

# PETITION FOR STEP PARENT ADOPTION

COST PER PACKAGE \$ 12.00

**\*\*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 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.

## **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.]

\_\_\_\_ Personally known  
\_\_\_\_ Produced identification  
\_\_\_\_ 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.

COURT ADMINISTRATION, FIRST JUDICIAL CIRCUIT OF FLORIDA  
SELF-HELP PACKET FOR PETITION TO FOR STEPPARENT ADOPTION

**YOU MAY CONSULT OR RETAIN AN ATTORNEY AT ANY TIME**

These instructions are for a stepparent who is adopting his/her spouse's biological child. It should be filed in the county where the child resides. Both the stepparent and his/her spouse must sign the petition. Please read the instruction sheet on **General Information for Self-Represented Litigants along with this instruction sheet before proceeding.**

There are fees for this action. If you cannot pay the fees because of unemployment or insufficient income, you may file an Affidavit of Indigency, Form 12.902(a), Financial Affidavit, Form 12.902 (h) and three months proof of income with the Clerk of Court. If the Clerk of Court determines that you meet the criteria, a Certified Certificate of Indigency will be provided, to you and some fees may be waived.

**Definitions**

- Petitioner:** Parent who is married to the biological parent of the child to be adopted, and who files the petition to begin the action.
- Respondent:** The non-custodial birth parent who is being asked to give up his/her parental rights pending a stepparent adoption and whose consent should be obtained.

You must complete and file documents 1 – 8 with the Clerk of Court, then proceed according to your particular situation as indicated in either A, B, or C below. Additional forms you may need that are not in your packet are available from the Clerk of Court.

1. \_\_\_\_\_ Form 12.981(b)(1) **Joint Petition for Adoption by Stepparent.**
2. \_\_\_\_\_ Form 12.902(d) **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit.**
3. \_\_\_\_\_ **Certified copy of the child(ren)'s birth certificate(s).**
4. \_\_\_\_\_ Form 12.981(a)(5) **Indian Child Welfare Act Affidavit.**
5. \_\_\_\_\_ Form 12.981(a)(2) **Consent of Adoptee is child if age 12 or older.**
6. \_\_\_\_\_ Form 12.981 (a)(1) **Consent and Waiver by Parent.** This form must be completed and signed by the parent who is giving up rights to and custody of the minor child. This consent cannot be signed before the birth of the child.
  - OR
  - a. \_\_\_\_\_ Form 12.981(a)(3) **Affidavit of Non-Paternity.** This form is to be completed when the father of the child was not married to the mother and paternity had not been established by court order. This consent can be signed before the birth of the child.
    - OR
    - b. \_\_\_\_\_ **Certified copy of respondent's death certificate, if deceased.**

OR

- c. \_\_\_\_\_ Form 12.981(a)(4) **Affidavit of Diligent Search**. If you do not know where the parent is, you must make a serious effort to locate him/her through the diligent search process so that you can serve him/her with the Petition for Stepparent Adoption.
7. \_\_\_\_\_ **Certificate of Search of the Florida Putative Father Registry**. This search is required in every adoption proceeding. If the search results reveal who and where the father is, you must then serve him with the Summons and Petition for Adoption by Stepparent. To get this search done, you must first file form 12.981(a)(6) **Motion for Search of Putative Father Registry** asking the Judge to order the search along with the typed Form 12.981(a)(7) **Order Granting Motion for Search of Putative Registry** – for the Judge’s signature. Provide these two forms along with a self-addressed stamped envelope to the Clerk of Court. You will need to take a certified copy of the order and complete an Application for Search of the Putative Father Registry with the Department of Vital Statistics. They will perform the search and provide the Certificate of Search to you.
8. \_\_\_\_\_ If anyone other than a lawyer helps you to complete any of the forms, you must file Form 12.900(a) **Disclosure from Non-Lawyer**.
9. \_\_\_\_\_ Form 12.981(b)(2) **Final Judgment of Stepparent Adoption**. A sample is provided in the packet. The Final Judgment must be typed neatly, accurately and be in good condition for the Judge to sign. Complete and hold for further instructions.

#### **A. IF YOU HAVE ALL DOCUMENTS AND REQUIRED CONSENTS:**

1. \_\_\_\_\_ Once all documents, including consents, are filed with the Clerk of Court, file a **Request for Hearing** form with the Family Law Office to request a hearing.
2. \_\_\_\_\_ File the Notice of Hearing along with your Final Judgment and two self-addressed stamped envelopes with the Clerk of Court. Provide copies of the Notice to the other parent.

#### **B. IF YOU DID NOT OBTAIN A CONSENT OR AFFIDAVIT OF NON PATERNITY FROM THE OTHER PARENT AND YOU KNOW HIS/HER CURRENT OR LAST KNOWN ADDRESS:**

1. \_\_\_\_\_ Form 12.910(a) **Summons: Personal Service on an Individual**. Tell the Clerk of Court that you need a Summons to serve the other parent with the documents and attach forms 1-7 above including the blank **Consent and Waiver by Parent** and **Affidavit of Non-paternity** to the Summons. The Summons informs the respondent that he/she will have 20 days to respond to your petition. Take the Summons and attachments to the Sheriff’s Office in the county where the party lives. The Sheriff’s Office will send a Return of Service to you and to the Clerk of Court, stating whether the respondent was or was not served.
2. \_\_\_\_\_ If the Respondent does not file an answer within the 20 days provided, you must file Form 12.922(a) **Motion for Default**. If the other parent is not in the military, you must also file Form 12.912(b) **Non-military Affidavit** at this time.
3. \_\_\_\_\_ Once a Default is entered you may request a hearing by filing a Request for Hearing form with Family Law Office. You will need to immediately file a Notice of Hearing and send a copy to the other parent.
4. \_\_\_\_\_ Prior to your hearing, provide your Final Judgment and two (2) self-addressed stamped envelopes to the Clerk of Court.

