

IN THE THIRD JUDICIAL CIRCUIT
IN AND FOR THE STATE OF FLORIDA

ADMINISTRATIVE ORDER NO. 08- 009

ORDER APPROVING FAMILY LAW SELF-HELP FORMS

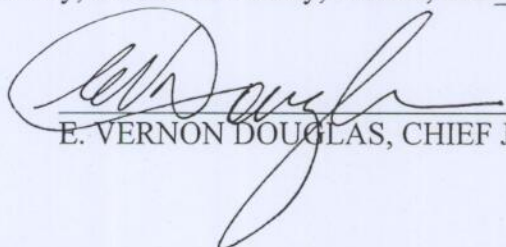
Whereas, Rule 12.750(b)(5) Florida Family Law Rules of Procedure, permits the Chief Judge of the Circuit to approve additional forms that are not inconsistent with forms approved by the Florida Supreme Court and published in the Family Law Rules of Procedure; and

Whereas, the undersigned Chief Judge and Family Law Administrative Judge recognize the need to adopt additional Family Law Forms relating to Income Deduction Orders due to the lack of same, and parental relocation due to additional laws enacted by the Legislature; the Third Judicial Circuit has elected to adopt forms created by the Fifth Judicial Circuit to fill the void. It is therefore:

ORDERED:

1. That effective immediately the forms listed in the footnote¹ below are approved for use in the Third Judicial Circuit and shall be made available to litigants by all self-help programs, Clerks of Circuit Court and the Family Court Support Unit. Copies of the forms are attached to this order and will be available on the Third Judicial Circuit website.
2. The Court reiterates (pursuant to Administrative Order 2002-007A) that all forms presently used throughout the Circuit which are not either Supreme Court approved forms or forms approved by the Chief Judge of the Third Circuit shall be discarded.

ORDERED in Chambers at Lake City, Columbia County, Florida, this 30th day of June 2008.


E. VERNON DOUGLAS, CHIEF JUDGE

cc:
Judges, Third Judicial Circuit
Clerks of Court, Third Judicial Circuit
Family Court Support Unit
John Lake, Court Technology Officer (for web posting)

¹ Motion To Terminate Child Support and Vacate Income Deduction Order
Motion For Income Deduction Order
Notice of Intent To Relocate With Child(ren)
Certificate of Serving Notice Of Intent To Relocate With Child(ren)
Objection To Notice of Intent To Relocate With Child(ren)

This certifies copies were furnished
On: 7/3/08 Electronically
To: All mentioned
By: LB

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

Petitioner,

and

CASE NO: _____

Respondent.
_____ /

OBJECTION TO NOTICE OF INTENT
TO RELOCATE WITH CHILD(REN)

1. I, {full legal name} _____, am a [mark one only] () parent of a minor child(ren) or () person entitled to visitation with a child(ren), {child(ren)'s name(s)} _____.

2. A Notice of Intent to Relocate with Child(ren) was served on me on {date} _____.

3. The Notice of Intent to Relocate with Child(ren) does not comply with section 61.13001(3), Florida Statutes because the Notice did not include [mark all that apply]

- _____ The physical location and mailing address of the intended residence;
- _____ A detailed statement of the specific reasons for the proposed relocation;
- _____ A written job offer;
- _____ A proposed post-relocation visitation schedule;
- _____ Proposed post-relocation transportation arrangements.

4. I object to the relocation of the child(ren) because {specify reasons and facts supporting your opposition} - Attach additional sheets if necessary.

5. I am involved in and participate in the life/lives of my child(ren) as follows {describe past and current involvement in the child(ren)'s lives}: Attach additional sheets if necessary. _____

6. I ask the court to enter an order prohibiting the relocation.

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

Name of other parent: _____
Address: _____
City, State, Zip: _____
Fax Number: _____

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

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

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 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 [mark one only] _____ Mother, ___ Father, fill out this form.

