

THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION

**MOTION FOR
INCOME WITHHOLDING ORDER (IWO)**

(Packet #43)

This packet should only be used if there is an existing Hillsborough County court order for child support and/or alimony.

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.

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.

**(Printing Instructions: There are 2 options available. Option 1 - print entire packet as one document.
Option 2 - choose which forms to print by selecting and opening each form separately.)**

<u>FORMS CONTAINED IN THIS PACKET</u>	<u>FORM #</u>
<u>General Information for Self-Represented Litigants</u>	Appendix C
<u>12 Rules of Courtroom Civility</u>	12 Rules
<u>Nonlawyer Disclosure</u>	12.900(a)
<u>Joint Motion for IWO (4/1/20)</u>	Joint Motion
<u>Motion for IWO (4/1/20)</u>	Motion
<u>IWO Cover Sheet</u>	Cover Sheet
<u>Income Deduction Order (IDO)</u>	12.996 (a)
<u>Income Withholding Order (IWO)</u>	OMB 0970-0154
<u>Income Withholding Order Instructions</u>	--
<u>Income Withholding Order SAMPLE</u>	--
<u>Notice to Payor</u>	12.996 (b)
<u>Notice of Filing Return Receipt</u>	12.996 (c)
<u>Attachment A</u>	Attachment A
<u>Motion for Referral to the General Magistrate</u>	12.920(a)
<u>General Magistrate / Hearing Officer Division Referral Assignment Table</u>	Table
<u>Notice of Hearing</u>	Form 12.923
<u>Fee Schedule for Family Law Cases</u>	Fee
<u>Notice of Confidential Information Within Court Filing</u>	2.40(d)(2)
<u>Designation of Current Address and E-mail Address</u>	12.915

FAMILY COURT RESOURCES

LEGAL ADVICE	Lawyer Referral Service	(get legal advice/consultation) 813-221-7780 / free referral / initial consultation is \$50 for the 1 st ½ hour
	Bay Area Legal Services	(apply for free legal advice/consultation) www.bals.org / 800-625-2257 to apply
LEGAL INFORMATION	Legal Information Center	Hillsborough County family law cases www.bals.org/LIC for in-person walk-in hours and online contact form
	Legal Information Program (Plant City)	Hillsborough County family law cases 813-276-2688 (pre-recorded message and in-person walk in hours)
GET FORMS	Free Online to Print	Individual Forms: www.flcourts.gov → “See All Family Law Forms” Packets: • www.fljud13.org → “Family Law Packets List” • www.hillsclerk.com/About-Us/Forms → “Family Law”
	Buy	Court Business Center, 800 E. Twiggs, Room 630 (6th floor) / \$.16/page
FILL OUT FORMS	Family Forms Clinic	Hillsborough County family law forms 813-864-2280, #2 (#3 for Spanish) / 800 E. Twiggs, Room 210 (2 nd floor)
CLERK	View Files	HOVER: hover.hillsclerk.com/html/home.html
	File Documents	IN-PERSON: www.hillsclerk.com/About-Us/Service-Options-and-Locations E-FILING: www.myflcourtagency.com/
CHILD SUPPORT	DOR	Department of Revenue: 850-488-KIDS(5437) 6302 E. MLK Jr. Blvd., Tampa, FL 33619
	SDU	Florida State Disbursement Unit: 877-769-0251 P.O. Box 8500, Tallahassee, Florida 32314-8500
COURT CASE MANAGEMENT		(only for pre-judgment cases when neither party has a lawyer) 813-272-5173 / prose@fljud13.org
COURT DIRECTORY	Judges	www.fljud13.org/JudicialDirectory.aspx
	Magistrates	www.fljud13.org/GeneralMagistrates.aspx
	Hearing Officers	www.fljud13.org/HearingOfficers.aspx
MEDIATION		813-272-5642 / 800 E. Twiggs, Room 208 (2nd floor) www.fljud13.org/CourtPrograms/MediationDiversionServices/ContactUs.aspx
RESEARCH	Law Library	701 E. Twiggs Street / 813-272-5818 https://hcplc.org/locations/james-j-lunsford-law
	Legal Terms / Definitions	https://help.flcourts.org/Get-Started/Legal-Terms
	Florida Rules of Court	www.floridabar.org/rules/ctproc/ (incl. Family Law Rules)
	Florida Statutes	www.leg.state.fl.us/statutes/
	Hillsborough Administrative Orders	www.fljud13.org/AdministrativeOrders.aspx → Family Law (left side menu)
SERVICE OF PROCESS	Hillsborough Sheriff	700 E. Twiggs St., 3rd floor, Tampa / 813-242-5200
	Private	www.fljud13.org/Portals/0/Forms/pdfs/process%20servers%20list.pdf

STEP BY STEP INSTRUCTIONS*

IF THE OTHER PARTY AGREES TO THE INCOME WITHHOLDING ORDER AND IS WILLING TO SIGN THE JOINT MOTION, FOLLOW THESE STEPS:

* If you have an order that requires you to prepare Income Withholding Order, follow the instructions on the IWO Cover Sheet (included).

STEP 1 - Complete the forms to start the case and have them notarized

- **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.
- **Names must be written the same way on all documents (no full names on one document and initials on another).**
- **Your CASE NUMBER AND DIVISION must be written on all documents.**
- **You will need:**
 - **2 copies of the latest support order,**
 - **The name and address of the Obligor's employer,**
 - **3 stamped addressed envelopes (each envelope must be large enough to hold at least 12 pages)**

Complete the following forms and notarize the ones with a notary signature line (Use Information in the existing support order and the Income Withholding Instructions and Sample as a guide for completing these forms):

- A. 12 Rules of Courtroom Civility - (does not need to be notarized)
- B. Joint Motion for IWO – (must be signed and notarized by both parties). **Attach a copy of the support order.**
- C. Income Withholding Order (IWO), form OMB 0970-0154
- D. Income Deduction Order (IDO), form 12.996 (a)
- E. Attachment A / Payment Information Sheet
- F. Notice to Payor, form 12.996 (b)
- G. Designation of Current Address and E-mail Address, Form 12.915

STEP 2 – Make copies

After you have completed the forms and have signed and notarized them, make 4 copies of the Joint Motion and 3 copies of everything else you have completed. If your case involves the Department of Revenue, Office of Child Support Enforcement, make 1 extra set of copies and an extra stamped envelope (addressed to: Department of Revenue, Office of Child Support Enforcement, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619). Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse.

STEP 3 - Filing your motion

Take the original set of completed and signed forms to the clerk at any of the Clerk's Office Customer Service Centers (<https://www.hillsclerk.com/About-Us/Service-Options-and-Locations>) and pay the filing fee, if applicable. If you are indigent, receive Food Stamps, Medicaid, or Social Security Disability benefits, you can ask the Clerk for an application to waive the filing fee. You will be required to swear under oath that everything in your application is complete and true. If you qualify, the fee will be waived. If you do not qualify, you must pay the filing fee.

STEP 4 – Mail paperwork to the Judge

1. Mail the following to the Division/Judge assigned to your case (the Division of your case can be found next to your case number):
 - a. 1 copy of the completed and signed Motion for IWO,
 - b. 1 copy of the latest support order,
 - c. The original completed Income Withholding Order (IWO), form OMB 0970-0154,
 - d. 3 copies of the completed Income Withholding Order (IWO), form OMB 0970-0154,
 - e. The original completed Income Deduction Order (IDO), form 12.996 (a),
 - f. 3 copies of the completed Income Deduction Order (IDO), form 12.996 (a),
 - g. The original completed Attachment A / Payment Information Sheet,
 - h. 3 copies of the completed Attachment A / Payment Information Sheet,
 - i. The original completed Notice to Payor, form 12.996 (b),
 - j. 3 copies of the completed Notice to Payor, form 12.996 (b),
 - k. 3 stamped envelopes, one addressed to each party and one addressed to the Obligor's employer (envelopes can be purchased in the Court Business Center on the 6th floor of the Edgecomb courthouse)
2. If your case is assigned to a judge in Tampa, mail your documents and envelopes to:
Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
3. If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to:
Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563.

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

STEP BY STEP INSTRUCTIONS*

IF THE OTHER PARTY DOES NOT AGREE TO THE INCOME WITHHOLDING ORDER OR IS NOT WILLING TO SIGN THE JOINT MOTION, FOLLOW THESE STEPS:

* If you have an order that requires you to prepare Income Withholding Order, follow the instructions on the IWO Cover Sheet (included).

STEP 1 - Complete the forms to start the case and have them notarized

- **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.
- **Names must be written the same way on all documents (no full names on one document and initials on another).**
- **Your CASE NUMBER AND DIVISION must be written on all documents.**
- **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 Income Withholding Order – (must be signed and notarized). **Attach a copy of the support order.**
 - C. Designation of Current Address and E-mail Address, Form 12.915
- **If you are seeking an IWO for ALIMONY, complete the following additional form:**
 - D. Motion for Referral to the General Magistrate, Form 12.920(a)

STEP 2 – 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 you are filing a Motion for Referral to the General Magistrate, make 1 extra copy of that and 1 extra copy of the Motion for IWO. 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 3 - Filing your motion

Take the original set of completed and signed forms to the clerk on at any of the Clerk's Office Customer Service Centers (<https://www.hillsclerk.com/About-Us/Service-Options-and-Locations>) and pay the filing fee, if applicable. If you are indigent, receive Food Stamps, Medicaid, or Social Security Disability benefits, you can ask the Clerk for an application to waive the filing fee. You will be required to swear under oath that everything in your application is complete and true. If you qualify, the fee will be waived. If you do not qualify, you must pay the filing fee.

STEP 4 – Notifying the other party

Mail, fax, or hand-deliver 1 set of copies of your documents to the other party. If your case involves the Department of Revenue, Office of Child Support Enforcement, mail 1 set of copies to the following address: Department of Revenue, Office of Child Support Enforcement, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619.

STEP 5 – Process a Motion for Referral to the General Magistrate?

4. If you are filing a “Motion for Referral to the General Magistrate” (if your Motion seeks an IWO for alimony), mail the following to the Judge assigned to your case:
 - a. 1 copy of the Motion for IWO,
 - b. 1 copy of the Motion for Referral to the General Magistrate,
 - c. 2 stamped envelopes, one addressed to each party (envelopes, but not stamps, can be purchased in the Court Business Center on the 6th floor of the Edgecomb Courthouse)
5. If your case is assigned to a judge in Tampa, mail your documents and envelopes to:
Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
6. If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to:
Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563.
7. The Division of your case can be found next to your case number.
8. If the Motion for Referral to the General Magistrate is not accompanied by 2 stamped addressed envelopes, your Referral will not be processed and your case will be delayed.

STEP 6 – Scheduling the hearing

1. Call the administrative assistant for the general magistrate/hearing officer assigned to your case and request a hearing date. The general magistrate/hearing officer assigned is determined by **the last two digits of your case number (see attached table)**.
 - If assigned to GM-1, call General Magistrate/Hearing Officer **Wartenberg** (Phone: 272-5351)
 - If assigned to GM-3, call General Magistrate/Hearing Officer **Montagno** (Phone: 276-2337)
 - If assigned to GM-4, call General Magistrate/Hearing Officer **Sarmiento** (Phone: 272-6435)
 - If assigned to GM-5, call General Magistrate/Hearing Officer **Mason** (Phone: 272-5525)
1. Once a hearing date has been scheduled, complete a Notice of Hearing, Form 12.923, with the place, date, and time of the hearing.
2. Sign the Notice of Hearing and complete the Certificate of Service part of the notice which states the date you are filing the notice and how you are providing a copy to the other party.
3. Make 2 copies of the Notice of Hearing.
4. File the original Notice of Hearing with the clerk, send a copy of the notice to the other party, and keep a copy for your records.

STEP 7 – The hearing

Bring the following documents to your hearing:

1. A copy of the support order
2. A completed Income Withholding Order (IWO), form OMB 0970-0154
3. A completed Income Deduction Order (IDO), form 12.996 (a)
4. A completed Attachment A / Payment Information Sheet
5. Records of payments made, if any.
6. Two stamped envelopes – one addressed to you, one addressed to the other party.

Normally the hearing is when the request in your motion will be decided.

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

WHAT TO EXPECT: In-Person hearings

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, hearing officer, or judge. Do not interrupt the magistrate, hearing officer, or judge when he or she speaks. When speaking to the magistrate or judge, address him or her as “Your Honor.”

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 motion, petition and/or counterpetition, 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 court, 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 court 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.

Once both sides have presented their evidence, the court will make a decision and an order will be prepared. The order will contain all the details of the court's decision. You will receive a copy of the order in the mail. The original order will go to the clerk's office to be filed in your court file.

WHAT TO EXPECT: Virtual hearings

The courts use the Zoom videoconference platform. You do not need an account to use Zoom and the service is free. You may use a cellphone, tablet, or computer. The court is able to swear in witnesses and parties over Zoom; please have a picture identification with you to show the Court. Please review the tips below for your video hearings.

COURT HEARING VIDEO CONFERENCING TIPS

- Dress and look like you are going to court. No hats please.
- Do your best to have a stable internet connection. Ask others in your house or office to avoid large data use (game streaming; video streaming; etc.) while on a videoconference call.
- Use your full real name. Avoid using nicknames or the device's default name setting.
- Be as still as possible while speaking and waiting to speak.
- Do your best to have a solid or non-distracting background, or utilize a virtual background.
- Have the camera face you straight on. Avoid leaning in or away from camera.
- Be aware of your microphone and audio set up. Mute your microphone unless you are speaking. (Wireless earbuds are less distracting than large headphones and exclude outside noise. Wired earbuds can be distracting and the built-in microphone often rubs on your clothes.)
- Speak slowly and clearly. Avoid speaking over others.
- Avoid typing, eating or drinking during the conference.
- Do your best to ensure privacy during the conference; everyone understands children, pets, and other members of the household might wander in.

STEP 8 – Notifying the Obligor's Employer

Once you receive the signed IWO/IDO from the Judge, forward a copy of the IWO/IDO, the Notice to Payor (Form 12.996(b)) and the Notice of Filing Return Receipt (Form 12.996(c)) to the Obligor's employer.

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

FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS

GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS

(02/18)

You should read this General Information thoroughly before taking any other steps to file your case or represent yourself in court. Most of this information is **not** repeated in the attached forms. This information should provide you with an overview of the court system, its participants, and its processes. It should be useful whether you want to represent yourself in a pending matter or have a better understanding of the way family court works. **This is not intended as a substitute for legal advice from an attorney. Each case has its own particular set of circumstances, and an attorney may advise you of what is best for you in your individual situation.**

These instructions are not the only place that you can get information about how a family case works. You may want to look at other books for more help. The Florida Statutes, Florida Family Law Rules of Procedure, Florida Rules of Civil Procedure, and other legal information or books may be found at the public library or in a law library at your county courthouse or a law school in your area. If you are filing a petition for **Name Change** and/or **Adoption**, these instructions may not apply.

If the word(s) is printed in **bold**, this means that the word is being emphasized. Throughout these instructions, you will also find words printed in **bold** and **underlined**. This means that the definitions of these words may be found in the glossary of common family law terms at the end of this general information section.

