

Name(s)	Birth Date(s)
_____	_____
_____	_____
_____	_____
_____	_____

5. The () Petitioner () Respondent () Other Person entitled to access or time-sharing {name} _____ has filed a petition to relocate to {location/or address} _____, a location more than 50 miles from his/her principal place of residence at the time of entry of the last order establishing or modifying time-sharing, or at the time of filing of the pending action to establish or modify time-sharing. The relocation is for a period of at least 60 consecutive days.

6. This judgment/supplemental judgment was entered: (Choose only one)
___ **After** a Hearing;
___ **Without** an evidentiary hearing due to the () written agreement of the parties

() other party's failure to respond.

SECTION II. GRANTING REQUEST TO RELOCATE

The Court finds that the relocation IS **GRANTED** based upon:

[Choose only **one**]

- 1. ___ **No response.** The other parent or person entitled to access to or time-sharing with the child(ren) failed to timely file a response objecting to the petition to relocate. The Court finds that the relocation is in the best interests of the child(ren) based upon the undisputed pleadings. The access or time-sharing schedule and post-relocation transportation arrangements contained within the petition are adopted by the Court.
- 2. ___ **Agreement.** The parents or other person entitled to time-sharing with the child(ren) agree to the relocation and have signed a written agreement which consents to the relocation; defines the access or time-sharing schedule for the parents or any other persons entitled to access and time-sharing, and describes, if necessary, any post-relocation transportation arrangements relating to access or time-sharing. The Court finds that the relocation is in the best interests of the child(ren) based upon the pleadings and the Agreement.

A copy of this Agreement is attached as Exhibit _____.

- 3. ___ **Evidentiary Hearing.** The Court finds that the relocation is in the best interests of the child(ren) based upon the evidence presented at the evidentiary hearing. The Court has evaluated each of the factors enumerated in Section 61.13001(7), Florida Statutes, and **FINDS:**

SECTION III. PARENTAL RESPONSIBILITY AND TIME-SHARING

[Choose only **one**]

- 1. ___ **Time-Sharing.** The () Petitioner () Respondent () Other Person entitled to access or time-sharing shall have frequent, continuing, and meaningful contact, access, and time-sharing in accordance with:
(Choose only **one**)
 - a. ___ the **Agreement for Relocation** attached as Exhibit _____ and incorporated herein.
 - b. ___ the **Parenting Plan** attached as Exhibit _____ and incorporated herein.
 - c. ___ the following **specified time-sharing schedule:**

2. ___ **No Contact.** The () Petitioner () Respondent () Other Person entitled to access, visitation, or time-sharing shall have no contact with parties minor child(ren) until further order of the Court, as such contact is detrimental to the welfare of the minor child(ren).

{Explain} _____

_____.

SECTION IV: MODIFICATION OF CHILD SUPPORT

[Choose **all** that apply]

1. ___ The Court finds that based upon the relocation, the () Petitioner's () Respondent's child support obligation should be modified in consideration of the costs of transportation and the respective net incomes of the parents.

[Choose only **one**]

- a. ___ The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the () Petitioner () Respondent are correct and are adopted by the Court.

OR

- b. ___ The Court makes the following findings:
The Petitioner's net monthly income is \$_____. The Respondent's net monthly income is \$_____. Monthly child care costs are \$_____. Monthly health/dental insurance costs are \$_____. Transportation costs are \$_____.

2. ___ **Amount.** The Obligor's child support obligation shall be modified to \$_____ per month payable in accordance with the Obligor's payroll cycle, and in any event, at least once a month {explain}_____, commencing on:{date} _____ and continuing thereafter until further court order.

SECTION V. OTHER

1. ___ **Other Provisions** _____

_____.

2. ___ The Court reserves jurisdiction to address all issues of time-sharing and parental responsibility, as well as to enforce or modify the provisions of this Judgment.

3. ___ Unless specifically modified herein, the provisions of all prior judgments or orders remain in effect.