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

Petitioner,

and

CASE NO: _____

Respondent.
_____ /

CERTIFICATE OF SERVING
NOTICE OF INTENT TO RELOCATE WITH CHILD(REN)

I, {full legal name} , _____, parent of
{child(ren)'s names} _____,
hereby certify that I served a Notice of Intent to Relocate with Child(ren) pursuant to
section 61.13001(2), Florida Statutes upon:

Other parent:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

on {date} _____.

I HEREBY CERTIFY that I furnished a copy of this Certificate of Serving Notice of
Intent to Relocate to the persons listed above by (mark one only) () certified mail,
restricted delivery, return receipt requested () faxed and mail () hand delivery on {date}

_____.

Signature

Printed name: _____

Address _____

City State Zip

Telephone (area code and number)

IF A NON-LAWYER HELPED YOU FILL OUT THIS FORM THEY MUST FILL IN
THE BLANKS BELOW: [fill in all blanks]

I, {name of non-lawyer} _____, a non-lawyer, located at {street} _____ {city} _____ {state} _____, {phone} _____, helped {name} _____, who is the [mark one only] _____ Mother or _____ Father, fill out this form.

INSTRUCTIONS FOR OBJECTION TO NOTICE OF INTENT TO RELOCATE

When should this form be used?

You should use this form if a **Notice of Intent to Relocate**, has been served on you. If you object to the proposed relocation, you have 30 days from the time the Notice of Intent to Relocate is served on you to **file** this form with the court and **serve** it on the other parent. If you do not file this form on time, it will be presumed that the relocation is in the best interest of the child, the relocation will be allowed, and the court will enter judgment permitting the children's relocation. If you file this form, the parent who wants to relocate has the burden of initiating court proceedings to obtain permission to relocate before doing so.

This form should be typed or printed in black ink. You must complete all sections of the form. After completing the form, you should sign the form before a **notary public** or **deputy clerk**.

What should I do next?

You should file the original of this form with the **clerk of the circuit court** and retain a copy for your records. A copy of this form must also be mailed or hand delivered to the child(ren)'s other parent and any other person entitled to visitation with the child(ren). If your objection is filed and served properly, the other parent may not, without obtaining permission of the court, relocate the child(ren)'s principal residence more than 50 miles away from his or her principal place of residence at the time of the entry of the last order establishing or modifying the designation of the primary residential parent or the custody of the minor child, unless the move places the principal residence of the minor child less than 50 miles from the nonresidential parent.

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, see section 61.13001, Florida Statutes.

Special notes . . .

Orders. These family law forms contain a **Temporary Order on Relocation of Child(ren)**, and an **Order on Relocation of Child(ren)**, which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. 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 the hearing.

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.

INSTRUCTIONS FOR NOTICE OF INTENT TO RELOCATE WITH CHILD(REN) AND
CERTIFICATE OF FILING

When should this form be used?

This form should be used by a parent to provide notice to the other parent and every other person entitled to visitation with the child(ren) of an intent to relocate the child(ren)'s principal residence. You must provide this notice if:

1. You plan to relocate the child(ren)'s residence more than 50 miles from the child(ren)'s principal residence at the time of the last order establishing or modifying primary residence or custody, unless the move will place the child(ren)'s principal residence less than 50 miles from the other parent; AND
2. The Court has not entered an order granting permission to relocate; AND
3. The relocation will be for a period of 60 consecutive days or more, not including any absence for purposes of vacation, education, or health care for the child(ren); AND
4. Your order regarding custody, primary residence, or visitation was entered before October 1, 2006 and the order does not expressly govern the relocation of the child(ren); was entered on or after October 1, 2006; or if your case was pending on October 1, 2006.

This form should be typed or printed in black ink. You must fill in all sections of the form. After completing the form, you should sign the form before a **notary public** or **deputy clerk**.

What should I do next?

You must serve a copy of this form on the other parent of the child(ren) and on every other person entitled to visitation with the child(ren). If there is a pending court action, service must be made according to Florida Family Law Rule of Procedure 12.080. Otherwise, it may be served under Chapter 48 or 49, Florida Statutes, or by certified mail, restricted delivery, return receipt requested. You should keep the original of this form for your records. You should **not file** this form with the court at this time.

