

IN THE SUPREME COURT OF FLORIDA

**IN RE: AMENDMENTS TO THE FLORIDA
SUPREME COURT APPROVED FAMILY
LAW FORMS**

CASE NO.: SC08-2058

COMMENTS OF FAMILY LAW RULES COMMITTEE

Jack A. Moring, Chair, Family Law Rules Committee, and John F. Harkness, Jr., Executive Director, The Florida Bar, file these comments of the Family Law Rules Committee to the forms amended and adopted in the above case.

Chapter 2008-61, Laws of Florida, made significant amendments to Chapter 61, Florida Statutes, particularly as it relates to statutes governing parenting after dissolution of marriage. On March 26, 2009, this Court released an opinion in the above case amending numerous Supreme Court Approved Family Law Forms and creating two new forms for Parenting Plans, as required by section 61.13, Florida Statutes. In its opinion, the Court stated that “interested person shall have sixty days from the date of this opinion to file comments with the Court.” A list of the forms was subsequently published in the April 30, 2009, Florida Bar *News*, directing interested persons to the Court’s website to view the forms.

On May 26, 2009, the Family Law Rules Committee filed a Motion for Extension of Time asking to be allowed to submit comments by July 24, 2009. The motion was granted on June 3, 2009.

The Family Law Rules Committee has reviewed the forms and provides the Court with the following comments and suggestions. The committee vote for each form is indicated with the discussion of the form. The comments have also been reviewed by The Florida Bar Board of Governors and approved by a vote of 35-0.

Form 12.901(b)(1), Petition for Dissolution of Marriage with Dependent or Minor Child(ren).

The Committee proposes amending the introductory portion of the form as follows:

5. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), [**v one** only] () is filed with this answer or () will be timely filed.

Although the instructions to the form mention the necessity of filing a financial affidavit, the form does not contain a statement that one is being filed. The change also conforms this form to *Form 12.903(b)*, Answer to Petition for Dissolution of Marriage. Language was taken from item 7. of that form. The change also is consistent with *F.S. 61.30(14)*, which requires filing of a financial affidavit in a case involving child support.

Vote: 21-1-0.

Form 12.902(d), Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit.

The Committee proposes amending the instructions to add a paragraph in the “Special notes” section as follows:

Chapter 2008-61, Laws of Florida, effective October 1, 2008, eliminated such terms as custodial parent, noncustodial parent, and visitation from Chapter 61, Florida Statutes. Instead, parents are to formulate a parenting plan that includes, among other things, their time-sharing schedule for their minor children. However, because the UCCJEA uses the terms custody and visitation, they are included in this form.

This change is similar to a Committee Note that was added to *Rule 12.650* in 2008. It clarifies the use of the terms “custody” and “visitation” despite their elimination from *F.S. Chapter 61* in 2008.

Vote: 22-0-0.

Form 12.905(d), Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service.

The second paragraph of the instructions has been amended as follows:

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. This form and these instructions do not apply to modification of temporary orders.

The committee believed that an explanatory sentence was needed to clarify that this form is not to be used to modify a temporary order in an ongoing

case. The committee plans to develop a form for modification of temporary orders.

Vote: 18-0-1.

Form 12.947(b), Temporary Order of Support and Time-sharing with Dependent or Minor Child(ren).

The Committee proposes amending Section III, item 4, as follows:

- d. ~~_____N_____~~ Mother _____ Father shall have **no contact** with the parties' minor child(ren) until further order of the Court, due to the existing conditions that are detrimental to the welfare of the minor child(ren): *{explain}*: _____

This paragraph originally applied only to the temporary secondary residential parent. As revised, it now applies to time-sharing with either parent. Therefore, a designation of which parent is being denied contact is needed.

Vote: 19-0-0.

An editorial correction has also been made in Section III, item 5:

- 5. ~~provider or other person entrusted by the other parent with the care of the child(ren) without~~ **Limitations on Time-sharing.** Neither parent shall take the child(ren) from the other parent or any child care provider or other person entrusted by the other parent with the care of the child(ren) without the agreement of the other party during the other party's time-sharing. The above time-sharing shall be:
 [if applies]
 - a. _____ **supervised by a responsible adult** who is mutually agreeable to the parties. If the parties cannot agree, the supervising adult shall be: *{name}*
 _____.
 - b. _____ at a **supervised visitation** center located at: *{address}*
 _____.

subject to the available times and rules of the supervised visitation center. The cost of such visits shall be paid by () Mother () Father () Both.

Form 12.983(b), Answer to Petition to Determine Paternity and for Related Relief.

The Committee proposes amending the Parenting Plan paragraph in the “Special notes” section of the instructions to state:

Parenting Plan and Time-Sharing. If the parents are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide ~~for these issues~~ 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 between the parties, the court reserves jurisdiction to modify issues relating to minor child(ren).

The paragraph as written was confusing and contained a grammatical error.

The proposed revision clarifies it.

Vote: 17-0-0.

An editorial correction has also been made in paragraph 5 of the “Special notes” section to correct the name of the pleading (~~petition~~answer).

Form 12.995(a), Parenting Plan.

(1) The Committee proposes amending the second paragraph of the instructions as follows:

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. If the parents have not reached

an agreement, a proposed parenting plan may be filed by either party at any time prior to the final hearing.

This amendment clarifies, especially for pro se litigants, that either parent may unilaterally file a proposed Parenting Plan if agreement has not been reached.

Vote: 16-0-0.

A grammatical correction has been made in item 15 of the bulleted list of factors for the court to consider (division ~~of~~ of parental responsibilities).

(2) The Committee proposes amending Section IV, item 2. of the form as follows:

~~Unless otherwise specified in this 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.~~

The “daily tasks” language conforms to *F.S. 61.13(2)(b)*.