Commentary

1995 Adoption. To help the many people in family law court cases who do not have attorneys to represent them (pro se litigants), the Florida Supreme Court added these simplified forms and directions to the Florida Family Law Rules of Procedure. The directions refer to the Florida Family Law Rules of Procedure or the Florida Rules of Civil Procedure. Many of the forms were adapted from the forms accompanying the Florida Rules of Civil Procedure. Practitioners should refer to the committee notes for those forms for rule history.

The forms were adopted by the Court pursuant to *Family Law Rules of Procedure*, 667 So. 2d 202 (Fla. 1995); *In re Petition for Approval of Forms Pursuant to Rule 10-1.1(b) of the Rules Regulating the Florida Bar—Stepparent Adoption Forms*, 613 So. 2d 900 (Fla. 1992); *Rules Regulating the Florida Bar—Approval of Forms*, 581 So. 2d 902 (Fla. 1991).

Although the forms are part of these rules, they are not all inclusive and additional forms, as necessary, should be taken from the Florida Rules of Civil Procedure as provided in Florida Family Law Rules of Procedure. Also, the following notice has been included to strongly encourage individuals to seek the advice, when needed, of an attorney who is a member in good standing of the Florida Bar.

1997 Amendment. In 1997, the Florida Family Law Forms were completely revised to simplify and correct the forms. Additionally, the appendices were eliminated, the instructions contained in the appendices were incorporated into the forms, and the introduction following the Notice to Parties was created. Minor changes were also made to the Notice to Parties set forth below.

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

If you have questions or concerns about these forms, instructions, commentary, the use of the forms, or your legal rights, it is strongly recommended that you talk to an attorney. If you do not know an attorney, you should call the lawyer referral service listed in the yellow pages of the telephone book under "Attorney." If you do not have the money to hire an attorney, you should call the legal aid office in your area.

Because the law does change, the forms and information about them may have become outdated. You should be aware that changes may have taken place in the law or court rules that would affect the accuracy of the forms or instructions.

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

FAMILY LAW PROCEDURES

Communication with the court. Ex parte communication is communication with the judge with only one party present. Judges are not allowed to engage in ex parte communication except in very limited circumstances, so, absent specific authorization to the contrary, you should not try to speak with or write to the judge in your case unless the other party is present or has been properly notified. **If you have something you need to tell the judge, you must ask for a hearing and give notice to the other party or file a written statement in the court file and send a copy of the written statement to the other party.**

Filing a case. A case begins with the filing of a petition. A petition is a written request to the court for some type of legal action. The person who originally asks for legal action is called the petitioner and remains the petitioner throughout the case.

A petition is given to the clerk of the circuit court, whose office is usually located in the county courthouse or a branch of the county courthouse. A case number is assigned and an official court file is opened. Delivering the petition to the clerk's office is called filing a case. A filing fee is usually required.

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

Service of the original petition or supplemental petition. When one party files a petition, motion, or other pleading, the other party must be "served" with a copy of the document. This means that the other party is given proper notice of the pending action(s) and any scheduled hearings. The person

against whom the original legal action is being requested is called the **respondent**, because he or she is expected to respond to the petition. The respondent remains the respondent throughout the case.

Personal service of the petition and summons on the respondent by a deputy sheriff or private process server is required in all **original petitions** and **supplemental petitions**, unless **constructive service** is permitted by law. Personal service may also be required in other actions by some judges.

Constructive Service. If you absolutely do not know where the other party to your case lives or if the other party resides in another state, you may be able to use **constructive service**; however, if constructive service is used, other than granting a divorce, the court may only grant limited relief, which cannot include either alimony or child support. For more information on constructive service, see **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 Search 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).. Additionally, if the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military is very complex and you may wish to consult an attorney regarding these issues.

Forms for service of process are included in the Florida Family Law Forms, along with more detailed instructions and information regarding service. The instructions to those forms should be read **carefully** to ensure that you have properly served the other party. **If proper service is not obtained, the court cannot hear your case. Service must be in accordance with Florida Rule of Judicial Administration 2.516.**

Subsequent Service. Other than the original or supplemental petitions, any time you file additional pleadings or motions in your case, you must provide a copy to the other party and include a **certificate of service**. Likewise, the other party must provide you with copies of everything that he or she files. **If the other party is represented by an attorney, you should serve the attorney unless service upon the other party is required by the court.**

Electronic Service. After the initial service of process of the petitioner 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.

Default. After being served with a petition or counterpetition, the other party has 20 days to file a response. If a response to a petition is not filed, the petitioner may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk. This means that you may proceed with your case and set a **final hearing**, and a **judge** will make a decision, even if the other party will not cooperate. For more information, see rule 12.080(c), Florida Family Law Rules of Procedure.

Answer and Counterpetition. After being served, the respondent has 20 days to file an answer admitting or denying each of the allegations contained in the petition. In addition to an answer, the respondent may also file a counterpetition. In a counterpetition, the respondent may request the same or some other relief or action not requested by the petitioner. If the respondent files a counterpetition, the petitioner should then file an **Answer to Counterpetition**, Florida Supreme Court Approved Family Law Form 12.903(d), and either admit or deny the allegations in the respondent's counterpetition.

Mandatory disclosure. Rule 12.285, Florida Family Law Rules of Procedure, requires each party in a dissolution of marriage to exchange certain information and documents, and file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). Failure to make this required disclosure within the time required by the Florida Family Law Rules of Procedure may allow the court to dismiss the case or to refuse to consider the pleadings of the party failing to comply. This requirement also must be met in other family law cases, **except** adoptions, simplified dissolutions of marriage, enforcement proceedings, contempt proceedings, and proceedings for injunctions for domestic or repeat violence. The **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932, lists the documents that must be given to the other party. For more information see rule 12.285, Florida Family Law Rules of Procedure, and the instructions to the **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932.

Parenting Plan. If your case involves minor or dependent child(ren), a **Parenting Plan** shall be approved or established by the court. **Parenting Plan**, Florida Supreme Court Approved Family Law Form, 12.995(a), **Safety-Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b), or **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c). The Parenting Plan shall be developed and agreed to by the parents and approved by a court.

If the parents cannot agree, or if the agreed Parenting Plan is not approved, the court must establish a Parenting Plan. The Parenting Plan shall contain a time-sharing schedule and should address the issues regarding the child(ren)'s education, health care, and physical, social, and emotional well-being.

Setting a hearing or trial. Generally, the court will have hearings on motions, final hearings on uncontested or default cases, and trials on contested cases. Before setting your case for **final hearing** or trial, certain requirements such as completing mandatory disclosure and filing certain papers and having them served on the other party must be met. These requirements vary depending on the type of case and the procedures in your particular jurisdiction. For further information, you should refer to the instructions for the type of form you are filing.

Next, you must obtain a hearing or trial date so that the court may consider your request. You should ask the clerk of court, or **family law intake staff** about the local procedure for setting a hearing or trial, which you should attend. These family law forms contain **orders** and **final judgments**, which the judge may use. You should ask the clerk of court or family law intake staff if you need to bring one of these forms with you to the hearing or trial. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

The shaded areas below explain different parts of family law forms. Although each form you use may not contain each part explained below, all forms contain a case style which identifies the judicial circuit and county in Florida in which the case is filed, the division within that circuit to which the case is assigned, the parties in the case, and the number of the case. Some, but not all, forms require that the person signing the form state under oath that what he or she claims in the form is true; those particular forms must be signed in the presence of either a deputy clerk of the court or a notary public who witnesses your signature before notarizing the form. Most forms contain a nonlawyer clause which requests certain information be provided by any person who is not licensed to practice law in the State of Florida who has helped you to complete the form.

2

Each form that provides a blank space will have instructions on how to fill in the blank. Please follow all instructions which ask for specific information. Often these instructions appear in *italics*. [

IN THE CIRCUIT COURT OF THE (1) JUDICIAL CIRCUIT,
IN AND FOR (2) COUNTY, FLORIDA

Case No.: (3)
Division: (4)

(5),
Petitioner,
and
(6),
Respondent.

- Line 1** The clerk of court can tell you the number of your judicial circuit. Type or print it here.
- Line 2** Type or print your county name on line (2).
- Line 3** If you are filing an initial petition or pleading, the Clerk of the Court will assign a case number after the case is filed. You should type or print this case number on all papers you file in this case.
- Line 4** The clerk of the court can tell you the name of the division in which your case is being filed, and you should type or print it here. Divisions vary from court to court. For example, your case may be filed in the civil division, the family division, or the juvenile division.
- Line 5** Type or print the legal name of the person who originally filed the case on line 5. This person is the petitioner because he/she is the one who filed the original petition.
- Line 6** Type or print the other party's legal name on line 6. The other party is the respondent because he/she is responding to the petition.

Some forms require that your signature be witnessed. If so, you must sign the form in the presence of a **notary public** or deputy clerk (employee of the clerk of the court's office). When signing the form, you must have a valid photo identification unless the notary knows you personally. You should completely fill in all lines (1 & 3–8) except 2 with the requested information, if applicable. **Line 2, the signature line,**

must be signed in the presence of the notary public or deputy clerk. **DO NOT SIGN OR FILL IN THE PART OF THE FORM WHICH ASKS FOR THE NOTARY'S OR CLERK'S SIGNATURE.** This section of the form is to be completed by either the deputy clerk or the notary public who is witnessing your signature.

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: _____ (1)

_____ (2)

(2)

Signature of Petitioner

Printed Name:

_____ (3)

Address:

_____ (4)

City, State, Zip: _____ (5)

Telephone Number: _____ (6)

Fax Number: _____ (7)

Designated E-mail Address(es): _____ (8)

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 _____

Non-lawyer Clause. The section below should be completed by anyone who helps you fill out these forms but is **not** an attorney who is a member in good standing of The Florida Bar, which means that he or she is not licensed to practice law in Florida.

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: {either Petitioner or Respondent; or Husband or Wife}

This form was completed with the assistance of:

{name of individual} _____ (1) _____,
{name of business} _____ (2) _____,
{address} _____ (3) _____,
{city} _____ (4) _____, {state} _____ (5) _____, {zip code} _____ (6) _____, {telephone number} _____ (7) _____.

Line 1 The nonlawyer who helps you should type or print his or her name on line 1.

Lines 2–7 The nonlawyer’s business name, address, (including street, city, state, zip code, and telephone number) should be typed or printed on lines 2–7.

In addition, a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), should be completed if a nonlawyer assists you. The disclosure is available as a family law form and should be completed before the nonlawyer helps you. This is to be sure that you understand the role and limitations of a nonlawyer. You and the nonlawyer should keep a copy of this disclosure for your records.

FAMILY LAW GLOSSARY OF COMMON TERMS AND DEFINITIONS

Note: The following definitions are intended to be helpful, BUT they are not intended to constitute legal advice or address every possible meaning of the term(s) contained in this glossary.

Affidavit - a written statement in which the facts stated are sworn or affirmed to be true.

Alimony-spousal support which may be ordered by the court in a proceeding for dissolution of marriage. Types of alimony include: bridge-the-gap, durational, rehabilitative, or retroactive, and may be either temporary or permanent. The court may order periodic payments, payments in lump sum, or both. In determining whether to award alimony, the court must determine whether either party has an actual need for alimony and whether the other party has the ability to pay. The court must consider the factors set forth in section 61.08, Florida Statutes, and must make certain written findings. An alimony award may not leave the paying party with significantly less net income than that of the receiving party without written findings of exceptional circumstances.

Answer - written response by a respondent that states whether he or she admits (agrees with) or denies (disagrees with) the allegations in the petition. Any allegations not specifically denied are considered to be admitted.

Appeal - asking a district court of appeal to review the decision in your case. There are strict procedural and time requirements for filing an appeal.

Asset - everything owned by you or your spouse, including property, cars, furniture, bank accounts, jewelry, life insurance policies, businesses, or retirement plans. An asset may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Attorney - a person with special education and training in the field of law who is a member in good standing of The Florida Bar and licensed to practice law in Florida. An attorney is the only person who is allowed to give you legal advice. An attorney may file your case and represent you in court, or just advise you of your rights before you file your own case. In addition to advising you of your rights, an attorney may tell you what to expect and help prepare you for court. In family law matters, you are not entitled to a court-appointed lawyer, like a public defender in a criminal case. However, legal assistance is often available for those who are unable to hire a private attorney. You may consult the yellow pages of the telephone directory for a listing of legal aid or lawyer referral services in your area, or ask your local clerk of court or family law intake staff what services are available in your area. You may also obtain information from the Florida Supreme Court's Internet site located at <http://www.flcourts.org>.

Bond - money paid to the clerk of court by one party in a case, to be held and paid to an enjoined party in the event that the first party causes loss or damage of property as a result of wrongfully enjoining the other party.

Beneficiary Designation-Florida law provides that a beneficiary designation made by or on behalf of a party providing for the payment or transference of an asset or benefit upon his or her death to the other spouse is void when the final judgment dissolving or declaring a marriage invalid is signed, unless the final judgment specifically states otherwise. Federal law and other statutory provisions may also apply. This includes, but is not limited to, such assets as life insurance policies, annuities, employee benefit plans, individual retirement accounts, and payable-on-death accounts. Whether or not to continue a beneficiary designation is a complex area of the law and you may wish to consult with an attorney.

Bridge-the-Gap Alimony-spousal support which is ordered to assist a party to make the transition from being married to being single. Bridge-the-Gap alimony is designed to assist a party with legitimate, identifiable short-time needs; its length cannot exceed two years and it cannot be modified.

Central Depository-the office of the clerk of court that is responsible for collecting and disbursing court ordered alimony and child support payments. The depository also keeps payment records and files judgments if support is not paid.

Certificate of Service - a document that must be filed whenever a form you are using does not contain a statement for you to fill in showing to whom you are sending copies of the form. Florida Supreme Court Approved Family Law Form 12.914 is the certificate of service form and contains additional instructions.

Certified Copy - a copy of an order or final judgment, certified by the clerk of the circuit court to be an authentic copy.

Certified Mail - mail which requires the receiving party to sign as proof that they received it.

Child Support - money paid from one parent to the other for the benefit of their dependent or minor child(ren).

Clerk of the Circuit Court - elected official in whose office papers are filed, a case number is assigned, and case files are maintained. The clerk's office usually is located in the county courthouse.

Concurrent Custody-(for the purposes of a petition filed pursuant to chapter 751, Florida Statutes) means that an eligible extended family member is awarded custodial rights to care for a child or children concurrently with the child(ren)'s parent or parents.

Constructive Service - notification of the other party by newspaper publication or posting of notice at designated places when the other party cannot be located for personal service. You may also be able to use constructive service when the other party lives in another state. Constructive service is also called "service by publication." However, when constructive service is used, the relief the Court may grant is limited; that relief cannot include either alimony or child support. For more information on service, see the instructions for Florida Family Law Rules of Procedure Forms 12.910(a) and 12.913(b) and Florida Supreme Court Approved Family Law Forms 12.913(a)(1) and (2).

Contested Issues - any or all issues upon which the parties are unable to agree and which must be resolved by the judge at a hearing or trial.

Contingent Asset - an asset that you **may** receive or get later, such as income, tax refund, accrued vacation or sick leave, a bonus, or an inheritance.

Contingent Liability - a liability that you **may** owe later, such as payments for lawsuits, unpaid taxes, or debts that you have agreed or guaranteed to pay if someone else does not.

Counterpetition - a written request to the court for legal action, which is filed by a respondent after being served with a petition.