DONE AND ORDERED at _____, Florida, on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his/her attorney)

Respondent (or his/her attorney)

Other Person (or his/her attorney)

State Disbursement Unit

Other: _____

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

Case No: _____
Division: _____

Petitioner,

And

Respondent.

FINAL JUDGMENT/SUPPLEMENTAL FINAL JUDGMENT DENYING RELOCATION

This cause came before this Court on a Petition/Supplemental Petition to relocate filed by {name} _____ the _____ of the child(ren). The Court makes these findings of fact and ORDERS as follows:

SECTION I. FINDINGS

1. The Court has jurisdiction over the subject matter and the parties.
2. The last judgment or order establishing or modifying parental responsibility, custody, visitation, or time-sharing (if any) was entered on {date} _____.
3. _____ {If Applicable} A prior order or judgment in this cause expressly governs the issue of relocation of the child(ren).

4. The parties' dependent or minor child(ren) is (are):

Name

Birth Date

Name	Birth Date
_____	_____
_____	_____
_____	_____
_____	_____

5. The () Petitioner () Respondent () Other Person entitled to access or time-sharing: {name} _____ has filed a petition to relocate to: {location and/or address} _____, a location more than 50 miles from his/her principal place of residence at the time of entry of the last order establishing or modifying time-sharing, or at the time of filing of the pending action to establish or modify time-sharing. The relocation is for a period of more than 60 consecutive days.

The Court has evaluated each of the factors enumerated in Section 61.13001(7), Florida Statutes, and on the evidence presented, it is adjudged:

SECTION II. DENIAL OF REQUEST TO RELOCATE

The request to relocate is **DENIED** because:

1. ___ The Petition is legally insufficient as it fails to include a proposed revised post-relocation schedule for access and time-sharing that includes the necessary arrangements to effectuate time-sharing with the child(ren).

OR

2. ___ The requested relocation is not in the best interests of the child(ren).

Facts in support of finding:

3. ___ **Order Requiring Return of Child(ren) if Parent and Child(ren) have Temporarily Relocated.** The () Petitioner () Respondent () Other Person entitled to access to or time-sharing with the child(ren) shall **immediately return** the child(ren) to the jurisdiction of this Court. Failure to immediately return the child(ren) shall subject the non-complying party to contempt or other proceedings deemed necessary to compel return of the child(ren).

SECTION III. OTHER

1. ___ Other Provisions:

2. ___ This Court reserves jurisdiction to address all issues of time-sharing and parental responsibility, as well as to enforce or modify the provisions of this Judgment.
3. ___ Unless specifically modified herein, the provisions of all prior judgments or orders remain in effect.

DONE AND ORDERED at _____, Florida on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his/her attorney)
Respondent (or his/her attorney)
Other Person (or his/her attorney)
State Disbursement Unit

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.951(a), PETITION TO DISESTABLISH PATERNITY AND/OR TERMINATE CHILD SUPPORT OBLIGATION (09/10)

When should this form be used?

This form should be used by a man who wishes to disestablish paternity or terminate a child support obligation because he is not the biological father of the child(ren). The petition must be **filed**

- in the circuit court having jurisdiction over the child support obligation; or
- if the child support was determined administratively and has not been ratified by a court, in the circuit court in which the mother or legal guardian or custodian of the child(ren) resides; or
- if the mother or legal guardian or custodian no longer resides in the state, in the circuit court in the county in which the petitioner resides.

This form should be typed or printed in black ink. After completing the form, you should sign the form before a **notary public** or **deputy clerk**.

A copy of any judgment or order regarding paternity or child support and a copy of any scientific test results showing that you cannot be the father of the child(ren) must be attached to the petition and filed with the court.

What should I do next?

The petition must be served on the mother or legal guardian or custodian of the child(ren). If the child support obligation was determined administratively and has not been ratified by a court, the petition must also be served on the Department of Revenue.

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 Section 742.18, 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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

PETITION TO DISESTABLISH PATERNITY AND/OR TERMINATE CHILD SUPPORT OBLIGATION

I, *{full legal name}* _____, certify that the following information is true.