Vote: 16-0-0.

(3) The Committee proposes amending Section V, first paragraph as follows:

~~Both parents~~ Unless otherwise prohibited by law, each parent 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 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.

Florida law provides protection to certain medical records of the children, such as psychiatric and psychological records. *See, e.g., Attorney ad Litem for D.K. v. Parents of D.K.*, 780 So. 2d 301 (Fla. 4th DCA 2001). Therefore, the committee believed the prefatory language was needed.

Vote: 15-0-0.

(4) In item XIV, the Committee proposes the following change:

This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further order of the court. Temporary changes may be made informally without a written document. However, if the parties dispute the change, the Parenting Plan shall remain in effect.

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

This change gives the parents some flexibility to make temporary changes (e.g., who is picking the children up after school or soccer practice) by agreement but also provides a back-up mechanism should there be disagreements.

Vote: 24-0-0.

Form 12.995(b), Supervised/Safety-Focused Parenting Plan.

(1) The Committee proposes amending Section X, item 2, Communication, as follows:

- May call the child(ren) on the telephone ___ times per week. The call shall last no more than ___ minutes and shall take place between ____ __m. and ____ __ m.
- Long distance telephone calls made by the child(ren) to a parent shall be paid for by ~~the parent receiving the call~~ _____.

Each parent shall provide a telephone number to the other parent, unless otherwise prohibited by court order.

This change makes it clear that the provision applies only to phone calls to parents. There is also no statutory basis for requiring a parent receiving a phone call from a child to automatically be the one to pay for it.

Vote: 24-0-0.

(2) In item XII, Children’s Safety, the Committee proposes rewording a paragraph as follows:

The following person(s) present a danger to the child(ren) ~~and shall not be present during time-sharing:~~ _____.
Each parent shall ensure that during his/her time-sharing this/these person(s)

will not be present

will have no contact with the child(ren).

This change clarifies that not only may specified persons not be present during time-sharing but that they also may not contact the children (*e.g.*, by telephone or email) during that time. This change conforms to the definition of “No contact” in the glossary in “General Information for Self-Represented Litigants.”

Vote: 24-0-0.

A grammatical correction has been made in item 15 of the bulleted list of factors for the court to consider (division ~~of~~ of parental responsibilities). A

grammatical correction has also been made in Section X., item 2 (unless otherwise prohibited by court order.)

The amended forms in legislative format are attached to this report in Appendix A.

The Committee respectfully requests that the Court amend the Supreme Court Approved Family Law Forms as indicated in these comments.

Respectfully submitted _____.

JACK A. MORING

Chair

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APPENDIX A

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.901(b)(1),
PETITION FOR DISSOLUTION OF MARRIAGE WITH DEPENDENT OR
MINOR CHILD(REN) (03--/09)**

When should this form be used?

This form should be used when a husband or wife is filing for a **dissolution of marriage** and you and your spouse have a dependent or minor child(ren) together or the wife is pregnant. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. You must **file** this form if the following is true:

- You and your spouse have a dependent or minor child(ren) together or the wife is pregnant.

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 of the **petition**. If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**. You may also be able to use constructive service if your spouse 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:

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 this is a domestic violence case and you want to keep your address confidential for safety reasons, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Petitioner’s Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(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 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) or Supervised/Safety Focused Parenting Plan, Form 12.995(b) 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.

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.**

- **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 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). For more information, see the instructions for that form.

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 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. 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), or a **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b) 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)**

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

1. JURISDICTION/RESIDENCE

() Husband () Wife () Both has (have) lived in Florida for at least 6 months before
the filing of this Petition for Dissolution of Marriage.

2. The husband [one only] () is () is not a member of the military service.
The wife [one only] () is () is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: {month, day, year} _____
Place of marriage: {city, state, country} _____
Date of separation: {month, day, year} _____ (√ if approximate)

4. DEPENDENT OR MINOR CHILD(REN)

[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	Place of Birth	Birth date	Sex
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

Name	Place of Birth	Birth date	Sex
_____	_____	_____	_____
_____	_____	_____	_____

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

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	Place of Birth	Birth date	Sex
_____	_____	_____	_____
_____	_____	_____	_____

5. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), [one only] () is filed with this answer or () will be timely filed.

56. 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)).

67. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.

78. This petition for dissolution of marriage should be granted because:

[**one** only]

- 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.

SECTION I. MARITAL ASSETS AND LIABILITIES

[**one** only]

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.

[**v 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)

[one only]

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): _____

[if applies] () Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

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

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

2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be: [one only]
 - 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 ___ Husband ___ Wife.
 Limited time-sharing with the ___ Husband ___ Wife.
 Supervised Time-Sharing for the ___ Husband ___ Wife.

- Supervised or third-party exchange of the child(ren).
- Time-Sharing Schedule as follows:

4. Explain why this request is in the best interests of the child(ren): _____
-
-
-

SECTION IV. CHILD SUPPORT

[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 coverage for the minor child(ren) be provided by:

[one only]

 - a. Father.
 - b. Mother.
5. Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid:

[one only]

 - 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} _____

4. Petitioner requests that life insurance to secure child support be provided by:

- a. ___ Father.
- b. ___ Mother.
- c. ___ Both.

SECTION V. 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 VI. 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**:

[**all** that apply]

- 1. ___ distributing marital assets and liabilities as requested in Section I of this petition;
- 2. ___ awarding 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 III of this petition;
- 4. ___ establishing child support for the dependent or minor child(ren) common to both parties, as requested in Section IV of this petition;
- 5. ___ restoring Wife’s former name as requested in Section V of this petition;
- 6. ___ awarding other relief as requested in Section V of this petition; and any other terms the Court deems necessary.