Custody Order – a judgment or order incorporating a Parenting Plan is a child custody determination for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act, the International Child Abduction Remedies Act, 42 U.S.C. ss. 11601 et seq., the Parental Kidnapping Prevention Act, and the Convention on the Civil Aspects of International Child Abduction enacted at the Hague on October 25, 1980.

Default - a failure of a party to respond to the pleading of another party. This failure to respond may allow the court to decide the case without input from the party who did not appear or respond.

Delinquent - late.

Dependent Child(ren) - child(ren) who depend on their parent(s) for support either because they are under the age of 18, have a mental or physical disability that prevents them from supporting themselves, or are in high school, between the ages of 18 and 19, and performing in good faith with a reasonable expectation of graduation before the age of 19.

Deputy Clerk - an employee of the office of the clerk of court, which is usually located in the county courthouse or a branch of the county courthouse.

Dissolution of Marriage - divorce; a court action to end a marriage.

Durational Alimony-spousal support which is ordered to provide economic assistance for a set period of time following a marriage of short or moderate duration or following a marriage of long duration if there is no ongoing need for support on a permanent basis. Durational alimony terminates upon the death of either party or upon remarriage of the party receiving support. It may be modified or terminated, but cannot exceed the length of a marriage.

Electronic Communication – Contact, other than face-to-face contact, facilitated by tools such as telephones, electronic mail or email, webcams, video-conferencing equipment and software or other wired or wireless technologies, or other means of communication to supplement fact-to face contact between a parent and that parent’s minor child.

Enjoined - prohibited by the court from doing a specific act.

Ex Parte - communication with the judge by only one party. In order for a judge to speak with either party, the other party must have been properly notified and have an opportunity to be heard. If you have something you wish to tell the judge, you should ask for a hearing or file information in the clerk of court’s office, with certification that a copy was sent to the other party.

Extended Family Member-(for the purposes of a petition filed pursuant to chapter 751, Florida Statutes) is a person who is either:

- 1) A relative of a minor child within the third degree by blood or marriage to the parent; OR
- 2) The stepparent of a minor child if the stepparent is currently married to the parent of the child and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the child’s parents as an adverse party.

Family Law Intake Staff - a court’s employee(s) who is (are) available to assist you in filing a family law case. Family law intake staff are not attorneys and cannot give legal advice. They may only assist you with filling out the form(s). Your local clerk’s office can tell you if your county has such assistance available.

Filing - delivering a petition, response, motion, or other pleading in a court case to the clerk of court’s office.

Filing Fee - an amount of money, set by law, that the petitioner must pay when filing a case. If you cannot afford to pay the fee, you must file an **Application for Determination of Civil Indigent Status**, to ask the clerk to file your case without payment of the fee. This form can be obtained from the clerk’s office.

Final Hearing - trial in your case.

Financial Affidavit - a sworn statement that contains information regarding your income, expenses, assets, and liabilities.

Final Judgment - a written document signed by a judge and recorded in the clerk of the circuit court’s office that contains the judge’s decision in your case.

Guardian ad Litem - a neutral person who may be appointed by the court to evaluate or investigate your child’s situation, and file a report with the court about what is in the best interests of your child(ren). Guardians do not “work for” either party. The guardian may interview the parties, visit their homes,

visit the child(ren)'s school(s) and speak with teachers, or use other resources to make their recommendation.

Hearing - a legal proceeding before a judge or designated officer (general magistrate or hearing officer) on a motion.

Health Insurance - coverage under a fee-for-service arrangement, health care maintenance organization, or preferred provider organization, and other types of coverage available to either parent, under which medical services could be provided to a minor or dependent child.

Judge - an elected official who is responsible for deciding matters on which you and the other parties in your case are unable to agree. A judge is a neutral person who is responsible for ensuring that your case is resolved in a manner which is fair, equitable, and legal. **A judge is prohibited by law from giving you or the other party any legal advice, recommendations, or other assistance, and may not talk to either party unless both parties are present, represented, or at a properly scheduled hearing.**

Judicial Assistant - the judge's personal staff assistant.

Liabilities - everything owed by you or your spouse, including mortgages, credit cards, or car loans. A liability may be marital or nonmarital, but that distinction is for the court to determine if you and your spouse do not agree.

Lump Sum Alimony - money ordered to be paid by one spouse to another in a limited number of payments, often a single payment.

Mandatory Disclosure - items that must be disclosed by both parties except those exempted from disclosure by Florida Family Law Rule 12.285.

Marital Asset - generally, anything that you and/or your spouse acquired or received (by gift or purchase) during the marriage. For example, something you owned before your marriage **may** be nonmarital. An asset may only be determined to be marital by agreement of the parties or determination of the judge.

Marital Liability - generally, any debt that you and/or your spouse incurred during the marriage. A debt may only be determined to be nonmarital by agreement of the parties or determination of the judge.

Mediator - a person who is trained and certified to assist parties in reaching an agreement before going to court. Mediators do not take either party's side and are not allowed to give legal advice. They are only responsible for helping the parties reach an agreement and putting that agreement into writing. In some areas, mediation of certain family law cases may be required before going to court.

Modification - a change made by the court in an order or final judgment.

Motion - a request made to the court, other than a petition.

No Contact - a court order directing a party not speak to, call, send mail to, visit, or go near his or her spouse, ex-spouse, child(ren), or other family member.

Nonlawyer - a person who is not a member in good standing of The Florida Bar.

Nonmarital Asset - generally, anything owned separately by you or your spouse. An asset may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonmarital Liability - generally, any debt that you or your spouse incurred before your marriage or since your separation. A debt may only be determined to be nonmarital by either agreement of the parties or determination of the judge.

Nonparty - a person who is not the petitioner or respondent in a court case.

Notary Public - a person authorized to witness signatures on court related forms.

Obligee - a person to whom money, such as child support or alimony, is owed.

Obligor - a person who is ordered by the court to pay money, such as child support or alimony.

Order - a written decision, signed by a judge and filed in the clerk of the circuit court's office that contains the judge's decision on part of your case, usually on a motion.

Original Petition - see **Petition**.

Parenting Course - a class that teaches parents how to help their child(ren) cope with divorce and other family issues.

Parenting Plan – a document created to govern the relationship between the parents relating to the decisions that must be made regarding the minor child(ren). The Parenting Plan must contain a time-sharing schedule for the parents and child(ren) and shall address the issues concerning the minor child(ren). The issues concerning the minor child(ren) may include, but are not limited to, the child(ren)'s education, health care, and physical, social, and emotional well-being. In creating the Plan, all circumstances between the parents, including their historic relationship, domestic violence, and other factors must be taken into consideration. The Parenting Plan must be developed and agreed to by the parents and approved by the court. If the parents cannot agree to a Parenting Plan, or if the parents agreed to a plan that is not approved by the court, a Parenting Plan will be established by the court with or without the use of **parenting plan recommendations**.

Parenting Plan Recommendation – A nonbinding recommendation concerning one or more elements of a Parenting Plan made by a court-appointed mental health practitioner or other professional designated pursuant to either section 61.20 or 61.401, Florida Statutes, or Florida Family Law Rule of Procedure 12.363.

Party - a person involved in a court case, either as a petitioner or respondent.

Paternity Action - A lawsuit used to determine whether a designated individual is the father of a specific child or children.

Payor - an employer or other person who provides income to an obligor.

Permanent Alimony - spousal support ordered to provide for the needs and necessities of life as they were established during the marriage for a party who lacks the financial ability to meet his or her needs and necessities after dissolution of marriage. Permanent alimony is paid at a specified, periodic rate until: modification by a court order; the death of either party; or the remarriage of the party receiving alimony, whichever occurs first. Permanent alimony requires consideration of the factors set forth in section 61.08(2), Florida Statutes, and must include certain written findings by the court.

Personal Service - when a summons and a copy of a petition (or other pleading) that has been filed with the court are delivered by a deputy sheriff or private process server to the other party. Personal service is required for all petitions and supplemental petitions.

Petition - a written request to the court for legal action, which begins a court case.

Petitioner - the person who originally files a petition that begins a court case. The Petitioner remains the Petitioner throughout the duration of the case.

Pleading - a formal, written statement of exactly what a party wants the court to do in a lawsuit or court action.

Pro Se or Self-Represented Litigant - a person who appears in court without the assistance of a lawyer.

Pro Se Coordinator - see **Family Law Intake Staff**.

Rehabilitative Alimony - spousal support ordered to be paid for a limited period of time to allow one of the parties an opportunity to complete a plan of education or training, according to a rehabilitative plan accepted by the court, so that he or she may better support himself or herself after dissolution of marriage.

Relocation- a change in the location of the principal residence of a parent or other person in accordance with section 61.13001, Florida Statutes.

Respondent - the person who is served with a petition requesting some legal action against him or her. The Respondent remains the Respondent throughout the duration of the case.

Scientific Paternity Testing - a medical test to determine the biological father of a child

Service - the delivery of legal documents to a party. Service must be in accordance with Florida Rule of Judicial Administration 2.516.

Shared Parental Responsibility - an arrangement under which both parents have full parental rights and responsibilities for their child(ren), and the parents make major decisions affecting the welfare of the child(ren) jointly. Shared Parental Responsibility is presumptive in Florida.

Sole Parental Responsibility - a parenting arrangement under which the responsibility for the minor child(ren) is given to one parent by the court, with or without rights of time-sharing to the other parent.

State Disbursement Unit- the unit established and operated by the Title IV-D agency to provide one central address for the collection and disbursement of child support payments made in both Department of Revenue and non-Department of Revenue cases, in which the obligation is paid through an income deduction order.

Supervised Time-Sharing- a parenting arrangement under which time-sharing between a parent and his or her child(ren) is supervised by either a friend, family member, or a supervised visitation center.

Supplemental Petition - a petition that may be filed by either party after the judge has made a decision in a case and a final judgment or order has been entered. For example, a supplemental petition may be used to request that the court modify the previously entered final judgment or order.

Supportive Relationship-a relationship, defined in section 61.14(1)(b)1, Florida Statutes, existing between an obligee who receives alimony and a person with whom that obligee resides.

Time-Sharing Schedule – a timetable that must be included in the Parenting Plan that specifies the time, including overnights and holidays that a minor child or children will spend with each parent. The time-sharing schedule shall either be developed and agreed to by the parents of a minor child or children and is approved by the court, or established by the court if the parents cannot agree, or if their agreed-upon schedule is not approved by the court.

Trial - the final hearing in a contested case.

Uncontested - any and all issues on which the parties are able to agree and which are part of a marital settlement agreement.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Case No.: _____

Division _____

_____,

Petitioner,

and

_____,

Respondent.

**HILLSBOROUGH COUNTY FAMILY LAW DIVISION
THE TWELVE RULES OF COURTROOM CIVILITY**

The judges, general masters and hearing officers assigned to the Family Law Division in Hillsborough County expect that all litigants, whether or not they are represented by attorneys, will conduct themselves in an appropriate fashion so that all parties will be afforded a fair opportunity to present their case.

The following guidelines are meant to assist you in meeting appropriate standards of conduct when you appear in court.

1. Be truthful in all statements that you make to the court. False statements under oath constitute perjury which is a criminal offense.
2. Do not call or write to the judge. As a general rule, documents and testimony can be read or heard by the judge only in the presence of both parties.
3. Be courteous. Other than to make appropriate objections, do not interrupt anyone who is speaking. If you are representing yourself and you have an objection to something a witness says, merely say, "Objection" and the court will allow you to state the nature of your objection.
4. Treat all court personnel with respect, including bailiffs, judicial assistants, clerks, court investigators, judges, general masters and hearing officers.
5. Do not make faces or gestures at the opposing party, his or her attorney, witnesses or the judge while in the courtroom. Speak directly to the judge or your attorney, not the opposing party or a witness. You will be given an opportunity to be heard by the court.

6. Show your respect for the court by dressing appropriately and wearing clean clothes. Coats, ties, suits and dresses are welcome but not required. Shorts, blue jeans, t-shirts and sneakers are not appropriate.
7. Do not bring any food or beverage into the courtroom and do not chew gum or eat candy in the courtroom.
8. Do not bring children to the courthouse (except in adoption cases), unless the court has so ordered.
9. Be aware that witnesses you bring to court are not usually permitted to remain in the courtroom while you, your spouse or former spouse, or other witnesses testify.
10. Bring at least four (4) copies of any documents that you intend to offer into evidence.
11. All documents should be pre-marked with a case number, name, the date and a space for the judge to admit the document into evidence.
12. The courthouse is located in a congested area. Parking is limited and takes time. Plan your time so you can park and be available at least fifteen (15) minutes before the hearing is scheduled to begin.

I have read and acknowledge my responsibilities as a litigant.

Signature of Petitioner

Date

Signature of Respondent

Date

I have read and reviewed with my client his or her responsibilities as a litigant.

Signature of Attorney

Date

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORM 12.900(a)
DISCLOSURE FROM NONLAWYER (11/12)**

When should this form be used?

This form must be used when anyone who is **not** a lawyer in good standing with The Florida Bar helps you complete any Florida Family Law Form. Attorneys who are licensed to practice in other states but not Florida, or who have been disbarred or suspended from the practice of law in Florida, are nonlawyers for the purposes of the Florida Family Law Forms and instructions.

The nonlawyer must complete this form and both of you are to sign it before the nonlawyer assists you in completing any Family Law Form.

In addition, on any other form with which a nonlawyer helps you, the nonlawyer shall complete the nonlawyer section located at the bottom of the form unless otherwise specified in the instructions to the form. This is to protect you and be sure that you are informed in advance of the nonlawyer's limitations.

What should I do next?

A copy of this disclosure, signed by both the nonlawyer and the person, must be given to the person to retain and the nonlawyer must keep a copy in the person's file. The nonlawyer shall also keep copies for at least 6 years of all forms given to the person being assisted.

Special Notes

This disclosure form does **NOT** act as or constitute a waiver, disclaimer, or limitation of liability.

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

DISCLOSURE FROM NONLAWYER

{Name} _____ told me that he/she is a nonlawyer and may not give legal advice, cannot tell me what my rights or remedies are, cannot tell me how to testify in court, and cannot represent me in court.

Rule 10-2.1(b) of the Rules Regulating The Florida Bar defines a paralegal as a person who works under the supervision of a member of The Florida Bar and who performs specifically delegated substantive legal work for which a member of The Florida Bar is responsible. Only persons who meet the definition may call themselves paralegals. {Name} _____, informed me that he/she is not a paralegal as defined by the rule and cannot call himself/herself a paralegal.

{Name} _____, told me that he/she may only type the factual information provided by me in writing into the blanks on the form. Except for typing, {name} _____, may not tell me what to put in the form and may not complete the form for me. However, if using a form approved by the Supreme Court of Florida, {name} _____, may ask me factual questions to fill in the blanks on the form and may also tell me how to file the form.

{Choose **one** only}

_____ I can read English.

_____ I cannot read English, but this disclosure was read to me [fill in **both** blanks] by
{name} _____ in {language} _____, which I understand.

Dated: _____

Signature of Party

Signature of **NONLAWYER**

Printed Name: _____

Name of Business: _____

Address: _____

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

Petitioner
and

CASE NO.: _____

DIVISION: _____

Respondent

JOINT MOTION FOR INCOME WITHHOLDING ORDER (IWO)

COMES NOW the Petitioner and Respondent, and request entry of an Income Withholding Order (IWO) in the above referenced case.

