

THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION

**MOTION FOR PAYMENT CREDIT
(BOTH PARTIES AGREE)**

(Packet #7)

This packet should only be used if BOTH parties are in agreement regarding a payment credit.

Please note: Pursuant to Administrative Order 2007-146(7), “Delinquent support payments shall become a final judgment by operation of law against the obligor as provided by section 61.14, Florida Statutes. The obligor may satisfy a final judgment by paying the total amount certified in a Depository issued Payoff Statement, including the judgment amount, interest, Depository fees and any unpaid amount which has accrued subsequent to the date of issuance. Even if the final judgment is vacated by the court, the obligor remains responsible for all outstanding Depository fees and court fees previously accrued. Where execution on the final judgment has been issued, and where the sheriff has received money under execution, the sheriff shall pay the amount received to the Depository, minus any costs authorized by law to be retained by the sheriff.”

Please ask a Clerk for more information on obtaining a Payoff statement if you have a Judgment you are trying to satisfy.

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 or general magistrate assigned to your case is not 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.

| <u>FORMS CONTAINED IN THIS PACKET</u> | <u>FORM #</u> | <u>WHEN TO USE</u> |
|--|----------------------|--|
| General Information for Self-Represented Litigants | Appendix C | For your information only |
| 12 Rules of Courtroom Civility | 12 Rules | Required to start |
| Nonlawyer Disclosure | 12.900(a) | Required if someone who is not a lawyer helps you with the forms |
| Motion for Payment Credit | MPC | Required to start |
| Order on Motion for Payment Credit | OPC | Required |
| Fee Schedule for Family Law Cases | Fee | A schedule of fees for Family Law related cases |
| Notice of Confidential Information Within Court Filing | 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. **Your CASE NUMBER AND DIVISION must be written on all documents.**
4. **Complete the following forms and notarize the ones with a notary signature line:**
 - A. 12 Rules of Courtroom Civility - (does not need to be notarized)
 - B. Motion for Payment Credit – (must be signed and notarized by both parties)
 - C. Order on Motion for Payment Credit – only complete the heading (parties names and case number)

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have completed (one copy is for your records and one copy is for the other party). If your case involves the Department of Revenue, Office of Child Support Enforcement, make 1 extra set of copies – for the Office of Child Support Enforcement. Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse.

STEP THREE - Filing your motion

Take the following to the clerk on the 1st floor of the main courthouse and pay the filing fee, if applicable:

1. the *original* completed and signed Motion for Payment Credit
2. the Order on Motion for Payment Credit
3. a stamped envelope addressed to yourself
4. a stamped envelope addressed to the other party
5. verification of support paid directly or credit being requested.

YOU WILL RECEIVE A COPY OF THE SIGNED ORDER IN THE MAIL.

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/SelfHelp.aspx → Access Forms
 - b) www.hillsclerk.com/About-Us/Forms → 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