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

Dated: _____

Signature of Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
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 petitioner, fill out this form.

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

When should this form be used?

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

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

What should I do next?

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

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** in these instructions are defined there. For further information, see sections 61.501-61.542, Florida Statutes.

Special notes...

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

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

Chapter 2008-61, Laws of Florida, effective October 1, 2008, eliminated such terms as custodial parent, noncustodial parent, and visitation from Chapter 61, Florida Statutes. Instead, parents are to formulate a parenting plan that includes, among other things, their time-sharing schedule for their minor children. However, because the UCCJEA uses the terms custody and visitation, they are included in this form.

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

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA) AFFIDAVIT

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

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

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

Child's Residence for the past 5 years:

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

____/____			

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

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

Child’s Residence for the past 5 years:

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # ____:

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

Child’s Residence for the past 5 years:

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

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

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

[one only]

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

___ I HAVE participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or another state, concerning custody of or time-sharing with a child subject to this proceeding. Explain:

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and state: _____

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

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

[one only]

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

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

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and state: _____

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

4. Persons not a party to this proceeding:

[one only]

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

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

a. Name and address of person: _____

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

Name of each child: _____

b. Name and address of person: _____

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

Name of each child: _____

c. Name and address of person: _____

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

Name of each child: _____

5. Knowledge of prior child support proceedings:

[one only]

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

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

a. Name of each child: _____

b. Type of proceeding: _____

c. Court and address: _____

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

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

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

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

Other party or his/her attorney:

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

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

Dated: _____

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

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.905(d), SUPPLEMENTAL PETITION FOR TEMPORARY
MODIFICATION OF PARENTING ISSUES FOR CHILD(REN) OF PARENT
ACTIVATED, DEPLOYED, OR TEMPORARILY ASSIGNED TO MILITARY
SERVICE (03__/09)**

When should this form be used?

This form should be used when a parent seeks a temporary modification of an order establishing custody, visitation, a parenting plan, or time-sharing schedule because the parent is activated, deployed, or temporarily assigned to military service and the parent's ability to comply with the prior order(s) and time-sharing schedule is materially affected.

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. This form and these instructions do not apply to modification of temporary orders.

What should I do next?

For your case to proceed, you must properly notify the other party in your case of the **supplemental petition**. If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, 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, other than granting dissolution of marriage, 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 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 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 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 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 section 61.13002, 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.

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.)
- **Settlement Agreement**, if you have reached an agreement on any or all of the issues. Although there is no form for this in these Florida Family Law Forms, you may construct a settlement agreement using the pertinent sections contained in **Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.902(f)(1).

Instructions for Florida Supreme Court Approved Family Law Form 12.905(d), Supplemental Petition for Temporary Modification of Parenting Issues for Child(ren) of Parent Activated, Deployed, or Temporarily Assigned to Military Service (03_/09)

- **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).
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a) or (b). If the parties have reached an agreement, a signed and notarized Parenting Plan should be attached. If you have not reached an agreement, a proposed Parenting Plan may be filed. If this involves relocation of minor child(ren) pursuant to section 61.13001, Florida Statutes, a Parenting Plan must be attached.
- **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.)

Temporary Judgment Form... These family law forms contain a **Supplemental Temporary Judgment Modifying Parenting Issues for Children of a Parent Activated, Deployed or Temporarily Assigned to Military Service** Florida Supreme Court Approved Family Law Form 12.993(d)), 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 FOR TEMPORARY MODIFICATION OF PARENTING
ISSUES FOR CHILD(REN) OF PARENT ACTIVATED, DEPLOYED, OR
TEMPORARILY ASSIGNED TO MILITARY SERVICE**

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

1. The parties to the action, {names} _____, were granted a final judgment of [**one** only] () dissolution of marriage () paternity on {date} _____. A copy/copies of the final judgment or any modification(s) is/are attached.
2. Paragraph(s) _____ of the [**v one** only] () final judgment or () most recent modification of it grants custody or time-sharing of the minor child(ren), {name(s)} _____, with {name of parent} _____.
3. The parent, {name} _____, is [**all** that apply] () activated () deployed () temporarily assigned to military service.
4. The parent, {name} _____, is temporarily unable to continue the current parenting plan and time-sharing schedule with the minor child(ren) during the period of time that the parent is [**v all** that apply] () activated () deployed () temporarily assigned to military service.
5. I ask the court to temporarily modify/amend the parental responsibility and time-sharing schedule of the minor child(ren) during the period of time that the parent, {name} _____, is [**v all** that apply] () activated () deployed () temporarily assigned to military service as follows: {explain} _____

6. This temporary modification/amendment is in the best interest of the child(ren) because *{explain}*

7. I ask that the court adopt () the attached temporary Parenting Plan () time-sharing schedule set forth below_during the time that the parent is [all that apply] () activated () deployed () temporarily assigned to military service: _____

8. If the requested modification/amendment is granted, Petitioner requests that child support be temporarily modified/amended, consistent with the temporary modification/amendment of the Parenting Plan and time-sharing schedule. A Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e) is, or will be, filed.

9. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) is filed with this Petition.

10. 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.

11. Other: _____

- a. _____
- b. _____

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

Dated: _____

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

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

____ Personally known

____ Produced identification

Type of identification produced _____

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

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

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

**TEMPORARY ORDER OF SUPPORT AND TIME-SHARING
WITH DEPENDENT OR MINOR CHILD(REN)**

This cause came before this Court for a hearing on a Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren). The Court, having reviewed the file and heard the testimony, makes these findings of fact and ORDERS as follows:

The Court has jurisdiction over the subject matter and the parties.

