

NAME CHANGE INFORMATION

Update 07/27/2023

Section 68.07, Florida Statutes, requires that before a court conducts a hearing on a name change petition, the petitioner must have his or her fingerprints submitted for a state and national criminal history records check. This statutory requirement does not apply when a former name is being restored.

All adults are required to be fingerprinted (except where a former name is being restored). The parent(s)/petitioner(s) must be fingerprinted for Name change of Minor Child(ren).

The Indian River County Sheriff's Office, located at 4055 41st Ave, Vero Beach, FL is the designated agency for fingerprinting and criminal history reports. Call 772 979-6220 to verify the days and hours that prints are taken. The Sheriff's office charges a \$5 administrative fee that must be paid with cash or check. There are additional fees charged by FDLE and FBI which you will pay electronically before the criminal history report is released. The total for the Sheriff, FDLE & FBI is approximately \$50.

OPEN YOUR COURT CASE BEFORE BEING FINGERPRINTED

FDLE returns the history within 72 hours from the submission and payment. The ORI # needed for submission is **FL923810Z**

To request a hearing date visit <http://www.circuit19.org> select **Family Court, Info and Resources, click Form-A.**

Form-A is a direct email communication with the self-help coordinator.

DO NOT CONTACT THE CLERK FOR HEARING DATES OR STATUS OF YOUR CASE

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.915,
DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS (11/15)**

When should this form be used?

This form should be used to inform the clerk and the other **party** of your current mailing and e-mail address(es) or **any change of address**. It is very important that the court and the other party in your case have your correct address.

A party not represented by an attorney may choose to designate e-mail address(es) for **service**. A primary and up to two secondary e-mail addresses can be designated. If you do so and the other party is represented by an attorney or has also designated e-mail address(es) for service, e-mail will be the **exclusive means of service**.

If there is any change in your mailing or e-mail address(es), you must complete a new form, file it with the clerk, and serve a copy on any other party or parties in your case.

What should I do next?

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 is filed and keep a copy for your records. A copy of this form must be served on any other party in your case. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT

REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

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 **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 _____ NINETEENTH _____ JUDICIAL CIRCUIT,
IN AND FOR _____ INDIAN RIVER _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent,

DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS

I, {full legal name} _____, being sworn, certify

that my current mailing address is: {Street} _____

{City} _____, {State} _____, {Zip} _____

{Telephone No.} _____ {Fax No.} _____

I designate as my current e-mail address(es): _____

I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing and e-mail address(es) and that all future papers in this lawsuit will be served at the address(es) on record at the clerk's office.

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

Dated: _____

Signature of Petitioner

STATE OF FLORIDA

COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
_____ Produced identification
Type of identification produced _____

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

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

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

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

NINETEENTH JUDICIAL CIRCUIT

NAME CHANGE OF A MINOR CHILD

THIS PACKET IS DESIGNED TO BE USED TO REQUEST THE
NAME CHANGE OF A MINOR CHILD.

THIS PACKET SHOULD CONTAIN THE FOLLOWING DOCUMENTS:

- NOTICE OF LIMITATION OF SERVICES PROVIDED
- CHECKLIST
- INSTRUCTIONS AND FREQUENTLY ASKED QUESTIONS
- CIVIL COVER SHEET
- PETITION FOR CHANGE OF NAME (MINOR CHILD) AND SUPPLEMENTAL FORM
- NOTICE OF RELATED CASES
- 20-DAY SUMMONS AND PROCESS SERVICE MEMORANDUM
- MOTION FOR ENTRY OF DEFAULT/ DEFAULT
- CONSENT FOR CHANGE OF NAME (MINOR CHILD)
- FINAL DISPOSITION FORM
- FORM A: FAMILY CASE INQUIRY/UPDATE

Read the enclosed instructions carefully and completely. Please be advised that neither the clerk's office nor the case managers are able to provide legal advice. We can give you the forms, and general information, however, you may need to consult with an attorney if you have legal questions.

PRIOR TO filing, you may contact the Clerk's Office for general information, or you may need to consult an attorney. AFTER a case has been opened or re-opened, the case managers may assist you with general information or case status. Please use **Form A: Family Case Inquiry/Update** provided in this packet to request status or review of your case.

NOTICE OF LIMITATION OF SERVICES PROVIDED

Fla.Fam.L.R.P. 12.750(h)

THE PERSONNEL IN THIS 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. THE JUDGE IS NOT REQUIRED TO GRANT THE RELIEF REQUESTED IN A FORM.

THE PERSONNEL IN THIS 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 THAT YOU GIVE TO AND RECEIVE FROM SELF-HELP PERSONNEL IS NOT CONFIDENTIAL AND MAY BE SUBJECT TO DISCLOSURE AT A LATER DATE. IF ANOTHER PERSON INVOLVED IN YOUR CASE SEEKS ASSISTANCE FROM THIS SELF-HELP PROGRAM, THAT PERSON WILL BE GIVEN THE SAME TYPE OF ASSISTANCE THAT YOU RECEIVE.

IN ALL CASES, IT IS BEST TO CONSULT WITH YOUR OWN ATTORNEY, ESPECIALLY IF YOUR CASE PRESENTS SIGNIFICANT ISSUES REGARDING CHILDREN, CHILD SUPPORT, ALIMONY, RETIREMENT OR PENSION BENEFITS, ASSETS, OR LIABILITIES.

PLEASE COMPLETE THE FOLLOWING PARAGRAPH. FILE THE SIGNED DOCUMENT WITH THE CLERK OF COURT.

ACKNOWLEDGMENT

I CAN READ ENGLISH.

I CANNOT READ ENGLISH. THIS NOTICE WAS READ TO ME BY _____(name)

IN _____(language).

I, _____(name)do acknowledge that I have read this Notice of Limitation of Services Provided. I have received an explanation of the notice above, and I understand the limitation of the services provided. I understand that it is in my best interest to secure an attorney to represent my interest in this case. I understand that this form must be signed and filed with the Clerk before the Self-Help program may provide services to me.

Date

Case Number

Signature

AVISO DE LIMITACIÓN DE LOS SERVICIOS PRESTADOS

Fla.Fam.L.R.P. 12.750(h)

EL PERSONAL DE ÉSTE PROGRAMA DE AUTO-AYUDA NO ESTÁ ACTUANDO COMO SU ABOGADO NI LE ESTÁ DANDO ASESORAMIENTO JURÍDICO.

EL PERSONAL DEL PROGRAMA NO ACTUA EN NOMBRE NI DE LA CORTE NI DE NINGUN JUEZ. EL JUEZ QUE PRESIDEN EN SU CASO PUEDE REQUERIR UN CAMBIO EN EL IMPRESO O UN IMPRESO DIFERENTE. EL JUEZ NO ESTA OBLIGADO A CONCEDER LA REPARACIÓN QUE USTED PIDE EN EL IMPRESO. EL PERSONAL DE ÉSTE PROGRAMA DE AUTO-AYUDA NO LE PUEDE DECIR CUALES SON SUS DERECHOS NI QUE SOLUCIONES LEGALES HAY, NO PUEDE REPRESENTARLE EN CORTE, NI PUEDE DECIRLE COMO TESTIFICAR EN CORTE.

LOS SERVICIOS DE AUTO-AYUDA ESTAN DISPONIBLES PARA TODAS LAS PERSONAS QUE SON O SERÁN PARTES DE UN CASO DE CORTE DE FAMILIA.

LA INFORMACIÓN QUE USTED DÁ Y RECIBE DE ÉSTE PERSONAL NO ES CONFIDENCIAL Y PUEDE SER EXPUESTA MAS ADELANTE. SI OTRA PERSONA QUE ES PARTE DE SU CASO PIDE AYUDA A ÉSTE PROGRAMA, ELLOS RECIBIRÁN EL MISMO TIPO DE AYUDA QUE USTED RECIBE.

EN TODO CASO, ES MEJOR CONSULTAR CON SU PROPIO ABOGADO, ESPECIALMENTE SI SU CASO TRATA DE TEMAS IMPORTANTES RESPECTO A MENORES, MANUTENCIÓN DE MENORES, PENSIÓN MATRIMONIAL, PENSIÓN DE JUBILACIÓN O BENEFICIOS DE PENSIÓN, CAPITAL O DEUDAS.