1. A ☐ Final Judgment ☐ Order for Support (check one) was entered in this case on _____
_____(date) and ordered: (check all that apply)

☐ child support in the amount of \$_____ per: month / week / bi-weekly
(circle one),

☐ alimony in the amount of \$_____ per: month / week / bi-weekly (circle
one).

2. A copy of the Final Judgment or Order for Support is attached to this Motion.

3. The Final Judgment/Order for Support required the ☐ Petitioner ☐ Respondent to pay:

☐ the Oblige, directly.

☐ Other: _____.

4. The Petitioner and Respondent are requesting an IWO for the following reason/s: _____

Dated: _____

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip _____

Telephone Number _____

Fax Number _____

Signature of Respondent

Printed Name: _____

Address: _____

City, State, Zip _____

Telephone Number _____

Fax Number _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was
acknowledged before me, by means
of ☐ physical presence or ☐ online
notarization, this ____ day of _____,
_____(year), by _____

The foregoing instrument was
acknowledged before me, by means
of ☐ physical presence or ☐ online
notarization, this ____ day of _____,
_____(year), by _____

NOTARY PUBLIC or DEPUTY CLERK

NOTARY PUBLIC or DEPUTY CLERK

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

☐ Personally known
☐ Produced identification / Type of
identification produced: _____

[Print, type, or stamp commissioned name of
notary or deputy 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]

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.

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

_____,
Petitioner
and

CASE NO.: _____

DIVISION: _____

_____,
Respondent

MOTION FOR INCOME WITHHOLDING ORDER (IWO)

COMES NOW the ☐ Petitioner ☐ Respondent, requesting entry of an Income Withholding Order (IWO) in the above referenced case.

1. A ☐ Final Judgment ☐ Order for Support (check one) was entered in this case on _____ (date) and ordered: (check all that apply)

☐ child support in the amount of \$ _____ per: month / week / bi-weekly (circle one),

☐ alimony in the amount of \$ _____ per: month / week / bi-weekly (circle one).

2. A copy of the Final Judgment or Order for Support is attached to this Motion.

3. The Final Judgment/Order for Support required the ☐ Petitioner ☐ Respondent to pay:

☐ the Obligee, directly.

☐ Other: _____.

4. The ☐ Petitioner ☐ Respondent is requesting an IWO for the following reason: _____

I HEREBY CERTIFY that a copy of this Motion has been furnished by [check one only]
☐ mail ☐ faxed and mailed ☐ hand delivered to the person(s) listed below on _____
_____[date].

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Dated: _____

Signature of Party _____

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Designated E-mail Address(es): _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of ☐ physical presence
or ☐ online notarization, this ____ day of _____, _____ (year), by _____
_____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy 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]

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.

INCOME WITHHOLDING ORDER (IWO) COVER SHEET

If you have an order that requires you to prepare an Income Withholding Order, complete the following information, attach the required items listed below, and mail or deliver all to the judge assigned to your case.

Case Number: _____

Name of Party Submitting IWO: _____

Date: _____

Attach/Include:

1. This completed cover sheet
2. One copy of the support order requiring an IWO
3. The original completed Income Withholding Order (IWO), form OMB 0970-0154, and 3 copies
4. The original completed Florida Addendum to IWO, form 12.996 (d), and 3 copies
5. The original completed Attachment A / Payment Information Sheet, and 3 copies
6. The original completed Notice to Payor, form 12.996 (b), and 3 copies
7. 3 stamped envelopes, one addressed to each party and one addressed to the Obligor's employer

Forms and envelopes can be purchased in the Court Business Center on the 6th floor of the Edgecomb courthouse. Forms are also available in Packet #43 online at the following websites:

- 1) www.fljud13.org/Portals/0/Forms/pdfs/family/packet43.pdf
- 2) www.hillsclerk.com/en/About-Us/Forms → click on "Child Support" then "Packet 43"

Deliver to the judge* assigned to your case:

- If your case is assigned to a judge in Tampa, mail your documents and envelopes to: Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, FL 33602, or put in the Judge's mailbox on the 4th floor of the Edgecomb Courthouse.
- If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to: Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, FL 33563.

*If your hearing was with General Magistrate Cuellar-Stilo, submit the above documents directly to her office: General Magistrate Cuellar-Stilo, George Edgecomb Courthouse, 800 E. Twiggs Street, Room 404, Tampa, FL 33602.

To the Judge Assigned to this Case:

Enclosed please find the attachments listed above. Please sign the IWO, provide the originals to the Clerk for filing and mail a copy to each party and the Obligor's employer in the envelopes provided. Thank you.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.996(a), INCOME DEDUCTION ORDER (10/21)

When should this form be used?

This form should be used in all cases when the court has ordered that support be paid by the obligor's payor through an income deduction order.

This form includes several blanks that must be filled in as applicable. The obligor is the person who is obligated to pay the support ordered by the court and the obligee is the person entitled to receive the support awarded by the court.

In Paragraph 1, one of the three lines must be checked off. The court order that establishes the support award and/or the settlement or mediation agreement entered into between the parties should state the effective date of the **Income Deduction Order**. The appropriate effective date should be checked off in Paragraph 1.

The blank lines in Paragraph 2 should be completed tracking the same terms of support as are in the court order that establishes the support award and/or the settlement or mediation agreement. The first blank in each line should state the amount of the support payment and the second blank in each line should state the time period that covers said support award. For example, if the child support is \$100 per month the first blank would say \$ "100" and the second blank in that line would say "month". Similarly, if the payments are to be payable weekly, then the second blank would say "week". If there are any arrearages owed at the time the **Income Deduction Order** is entered, they must be included in the line for arrears, along with the amount and frequency of the payments due for the arrears, which must be no less than 20% of the current support obligation. All orders for immediate income deduction must be paid through the State Disbursement Unit. The actual dollar amount of the Clerk's fee for the support awarded in your case (4% of each payment not to exceed \$5.25 per payment) must be included on the appropriate line.

Paragraph 6 must be completed to show what percentage, if any, of a one-time payment made to the obligor should be applied to any arrearage in support that may be due to the obligee.

If the **Income Deduction Order** is addressing child support, you must complete the schedule in paragraph 7 to show the amount of child support for all the minor children at the time of the entry of this order and the amount of the child support that will be owed for any remaining child(ren) after one or more of the children are no longer entitled to receive child support. You should also show in the schedule the day, month, and year that the child support obligation terminates for each minor child. The date child support terminates should be listed as the child's 18th birthday unless the court has found that section 743.07(2), Florida Statutes, applies, or the parties have otherwise agreed to a different date. You should use the record existing at the time of this order for the basis of computing all child support obligations.

If the **Income Deduction Order** is addressing child support, you must also complete and attach the federal INCOME WITHHOLDING FOR SUPPORT (IWO) FORM (OMB Form 0970-0154) to the Income Deduction Order. When filling out an Income Withholding for Support Form, please note the following additional instructions for that form:

1. The Remittance Identifier is the County Code for the county in which the case was heard

followed by the Case Number. A list of county codes is included with these instructions.

2. The FIPS code may be found on the attached list. Use the code for the County in which the case is pending.

FIPS and County Codes

<u>COUNTY</u>	<u>FIPS</u>	<u>COUNTY CODE</u>	<u>COUNTY</u>	<u>FIPS</u>	<u>COUNTY CODE</u>
ALACHUA	12001	01	LAKE	12069	35
BAKER	12003	02	LEE	12071	36
BAY	12005	03	LEON	12073	37
BRADFORD	12007	04	LEVY	12075	38
BREVARD	12009	05	LIBERTY	12077	39
BROWARD	12011	06	MADISON	12079	40
CALHOUN	12013	07	MANATEE	12081	41
CHARLOTTE	12015	08	MARION	12083	42
CITRUS	12017	09	MARTIN	12085	43
CLAY	12019	10	MONROE	12087	44
COLLIER	12021	11	NASSAU	12089	45
COLUMBIA	12023	12	OKALOOSA	12091	46
DADE	12025	13	OKEECHOBEE	12093	47
DESOTO	12027	14	ORANGE	12095	48
DIXIE	12029	15	OSCEOLA	12097	49
DUVAL	12031	16	PALM BEACH	12099	50
ESCAMBIA	12033	17	PASCO	12101	51
FLAGLER	12035	18	PINELLAS	12103	52
FRANKLIN	12037	19	POLK	12105	53
GADSDEN	12039	20	PUTNAM	12107	54
GILCHRIST	12041	21	ST. JOHNS	12109	55
GLADES	12043	22	ST. LUCIE	12111	56
GULF	12045	23	SANTA ROSA	12113	57
HAMILTON	12047	24	SARASOTA	12115	58
HARDEE	12049	25	SEMINOLE	12117	59
HENDRY	12051	26	SUMTER	12119	60
HERNANDO	12053	27	SUWANNEE	12121	61
HIGHLANDS	12055	28	TAYLOR	12123	62
HILLSBOROUGH	12057	29	UNION	12125	63
HOLMES	12059	30	VOLUSIA	12127	64
INDIAN RIVER	12061	31	WAKULLA	12129	65
JACKSON	12063	32	WALTON	12131	66
JEFFERSON	12065	33	WASHINGTON	12133	67
LAFAYETTE	12067	34			

What should I do next?

For this order to be effective, it must be signed by the **judge**. This form should be typed or printed in black

ink. After completing this form, you must first send a copy to the other **party** or his or her **attorney**, if he or she is represented by an attorney, for approval or objection to the form before you send it to the judge assigned to your case. If the opposing party or his or her attorney, if represented, approves the form order, you may send the original proposed order and two copies to the judge assigned to your case with a letter telling the judge that you have first sent a copy of this proposed order to the opposing counsel or party, if unrepresented, and that they have no objection to the judge signing this order. If the other party or his or her attorney, if represented, has an objection to the proposed order as completed by you, you must tell the judge that you have sent a copy of this proposed order to the opposing party or his or her counsel, if represented, and that they specifically object to the entry of the proposed form **Income Deduction Order**. You must also send stamped self-addressed envelopes to the judge addressed to you and the opposing party or his or her attorney, if represented. You should keep a copy for your own records. If the judge signs the **Income Deduction Order**, the judge will mail you and the opposing party (or their attorney) copies of the signed order in the envelopes you provide to the court.

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 section 61.1301, Florida Statutes.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and 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 General Practice and 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

The Florida Rules of General Practice and 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 General Practice and 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 General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and 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 address 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 General Practice and Judicial Administration 2.516.

Special Instructions...

When the **Income Deduction Order** becomes effective (either immediately or delayed until arrearage), you must then also send a copy of the **Income Deduction Order**, by certified mail, return receipt requested, to the obligor's employer along with a **Notice to Payor**, Florida Family Law Rules of Procedure Form 12.996(b), for the **Income Deduction Order** to take effect.

It is your responsibility to determine what extra steps and/or forms, if any, must be taken, supplied, and/or filed to insure the **Income Deduction Order** is implemented.

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No: _____
Division: _____

_____,
Petitioner,
and
_____,
Respondent.

INCOME DEDUCTION ORDER

TO: ANY PRESENT OR SUBSEQUENT EMPLOYERS/PAYORS OF OBLIGOR

{name} _____

YOU ARE HEREBY ORDERED to make regular deductions from all income due and payable to the above-named obligor in accordance with the terms of this order as follows:

1. This Income Deduction Order shall be effective

{Choose only one}

_____ immediately.

_____ upon a delinquency in the amount of \$ _____ but not to exceed one month's payment, pursuant to the order establishing, enforcing, or modifying the obligation.

_____ beginning {date} _____.

2. You shall deduct:

\$ _____ per _____ for ongoing child support. Child support shall be automatically reduced or terminated consistent with the schedule in paragraph 7; and

\$ _____ per _____ for retroactive child support; and

\$ _____ per _____ for child support arrears totaling \$ _____ as of _____; and

\$ _____ per _____ for bridge-the-gap alimony; and

\$ _____ per _____ for permanent alimony; and

\$ _____ per _____ for rehabilitative alimony; and

\$ _____ per _____ for durational alimony; and

\$ _____ per _____ for permanent alimony; and

\$ _____ per _____ for retroactive alimony; and

\$ _____ per _____ for alimony arrears totaling \$ _____ as of _____; and

\$ _____ per _____ for _____; and

\$ _____ per _____ for Clerk's Fee (4% of each payment not to exceed \$5.25 per payment);

\$ _____ Total amount of income to be deducted each _____.

3. You shall pay the deducted amount to the "State of Florida Disbursement Unit," and mail it to the State of Florida Disbursement Unit P.O. Box 8500, Tallahassee, FL 32314-8500, (tel.) (877) 769-0251. All payments must include the obligor's name (last, middle, first), obligor's social security number, obligee's name (last, middle, first), name of county where court order originated, and case number/depository number. All payments must be made by check, money order, cashier's check, certified check, or through the Internet with access provided by the State of Florida <https://fl.smartchildsupport.com/>. No credit will be given for any payments made directly to the obligee without a court order permitting direct payments.
4. If a delinquency accrues after the order establishing, modifying, or enforcing the obligation has been entered and there is no order for repayment of the delinquency or a preexisting arrearage, a payor shall deduct an additional 20 percent of the current support obligation or other amount agreed to by the parties until the delinquency and any attorneys' fees and costs are paid in full. No deduction may be applied to attorneys' fees and costs until the delinquency is paid in full.
5. You shall not deduct in excess of the amounts allowed under the Consumer Credit Protection Act, 15 U.S.C. §673(b), as amended.
6. You shall deduct {Choose only one} () the full amount, () _____%, or () none of the income which is payable to the obligor in the form of a bonus or other similar one-time payment, up to the amount of arrearage reported in the Income Deduction Order or the remaining balance thereof, and forward the payment to the State of Florida Disbursement Unit. For purposes of this subparagraph, "bonus" means a payment in addition to an obligor's usual compensation and which is in addition to any amounts contracted for or otherwise legally due and shall not include any commission payments due an obligor.
7. Child Support Reduction/Termination Schedule. Child support shall be automatically reduced or terminated as set forth in the following schedule:

Please list children by initials from eldest to youngest		Insert in this column the day, month, and year the child support obligation terminates for each designated child (see instructions)		Insert in this column the amount of child support for all minor children remaining (including designated child).
Child 1 (Eldest) Initials & year of birth:	<i>From the effective date of this Income Deduction Order until the following date:</i>		<i>child support for Child 1 and all other younger child(ren) should be paid in the following monthly amount:</i>	

Child 2 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 2 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 3 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 3 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 4 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 4 and all other younger child(ren) should be paid in the following monthly amount:</i>	
Child 5 Initials & year of birth:	<i>After the date set forth in the row above until the following date:</i>		<i>child support for Child 5 and all other younger child(ren) should be paid in the following monthly amount:</i>	

(Continue on additional pages for additional children)

8. This Income Deduction Order shall remain in effect so long as the underlying order of support is effective or until further order of the court.

STATEMENT OF OBLIGOR'S RIGHTS, REMEDIES, AND DUTIES

9. The obligor is required to pay all amounts and fees specified within this Income Deduction Order.
10. The amounts deducted may not be in excess of that allowed under the Consumer Credit Protection Act, 15 U.S.C. §1673(b) as amended.
11. This income deduction order applies to all of the obligor's current and subsequent payors and periods of employment.
12. A copy of the Income Deduction Order will be served upon the obligor's payor or payors.
13. Enforcement of the Income Deduction Order may only be contested on the ground of mistake of fact regarding the amount owed pursuant to the order establishing, enforcing, or modifying the obligation, the arrearages, or the identity of the obligor, the payor, or the obligee.
14. The obligor is required to notify the obligee and, when the obligee is receiving IV-D services, the IV-D agency, within 7 days of any changes in the obligor's address, payors, and the addresses of the obligor's payors.