SECTION I. MARITAL ASSETS AND LIABILITIES

A. Injunction.

1. () Petitioner () Respondent is (are) prohibited and enjoined from disposing of any marital assets without the written permission of the other party or a court order. If checked here (), the person(s) prohibited and enjoined from disposing of any marital assets may continue to pay all ordinary and usual expenses.
2. The Court may enforce compliance with the terms of this injunction through civil and/or indirect criminal contempt proceedings, which may include arrest, incarceration, and/or the imposition of a fine.
3. Violation of this injunction may constitute criminal contempt of court.
4. Bond. This order is conditioned upon () Petitioner () Respondent posting bond in the sum of \$_____ with the clerk of this Court.

B. Temporary Use of Assets.

1. The assets listed below are temporarily determined to be marital assets. Each party shall temporarily have the use of, as his/her own, the assets awarded in this section, and the other party shall temporarily have no further use of said assets. **Any personal property not listed below shall be for the use of party currently in possession of that item(s), and he or she may not dispose of that item(s) without the written permission of the other party or a court order.**

ASSETS: DESCRIPTION OF ITEM(S)	Wife Shall Have Temporary Use	Husband Shall Have Temporary Use
Automobiles		
Furniture & furnishings in home		
Furniture & furnishings elsewhere		
Jewelry		
Business interests		
Other Assets		

C. Temporary Responsibility for Liabilities/Debts.

1. The liabilities listed below are temporarily determined to be marital. Each party shall pay as his or her own the marital liabilities indicated below and shall keep said payments current. The other party shall temporarily have no further responsibility for the payment of these debts.

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay
Mortgages on real estate: (home)	\$	\$	\$
Charge/credit card accounts			

LIABILITIES: DESCRIPTION OF DEBT(S)	Current Amount Owed	Wife Shall Pay	Husband Shall Pay
Auto loan			
Auto loan			
Bank/Credit Union loans			
Money owed (not evidenced by a note)			
Other			

SECTION II. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[all that apply]

- Petitioner Respondent shall have temporary exclusive use and possession of the dwelling located at: *{address}* _____

 until: *{date or event}* _____

- ___ Petitioner Respondent may make a visit to the premises described in the paragraph above for the purpose of obtaining his or her clothing and items of personal health and hygiene and to obtain any items awarded in this order. This visit shall occur after notice to the person granted temporary exclusive use and possession of the dwelling and at the earliest convenience of both parties.
- ___ Other: _____

SECTION III. TEMPORARY PARENTAL RESPONSIBILITY AND TIME-SHARING WITH DEPENDENT OR MINOR CHILD(REN)

- Jurisdiction.** The Court has jurisdiction to determine temporary parental responsibility and time-sharing for the parties' minor child(ren) listed in paragraph 2 below.
- The parties' dependent or minor child(ren) is (are):**

Name

Birth date

3. **Temporary Parental Responsibility for the Minor Child(ren).**

[one only]

a. ___ The parties shall have temporary **shared parental responsibility** for the parties' minor child(ren).

b. ___ () Mother () Father shall have temporary **sole parental responsibility** for the parties' minor child(ren). Temporary shared parental responsibility would be detrimental to the child(ren) at this time because _____

c. () Mother () Father shall have ultimate decision making authority regarding the following:

d. **Other provisions:** _____

4. **Temporary Time-sharing Schedule with Minor Child(ren).** The parent(s) shall have:

[one only]

a. ___ **reasonable** time-sharing schedule with the parties' minor child(ren) as agreed to by the parties, subject to any limitations in paragraph 5 below. The Court reserves jurisdiction to set a specific schedule.

b. ___ the following **specified time-sharing schedule** with the parties' minor child(ren), subject to any limitations set out in paragraph 5 below: *{specify days and times}* _____

Mother's Temporary Time-Sharing Schedule.

Father's Temporary Time-sharing Schedule.

c. ___ Time-sharing in accordance with the temporary **Parenting Plan** attached as Exhibit ___

d. ___ ~~N~~ ___ Mother ___ Father shall have **no contact** with the parties' minor child(ren) until further order of the Court, due to the existing conditions that are detrimental to the welfare of the minor child(ren): *{explain}*: _____

5. ~~provider or other person entrusted by the other parent with the care of the child(ren) without~~ **Limitations on Time-sharing.** Neither parent shall take the child(ren) from the other parent or any child care ~~provider or other person entrusted by the other parent with the care of the child(ren)~~ without the agreement of the other party during the other party's time-sharing. The above time-sharing shall be:

[if applies]

- c. ___ **supervised by a responsible adult** who is mutually agreeable to the parties. If the parties cannot agree, the supervising adult shall be: *{name}* _____.
- d. ___ at a **supervised visitation** center located at: *{address}* _____

_____ subject to the available times and rules of the supervised visitation center. The cost of such visits shall be paid by () Mother () Father () Both.

6. **Communication Arrangements for Temporary Secondary Parenting, Visitation, and Parental Responsibility and Time-sharing with Minor Child(ren).**

[if applies]

_____ The parties' communications to arrange time-sharing and discuss issues relating to the child(ren) (if temporary shared parenting, or time-sharing is provided in paragraph 3 above) are restricted as follows: () telephone, () fax, e-mail, or letter, () a responsible person shall coordinate the time-sharing arrangements of the minor child(ren). If the parties cannot agree, the responsible person shall be: *{name}* _____
() other conditions for arrangements or discussions: *{explain}* _____

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

[**all** that apply]

- a. ___ The parties shall temporarily exchange the child(ren) at the following location(s): _____
- b. ___ () Mother () Father shall not get out of the vehicle, and the other parent shall not approach the vehicle, during the time the child(ren) are exchanged.
- c. ___ A responsible person shall conduct all exchanges of the child(ren). () Mother () Father shall not be present during the exchange. If the parties cannot agree, the responsible person shall be: *{name}* _____
- d. ___ Other conditions for exchange of the child(ren) are as follows: _____

8. **Injunction Prohibiting Removing the Child(ren).** The Court hereby temporarily prohibits and enjoins the () Mother () Father () Both from permanently removing the minor child(ren) from the State of Florida without a court order or the written consent of the other party.