FAVOR DE COMPLETAR EL SIGUIENTE PÁRRAFO, PRESENTE EL DOCUMENTO FIRMADO A LA SECRETARIA DEL TRIBUNAL

CONSENTIMIENTO

- YO PUEDO LEER ESPAÑOL.
- YO NO PUEDO LEER ESPAÑOL. ÉSTE DOCUMENTO ME LO LEYÓ _____(nombre)
EN _____(idioma).

Yo, _____{nombre} Reconozco que he leído éste aviso de limitación de servicios prestados. He recibido la explicación correspondiente, y entiendo la limitación de servicios prestados. Entiendo que es en mi beneficio el contratar un abogado para que me represente en éste caso. Entiendo que éste impreso debe ser firmado y presentado a la Secretaría del Tribunal antes de que el programa de auto-ayuda pueda proveerme sus servicios.

Fecha

Número de Caso

Firma

PETITION FOR NAME CHANGE OF A MINOR CHILD

CHECKLIST

This checklist has been prepared to assist you with a list of documents required to file your case and bring it to final hearing. This checklist contains the minimum requirements and may not be all inclusive for every case. **It is not intended, and should not be substituted for proper legal advice from an attorney.**

A. What you must file to start your case:

- Civil Cover Sheet
- Petition for Change of Name (Minor Child) and Supplemental Form, if necessary
- Copy of each minor child's birth certificate
- Notice of Related Cases
- Notice of Limitation of Services Provided
- Consent for Change of Name (Minor Child)
- Summons: Personal Service on an Individual
- Process Service Memorandum
- Final Disposition Form
- Two (2) blank, stamped envelopes

B. Additional forms:

- Criminal History Records Check
- Form A: Family Case Inquiry/Update

C. Fees:

- Filing fee in the amount of \$400.00 (cash, money order, attorney check or credit cards. NO personal checks will be accepted).
- Fee for service: \$10.00 for each summons issued by the clerk, ~~\$40.00~~ for service by Sheriff within the Nineteenth Judicial Circuit. Fees vary for out of circuit/state service. You must obtain that information from the agency who will be serving the documents if the agency is located outside the Nineteenth Circuit.

INSTRUCTIONS FOR NAME CHANGE OF A MINOR

The following is a procedural guide. Please read and follow the instructions carefully.

FORMS:

Petition - Complete the petition. The petitioner (person requesting the name change) is the minor child's legal/natural guardian. Use the present name of the minor child. A **Supplemental Form** for Petition for Change of Name is included if you are requesting a name change for additional children. Use a supplemental petition for each additional child born of the same parents. The petition must be signed in the presence of a notary.

Consent for Name Change (Minor Child) - The other parent should sign and file this document if they agree to the petition. If both parents are filing the petition jointly, the consent is not necessary. If the consent is filed with the Petition, then you will not be required to serve the other parent.

Notice of Limitation of Services Provided - Read this document very carefully and sign the Acknowledgment at the bottom. The signed document must be filed with the Clerk of Court.

20-Day Summons: Personal Service on an Individual – This document is used to serve your petition on the other parent if they have not agreed to the petition. It will notify them that a law suit has been filed and what to do if they wish to respond.

Process Service Memorandum - This document accompanies the summons and informs the Sheriff or process server of the address and description of the person that will be served with the summons. Complete all the information requested.

Final Disposition Form – complete the top portion of the form. The clerk of court will enter the remainder of the information after your final hearing. This form is used to close your case.

PROCEDURE:

1. Make two copies of all the above documents, one for you to keep and a copy for the other parent. The originals must be filed with the Clerk of the Court. In addition you will need a copy of the minor child's birth certificate in the file.
2. Complete the **Petition, Civil Cover Sheet, Notice of Limitation of Services Provided**, and the **Final Disposition Form**. File these documents with the Clerk of Court. The following are the addresses of the Clerk of Court in the Nineteenth Judicial Circuit:

<u>Indian River County</u> 2000 16 th Avenue Vero Beach, FL 32960	<u>St. Lucie County</u> 218 South Second Street Fort Pierce, FL 34950	<u>Martin County</u> 100 East Ocean Blvd. Stuart, FL 34994	<u>Okeechobee County</u> 312 NW 3rd Street Okeechobee, FL 34972
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3. Bring this instruction sheet with you when you file your documents. The deputy clerk will complete the case number. When you file, you must pay a filing fee, which is currently \$400.00. In addition, please submit two blank, stamped envelopes when you file your petition. The clerk will place the envelopes in your court file.
4. Effective October 1, 2009, and pursuant to Section 68.07 (2)(a)(b)(c) of the Florida Statutes, "Before the

court hearing on a petition for a name change, the petitioner must have fingerprints submitted for a state and national criminal records check.” The clerk of the court is obligated to provide you with the names of agencies that are authorized to take fingerprints and to instruct you on the process. Fingerprints must be submitted electronically to the Florida Department of Law Enforcement (FDLE), and also to the Federal Bureau of Investigation (FBI). The cost of processing fingerprints and conducting a criminal records search shall be borne by the petitioner. ***This section does not apply if you are restoring a former name.***

PLEASE NOTE: No final hearing will be conducted until the results of the criminal records check have been filed with the clerk of court.

5. PERSONAL SERVICE: If the other parent has not joined with you in filing your petition, or they have failed to voluntarily sign the ***Consent for Name Change (Minor Child)***, you are required to serve him or her with your petition and the form ***20-day Summons: Personal Service on an Individual*** (summons). The clerk will sign and seal the summons. Take the original summons and an additional copy, along with a copy of the petition and the ***Process Service Memorandum***, to the Sheriff’s Civil Division or to a private process server to have the papers served on your child’s other parent. The Sheriff’s Civil Division charges \$40.00 for this service. If service is outside the county or state, you must deliver the documents, along with the appropriate fee, to that office.
 - a. After the petition has been served on the other parent, the sheriff or the process server will send proof of service to the clerk’s office (or to you if service was outside this county). If you receive the proof of service and the attached original summons, file these documents with the Clerk of the Court as proof that the child’s other parent was served. Keep a copy for your records.
 - b. The other parent has twenty (20) days to respond to the petition (beginning the first full day after he or she was served) and continuing for twenty (20) calendar days. If the other parent responds within twenty days by filing the ***Consent for Name Change (Minor Child)***, you may submit the ***Form A: Family Case Inquiry/Update*** to request a review of your file or a final hearing. If the other parent files a response that does not agree to the name change, you may file a form called ***Notice for Trial***, found on the State Court’s website at www.flcourts.org, under the Family Law Forms link.
 - c. If the other parent does not respond in the allotted time, you may file a ***Motion for Default and Non-Military Affidavit*** with the Clerk of the Court. Keep a copy of the Motion for Default for your records.
6. CONSTRUCTIVE SERVICE: If the child’s other legal or biological parent cannot be located to give consent or to be served personally, you may have to serve by publication in the legal notices section of the newspaper. The additional forms required for this procedure are not found in this packet, but they are available on the State Court’s website at www.flcourts.org, under the Family Law Forms link. Please follow the instructions in sub-paragraphs (a) through (d) below.
 - a. You must perform a sufficient diligent search to attempt to locate the other parent and file the ***Affidavit of Diligent Search***. This affidavit contains a list of the efforts that were made to locate the child’s other legal or biological parent. The affidavit must be notarized. Once your search is complete, attach a log showing the contacts you made while searching for the other parent. The Court will let you serve by publication only when you have conducted a search and you still cannot locate the other parent.
 - b. You must complete the form called ***Notice of Action*** and deliver this form to the Clerk of Court. The Clerk will need to sign it and apply a court seal to the Notice of Action prior to having you submit it to the newspaper.
 - c. You must publish your Notice of Action in a local newspaper of general circulation in the county in

which you have filed your case. Your Notice of Action will be published once a week for four weeks. Get a copy of the paper the first time it appears and notify the newspaper immediately if there is an error. If there is an error, you will need to prepare a new Notice of Action for the Clerk to sign and go through this procedure again. If the newspaper made the mistake, they should not charge you for the second publication.

