

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO: 5-20.7

**IN RE: ADMINISTRATIVE PROVISIONS FOR FAMILY LAW DIVISION**

**WHEREAS**, the proper administration of justice in this circuit will be served by the adoption of the recommended administrative provisions; the court, therefore

**ORDERS AND ADJUDGES:**

**SECTION 1: APPLICABILITY**

These provisions shall apply to domestic relations actions in the Family Law Division of the Circuit Court in and for the Tenth Judicial Circuit in addition to any other administrative orders applicable to the court, and are intended to complement the Florida Family Law Rules of Procedure. These provisions supersede all conflicting provisions in any prior administrative orders adopted in this circuit.

Judges presiding over pro se cases may establish procedures in pro se cases that vary from the procedures established in this administrative order.

**SECTION 2: INFORMATION FOR PRO SE LITIGANTS**

General information for self-represented litigants is provided in Appendix One. This information provides an overview of the court system, its participants, and its processes.

**SECTION 3: MEDIATION**

Mediation is mandatory in all cases in which there remains a disputed issue, unless the court finds that there has been a history of domestic violence that would compromise the mediation process.

Either party may file a motion requesting an order for mediation. The motion shall state whether or not a domestic violence injunction for protection exists between the parties. Furthermore, the motion shall indicate whether the parties have a history of domestic violence that would compromise the mediation process. Any party may request, by written motion with good cause stated, that mediation be waived.

Orders of mediation to be conducted by Tenth Circuit Mediation Services shall be substantially in the form set forth in Appendix Two. This section does not apply to mediation in Department of Revenue Cases.

#### **SECTION 4: TRIALS**

All trials must be scheduled in accordance with Rule 1.440, Florida Rules of Civil Procedure; Rule 12.440, Florida Family Law Rules of Procedure; by stipulation; or as otherwise provided by the Florida Rules of Judicial Administration.

#### **SECTION 5: CASE MANAGEMENT AND PRETRIAL CONFERENCES**

In all family law cases in which a trial is anticipated, the attorney shall submit a notice that the cause is at issue. The court may then schedule a case management conference. An order scheduling the case management conference, substantially in accordance with the form set forth in Appendix Three, will be entered. Matters to be considered at the case management conference shall include: (a) whether disputed issues might be resolved by mediation; (b) scheduling future proceedings, including a pretrial conference (if deemed necessary) and the final hearing; (c) the case management stipulation; (d) discovery, including completion dates; and (e) any other issues provided by Rule 12.200, Florida Family Law Rules of Procedure.

A final hearing scheduled for less than two (2) hours will not require a pretrial or a case management conference unless ordered by the court on its own motion or the motion of a party.

The court may schedule other case management conferences as authorized by law.

## **SECTION 6: MOTIONS**

### **A. REASONABLE TIME**

“Reasonable Time” as set forth in Rule 12.090, Florida Family Law Rules of Procedure, and Rule 1.090, Florida Rules of Civil Procedure shall be deemed to be not less than five (5) business days except upon a finding of emergency status by the judge before whom such motion is heard.

If motions/pleadings are not timely filed, the court may continue the hearing to a later date.

### **B. ORIGINAL MOTIONS**

All original motions shall be filed with the Clerk of the Court. When a motion is scheduled for hearing, a copy of said motion shall be furnished directly to the judge along with a copy of the notice of hearing.

An original motion for rehearing shall be filed with the Clerk of Court, and a copy of the motion for rehearing must be submitted to the judge’s office.

All motions shall include the number of the section to which the case is assigned. The section number shall be placed beneath the case number.

### **C. EX PARTE RELIEF**

Any motion seeking ex parte relief, i.e. a motion for rule to show cause or a motion for emergency relief, must be verified by the party seeking the relief, or the motion must have a supporting affidavit of the party attached.

## **SECTION 7: HEARINGS, NOTICES, CANCELLATIONS, AND CONTINUANCES**

### **A. SCHEDULING HEARINGS**

The judicial assistant for the judge assigned to a case will schedule all hearings unless the judge schedules a hearing at a pretrial or case management conference. A party desiring to schedule a trial or hearing may obtain available dates from the judicial assistant. Attorneys shall request adequate time to hear their motion. When requesting hearing time, the attorney setting the hearing should consider how much time opposing counsel will need to defend the motion. At the hearing, it is the responsibility of opposing counsel to inform the court of the time to defend the motion, not to exceed fifty percent (50%) of the time reserved. All hearing dates shall be cleared with opposing counsel prior to notices being filed. This fact shall be shown on the face of the notice itself by inserting the following: **“The above hearing has been cleared with opposing counsel’s calendar on (date).”** In the alternative, if counsel’s good faith attempt to clear a hearing has been unsuccessful, the following language shall be used: **“The above hearing date has not been cleared with opposing counsel’s calendar because (factual statement).”**

B. NOTICES OF HEARING

All notices of hearing shall be on a paper separate from the pleading for which the hearing is scheduled unless it is clearly drawn to the viewer’s attention by the words “Notice of Hearing” being part of the title of the pleading for which the hearing is scheduled. All notices of hearing shall clearly specify the purpose, place, date, time and length of the hearing. All notices of hearing shall comply with the Americans with Disabilities Act. Copies of the notice of hearing shall be served on all parties and the judge.

