

# MOTION FOR CONTEMPT AND ENFORCEMENT

COST PER PACKAGE \$ 7.00

**\*\*PURCHASE OF THIS PACKAGE IS NON REFUNDABLE\*\***

## **INFORMATION ABOUT THIS PACKET**

**Before you choose to represent yourself in any action, it is strongly recommended that you seek the advice of an attorney.**

**The forms included in this packet are for those litigants who choose to represent themselves in court, pro se (without an attorney). The packet may or may not include all the forms you need for your particular situation. Additional forms may be available upon request from the Clerk of Court's office.**

**It is up to you, the pro se litigant, to determine which forms are appropriate for your situation and to fill the forms out completely and properly. It is also your decision whether or not to use these forms. If you have any questions concerning your legal rights and remedies, please contact an attorney.**

**The Clerk of Court's Office and the Family Law Pro Se Coordinator cannot give you legal advice. You are representing yourself and you alone are responsible for the correct completion and filing of the forms.**

**For a complete list of forms that are available through the Clerk of Court's Office, please refer to the Family Law Forms, Commentary and Instructions Book. For other information, refer to the Florida Statutes and the Florida Family Law Rules of Procedure.**

## IMPORTANT INFORMATION AND INSTRUCTIONS FOR PRO SE

### ABOUT LEGAL PROCEEDINGS:

- A pro se litigant is a person who represents himself on a legal matter without the legal advice and representation of an attorney licensed to practice law.
- It is highly recommended that you consult with an attorney before deciding to represent yourself in court.
- The Pro Se Coordinator nor the Clerk are attorneys and cannot give you legal advice, represent you in court, tell you what to say, do or write, or tell you about your legal rights and remedies.
- The Pro Se Coordinator can give information and guidance on how the court system works, what forms are available for your use, local procedures for filing your forms and getting a hearing date and agencies in the community that may be able to assist you.
- It is the pro se litigant's responsibility to file the appropriate pleadings with the Clerk of Court, properly serve the opposing party with a copy of all documents, and make sure that the other party is given sufficient notice of the hearing.
- There is no confidential relationship between Family Law Pro Se Staff and pro se litigants.

### ABOUT THE COURT HEARING:

- Be prepared to tell the Court what specific issues are to be addressed. It is recommended that you write down all issues and concerns that you will need to know in court rather than rely on memory.
- The parties are not allowed to speak to each other. All questions and objections must be directed to the Judge. Address the Judge as "Your Honor" and request permission to address the court before speaking. Do not talk while the Judge is talking.
- Arrangements should be made in advance for the care of minor children. The court will not address family law issues while the minor child(ren) are present.
- Be sure to dress appropriately. No shorts, flip flops, slippers, halter or low cut tops, tight or short skirts/dresses.
- All parties must maintain the utmost respect for the Court and each other at all times.
- The court will not tolerate emotional outburst. If you disagree with the Judge's decision, refrain from yelling, cursing, or making rude, threatening or other inappropriate comments.  
**CAUTION:** The Judge can hold you in contempt of court for inappropriate actions or words, and you could be fined and/or incarcerated.

**COURT ADMINISTRATION FIRST JUDICIAL CIRCUIT  
PRO SE INSTRUCTIONS FOR ENFORCEMENT OF COURT ORDERS**

**\*\*\*\*\*PLEASE READ CAREFULLY BEFORE REQUESTING A HEARING\*\*\*\*\***

Important: If you have a case with the Department of Revenue, Child Support Enforcement Office, you will need to contact them on enforcement of child support.

**There will be costs involved with a Motion for Enforcement such as filing fees, copy fees and fees for service by the Sheriff's Office**

**Please read the General Information for Self-Represented Litigants and the Important Information and Instructions for Pro Se Litigants at the front of your packet before proceeding.**

**Definitions:**

Petitioner: Individual making a written request (you are the petitioner)  
Respondent: Individual receiving or answering written request (the person not doing as ordered)

**You must have the respondent's current home or work address so that you can serve him/her with the pleadings**

**You must get your case number and division from the Clerk of Court and write it on the front of each document.**

Following is a checklist of forms and requirements. Specific instructions are available for each form to assist you in completing them correctly. You may need to obtain additional forms depending on your circumstances. Additional forms may be obtained from the Santa Rosa County Clerk of Court, Family Law Division, located at the Santa Rosa County Courthouse, 6865 Caroline Street, Milton, Florida 32570, (850) 981-5552, Clerk's Annex offices, or can be downloaded from the Internet at [www.flcourts.org](http://www.flcourts.org).