## C. IF YOU HAVE BEEN UNABLE TO FIND THE OTHER PARENT'S ADDRESS THROUGH DILIGENT SEARCH OR THE PUTATIVE FATHER REGISTRY.

If your attempts to locate and serve the other parent through the Sheriff's Office have been unsuccessful, you must use constructive service (sometimes referred to as service by publication). The requirements for constructive service are complex, and you may want to seek advice from an attorney.

1. \_\_\_\_\_ File the Notice of Action for Adoption by Stepparent. You will need to file this Notice with the Clerk of Court. Do not fill in the response date until you are presenting it to the Clerk of Court. It is recommended that you insert a response date at least 35 days, but no more than 60 days from the day you present it to the Clerk for signing and filing. Get two (2) copies; one for your records and one for the publication. The Notice must be published immediately with a qualified local newspaper for four (4) consecutive weeks. If you cannot afford to pay to publish the Notice, you will need to file an Affidavit of Indigency, Form 12.902(a) and Financial Affidavit, Form 12.902(b) per paragraph 2 of the above instructions. If the clerk determines that you cannot afford these fees, they will post your Notice in a designated place for the required four week period.

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

1. \_\_\_\_\_ The respondent has until the date listed on the Notice of Action to file an answer. If he/she fails to answer your petition in the time allowed, you will need to file Form 2.922(a) **Motion for Default** and Form 2.912(b) **Non-Military Affidavit**.

2. \_\_\_\_\_ After the Clerk of Court enters the Default, you may request a hearing date by filing a **Request for Hearing** form. Once you have a hearing date you will need to file a Notice of Hearing with the Clerk.

3. \_\_\_\_\_ Prior to your hearing, provide your Final Judgment and a self-addressed stamped envelope to the Clerk of Court.

### NOTICE OF LIMITATION OF SERVICES PROVIDED

This list of forms and procedural information should be considered as a guideline and not legal advice. It is best to consult with your own attorney, especially if your case present significant issues regarding children, child support, alimony, retirement or pension benefits, assets or liabilities

The personnel in the self-help program are not acting as your lawyer or providing legal advice to you. Self-help personnel are not acting on behalf of the Court or any Judge. The presiding Judge in your case may require amendment of a form or substitution of a different form other than any you may have obtained from the clerk's office, the self-help office or a legal forms provider. The form(s) you file are only a request of the Court. The Judge is not required to grant the relief requested in a form. The personnel in the self-help program cannot tell you what your legal rights or remedies are, represent you in court or tell you how to testify in court. Self-help services are available to all persons who are or will be parties to a family case. The information you give to and receive from self-help personnel is not confidential and may be subject to disclosure at a later date. Nothing you may tell family court personnel is confidential. If another person involved in your case seeks assistance from this self-help program, that person will be given the same type of assistance you received.

## **Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases (01/10)**

### *When should this form be used?*

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

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

### *What should I do next?*

Follow these instructions for completing the form:

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

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

**ATTORNEY OR PARTY SIGNATURE.** Sign the Cover Sheet for Family Court Cases. Print legibly the name of the person signing the Cover Sheet for Family Court Cases. Attorneys must include a Florida Bar number. Insert the date the Cover Sheet for Family Court Cases is signed. Signature is

a certification that filer has provided accurate information on the Cover Sheet for Family Court Cases.

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

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

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

**Cover Sheet for Family Court Cases**

I. Case Style

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

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

Judge: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

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

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

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

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

- (Q) \_\_\_ Shelter Petition
- (R) \_\_\_ Termination of Parental Rights Arising Out Of Chapter 39
- (S) \_\_\_ Adoption Arising Out Of Chapter 39
- (T) \_\_\_ CINS/FINS

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

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

**ATTORNEY OR PARTY SIGNATURE**

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

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

\_\_\_\_\_  
 (Type or print name) Date

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

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.981(b)(1),  
JOINT PETITION FOR ADOPTION BY STEPPARENT (12/10)**

**When should this form be used?**

This form should be used when a stepparent is adopting his or her spouse's child. Both the stepparent and his or her spouse must sign this petition. You must attach all necessary consents or acknowledgments that apply to your case, as listed under the Special Notes section below. Florida Statutes require that consent to adoption be obtained from:

- the mother of the minor.
- the father of the minor if:
  1. the minor was conceived or born while the father was married to the mother;
  2. the minor is his child by adoption;
  3. the minor has been established by a court proceeding to be his child;
  4. he has filed an affidavit of paternity pursuant to section 382.013(2)(c) Florida Statutes; or
  5. in the case of an unmarried biological father, he has acknowledged in writing, signed in the presence of a competent witness, that he is the father of the minor, has filed such acknowledgment with the Office of Vital Statistics of the Department of Health within the required timeframes, and has complied with the requirements of section 63.062(2).

Determining whether someone's consent is required, or when consent may not be required—is a complicated issue and you may wish to consult an attorney. For more information about consenting to adoption, you should refer to Chapter 63, Florida Statutes, and sections 63.062 - 63.082 in particular.

This form should be typed or printed in black ink. The name to be given to the child(ren) **after** the adoption should be used in the heading of the petition. The stepparent is the petitioner, because he or she is the one who is asking the court for legal action. After completing this form, you and your spouse must sign it before a notary public or deputy clerk. You should then file the original and 1 copy with the clerk of the circuit court in the county where the minor resides unless the court changes the venue.

**What should I do next?**

For your case to proceed, you must have the written consent of the other birth parent and the child, if applicable. The **court** may choose not to require consent to an adoption in some circumstances. For more information about situations where consent may not be required, see section 63.064, Florida Statutes. If you are attempting to proceed without the consent of the other birth parent, you may wish to consult with an attorney. Section 63.054, Florida Statutes, requires that in each adoption proceeding, the Florida Putative Father Registry be searched. You will need an order from the judge to do this, which you can request by filing a **Motion for Search of the Putative Father Registry**, Florida Supreme Court Approved Family Law Form 12.981(a)(6).