- d. The other parent has twenty-eight (28) days to respond from the date the Notice of Action was first published. If you do not receive a response by the date indicated in the Notice of Action, then complete the ***Motion for Default and Non-Military Affidavit*** and deliver it to the Clerk of Court. Once the Clerk enters the Default, you may submit the Form A: Family Case Inquiry/Update to request a court date and review of the file by a case manager.
7. In order for the case manager to give you a date and time for the final hearing, your file must be complete. Complete the ***Form A: Family Case Inquiry/Update*** provided in this packet to request a court date and review of the file by a case manager. You may also submit a Form A: Family Case Inquiry/Update online at www.circuit19.org under the Family Division link. If the file is complete, a date and time to appear for final hearing will be sent to all parties in the mail.
8. Arrive at the Courthouse at least 15 minutes before you are scheduled to have your hearing. Bring along a copy of all the documents you have filed.
9. At the final hearing, you will be allowed to present evidence and the child's other parent, if in attendance, will also be allowed to present evidence. At the end of the final hearing, the judge will either grant the petition or tell you that there is a problem with your case and identify the problem. In most cases, the Judge cannot tell you how to solve the problem.

ADDITIONAL INFORMATION

Mediation - If you and the other parent cannot agree on the name change, you may be ordered to attend mediation. The Court will send you an Order of Referral to Mediation which will include the fee for this service. You will be scheduled to meet with a licensed Family Law mediator to attempt to settle your differences and enter a written agreement. You are required to attend the mediation if you receive an order. If you are unable to enter into a written agreement, your case will likely be scheduled for trial.

Interpreters – The Family Division in the Nineteenth Circuit does not provide interpreters for their hearings. If you cannot speak English well enough to participate in the hearing and understand the judge's questions, you will need to bring an interpreter with you at your own expense. If you do not bring an interpreter with you (someone other than your spouse) your hearing may be rescheduled to a later date. The judge cannot proceed with the hearing if you cannot understand what is being asked or discussed in the courtroom.

Legal Advice – Legal advice may only be provided by a licensed attorney. Court personnel are prohibited by law from giving you legal advice. Many times legal issues are complex. A lay person may not always know or understand what is in their best interest, or the best interest of their children. The forms included in this packet are designed to allow you to represent yourself in a legal action. You alone are responsible for the content of the documents that you sign. The court personnel, including the judge, cannot help you decide what to do or suggest what actions you might take in your case. **YOU ARE CAUTIONED TO SEEK THE ADVICE OF A LICENSED ATTORNEY IN ALL MATTERS.**

Additional Forms – Some situations may require the use of forms that are not provided in this packet. You may find additional forms on the State Court's website at www.flcourts.org, Family Law Forms.

Frequently Asked Questions by Self-Represented Litigants

1. When is my hearing?

Cases are reviewed by case managers in the self-help program. If the case is ready for a hearing, it is set on the first available docket and parties are notified by mail. Due to both legislatively mandated budget cuts in the case manager office as well as the large number of filings in the four counties of the circuit, it may take time for your case to be set for hearing.

2. Where do I find the forms I need?

Forms are available online in the Self-Help section of the Florida State Courts website at http://www.flcourts.org/gen_public/family/forms_rules/index.shtml (spaces in the web address are underscored).

Additionally, forms are located in each of the clerks' offices in the four counties for a fee:

Indian River County Clerk of the Circuit Court

2000 16th Avenue
Vero Beach, Florida 32960
(772) 770-5185
<http://www.clerk.indian-river.org/>

Martin County Clerk of the Circuit Court

100 East Ocean Boulevard
Suite 200
Stuart, Florida 34994
(772) 288-5660
<http://clerk-web.martin.fl.us/ClerkWeb/>

Okeechobee County Clerk of the Circuit Court

312 North West 3rd Street
Okeechobee, Florida 34972
(863) 763-2131
<http://www.clerk.co.okeechobee.fl.us/>

Saint Lucie County Clerk of the Circuit Court

201 South Indian River Drive
Fort Pierce, Florida 34950
(772) 462-6910
<http://www.slclerkofcourt.com/>

3. Where do I file my completed forms?

All forms should be filed at the clerk's office in the county of your case (contact information for each of the clerks' offices is available in question 2) and a copy should be provided to the other party according to [Florida Law](#) and [Florida Family Law Rules of Procedure](#).

4. How much are the filing fees?

Questions regarding filing fees should be directed to the clerk's office in the county of your case. See the answer to question 2 for locations and contact information for the clerks' offices.

5. How can I schedule a mediation with the 19th Judicial Circuit's Mediation Program?

Both parties must submit a completed Financial Affidavit before the case can be referred. If the combined gross annual income of both parties is less than \$100,000.00 then the case manager may refer the case to the 19th Judicial Circuit [Mediation Program](#). The mediation program case manager will submit an Order for Mediation for the judge's signature. Once the judge has signed the Order, the mediation program will schedule the mediation and provide written notification of the date, time, and location of the mediation.

6. I have no attorney but the other party does – how do I set a hearing?

The self-represented litigant will need to contact the [judge's office](#) and request available hearing dates from the judicial assistant. You will then need to contact the attorney's office to coordinate the date with the attorney. Once a date has been agreed upon, you will need to call the judicial assistant again to reserve the hearing date. To shorten this process, you may request the judicial assistant to conference the attorney's office into your initial call to the judicial assistant. You will then need to complete a Notice of Hearing and provide it to the clerk's office, attorney's office, and judicial assistant. A Notice of Hearing is available on the Florida State Courts website at http://www.flcourts.org/gen_public/family/forms_rules/index.shtml (spaces in this web address are underscored).

7. I need to speak to the judge or magistrate about my case – how do I contact their office?

Judges and magistrates are not permitted to speak to parties about their case outside of the courtroom. If you have an issue you need addressed by the court, you must file a proper pleading and, if appropriate, a hearing will be scheduled.

8. How long will it take for me to get a divorce?

There are many factors (such as minor children, property, assets, etc.) which add to the length of time an action takes to get to a final hearing, but, generally speaking, most uncontested cases (cases in which the parties sign and file an agreement resolving all issues) are set for a final hearing within 90 days from the filing date. Due to both legislatively mandated budget cuts in the case manager office as well as the large number of filings in the four counties of the circuit, contested cases may take significantly longer to get to final hearing.

9. What is a magistrate?

A magistrate is an attorney who hears cases referred by a judge and acts in a quasi-judicial capacity. In our Circuit, magistrates hear post-judgment family cases (that is, they do not hear any cases such as divorce or establishment of paternity). The magistrate hears the cases and provides recommendations to the judge. An Order of Referral is sent to all parties of a case before the case is heard by the magistrate, and the parties must agree that the magistrate can hear the case. An Order of Referral contains the following language:

A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BEFORE A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BEFORE THE GENERAL MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN 10 DAYS OF THE TIME OF SERVICE OF THIS ORDER. IF THE TIME SET FOR THE HEARING IS LESS THAN 10 DAYS AFTER THE SERVICE OF THIS ORDER, THE OBJECTION MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST 20 DAYS AFTER SERVICE OF PROCESS, THE TIME TO FILE AN OBJECTION IS EXTENDED TO THE TIME WITHIN WHICH A RESPONSIVE PLEADING IS DUE. FAILURE TO FILE A WRITTEN OBJECTION WITHIN THE APPLICABLE TIME PERIOD IS DEEMED TO BE A CONSENT TO THE REFERRAL.

REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE GENERAL MAGISTRATE SHALL BE BY EXCEPTIONS AS PROVIDED IN RULE 12.490(f), FLA. FAM. L. R. P. A RECORD, WHICH INCLUDES A TRANSCRIPT OF PROCEEDINGS, MAY BE REQUIRED TO SUPPORT THE EXCEPTIONS.

If there are no exceptions to the recommendations of the magistrate timely filed by the parties, the recommendations are forwarded to the judge to be signed as an Order.

10. What should I bring to court and what am I supposed to do?

- Dress appropriately for court
- Be on time for your hearing
- Both parties should attend scheduled hearings
- Remain calm
- Speak directly to the judge or the magistrate
- Listen to the judge or the magistrate and do not interrupt someone when he/she is speaking – each party will have time to speak
- The court can only hear matters that have been properly filed and are scheduled for hearing, so stay focused on the issues that are in the pleading and scheduled for that hearing
- Do not bring your children to court with you unless you have been ordered by the judge to have the children present. If you bring your children you will need to have someone who can supervise them outside of the courtroom while your case is being heard.
- Bring your valid Florida Drivers License, Florida Voter's Registration Card, or valid Florida Identification Card with you
- Bring any documents you think may be necessary for your case depending on the issues that have been identified in the petition or motion (such as receipts, bills, proof of real estate, copies of checks, etc. – see Chapter 90 "Evidence Code" [Florida Statutes](#) for more information)
- Know what you want before the hearing and be able to explain to the judge or magistrate why it is you want it
- Ask questions if you do not understand what is going on – you should leave the hearing knowing what happened

11. I need an interpreter for the hearing – what should I do?

If you need a foreign language interpreter to fully participate in your hearing, it is your responsibility to bring a qualified interpreter as the Court does not provide a foreign language interpreter free of charge for family law cases.