15. In a Title IV-D case, if an obligation to pay current support is reduced or terminated due to emancipation of a child and the obligor owes an arrearage, retroactive support, delinquency, or costs, income deduction continues at the rate in effect immediately prior to emancipation until all arrearages, retroactive support, delinquencies, and costs are paid in full or until the amount of withholding is modified.
16. If any form of child support is provided for above, attached hereto and incorporated herein by reference is an INCOME WITHHOLDING FOR SUPPORT (IWO) Form notice in accordance with OMB Form 0970-0154 and 42 U.S.C. §666(b)(6)(A)(ii).

ORDERED on _____.

CIRCUIT JUDGE

I certify that a copy of this document was served **{check all used}** to the person(s) listed below on **{date}**.

_____ Petitioner: () e-mailed () mailed () faxed () hand delivered

_____ Attorney for Petitioner: () e-mailed () mailed () faxed () hand delivered

_____ Respondent: () e-mailed () mailed () faxed () hand delivered

_____ Attorney for Respondent: () e-mailed () mailed () faxed () hand delivered

_____ Other: _____: () e-mailed () mailed () faxed () hand delivered

Title

INCOME WITHHOLDING FOR SUPPORT

OMB 0970-0154
Expiration Date: 08/31/2026

I. Sender Information: (Completed by the Sender)

Date:

INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)

AMENDED IWO

ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT

TERMINATION OF IWO

Child Support Agency (CSA) Court Attorney Private Individual/Entity (Check One)

NOTE: This IWO must be regular on its face. Under certain circumstances, you must reject this IWO and return it to the sender (see IWO instructions www.acf.hhs.gov/css/resource/income-withholding-for-support-instructions). If you receive this document from someone other than a state or tribal CSA or a court, a copy of the underlying support order must be attached.

State/Tribe/Territory

Remittance ID (include w/payment)

City/County/Dist./Tribe

Order ID

Private Individual Entity

Case ID

II. Employer and Case Information: (Completed by the Sender)

RE:

Employer/Income Withholder's Name

Employee/Obligor's Name (Last, First, Middle)

Employer/Income Withholder's Address

Employee/Obligor's Social Security Number

Employee/Obligor's Date of Birth

Custodial Party/Obligee's Name (Last, First, Middle)

Employer/Income Withholder's FEIN

Child(ren)'s Name(s) (Last, First, Middle)

Child(ren)'s Birth Date(s)

III. Order Information: (Completed by the Sender)

This document is based on the support order from (State/Tribe).

You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$	Per	current child support		
\$	Per	past-due child support - Arrears greater than 12 weeks?	Yes	No
\$	Per	current cash medical support		
\$	Per	past-due cash medical support		
\$	Per	current spousal support		
\$	Per	past-due spousal support		
\$	Per	other (must specify)		

for a **Total Amount to Withhold** of \$

per

IV. Amounts to Withhold: (Completed by the Sender)

You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$	per weekly pay period	\$	per semimonthly pay period (twice a month)
\$	per biweekly pay period (every two weeks)	\$	per monthly pay period

Lump Sum Payment: Do not stop any existing IWO unless you receive a termination order.

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

V. Remittance Information: (Completed by the Sender, except for the "Return to Sender" check box.)

If the employee/obligor's principal place of employment is _____ (State/Tribe), you must begin withholding no later than the first pay period that occurs _____ days after the date of _____ of the order/notice. Send payment within _____ business days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold _____ % of disposable income for all orders. If the employee/obligor's principal place of employment is not _____ (State/Tribe), obtain withholding limitations, time requirements, the appropriate method to allocate among multiple child support cases/orders, and any allowable employer fees from the jurisdiction of the employee/obligor's principal place of employment.

State-specific withholding limit information is available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements. For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) [15 USC §1673 (b)]; or 2) the amounts allowed by the law of the state of the employee/obligor's principal place of employment if the place of employment is in a state; or the tribal law of the employee/obligor's principal place of employment if the place of employment is under tribal jurisdiction. The CCPA is available at <https://www.dol.gov/agencies/whd/fact-sheets/30-cppa>. If the Order Information section does not indicate that the arrears are greater than 12 weeks, then the employer should calculate the CCPA limit using the lower percentage.

If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to federal, state, or tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support.

If the obligor is a nonemployee, obtain withholding limits from the **Supplemental Information** section in this IWO. This information is also available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements.

Remit payment to
at

(SDU/Tribal Order Payee)
(SDU/Tribal Payee Address)

Include the Remittance ID with the payment and if necessary this locator code of the SDU/Tribal order payee on the payment.

To set up electronic payments or to learn state requirements for checks, contact the State Disbursement Unit (SDU). Contacts and information are found at www.acf.hhs.gov/css/resource/sdu-eft-contacts-and-program-requirements.

Return to Sender (Completed by Employer/Income Withholder). Payment must be directed to an SDU in accordance with sections 466(b)(5) and (6) of the Social Security Act or Tribal Payee (see Payments in Section VI). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you must check this box and return the IWO to the sender.

If Required by State or Tribal Law:

Signature of Judge/Issuing Official:

Print Name of Judge/Issuing Official:

Title of Judge/Issuing Official:

Date of Signature:

If the employee/obligor works in a state or for a tribe that is different from the state or tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)

Priority: Withholding for support has priority over any other legal process under state law against the same income (section 466(b)(7) of the Social Security Act). If a federal tax levy is in effect, please notify the sender.

Payments: You must send child support payments payable by income withholding to the appropriate SDU or to a tribal CSA within 7 business days, or fewer if required by state law, after the date the income would have been paid to the employee/obligor and include the date you withheld the support from his or her income. You may combine withheld amounts from more than one employee/obligor's income in a single payment as long as you separately identify each employee/obligor's portion of the payment. Child support payments may not be made through the federal Office of Child Support Services (OCSS) Child Support Portal.

Lump Sum Payments: You may be required to notify a state or tribal CSA of upcoming lump sum payments, such as bonuses, commissions, or severance pay, to this employee/obligor. Contact the sender to determine if you are required to report and/or withhold lump sum payments. Employers/income withholders may use the OCSS Child Support Portal (ocsp.acf.hhs.gov/csp/) to provide information about employees who are eligible to receive lump sum payments and to provide contacts, addresses, and other information about their companies. Child support payments may not be made through the OCSS Child Support Portal.

Liability: If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by state or tribal law/procedure.

Anti-Discrimination: You are subject to a fine determined under state or tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

Supplemental Information:

Employer/Income Withholder's Name:

Employer/Income Withholder's FEIN:

Employee/Obligor's Name:

SSN:

Case ID:

Order ID:

VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)

If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, you must promptly notify the CSA and/or the sender by returning this form to the address listed in the **Contact Information** section below or by using the OCSS Child Support Portal (ocsp.acf.hhs.gov/csp/). Please report the new employer or income withholder, if known.

This person has never worked for this employer nor received periodic income.

This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date:

Last known telephone number:

Last known address:

Final payment date to SDU/Tribal Payee:

Final payment amount:

New employer's or income withholder's name:

New employer's or income withholder's address:

VIII. Contact Information: (Completed by the Sender)

To Employer/Income Withholder: If you have questions, contact

(sender name) by

telephone: , by fax: , by email, or website: .

Send termination/income status notice and other correspondence to

(sender address).

To Employee/Obligor: If the employee/obligor has questions, contact

(sender name)

by telephone: , by fax: , by email or website: .

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

Encryption Requirements:

When communicating this form through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Services. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

INCOME WITHHOLDING FOR SUPPORT - Instructions

The Income Withholding for Support (IWO) is the OMB-approved form used for income withholding in:

- Tribal, intrastate, and interstate cases enforced under Title IV-D of the Social Security Act
- All child support orders initially issued in the state on or after January 1, 1994
- All child support orders initially issued (or modified) in the state before January 1, 1994, if arrearages occur

This form is the standard format prescribed by the Secretary in accordance with section 466(b)(6)(a)(ii) of the Social Security Act. **Except as noted, the following information is required and must be included.**

Please note:

- For the purpose of this IWO form and these instructions, "state" is defined as a state or territory.
- Dos and don'ts on using this form are found at www.acf.hhs.gov/css/resource/using-the-income-withholding-for-support-form-dos-and-donts.

I. Sender Information: (Completed by the Sender) Check one box for fields 1a – 1d.

1a. **Income Withholding Order/Notice for Support (IWO).** Check the box if this is an initial IWO.

1b. **Amended IWO.** Check the box to indicate that this form amends a previous IWO. Any changes to an IWO must be done through an amended IWO.

1c. **One-Time Order/Notice For Lump Sum Payment.** Check the box when this IWO is to attach a one-time collection of a lump sum payment after receiving notification from an employer/income withholder or other source. When this box is checked, enter the amount in field 14, Lump Sum Payment, in the Amounts to Withhold section. Additional IWOs must be issued to collect subsequent lump sum payments.

1d. **Termination of IWO.** Check the box to stop income withholding on a child support order. Complete all applicable identifying information to aid the employer/income withholder in terminating the correct IWO.

1e. **Date.** Date this form is completed and/or signed.

1f. **Child Support Enforcement (CSE) Agency, Court, Attorney, Private Individual/Entity (Check one box).** Check the appropriate box to indicate which entity is sending the IWO. If this IWO is **not** completed by a state or tribal CSE agency, the sender should contact the CSE agency (see www.acf.hhs.gov/programs/css/resource/state-income-withholding-contacts-and-program-requirements) to determine if the CSE agency needs a copy of this form to facilitate payment processing.

NOTE TO EMPLOYER/INCOME WITHHOLDER: This IWO must be regular on its face. The IWO must be rejected and returned to sender under the following circumstances:

- IWO instructs the employer/income withholder to send a payment to an entity other than a state disbursement unit (for example, payable to the custodial party, court, or attorney). Each state is required to operate a state disbursement unit (SDU), which is a centralized facility for collection and disbursement of child support payments. Exception: If this IWO is issued by a court, attorney, or private individual/entity and the initial child support order was entered before January 1, 1994, or the order was issued by a tribal CSE agency, the employer/income withholder must follow the payment instructions on the form.
- Form does not contain all information necessary for the employer to comply with the withholding.
- Form is altered or contains invalid information.
- Amount to withhold is not a dollar amount.
- Sender has not used the OMB-approved form for the IWO.
- A copy of the underlying order is required and not included. If you receive this document from an attorney or private individual/entity, a copy of the underlying support order containing a provision authorizing income withholding must be attached.

1g. **State/Tribe/Territory.** Name of state or tribe sending this form. This must be a government entity of the state or a tribal organization authorized by a tribal government to operate a CSE program. If you are a tribe submitting this form on behalf of another tribe, complete field 1i.

1h. **Remittance ID (include w/payment).** Identifier for the SDU/Tribal Payee designated in the Remittance Information section, field 22, that employers/income withholders must include when sending payments for this IWO. The Remittance ID is entered as the case identifier on the electronic funds transfer/electronic data interchange (EFT/EDI) record.

NOTE TO EMPLOYER/INCOME WITHHOLDER: The employer/income withholder must use the Remittance ID when remitting payments so the SDU or tribe can identify and apply the payment correctly. The Remittance ID is entered as the case identifier on the EFT/EDI record.

1i. **City/County/Dist./Tribe. *Optional*** field for the name of the city, county, or district sending this form. If entered, this must be a government entity of the state or the name of the tribe authorized by a tribal government to operate a CSE program for which this form is being sent. If a tribe is submitting this form on behalf of another tribe, enter the name of that tribe.

1j. **Order ID. *Optional*** unique identifier associated with a specific child support obligation. It could be a court case number, docket number, or other identifier designated by the sender.

1k. **Private Individual/Entity.** Name of the private individual/entity or non-IV-D tribal CSE organization sending this form.

1l. **Case ID.** Unique identifier assigned to a state or tribal CSE case. In a state IV-D case as defined at 45 Code of Federal Regulations (CFR) 305.1, this is the identifier reported to the Federal Case Registry (FCR). One IWO must be issued for each IV-D case and must use the unique CSE Agency Case ID. For tribes, this would be either the FCR identifier or other applicable identifier.

II. Employer and Case Information: (Completed by the Sender)

2a. **Employer/Income Withholder's Name.** Name of employer or income withholder.

2b. **Employer/Income Withholder's Address.** Employer/income withholder's mailing address including street/PO box, city, state, and zip code. (This may differ from the employee/obligor's work site.) If the employer/income withholder is a federal government agency, the IWO should be sent to the address listed under Federal Agency Income Withholding Contacts and Program Information at www.acf.hhs.gov/css/resource/federal-agency-iwo-and-medical-contact-information.

2c. **Employer/Income Withholder's FEIN.** Employer/income withholder's nine-digit Federal Employer Identification Number (if available).

3a. **Employee/Obligor's Name.** Employee/obligor's last name and first name. A middle name is ***optional***.

3b. **Employee/Obligor's Social Security Number.** Employee/obligor's Social Security number or other taxpayer identification number.

3c. **Employee/Obligor's Date of Birth.** Employee/obligor's date of birth is ***optional***.

3d. **Custodial Party/Obligee's Name.** Custodial party/obligee's last name and first name. A middle name is ***optional***. Enter one custodial party/obligee's name on each IWO form. Multiple custodial parties/obligees are not to be entered on a single IWO. Issue one IWO per state IV-D case as defined at 45 CFR 305.1.

3e. **Child(ren)'s Name(s).** Child(ren)'s last name(s) and first name(s). A middle name(s) is **optional**. (Note: If there are more than six children for this IWO, list additional children's names and birth dates in the **Supplemental Information** section, field 33). Enter the child(ren) associated with the custodial party/obligee and employee/obligor only. Child(ren) of multiple custodial parties/obligees is not to be entered on an IWO.

3f. **Child(ren)'s Birth Date(s).** Date of birth for each child named.

3g. **Blank box.** Space for court stamps, bar codes, or other information.

III. Order Information: (Completed by the Sender)

The first field identifies which state or tribe issued the order. The other fields identify the dollar amounts for specific kinds of support (taken directly from the support order) and the total amount to withhold for specific time periods.

4. **State/Tribe.** Name of the state or tribe that issued the support order.

5a-b. **Current Child Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

6a-b. **Past-due Child Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

6c. **Arrears Greater Than 12 Weeks?** The appropriate box (Yes/No) must be checked indicating whether arrears are greater than 12 weeks.

7a-b. **Current Cash Medical Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

8a-b. **Past-due Cash Medical Support.** Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

9a-b. **Current Spousal Support.** (Alimony) Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying support order.

10a-b. **Past-due Spousal Support.** (Alimony) Dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying order.

11a-c. **Other.** Miscellaneous obligations dollar amount to be withheld **per** the time period (for example, week, month) specified in the underlying order. **Must specify** a description of the obligation (for example, court fees).

12a-b. **Total Amount to Withhold.** The total amount of the deductions **per** the corresponding time period. Fields 5a, 6a, 7a, 8a, 9a, 10a, and 11a should total the amount in 12a.