When you have filed all of the required forms and met the requirements as outlined above, you are ready to set a hearing on your petition. You should check with the clerk of court, family law intake staff or the judicial assistant to set a final hearing. If all persons required to consent have consented and the consents/affidavits of nonpaternity have been filed with the court, the hearing may be held immediately. If not, notice of the hearing must be given as provided by the Rules of Civil Procedure. See Form 1.902, Florida Rules of Civil Procedure. If you know where the other birth parent lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive**

**service.** In order to use constructive service you will need to complete and submit to the court **Stepparent Adoption: Affidavit of Diligent Search**, Florida Supreme Court Approved Family Law Form 12.981(a)(4). For more information about personal and constructive service, you should refer to the **"General Instructions for Self-Represented Litigants"** found at the beginning of these forms and the instructions to 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). However, the law regarding constructive service is very complex and you may wish to consult an attorney regarding that issue.

### **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 Chapter 63, Florida Statutes, and Florida Family Law Rule 12.200(a)(2) for further information.

### **Special notes...**

With this petition you must file the following:

- Consent form executed by the birth parent, **Stepparent Adoption: Consent and Waiver by Parent**, Florida Supreme Court Approved Family Law Form 12.981(a)(1) or **Stepparent Adoption: Affidavit of Nonpaternity**, Florida Supreme Court Approved Family Law Form 12.981(a)(3).
- If any person whose consent is required is deceased, a certified copy of the death certificate must be attached to this Petition.
- Consent form executed by the minor child(ren), if the child(ren) is/are over 12 years of age, **Stepparent Adoption: Consent of Adoptee**, Florida Supreme Court Approved Family Law Form 12.981(a)(2). The court can excuse filing of this form under certain circumstances.
- Certified copy of the child(ren)'s birth certificate.
- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- If applicable, **Stepparent Adoption: Motion for Search of the Putative Father Registry**, Florida Supreme Court Approved Family Law Form 12.981(a)(6).

These family law forms contain a **Final Judgment of Stepparent Adoption**, Florida Supreme Court Approved Family Law Form 12.981(b)(2), 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 a final judgment form with you to the hearing. If so, you should type or print the heading, including the circuit, county case number, division, and the child(ren)'s names, and leave the rest blank for the judge to complete at your hearing. You should decide how many **certified copies** of the final judgment you will need and be prepared to obtain them after the hearing. There is a charge for certified copies, and the clerk can tell you how much. The file will be sealed after the final hearing, and then it will take an order from a judge to open the file and obtain a copy of the final judgment.

**AN ADOPTIVE STEPPARENT WILL CONTINUE TO HAVE PARENTAL RIGHTS, INCLUDING CUSTODY AND TIME- SHARING, WHERE APPROPRIATE, IN THE EVENT OF A LATER DISSOLUTION OF MARRIAGE, AND MAY BE LIABLE FOR CHILD SUPPORT IN THE EVENT OF A LATER DISSOLUTION OF MARRIAGE. YOU COULD BE LIABLE IN LITIGATION FOR THE ACTIONS OF THE ADOPTEE(S). THIS ADOPTION MAY ALSO AFFECT THE ADOPTEE'S INHERITANCE.**

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

Instructions for Florida Supreme Court Approved Family Law Form 12.981(b)(1), Joint Petition for Adoption by Stepparent (12/10)

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: \_\_\_\_\_

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
{use name to be given to child(ren)} Adoptee(s).

**JOINT PETITION FOR ADOPTION BY STEPPARENT**

Petitioner, {full legal name} \_\_\_\_\_ being sworn,  
joined by the above-named child(ren)'s ( ) mother ( ) father, {full legal name} \_\_\_\_\_,  
being sworn, files this joint petition for adoption of the above-named  
minor child(ren), under chapter 63, Florida Statutes.

1. This is an action for adoption of a minor child(ren) by his or her (their) stepparent.
2. I desire to adopt the following child(ren):

	Name to be given to child(ren)	Birth date	Birthplace
a.			
b.			
c.			
d.			
e.			
f.			

A certified copy of the birth certificate(s) is/are attached.

3. The child(ren) has (have) resided with me since {date} \_\_\_\_\_  
I wish to adopt the child(ren) because I would like to legally establish the parent-child  
relationship already existing between the child(ren) and me. Since the above date, I have been  
able to provide adequately for the material needs of the child(ren) and am able to continue  
doing so in the future, as well as to provide for the child(ren)'s mental and emotional well-being.  
Other reasons I wish to adopt the children are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. I am \_\_\_\_\_ years old, and have resided at {street address}, \_\_\_\_\_  
{city} \_\_\_\_\_ {county} \_\_\_\_\_ {state} \_\_\_\_\_ for \_\_\_\_\_ years.

5. I married the ( ) father or ( ) mother of the child(ren) on {date} \_\_\_\_\_,  
in {city} \_\_\_\_\_ {county} \_\_\_\_\_, {state} \_\_\_\_\_. The following  
are the dates and places of my dissolutions of marriage, if any:

	Date	Place
a.		
b.		

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

7. A description and estimate of the value of any property of the adoptee(s) is as follows:

---

---

---

---

8. Consent by the adoptee(s):

( ) is attached for: *Name(s)* \_\_\_\_\_

( ) is not required because the adoptee(s) is/are not 12 years of age: *Name(s)* \_\_\_\_\_

( ) was excused by the court for: *Name(s)* \_\_\_\_\_

9. The following person(s) is/are required to consent and the consent form or affidavit of nonpaternity is/are attached \_\_\_\_\_

10. The following person(s) whose consent is required has not consented. The facts/circumstances that excuse the lack of consent and would justify termination of this person's parental rights are:

Name	Address	Facts/circumstances
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. A copy of this Petition was served on all known persons whose consent is required but did not waive notice, as well as on all persons whose consent is required but did not provide consent. Proof of service is attached.