1. **Paternity.** My paternity of the child(ren), *{name(s) and birth date(s)}* _____
_____ was established by

[Choose only **one**]

- ___ operation of law because I was married to the child(ren)'s mother.
- ___ adjudication of paternity, entered by *{court}* _____ on *{date}* _____.
- ___ acknowledgment of paternity executed on *{date}* _____.
- ___ other: *{specify}* _____

A copy of any judgment is attached.

2. **Child support.** My child support obligation for the child(ren), *{name(s) and birth date(s)}*, _____ was established by

[Choose only **one**]

- ___ a final judgment of dissolution of marriage, entered by *{court}* _____ on *{date}* _____.
- ___ an administrative proceeding to establish child support in *{location}* _____ on *{date}* _____.
- ___ a paternity proceeding in *{court}* _____ on *{date}* _____.
- ___ other *{specify}* _____

A copy of any judgment is attached.

3. **Newly discovered evidence.** Newly discovered evidence concerning the paternity of this/these child(ren) has come to my knowledge since the initial paternity determination or establishment of the child support obligation. {*Explain*} _____

4. **Scientific tests.**

_____ The results of scientific tests that are generally acceptable within the scientific community to show a probability of paternity, administered within 90 days prior to the filing of this petition, indicate that I cannot be the father of the child(ren) for whom support is required. A copy of the test results is attached.

_____ I did not have access to the child(ren) to have scientific testing performed before the filing of this petition and I request that the court order the child(ren) to be tested.

5. **Fulfillment of child support obligation.**

[Choose only **one**]

_____ I am current on all child support payments for the child(ren) for whom relief is sought.

_____ I have substantially complied with my child support obligation for the child(ren) and any delinquency in my child support obligation for the child(ren) arose from my inability for just cause to pay the delinquent child support when the delinquent child support became due.

I ask the court to enter an order to:

[Choose **all** that apply]

_____ disestablish my paternity to {*name(s) of child(ren)*} _____

_____ terminate my obligation to pay child support for {*name(s) of child(ren)*} _____

_____ other: _____

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

Respondent or his/her attorney:

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

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

Dated: _____

Signature of 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 deputy clerk.]

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

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

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

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

ORDER DISESTABLISHING PATERNITY AND/OR TERMINATING CHILD SUPPORT OBLIGATION

This cause came before the court on *{date}* _____ on *{full legal name}* _____'s petition to [Choose **all** that apply]

___ disestablish paternity to *{child(ren)'s names and birth date(s)}* _____

___ terminate a child support obligation for *{child(ren)'s names and birth date(s)}* _____

The court having been fully advised in the premises FINDS all of the following:

1. Newly discovered evidence relating to the paternity of the child(ren) has come to the petitioner's knowledge since the initial () paternity determination () establishment of a child support obligation.
2. Scientific tests that are generally acceptable within the scientific community to show a probability of paternity showing that the petitioner cannot be the father of the children were properly conducted.
3. The petitioner
[Choose only **one**]
___ is current on all child support payments for the child(ren).
___ has substantially complied with his child support obligation for the applicable child(ren) and any delinquency in his child support obligation arose from his inability for just cause to pay the delinquent child support when it became due.
4. The petitioner has not adopted the child.
5. The child(ren) was/were not conceived by artificial insemination while the petitioner and

the child(ren)'s mother were married.

- 6. The petitioner did not act to prevent the biological father of the child(ren) from asserting his paternal rights with respect to the child(ren).
- 7. The child(ren) was/were younger than 18 years of age when the petition was filed.
- 8. Since learning that he is not the biological father of the child(ren), the petitioner has not
 - a. married the mother of the child(ren) while known as the reputed father in accordance with section 742.091, Florida Statutes, and voluntarily assumed the parental obligation and duty to pay child support;
 - b. acknowledged paternity in a sworn statement;
 - c. consented to be named as the child(ren)'s biological father on the child(ren)'s birth certificate(s);
 - d. voluntarily promised in writing to support the child(ren) and was required to support the child(ren) based on that promise;
 - e. received written notice from any state agency or any court directing him to submit to scientific testing which he disregarded; or
 - f. signed a voluntary acknowledgment of paternity as provided by section 742.10(4), Florida Statutes.

