

TEMPORARY CUSTODY BY EXTENDED FAMILY

This checklist is designed to help persons seeking to represent themselves in court without the assistance of an attorney. It is meant to serve as a guide only. It is not guaranteed that either the instructions or the forms will achieve the result desired by the parties. It is not ensured that any individual judge accept each form drafted. Any person using these instructions and forms does so at their own risk.

Please note, the Family Court Case Management Self-Help Office provides procedural information and cannot give legal advice. All forms listed below can be found at www.flcourts.gov under Self Help, Family Law Forms, unless otherwise noted.

- **Petition for Temporary Custody by Extended Family** *Form 12.970 (a) or (b)* Please read all directions and complete the petition in its entirety. Please pay particular attention to the following:
 - Florida must have been the home state of the child(ren) named in the Petition at least 6 months prior to the date of filing
 - List of all child(ren) and birth dates
 - Petitioner(s) must be related to the minor child(ren) within the 3rd degree by blood or marriage to a parent or the stepparent of the minor child(ren)
 - Petition must be signed and notarized
 - List all parents in Petition

- **Coversheet for Family Court Cases** *Form 12.928*

- **Disclosure from Nonlawyer** *Form 12.900 (a)*

- **Designation of Current Mailing and Email Address** *Form 12.915*

- **Notice of Social Security Number** *Form 12.902 (j)*

- **Certified Copy of ALL Minor Child(ren)'s Birth Certificate(s)**

- **UCCJEA Affidavit** *Form 12.902 (d)* - MUST include child(ren)'s residence for last 5 years (or since birth if under age 5)

- **Family Law Financial Affidavit** (choose only one based on annual income)
 - Short form 12.902 (b) annual income under \$50,000
 - Long form 12.902 (c) annual income over \$50,000

- **Notice of Related Cases** *Form 12.900 (h)*

Service of Process on Responding Party

Personal Service - Personal service is required if the party's whereabouts are known.

- **Summons: Personal Service on an Individual** - Form 12.910(a)
- **Process Service Memorandum** - Form 12.910(b)

Alternatively, the Respondent may file an Answer to Petition and Waiver of Service of Process.

Forms are available at www.circuit5.org

Service by Publication or Posting - You must attempt personal service at the Respondent's last known address before filing an affidavit of diligent search.

- **Affidavit of Diligent Search** - Form 12.913 (b)

NOTE: This affidavit must be filled out completely with supporting documentation attached to the affidavit.

- **By Publication:** Must publish once a week for four (4) consecutive weeks in a publication in the county of the Court [See Florida Statute 49.10 (1)(a)]. - PETITIONER RESPONSIBLE FOR PUBLISHING IN NEWSPAPER
- **By Posting:** If the Petitioner is found indigent by the Clerk of Court – CLERK WILL POST FOR PETITIONER

Waiver and Consent from Responding party(ies)

- **Temporary** – Form 12.970 (c)
- **Concurrent** – Form 12.970 (d)

- **Motion for Default and Default** Forms 12.922 (a and b) - Filed when more than twenty (20) days from service has passed and Responding party has NOT filed an Answer
- **Motion to Set Final Hearing** - Form available at www.marioncountyclerk.org

PLEASE DO NOT FILE THIS MOTION UNTIL ALL THE ABOVE ITEMS HAVE BEEN FILED