[Indicate if applicable:]

\_\_\_\_\_ A search of the Putative Father Registry maintained by the Office of Vital Statistics of the Department of Health has been requested, and if granted, the certificate from the State Registrar will be filed in this action.

WHEREFORE, I request that this Court terminate the parental rights of \_\_\_\_\_, *{name of parent whose rights are sought to be terminated}*, enter a Final Judgment of Adoption of the Minor Child(ren) by Petitioner Stepparent and, as requested, change the name of the adoptee(s).

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature of ( ) mother ( ) father  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

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

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

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

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

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

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

I, *{full legal name and trade name of nonlawyer}* \_\_\_\_\_,  
a nonlawyer, 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 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

# 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  
12.981(a)(5),  
INDIAN CHILD WELFARE ACT AFFIDAVIT

**When should this form be used?**

This form should be used in cases involving stepparent adoption of a child. This **affidavit** is **required**.

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.

**Special notes...**

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

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

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
Adoptee(s).

**INDIAN CHILD WELFARE ACT AFFIDAVIT**

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

1. Upon information and belief the child \_\_\_\_\_ *{name}* subject to this proceeding:  
[  one only ]

\_\_\_ is not an Indian child. The Indian Child Welfare Act does not apply to this proceeding.

\_\_\_ is an Indian child within the meaning of the Indian Child Welfare Act of 1978 (25 U.S.C. §1901 et seq.).

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 12.981(a)(1), STEPPARENT ADOPTION: CONSENT AND WAIVER  
BY PARENT (12/10)**

**When should this form be used?**

This form is to be completed and signed by the parent who is giving up all rights to, custody of, and time sharing with the minor child to be adopted. This consent shall not be executed before the birth of the minor child. For more information about consenting to adoption, you should refer to Chapter 63, Florida Statutes, and sections 63.062 - 63.082, Florida Statutes, in particular.

This form should be typed or printed in black ink. It must be signed in the presence of a **notary public** or **deputy clerk** and two witnesses other than the notary or clerk. You should **file** this form with the **Joint Petition for Adoption by Stepparent**, Florida Supreme Court Approved Family Law Form 12.981(b)(1).

After completing this form, you should hand deliver a copy or duplicate original to the parent giving consent and have them sign the original saying they received a copy. Then you should file the original with the **clerk of the circuit court** in the county where the **Joint Petition for Adoption by Stepparent**, Florida Supreme Court Approved Family Law Form 12.981(b)(1) is filed and keep a copy for your records.

**Special notes...**

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

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

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

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_  
Adoptee(s).

**CONSENT AND WAIVER BY PARENT**

1. I, {full legal name} \_\_\_\_\_, am the [ Choose only one]  
( ) father or ( ) mother of the minor child(ren) subject to this consent who is/are:

	Child's Current Name	Gender	Birth date	Birthplace {city, county, state}
a.	_____			
b.	_____			
c.	_____			
d.	_____			
e.	_____			
f.	_____			

2. I relinquish all rights to, custody of, and time sharing with this (these) minor child(ren), {name(s)} \_\_\_\_\_ with full knowledge of the legal effect of the stepparent adoption and consent to the adoption by the child(ren)'s stepparent whose name is: [Choose only one]  
( ) {name} \_\_\_\_\_  
( ) not required for my granting of this consent.
3. I understand my legal rights as a parent and I understand that I do not have to sign this consent and release of my parental rights. I acknowledge that this consent is being given knowingly, freely, and voluntarily. I further acknowledge that my consent is not given under fraud or duress. I understand that there is a "grace period" in Florida during which I may revoke my consent. If the child to be adopted is older than 6 months at the time of consent, this grace period is for 3 days or until the child has been placed with the prospective adoptive parents, whichever is later. I understand that, in signing this consent, I am permanently and forever giving up all my parental rights to and interest in this (these) minor child(ren) and that this consent may only be withdrawn if the Court finds it was obtained by fraud or duress. I voluntarily, permanently relinquish all my parental rights to this (these) minor child(ren).
4. I consent, release, and give up permanently, of my own free will, my parental rights to this (these) minor child(ren), for the purpose of stepparent adoption.
5. I waive any further notice of the stepparent adoption proceeding.

6. I understand that pursuant to Chapter 63, Florida Statutes, "an action or proceeding of any kind to vacate, set aside, or otherwise nullify a judgment of adoption or an underlying judgment terminating parental rights on any ground may not be filed more than 1 year after entry of the judgment terminating parental rights."
  
7. I understand I have the right to choose a person who does not have an employment, professional, or personal relationship with the adoption entity or the prospective adoptive parents to be present when this affidavit is executed and to sign it as a witness. The witness I selected is: {full legal name} \_\_\_\_\_.

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

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

Signature of Parent: \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License No.: \_\_\_\_\_

State ID Card No.: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License No.: \_\_\_\_\_

State ID Card No.: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF

Sworn to or affirmed and signed before me on {date} \_\_\_\_\_ at {time} \_\_\_\_\_.

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

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

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

I hereby acknowledge receipt of a copy or duplicate original of this executed **Consent and Waiver**.

\_\_\_\_\_  
Signature of Parent

**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} \_\_\_\_\_  
fill out this form.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.981(a)(1), STEPPARENT ADOPTION: CONSENT AND WAIVER  
BY PARENT (12/10)**

**When should this form be used?**

This form is to be completed and signed by the parent who is giving up all rights to, custody of, and time sharing with the minor child to be adopted. This consent shall not be executed before the birth of the minor child. For more information about consenting to adoption, you should refer to Chapter 63, Florida Statutes, and sections 63.062 - 63.082, Florida Statutes, in particular.

This form should be typed or printed in black ink. It must be signed in the presence of a **notary public** or **deputy clerk** and two witnesses other than the notary or clerk. You should **file** this form with the **Joint Petition for Adoption by Stepparent**, Florida Supreme Court Approved Family Law Form 12.981(b)(1).