NOTE TO EMPLOYER/INCOME WITHHOLDER: An acceptable method of determining the amount to be paid on a weekly or biweekly basis is to multiply the monthly amount due by 12 and divide that result by the number of pay periods in a year. Additional information about this topic is available in [Action Transmittal 16-04](https://www.acf.hhs.gov/css/resource/correctly-withholding-child-support-from-weekly-and-biweekly-pay-cycles), Correctly Withholding Child Support from Weekly and Biweekly Pay Cycles (<https://www.acf.hhs.gov/css/resource/correctly-withholding-child-support-from-weekly-and-biweekly-pay-cycles>).

IV. Amounts to Withhold: (Completed by the Sender)

Fields 13a through 13d specify the dollar amount to be withheld for this IWO if the employer/income withholder's pay cycle does not correspond with field 12b.

13a. **Per Weekly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid weekly.

13b. **Per Semimonthly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid twice a month.

13c. **Per Biweekly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid every two weeks.

13d. **Per Monthly Pay Period.** Total amount an employer/income withholder should withhold if the employee/obligor is paid once a month.

14. **Lump Sum Payment.** Dollar amount withheld when the IWO is used to attach a lump sum payment. This field should be used only when field 1c is checked.

15. **Document Tracking ID.** *Optional* unique identifier for this form assigned by the sender.

Please Note: Employer/Income Withholder's Name, FEIN, Employee/Obligor's Name and SSN, Case ID, and Order ID must appear in the header on page two and subsequent pages.

V. Remittance Information: (Completed by the Sender except for the "Return to Sender" check box, field 25. Fields 26-29 are completed only if required by state or tribal law.)

Payments are forwarded to the SDU in each state, unless the initial child support order was entered by a state before January 1, 1994, and never modified, accrued arrears, or was enforced by a child support agency or by a tribal CSE agency. If the order was issued by a tribal CSE agency, the employer/income withholder must follow the remittance instructions on the form in the Supplemental Information Section.

16. **State/Tribe.** Name of the state or tribe sending this document.

17. **Days.** Number of days after the effective date noted in field 18 in which withholding must begin according to the state or tribal laws/procedures for the employee/obligor's principal place of employment.

18. **Date.** Implementation date of this IWO, expressed as date of "service," "receipt," or "mailing." Only one of the three choices is to be entered in the blank line.

19. **Business Days.** Number of business days within which an employer/income withholder must remit amounts withheld pursuant to the state or tribal laws/procedures of the principal place of employment.

20. **Percentage of Disposable Income.** The percentage of disposable income that may be withheld from the employee/obligor's paycheck. It is the sender's responsibility to determine the percentage an employer/income withholder is required to withhold. Senders must enter a specific percentage and not a range of percentages.

NOTE TO EMPLOYER/INCOME WITHHOLDER: The employer/income withholder may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act [15 USC §1673(b)]; or 2) the amounts allowed by the jurisdiction of the employee/obligor's principal place of employment (i.e., the amounts allowed by state law if the employee/obligor's principal place of employment is in a state; or the amounts allowed by tribal law if the employee/obligor's principal place of employment is under tribal jurisdiction).

If permitted by the state or tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit on the IWO.

State-specific withholding limitations, time requirements, and any allowable employer fees are available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements. For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or https://www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

Depending on applicable state or tribal law, you may need to consider amounts paid for health care premiums to determine disposable income and apply appropriate withholding limits.

A federal government agency may withhold from a variety of incomes and forms of payment, including voluntary separation incentive payments (buy-out payments), incentive pay, and cash awards. For a more complete list, see 5 CFR 581.103.

21. **State/Tribe.** Name of the state or tribe sending this document.

NOTE TO SENDER: The Sender must designate the correct SDU. In certain cases, the Sender may be required to designate an SDU (field 22), corresponding SDU Address (field 23), and if required Locator Code (field 24) that is different than the Sender's SDU (see OCSE's AT-17-07: Interstate Child Support Payment Processing, <https://www.acf.hhs.gov/css/resource/interstate-child-support-payment-processing>). The Remittance ID in field 1h must correspond with the SDU identified in field 22.

22. **SDU/Tribal Order Payee.** Name of SDU (or payee specified in the underlying tribal support order) to which payments must be sent.

23. **SDU/Tribal Payee Address.** Address of the SDU (or payee specified in the underlying tribal support order) to which payments must be sent.

24. **Locator Code.** *Optional* code of the SDU payee state where payment is being remitted. Geographic Locator Codes are standard codes for states, counties, cities, and territories issued by the National Institute of Standards and Technology. These were formerly known as Federal Information Processing Standards (FIPS) codes.

25. **Return to Sender Checkbox.** The employer/income withholder should check this box and return the IWO to the sender if this IWO is not payable to an SDU or Tribal Payee or this IWO is not regular on its face as indicated on page 1 of these instructions.

26. **Signature of Judge/Issuing Official.** Signature of the official authorizing this IWO if required by state or tribal law.

27. **Print Name of Judge/Issuing Official.** Name of the official authorizing this IWO if required by state or tribal law.

28. **Title of Judge/Issuing Official.** Title of the official authorizing this IWO if required by state or tribal law.

29. **Date of Signature.** Date the judge/issuing official signs this IWO if required by state or tribal law.

30. **Copy of IWO checkbox.** Check this box for all intergovernmental IWOs. If checked, the employer/income withholder is required to provide a copy of the IWO to the employee/obligor.

VI. Additional Information for Employers/Income Withholders: (Completed by the Sender)

The following fields refer to federal, state, or tribal laws that apply to issuing an IWO to an employer/income withholder. State- or tribal-specific information may be included only in the fields below.

31. **Liability.** Additional information on the penalty and/or citation of the penalty for an employer/income withholder who fails to comply with the IWO. The state or tribal law/procedures of the employee/obligor's principal place of employment govern the penalty.

32. **Anti-discrimination.** Additional information on the penalty and/or citation of the penalty for an employer/income withholder who discharges, refuses to employ, or disciplines an employee/obligor as a result of the IWO. The state or tribal law/procedures of the employee/obligor's principal place of employment govern the penalty.

33. **Supplemental Information.** Any state-specific information needed, such as maximum withholding percentage for nonemployees/independent contractors, fees the employer/income withholder may charge the obligor for income withholding, or children's names and DOBs if there are more than six children on this IWO. Additional information must be consistent with the requirements of the form and the instructions.

VII. Notification of Employment Termination or Income Status: (Completed by the Employer/Income Withholder)

The employer must complete this section when the employee/obligor's employment is terminated, income withholding ceases, or if the employee/obligor has never worked for the employer. The employer/income withholder may report new payment sources such as workers' compensation, if known.

34a-b. Employment/Income Status Checkbox. Check the employment/income status of the employee/obligor.

35. Termination Date. If applicable, date employee/obligor was terminated.

36. Last Known Telephone Number. Last known (home/cell/other) telephone number of the employee/obligor.

37. Last Known Address. Last known home/mailling address of the employee/obligor.

38. Final Payment Date. Date employer sent final payment to SDU/Tribal Payee.

39. Final Payment Amount. Amount of final payment sent to SDU/Tribal Payee.

40. New Employer's or Income Withholder's Name. Name of employee's/obligor's new employer or income withholder (if known).

41. New Employer's or Income Withholder's Address. Address of employee's/obligor's new employer or income withholder (if known).

VIII. Contact Information: (Completed by the Sender)

42. Sender Contact for Employer/Income Withholder. Name of the person that the employer/income withholder can call for information regarding this IWO. If the sender is a victim of family or domestic violence, rather than including direct contact information, enter contact information for someone else who will communicate for you.

43. Sender Telephone Number. Telephone number of the contact person.

44. Sender Fax Number. *Optional* fax number of the contact person.

45. Sender Email/Website. *Optional* email or website of the contact person.

46. Sender Address (Termination/Income Status and Correspondence Address). Address to which the employer should return the Employment Termination or Income Status notice. It is also the address that the employer should use to correspond with the issuing entity.

47. Sender Contact for Employee/Obligor. Name of the person that the employee/obligor can call for information.

48. Sender Telephone Number. Telephone number of the contact person.

49. Sender Fax Number. *Optional* fax number of the contact person.

50. Sender Email/Website. *Optional* email or website of the contact person.

Encryption Requirements:

When communicating the Income Withholding for Support (IWO) through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Enforcement. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

INCOME WITHHOLDING FOR SUPPORT

- 1a ☐ INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)
1b ☐ AMENDED IWO
1c ☐ ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT
1d ☐ TERMINATION OF IWO

Date: 1e

1f ☐ Child Support Enforcement (CSE) Agency ☐ Court ☐ Attorney ☐ Private Individual/Entity (Check One)

NOTE: This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions www.acf.hhs.gov/css/resource/income-withholding-for-support-instructions). If you receive this document from someone other than a state or tribal CSE agency or a court, a copy of the underlying support order must be attached.

State/Tribe/Territory 1g Remittance ID (include w/payment) 1h
City/County/Dist./Tribe 1i Order ID 1j
Private Individual/Entity 1k Case ID 1l

<u>2a</u>		RE: <u>3a</u>
Employer/Income Withholder's Name		Employee/Obligor's Name (Last, First, Middle)
<u>2b</u>		<u>3b</u>
Employer/Income Withholder's Address		Employee/Obligor's Social Security Number
		<u>3c</u>
		Employee/Obligor's Date of Birth
		<u>3d</u>
Employer/Income Withholder's FEIN <u>2c</u>		Custodial Party/Obligee's Name (Last, First, Middle)
Child(ren)'s Name(s) (Last, First, Middle)	Child(ren)'s Birth Date(s)	<div style="border: 1px solid black; width: 200px; height: 100px; margin: 0 auto; text-align: center; vertical-align: middle;">3g</div>
<u>3e</u>	<u>3f</u>	

ORDER INFORMATION: This document is based on the support order from 4 (State/Tribe).
You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ <u>5a</u>	Per <u>5b</u>	current child support	
\$ <u>6a</u>	Per <u>6b</u>	past-due child support - Arrears greater than 12 weeks? <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>6c</u>
\$ <u>7a</u>	Per <u>7b</u>	current cash medical support	
\$ <u>8a</u>	Per <u>8b</u>	past-due cash medical support	
\$ <u>9a</u>	Per <u>9b</u>	current spousal support	
\$ <u>10a</u>	Per <u>10b</u>	past-due spousal support	
\$ <u>11a</u>	Per <u>11b</u>	other (must specify) <u>11c</u>	

for a **Total Amount to Withhold** of \$ 12a per 12b .

AMOUNTS TO WITHHOLD: You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ <u>13a</u>	per weekly pay period	\$ <u>13b</u>	per semimonthly pay period (twice a month)
\$ <u>13c</u>	per biweekly pay period (every two weeks)	\$ <u>13d</u>	per monthly pay period

\$ 14 **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

Document Tracking ID 15

Employer's Name: 2a Employer FEIN: 2c
Employee/Obligor's Name: 3a SSN: 3b
Case Identifier: 1i Order Identifier: 1j

REMITTANCE INFORMATION: If the employee/obligor's principal place of employment is 16 (State/Tribe), you must begin withholding no later than the first pay period that occurs 17 days after the date of 18. Send payment within 19 business days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold 20 % of disposable income for all orders. If the obligor is a non-employee, obtain withholding limits from Supplemental Information. If the employee/obligor's principal place of employment is not 21 (State/Tribe), obtain withholding limitations, time requirements, and any allowable employer fees from the jurisdiction of the employee/obligor's principal place of employment. State-specific withholding limit information is available at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements. For tribe-specific contacts, payment addresses, and withholding limitations, please contact the tribe at www.acf.hhs.gov/sites/default/files/programs/css/tribal_agency_contacts_printable_pdf.pdf or https://www.bia.gov/tribalmap/DataDotGovSamples/tld_map.html.

For electronic payment requirements and centralized payment collection and disbursement facility information [State Disbursement Unit (SDU)], see www.acf.hhs.gov/css/employers/employer-responsibilities/payments.

Include the Remittance ID with the payment and if necessary this locator code: 22.

Remit payment to <u>23</u> (SDU/Tribal Order Payee)
at <u>24</u> (SDU/Tribal Payee Address)

- 25 ☐ **Return to Sender (Completed by Employer/Income Withholder).** Payment must be directed to an SDU in accordance with sections 466(b)(5) and (6) of the Social Security Act or Tribal Payee (see Payments to SDU below). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you *must* check this box and return the IWO to the sender.

If Required by State or Tribal Law:	
Signature of Judge/Issuing Official:	<u>26</u>
Print Name of Judge/Issuing Official:	<u>27</u>
Title of Judge/Issuing Official:	<u>28</u>
Date of Signature:	<u>29</u>

If the employee/obligor works in a state or for a tribe that is different from the state or tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

- 30 ☐ If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

ADDITIONAL INFORMATION FOR EMPLOYERS/INCOME WITHHOLDERS

State-specific contact and withholding information can be found on the Federal Employer Services website located at www.acf.hhs.gov/css/resource/state-income-withholding-contacts-and-program-requirements.

Employers/income withholders may use OCSE's Child Support Portal (<https://ocsp.acf.hhs.gov/csp/>) to provide information about employees who are eligible to receive a lump sum payment, have terminated employment, and to provide contacts, addresses, and other information about their company.

Priority: Withholding for support has priority over any other legal process under State law against the same income (section 466(b)(7) of the Social Security Act). If a federal tax levy is in effect, please notify the sender.

Combining Payments: When remitting payments to an SDU or tribal CSE agency, you may combine withheld amounts from more than one employee/obligor's income in a single payment. You must, however, separately identify each employee/obligor's portion of the payment.

Payments To SDU: You must send child support payments payable by income withholding to the appropriate SDU or to a tribal CSE agency. If this IWO instructs you to send a payment to an entity other than an SDU (e.g., payable to the custodial party, court, or attorney), you must check the box above and return this notice to the sender. Exception: If this IWO was sent by a court, attorney, or private individual/entity and the initial order was entered before January 1, 1994 or the order was issued by a tribal CSE agency, you must follow the "Remit payment to" instructions on this form.

Employer's Name: 2a Employer FEIN: 2c
Employee/Obligor's Name: 3a SSN: 3b
Case Identifier: 1i Order Identifier: 1j

Reporting the Pay Date: You must report the pay date when sending the payment. The pay date is the date on which the amount was withheld from the employee/obligor's wages. You must comply with the law of the state (or tribal law if applicable) of the employee/obligor's principal place of employment regarding time periods within which you must implement the withholding and forward the support payments.

Multiple IWOs: If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to federal, state, or tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support. Follow the state or tribal law/procedure of the employee/obligor's principal place of employment to determine the appropriate allocation method.

Lump Sum Payments: You may be required to notify a state or tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments.

Liability: If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by state or tribal law/procedure.

31

Anti-discrimination: You are subject to a fine determined under state or tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

32

Withholding Limits: You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) [15 USC §1673 (b)]; or 2) the amounts allowed by the law of the state of the employee/obligor's principal place of employment, if the place of employment is in a state; or the tribal law of the employee/obligor's principal place of employment if the place of employment is under tribal jurisdiction. Disposable income is the net income after mandatory deductions such as: state, federal, local taxes; Social Security taxes; statutory pension contributions; and Medicare taxes. The federal limit is 50% of the disposable income if the obligor is supporting another family and 60% of the disposable income if the obligor is not supporting another family. However, those limits increase 5% --to 55% and 65% --if the arrears are greater than 12 weeks. If permitted by the state or tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit indicated in this section.

