

**JOINT PETITION
TO ESTABLISH PATERNITY AND OTHER
RELIEF**

(Packet #33)

USE THIS PACKET IF:

- 1) THERE HAS NEVER BEEN AN ORDER ADDRESSING PATERNITY, PARENTAL RESPONSIBILITY, PARENTING PLAN/TIMESHARING, CUSTODY, VISITATION, OR CHILD SUPPORT FOR THE CHILD(REN) IN THIS ACTION, and
- 2) YOU ARE THE CHILD'S MOTHER OR BIOLOGICAL FATHER, and
- 3) YOU AND THE OTHER PARENT AGREE ON ALL ISSUES IN THE CASE (time-sharing with the child(ren), child support, etc.), and
- 4) THE PARTIES ARE NOT MARRIED TO EACH OTHER, and
- 5) THE CHILD HAS BEEN A RESIDENT OF FLORIDA FOR AT LEAST THE LAST SIX MONTHS OR SINCE BIRTH IF THE CHILD IS LESS THAN SIX MONTHS OLD, and
- 6) THE OTHER PARENT IS COOPERATIVE AND WILLING TO COMPLETE ALL NECESSARY FORMS AND TAKE A PARENTING CLASS

If you choose to represent yourself (*pro se*) in your case, you should be aware that you will be required to follow the same rules that are required in cases filed by persons represented by attorneys. The judge assigned to your case is not necessarily required to grant what you request in a form. If you do not like the outcome of your case, you may not be able to change it. If you have any questions or concerns about your case, you should consult with an attorney.

If you do not know an attorney, you may call the Lawyer Referral Service at 221-7780. If you do not have the money to hire an attorney, you may apply to Bay Area Legal Services by calling 232-1343. You may also obtain legal information at the Legal Information Center at the George Edgecomb Courthouse (call 864-2280 for hours and information).

All instructions and forms distributed by the Thirteenth Judicial Circuit are provided merely as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist pro se (self-represented) litigants with their cases. The Thirteenth Judicial Circuit does not guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedures exactly or accept each and every form as drafted. Any person using these instructions and/or forms does so at his or her own risk, and the Thirteenth Judicial Circuit shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

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

PARENTING CLASS REQUIREMENT

In all cases involving minor or dependent children, both parties are required to attend a parenting class before the case can be scheduled for hearing.

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### **Parenting and Divorce**

Telephone (English) : 1 (800) 767-8193 / Telephone (Spanish): 1 (888) 227-1022

Website: <https://www.educationprograms.com/65-hillsborough>

### **Parents for Life**

Telephone: (813) 253-7980

To schedule Parenting classes in English / Por Paternidad classes en Espanol:

<https://catalog.tampatraining.com/browse/personalenrichment?query=parent>

### **Additional Course Providers**

can be found online at:

<http://www.dcf.state.fl.us/programs/childwelfare/stabilization/local.shtml>

→ click on “Hillsborough” or “13<sup>th</sup> Circuit”

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Online parenting classes are **NOT** accepted unless you live outside of Florida or unless the judge grants permission. If neither party is represented by an attorney, you may contact the Case Management Unit (prose@fljud13.org) to ask if the judge will accept online classes. If either party is represented by an attorney, you must file a motion asking for permission to take the parenting class online.

THE FOLLOWING FORMS ARE CONTAINED IN THIS PACKET:

<u>FORMS</u>	<u>FORM #</u>	<u>WHEN TO USE</u>
<u>General Information for Self-Represented Litigants</u>	Appendix C	For your information only
<u>12 Rules of Courtroom Civility</u>	12 Rules	Required to start case – must be signed by both parties
<u>Nonlawyer Disclosure</u>	12.900(a)	Use if a someone who is not a lawyer helps you with the forms
<u>Civil Cover Sheet</u>	12.928	Required to start case
<u>Joint Petition to Establish Paternity and Other Relief</u>	Joint	Required to start case – must be signed by both parties
<u>Parenting Plan</u>	12.995 (a)	Required (use this form if safety or supervised time-sharing IS NOT a concern)
<u>Supervised/Safety-Focused Parenting Plan</u>	12.995 (b)	Required (use this form if safety or supervised time-sharing IS a concern)
<u>Financial Affidavit - Short Form</u>	12.902(b)	Required for the Petitioner if your income is less than \$50,000/year
<u>Financial Affidavit - Short Form</u>	12.902(b)	Required for the Respondent if your income is less than \$50,000/year
<u>Financial Affidavit - Long Form</u>	12.902(c)	Required for the Petitioner if your income is more than \$50,000/year
<u>Financial Affidavit - Long Form</u>	12.902(c)	Required for the Respondent if your income is more than \$50,000/year
<u>Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA)</u>	12.902(d)	Required for the Petitioner
<u>Child Support Guidelines</u>	12.902(e)	Required for the Petitioner
<u>Motion to Deviate From Child Support Guidelines</u>	12.943	Use if one party wants the court to order more or less than the Child Support Guidelines worksheet indicates
<u>Notice of Social Security Number</u>	12.902(j)	Required for the Petitioner
<u>Notice of Social Security Number</u>	12.902(j)	Required for the Respondent
<u>Certificate of Compliance with Mandatory Disclosure</u>	12.932	Required for the Petitioner unless both parties agree in writing to waive Mandatory Disclosure
<u>Certificate of Compliance with Mandatory Disclosure</u>	12.932	Required for the Respondent unless both parties agree in writing to waive Mandatory Disclosure
<u>Waiver of Mandatory Disclosure</u>	Waiver	Both parties must sign if both agree to waive Mandatory Disclosure requirement
<u>Notice of Related Cases</u>	12.900(h)	Required
<u>Motion for Scientific Paternity Testing</u>	12.983(e)	Use if you want to ask the court to order DNA testing to establish paternity
<u>Fee Schedule for Family Law Cases</u>	Fee	A schedule of fees for Family Law related cases
<u>Notice of Confidential Information Within Court Filing</u>	2.40(d)(2)	Use to notify the clerk of documents containing confidential information

STEP BY STEP INSTRUCTIONS

STEP ONE - Complete the forms to start the case and have them notarized

- 1) **FORMS MUST BE COMPLETED AND SIGNED IN BLACK INK AND MOST MUST BE NOTARIZED.** The clerk's office will notarize documents and charge a fee (see attached schedule). Please bring a valid ID.
- 2) **Names must be written the same way on all documents (no full names on one document and initials on another).**
- 3) **PETITIONER should complete the following forms and notarize the ones with a notary signature line:**
 - A) Civil cover sheet - (does not need to be notarized)
 - B) Financial Affidavit
 - Short form, Form 12.902(b), if you make \$50,000/year or less
 - or**
 - Regular form, Form 12.902(c), if you make more than \$50,000/year
 - C) Notice of Social Security Number, Form 12.902(j)
 - D) Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Form 12.902(d)
 - E) Child Support Guidelines, Form 12.902(e) (Support guidelines form **MUST** be completed, even if the parties have agreed to an amount of support or have agreed to rotating custody.)
 - F) Certificate of Compliance with Mandatory Disclosure, Form 12.932 (required unless both parties agree in writing to waive Mandatory Disclosure)
 - G) Notice of Related Cases, Form 12.900(h)
- 4) **RESPONDENT should complete the following forms and notarize the ones with a notary signature line:**
 - A) Financial Affidavit
 - Short form, Form 12.902(b), if you make \$50,000/year or less
 - or**
 - Regular form, Form 12.902(c), if you make more than \$50,000/year
 - B) Notice of Social Security Number, Form 12.902(j)
 - C) Certificate of Compliance with Mandatory Disclosure, Form 12.932 (required unless both parties agree in writing to waive Mandatory Disclosure)
- 5) **BOTH PARTIES should complete the following forms and notarize the ones with a notary signature line:**
 - A) Joint Petition to Establish Paternity and Other Relief
 - B) Parenting Plan
 - Regular form, Form 12.995(a), use this form if safety or supervised time-sharing IS NOT a concern
 - or**
 - Supervised/Safety-Focused Parenting Plan, Form 12.995(b), use this form if safety or supervised time-sharing IS a concern
 - C) 12 Rules of Courtroom Civility - (does not need to be notarized)
 - D) Waiver of Mandatory Disclosure - both parties must sign if both agree to waive Mandatory Disclosure requirement

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have signed (one copy is for the Petitioner and one copy is for the Respondent). Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse. You may also purchase copies for \$0.15 per page, before filing your case, from the Family Law Intake staff in room 101.

