

**INSTRUCTIONS FOR PETITION TO CONTEST NOTICE OF INTENT TO SUSPEND
DRIVER LICENSE AND MOTOR VEHICLE REGISTRATION(S) FOR
NONPAYMENT OF SUPPORT**

When should this form be used?

This form should be used when you are ordered to pay child support in a (Non-Administrative) child support case filed by the Department of Revenue or in any other family law case and have received a Notice of Intent to Suspend Driver License and Motor Vehicle Registration for Nonpayment of Support. The Department of Revenue, as the Title IV-D Agency, may issue the Notice when you are 15 days delinquent in making a support payment. The Notice may also be issued if you failed to comply with a subpoena, order to appear, order to show cause, or similar order in a Title IV-D child support case. The obligee or person receiving child support may also request the issuance of a Notice.

If you believe the Notice was issued in error, you must file the Petition to Contest Notice of Intent to Suspend Driver License and Motor Vehicle Registration(s) for Non-Payment of Support **within 20 days after the Notice is mailed to you.**

You may contest the delinquency only on the grounds of a mistake of fact regarding:

- The existence of a delinquency; OR
- In your identity as the obligor.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** this document with the **clerk of the circuit court** or through Florida's eFiling Portal at **www.myflcourtaccess.com**. and keep a copy for your records. All users of the eFiling Portal are required to register and create an account with the eFiling Portal in order to file electronically.

WHAT DO I DO NEXT?

You should serve the person receiving child support or the obligee. If this is a Department of Revenue case, you must also serve the Department of Revenue at the address of 5431 East Silver Springs Blvd., Suite 2, Silver Springs, FL 34488. A copy should also be sent to Child Support Enforcement Program, Central Mail Processing Facility, 550 West Tennessee Street, Building L, Tallahassee, FL 32399-0195. You may serve the motion by e-mail if the obligee has filed a designation of e-mail address.

A hearing on the Motion will be scheduled within 15 days after the date of filing of the Petition or as soon as possible thereafter. You will receive a copy of the Notice of Hearing in the mail or by e-mail if you have filed a **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915

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.**

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.**

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. 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.

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 “Getting Started” section of the Family Law Self-Help Information section of the Family Courts section of the Florida Courts website. (<https://www.flcourts.org/Resources-Services/Court-Improvement/Family-Courts/Family-Law-Self-Help-Information/Getting-Started>).

The words that are in “bold underline” in these instructions are defined there. For further instructions, see Chapter 409, Florida Statutes.

Nonlawyer... 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 FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA**

CASE NUMBER: _____

_____,
Petitioner,

and

_____,
Respondent.

**PETITION TO CONTEST NOTICE OF INTENT TO SUSPEND
DRIVER LICENSE AND MOTOR VEHICLE REGISTRATION FOR
NON-PAYMENT OF SUPPORT**

Petitioner *{full legal name}*, _____, being sworn, certifies that the following statements are true:

1. On or about *{date}* _____, I was ordered to pay child support. **(A copy of the order for child support is attached.)**

2. This case is _____ or is **NOT** _____ a Department of Revenue-Child Support Enforcement matter.

3. A Notice of Intent to Suspend Driver's License and Motor Vehicle Registration(s) for Nonpayment of Support in accordance with §61.13016 of the Florida Statutes was mailed to me on _____. **(A copy of the Notice is attached.)**

4. I object to the Notice of Intent to Suspend Driver's License and Motor Vehicle Registration because there is a mistake of fact regarding:
____ The amount of the Delinquency *(explain)*: _____

OR
____ The identity of the Obligor *(explain)*: _____

_____.

WHEREFORE, I request that an order be entered preventing my driver's license and/or my motor vehicle registration from being suspended.

I certify that a copy of this document was: () mailed () faxed and mailed () e-mailed () hand-delivered on [date] _____ to:

(if this is a Department of Revenue-Child Support Enforcement Case)

DEPARTMENT OF REVENUE-C.S.E., 5431 East Silver Springs Blvd., Suite 2, Silver Springs, FL 34488
CHILD SUPPORT ENFORCEMENT PROGRAM, Central Mail Processing Facility, 550 West Tennessee Street, Building L, Tallahassee, FL 32399-0195

OTHER PARTY OR HIS/HER ATTORNEY

Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Designated E-Mail Address(es): _____

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

Dated: _____

Signature of Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Designated Email Address(es): _____

Fax 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 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] 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}* _____.