If you need a sign language interpreter for your hearing, please contact the ADA Coordinator at (772) 807-4370.

12. What does "pro se" mean?

"Pro se" is another term for someone who represents himself or herself in court. It is still your responsibility to be aware of laws and legal rules before appearing in court as neither the judge, magistrate, case managers, clerks, nor other court

personnel are allowed to give you any legal advice. Additional information and links are available on our [Self Help Program/Self-Represented Litigants](#) webpage. If possible, it is best to consult with an attorney before appearing in court.

13. How does the Court calculate child support?

There are a number of factors that could affect the amount of child support that is ordered, but generally child support is calculated based on guidelines provided in §61.30 [Florida Statutes](#).

14. How is child support paid?

There are three options for payment of child support: direct pay (one parent is ordered to pay the child support directly to the other parent), state disbursement unit (one parent is ordered to send payments to the state disbursement unit who then sends the payment to the other parent), and Income Deduction Order (this is an Order entered by the Court that is sent to the employer of the parent ordered to pay with an amount that must be deducted from the parent's paycheck and sent to the state disbursement unit – the state disbursement unit then sends the payment to the other parent). Florida law requires that all child support payments must be paid through the state disbursement unit unless both parties agree to have it paid directly. Self-represented litigants whose pleadings include issues of child support should consider which option would work best for their situation – this information should be explained to the judge or magistrate during the hearing so that the best solution can be worked out for the parties and entered into an Order.

15. I received an Order to File directing the other party to file a document(s) – how do I know if the other party has done this?

As noted in question 3, all documents should be filed with the clerk's office in the county of your case and a copy should be provided to the other party in the case according to [Florida Law](#) and [Florida Family Law Rules of Procedure](#). If you have questions or concerns about what has been filed, you can contact the appropriate clerk's office to see what has been filed by the other party (contact information for each of the clerk's offices is available in question 2).

16. My hearing is scheduled, but I cannot wait that long and need an earlier date – what should I do?

You may call the office of the [judge](#) or [magistrate](#), as applicable, and request an earlier hearing date. However, an earlier hearing date may not be available.

17. I have a Final Judgment/Order directing the other party to pay child support, participate in time sharing, etc. The other party has not done this – what should I do?

If you believe that the other party has not complied with what was ordered and you are seeking relief, you must file a proper pleading with the clerk's office. The pleading will be scheduled for a hearing before a judge or magistrate. It is your responsibility to provide proof or evidence that the other party has not complied with the Order. Please refer to question 10 for information about what you should bring to Court and what you are supposed to do. You may also see the Florida Supreme Court approved forms and instructions at http://www.flcourts.org/gen_public/family/forms_rules/index.shtml (spaces in this web address are underscored) to determine the proper form to complete and file.

18. I have been ordered to take a parenting course – why do I have to do this?

[Florida Statute § 61.21\(4\)](#) requires that all parties to a dissolution of marriage with children or a paternity action that involves issues of parental responsibility are required to complete a parenting course before a Final Judgment is entered. The court may hold any parent who fails to attend this required parenting course in contempt and impose appropriate sanctions. A current list of approved parenting course providers is located at this website: <http://www.myfloridafamilies.com/docs/ParentEducationFamilyStabilizationCourseProvidersList.pdf>.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.928, COVER SHEET FOR FAMILY COURT CASES (11/13)

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) Stalking-all matters relating to injunctions for protection against stalking pursuant to section 784.0485, Florida Statutes
- (H) 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.
- (I) 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.
- (J) 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.
- (K) 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.
- (L) 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.
- (M) 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.
- (N) Name Change - all matters relating to name change, pursuant to section 68.07, Florida Statutes.
- (O) Paternity/Disestablishment of Paternity – all matters relating to paternity pursuant to Chapter 742, Florida Statutes.
- (P) Juvenile Delinquency - all matters relating to juvenile delinquency pursuant to Chapter 985, Florida Statutes.
- (Q) Petition for Dependency - all matters relating to petitions for dependency.
- (R) Shelter Petition – all matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.
- (S) Termination of Parental Rights Arising Out Of Chapter 39 – all matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.
- (T) Adoption Arising Out Of Chapter 39 – all matters relating to adoption pursuant to Chapter 39, Florida Statutes.
- (U) 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 NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER 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) ___ Stalking
- (H) ___ Support IV-D (Department of Revenue, Child Support Enforcement)
- (I) ___ Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (J) ___ UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) ___ UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) ___ Other Family Court
- (M) ___ Adoption Arising Out Of Chapter 63
- (N) ___ Name Change

- (O) ___ Paternity/Disestablishment of Paternity
- (P) ___ Juvenile Delinquency
- (Q) ___ Petition for Dependency
- (R) ___ Shelter Petition
- (S) ___ Termination of Parental Rights Arising Out Of Chapter 39
- (T) ___ Adoption Arising Out Of Chapter 39
- (U) ___ 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) (E-mail Address(es))

 Date

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

BELOW: [fill in all blanks]

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

This form was completed with the assistance of:

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

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.982(c)
PETITION FOR CHANGE OF NAME (MINOR CHILD(REN))
(02/18)**

When should this form be used?

This form should be used when parents want the court to change the name of their minor child(ren). For the purposes of this proceeding, a person under the age of 18 is a minor. This form is not to be used in connection with an adoption, dissolution of marriage, or paternity action. If you want a change of name for your child(ren) because of an adoption or paternity action that is not yet final, the change of name should be requested as part of that case.

This form should be typed or printed in black ink and must be signed before a notary public or deputy clerk. You should file the original with the clerk of the circuit court, in the county where you live and keep a copy for your records. The Petition should only be completed by one Petitioner for one child. If you wish to change the name of more than one child or if there is more than one Petitioner, you should complete and file a Supplemental Form for Petition for Change of Name (Minor Child) for each child and/or a Supplemental Form for Petition for Change of Name. The supplemental form(s) is an attachment to the petition. **Be sure that the bottom of each page of each supplemental form is initialed by the petitioner(s).**

What should I do next?

Unless you are seeking to restore a former name, each adult petitioner(s)'s fingerprints must be submitted for a state and national criminal history records check. The fingerprints must be taken in a manner approved by the Department of Law Enforcement. The fingerprints must be submitted to the Department of Law Enforcement for a state and national criminal history records check. **The Petitioner(s) may not request a hearing on the Petition until the copy of the fingerprints are filed and the clerk of court has received the results of the criminal history records check.** The clerk of court can instruct you on the process for having the fingerprints taken and submitted, including information on law enforcement agencies or service providers authorized to submit fingerprints electronically to the Department of Law Enforcement. The process may take several weeks and the parent or guardian of the minor must pay the cost of processing the fingerprints and conducting the state and national history records check. **Please note that the state and national criminal records check must indicate whether you have registered as either a sexual predator or a sexual offender and you must also indicate on this petition whether you have ever been required to register as a sexual predator under section 775.21, Florida Statutes, or as a sexual offender under section 943.0435, Florida Statutes.**

If **both** parents agree to the change of name and live in the county where the change of name is

sought, you may both file as petitioners. In this situation, service is not necessary, and you need only to set a hearing. You should ask the clerk of court, family law intake staff, or judicial assistant about the local procedure for setting a hearing.

If only one parent is a resident of the county where the change of name(s) is sought or only one parent asks for the child(ren)'s name(s) to be changed, the other parent must be notified and his or her consent obtained, if possible. If the other parent consents to the change of name, a **Consent for Change of Name (Minor Child(ren))**, Florida Supreme Court Approved Family Law Form 12.982(d), should be filed.

If the other parent does not consent to the change of name, you may still have a hearing on the petition if you have properly notified the other parent about your petition and the hearing. If you know where he or she lives, you must use personal service. If you absolutely do not know where he or she lives, you may use constructive service. 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.

