

INSTRUCTIONS FOR THIRTEENTH JUDICIAL CIRCUIT FORM
FOR PETITION FOR SUPERSEDING CHILD SUPPORT ORDER and TIMESHARING

When should this form be used?

This form should be used by a parent who has been ordered to pay child support in a DEPARTMENT OF REVENUE ADMINISTRATIVE PROCEEDING and who wants to establish a circuit court case for child support and time-sharing. This form should be typed or printed in black ink. After completing this form, you should both sign the form before a **notary public or deputy clerk**. You should **file** the original with the **clerk of the circuit court** in the county where you live and keep a copy for your records.

Where can I look for more information?

Before proceeding, you should read “General Information for Pro Se Litigants” found at the beginning of the Florida Family Law forms. The words that are in “**bold underline**” in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

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

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c).
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days, if not filed with the petition, unless you and the other party have agreed not to exchange these documents.)
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e). (If you do not know the other party’s income, you may file this worksheet after his or her financial affidavit has been filed.)
- **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a), or **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b). If the parents have reached an agreement, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan **may** be filed.

Parenting Plan and Time-Sharing. If the parties are unable to agree on parenting arrangements and a time-sharing schedule, a judge will decide as part of establishing a Parenting Plan. The judge will decide the parenting arrangements and time-sharing based on the child(ren)’s best interests. Regardless of whether there is an agreement between the parties, the court reserves jurisdiction to modify issues relating to minor or dependent child(ren). The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interests of the child(ren) are being served. For more information, you may consult sections 61.401–61.405, Florida Statutes.

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

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

Many circuits require that parents of a minor or dependent child(ren) who are involved in actions involving children attend **mediation** before being allowed to schedule a final hearing. A **parenting course** must be completed prior to entry of the final judgment. You should check with your local clerk of court's office, family law intake staff, or judicial assistant for more information on the parenting course and mediation requirements in your area. **Child Support.** The court may order one parent to pay **child support** to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You should file a **financial affidavit**, and the other parent will be required to do the same. From your financial affidavits, you should be able to calculate the amount of child support that should be paid. Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

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 THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

_____,
Petitioner,

and
_____,
Respondent.

Case No. _____

Division: _____

PETITION FOR SUPERSEDING SUPPORT ORDER WITH TIMESHARING

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

This is an action to establish a superseding support order, parental responsibility, and timesharing under chapter 742, Florida Statutes.

SECTION I.

1. The Petitioner is the () mother () father of the following minor child(ren):

	Name	City/State of Birth	Birth Date	Sex
(1)	_____	_____	_____	_____
(2)	_____	_____	_____	_____
(3)	_____	_____	_____	_____
(4)	_____	_____	_____	_____
(5)	_____	_____	_____	_____
(6)	_____	_____	_____	_____

2. Petitioner currently lives at: *{street address, city, state}* _____
_____.

3. Respondent currently lives at: *{street address, city, state}* _____
_____.

4. () Petitioner () Respondent has been ordered to pay child support in a DEPARTMENT OF REVENUE ADMINISTRATIVE PROCEEDING for the above named child(ren) in *{county}* _____, *{state}* _____, *{case number}* _____. **A copy of the administrative child support order is attached.**

5. Both parties are over the age of 18, and neither is, nor has been within a 30-day period immediately prior to this date, a person in the military service of the United States as defined by the Amended Sailors' and Soldiers' Civil Relief Act of 1940.

6. Neither Petitioner nor Respondent is mentally incapacitated.

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

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

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

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

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

2. **Parental Responsibility.** It is in the child(ren)'s best interests that:
[check **one** only]

___ a. shared by both Father and Mother.

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

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

[check **one** only]

a. ___ The attached proposed Parenting Plan should be adopted by the court.

The parties [] have [] have **not** agreed to the Parenting Plan.

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

[] No time-sharing for the [] Father [] Mother

[] Limited time-sharing with the [] Father [] Mother

[] Supervised time-sharing for the [] Father [] Mother.

[] Supervised or third-party exchange of the child(ren).

[] Time-sharing schedule as follows:

Explain why this schedule is in the best interests of the child(ren):

SECTION III. CHILD SUPPORT

[check **all** that apply]

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

[check **one** only]

a. ___ the date of the filing of this petition.

c. ___ other: *{date}*_____. *{Explain}*_____

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

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

[check **one** only]

a. ___ Father.

b. ___ Mother.

4. ___ Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid by:

[check **one** only]

a. ___ Father.

b. ___ Mother.

c. ___ Father and Mother each pay one-half.

d. ___ Father and Mother each pay according to the percentages in the **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e).

e. ___ Other *{explain}*:

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

[check **one** only]

a. ___ Father.

b. ___ Mother.

c. ___ Both

6. ___ [] Petitioner [] Respondent [] Both has (have) received past public assistance for this (these) minor child(ren).

PETITIONER'S REQUEST

1. Petitioner requests a hearing on this petition and understands that he or she must attend the hearing.

2. Petitioner requests that the Court enter an order that:

[check **all** that apply]

a. ___ adopts or establishes a Parenting Plan containing provisions for parental responsibility and time-sharing for the minor or dependent child(ren);

b. ___ awards child support, including medical/dental insurance coverage for the minor child(ren);

c. ___ determines the appropriate allocation or apportionment of all other past, present, and future medical and dental expenses incurred or to be incurred on behalf of the minor child(ren);

d. ___ other relief as follows: _____

_____; and grants such other relief as may be appropriate and in the best interests of the minor child(ren).

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

Dated: _____

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

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

Sworn to and subscribed before me this ___ day of _____, 20__.

Personally known _____ or Produced Identification _____

Type of Identification _____

NOTARY PUBLIC or DEPUTY CLERK
State of Florida at Large
My Commission expires:

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

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