It is therefore ORDERED AND ADJUDGED:

[Choose **all** that apply]

- ___ Petitioner's, {name} _____ paternity of {name(s) of child(ren)} _____ is disestablished.
- ___ Petitioner's, {name} _____ child support obligation to {name(s) of child(ren)} _____ is terminated.

ORDERED ON _____

CIRCUIT JUDGE

- COPIES TO:
- Petitioner
 - Respondent
 - Department of Revenue
 - Department of Health, Office of Vital Statistics
 - Court depositor/State Disbursement Unit
 - Other _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(c), RELOCATION/LONG DISTANCE PARENTING PLAN (09/10)

When should this form be used?

A **Parenting Plan** is required in all cases involving **time-sharing** with minor child(ren), even when time-sharing is not in dispute. The Parenting Plan must be developed and agreed to by the parents and every other person entitled to access or time-sharing with the child(ren) and approved by the court. "Other Person" means an individual who is not the parent, but with whom the child resides pursuant to court order, or who has the right of access to, time-sharing with or visitation with the child(ren). If the parties cannot agree to a Parenting Plan or if the parents agreed to a Plan that is not approved by the court, a Parenting Plan will be established by the court with or without the use of Parenting Plan Recommendations.

This form or a similar form should be used in the development of a Parenting Plan when you are planning to relocate your or the child(ren)'s principal residence more than 50 miles from the principal place of residence:

- at the time of the last order either establishing or modifying time-sharing, or
- at the time of filing the pending action to either establish or modify time-sharing

This form should be typed or printed in black ink. If an agreement has been reached, **both** parties must sign the Parenting Plan and have their signatures witnessed by a **notary public** or **deputy clerk**. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records. You should then refer to the instructions for your petition, **answer**, or answer and **counterpetition** concerning the procedures for setting a hearing or **trial (final hearing)**. If an agreed Parenting Plan is not filed by the parties, the Court shall establish a Plan.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. The words that are in "**bold underline**" in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and the instructions for the petition and/or answer that were filed in this case.

Special notes...

At a minimum, the **Relocation/Long Distance Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),

- The **time-sharing schedule** that specifies the time that the minor child(ren) will spend with each parent and every other person entitled to access or time-sharing,
- A designation of who will be responsible for any and all forms of health care, school-related matters, including the address to be used for school-boundary determination and registration, other activities,
- The methods and technologies that the parties will use to communicate with the child(ren), and
- Any transportation arrangements related to access or time-sharing.

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parties, including the parties' historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of the family as listed in section 61.13(3), Florida Statutes, including, but not limited to:

- The demonstrated capacity and disposition of each party to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
- The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
- The demonstrated capacity and disposition of each party to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
- The length of time the child(ren) has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
- The geographic viability of the parenting plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either party with a child(ren);
- The moral fitness of the parties;
- The mental and physical health of the parties;
- The home, school, and community record of the child(ren);
- The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
- The demonstrated knowledge, capacity, and disposition of each party to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
- The demonstrated capacity and disposition of each party to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
- The demonstrated capacity of each party to communicate with and keep the other part(y)ies informed of issues and activities regarding the minor child(ren), and the willingness of each party to adopt a unified front on all major issues when dealing with the child(ren);
- Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought. If the court accepts evidence of prior or pending actions regarding domestic violence, sexual violence,

child abuse, child abandonment, or child neglect, the court must specifically acknowledge in writing that such evidence was considered when evaluating the best interests of the child(ren);

- Evidence that any party has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
- The particular parenting tasks customarily performed by each party and the division of parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
- The demonstrated capacity and disposition of each party to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each party to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each party to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or electronic media related to the litigation with the child(ren), and refraining from disparaging comments about any other party to the child(ren); and
- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each party to meet the child(ren)'s developmental needs.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

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

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

Case No: _____
Division: _____

Petitioner,

And

Respondent.