After completing this form, you should hand deliver a copy or duplicate original to the parent giving consent and have them sign the original saying they received a copy. Then you should file the original with the **clerk of the circuit court** in the county where the **Joint Petition for Adoption by Stepparent**, Florida Supreme Court Approved Family Law Form 12.981(b)(1) is filed and keep a copy for your records.

**Special notes...**

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

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

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

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
Adoptee(s).

**CONSENT AND WAIVER BY PARENT**

1. I, {full legal name} \_\_\_\_\_, am the [ Choose only one]  
( ) father or ( ) mother of the minor child(ren) subject to this consent who is/are:

	Child's Current Name	Gender	Birth date	Birthplace {city, county, state}
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____
d.	_____	_____	_____	_____
e.	_____	_____	_____	_____
f.	_____	_____	_____	_____

2. I relinquish all rights to, custody of, and time sharing with this (these) minor child(ren), {name(s)} \_\_\_\_\_ with full knowledge of the legal effect of the stepparent adoption and consent to the adoption by the child(ren)'s stepparent whose name is: [Choose only one]  
( ) {name} \_\_\_\_\_  
( ) not required for my granting of this consent.
3. I understand my legal rights as a parent and I understand that I do not have to sign this consent and release of my parental rights. I acknowledge that this consent is being given knowingly, freely, and voluntarily. I further acknowledge that my consent is not given under fraud or duress. I understand that there is a "grace period" in Florida during which I may revoke my consent. If the child to be adopted is older than 6 months at the time of consent, this grace period is for 3 days or until the child has been placed with the prospective adoptive parents, whichever is later. I understand that, in signing this consent, I am permanently and forever giving up all my parental rights to and interest in this (these) minor child(ren) and that this consent may only be withdrawn if the Court finds it was obtained by fraud or duress. I voluntarily, permanently relinquish all my parental rights to this (these) minor child(ren).
4. I consent, release, and give up permanently, of my own free will, my parental rights to this (these) minor child(ren), for the purpose of stepparent adoption.
5. I waive any further notice of the stepparent adoption proceeding.

6. I understand that pursuant to Chapter 63, Florida Statutes, "an action or proceeding of any kind to vacate, set aside, or otherwise nullify a judgment of adoption or an underlying judgment terminating parental rights on any ground may not be filed more than 1 year after entry of the judgment terminating parental rights."
  
7. I understand I have the right to choose a person who does not have an employment, professional, or personal relationship with the adoption entity or the prospective adoptive parents to be present when this affidavit is executed and to sign it as a witness. The witness I selected is: {full legal name} \_\_\_\_\_.

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

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

Signature of Parent: \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License No.: \_\_\_\_\_

State ID Card No.: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License No.: \_\_\_\_\_

State ID Card No.: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF

Sworn to or affirmed and signed before me on {date} \_\_\_\_\_ at {time} \_\_\_\_\_.

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

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

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

I hereby acknowledge receipt of a copy or duplicate original of this executed **Consent and Waiver**.

\_\_\_\_\_  
Signature of Parent

**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} \_\_\_\_\_  
fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.981(a)(3),  
AFFIDAVIT OF NONPATERNITY

**When should this form be used?**

This form should be used when a stepfather is adopting his wife's minor child and the mother and father of the minor child(ren) were never married and paternity has not been established by a valid acknowledgment or court order. This Affidavit of Nonpaternity may be used instead of a consent form. This Affidavit may be executed before the birth of the minor child. The person signing the affidavit waives notice to all court proceedings after the date it is signed. After signing this affidavit, it may only be withdrawn if the court finds the affidavit was obtained by fraud or duress.

This form should be typed or printed in black ink. This form must be signed before a **notary public** or **deputy clerk** and two witnesses other than the notary or clerk. You should then **file** the original of this form with the **Petition for Stepparent Adoption**,  Florida Supreme Court Approved Family Law Form 12.981(b)(1).

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: \_\_\_\_\_

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
Adoptee(s).

### AFFIDAVIT OF NONPATERNITY

I, *{full legal name}* \_\_\_\_\_, have personal knowledge of the facts stated in this affidavit and certify that the following statements are true:

1. I have been told that *{name}* \_\_\_\_\_ has a child. I do not wish to and shall not establish or claim paternity for this child, whose name is \_\_\_\_\_, and whose date of birth is \_\_\_\_\_.
2. The child referenced in this affidavit was not conceived or born while the birth mother was married to me. I AM NOT MARRIED TO THE BIRTH MOTHER, nor do I intend to marry the birth mother.
3. The child has not been established to be my child in any court proceeding and I have not adopted this child.
4. I have no interest in assuming the responsibilities of parenthood for this child. I have not acknowledged and will not acknowledge in writing that I am the father of this child or will not institute court proceedings to establish the child as mine.
5. I do not object to any decision or arrangements the birth mother makes regarding this child, including adoption.
6. I understand my right to choose a person who does not have an employment, professional, or personal relationship with the adoption entity or the prospective adoptive parents to be present when this affidavit is executed and to sign it as a witness. The witness I selected is *{full legal name}* \_\_\_\_\_.
7. I am executing this affidavit freely and voluntarily and I understand that it can only be withdrawn if the court finds it was executed by fraud or duress.

I WAIVE NOTICE OF ANY AND ALL PROCEEDINGS TO TERMINATE PARENTAL RIGHTS OR FINALIZE AN ADOPTION UNDER CHAPTER 63, FLORIDA STATUTES.

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

\_\_\_\_\_  
Signature

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

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

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

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License or

State ID Card No.: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

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

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

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

Driver's License or

State ID Card No.: \_\_\_\_\_

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

Sworn to or affirmed and signed before me on {date} \_\_\_\_\_ at {time} \_\_\_\_\_.