9. **Other Temporary Provisions Relating to the Minor Child(ren).**

SECTION IV. TEMPORARY ALIMONY

1. () The Court denies the request(s) for temporary alimony. **OR**
() The Court finds that there is a need for, and that () Petitioner () Respondent, hereinafter Obligor, has/had the present ability to pay temporary alimony as follows:

[all that apply]

a. **Temporary Periodic.** Obligor shall pay temporary periodic alimony to Obligee in the amount of \$_____ per month, payable () in accordance with Obligor’s employer’s payroll cycle, and in any event, at least once a month () other {*explain*}

_____ beginning {*date*} _____. This temporary periodic alimony shall continue until modified by court order, the death of either party, or until, {*date/event*} _____ whichever occurs first.

b. **Lump Sum.** Obligor shall pay temporary lump sum alimony to Obligee in the amount of \$ _____. This amount shall be paid as follows: _____

c. **Rehabilitative.** Obligor shall pay temporary rehabilitative alimony to Obligee in the amount of \$_____ per month, payable () in accordance with Obligor’s employer’s payroll cycle, and in any event, at least once a month () other {*explain*}

_____ beginning {*date*} _____. This temporary rehabilitative alimony shall continue until modified by court order, the death of either party or until {*date/event*} _____, _____ whichever occurs first. The temporary rehabilitative plan presented demonstrated the following: _____

d. **Retroactive.** Obligor shall pay retroactive alimony in the amount of \$_____ for the

period of {date} _____ through {date} _____, which shall be paid pursuant to paragraph 3 below.

2. **Reasons for Awarding/Denying Temporary Alimony Award.** The reasons for awarding/denying temporary alimony are as follows:

- a. ___ length of the marriage of the party receiving temporary alimony: _____ years;
- b. ___ age of party receiving temporary alimony: _____ years;
- c. ___ health of party receiving temporary alimony: () excellent () good () poor () other _____;
- d. ___ other factors _____

_____ Please indicate here if additional pages are attached.

3. **Retroactive Alimony.** () Petitioner () Respondent shall pay to the other party the temporary retroactive alimony of \$ _____, as of {date} _____. This amount shall be paid in the amount of \$ _____ per month, payable in accordance with Obligor's employer's payroll cycle, and in any event at least once a month () other {explain} _____

Beginning: {date} _____, until paid in full including statutory interest.

4. **Insurance.**

[all that apply]

- a. ___ **Health Insurance.** () Petitioner () Respondent shall temporarily be required to pay health insurance premiums for the other party not to exceed \$ _____ per month. Further, () Petitioner () Respondent shall pay any uninsured medical costs for the other party not exceeding \$ _____ per year. As to these uninsured medical expenses, the party who is entitled to reimbursement of the uninsured medical expense shall submit a request for reimbursement to the other party within 30 days, and the other party shall, within 30 days after receipt, submit the applicable reimbursement for that expense.
- b. ___ **Life Insurance (to secure payment of support).** To secure the temporary alimony obligations set forth in this order, the Obligor shall temporarily maintain life insurance coverage on his/her life naming the Obligee as the sole irrevocable beneficiary, so long as reasonably available. This temporary insurance shall be in the amount of at least \$ _____ and shall remain in effect until this temporary obligation for alimony terminates.

5. **Other provisions relating to temporary alimony:** _____

SECTION V. TEMPORARY CHILD SUPPORT

1. The Court finds that there is a need for temporary child support and that the () Mother() Father (hereinafter Obligor) has the present ability to pay child support. The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the () Mother () Father are correct **OR** the Court makes the following findings: The Mother's net monthly income is \$_____. The Father's net monthly income is \$_____. Monthly child care costs are \$_____. Monthly health/dental insurance costs are \$_____.

2. **Amount.** Obligor shall be obligated to pay temporary child support in the amount of \$_____ per month payable () in accordance with Obligor's payroll cycle, and in any event at least once a month () *{explain}* _____

beginning *{date}* _____, and continuing until further court order or until *{date/event}* _____,

{explain} _____.

If the temporary child support ordered deviates from the guidelines by more than 5%, the factual findings which support that deviation are: _____

3. Retroactive Child Support.

[if applies]

() Mother () Father shall pay to the other party the temporary retroactive child support of \$_____, as of *{date}* _____. This amount shall be paid in the amount of \$_____ per month, payable in accordance with Obligor's employer's payroll cycle, and in any event at least once a month () other *{explain}* _____

beginning *{date}* _____, until paid in full including statutory interest.

4. Insurance.

[all that apply]

a. **Health/Dental Insurance.** () Mother () Father shall be required to temporarily maintain () health () dental insurance coverage for the parties' minor child(ren), so long as reasonably available. The party providing coverage shall be required to convey cards showing coverage to the other party. **OR** () Health () dental insurance is not reasonably available at this time.

b. Reasonable and necessary **uninsured medical/dental/prescription drug costs** for the minor child(ren) shall temporarily be assessed as follows:

() Shared equally by both parents.

() Prorated according to the child support guideline percentages.

() Other *{explain}*: _____

As to these uninsured medical/dental/prescription drug expenses, the party who incurs the expense shall submit 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.