1. \_\_\_\_\_ Complete the Motion for Civil Contempt/Enforcement and the Request for Hearing and file with the Clerk's Office along with the required filing fee. You will receive notification of a hearing date in the mail from the Pro Se Coordinator.
2. \_\_\_\_\_ Once you have received your hearing date, file the Notice of Hearing with the Clerk of Court, Santa Rosa County Courthouse, 6865 Caroline Street, Milton, Florida 32570 or any of the Clerk's Annex Offices. The Clerk will provide you with certified copies for service on the other party and a copy for yourself. There will be a fee of \$1.00 per page for copies and \$2.00 per document for certification.

3. \_\_\_\_\_ **Take the documents to the Sheriff's Office for service.** If the respondent lives in Santa Rosa County, you will take your documents to the Santa Rosa County Sheriff's Office Civil Division for service of process on the respondent. The Sheriff's Office will send a Return of Service to you and/or the Clerk of Court stating whether or not the respondent was served. If the respondent lives in another county, he/she must be served by the Sheriff's Office or a certified Process Server in that county and the Return of Service will be sent to you. You will have to file the Return of Service with the Clerk of Court.
  
4. \_\_\_\_\_ If your **Motion for Civil Contempt/Enforcement involves nonpayment of child support or alimony**, you must also provide the following documentation to your court file prior to your hearing. (Note: These items should be obtained from the Clerk of Court as close to your hearing date as possible so that all figures are current)
  - a. Written statement of arrears (total support ordered, but not received) if the payments are made directly to you
  - b. Certified Arrearage Affidavit – if payments are made through the Clerk of Court. (There is a fee for this service)
  
5. \_\_\_\_\_ If your **Motion for Civil Contempt/Enforcement** involves any issues regarding the children, you also must complete **Form 12.902(d) Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**.
  
6. \_\_\_\_\_ **Order on Motion for Enforcement.** You are required to provide a neatly and accurately typed or handwritten Order on Motion for Enforcement (leave items the Judge will decide blank).
  
7. \_\_\_\_\_ **Be prepared for your hearing.** You must be prepared to address the issues you requested the Court to enforce in your petition. Remember: **The Court may not address issues that you did not specifically indicate on the Motion for Enforcement, and the Court cannot enforce something that was not previously ordered.**

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled to, at **no cost** to you, to the provision of certain assistance. Please contact Court Administration, Sheila Sims, Chief Deputy Court Administrator, Office of Court Administration, at M.C. Blanchard Judicial Center, 5<sup>th</sup> Floor, 190 Governmental Center, Pensacola, Florida 32502 within two (2) working days of your receipt of this document. If you are hearing impaired, call 711

**FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS**  
**GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS**  
**(12/10)**

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

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

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

**Commentary**

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

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

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

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

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

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

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

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

### FAMILY LAW PROCEDURES

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

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

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

Once a case has been filed, a copy must be given to (served on) the respondent. The person against whom the original legal action is being requested is called the respondent, because he or she is expected to respond to the petition. The respondent remains the respondent throughout the case.

**Service.** When one party files a petition, motion, or other pleading, the other party must be "served" with a copy of the document. This means that the other party is given proper notice of the pending action(s) and any scheduled hearings. Personal service of the petition and summons on the respondent by a deputy sheriff or private process server is required in all original petitions and supplemental petitions, unless constructive service is permitted by law. Personal service may also be required in other actions by some judges. After initial service of the original or supplemental petition and summons by a deputy sheriff or private process server, service of most motions and other documents or papers filed in the case generally may be made by regular U.S. mail or hand delivery. However, service by

**certified mail** is required at other times so you have proof that the other party actually received the papers. The instructions with each form will advise you of the type of **service** required for that form. **If the other party is represented by an attorney, you should serve the attorney and send a copy to the other party, except for original or supplemental petitions, which must be personally served on the respondent.**

Other than the initial original or supplemental petitions, anytime you file additional pleadings or motions in your case, you must provide a copy to the other party and include a **certificate of service**. Likewise, the other party must provide you with copies of everything that he or she files. Service of additional documents is usually completed by U.S. mail. For more information, see the instructions for **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914.