\_\_\_\_\_  
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 affiant, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.981(a)(6),  
MOTION FOR SEARCH OF THE PUTATIVE FATHER REGISTRY

**When should this form be used?**

This form should be used when a stepparent is adopting his or her **spouse's** child. Section 63.054, Florida Statutes, requires that a search of Florida's Putative Father Registry be conducted in every adoption proceeding. The Office of Vital Statistics of the Department of Health has an application available called "Florida Putative Father Registry - Application for Search" which should be completed and attached to this form. The Office of Vital Statistics is allowed to charge for searching the registry. You may wish to contact that office in advance to find out what amount and method of payment will be accepted.

This form should be typed or printed in black ink. The name to be given to the adoptee **after** the adoption should be used in the heading of the **petition**. The stepparent is the **petitioner**, because he or she is the one who is asking the court for legal action. You must have your signature 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 you have filed the **Joint Petition for Adoption by Stepparent**,  Florida Supreme Court Approved Family Law Form 12.981(b)(1) and keep a copy for your records. These family law forms contain an **Order Granting Motion for Search of Putative Father Registry**,  Florida Supreme Court Approved Family Law Form 12.981(a)(7), which the judge may use. You should check with the clerk, family law intake staff or judicial assistant to see if you need to provide this form order to the judge with your motion. If so, you should type or print the heading, including the circuit, county, case number, division, and the child(ren)'s name, and leave the rest blank for the judge to complete.

**What should I do next?**

If the judge grants your motion, you will need to take the order, your completed application, and any fee to the Office of Vital Statistics. That office will conduct the search and file the results with the clerk of court. You may call the clerk's office to determine when the results have been filed in order to set a 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.** See Chapter 63, Florida Statutes, and Florida Family Law Rule 12.200(a)(2) for further information.

**Special notes...**

**THIS ADOPTION MAY AFFECT THE ADOPTEE'S INHERITANCE.**

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: \_\_\_\_\_

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
{use name to be given to the minor} Adoptee.

### MOTION FOR SEARCH OF THE PUTATIVE FATHER REGISTRY

Petitioner, {full legal name} \_\_\_\_\_, files this Motion for Search of the Putative Father Registry, pursuant to Chapter 63, Florida Statutes, and states:

1. This is an action for adoption of a minor by the child's stepparent, Petitioner, who is proceeding pro se.
2. Section 63.054, Florida Statutes, requires that in every adoption, a search of the Putative Father Registry maintained by the Department of Health, Office of Vital Statistics be conducted. Section 63.0541, Florida Statutes, makes information maintained by the Registry confidential and exempt from public disclosure, except that it may be disclosed to adoption entities, registrant unmarried biological fathers, and the court, upon issuance of a court order concerning a petitioner acting pro se.
3. The "Florida Putative Father Registry - Application for Search" is completed and attached to this Motion.

WHEREFORE, I request that this Court enter an Order Granting Motion for Search of the Putative Father Registry.

**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 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 petitioner, fill out this form.

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

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

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
{use name to be given to the minor} Adoptee.

**ORDER GRANTING MOTION FOR SEARCH OF THE PUTATIVE FATHER  
REGISTRY**

Upon consideration of Petitioner's Motion for Search of the Putative Father Registry, this Court finds:

1. This is an action for adoption of a minor by the child's stepparent, Petitioner, who is proceeding pro se.
2. Section 63.054, Florida Statutes, requires that in every adoption, a search of the Putative Father Registry maintained by the Department of Health, Office of Vital Statistics be conducted. Section 63.0541, Florida Statutes, makes information maintained by the Registry confidential and exempt, except that it may be disclosed to adoption entities, registrant unmarried biological fathers, and the court, upon issuance of a court order concerning a petitioner acting pro se.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The Office of Vital Statistics, Department of Health shall conduct a search of the Putative Father Registry upon receipt of a completed application and payment of any authorized fee.
2. The State Registrar shall issue a certificate indicating the results of such search which shall be filed in this proceeding by transmitting the certificate to the clerk of court.

Ordered on: \_\_\_\_\_

\_\_\_\_\_  
Circuit Judge

Copies to:  
State Registrar, Office of Vital Statistics

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.981(a)(4),  
STEPPARENT ADOPTION: AFFIDAVIT OF DILIGENT SEARCH

**When should this form be used?**

Use this form to obtain **constructive service** (also called service by publication) in a proceeding for stepparent adoption, **Joint Petition for Adoption by Stepparent**,  Florida Supreme Court Approved Family Law Form 12.981(b)(1), when any required consent is unavailable because the address or location of the person whose consent is required is not known and cannot be determined.

This form includes a checklist of places you must look for information on the location of the person whose rights you seek to terminate. You do have to look in all of these places, and the court must believe that you have made a very serious effort to get information about the person's location and that you have followed up on any information you received. Section 63.054, Florida Statutes, requires that in each adoption a search of Florida's Putative Father Registry must be conducted. You will need an order from the judge to do this, which you can request by filing a **Motion for Search of the Putative Father Registry**,  Florida Supreme Court Approved Family Law Form 12.981(a)(6).

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 keep a copy for your records.

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

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** For further information, see rule 12.070, Florida Family Law Rules of Procedure and Rule 1.070, Florida Rules of Civil Procedure.

**Special notes...**

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_,  
Adoptee(s).

**PETITION FOR STEPPARENT ADOPTION: AFFIDAVIT OF DILIGENT SEARCH**

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

1. I am the child(ren)'s ( ) mother ( ) father.
2. The last known address of the child(ren)'s other parent *{name}* \_\_\_\_\_, as of *{date}* \_\_\_\_\_, was:

\_\_\_\_\_  
Address City State Zip

\_\_\_\_\_  
Telephone No. Fax No.

His/her last known employment, as of *{date}* \_\_\_\_\_, was:

\_\_\_\_\_  
Name of Employer

\_\_\_\_\_  
Address City State Zip

\_\_\_\_\_  
Telephone No. Fax No.

