

## 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 will follow the procedures exactly or 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](http://WWW.FLCOURTS.GOV) under Self Help, Family Law Forms, unless otherwise noted.

- **Petition for Temporary Custody by Extended Family** - [Form 12.970\(a\)](#) Please read all directions and complete the petition **entirely**. \*Child(ren) named in petition must have resided in Florida at least six (6) months prior to the date of filing\*
- **Designation of Current Mailing and E-Mail Address** - [Form 12.915](#)
- **Cover Sheet for Family Court Cases** - [Form 12.928](#)
- **Notice of Related Cases** - [Form 12.900\(h\)](#)
- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit** - [Form 12.902\(d\)](#)
- **Affidavit of Military Service** - [Form 12.912\(b\)](#) – One for each parent.
- **Waiver of Service of Process and Consent for Temporary Custody by Extended Family** [Form 12.970\(c\)](#) – When the legal parent(s) are in agreement with the Petition. One for **each** parent is required. If parent(s) are not in agreement, Service of Process on the parent(s) is required. Refer to instructions below.

**SERVICE OF PROCESS IS REQUIRED ON EACH LEGAL PARENT UNLESS  
A WAIVER OF SERVICE OF PROCESS AND CONSENT FOR TEMPORARY CUSTODY BY EXTENDED FAMILY  
[FORM 12.970\(c\)](#) IS FILED BY EACH PARENT.**

REFER TO THE [SERVICE OF PROCESS](#) INFORMATIONAL DOCUMENT LOCATED ON [WWW.CIRCUITS.ORG](http://WWW.CIRCUITS.ORG). ADDITIONAL INFORMATION IS PROVIDED ON THE GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS DOCUMENT LOCATED ON [WWW.FLCOURTS.GOV](http://WWW.FLCOURTS.GOV).

**Personal Service**

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

**Constructive Service**

**\*\*MUST** attempt Personal Service at respondent's last known address **BEFORE** proceeding with this type of service\*\*  
This is a complicated area of the law and you may want to consult with an attorney before using constructive service.

- **Affidavit of Diligent Search and Inquiry** - [Form 12.913\(b\)](#) – Attach supporting documentation.
- **Notice of Action** - [Form 12.913\(a\)\(1\)](#) – Read instructions thoroughly.

- **Additional Forms:**
  - **Certified Copy of Child(ren)'s Birth Certificate**
  - **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.
  - **Notice for Trial** - [Form 12.924](#)