RELOCATION/LONG-DISTANCE PARENTING PLAN

This parenting plan is: (Choose only **one**)

- A Parenting Plan submitted to the court with the agreement of the parties.
- A proposed Parenting Plan submitted by or on behalf of:
*{Name of Parent or Other Person}*_____.
- A Parenting Plan established by the court.

This parenting plan is: (Choose only **one**)

- A final Parenting Plan established by the court.
- A temporary Parenting Plan established by the court.
- A modification of a prior final Parenting Plan or prior final order.

I. PARTIES

Mother

Name: _____
Address: _____
Telephone Number: _____
E-Mail: _____

Father

Name: _____
Address: _____
Telephone Number: _____
E-Mail: _____

Other Person {If Applicable}

Name: _____
Address: _____
Telephone Number: _____
E-mail: _____

II. CHILDREN: This parenting plan is for the following child(ren):

{Add additional lines as needed}

Name(s)	Birth Date(s)
_____	_____
_____	_____
_____	_____
_____	_____

III. JURISDICTION

The United States is the country of habitual residence of the child(ren).

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. Sections 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980, and for all other state and federal laws.

Other: _____.

IV. PARENTAL RESPONSIBILITY AND DECISION MAKING

1. Parental Responsibility (Choose only one)

Shared Parental Responsibility.
 It is in the best interests of the child(ren) that the parties confer and **jointly** make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, and other responsibilities unique to this family.

OR

Shared Parental Responsibility with Decision Making Authority
 It is in the best interests of the child(ren) that the parties confer and attempt to agree on the major decisions involving the child(ren). If the parties are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

- | | | | |
|------------------------------|---------------------------------|---------------------------------|--------------------------------|
| Education/Academic decisions | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Other |
| Person | | | |
| Non-emergency health care | <input type="checkbox"/> Mother | <input type="checkbox"/> Father | <input type="checkbox"/> Other |
| Person | | | |

_____ [] Mother [] Father [] Other
 Person

_____ [] Mother [] Father [] Other
 Person

_____ [] Mother [] Father [] Other
 Person

OR

[] **Sole Parental Responsibility:**
 It is in the best interests of the child(ren) that the [] Mother [] Father [] Other Person shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) for the parties to share decision making.

2. Day-to-Day Decisions

Unless otherwise specified in this plan, each party shall make decisions regarding day-to-day care and control of each child, including the performance of daily tasks, while the child is with that party. Regardless of the allocation of decision making in the Parenting Plan, any party may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that party. A party who makes an emergency decision shall share the decision with the other party as soon as reasonably possible.

3. Extracurricular Activities (Choose all that apply)

- [] Any party may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.
- [] The parties must mutually agree to all extracurricular activities.
- [] The party with the minor child(ren) shall transport the minor child(ren) to and/or from all mutually agreed upon extra-curricular activities, providing all necessary uniforms and equipment within the party's possession.
- [] The costs of the extracurricular activities shall be paid by:
 Mother _____% Father _____%
- [] The uniforms and equipment required for the extracurricular activities shall be paid by:
 Mother _____% Father _____%
- [] Other: _____.

V. INFORMATION SHARING. Unless Otherwise Indicated or Ordered by the Court:

1. Unless otherwise prohibited by law, the parties shall have access to medical and school records, and information pertaining to the child(ren), and shall be permitted to

independently consult with any and all professionals involved with the child(ren). The parties shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that all parties have access to said records.

2. Each party shall be responsible for obtaining records and reports directly from the school and health care providers.
3. The parties have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).
4. The parties shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.
5. The parties shall be listed as "emergency contacts" for the child(ren).
6. Each party has a continuing responsibility to provide a residential and mailing address, and contact telephone number (s) to the other parties. Each party shall notify the other parties in writing within 24 hours of any changes. Each party shall notify the court in writing within seven (7) days of any changes.
7. Other: _____
_____.

