

**THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION**

**SUPPLEMENTAL PETITION TO MODIFY CUSTODY
OR VISITATION AND OTHER RELIEF**

**SELF-HELP INSTRUCTIONS FOR
PACKET # 14**


**NOTICE TO PARTIES WHO ARE NOT REPRESENTED BY AN ATTORNEY WHO IS A MEMBER IN
GOOD STANDING OF THE FLORIDA BAR**

Legal matters can be very complex. If you have questions or concerns about these forms, commentary, instructions, and appendices, the use of these forms, or your legal rights, it is strongly recommended that you talk to 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 call Bay Area Legal Services at 232-1343. You may also obtain legal information at the Legal Information Center at the Hillsborough County Courthouse, call 864-2280 for the hours of operation.

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 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 resulting from their use.

 **___ THERE MUST BE AN EXISTING CUSTODY ORDER**

 **NOTE :** All post judgment issues require that the parties attempt to resolve the issues in mediation before a hearing date can be scheduled. *If both parties are in agreement, this packet is not needed.* If one party resides outside the State of Florida, mediation can be attempted telephonically. The Mediation Department is located in Room 208 of the Edgecomb Courthouse. A copy of the existing Order or Final Judgment will need to be provided to the Mediation Department. They can be reached at (813) 272-5642.

(Continued on next page)

**THE FOLLOWING FLORIDA SUPREME COURT FAMILY LAW
FORMS ARE CONTAINED IN THIS PACKET:**



<u>FORM #</u>		<u>FORM NAME</u>
Appendix C		General Information for Pro Se Litigants - Family Law Glossary of Common Terms and Definitions
		12 Rules of Courtroom Civility
12.900(a)	9/21/00	Nonlawyer Disclosure
12.902(b)	7/10/03	Financial Affidavit - Short Form (if income is less than \$50,000)
OR		
12.902(c)	10/24/03	Financial Affidavit - Long Form (if income is more than \$50,000)
12.902(d)	12/19/02	Uniform Child Custody Jurisdiction and Enforcement Affidavit
12.902(e)	10/03/02	Child Support Guidelines Worksheet
12.902(j)	9/21/00	Notice of Social Security Number
12.905(a)	12/19/02	Supplemental Petition to Modify Custody or Visitation and Other Relief
12.910(a)	1/01	Summons: Personal Service on an Individual
12.912(b)	9/21/00	Nonmilitary Affidavit
12.910(b)	9/21/00	Process Service Memorandum
12.914	9/21/00	Certificate of Service (see form instructions of when to use)
12.920(a)	10/01/04	Motion for Referral to the General Magistrate
12.920(b)	10/01/04	Order of Referral to the General Magistrate (must have 2 stamped envelopes)
12.920(c)	10/01/04	Notice of Hearing Before General Magistrate (fill out and file when a hearing date has been set)
12.922(a)	9/21/00	Motion for Default (file only if no answer is filed within 20 days after service)
12.922(b)	9/21/00	Default (file only if no answer is filed within 20 days after service)
12.932	7/10/03	Certificate of Compliance With Mandatory Disclosure
12.943	9/21/00	Motion to Deviate From Child Support Guidelines (see form instructions of when to use)

FILING FEE IS \$50.00

CAUTION

1. Forms are to be completed in block letters or typed. You **MUST** use black ink. **NO EXCEPTIONS!!**
2. Names must be the same on all forms completed by the parties. (No full names on one document and initials on another).
3. Your Case Number and Division **MUST** be on all documents.
4. This booklet may not contain all the forms you may need to file your case. Additional forms are available in the Clerks office at each Courthouse location (see locations below) or the Law Library at 501 East Kennedy Blvd. You may also obtain forms at our website at: www.fljud13.org **OR** the Florida Supreme Court website at: www.flcourts.org.

STEP BY STEP INSTRUCTIONS

PART 1

1. The **petitioner** should fill out the following forms in black ink and have them notarized:

12 Rules of Courtroom Civility	12.905(a)	12.920(a)
12.902(b) OR 12.902(c)	12.910(a)	12.920(b) (need 2 stamped envelopes)
12.902(d)	12.910(b)	12.932
12.902(e)	12.912(b)	
12.902(j)		
2. The petitioner should make 2 copies of the above documents, one copy for the petitioner's personal records and one copy to attach to the summons for the respondent. (Copies are available for a fee in the Court Business Center in the main courthouse).
3. The petitioner should file the originals in the Clerk's office except for the Order of Referral to the General Magistrate (Form 12.920(b)) and pay the filing fee. **Each form should have all pages stapled or clipped together before filing** (see locations below).