3. The other parent is over the age of 18.
4. The other parent's current residence is not known and cannot be determined, although I have made a diligent search and inquiry to locate him/her through the following:  
**You must search ALL of the following sources of information and state the results.**  
\_\_\_\_ United States Post Office inquiry through the Freedom of Information Act for the person's current address or any previous address.  
Result of search: \_\_\_\_\_  
\_\_\_\_ Last known employment of the other parent, including name and address of employer. Result of search: \_\_\_\_\_  
\_\_\_\_ Regulatory agencies, including professional or occupational licensing, in the area where the other parent last resided. Result of search: \_\_\_\_\_  
\_\_\_\_ Names and addresses of relatives to the extent such can be reasonably obtained from the petitioner or other sources, contacts with those relatives and inquiry as to the other parent's last known address. You are to follow up any leads of any addresses where the other parent may have moved. Result of search: \_\_\_\_\_  
\_\_\_\_ Information about the other parent's possible death and, if dead, the date and location.

- \_\_\_ Telephone listings in the area where the other parent last resided.  
Result of search: \_\_\_\_\_
- \_\_\_ Law enforcement agencies in the area where the other parent last resided.  
Result of search: \_\_\_\_\_
- \_\_\_ Highway Patrol records in the state where the other parent last resided.  
Result of search: \_\_\_\_\_
- \_\_\_ Department of Corrections records in the state where the other parent last resided.  
Result of search: \_\_\_\_\_
- \_\_\_ Hospitals in the last known area of the other parent's residence.  
Result of search: \_\_\_\_\_
- \_\_\_ Records of utility companies, which include water, sewer, cable TV, and electric in the last known area of the other parent's residence.  
Result of search: \_\_\_\_\_
- \_\_\_ Records of the Armed Forces of the U.S. and their response as to whether or not there is any information about the other parent. (See Florida Supreme Court Approved Family Law Form 12.912(a), Memorandum for Certificate of Military Service.)  
Result of search: \_\_\_\_\_
- \_\_\_ Records of the tax assessor's and tax collector's office in the area where the other parent last resided.  
Result of search: \_\_\_\_\_
- \_\_\_ Search of one Internet databank locator service.  
Result of search: \_\_\_\_\_
- \_\_\_ Title IV-D (child support enforcement) agency records in the state of the other parent's last known address. Result of search: \_\_\_\_\_

√ if applies:

- \_\_\_ A search of the Putative Father Registry maintained by the Office of Vital Statistics of the Department of Health has been requested, and if granted, the certificate from the State Registrar will be filed in this action.

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

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

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_, PETITIONER

CASE NO: \_\_\_\_\_

DIVISION: \_\_\_\_\_

VS.

\_\_\_\_\_, RESPONDENT

**NOTICE OF ACTION FOR PETITION FOR ADOPTION BY STEPPARENT**

TO: {name of respondent} \_\_\_\_\_

{respondent's last known address} | \_\_\_\_\_

Description of Respondent:    Age: \_\_\_\_\_    Race: \_\_\_\_\_    Hair Color: \_\_\_\_\_

   Eye Color: \_\_\_\_\_    Height: \_\_\_\_\_    Weight: \_\_\_\_\_

Other: \_\_\_\_\_

Date of Birth of minor child(ren): \_\_\_\_\_

Place of Birth of minor child(ren): \_\_\_\_\_

YOU ARE NOTIFIED that an action has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on:

{name of Petitioner} \_\_\_\_\_

whose address is: \_\_\_\_\_

on or before {date} \_\_\_\_\_, 20\_\_ and file the original with the Clerk of Court, Family Law Division, P.O. Box 472, 6865 Caroline Street, Milton, Florida 32572 before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you and the Court may enter an Order granting the Adoption by Stepparent of the child(ren).

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

You must keep the clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address,  Florida Supreme Court Approved Family Law Form 12.915. Future papers in this lawsuit will be mailed to the address on record at the clerk's office.

Dated: \_\_\_\_\_, 20\_\_.

Mary M. Johnson  
Clerk of the Circuit Court

By: \_\_\_\_\_  
Deputy Clerk

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

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(a),  
DISCLOSURE FROM NONLAWYER

**When should this form be used?**

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

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

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

**What should I do next?**

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

**Special notes...**

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

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

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

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

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

and

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

### DISCLOSURE FROM NONLAWYER

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

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

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

[ one only]

I can read English.

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

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

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

\_\_\_\_\_  
Signature of **NONLAWYER**

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

Name of Business: \_\_\_\_\_



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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS  
12.922(a), MOTION FOR DEFAULT, and  
12.922(b), DEFAULT


**When should these forms be used?**

If the other **party** has failed to **file** or **serve** any documents within 20 days after the date of service of your **petition**, you may ask the **clerk of the circuit court** to enter a **default** against him or her by filling out this form and filing it with the court. Generally, a default allows you to obtain an earlier **final hearing** to finish your case. Once the default is signed by the clerk, you can request a **trial** or final hearing in your case.

To obtain a default, you will need to complete **Motion for Default**,   Florida Supreme Court Approved Family Law Form 12.922(a). You will then need to file your motion for default along with the **Default**,   Florida Supreme Court Approved Family Law Form 12.922(b), so that the clerk can enter a default for you if your motion is proper.

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 you filed your petition and keep a copy for your records.


**What should I do next?**

After the default has been entered, you must ask for a hearing, so that the **judge** can consider your petition. To do this, you must contact the clerk's office, **family law intake staff**, or **judicial assistant** to schedule a hearing and file a **Notice of Hearing (General)**,   Florida Supreme Court Approved Family Law Form 12.923, with the clerk. A copy of the notice of hearing must be mailed or hand-delivered to each party in the case. **You must send a notice of final hearing to the defaulted party.**

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

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** For further information, see rule 1.500, Florida Rules of Civil Procedure, concerning defaults and rule 1.140, Florida Rules of Civil Procedure, concerning the time within which a party can file an answer or other responsive pleading to a petition. See also rule 12.080, Florida Family Law Rules of Procedure.