VI. SCHEDULING

1. School Calendar

If necessary, on or before _____ of each year, the parties should obtain a copy of the school calendar for the next school year. The parties shall discuss the calendars and the time-sharing schedule so that any differences or questions can be resolved.

The parties shall follow the school calendar of: (Choose **all** that apply)

- the oldest child
- the youngest child
- the school calendar for _____ County
- the school calendar for _____ School

2. Academic Break Definition

When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the first day of regularly scheduled classes after the holiday or break.

3. Schedule Changes (Choose **all** that apply)

- [] A party making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than _____ before the change is to occur.
- [] A party requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.
- [] Other _____.

VII. TIME-SHARING SCHEDULE

1. Weekday and Weekend Schedule

The following schedule shall apply beginning on _____ with the
 [] Mother [] Father [] *{If Applicable}* Other Person and continue as follows:

A. The child(ren) shall spend time with the **Mother** on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____
 From _____ to _____
WEEKDAYS: *{Specify days}* _____
 From _____ to _____
OTHER: *{Specify}* _____

B. The child(ren) shall spend time with the **Father** on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____
 From _____ to _____
WEEKDAYS: *{Specify days}* _____
 From _____ to _____
OTHER: *{Specify}* _____

C. The child(ren) shall spend time with the **Other Person** *{If Applicable}* on the following dates and times:

WEEKENDS: [] Every [] Every Other [] Other *{Specify}* _____
 From _____ to _____
WEEKDAYS: *{Specify Days}* _____
 From _____ to _____
OTHER: *{Specify}* _____

D. **Please indicate if there is a different time sharing schedule for any child. Complete a separate Attachment for each child for whom there is a different time sharing schedule.**

[] There is a different time-sharing schedule for the following child(ren) in Attachment ____.

_____, and _____.
 {Name of Child} {Name of Child}

2. Holiday Schedule (Choose only one)

- [] No holiday time sharing shall apply. The regular time-sharing schedule set forth above shall apply.
- [] Holiday time-sharing shall be as the parties agree.
- [] Holiday time-sharing shall be in accordance with the following schedule. The Holiday schedule will take priority over the regular weekday, weekend, and summer schedules. Fill in the blanks with Mother, Father, or {If Applicable} Other Person to indicate where the child(ren) will be for the holidays. Provide the beginning and ending times. If a holiday is not specified as even, odd, or every year with one party, then the child(ren) will remain with the other party in accordance with the regular schedule

<u>Holidays</u>	<u>Even Years</u>	<u>Odd Years</u>	<u>Every Year</u>	<u>Begin/End Time</u>
Mother's Day	_____	_____	_____	_____
Father's Day	_____	_____	_____	_____
President's Day	_____	_____	_____	_____
Martin Luther King Day	_____	_____	_____	_____
Easter	_____	_____	_____	_____
Passover	_____	_____	_____	_____
Memorial Day Weekend	_____	_____	_____	_____
4 th of July	_____	_____	_____	_____
Labor Day Weekend	_____	_____	_____	_____
Columbus Day Weekend	_____	_____	_____	_____
Halloween	_____	_____	_____	_____
Thanksgiving	_____	_____	_____	_____
Veteran's Day	_____	_____	_____	_____
Hanukkah	_____	_____	_____	_____
Yom Kippur	_____	_____	_____	_____
Rosh Hashanah	_____	_____	_____	_____
Child(ren)'s Birthdays	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

This holiday schedule may affect the regular time-sharing schedule. Parties may wish to specify one or more of the following options:

- [] When the parties are using an alternating weekend plan and the holiday schedule would result in one party having the child(ren) for three weekends in a

row, the parties will exchange the following weekend, so that each has two weekends in a row before the regular alternating weekend pattern resumes.

- If a party has the child(ren) on a weekend immediately before or after an unspecified holiday or non-school day, they shall have the child(ren) for the holiday or non-school day.