5. **Life Insurance (to secure payment of support).** To secure the temporary child support obligations in this order, () Petitioner () Respondent () Each party shall temporarily maintain life insurance coverage, in an amount of at least \$_____, on () his life () her life () his/her life naming the () minor child(ren) as the beneficiary (ies) **OR** naming the () Mother () Father () other {name}: _____ as Trustee for the minor child(ren), so long as reasonably available. The obligation to maintain the life insurance coverage shall continue until the Court orders otherwise or until {date/event} _____.
6. **IRS Income Tax Deduction(s).** The assignment of any tax deduction for the child(ren) shall be as follows: _____
7. **Other provisions relating to temporary child support:** _____

SECTION VI. METHOD OF PAYMENT

Obligor shall pay any temporary court-ordered child support/alimony and arrears, if any, as follows:

1. **Central Governmental Depository.**

[if applies]

- a. ___ Obligor shall pay temporary court-ordered support directly to the Central Governmental Depository in {name} _____ County, along with any depository service charge.
- b. ___ Both parties have requested and the court finds that it is in the best interests of the child(ren) that temporary support payments need not be directed through the Central Governmental Depository. However, either party may subsequently apply to the depository pursuant to section 61.13(1)(d)3, Florida Statutes, to require payments through the Central Governmental Depository.

2. **Income Deduction.**

[if applies]

- a. ___ **Immediate.** Obligor shall pay through income deduction, pursuant to a separate Income Deduction Order which shall be effective immediately. Obligor is individually responsible for paying this temporary support obligation until all of said support is deducted from Obligor's income. Until temporary support payments are deducted from Obligor's paycheck, Obligor is responsible for making timely payments directly to the Central Governmental Depository or the Obligee, as previously set forth in this order.
- b. ___ **Deferred.** Income deduction is ordered this day, but it shall not be effective until a delinquency of \$_____, or, if not specified, an amount equal to one month's obligation occurs. Income deduction is not being implemented immediately based on the following

findings: Income deduction is **not** in the best interests of the child(ren) because: *{explain}*

AND

there is proof of timely payment of a previously ordered obligation without an income deduction order in cases of modification,

AND

() there is an agreement by the Obligor to advise the central governmental depository of any change in payor and health insurance **OR** () there is a signed written agreement providing an alternative arrangement between the Obligor and the Oblige.

3. **Bonus/one-time payments.** () All () _____% () No income paid in the form of a bonus or other similar one-time payment, up to the amount of any arrearage or the remaining balance thereof owed pursuant to this order, shall be forwarded to Oblige pursuant to the payment method prescribed above.

4. **Other provisions relating to method of payment.** _____

SECTION VII. TEMPORARY ATTORNEY FEES, COSTS, AND SUIT MONEY

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

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

SECTION VIII. OTHER PROVISIONS

Other Provisions: _____

ORDERED on {date} _____, at {time} _____.

CIRCUIT JUDGE

A copy of the {name of document(s)} _____ was [only one]
() mailed () faxed and mailed () hand delivered to the parties listed below on {date} _____.

Petitioner (or his or her attorney)

Respondent (or his or her attorney)

Central Governmental Depository

Other: _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.983(b), ANSWER TO PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF (03__/09)

When should this form be used?

This form should be used when you are responding to a petition to determine paternity. You may use this form to admit or deny the allegations contained in the petition. However, if you wish to ask the court for things not included in the petition, such as, parental responsibility and time-sharing or child support, you should file an **Answer to Petition and Counterpetition to Determine Paternity and for Related Relief**, Florida Supreme Court Approved Family Law Form 12.983(c).

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

What should I do next?

If you deny that the person named in the petition is the child(ren)'s father, a **Motion for Scientific Paternity Testing**, Florida Supreme Court Approved Family Law Form 12.983(e), should be filed. This is used to ask the court to order a scientific test to determine who is the child(ren)'s father.

You have 20 days to file an answer to the other party's petition. A copy of this form, along with all of the other forms required with this answer, must be mailed **or** hand delivered to the other party in your case. After you file your answer, the case will generally proceed in one of the following two ways:

UNCONTESTED. This case is uncontested if you and the petitioner agree on all issues raised in the petition. If this is the case, **and** you and the other party have complied with mandatory disclosure and filed all of the required papers, either party may call the clerk, family law intake staff, or judicial assistant to set a final hearing. If you request the 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. This case is contested if you and the other party disagree on any issues raised in the petition. If you are unable to settle the disputed issues, either party may 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).

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 742, Florida Statutes.

Special notes...

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

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of 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 of the **service** of the petition on you, if not filed at the time you file this answer.)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of the **service** of the petition on you, if not filed at the time you file this answer, unless you and the other party have agreed not to exchange these documents.)
- **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 form after the other party files his or her financial affidavit.)

Many circuits require completion of **mediation** before being allowed to schedule a final hearing. A **parenting course** must be completed prior to entry of the final judgment. You should check with your local clerk, family law intake staff, or judicial assistant for more information on the parenting course and mediation requirements in your area.

Parenting Plan and Time-Sharing. If the parents are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide ~~for these issues~~ 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 between the parties, the court reserves jurisdiction to modify issues relating to 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) are being served. For more information, you may consult sections 61.401 and 61.405, Florida Statutes.

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

- **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 should file a **financial affidavit**, 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. 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.

Final Judgments. These family law forms contain a **Final Judgment of Paternity**, Florida Supreme Court Approved Family Law Form 12.983(g), 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.

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 a 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.