Depending upon applicable state or tribal law, you may need to consider amounts paid for health care premiums in determining disposable income and applying appropriate withholding limits.

Arrears Greater Than 12 Weeks? If the **Order Information** section does not indicate that the arrears are greater than 12 weeks, then the employer should calculate the CCPA limit using the lower percentage.

Supplemental Information:

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Employer's Name: 2a Employer FEIN: 2c
Employee/Obligor's Name: 3a SSN: 3b
Case Identifier: 1i Order Identifier: 1j

NOTIFICATION OF EMPLOYMENT TERMINATION OR INCOME STATUS: If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, you must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the contact information below:

34a ☐ This person has never worked for this employer nor received periodic income.

34b ☐ This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: 35 Last known telephone number: 36

Last known address: 37

Final payment date to SDU/Tribal Payee: 38 Final payment amount: 39

New employer's name: 40

New employer's address: 41

CONTACT INFORMATION:

To Employer/Income Withholder: If you have questions, contact 42 (issuer name)

by telephone: 43, by fax: 44, by email or website: 45.

Send termination/income status notice and other correspondence to:
46 (issuer address).

To Employee/Obligor: If the employee/obligor has questions, contact 47 (issuer name)

by telephone: 48, by fax: 49, by email or website: 50.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

Encryption Requirements:

When communicating this form through electronic transmission, precautions must be taken to ensure the security of the data. Child support agencies are encouraged to use the electronic applications provided by the federal Office of Child Support Enforcement. Other electronic means, such as encrypted attachments to emails, may be used if the encryption method is compliant with Federal Information Processing Standard (FIPS) Publication 140-2 (FIPS PUB 140-2).

The Paperwork Reduction Act of 1995

This information collection and associated responses are conducted in accordance with 45 CFR 303.100 of the Child Support Enforcement Program. This form is designed to provide uniformity and standardization. Public reporting for this collection of information is estimated to average two to five minutes per response. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORM 12.996(b)
NOTICE TO PAYOR
(10/21)**

When should this form be used?

This form should be used when an **Income Deduction Order** has been entered by the Court which is to take effect immediately.

This form should be typed or printed in black ink. After completing this form, you should file this document with the **clerk of the circuit court** in the county in which the action is pending. You should keep a copy for your own records.

What should I do next?

A copy of this form, and a copy of the Income Deduction Order, must be sent to the **obligor's** payor by certified mail, return receipt requested. The return receipt should be sent to the person that prepared this form so that it can be filed with the clerk along with Florida Family Law Rules of Procedure Form 12.996(c), **Notice of Filing Return Receipt**.

A copy of this form must also be served on the other party or his or her attorney. Service must be in accordance with Florida Rule of General Practice and 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 section 61.1301, Florida Statutes.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and 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 General Practice and 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 General Practice and 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 Florida Rules of General Practice and 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 General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and 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 email, 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 General Practice and Judicial Administration 2.516.**

Special Instructions. . .

The Obligor's Social Security Number must be written on the copies of the Notice to Payor that are mailed to the Obligor's Payor and served on the other party or his or her attorney. The Social Security Number should **NOT** be written on the copy of the Notice to Payor filed with the court.

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

NOTICE TO PAYOR

TO:

Name of Obligor's Payor: _____

Payor's Address: _____

RE: **Obligor**

Obligee

Name: _____

Address: _____

Obligor's Social Security Number: _____.

NOTE: The Obligor's Social Security Number should be placed on the copy of the Notice to Payor that is mailed to the Obligor's Payor. This line should be left blank on the original Notice to Payor filed with the court.

YOU, THE PAYOR, ARE HEREBY NOTIFIED that, under section 61.1301, Florida Statutes, you have the responsibilities and rights set forth below with regard to the accompanying Income Deduction Order and/or any attachment(s):

1. You are required to deduct from the obligor's income the amount specified in the income deduction order, and in the case of a delinquency the amount specified in the notice of delinquency, and to pay that amount to the State of Florida Disbursement Unit. The amount actually deducted plus all administrative charges shall not be excess of the amount allowed under s. 303(b) of the Consumer Credit Protection Act, 15 U.S.C. §1673(b) as amended.
2. You must implement income deduction no later than the first payment date which occurs more than 14 days after the date the income deduction order was served on you, and you shall conform the amount specified in the income deduction order or, in Title IV-D cases, income deduction notice to the obligor's pay cycle. The court should request at the time of the order that the payment cycle will reflect that of the obligor.
3. You must forward, within 2 days after each date the obligor is entitled to payment from you, to the State of Florida Disbursement Unit, the amount deducted from the obligor's income, a statement as

to whether the amount totally or partially satisfies the periodic amount specified in the income deduction order, or in Title IV-D cases, income deduction notice, and the specific date each deduction is made. If the IV-D agency is enforcing the order, you shall make these notifications to the agency.

4. If you fail to deduct the proper amount from the obligor's income, you are liable for the amount you should have deducted, plus costs, interest, and reasonable attorneys' fees;
5. You may collect up to \$5 against the obligor's income to reimburse you for administrative costs for the first income deduction and up to \$2 for each deduction thereafter.
6. The notice to payor, or, in Title IV-D cases, income deduction notice, and in the case of a delinquency, the notice of delinquency, are binding on you until further notice by the obligee, IV-D agency, or the court or until you no longer provide income to the obligor.
7. When you no longer provide income to the obligor, you shall notify the obligee and provide the obligor's last known address and the name and address of the obligor's new payor, if known. If you violate this provision, you are subject to a civil penalty not to exceed \$250 for the first violation or \$500 for any subsequent violation. If the IV-D agency is enforcing the order, you shall make these notifications to the agency instead of the obligee. Penalties shall be paid to the obligee or the IV-D agency, whichever is enforcing the income deduction order.
8. You shall not discharge, refuse to employ, or take disciplinary action against an obligor because of the requirement for income deduction. A violation of this provision subjects you to a civil penalty not to exceed \$250 for the first violation or \$500 for any subsequent violation. Penalties shall be paid to the obligee or the IV-D agency, whichever is enforcing the income deduction, if any alimony or child support obligation is owing. If no alimony or child support obligation is owing, the penalty shall be paid to the obligor.
9. The obligor may bring a civil action in the courts of this state against a payor who refuses to employ, discharges, or otherwise disciplines an obligor because of income deduction. The obligor is entitled to reinstatement of all wages and benefits lost, plus reasonable attorneys' fees and costs incurred.
10. The requirement for income deduction has priority over all other legal processes under state law pertaining to the same income and that payment, as required by the notice to payor or the income deduction notice, is a complete defense by the payor against any claims of the obligor or his or her creditors as to the sum paid.
11. When you receive notices to payor or income deduction notices requiring that the income of two or more obligors be deducted and sent to the same depository, the payor may combine the amounts that are to be paid to the depository in a single payment as long as the payments attributable to each obligor are clearly identified.
12. If you receive more than one notice to payor or income deduction notice against the same obligor, the payor shall contact the court or, in Title IV-D cases, the Title IV-D agency for further instructions.
13. In a Title IV-D case, if an obligation to pay current support is reduced or terminated due to the emancipation of a child and the obligor owes an arrearage, retroactive support, delinquency, or costs,

income deduction continues at the rate in effect immediately prior to emancipation until all arrearages, retroactive support, delinquencies, and costs are paid in full or until the amount of withholding is modified.

14. All notices to the obligee shall be sent to the address provided in this notice to payor, or any place thereafter the obligee requests in writing.
15. An employer who employed 10 or more employees in any quarter during the preceding state fiscal year or who was subject to and paid tax to the Department of Revenue in an amount of \$20,000 or more shall remit support payments deducted pursuant to an income deduction order or income deduction notice and provide associated case data to the State Disbursement Unit by electronic means approved by the department. Payors who are required to remit support payments electronically can find more information on how to do so by accessing the State Disbursement Unit's website <https://fl.smartchildsupport.com/>. Payment options include Expert Pay, Automated Clearing House (ACH) credit through your financial institution, www.myfloridacounty.com, or Western Union. Payors may contact the SDU Customer Service Employer telephone line at 1-877-769-0251.
16. Additional information regarding the implementation of this Notice to Payor may be found at <https://fl.smartchildsupport.com/>.

I certify that a copy of this document was [check all used]: _____ emailed _____ mailed _____ faxed _____ hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Email Address(es): _____

Signature of Party or his/her attorney
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} _____, {zip code} _____, {telephone number} _____.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.996(c) NOTICE OF FILING RETURN RECEIPT (10/21)

When should this form be used?

This form should be used when an **Income Deduction Order**, Florida Family Law Rules of Procedure Form 12.996(a), is entered by the court and a **Notice to Payor**, Florida Family Law Rules of Procedure Form 12.996(b), has been sent by certified mail to the **obligor's payor**. When the post office returns the return receipt to you showing that the obligor's payor has received the **Notice to Payor**, you should type or print this form in black ink. After completing this form, you should sign it and attach the return receipt you received from the post office. This form (and the attached return receipt) should be **filed** with the **clerk of the circuit court** in the county in which the action is pending. You should keep a copy for your own records.

What should I do next?

A copy of this form must also be served on the other party or his or her attorney. **Service** must be in accordance with Florida Rule of General Practice and 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 section 61.1301, Florida Statutes.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and 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 General Practice and 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 General Practice and 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 Florida Rules of General Practice and 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 General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and 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 email, 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 General Practice and Judicial Administration 2.516.

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 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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

NOTICE OF FILING RETURN RECEIPT

{Name} _____, the [check only one] () Petitioner () Respondent, files the attached Return Receipt in reference to the Notice to Payor sent by certified mail to {Payor's name} _____, the [check only one] () Petitioner's () Respondent's employer.

I certify that a copy of this document was [check all used]: () emailed () mailed () faxed () hand delivered to the persons(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email Address(es): _____

Signature of Party or his/her Attorney

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email 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} _____, {zip code} _____, {telephone number} _____.

ATTACHMENT A

STYLE OF SUIT

Petitioner

Respondent

CASE NUMBER _____

DIVISION _____

PERIODIC AMOUNTS OBLIGOR ORDERED TO PAY:

CURRENT:		ARREARAGE:	TOTAL	PERIODIC
		ARREARS DUE	PAYMENT AMOUNT	
CHILD SUPPORT	\$ _____	CHILD SUPPORT	\$ _____	\$ _____
ALIMONY	\$ _____	ALIMONY	\$ _____	\$ _____
OTHER*	\$ _____	OTHER*	\$ _____	\$ _____

***INSTRUCTIONS:** _____

PAYMENT FREQUENCY - CHECK ONE: (WILL APPLY TO ALL PAYMENTS)

_____ **WEEKLY** _____ **BI-WEEKLY** (Every two weeks/26 per year)
_____ **SEMI-MONTHLY** (Twice monthly/24 per year) - **DATES:** on _____ and _____
_____ **MONTHLY** on _____

PAYMENT INFORMATION - CHECK ONE:

_____ **PAYABLE THROUGH THE COURT - FIRST PAYMENT DATE (MUST BE GIVEN)** _____
_____ **NOT PAYABLE THROUGH THE COURT AT THIS TIME.**

PAYMENTS TO BE SENT TO:

STATE OF FLORIDA DISBURSEMENT UNIT (SDU)
P.O. BOX 8500
TALLAHASSEE, FLORIDA 32314-8500

******THE FOLLOWING INFORMATION MUST BE COMPLETED******

OBLIGEE	OBLIGOR
Social Security Number: _____	Social Security Number: _____
Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Cty/St/Zip _____	Cty/St/Zip _____
DOB: _____ Phone # _____	DOB: _____ Phone # _____
	Employer: _____
	Address: _____
	Cty/St/Zip _____

FULL NAME(S) OF CHILD(REN):

_____	SS# _____	DOB _____
_____	SS# _____	DOB _____
_____	SS# _____	DOB _____

PREPARED BY: _____ **PHONE NUMBER:** _____

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORMS 12.920(a), MOTION FOR REFERRAL TO GENERAL MAGISTRATE,
12.920(b), ORDER OF REFERRAL TO GENERAL MAGISTRATE, and
12.920(c), NOTICE OF HEARING BEFORE GENERAL MAGISTRATE
(04/22)**

When should these forms be used?

A **general magistrate** is an attorney appointed by a **judge** to take testimony and recommend orders on certain matters connected with a divorce. These recommended orders are then reviewed and entered by the judge unless contrary to the law or the facts of the case. The primary purposes of having general magistrates hear family law matters are to reduce the costs of litigation and to speed up cases. Either **party** may request that their case, or portions of their case, be heard by a general magistrate by filing **Motion for Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(a). You must also prepare an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to submit to the judge assigned to your case.

Many times, the court, either on its own motion or under current administrative orders of the court, may refer your case to a general magistrate. Even in those instances, you may be required to prepare and submit an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to the judge.

Once a general magistrate has been appointed to your case, the general magistrate will assign a time and place for a **hearing** as soon as reasonably possible after the referral is made. The general magistrate will give notice of that hearing to each of the parties directly or will direct a party or attorney in the case to file and serve a notice of hearing on the other party. If you are asked to send the notice of hearing, you will need to use the form entitled **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c). Regardless of who prepares the notice of hearing, the moving party (the one who requested referral to the general magistrate) is required to have the notice properly served on the other party.

These forms should be typed or printed in black ink. After completing this form, you should **file** these documents with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records.

IMPORTANT INFORMATION REGARDING E-FILING

THIS LANGUAGE APPLIES ONLY TO FLORIDA FAMILY LAW RULES OF PROCEDURE FORMS 12.920(a) and 12.920(c) BUT DOES NOT APPLY TO FLORIDA FAMILY LAW RULE OF PROCEDURE FORM 12.920(b).

The Florida Rules of General Practice and 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 General Practice and 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.

The copy you are providing to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service.

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 General Practice and 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 General Practice and Judicial Administration. If you elect to participate in electronic service, which means serving or receiving pleadings by e-mail, or through the Florida Courts E-Filing Portal, you must review Florida Rule of General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to Rules of General Practice and 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 address 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 General Practice and Judicial Administration 2.516.

What should I do next?

If you are filing a **Motion for Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(a), you need to send or deliver your motion directly to the judge assigned to your case, along with an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), and an addressed, stamped envelope for each party in the case. The judge will then either grant or deny the motion, usually without a hearing.

If you are required to submit an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to the judge assigned to your case, you will need to send or deliver the order directly to the judge, along with addressed, stamped envelopes for each party in the case.

The party who prepares any of these forms must file this document with the clerk of the circuit court. A copy of the motion must be served on any other party in your case. **Service** must be in accordance with Florida Rule of General Practice and 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 Family Law Rule of Procedure 12.490.

Special notes...

IMPORTANT: After the judge refers your case to a general magistrate, either party (including the party who was required to prepare and submit the Order of Referral) may object to the referral within 10 days of the date that the referral is made (if the Order of Referral is served by mail, the parties have an additional 5 days within which to object to the referral). Every litigant is entitled to have his or her case heard by a judge. However, before you decide to object to an Order of Referral to General Magistrate, you should consider the potential extra costs and time delays that may result from having a judge hear your case instead of a general magistrate. You may want to speak with an attorney in your area who can assist you in making a more informed decision regarding whether you should file an objection to an Order of Referral to General Magistrate.