3. Winter Break

A. Winter Break (Choose only one)

- The Mother Father *{If Applicable}* Other Person shall have the child(ren) from the day and time school is dismissed until December ____ at ____ a.m./p. m in odd-numbered years even-numbered years every year. The other party will have the child(ren) for the second portion of the Winter Break. The parties shall alternate the arrangement each year.
- The Mother Father *{If Applicable}* Other Person shall have the child(ren) for the entire Winter Break during odd-numbered years even-numbered years every year
- Other: _____

B. Specific Winter Holidays

If not addressed above, the specific Winter Holidays such as Christmas, New Year's Eve, Hanukkah, Kwanzaa, etc. shall be shared as follows:

_____.

4. Spring Break (Choose only one)

- The parties shall follow the regular schedule.
- The parties shall alternate the entire Spring Break with the Mother Father *{If Applicable}* Other Person having the child(ren) during the odd-numbered even-numbered years
- The Father Mother *{If Applicable}* Other Person shall have the child(ren) for the entire Spring Break every year.
- The Spring Break will be evenly divided. The first half of the Spring Break will go to the party whose regularly scheduled weekend falls on the first half and the second half going to the party whose weekend falls during the second half.

[] Other: _____.

5. Summer Break (Choose only one)

[] The parents shall follow the regular schedule through the summer.

[] The [] Mother [] Father [] *{If Applicable}* Other Person shall have the entire Summer Break from _____ after school is out until _____ before school starts.

[] The parties shall equally divide the Summer Break as follows:

[] Other: _____.

6. Number of Overnights:

Based upon the time-sharing schedule, the Mother has a total of _____ overnights per year, the Father has a total of _____ overnights per year and *{If Applicable}* the Other Person has a total of _____ overnights per year. **Note: The total of these numbers must equal 365.**

7. [] **If not set forth above**, the parties shall have time-sharing in accordance with the schedule which is attached as Attachment _____ and incorporated herein.

VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

The parties shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. All necessary information and medicines will accompany the child(ren).

The parties shall exchange travel information and finalize travel plans at least _____ days in advance of the date of travel. Except in cases of emergency, any party requesting a change of travel plans after the date of finalization shall be solely responsible for any additional costs.

1. Automobile Transportation and Exchange (Choose only one)

If a party is more than _____ minutes late without contacting the other party to make other arrangements, the party with the child(ren) may proceed with other plans and activities.

[] The [] Mother [] Father [] *{If Applicable}* Other Person shall provide all transportation.

- The Mother Father *{If Applicable}* Other Person shall pick up the child(ren) at the beginning of the visit and the other party shall pick up the child(ren) at the end of the visit. The exchange shall take place:
 - At the parties' homes unless otherwise agreed
 - At the following location unless the parties agree in advance to a different location: _____.
 - The parties shall meet at the following central location: _____.

- Other: _____.

2. Airplane and Other Public Transportation and Exchange

Airline regulations govern the age at which a child may fly unescorted. An older child or children may fly under such regulations as each airline may establish.

Airline reservations should be made well in advance and preferably, non-stop or direct.

All flight information shall be sent to the other party(ies) at least _____ days in advance of the flight by the party purchasing the tickets.

If the child(ren) are flying accompanied by a party, the party picking up the child(ren) shall exchange the child(ren) with the other party at _____ and the party returning the child(ren) shall exchange the children at _____.

If the exchange is to be made at the airport, the party flying in to pick up or drop off the child(ren) from/to the airport must notify the other party of any flight delays.

Unless otherwise agreed in advance, the party taking the child(ren) to the airport must call the other party(ies) immediately upon departure to notify the other party(ies) that the child(ren) is/are arriving, and the party who meets the child(ren) must immediately notify the other party(ies) upon the child(ren)'s arrival.

- Until a child reaches the age of _____, the parties agree that the child(ren) shall take a direct flight and/or fly accompanied by: _____.
- Once a child reaches the age of _____, the child shall be permitted to fly accompanied by an airline employee.
- Once a child reaches the age of _____, the child shall be permitted to fly unescorted.
- Other: _____.

3. Costs of Airline and Other Public Transportation (Choose all that apply)

- Ticket Purchase *{If Applicable}*:
The parties shall work together to purchase the most convenient and least expensive tickets.