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

**Note:** If you absolutely do not know where the other party to your case lives or if the other party resides in another state, you may be able to use **constructive service**. However, if constructive service is used, other than granting a divorce, the court may only grant limited relief. 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). Additionally, if the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

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

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

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



**Certificate of Compliance with Mandatory Disclosure, Florida Family Law Rules of Procedure Form 12.932.**

**Parenting Plan.** If your case involves minor or dependent child(ren), a **Parenting Plan** shall be approved or established by the court. **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a) or **Safety-Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b). The Parenting Plan shall be developed and agreed to by the parents and approved by a court. **If the parents cannot agree, or if the agreed Parenting Plan is not approved, the court must establish a Parenting Plan.** The Parenting Plan shall contain a time-sharing schedule and should address the issues regarding the child(ren)'s education, health care, and physical, social, and emotional well-being.

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

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

**Below are explanations of symbols or parts of different family law forms...**

*{specify}, {date}, {name(s)}, {street}, {city}, {state}, {phone}*  
Throughout these forms, you will find hints such as those above. These tell you what to put in the blank(s).

[ one only ] [ all that apply ]  
These show how many choices you should check. Sometimes you may check only one, while other times you may check several choices. ( ) This also shows an area where you must make a choice. Check the ( ) in front of the choice that applies to you or your case.

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

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

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

**Line 1** The clerk of court can tell you the number of your judicial circuit. Type or print it here.

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

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

Dated: _____	(1)		(2)
		Signature of Petitioner	
		Printed Name: _____	(3)
		Address: _____	(4)
		City, State, Zip: _____	(5)
		Telephone Number: _____	(6)
		Fax Number: _____	(7)

Some forms require that your signature be witnessed. You must sign the form in the presence of a **notary public** or deputy clerk (employee of the clerk of the court's office). When signing the form, you must have a valid photo identification unless the notary knows you personally. You should completely fill in all lines (1 & 3-7) except 2 with the requested information, if applicable. **Line 2, the signature line, must be signed in the presence of the notary public or deputy clerk.**

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.]

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

**DO NOT SIGN OR FILL IN THIS PART OF ANY FORM.** This section of the form is to be completed by the notary public who is witnessing your signature.

**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} \_\_\_\_\_ (2) \_\_\_\_\_, {city} \_\_\_\_\_  
{state} \_\_\_\_\_ (4) \_\_\_\_\_, {phone} \_\_\_\_\_ (5) \_\_\_\_\_, helped {name} \_\_\_\_\_ (6) \_\_\_\_\_  
who is the petitioner, fill out this form.

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

- Line 1** The **nonlawyer** who helps you should type or print his or her name on line 1.
- Lines 2–5** The nonlawyer's address and telephone number should be typed or printed on lines 2–5.
- Line 6** Your name should be typed or printed on line 6.

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

## FAMILY LAW GLOSSARY OF COMMON TERMS AND DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Delinquent** - late.

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

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

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

**Electronic Communication** - Contact, other than face-to-face contact, facilitated by tools such as 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 fact-to face contact between a parent and that parent's minor child.

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

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

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

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

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

**Final Hearing** - trial in your case.

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

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

**Guardian ad Litem** - a neutral person who may be appointed by the court to evaluate or investigate your child's situation, and file a report with the court about what is in the best interests of your child(ren). Guardians do not "work for" either party. The guardian may interview the parties, visit their homes, visit the child(ren)'s school(s) and speak with teachers, or use other resources to make their recommendation.

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

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

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

**Judicial Assistant** - the judge's personal staff assistant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Original Petition** - see **Petition**.

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

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

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

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

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

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

**Permanent Alimony** - spousal support ordered to be paid at a specified, periodic rate until modified by a court order, the death of either party, or the remarriage of the Obligee, whichever occurs first.

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

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

**Petitioner** - the person who files a petition that begins a court case.

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

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

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

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

**Respondent** - the person who is served with a petition requesting some legal action against him or her.

**Scientific Paternity Testing** - a medical test to determine who is the father of a child.

**Service** - the delivery of legal documents to a party. This must be accomplished as directed by Florida Family Law Rules 12.070 and 12.080.