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

MOTION FOR REFERRAL TO GENERAL MAGISTRATE

I, {full legal name} _____, request that the Court enter an order referring this case to a general magistrate. The case should be referred to a general magistrate on the following issues: {explain}

I certify that a copy of this document was [check all used]: () emailed () mailed () faxed
() hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email Address(es): _____

Signature of Party or his/her attorney:

Printed Name: _____

Address: _____

City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Email 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}* _____.

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

Case No: _____

Division: _____

_____,
Petitioner,
and

_____,
Respondent.

ORDER OF REFERRAL TO GENERAL MAGISTRATE

THIS CASE IS REFERRED TO THE GENERAL MAGISTRATE on the following issues:

1. _____
2. _____
3. _____
4. _____

AND ANY OTHER MATTER RELATED THERETO.

IT IS FURTHER ORDERED that the above issues are referred to General Magistrate

{name} _____ ,
for further proceedings, under rule 12.490 of the Florida Family Law Rules of Procedure and current administrative orders of the Court. Financial Affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), shall be filed in accordance with Florida Family Law Rule of Procedure 12.285. The General Magistrate is authorized to administer oaths and conduct hearings, which may include taking of evidence, and shall file a recommended order that contains findings of fact, conclusions of law, and the name of the court reporter, if any.

The General Magistrate shall assign a time for the proceedings as soon as reasonably possible after this referral is made and shall give notice to each of the parties either directly or by directing counsel or a party to file and serve a notice of hearing.

Counties within the State of Florida may have different rules. Please consult the (.....) Clerk of the Court (.....) Family Law Intake Staff (.....) other _____ relating to this procedure.

A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BY 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 SERVICE OF THIS ORDER, THE OBJECTION MUST BE FILED BEFORE COMMENCEMENT OF 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.

If either party files a timely objection, this matter shall be returned to the undersigned judge with a notice stating the amount of time needed for hearing.

REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE MUST BE BY A MOTION TO VACATE AS PROVIDED IN RULE 12.490(e), FLORIDA FAMILY LAW RULES OF PROCEDURE. A RECORD, WHICH INCLUDES A TRANSCRIPT, IS REQUIRED TO SUPPORT THE MOTION TO VACATE, UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE.

YOU ARE ADVISED THAT IN THIS CIRCUIT:

- a. _____ electronic recording is provided by the court. A party may provide a court reporter at that party's expense.
- b. _____ a court reporter is provided by the court.
- c. _____ no electronic recording is provided by the court and the court does not provide a court reporter. A party may provide a court reporter at that party's expense.

SHOULD YOU WISH TO SEEK REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(e), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR MOTION TO VACATE, OR YOUR MOTION WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED FOR THE COURT'S REVIEW.

ORDERED on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner (or his or her attorney)
Respondent (or his or her attorney)
General Magistrate

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

Case No: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

NOTICE OF HEARING BEFORE GENERAL MAGISTRATE

[fill in **all** blanks]

TO: _____

There will be a hearing before General Magistrate *{name of general magistrate}* _____,
on *{date}* _____, at *{time}* _____ m., in Room _____ of the _____
Courthouse, on the following issues: _____

_____ hour(s)/ _____ minutes have been reserved for this hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

If the matter before the General Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.

IF THIS IS A CONTEMPT PROCEEDING:

YOUR ABILITY TO PAY IS A CRITICAL ISSUE IN A CONTEMPT PROCEEDING;

YOU ARE STRONGLY URGED TO PREPARE AND FILE A FAMILY LAW FINANCIAL AFFIDAVIT PRIOR TO THE HEARING IN ORDER FOR THE COURT TO BE ABLE TO ELICIT RELEVANT FINANCIAL INFORMATION FROM YOU; YOU WILL BE PROVIDED AN OPPORTUNITY AT THE HEARING TO RESPOND TO STATEMENTS AND QUESTIONS ABOUT YOUR FINANCIAL STATUS; AND

TO BE HELD IN CONTEMPT, THE COURT MUST MAKE AN EXPRESS FINDING THAT YOU HAVE THE ABILITY TO PAY.

PLEASE GOVERN YOURSELF ACCORDINGLY.

This part to be filled out by the court or filled in with information you have obtained from the court:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

{identify applicable court personnel by name, address, and telephone number}
at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

SHOULD YOU WISH TO SEEK REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(e), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR MOTION TO VACATE, OR YOUR MOTION WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED FOR THE COURT'S REVIEW.

YOU ARE HEREBY ADVISED THAT IN THIS CIRCUIT:

- a. _____ electronic recording is provided by the court. A party may provide a court reporter at that party's expense.
- b. _____ a court reporter is provided by the court.
- c. _____ no electronic recording is provided by the court and the court does not provide a court reporter. A party may provide a court reporter at that party's expense.

If you are represented by an attorney or plan to retain an attorney for this matter you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the General Magistrate's Office to cancel this hearing.

I certify that a copy of this document was [check **one** only]: () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email Address(es): _____

Signature of Party or his/her Attorney

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

Email 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}* _____.

General Magistrate / Hearing Officer Division Referral Assignment Table

Last 2 Digits of Case No	GM Division	Last 2 Digits of Case No	GM Division	Last 2 Digits of Case No	GM Division	Last 2 Digits of Case No	GM Division
00	GM-1	01	GM-3	03	GM-4	09	GM-5
04	GM-1	02	GM-3	07	GM-4	17	GM-5
08	GM-1	05	GM-3	11	GM-4	25	GM-5
12	GM-1	06	GM-3	15	GM-4	33	GM-5
16	GM-1	10	GM-3	19	GM-4	41	GM-5
20	GM-1	13	GM-3	23	GM-4	49	GM-5
24	GM-1	14	GM-3	27	GM-4	50	GM-5
28	GM-1	18	GM-3	31	GM-4	54	GM-5
32	GM-1	21	GM-3	35	GM-4	57	GM-5
36	GM-1	22	GM-3	39	GM-4	58	GM-5
40	GM-1	26	GM-3	43	GM-4	62	GM-5
44	GM-1	29	GM-3	47	GM-4	65	GM-5
48	GM-1	30	GM-3	51	GM-4	66	GM-5
52	GM-1	34	GM-3	55	GM-4	70	GM-5
56	GM-1	37	GM-3	59	GM-4	73	GM-5
60	GM-1	38	GM-3	63	GM-4	74	GM-5
64	GM-1	42	GM-3	67	GM-4	78	GM-5
68	GM-1	45	GM-3	71	GM-4	81	GM-5
72	GM-1	46	GM-3	75	GM-4	82	GM-5
76	GM-1	53	GM-3	79	GM-4	86	GM-5
80	GM-1	61	GM-3	83	GM-4	89	GM-5
84	GM-1	69	GM-3	87	GM-4	90	GM-5
88	GM-1	77	GM-3	91	GM-4	94	GM-5
92	GM-1	85	GM-3	95	GM-4	97	GM-5
96	GM-1	93	GM-3	99	GM-4	98	GM-5

The general magistrate/hearing officer assigned is determined by **the last two digits of your case number.**

GM-1 = Magistrate **Wartenberg** (Phone: 272-5351) / **GM-3** = Magistrate **Blume** (Phone: 276-2337)

GM-4 = Magistrate **Sarmiento** (Phone: 272-6435) / **GM-5** = Magistrate **Mason** (Phone: 272-5525)

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.923, NOTICE OF HEARING (GENERAL) (11/15)

When should this form be used?

Anytime you have set a hearing before a judge, you must send notice of the hearing to the other party.

IMPORTANT: If your hearing has been set before a general magistrate, you should use **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c). If your hearing has been set before a child support enforcement hearing officer, you should use **Notice of Hearing (Child Support Hearing Officer)**, Florida Supreme Court Approved Family Law Form 12.921.

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 was filed 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?

A copy of this form must be mailed, e-mailed, or hand delivered to the other party in your case. If a default has been entered, you must still send this form to the other party to notify the other party of the final hearing.

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 on serving notices of hearing, see rule 1.090(d), Florida Civil Rules of Procedure.

Special notes...

To set a hearing date and time, you will usually have to make a good-faith effort to coordinate a mutually convenient date and time for you, the other parties in the case, and the judge, except in certain emergency situations. Some circuits may have additional procedural requirements that you must follow when you notify the court and other parties of your scheduled hearing. Therefore, before you complete this form, you should contact the clerk's office, family law intake staff, or judicial assistant for information regarding the proper procedure to follow.

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent,

NOTICE OF HEARING (GENERAL)

[fill in **all** blanks]

TO: *{name of other party}*: _____

There will be a hearing before Judge *{name}* _____,

on *{date}* _____ at *{time}* _____ m., in Room _____ of the _____

County Courthouse, on the following issues: _____

_____.

_____ hour(s)/ _____ minutes have been reserved for this hearing.

This part is to be filled out by the court or to be filled in with information you obtained from the court:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

***{identify applicable court personnel by name, address, and telephone number}* at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

If you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

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): _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

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} _____

Fee Schedule For Family Law Cases

(These fees are effective June 1, 2019)

Clerk fees (payable to The Clerk of the Circuit Court):

Type	Fee	Statute Reference
Adoption *	\$400.00	63.102 & 28.241(1)(a)
Termination of Parental Rights *	\$400.00	63.087 & 28.241(1)(a)
Delayed Birth Certificate *	\$400.00	682.0195 & 28.241(1)(a)
Disabilities of nonage; removed (Emancipation) *	\$400.00	743.015 & 28.241(1)(a)
Temporary Custody by Extended Family Member *	\$400.00	751.03 & 28.241(1)(a)
Name Change *	\$414.00	68.07 & 28.241(1)(a)
Counter Petition <i>for case indicated with *</i>	\$395.00	28.101 & 28.241(1)(c)
Dissolution of Marriage **	\$408.00	28.241 & 28.101
All other Family Law actions not listed above **	\$300.00	28.241(1)(a)
Counter Petition <i>for case indicated with **</i>	\$295.00	28.101 & 28.241(1)(c)
Sealing Fee	\$42.00	28.24(25)
Attorney appearing Pro Hac Vice	\$100.00	28.241(6)
Notice of Appeal <i>(Requires 2 separate checks: (1) \$300.00 made payable to the <u>Second District Court of Appeals</u>; (2) \$100.00 + \$1.00 per page of entire Notice of Appeal and \$2.00 for certifying made payable to Clerk of the Circuit Court)</i>	\$300.00 (Second DCA) \$100.00 plus copy and certification fee (Clerk)	28.241(2); 28.24(3); 28.24(5)(a); 35.22
Reopen fee	\$50.00	28.241(1)(b)
Writ of Garnishment issued	\$188.00	28.241(1)(a)
Issuing a Summons (Initial, Alias, and Pluries)	\$10.00	28.241(1)(d)
Issue & filing a subpoena	\$7.00	28.241(18)(a)
Signing and sealing a subpoena	\$2.00	28.24(18)(b)
Copies	\$1.00 (per page)	28.24(5)(a)
Certification	\$2.00	28.24(3)
Notary fee	\$10.00 (each)	117.05(2)(a)
Approving Bond	\$8.50	28.24(19)
Administering oath	\$3.50	38.25(13)
Exemplified certificate	\$7.00	28.24(16)
Clerk Certificate	\$7.00	28.24(8)
<i>Child Support Fees</i>		
Judgment payoff statement (Child Support)	\$25.00	61.14(6)(f)1
Payment History (Child Support, Alimony)	\$1.00 - \$2.00 per year	28.24(5)(a)
Affidavit of Delinquency	\$7.00	28.24(8)
Notice of Delinquency fee	\$25.00	61.14(6)(b)1.b.
Driver License/Non Payment of Child Support	\$25.00	61.14(6)(f)1.
Verification form	\$7.00	28.24(8)

Mediation (payable to The Clerk of the Circuit Court)

Family income greater than \$50,000 but less than \$100,000 per year	\$120.00	44.108(2)(b)
Family income less than \$50,000 per year	\$60.00	44.108(2)(b)

Print Form

**IN THE CIRCUIT/COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

Plaintiff/Petitioner

Case Number: _____

vs

Division: _____

Defendant/Respondent

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Under Florida Rule of General Practice and Judicial Administration 2.420(d)(2), I certify:

☐ (1) I am filing the attached document containing confidential information as described in Rule 2.420(d)(1)(B) and that:

(a) The title/type of document is _____, and:

(b) ☐ the entire document is confidential, or

☐ the confidential information within the document is precisely located at:

_____.

OR

☐ (2) A document was previously filed in this case that contains confidential information as described in Rule 2.420(d)(1)(B), but a Notice of Confidential Information within Court Filing was not filed with the document and the confidential information was not maintained as confidential by the clerk of the court. I hereby notify the clerk that this confidential information is located as follows:

(a) Title/type of document: _____ ;

(b) Date of filing (if known): _____ ;

(c) Date of document: _____ ;

(d) Docket entry number: _____ ;

(e) ☐ Entire document is confidential, or

☐ Precise location of confidential information in document: _____

_____.

Filer's Signature

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by ☐ e-mail ☐ delivery ☐ mail ☐ fax on (All parties and Affected Non-Parties. Note: If the name or address of a Party or Affected Non-Party is confidential DO NOT include such information in this Certificate of Service. Instead, serve the State Attorney or request Court Service. See Rule 2.420(k)) _____

_____, on _____, 20 ____.

Name: _____

Address: _____

Phone: _____

Florida Bar No. (if applicable): _____

E-mail address: _____

Note: The clerk of court must review filings identified as containing confidential information to determine whether the information is facially subject to confidentiality under subdivision (d)(1)(B). The clerk must notify the filer in writing within 5 days if the clerk determines that the information is NOT subject to confidentiality, and the records must not be held as confidential for more than 10 days, unless a motion is filed under subdivision (d)(3) of the Rule. Fla. R. Gen. Prac. & Jud. Admin. 2.420(d)(2).

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.915

DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS (08/23)

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 is required to designate a primary e-mail address for **service** unless excused pursuant to Florida Rule of General Practice and Judicial Administration 2.516(b)(1)(D). 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 General Practice and Judicial Administration 2.516.

IMPORTANT INFORMATION REGARDING E-FILING

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

SELF-REPRESENTED LITIGANTS MUST SERVE DOCUMENTS BY E-MAIL UNLESS EXCUSED BY THE CLERK.

If a self-represented litigant has been excused from serving documents by e-mail and then elects to serve and receive documents by e-mail, the procedures must always be followed once that 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 General Practice and 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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

DESIGNATION OF CURRENT MAILING AND E-MAIL ADDRESS

I, {full legal name}, _____, certify that:

MAILING ADDRESS:

My current mailing address is:

{Street or Post Office Box} _____

{Apartment, lot, etc.} _____

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

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

E-MAIL ADDRESS:

The following is/are my e-mail address(es) for purposes of serving and receiving documents:

Primary e-mail address:

Secondary e-mail address No.1:

Secondary e-mail address No. 2:

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 [check all used] () 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: _____

Telephone Number: _____

Fax Number: _____

E-mail Address(es): _____

I HAVE READ EVERY STATEMENT MADE IN THIS DOCUMENT AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS DOCUMENT ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Signature of Petitioner

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} _____,

{street} _____,

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