After consultation among the parties, it shall be the responsibility of _____ to purchase the tickets by *{date}* _____.
All parties entitled to access to, or time-sharing with the child(ren) shall be notified of the purchase by *{date}* _____.

Proof of the purchase and a copy of the itinerary (choose only **one**) shall be provided to all parties by *{date}* _____ shall not be provided.

Unless otherwise agreed or in the case of an unavoidable emergency, any costs incurred by a missed travel connection shall be the sole responsibility of the party who failed to timely deliver the child(ren) to the missed connection.
- Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.
- Mother shall pay _____% Father shall pay _____% of the transportation costs.
- Mother shall pay _____% Father shall pay _____% of the transportation costs for an adult to accompany the child(ren) during travel.
- If the parties are sharing travel costs, the non-purchasing party shall reimburse the other party within _____ days of receipt of documentation establishing the travel costs.
- Other: _____.

4. Foreign and Out-Of-State Travel (Choose all that apply)

- The parties may travel within the United States with the child(ren) during his/her time-sharing. The party traveling with the child(ren) shall give the other party(ies) at least _____ days written notice before traveling out of state unless there is an emergency, and shall provide the other party(ies) with a detailed itinerary, including locations and telephone numbers where the child(ren) and party can be reached at least _____ days in advance of the date of travel.
- A party may travel out of the country with the child(ren) during his/her time-sharing. At least _____ days in advance of the date of travel, the party shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and party may be reached during the trip. Each party agrees to provide whatever documentation is necessary for the other party(ies) to take the child(ren) out of the country.

If a party wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child _____
_____.

Other _____.

5. **Other Travel and Exchange Arrangements:** _____

_____.

IX. EDUCATION

1. **School designation.** For purposes of school boundary determination and registration, the Mother's Father's *{If Applicable}* Other Person's address shall be designated.

2. *{If Applicable}* The following provisions are made regarding private or home schooling:

_____.

3. **Other.** _____

_____.

X. DESIGNATION FOR OTHER LEGAL PURPOSES

The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the Mother Father *{If Applicable}* Other Person. This majority designation is SOLELY for purposes of all other state and federal laws which require such a designation.

This designation does not affect the rights or responsibilities of any party under this Parenting Plan.

XI. COMMUNICATION

1. Between Parties

All communications regarding the child(ren) shall be between the parties. The parties shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.

The parties shall communicate with each other by: (Choose **all** that apply)

- in person
 by telephone
 by letter
 by e-mail
 Other: _____.

2. Between Parties and Child(ren)

The parties shall keep contact information current. Telephone or other electronic communication between the child(ren) and another party shall not be monitored by or interrupted by the other party. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The child(ren) may have telephone e-mail other electronic communication in the form of _____ with the other party: (Choose only **one**)

- Anytime
- Every day during the hours of _____ to _____
- On the following days _____ during the hours of _____ to _____
- Other: _____

3. Costs of Electronic Communication shall be addressed as follows:

XII. CHILD CARE (Choose only **one**)

- Each party may select appropriate child care providers
- All child care providers must be agreed upon by the parties.
- Each party must offer the other party the opportunity to care for the child(ren) before using a child care provider for any period exceeding _____ hours.
- Other _____.

XIII. CHANGES TO OR MODIFICATIONS OF THE PARENTING PLAN

Temporary changes may be made informally without a written document. When the parties do not agree, this Parenting Plan remains in effect until further order of the court.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

XIV. RELOCATION

Any relocation of the child(ren) is subject to and must be sought in compliance with Section 61.13001, Florida Statutes.

XV. DISPUTES OR CONFLICT RESOLUTION

The parties shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parties may wish to use mediation or other dispute

resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

XVI. OTHER PROVISIONS

SIGNATURE OF PARTIES

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Mother

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 deputy clerk.]

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

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Father

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
deputy clerk.]

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

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this plan and intend to be bound by it.

Dated: _____

Signature of Other Person

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
deputy clerk.]

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

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

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