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

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

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

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

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

**Trial** - the final hearing in a contested case.

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



**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY  
LAW FORM 12.960,  
MOTION FOR CIVIL CONTEMPT/ENFORCEMENT  
(12/10)**

**When should this form be used?**

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

**What should I do next?**

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

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

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

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

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

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

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

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

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

and

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

**MOTION FOR CIVIL CONTEMPT/ENFORCEMENT**

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

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

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

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

\_\_\_\_ Please indicate here if additional pages are attached.

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

\_\_\_\_ Please indicate here if additional pages are attached.

4. I respectfully request that the Court issue an order holding the above-named person in civil contempt, if appropriate, and/or providing the following relief:

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

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

\_\_\_\_\_ ; and  
o.  awarding other relief *{explain}*: \_\_\_\_\_

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

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

**Other party or his/her attorney:**  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above 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, whose address is {street} \_\_\_\_\_, {city} \_\_\_\_\_,  
{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,  
who is the [ Choose only one ] \_\_\_ petitioner or \_\_\_ respondent, fill out this form.

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,  
IN AND FOR SANTA ROSA COUNTY, FLORIDA**

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

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

\_\_\_\_\_  
Street Address

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

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

And

\_\_\_\_\_, Respondent

\_\_\_\_\_  
Street Address

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

***Check only one:***

Type of Case: ( ) Dissolution of Marriage ( ) Modification of Custody / Visitation  
( ) Enforcement ( ) Modification of Alimony / Child Support ( ) Establish Visitation  
( ) Paternity ( ) Stepparent Adoption ( ) Temporary Custody

***Check all that apply***

Other pending cases of final judgments: ( ) Child Support Enforcement / Department of  
Revenue case ( ) Dependency / Department of Children and Families case ( ) Domestic  
Violence case ( ) Other: \_\_\_\_\_

Case Number(s) \_\_\_\_\_

**REQUEST FOR HEARING**

I, \_\_\_\_\_, Petitioner in this case, affirm to the best of my knowledge and  
belief that **all** necessary requirements for a hearing have been met as follows:

***(Initial each item below)***

\_\_\_\_\_ All required forms and documents that were listed in the instructions provided to me were filed  
with the Clerk of Court. All forms and documents were filled out completely, signed and notarized where  
required.

\_\_\_\_\_ The Petition and forms were properly served on the other party by ( ) Service by Sheriff ( )  
Service by Publication or Posting ( ) Hand Delivery ( ) An Acceptance & Waiver of Service was filed  
with the case.

\_\_\_\_\_ The respondent has filed all the required forms or I have followed the instructions to request a  
Default, and/or Waive or Compel the other party. If an Order to Compel was issued, the time given the  
other party to comply has passed.

I understand that my file will be reviewed by the court staff within the next three  
(3) weeks and a Case Status Report will be provided to me with a court date or further instructions to  
proceed.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Daytime Telephone Number

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.961, NOTICE OF HEARING ON MOTION FOR  
CONTEMPT/ENFORCEMENT (9/11)**

**When should this form be used?**

Use this form anytime you have set a **hearing** on a **Motion for Contempt/Enforcement**, Florida Supreme Court Approved Family Law Form 12.960, for a support matter under rule 12.615, Florida Family Law Rules of Procedure. Before you fill out this form, you should coordinate a hearing time and date with the **judge** or **hearing officer** and the other party. If the Department of Revenue is a party to the case, you may need to schedule your hearing time with the attorney for the Department of Revenue.

If your case is to be heard by a child support enforcement hearing officer, the following information applies: A child support enforcement **hearing officer** is an attorney who has been appointed by administrative order of the court to take testimony and recommend decisions in cases involving the establishment, enforcement, and/or modification of **child support**, and the enforcement of alimony in conjunction with an ongoing child support arrearage order. If your case only involves issues pertaining to child support, you cannot object to the referral of your case to a hearing officer. If your case is going to be heard by a **general magistrate**, you should use **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c).

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

**What should I do next?**

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

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

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** For further information, see rules 12.615 and 12.941, Florida Family Law Rules of Procedure.

**Special notes**

An attorney who has been appointed by the court to serve as a child support enforcement hearing officer can also be appointed to serve as a general magistrate. If your case involves only child support issues, your

case properly may be referred to a general magistrate acting as a child support enforcement hearing officer.