Next, you must obtain a final hearing date for the court to consider your request. If you are seeking to restore a former name, a hearing on the petition MAY be held immediately after the petition is filed. The final hearing on any other petition for a name change may be held immediately after the clerk of court receives the results of your criminal history records check. You should ask the clerk of court, family law intake staff, or judicial assistant about the local procedure for setting a hearing. You may be required to attend the hearing. Included in these forms is a **Final Judgment of Change of Name (Minor Child(ren))**, Florida Supreme Court Approved Family Law Form 12.982(e), which may be used when a judge grants a change of name for a minor child(ren). If you attend the hearing, you should take the final judgment with you. You should complete the top part of the form, including the circuit, county, case number, division, and the name(s) of the petitioner(s) and leave the rest blank for the judge to complete. It should be typed or printed in black ink.

If the judge grants your petition, he or she will sign this order. This officially changes your child(ren)'s name(s). The clerk can provide you with certified copies of the signed order. There will be charges for the certified copies, and the clerk can tell you the amount of the charges.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms. For further information, see section 68.07, Florida Statutes.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

Special notes...

The heading of the form calls for the name(s) of the **petitioner(s)**. This means the parent(s) who is (are) requesting the change of their child(ren)'s name(s). The judicial circuit, case number, and division may be obtained from the clerk of court's office when you file the petition.

It may be helpful to compile a list of all of the people and places that will need a copy of the final

Instructions for Florida Supreme Court Approved Family Law Form 12.982(c), Petition for Change of Name (Minor Child(ren)) (02/18)

judgment. This list may include the driver's license office, social security office, banks, schools, etc. A list will help you know how many copies of your order you should get from the clerk of court after your hearing.

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 NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

Case No.: _____

Division: _____

IN RE: THE NAME CHANGE OF

Petitioner,

Petitioner.

PETITION FOR CHANGE OF NAME (MINOR CHILD(REN))

I/~~We~~, {full legal name(s)} _____, being sworn, certify that the following information is true:

I am/~~We are~~ the birth or legal parent(s) or guardian of the minor child(ren) named in this petition.

[Choose only one]

____ There is only one minor child named in this petition.

____ There are {enter number of children} _____ children named in this petition. The information on the first child is entered below. I/~~We~~ have attached the completed supplemental forms for each other child.

The adult petitioner(s)'s fingerprints have been taken in a manner approved by the Department of Law Enforcement and submitted for a state and national criminal history records check. **I/~~We understand that I/~~we cannot request a hearing on my/our~~ Petition until the clerk of court receives the results of the criminal history records check. I/~~we also understand that the state and national records check must indicate whether I/~~we have registered as either a sexual predator or a sexual offender.~~~~~~**

A. THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1 :

1. The minor child's complete present name is:

I/~~We request that this minor child's name be changed to:~~

2. The minor child lives in _____ County, Florida, at {street address} _____

3. The minor child was born on {date} _____, in {city, county, state, country} _____

4. The minor child's parents' full legal names are:

a. _____ and

b. _____

c. *{If applicable}* The minor child's parents' maiden name(s) is/are: _____
and _____.

5. The minor child has lived in the following places since birth:

Dates (to/from)	Address
_____/_____/_____	_____
_____/_____/_____	_____
_____/_____/_____	_____
_____/_____/_____	_____

(___ Please indicate here if you are continuing these facts on an attached page.)

6. *[Choose one only]*

___ The minor child is not married.

___ The minor child is married to: *{full legal name}* _____.

7. *[Choose one only]*

___ The minor child has no children.

___ The minor child is the parent of the following child(ren):

Name <i>{last, first, middle initial}</i>	Date of Birth
---	---------------

_____	_____
_____	_____

(___ Please indicate here if you are continuing these facts on an attached page.)

8. **Former names.**

[Indicate all that apply]

___ The minor child's name has never been changed by a court.

___ The minor child's name previously was changed **by court order** from _____
to _____ on *{date}* _____
by *{court, city, and state}* _____.

A copy of the court order is attached.

_____ The minor child's name previously was changed **by marriage** from _____
to _____ on {date} _____,
in {city, county, and state} _____.

A copy of the marriage certificate is attached.

_____ The minor child has never been known or called by any other name.

_____ The minor child has been known or called by the following other name(s): {list name(s)
and explain where child was known or called by such name(s)} _____

9. The minor child is not employed in an occupation or profession, does not own and operate a business, and has received no educational degrees. If the minor child has a job, explain:

10. Criminal History

{Indicate all that apply}

_____ The minor child has never been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication.

_____ The minor child has a criminal history. In the past, the minor child was arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication. The details of the criminal history are:

Date	City/State	Event (arrest, charge, plea, or adjudication)
------	------------	---

(_____ Please indicate here if you are continuing these facts on an attached page.)

_____ The minor child _____ has _____ has not ever been required to register as a sexual predator under section 775.21, Florida Statutes.

_____ The minor child _____ has _____ has not ever been required as a sexual offender under section 943.0435, Florida Statutes.

11. Money Judgments.

{Choose one only}

_____ The minor child has never been adjudicated bankrupt, and no money judgment has ever been entered against him or her.

_____ The following money judgment(s) has been entered against him or her:

Date	Amount	Creditor	Court entering judgment and case number	{date} if Paid
------	--------	----------	---	----------------

B. THE FOLLOWING INFORMATION IS TRUE ABOUT PETITIONER(S):

_____ PARENT _____ GUARDIAN

_____ A Supplemental Form has been attached for the other parent or petitioner.

1. My complete present name is: _____

2. I live in _____ County, Florida, at {street address} _____

3. Bankruptcy

{Choose one only}

_____ I have never been adjudicated bankrupt

_____ I was adjudicated bankrupt on {date} _____, in {city} _____
{county} _____, {state} _____.

(_____ Please indicate here if you have filed additional bankruptcies, and explain on an attached page.)

4. Creditor(s)' Judgments

{Choose one only}

_____ I have never had a money judgment entered against me by a creditor.

_____ The following creditor(s)' money judgments have been entered against me:

Date	Amount	Creditor	Court entering judgment and case number	If Paid {date}
------	--------	----------	---	----------------

(_____ Please indicate here if these facts are continued on an attached page.)

5. Criminal History

{Indicate all that apply}

_____ I have never been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication.

_____ I have a criminal history. In the past I have been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication. The details of my criminal history are:

Date	City/State	Event (arrest, charge, plea, or adjudication)
_____	_____	_____
_____	_____	_____
_____	_____	_____

(_____ Please indicate here if these facts are continued on an attached page.)

I _____ have _____ have not ever been required to register as a sexual predator under section 775.21, Florida Statutes.

I _____ have _____ have not ever been required to register as a sexual offender under section 943.0435, Florida Statutes.

6. I have no ulterior or illegal purpose for filing this petition, and granting it will not in any manner invade the property rights of others, whether partnership, patent, good will, privacy, trademark, or otherwise.
7. My civil rights have never been suspended, or, if ever suspended, they have been fully restored.

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

Dated: _____

Signature of Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Designated E-Mail Address(es) _____

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

_____ Personally known
_____ Produced identification
Type of identification produced _____

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

[fill in all blanks] This form was prepared for the Petitioner.
This form was completed with the assistance of:
{name of individual} _____
{name of business} _____
{address} _____
{city} _____, {state} _____, {zip code} _____ {telephone number} _____.

ADULT SUPPLEMENTAL FORM FOR PETITION FOR CHANGE OF NAME (MINOR CHILD(REN))

Case No.: _____

THE FOLLOWING INFORMATION IS TRUE ABOUT PETITIONER(S):

____ PARENT ____ GUARDIAN

1. My complete present name is: _____

2. I live in _____ County, Florida, at {street address} _____

3. Bankruptcy

{Choose one only}

____ I have never been adjudicated bankrupt

____ I was adjudicated bankrupt on {date} _____, in {city} _____
{county} _____, {state} _____.

(____ Please indicate here if you have filed additional bankruptcies, and explain on an attached page.)

4. Creditor(s)' Judgments

{Choose one only}

____ I have never had a money judgment entered against me by a creditor.

____ The following creditor(s)' money judgments have been entered against me:

Date	Amount	Creditor	Court entering judgment and case number	If Paid {date}
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(____ Please indicate here if these facts are continued on an attached page.)

5. Criminal History

{Indicate all that apply}

____ I have never been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication.

____ I have a criminal history. In the past I have been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication. The details of my criminal history are:

Date City/State Event (arrest, charge, plea, or adjudication)

(____ Please indicate here if these facts are continued on an attached page.)

I ____ have ____ have not ever been required to register as a sexual predator under section 775.21, Florida Statutes.

I ____ have ____ have not ever been required to register as a sexual offender under section 943.0435, Florida Statutes.