The other parent or person entitled to visitation with the child(ren) has 30 days after service of this Notice of Intent to Relocate to object to the relocation by filing **Objection to Relocation of Minor Child(ren)**. If no objection is filed, the relocation will be allowed, without further notice or a hearing unless it is not in the best interests of the child(ren). If no objection is filed, you should **file a Supplemental Petition** requesting relocation attaching the **Notice of Intent to Relocate** with the court and request the court to enter a final judgment granting the relocation and adopting your proposal for visitation and transportation arrangements.

If an objection is filed, you must file a **Supplemental Petition to Modify Custody or Visitation and Other Relief**, to obtain permission to relocate and modify the other parent's visitation. You must properly notify the other party in your case of the **supplemental petition**. If you know where he or she lives, you should use **personal service**.

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, see section 61.13001, Florida Statutes.

Special notes . . .

A person giving notice of a proposed relocation or change of residence address has a continuing duty to provide current and updated information when that information becomes known.

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 FIFTH JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

_____,
Petitioner,

and

Case No. _____

_____,
Respondent.

_____ /

MOTION FOR INCOME DEDUCTION ORDER

The undersigned requests the Court to enter an income deduction order as provided in §61.1301, Fla. Stat. because the person who is obligated to pay support has not paid it on time. He or she is past due _____ {days, weeks, months} and owes past due support of \$ _____. His or her present employer's name, address, and telephone number is _____

_____.

A copy of the child support account confirming nonpayment is attached to this motion. Failure to attach the printout will result in this motion being denied without a hearing.

Signature of party filing motion
Printed name _____
Address _____
City State Zip _____
Telephone {area code and number} _____

DATED: _____

I HEREBY CERTIFY that I furnished a true copy of this motion to {name} _____
_____ {address} _____ by (hand
delivery) (U.S. mail) (fax) on _____, 20 ____.

Signature of party filing motion

IF A NON-LAWYER HELPED YOU FILL OUT THIS FORM THEY MUST FILL IN THE
BLANKS BELOW: [fill in all blanks] I, {name of non-lawyer} _____,
a non-lawyer, located at {street} _____ {city} _____
{state} _____, {phone} _____, helped {name} _____,
who is the [/one only] _____ petitioner or _____ respondent, fill out this form.

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

_____,
Petitioner,

and

Case No. _____

_____,
Respondent.

_____/

MOTION TO TERMINATE CHILD SUPPORT AND
VACATE INCOME DEDUCTION ORDER

1. The [mark one only] _____ Mother or _____ Father requests the Court to terminate child support and vacate the income deduction order entered in this case because the person paying child support is no longer obligated to pay support. The child has attained the age of eighteen and is not in high school, performing in good faith, with a reasonable expectation of graduating before age nineteen.

2. [mark one only]

_____ An agreement to terminate child support and vacate the income deduction order which was signed by the other party and notarized is attached to the motion.

_____ I request a hearing because the parties do not agree.

3. A copy of the child support account showing that no further payments are due is attached. Failure to attach a copy of the account showing that child support is current will result in the motion being denied without a hearing.

Signature of party filing motion

Printed name: _____

Address: _____

City State Zip: _____

Telephone {area code and number: _____

DATED: _____

STATE OF _____
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me on {date} _____,
20 ____ by {name} _____.

NOTARY PUBLIC -- STATE OF _____

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

[check one only]

_____ Personally known

_____ Produced identification Type of identification produced _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I furnished a true copy of this motion to
{name} _____ (address) _____
by (hand delivery) (U.S. mail) (fax) on _____, 20 _____.

Signature of party filing motion

IF A NON-LAWYER HELPED YOU FILL OUT THIS FORM THEY MUST FILL IN
THE BLANKS BELOW: [fill in all blanks]

I, {name of non-lawyer} _____, a non-
lawyer, located at {street} _____ {city}
_____ {state} _____, {phone} _____, helped
{name} _____, who is the [mark one only] _____
Mother or _____ Father fill out this form.