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



IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

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

and

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

**NOTICE OF HEARING ON MOTION FOR CONTEMPT/ENFORCEMENT  
IN SUPPORT MATTERS (RULE 12.615)**

TO: *{name of other party}* \_\_\_\_\_

There will be a hearing before \_\_\_\_\_ *{name of judge or hearing officer}*,  
on *{date}* \_\_\_\_\_, at *{time}* \_\_\_\_\_ m., in room \_\_\_\_\_ of the \_\_\_\_\_  
Courthouse, on the ( ) Petitioner's ( ) Respondent's Motion for Contempt in Support Matters.  
\_\_\_\_ hour(s)/ \_\_\_\_ minutes have been reserved for this hearing.

**FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY  
ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS  
BEFORE A HEARING IS HELD.**

This part to be filled out by the court or to be filled in with information obtained from the court:

**If you are a person with a disability who needs any accommodation in order to  
participate in this proceeding, you are entitled, at no cost to you, to the provision  
of certain assistance. Please contact:**

***{identify applicable court personnel by name, address, and telephone number }*  
at least 7 days before your scheduled court appearance, or immediately upon  
receiving this notification if the time before the scheduled appearance is less  
than 7 days; if you are hearing or voice impaired, call 711.**

If you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the judge or hearing officer's office to cancel this hearing.

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

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

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

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

\_\_\_\_\_  
**Signature of Party**

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.902(d), UNIFORM CHILD CUSTODY JURISDICTION AND  
ENFORCEMENT ACT (UCCJEA) AFFIDAVIT (12/10)**

**When should this form be used?**

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

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

**What should I do next?**

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

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

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

**Special notes...**

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

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

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms

also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

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

and

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

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

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

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

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

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

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

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

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

___/___			
---------	--	--	--

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # \_\_\_:

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

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

Child's Residence for the past 5 years:

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

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # \_\_\_:

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

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

Child's Residence for the past 5 years:

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

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

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

**[ Choose only one ]**

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

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

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

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

**[ Choose only one ]**

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

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

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

**4. Persons not a party to this proceeding:**

**[ Choose only one ]**

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

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

- a. Name and address of person: \_\_\_\_\_

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

Name of each child: \_\_\_\_\_

b. Name and address of person: \_\_\_\_\_

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

Name of each child: \_\_\_\_\_

c. Name and address of person: \_\_\_\_\_

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

Name of each child: \_\_\_\_\_

**5. Knowledge of prior child support proceedings:**

**[Choose only one]**

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

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

a. Name of each child:

b. Type of proceeding:

c. Court and address:

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

e. Amount of child support paid and by whom: \_\_\_\_\_

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

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

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

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

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

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

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



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

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

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

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

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

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

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

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

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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.910(b),

PROCESS SERVICE MEMORANDUM

**When should this form be used?**

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

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your petition was filed and attach a copy to the **Summons: Personal Service on an Individual**, ☞☐ Florida Family Law Rules of Procedure Form 12.910(a). You should also keep a copy for your records.

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

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** You should read the instructions for **Summons: Personal Service on an Individual**, ☞☐ Florida Family Law Rules of Procedure Form 12.910(a), for additional information.

**Special notes...**

If this is a domestic violence case and you want to keep your address confidential for safety reasons, do not enter your address, telephone, and fax information at the bottom of this form. Instead, write "confidential" in the spaces provided for that information and file **Petitioner's Request for Confidential Filing of Address**, ☞☐ Florida Supreme Court Approved Family Law Form 12.980(i).

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

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

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

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

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

and

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

### PROCESS SERVICE MEMORANDUM

TO: ( ) Sheriff of \_\_\_\_\_ County, Florida; \_\_\_\_\_ Division  
( ) Private process server: \_\_\_\_\_

Please serve the {name of document(s)} \_\_\_\_\_

in the above-styled cause upon:

Party: {full legal name} \_\_\_\_\_

Address or location for service: \_\_\_\_\_

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

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

SPECIAL INSTRUCTIONS: \_\_\_\_\_

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

Signature of Party

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

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

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

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

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

**\* If this is a domestic violence case, do not enter this information if your address or telephone number need to be kept confidential for safety reasons; instead write "confidential" in the spaces provided and file**

**Florida Supreme Court Approved Family Law Form 12.980(I), Petitioner's Request for Confidential Filing of Address.**

**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 IN AND FOR SANTA ROSA COUNTY, FLORIDA**

\_\_\_\_\_  
Petitioner

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

vs.