**ANSWER TO PETITION TO DETERMINE PATERNITY
AND FOR RELATED RELIEF**

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

1. I **agree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **admit** those allegations: {indicate section and paragraph number} _____.
2. I **disagree** with Petitioner as to the allegations raised in the following numbered paragraphs in the Petition and, therefore, **deny** those issues: {indicate section and paragraph number} _____.
3. I currently am unable to admit or deny the following paragraphs due to lack of information: {indicate section and paragraph number} _____.
4. 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.
5. A completed **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
6. A completed **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), is, or will be, filed.

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

Petitioner 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 answer 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 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 respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.995(a), PARENTING PLAN (03__/09)

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. This form or a similar form should be used in the development of a Parenting Plan. If the case involves **supervised time-sharing**, the **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b) or a similar form should be used.

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. If the parents have not reached an agreement, a proposed parenting plan may be filed by either party at any time prior to the final 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, and the instructions for the petition and/or answer that were filed in this case.

Special notes...

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** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

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 minor child(ren), including, but not limited to:

- The demonstrated capacity and disposition of each parent 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 parent 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 parent with a child(ren);
- The moral fitness of the parents;
- The mental and physical health of the parents;
- 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 parent 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 parent 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 parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent 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;
- Evidence that either parent 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 parent and the division ~~of~~ 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 parent to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each parent 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 the other parent to the child(ren); and
- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent 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.

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:
{Parent's Name} _____.
- 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. PARENTS

Mother

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

Father

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

II. CHILDREN: This parenting plan is for the following child(ren) born to, or adopted by the parties: (add additional lines as needed)

Name	Date of Birth	Sex
_____	_____	_____
_____	_____	_____

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 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.)

2. Day-to-Day Decisions

Unless otherwise specified in this 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. Extra-curricular 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 parent 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 parent's possession.
- 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: _____ .

V. INFORMATION SHARING. Unless otherwise indicated or ordered by the Court:

~~Both parents~~ Unless otherwise prohibited by law, each parent 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 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.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

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.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number 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.

Other: _____
_____.

VI. 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 start 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 _____.

VII. TIME-SHARING SCHEDULE

1. Weekday and Weekend Schedule

The following schedule shall apply beginning on _____ with the
[] Mother [] Father 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. **Check box 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	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

This holiday schedule may affect the regular Time-Sharing Schedule. Parents may wish to specify one or more of the following options:

- When the parents are using an alternating weekend plan and the holiday schedule would result in one parent having the child(ren) for three weekends in a row, the parents will exchange the following weekend, so that each has two weekends in a row before the regular alternating weekend pattern resumes.
- If a parent 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. Entire 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 alternative 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. and 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 years [] 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 children from _____ after school is out until _____. The other parent shall have the child(ren) for the second one-half of the summer break. The parents shall alternate the first and second one-halves 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.**

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

VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

1. Transportation (Choose only one)

The Mother Father shall provide all transportation.

The parent beginning their time-sharing shall provide transportation for the child(ren).

The parent ending their time-sharing shall provide transportation for the child(ren).

Other: _____.

2. Exchange (Choose only one)

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. 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.

Exchanges shall be at Mother's and Father's homes unless both parents agree to a different meeting place.

Exchanges shall occur at _____ unless both parties agree in advance to a different meeting place.

Other: _____.

3. Transportation Costs (Choose only one)

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.

[] Other: _____.

4. Foreign and Out-Of-State Travel (Choose only one)

[] Either parent may travel 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 before 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 _____
_____.

[] Other _____.

IX. 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:

X. OTHER.

XI. 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. 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 and responsibilities under this parenting plan.**

XII. 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:

_____.

XIII. CHILD CARE (Choose only one)

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

XIV. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further order of the court. Temporary changes may be made informally without a written document. However, if the parties dispute the change, the Parenting Plan shall remain in effect.

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

XV. RELOCATION

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

XVI. 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.

XVII. OTHER PROVISIONS

_____.

SIGNATURE OF PARENTS

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 clerk.]

___ Personally known

___ Produced identification

Type of identification produced _____

I certify that I have been open and honest in entering into this settlement 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 clerk.]

___ Personally known

___ Produced identification

Type of identification produced _____

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

[fill in **all** blanks]

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

ORDER OF THE COURT

**IT IS HEREBY ORDERED AND ADJUDGED THAT THE PARENTING PLAN SET FORTH ABOVE IS
ADOPTED AND ESTABLISHED AS AN ORDER OF THIS COURT.**

ORDERED ON _____.

CIRCUIT JUDGE

COPIES TO:

Father (or his Attorney)

Mother (or her Attorney)

Other

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.995(b),
SUPERVISED/SAFETY-FOCUSED PARENTING PLAN (03_/09)**

When should this form be used?

A **Parenting Plan** is required in all cases involving minor child(ren). This form or a similar form should be used in cases when you feel your child(ren) cannot be safely alone with the other parent or if you believe **shared parental responsibility** presents a detriment to the child(ren). In this case, a Parenting Plan must be developed that allows **time-sharing** with any minor child(ren), while providing protection for the child(ren). If safety or supervised time-sharing is not a concern, **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a), should be used.

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 **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** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

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 minor child(ren), including, but not limited to:

- The demonstrated capacity and disposition of each parent 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 parent 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 parent with a child(ren);
- The moral fitness of the parents;
- The mental and physical health of the parents;
- 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 parent 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 parent 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 parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent 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;
- Evidence that either parent 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 parent and the division ~~of~~ 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 parent to participate and be involved in the child(ren)'s school and extracurricular activities;
- The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
- The capacity and disposition of each parent 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 the other parent to the child(ren); and

- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent 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.