**Special notes...**

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

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

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

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

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

and

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

**MOTION FOR DEFAULT**

TO THE CLERK OF THE CIRCUIT COURT:

**PLEASE ENTER A DEFAULT AGAINST RESPONDENT WHO HAS FAILED TO RESPOND TO THE PETITION.**

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: \_\_\_\_\_

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

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,  
a nonlawyer, 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.

### DEFAULT

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

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

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_

Deputy Clerk

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: \_\_\_\_\_

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

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

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

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,  
a nonlawyer, 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  
12.912(b),  
NONMILITARY AFFIDAVIT

**When should this form be used?**

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

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

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

**Special notes...**

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

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

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

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

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

and

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

### NONMILITARY AFFIDAVIT

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

[  all that apply ]

\_\_\_ 1. I know of my own personal knowledge that Respondent is not on active duty in the armed  
services of the United States.

\_\_\_ 2. I have inquired of the armed services of the United States and the U.S. Public Health Service  
to determine whether the Respondent is a member of the armed services and am attaching  
certificates stating that Respondent is not now in the armed services.

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

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

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

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

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

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

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

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

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

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

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

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

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE  
BLANKS BELOW: [ *do* 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 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 12.923,  
NOTICE OF HEARING (GENERAL)

**When should this form be used?**

Anytime you have set a hearing before a **judge**, you must send notice of the **hearing** to the other party. **IMPORTANT:** If your hearing has been set before a general magistrate, you should use **Notice of Hearing Before General Magistrate**,  Florida Family Law Rules of Procedure Form 12.920(c). If your hearing has been set before a child support enforcement hearing officer, you should use **Notice of Hearing (Child Support Hearing Officer)**,  Florida Supreme Court Approved Family Law Form 12.921.

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 mailed **or** hand delivered to the other party in your case. If a **default** has been entered, you must still send this form to the other party to notify the other party of 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.** For further information on serving notices of hearing, see rule 1.090(d), Florida Civil Rules of Procedure.

**Special notes...**

To set a hearing date and time, you will usually have to make a good-faith effort to coordinate a mutually convenient date and time for you, the other parties in the case, and the judge, except in certain emergency situations. Some circuits may have additional procedural requirements that you must follow when you notify the court and other parties of your scheduled hearing. Therefore, before you complete this form, you should contact the clerk's office, **family law intake staff**, or **judicial assistant** for information regarding the proper procedure to follow.

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 (GENERAL)

[  fill in **all** blanks]

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

There will be a hearing before Judge {name} \_\_\_\_\_,  
on {date} \_\_\_\_\_, at {time} \_\_\_\_\_ m., in Room \_\_\_\_\_ of the \_\_\_\_\_  
Courthouse, on the following issues: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ hour(s)/ \_\_\_\_\_ minutes have been reserved for this hearing.

**This part to be filled out by the court or to be filled in with information you 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 {name} \_\_\_\_\_, {address} \_\_\_\_\_, {telephone} \_\_\_\_\_, within 2 working days of your receipt of this Notice of Hearing. If you are hearing or voice impaired, call TDD 1-800-955-8771.

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's office to cancel this hearing.

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: \_\_\_\_\_

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

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

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

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

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

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

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

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE  
BLANKS BELOW: [ ~~do~~ 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.

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

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

IN THE MATTER OF THE ADOPTION OF

\_\_\_\_\_  
{use name to be given to child(ren)} Adoptee(s).

### FINAL JUDGMENT OF STEPPARENT ADOPTION

Upon consideration of the Joint Petition for Adoption by Stepparent and the evidence presented, the Court finds that:

1. The Court has subject matter jurisdiction over the Joint Petition for Adoption by Stepparent.
2. The Court has jurisdiction over the minor child(ren) subject to the Joint Petition for Adoption by Stepparent.
3. Petitioner desires the permanent responsibility of a parent in this adoption.
4. There is no pending litigation regarding the child(ren) in Florida or in any other state, nor is there any other person not a party to these proceedings who has or claims to have physical custody or rights to the minor child(ren).
5. The consent of the birth ( ) mother ( ) father who is not married to Petitioner is:  
[Choose **only** one]  
 Attached to the petition  
 Not required because he or she is deceased. A certified copy of the death certificate is attached.  
 Waived because:  
[Choose all that apply]  
 The parent has deserted the child without means of identification or has abandoned the child.  
 The parent's rights have been terminated by a court of competent jurisdiction.  
 The parent has been declared incompetent and restoration of competency is medically improbable.  
 The legal guardian or lawful custodian of the adoptee(s), other than the birth parent, who has failed to respond in writing to a request for consent for a period of 60 days or the Court has examined the written reasons for withholding consent and has found the withholding of consent to be unreasonable.  
 Other: \_\_\_\_\_

6. The best interests of the child(ren) will be promoted by this adoption.
7. The minor child(ren) is (are) suitable for adoption by Petitioner.

NOW, THEREFORE, IT IS ORDERED that:

1. The minor child(ren) subject to the Petition is (are) declared to be the legal child(ren) of Petitioner, \_\_\_\_\_ {name}
2. The minor child(ren) shall be the child(ren) and legal heir(s) at law of Petitioner, \_\_\_\_\_, {name} and shall be entitled to all rights and privileges, and subject to all obligations, of child(ren) born of Petitioner.
3. All legal relations between the adoptee(s) and the parent whose rights are being terminated and between the adoptee(s) and the relatives of that parent are terminated by this adoption, as are all parental rights and responsibilities of that birth parent.
4. This Final Judgment of Adoption creates a relationship between the adoptee(s) and Petitioner and all relatives of Petitioner that would have existed if the adoptee(s) was (were) a blood descendant of the Petitioner, born within wedlock, entitled to all rights and privileges thereof, and subject to all obligations of a child being born to Petitioner.
5. The minor child(ren) shall hereafter be known as {full legal name(s)}:

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

DONE AND ORDERED at \_\_\_\_\_, Florida on \_\_\_\_\_

\_\_\_\_\_  
 CIRCUIT JUDGE

COPIES TO:  
 Petitioners (or their attorney)