STEP THREE - Filing your case

Take the *original* set of completed and signed forms to the clerk on the 1st floor of the main courthouse and pay the filing fee. The clerk will assign a case number and division.

STEP FOUR – Parenting Class

Both parties must attend a parenting class before your final divorce hearing can be scheduled. For information about approved parenting classes in this circuit, contact and registration information is on page 2 of these instructions. After you have completed the course, write your case number on your certificate of completion and file it with the clerk.

STEP FIVE – Scheduling the final hearing

1. Contact the Case Management Unit (813-272-5173) to schedule the final hearing.
2. You will be contacted by mail regarding a court date.

STEP SIX – The final hearing

Normally the final hearing is when the petition will be granted and all issues will be decided. If you do not go to the final hearing your case may be dismissed.

HOW TO DRESS - Dress appropriately. No shorts, tank tops, or sandals. Do not chew gum.

WHAT TO EXPECT

The hearing will take place in a hearing room or a courtroom. You will not be in front of a jury, just the general magistrate or judge. Do not interrupt the magistrate or judge when he or she speaks. When speaking to the magistrate or judge, address him or her as “Your Honor” or “Judge.”

Each court has at least one bailiff who is a deputy sheriff and is there to maintain order. When you arrive for your hearing, let the bailiff know that you are present and ready. He or she will announce your case when it is time for your hearing, and will tell you where to sit and where to place your belongings as you enter the hearing room. A bailiff will usually remain inside the room during your hearing. If witnesses are called, the bailiff will step out to bring the witness into the hearing room.

At your hearing, be prepared to discuss any issues covered in the petition and be able to provide proof of any disputed facts by presenting evidence. Evidence is proof presented at a hearing in the form of witnesses (people), exhibits (documents), and objects (things). Not all evidence can be considered by the judge, however. Evidence must conform to the Rules of Evidence in Chapter 90 of the Florida Statutes to be admissible in court. Remember, the duty of establishing the facts that you want to present to the court is on YOU. You should provide the judge with admissible evidence to support the claims in your petition and your statements in court. Telling your story may not be enough to win your case.

The judge will make a decision and sign your judgment. The final judgment will contain all the details of your court order and the court’s decision. Once the judge signs your order, a copy will be given or mailed to you. The original order will go to the clerk’s office to be recorded in the public records, and filed in your court file.

Family Forms and Packets - available for purchase at the Court Business Center

Form Packets with Instructions:

- 1) Complete packets with all forms and self-help instructions are priced individually and available at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at:
 - a) www.fljud13.org/Portals/0/Forms/pdfs/family/packetList.pdf
 - b) www.hillsclerk.com/en/About-Us/Forms → then click on “Family Law”

Individual Forms (may not include necessary instructions):

- 1) For \$.10 per page at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at: www.flcourts.org → then click on “Family Law Forms”

YOU MAY FILE FORMS AT THE FOLLOWING LOCATIONS:

Tampa - George Edgecomb Courthouse – Main Location

Clerk of the Circuit Court, 800 E. Twiggs Street, Room 101, Tampa, FL 33602

Brandon – Brandon Regional Service Center

Clerk of the Circuit Court, 311 Pauls Drive, Suite 110, Brandon, FL 33511

Plant City – Plant City Courthouse

Clerk of the Circuit Court, 301 N. Michigan, Room 1071, Plant City, FL 33563

Ruskin/Sun City – SouthShore Regional Service Center

Clerk of the Circuit Court, 410 30th Street SE, Ruskin, FL 33570