The petitioner **MUST** also have 2 stamped envelopes (one addressed to each party) attached to the Order of Referral to the General Magistrate. (Envelopes and stamps can be purchased in the Court Business Center in the main courthouse). **If stamped envelopes and 3 copies are not provided, your Order of Referral to the General Magistrate will not be processed and your case will be delayed.**

The original Order of Referral to the General Magistrate (Form 12.920(b)) with copies and envelopes should be dropped in the mailbox in the Case Management Unit in room 208 of the Edgecomb

Courthouse.

4. The Clerk will issue the **Summons (Form 12.910(a))** and give it back to the petitioner.
5. The petitioner should attach one set of copies to the **Summons (Form 12.910(a))** and take the summons **and form Process Service Memorandum (Form 12.910(b))** to the sheriff or process server in the county where the respondent resides.

PART 2

1. If the respondent **has not** filed an answer, 20 days after they have been served, forms **Motion for Default (Form 12.922(a))**, and **Default (Form 12.922(b))** may be filed by the petitioner. Petitioner must also complete **form Certificate of Compliance With Mandatory Disclosure (Form 12.932)** and file before the court date.

If filing your Motion for Default and Default by mail, please make sure your case number and division are on the forms. Mail to: Clerk of the Circuit Court, P.O. Box 3450, Tampa, FL 33601-3450.

SETTING THE HEARING

THE GENERAL MAGISTRATE WILL NOT SET YOUR CASE FOR HEARING
UNLESS MEDIATION HAS BEEN ATTEMPTED

Once you have attempted mediation and have: (1) received a close out letter from mediation **and** (2), received a signed Order of Referral to the General Magistrate, you can call the appropriate General Magistrate for your hearing date. The General Magistrate you will be assigned to is determined by **the last name of the petitioner in the original case.**

GENERAL MAGISTRATE REEVES (E,F,G,H,I,L,S,V) phone # 276-2335

(This general Magistrate handles all cases with the **petitioner's** last name that starts with these letters)

GENERAL MAGISTRATE CROWELL (M,N,O,P,R,T,W) phone # 276-2337

(This general Magistrate handles all cases with the **petitioner's** last name that starts with these letters)

GENERAL MAGISTRATE PROCTOR (A,B,C,D,J,K,Q,U,X,Y,Z) phone # 272-6435

(This general Magistrate handles all cases with the **petitioner's** last name that starts with these letters)

PART 3

1. Once a hearing date has been scheduled, the petitioner should fill out form **Notice of Hearing Before General Magistrate (Form 12.920(c))** and file the original in the Clerk's office. A copy **must** to be sent to the respondent.

If filing your Notice of Hearing by mail, please make sure your case number and division are on the notice. Mail to: Clerk of the Circuit Court, P.O. Box 3450, Tampa, FL 33601-3450.

DRESS APPROPRIATELY FOR COURT. NO SHORTS, TANK TOPS, OR SANDALS.

YOU MAY FILE AND PURCHASE FORMS AT THE FOLLOWING LOCATIONS:

HILLSBOROUGH COUNTY COURTHOUSE - MAIN LOCATION

Clerk of the Circuit Court
800 E. Twiggs Street, 1st Floor
Tampa, Florida 33602

BRANDON LOCATION - SATELLITE OFFICE

Clerk of the Circuit Court
10065-A E. Adamo Drive
Brandon, Florida 33619

PLANT CITY - HILLSBOROUGH COUNTY OFFICE BUILDING

Clerk of the Circuit Court
302 N. Michigan
Plant City, Florida 33566

Pursuant to Florida Statute 28.241 (b):

A party reopening any civil action, suit, or proceeding in the circuit court shall pay to the clerk of court a filing fee set by the clerk in an amount not to exceed \$50.00. For purposes of this section, a case is reopened when a case previously reported as disposed of is resubmitted to a court and includes petitions for modifications of a final judgment of dissolution. A party is exempt from paying the fee for any of the following:

1. A writ a garnishment;
2. A writ of replevin;
3. A distress writ;
4. A writ of attachment;
5. A motion for rehearing filed within 10 days;
6. A motion for attorney's fees filed within 30 days after entry of a judgment of final order;
7. A motion for dismissal filed after a mediation agreement has been filed;
8. A disposition of personal property without administration;
9. Any probate case prior to the discharge of a personal representative;
10. Any guardianship pleading prior to discharge;
11. Any mental health pleading;
12. Motions to withdraw by attorneys;
13. Motions exclusively for the enforcement of child support orders;
14. A petition for credit of child support;
15. Stipulations;
16. Responsive pleadings;
17. Cases in which there is no initial filing fee.