6. I have no ulterior or illegal purpose for filing this petition, and granting it will not in any manner invade the property rights of others, whether partnership, patent, good will, privacy, trademark, or otherwise.

7. My civil rights have never been suspended, or, if ever suspended, they have been fully restored.

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

Dated: _____

Signature of Petitioner: _____
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Designated E-Mail Address(es) _____

STATE OF FLORIDA
COUNTY OF _____

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

NOTARY PUBLIC or DEPUTY CLERK

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

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

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

[fill in all blanks] This form was completed for the Petitioner(s).

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

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

MINOR CHILD # _____, continued

SUPPLEMENTAL FORM FOR PETITION FOR CHANGE OF NAME (MINOR CHILD(REN))

Case No.: _____

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # _____:

1. Minor child's complete present name is:

I/We request that minor child's name be changed to:

2. The minor child lives in _____ County, Florida, at {street address} _____

3. The minor child was born on {date} _____, in {city, county, state, country} _____

4.

The minor child's parents' full legal name(s):

a. _____ and

b. _____

c. {If applicable} The minor child's parent's' maiden name(s): _____

and _____

5. The minor child has lived in the following places since birth:

Dates (to/from)

Address

_____/_____/_____

_____/_____/_____

_____/_____/_____

_____/_____/_____

_____/_____/_____

(____ Please indicate here if you are continuing these facts on an attached page.)

6. [Choose **one only**]

____ The minor child is not married.

____ The minor child is married to: {full legal name} _____

7. [Choose **one only**]

____ The minor child has no children.

MINOR CHILD # _____, continued

_____ The minor child is the parent of the following child(ren):

Name *{last, first, middle initial}*

Date of Birth

Name <i>{last, first, middle initial}</i>	Date of Birth
_____	_____
_____	_____
_____	_____

(_____ Please indicate here if you are continuing these facts on an attached page.)

8. Former names

{Indicate all that apply}

_____ The minor child's name has never been changed **by a court**.

_____ The minor child's name previously was changed **by court order** from _____
to _____ on *{date}* _____
by *{court, city, and state}* _____.

A copy of the court order is attached.

_____ The minor child's name previously was changed **by marriage** from _____
to _____ on *{date}* _____
in *{city, county, and state}* _____.

A copy of the marriage certificate is attached.

_____ The minor child has never been known or called by any other name.

_____ The minor child has been known or called by the following other name(s): *{list name(s) and explain where child was known or called by such name(s)}* _____

9. The minor child is not employed in an occupation or profession, does not own and operate a business, and has received no educational degrees. If the minor child has a job, explain:

10. Criminal History

{Indicate all that apply}

_____ The minor child has never been arrested for or charged with, pled guilty or nolo contendere to or been found to have committed a criminal offense, regardless of adjudication.

_____ The minor child has a criminal history. In the past, the minor child was arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal

MINOR CHILD # _____, continued

offense, regardless of adjudication. The details of the criminal history are:

Date	City/State	Event (arrest, charge, plea, or adjudication)
------	------------	---

(_____ Please indicate here if you are continuing these facts on an attached page.)

_____ The minor child _____ has _____ has not ever been required to register as a sexual predator under section 775.21, Florida Statutes.

_____ The minor child _____ has _____ has not ever been required to register as a sexual offender under section 943.0435, Florida Statutes.

11. Money Judgments

[Choose one only]

_____ The minor child has never been adjudicated bankrupt, and no money judgment has ever been entered against him or her.

_____ The following money judgment(s) has (have) been entered against him or her:

Date	Amount	Creditor	Court entering judgment and case number	{date} if Paid
------	--------	----------	---	----------------

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (11/13)

When should this form be used?

Florida Rule of Judicial Administration 2.545(d) requires the **petitioner** in a family law case to file with the court a notice of related cases, if any. Your circuit may also require this form to be filed even if there are no related cases. A case is considered related if

- it involves the same parties, children, or issues and is pending when the family law case is filed; or
- it affects the court's jurisdiction to proceed; or
- an order in the related case may conflict with an order on the same issues in the new case; or
- an order in the new case may conflict with an order in the earlier case.

This form is used to provide the required notice to the court.

This form should be typed or printed in black ink. It must be **filed** with the **clerk of the circuit court** with the initial pleading in the family law case.

What should I do next?

A copy of the form must be served on the presiding judges, either the chief judge or the family law administrative judge, and all parties in the related cases. You should also keep a copy for your records. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

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 Florida Rule of Judicial Administration 2.545(d).

Special notes . . .

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida

Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms **must** also put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

NOTICE OF RELATED CASES

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

[check one only]

There are no related cases.

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

Related Case No. 1

Case Name(s): _____

Petitioner _____

Respondent _____

Case No.: _____ Division: _____

Type of Proceeding: [check all that apply]

Dissolution of Marriage

Paternity

Custody

Adoption

Child Support

Modification/Enforcement/Contempt Proceedings

Juvenile Dependency

Juvenile Delinquency

Termination of Parental Rights

Criminal

Domestic/Sexual/Dating/Repeat

Mental Health

Violence or Stalking Injunctions

Other {specify} _____

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

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

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

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

Relationship of cases check **all** that apply]:

pending case involves same parties, children, or issues;

may affect court's jurisdiction;

order in related case may conflict with an order in this case;

order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

Related Case No. 2

Case Name(s): _____

Petitioner _____

Respondent _____

Case No.: _____ Division: _____

Type of Proceeding: [check **all** that apply]

Dissolution of Marriage

Paternity

Custody

Adoption

Child Support

Modification/Enforcement/Contempt Proceedings

Juvenile Dependency

Juvenile Delinquency

Termination of Parental Rights

Criminal

Domestic/Sexual/Dating/Repeat

Mental Health

Violence or Stalking Injunctions

Other {specify} _____

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

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

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

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

Relationship of cases check **all** that apply]:

pending case involves same parties, children, or issues;

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

Statement as to the relationship of the cases: _____

Related Case No. 3

Case Name(s): _____
Petitioner _____
Respondent _____
Case No.: _____ Division: _____

Type of Proceeding: [check all that apply]

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

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

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): _____
Title of last Court Order/Judgment (if any): _____
Date of Court Order/Judgment (if any): _____

Relationship of cases check all that apply]:

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

Statement as to the relationship of the cases: _____

2. [check one only]

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

____ I do request coordination of the following cases: _____

3. [check all that apply]

____ Assignment to one judge

____ Coordination of existing cases

will conserve judicial resources and promote an efficient determination of these cases because: _____.

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

Dated: _____

Petitioner's Signature

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

CERTIFICATE OF SERVICE

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

Signature of Petitioner/Attorney for Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

Florida Bar Number: _____

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

[fill in **all** blanks] This form was prepared for the *{choose only one}*: () Petitioner () Respondent.
This form was completed with the assistance of:

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

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM
12.910(a)
SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
(03/17)**

When should this form be used?

This form should be used to obtain personal service on the other party when you begin your lawsuit. Service is required for **all** documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires. Generally, there are two ways to make service: (1) personal service, or (2) service by email, mail, or hand delivery. A third method for service is called constructive service; however, the relief a court may grant may be limited in a case where constructive service has been used.

The law requires that certain documents be served by **personal service** if personal service is possible. **Personal service** means that a summons (this form) and a copy of the forms you are filing with the court that must be personally served are delivered by a deputy sheriff or private process server

- a. directly to the other party, or
- b. to someone over the age of fifteen with whom the other party lives.

Personal service is required for **all** petitions, including petitions for modification. You cannot serve these papers on the other party yourself or by mail or hand delivery. Personal service must be made by the sheriff's department in the county where the other party lives or works or by a private process server certified in the county where the other party lives or works.

In many counties, there are private process servers who, for a fee, will personally serve the summons and other documents that require personal service. You should look under **process servers** in the yellow pages of the telephone book for a list of private process servers in your area. You may use a private process server to serve any paper required to be personally served in a family law case **except** a petition for injunction for protection against domestic or repeat violence.

How do I start?

When you begin your lawsuit, you need to complete this form (summons) and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). The forms should be typed or printed legibly in black ink. Next, you will need to take these forms and, if you have not already done so, **file** your petition with the clerk of the circuit court in the county where you live. You should keep a copy of the forms for your records. The clerk will sign the summons, and then the summons, a copy of the papers to be served, and the process service memorandum must be delivered to the appropriate sheriff's office or to a private process server for service on the other party.

IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED: Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are filing suit and you want the sheriff's department to serve the papers, you will file the summons along

with a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office and have the clerk sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY LIVES IN ANOTHER COUNTY: If the other party lives in another county, service needs to be made by a sheriff in the county where the other party lives or by a private process server certified in the county where the other party lives. Make sure that you attach a copy of the papers you want personally served to the summons as well as the **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). If you want the sheriff to serve the papers, the clerk may send your papers to that sheriff's office for you, or you may have to send the papers yourself. The clerk will tell you which procedure to use. Either way, you will need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. You should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office where the clerk will sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as constructive service. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have only limited jurisdiction over a party who is served by constructive service and may have only limited**

jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service; that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.

Regardless of the type of service used, if the other party once lived in Florida but is living outside of Florida now, you should include in your petition a statement regarding the length of time the party lived in Florida, if any, and when. For example: "Respondent last lived in Florida from {date} to {date} _____."

This area of the law is very complex and you may need to consult with an attorney regarding the proper type of service to be used in your case if the other party does not live in Florida or cannot be located.

What happens when the papers are served on the other party?

The date and hour of service are written on the original summons and on all copies of it by the person making the service. The person who delivers the summons and copies of the petition must file a proof of service with the clerk or provide a proof of service to you for filing with the court. It is your responsibility to make sure the proof of service has been returned to the clerk and placed in your case file.

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 regarding service of process, see chapters 48 and 49, Florida Statutes, and Florida Family Law Rule of Procedure 12.070, as well as the instructions for **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Service and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).

Special notes

If you have been unable to obtain proper service on the other party within **120 days** after filing your lawsuit, the court will dismiss your lawsuit against the other party unless you can show the court a good reason why service was not made within **120 days**. For this reason, if you had the local sheriff serve the papers, you should check with the clerk every couple of weeks after completing the service papers to see if service has been completed. You may need to supply the sheriff with a new or better address. If you had a private process server or a sheriff in another county serve the papers, you should be in contact with that person or sheriff until you receive proof of service from that person or sheriff. You should then file the proof of service with the clerk immediately.

If the other party fails to respond, i.e., fails to file a written response with the court, within **20 days** after the service of the summons, you are entitled to request a **default**. See the instructions to **Motion for** Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (03/17)

Default, Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme Court Approved Family Law Form 12.922(b), for further information. You will need to file an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), before a default may be granted.

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 NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

**SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
ORDEN DE COMPARECENCIA: SERVICIO PERSONAL EN UN INDIVIDUO
CITATION: L'ASSIGNATION PERSONAL SUR UN INDIVIDUEL**

TO/PARA/A: *{enter other party's full legal name}* _____
{address (including city and state)/location for service} _____

IMPORTANT

A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at: *{street address}* _____

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

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

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

{Name and address of party serving summons} _____

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

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

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and Email 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.

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

IMPORTANTE

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

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

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

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

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

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

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

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Qui se trouve à: {L'Adresse} _____. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal

entende votre cause. Si vous ne deposez pas votre reponse ecrite dans le delai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requerir les services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de deposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie au carbone ou une photocopie de votre reponse ecrite a la partie qui vous depose cette citation.

Nom et adresse de la partie qui depose cette citation: _____

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

(SEAL)

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM
12.910(a)
SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
(03/17)**

When should this form be used?

This form should be used to obtain personal service on the other party when you begin your lawsuit. Service is required for **all** documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires. Generally, there are two ways to make service: (1) personal service, or (2) service by email, mail, or hand delivery. A third method for service is called constructive service; however, the relief a court may grant may be limited in a case where constructive service has been used.

The law requires that certain documents be served by **personal service** if personal service is possible. **Personal service** means that a summons (this form) and a copy of the forms you are filing with the court that must be personally served are delivered by a deputy sheriff or private process server

- a. directly to the other party, **or**
- b. to someone over the age of fifteen with whom the other party lives.

Personal service is required for **all** petitions, including petitions for modification. You cannot serve these papers on the other party yourself or by mail or hand delivery. Personal service must be made by the sheriff's department in the county where the other party lives or works or by a private process server certified in the county where the other party lives or works.

In many counties, there are private process servers who, for a fee, will personally serve the summons and other documents that require personal service. You should look under **process servers** in the yellow pages of the telephone book for a list of private process servers in your area. You may use a private process server to serve any paper required to be personally served in a family law case **except** a petition for injunction for protection against domestic or repeat violence.

How do I start?

When you begin your lawsuit, you need to complete this form (summons) and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). The forms should be typed or printed legibly in black ink. Next, you will need to take these forms and, if you have not already done so, **file** your petition with the clerk of the circuit court in the county where you live. You should keep a copy of the forms for your records. The clerk will sign the summons, and then the summons, a copy of the papers to be served, and the process service memorandum must be delivered to the appropriate sheriff's office or to a private process server for service on the other party.

IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED: Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are filing suit and you want the sheriff's department to serve the papers, you will file the summons along

with a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office and have the clerk sign it for you. You should deliver the summons, along with the copy of your Initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY LIVES IN ANOTHER COUNTY: If the other party lives in another county, service needs to be made by a sheriff in the county where the other party lives or by a private process server certified in the county where the other party lives. Make sure that you attach a copy of the papers you want personally served to the summons as well as the **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). If you want the sheriff to serve the papers, the clerk may send your papers to that sheriff's office for you, or you may have to send the papers yourself. The clerk will tell you which procedure to use. Either way, you will need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. You should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office where the clerk will sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA: If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as constructive service. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have only limited jurisdiction over a party who is served by constructive service and may have only limited**

jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service; that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.

Regardless of the type of service used, if the other party once lived in Florida but is living outside of Florida now, you should include in your petition a statement regarding the length of time the party lived in Florida, if any, and when. For example: "Respondent last lived in Florida from {date} to {date} _____."

This area of the law is very complex and you may need to consult with an attorney regarding the proper type of service to be used in your case if the other party does not live in Florida or cannot be located.

What happens when the papers are served on the other party?

The date and hour of service are written on the original summons and on all copies of it by the person making the service. The person who delivers the summons and copies of the petition must file a proof of service with the clerk or provide a proof of service to you for filing with the court. **It is your responsibility to make sure the proof of service has been returned to the clerk and placed in your case file.**

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 regarding service of process, see chapters 48 and 49, Florida Statutes, and Florida Family Law Rule of Procedure 12.070, as well as the instructions for **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Service and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).

Special notes

If you have been unable to obtain proper service on the other party within **120 days** after filing your lawsuit, the court will dismiss your lawsuit against the other party unless you can show the court a good reason why service was not made within **120 days**. For this reason, if you had the local sheriff serve the papers, you should check with the clerk every couple of weeks after completing the service papers to see if service has been completed. You may need to supply the sheriff with a new or better address. If you had a private process server or a sheriff in another county serve the papers, you should be in contact with that person or sheriff until you receive proof of service from that person or sheriff. You should then file the proof of service with the clerk immediately.

If the other party fails to respond, i.e., fails to file a written response with the court, within **20 days** after the service of the summons, you are entitled to request a **default**. See the instructions to **Motion for Instructions for Florida Family Law Rules of Procedure Form 12.910(a), Summons: Personal Service on an Individual (03/17)**

Default, Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme Court Approved Family Law Form 12.922(b), for further information. You will need to file an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), before a default may be granted.

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 NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

**SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL
ORDEN DE COMPARECENCIA: SERVICIO PERSONAL EN UN INDIVIDUO
CITATION: L'ASSIGNATION PERSONAL SUR UN INDIVIDUEL**

TO/PARA/A: {enter other party's full legal name} _____
{address (including city and state)/location for service} _____

IMPORTANT

A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at: {street address} _____

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

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

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

{Name and address of party serving summons} _____

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

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

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and Email 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.

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

IMPORTANTE

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

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

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

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

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

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

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

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Qui se trouve à: {L'Adresse} _____. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal

entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

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

Nom et adresse de la partie qui dépose cette citation: _____

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

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

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

THE STATE OF FLORIDA

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

DATED: _____

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.910(b), PROCESS SERVICE MEMORANDUM (11/15)

When should this form be used?

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

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

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

Where can I look for more information?

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

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT

REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

Special notes...

If you fear that disclosing your address would put you in danger because you are the victim of sexual battery, aggravated child abuse, stalking, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), file it with the clerk, and write confidential in the space provided on the petition.

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.