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

\_\_\_\_\_  
Respondent

**NOTICE OF PERMANENT MAILING ADDRESS**

I, \_\_\_\_\_, the Petitioner/Respondent in the above styled cause of action hereby certify that my permanent mailing address is as follows:

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

**I UNDERSTAND THAT ONLY THIS ADDRESS WILL BE USED BY THE COURT, THE OPPOSING PARTY, AND ANY INTERVENING PARTIES TO THIS CASE FOR THE PURPOSE OF PROVIDING ME WITH:**

**Notice of all future hearings in this case , and  
Any Court documents and papers pertaining to this case.**

I UNDERSTAND THAT ALL NOTICES AND COURT PAPERS IN THIS CASE WILL BE SENT TO ME ONLY AT THE ABOVE ADDRESS AND THAT IN THE EVENT PERSONAL SERVICE OF ANY COURT DOCUMENTS IS NECESSARY THAT THEY WILL FIRST BE ATTEMPTED TO BE SERVED AT THE ABOVE LISTED ADDRESS UNLESS AND UNTIL I NOTIFY THE COURT OF MY NEW ADDRESS. I ALSO UNDERSTAND THAT IF I CHANGE MY PERMANENT MAILING ADDRESS OR RESIDENCE ADDRESS, I MUST NOTIFY THE CLERK OF COURT OF MY NEW ADDRESS IN WRITING BY COMPLETION OF ANOTHER FORM SIMILAR TO THIS FORM AT THE FOLLOWING ADDRESS WITHIN ONE (1) WEEK OF THE CHANGE OF ADDRESS AND WITH A COPY BEING FURNISHED TO ALL PARTIES:

Clerk of Court Santa Rosa County  
Family Law Division  
P.O. Box 472  
Milton, Florida 32572

I have read this document and I understand that is my responsibility to keep the Court informed of any change in my current address. I understand that copies of any court documents and notice of all future hearings which are mailed to my current address set forth herein will constitute proper notice and service, and the Court may proceed on all matters noticed and mailed to the above address even if I do not appear for said hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Certificate of Service**

I certify that a copy hereof has been furnished to \_\_\_\_\_ by (deliver) (mail) (fax) on this, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,  
IN AND FOR SANTA ROSA COUNTY, FLORIDA**

\_\_\_\_\_  
Petitioner

Case Number: \_\_\_\_\_

And

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

\_\_\_\_\_  
Respondent

**ORDER ON MOTION FOR CIVIL CONTEMPT/ENFORCEMENT**

The Motion for Civil Contempt/Enforcement filed by \_\_\_\_\_ Former Husband \_\_\_\_\_ Former Wife was heard on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Present and testifying was/were the \_\_\_\_\_ Former Husband and/or \_\_\_\_\_ Former Wife. Based on the testimony and evidence presented is hereby:

**ORDERED AND ADJUDGED:**

1. The \_\_\_\_\_ Former Husband \_\_\_\_\_ Former Wife:

- ( ) is in willful contempt for failure to pay ( ) Child support and/or ( ) alimony.
- ( ) is in willful contempt for his/her failure to abide by the court ordered visitation schedule.
- ( ) is in willful contempt for failure to: \_\_\_\_\_

( ) **is not** in willful contempt of this Court.

2. Child Support arrears are established at \$ \_\_\_\_\_ As of \_\_\_\_\_.

3. Alimony arrears are established at \$ \_\_\_\_\_ As of \_\_\_\_\_.

4. Payment of arrears shall be as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. The Petitioner shall be entitled to and Income Deduction Order.

6. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DONE AND ORDERED** at Milton, Santa Rosa County, Florida, this \_\_\_\_ Day of  
\_\_\_\_\_, 20\_\_\_\_.

---

**CIRCUIT JUDGE**

Copies to:

Former Husband by Delivery \_\_\_\_\_ In Court \_\_\_\_\_ Mailed

Former Wife by Delivery \_\_\_\_\_ In Court \_\_\_\_\_ Mailed