SUPERVISED/SAFETY-FOCUSED 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:
(Parent's Name) _____.
- 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. PARENTS

Mother

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

Father

Name: _____

Address: _____

Telephone Number: _____

E-Mail: _____

II. CHILDREN: This parenting plan is for the following child(ren) born to, or adopted by the parties: *(add additional lines as needed)*

Name	Date of Birth	Sex
_____	_____	_____
_____	_____	_____
_____	_____	_____

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. Section 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 other state and federal laws.

Other: _____.

IV. PARENTAL RESPONSIBILITY (Choose only one)

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.)

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 |

Other: *(Explain)* _____.

V. TIME SHARING SCHEDULE (Choose only one)

No Time-Sharing: The Mother Father shall have no contact with the child(ren) until further order of the court. All parenting decisions shall be made by the other parent.

Supervised Time-Sharing: Whenever the child(ren) are with the Mother Father, the supervisor shall be present. The Mother Father has the right to spend time with the child(ren) even though the other parent will be making most, if not all, of the parenting decisions which are made on the child(ren)'s behalf. The time-sharing schedule shall be mutually agreed to between the parents, but not less than the schedule set forth below: (Choose only one)

_____ hours per week. The place(s), and time(s) shall be set by the Mother
 Father.

From _____ m. to _____ m, on the following day(s)
_____.

Other: _____.

VI. SUPERVISOR AND SUPERVISION (Choose only one)

1. Supervisor. The person supervising the time-sharing shall: (Choose only one)

Be selected by the Mother Father.

Be selected by the Mother Father, subject to the other parent's approval.

Other: _____.

2. Restrictions or Level of Supervision: _____

3. Costs of Supervision

The costs of the supervision shall be paid by the Mother Father

Other: _____.

VII. LOCATION: (Choose only one)

The Mother Father shall spend his/her time-sharing with the child(ren) at the following location(s):

Supervised visitation center (*name of facility*) _____
_____.

_____ (*location*) or other location designated by the Mother Father

Any location designated by the Mother Father with the approval of the supervisor.

Other: _____.

VIII. DESIGNATION FOR OTHER LEGAL PURPOSES

The child(ren) named in this Supervised/Safety-Focused Parenting Plan 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 statutes which require such a designation. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

IX. TRANSPORTATION AND EXCHANGE OF CHILD(REN)

1. Transportation

The child(ren) shall not be driven in a car unless the driver has a valid driver's license, automobile insurance, seat belts, and child safety seats as required by Florida law.

The Mother Father or mutually agreed upon person shall be responsible for transporting the child(ren) to the exchange point. The child(ren) shall be picked up and/or returned to the exchange point by **(Choose only one)**;

The Mother Father with the supervisor present.

The supervisor alone.

A monitored exchange location (*specify*) _____.

Other: _____.

2. Exchange

The exchange of the child(ren) shall occur at: **(Choose all that apply)**

The site of the supervised visit.

Other: _____.

The Mother Father may not come to the exchange point.

X. COMMUNICATION

1. Between Parents (Choose only one)

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: _____.

No Communication. Unless otherwise prohibited by court order, all information and communication regarding the child(ren) shall be exchanged via or through _____.

2. Between Parent and Child(ren)

The Mother Father (Choose all that apply)

Shall not telephone, write, or e-mail the child(ren) unless the contact is agreed to in advance by the other parent.

May write or e-mail the child(ren) at any time. Each parent shall provide a contact address (and e-mail address if appropriate) to the other parent, unless otherwise prohibited by court order.

May call the child(ren) on the telephone ___ times per week. The call shall last no more than ___ minutes and shall take place between ___ m. and ___ m.

Long distance telephone calls made by the child(ren) to a parent shall be paid for by ~~the parent receiving the call~~ _____. Each parent shall provide a telephone number to the other parent, unless otherwise prohibited by court order.

Other: _____.

3. Costs of Electronic Communication

“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 costs of electronic communication shall be addressed as follows:

_____.

XI. ACCESS TO ACTIVITIES AND EVENTS

The Mother Father

Shall not attend the child(ren)’s activities and events, including but not limited to, school, athletic, and extra-curricular activities and events.

May attend the child(ren)’s school, athletic, and extra-curricular activities and events.

The Mother Father must stay ___ feet from the other parent and ___ feet from the child.

Other _____.

XII. CHILD(REN)'S SAFETY

The Mother Father shall follow the safety rules checked below. (Choose all that apply)

There shall be no firearms in the home, car, or in the child(ren)'s presence during time-sharing.

No alcoholic beverages shall be consumed from twenty-four (24) hours before the child(ren) arrive until they are returned to the other parent.

The child(ren) shall not be disciplined by corporal punishment.

The following person(s) present a danger to the child(ren) ~~and shall not be present during time-sharing:~~ _____.
Each parent shall ensure that during his/her time-sharing this/these person(s)

_____ will not be present

_____ will have no contact with the child(ren).

Other: _____.

XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

All changes to the Supervised/Safety-Focused Parenting Plan must be pursuant to a court order.

XIV. OTHER PROVISIONS

SIGNATURE OF PARENTS

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 clerk.]

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

I certify that I have been open and honest in entering into this settlement 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 clerk.]

___ Personally known
___ Produced identification
Type of identification produced

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

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

ORDER OF THE COURT

IT IS ORDERED AND ADJUDGED THAT THE PARENTING PLAN SET FORTH ABOVE IS ADOPTED AND ESTABLISHED AS AN ORDER OF THIS COURT.

ORDERED ON _____.

CIRCUIT JUDGE

COPIES TO:

Father (or his Attorney)

Mother (or her Attorney)

Other

I certify that these forms were read against the Court's opinion in this case of March 26, 2009.

Ellen H. Sloyer, Associate Editor
Legal Publications
The Florida Bar