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent,

PROCESS SERVICE MEMORANDUM

TO: _____ Sheriff of _____ County, Florida; _____ Division
_____ Private process server: _____

Please serve the {*name of document(s)*} _____

in the above-styled cause upon:

Party: {*full legal name*} _____

Address or location for service: _____

Work Address: _____

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

SPECIAL INSTRUCTIONS: _____

Dated: _____

Signature of Party

*Printed Name: _____

*Address: _____

*City, State, Zip: _____

*Telephone Number: _____

*Fax Number: _____

*Designated E-mail Address(es) _____

* Please see the Special Notes section in the instructions to this form regarding Florida Supreme Court Approved Family Law Form 12.980(h), Request for Confidential Filing of Address, which may be used if you need to keep your addresses or telephone numbers confidential for safety reasons.

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

[fill in all blanks] This form was prepared for the Petitioner. This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS 12.922(a), MOTION FOR DEFAULT, AND 12.922(b), DEFAULT (11/15)

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.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

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, e-mailed, or hand-delivered to each party in the case. **You must send a notice of final hearing to the defaulted party.**

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must**

review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

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 Florida Rules of Civil Procedure 1.500, concerning defaults and Rule 1.140, concerning the time within which a party can file an answer or other responsive pleading to a petition. See also Florida Family Law Rule of Procedure 12.080.

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 _____ NINETEENTH _____ JUDICIAL CIRCUIT,
IN AND FOR _____ INDIAN RIVER _____ 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 () mailed () faxed and mailed () e-mailed () hand-delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

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

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

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____.

IN THE CIRCUIT COURT OF THE _____ NINETEENTH _____ JUDICIAL CIRCUIT,
IN AND FOR _____ INDIAN RIVER _____ 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 () mailed () faxed and mailed () e-mailed () hand-delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Designated E-mail Address(es): _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

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

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

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.982(d),
CONSENT FOR CHANGE OF NAME (MINOR CHILD(REN))

When should this form be used?

This form should be used when one parent consents to the other parent's **petition** to change the name of their minor child(ren). A parent who is not a **petitioner** in the case but is consenting to the change of name should complete this form and sign it in front of a **notary public** or **deputy clerk**.

This form should be typed or printed in black ink. After this form is signed and notarized, you should **file** it with the **clerk of the circuit court** in the county where the petition was filed and keep a copy for your records. This form should be attached to the **Petition for Change of Name (Minor Child(ren))**, O□ Florida Supreme Court Approved Family Law Form 12.982(c), if obtained prior to the filing of the petition. Otherwise, it may be filed separately after it has been completed.

Where can I look for more information?

Before proceeding, you should read a General Information for Self-Represented Litigants found at the beginning of these forms. For further information see section 68.07, Florida Statutes, and the instructions for **Petition for Change of Name (Minor Child(ren))**, O□ Florida Supreme Court Approved Family Law Form 12.982(c), or **Petition for Change of Name (Family)**, O□ Florida Supreme Court Approved Family Law Form 12.982(f).

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**, O□ 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 NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

Case No.: _____
Division: _____

IN RE: THE NAME CHANGE OF

Petitioner.

CONSENT FOR CHANGE OF NAME (MINOR CHILD(REN))

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

I am the birth or legal () father () mother of the minor child(ren) named in this case, and I give consent for the following name changes:

Minor child(ren)=s complete present name(s):

Minor child(ren)=s name(s) to be changed to:

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____
- (6) _____

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____
- (6) _____

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

Dated: _____

Signature of Consenting Parent

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: [N 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** ___ consenting parent, fill out this form.

FORM 1.998. INSTRUCTIONS FOR COMPLETING FINAL DISPOSITION FORM

I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned to the case and the names (last, first, middle initial) of plaintiff(s) and defendant(s).

II. Means of Final Disposition. Place an "x" in the appropriate major category box and in the appropriate subcategory box, if applicable. The following are the definitions of the disposition categories.

(A) Dismissed Before Hearing—the case is settled, voluntarily dismissed, or otherwise disposed of before a hearing is held;

(B) Dismissed Pursuant to Settlement – Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation before a hearing is held;

(C) Dismissal Pursuant to Mediated Settlement – Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation before a hearing is held;

(D) Other - Before Hearing—the case is dismissed before hearing in an action that does not fall into one of the other disposition categories listed on this form;

(E) Dismissed After Hearing—the case is dismissed by a judge, voluntarily dismissed, or settled after a hearing is held;

(F) Dismissal Pursuant to Settlement – After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation after a hearing is held;

(G) Dismissal Pursuant to Mediated Settlement - After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation after a hearing is held;

(H) Other - After Hearing—the case is dismissed after hearing in an action that does not fall into one of the other disposition categories listed on this form;

(I) Disposed by Default—a defendant chooses not to or fails to contest the plaintiff's allegations and a judgment against the defendant is entered by the court;

(J) Disposed by Judge—a judgment or disposition is reached by the judge in a case that is not dismissed and in which no trial has been held. Includes stipulations by the parties, conditional judgments, summary judgment after hearing and any matter in which a judgment is entered excluding cases disposed of by default as in category (I) above;

(K) Disposed by Non-Jury Trial—the case is disposed as a result of a contested trial in which there is no jury and in which the judge determines both the issues of fact and law in the case;

(L) Disposed by Jury Trial—the case is disposed as a result of a jury trial (consider the beginning of a jury trial to be when the jurors and alternates are selected and sworn);

(M) Other—the case is consolidated, submitted to arbitration or mediation, transferred, or otherwise disposed of by other means not listed in categories (A) through (L).

DATE AND ATTORNEY SIGNATURE. Date and sign the final disposition form.

FORM 1.998. FINAL DISPOSITION FORM

This form shall be filed by the prevailing party for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075.

I. CASE STYLE

CIRCUIT COURT

Petitioner _____

Case #: _____

vs.

Judge: _____

Respondent _____

II. MEANS OF FINAL DISPOSITION (Place an "x" in one box for major category and one subcategory, if applicable, only)

- Dismissed Before Hearing
 - Dismissed Pursuant to Settlement – Before Hearing
 - Dismissed Pursuant to Mediated Settlement – Before Hearing
 - Other – Before Hearing
- Dismissed After Hearing
 - Dismissed Pursuant to Settlement – After Hearing
 - Dismissed Pursuant to Mediated Settlement – After Hearing
 - Other – After Hearing
- Disposed by Default
- Disposed by Judge
- Disposed by Non-jury Trial
- Disposed by Jury Trial
- Other

DATE _____

SIGNATURE OF ATTORNEY FOR PREVAILING PARTY

Form A: Family Case Inquiry/Update

Use this form only when your case has already been filed and you need assistance. This form is used to inquiry about the status of your case, request a hearing date, notify the case manager that you have filed additional documents, or seek information about procedural matters.

Please avoid making the following common mistakes when completing the form.

- Do not use this form to change your address. Case managers cannot update your address for you. Please file your change of address with the clerk of the court.
- Do not use this form to file a motion or pleading. All requests of the court must be filed with the clerk of the court.
- Do not use this form to request legal advice. Case managers cannot provide legal assistance.

Due to increases in caseloads and the Court's improved responsiveness and accountability, most business will be conducted by email. You must complete the following form to obtain assistance on an open case. **You must submit a separate Form A each time you request assistance from the Case Management office.** You will receive a response as soon as possible but definitely within 3 to 5 business days by email. Please check your spam/junk folders in addition to your inbox in case our response to you has been sent there by your computer program.

Please complete the following sections:

Date this form submitted: _____

County of Case: Check appropriate box

Indian River

Martin

Okeechobee

Saint Lucie

Court Case Number: (required) _____ Judge/Magistrate: _____

Type of Case: Check appropriate box

Divorce – Simplified

Name Change - Adult

Contempt/Enforcement

Divorce – No Children

Name Change - Child

Rehearing

Divorce – With Children

Modify Timesharing

Compel – Financial Affidavit

Paternity

Modify Child Support

Continuance

Abate Child Support

Temporary Custody

Clarification of Order

Stepparent Adoption

Other: _____

I am requesting/informing you:

Hearing Date

All required documents have been filed in Court file

Case Management

I need to know what additional documents are required before a final hearing can be scheduled

Other party filed an Answer and does not agree with my Petition

Other:

Information for Person Requesting Assistance (must be completed)

Name:

Daytime Phone:

Other:

Email Address:

If you have questions, you may write them on a separate paper and attach to this form.