C. ADDITIONAL MOTIONS

Counsel shall not notice additional motions to be heard at the same time as motions previously noticed for hearing unless both counsel determine that the docket will accommodate the additional motion(s) at the scheduled time, and both counsel stipulate that all motions can be

heard at the same time, the judicial assistant is informed, and an amended notice of hearing is served.

D. CANCELLATION OF HEARINGS

All hearings scheduled for two (2) hours or more may not be canceled without the mutual consent of the attorneys and approval of the court. Other hearings may be canceled only by the attorney setting the hearing, and only with the consent of opposing counsel.

E. CONTINUANCES

Pursuant to the Florida Rules of Judicial Administration, "All motions for continuance shall be in writing unless made at trial and, except for good cause shown, shall be signed by the party requesting the continuance."

All motions for continuance shall include a statement that opposing counsel has been contacted and that opposing counsel either agrees or disagrees with said continuance request.

**SECTION 8: ORDERS AND FINAL JUDGMENTS**

A. CONTENTS OF ORDER

The order or final judgment shall contain:

- (1) A title with a description stating the issue, pleading, or motion ruled upon. The description SHALL NOT simply recite "order" or "final judgment."
- (2) An introductory paragraph reciting:
  - (a) the date(s) on which the hearing was held;
  - (b) the parties present and their respective counsel, if any, and;
  - (c) the title of all motions ruled upon by the order.
- (3) Findings of fact and conclusions of law announced by the court.
- (4) Judgments and orders announced by the court.

B. FORMAT

- (1) All orders and judgments submitted to the court shall be on blank stationery.
- (2) The signature block of the order shall include the name of the presiding judge followed by the words "Circuit Judge" and shall not include terms such as "The Honorable" or "Honorable," unless otherwise authorized by the court.

C. SUBMITTING PROPOSED ORDERS

Every proposed order or judgment shall be submitted by the attorney or unrepresented party designated by the court for signature within ten (10) working days after the decision. Every proposed order should be accompanied by a letter, indicating only that a copy of the proposed order has been provided to the opposing party. In the event the designated attorney or unrepresented party fails to submit a proposed order or judgment within said ten (10) working days, the opposing attorney or unrepresented party may submit a proposed order or judgment within ten (10) working days after certifying that he/she has made a good faith effort to contact the designated attorney and has received no reason for the delay.

In the event this rule is not complied with, the court may consider imposing appropriate sanctions.

D. OBJECTIONS TO PROPOSED ORDERS

The judicial assistants will hold any proposed order or final judgment for five (5) working days after receiving it to allow opposing counsel or unrepresented party time to file any objections to it. If the judicial assistant receives no objection within five (5) working days, the order or final judgment shall be entered if approved by the court. Objections made by telephone must be followed by a written explanation to the court and opposing counsel or unrepresented party within five (5) working days of the telephone objection. Opposing counsel should notify the

judicial assistant when there are no objections so the order can be distributed before the five (5) working days period. Upon receipt of any written objection, the judicial assistant shall present the matter to the judge for resolution.

E. COPIES

Copies of all orders and judgments entered in family law cases shall be mailed to the litigants, attorneys, and appropriate agencies, except when the orders or judgments are distributed in court. The attorney or unrepresented party preparing the proposed order or judgment shall furnish the court with stamped addressed envelopes for such purposes with the return address to read:

(Name of Judge)  
Circuit Judge  
P.O. Box 9000, Drawer \_\_\_\_\_  
Bartow, Florida 33831-9000

(The title "Honorable" shall not be used on the return address)

The judicial assistant will file any returned copies in the court file and notify the appropriate attorney or unrepresented party. It will then be the responsibility of the attorney or unrepresented party to attempt service.

**SECTION 9: CONSOLIDATION OF ACCOUNTS**

The following language shall be used in court orders wherein a support balance in one case is to be transferred to another case:

**"The Domestic Relations Department is hereby directed to transfer the outstanding balance of support due in Case No: \_\_\_\_\_ to the account in the instant case."**

Effective dates shall be included in the order if applicable.

**SECTION 10: MARITAL SETTLEMENT AGREEMENTS**

A proposed final judgment reflecting that the parties have entered into a marital settlement agreement shall set forth all of the provisions of the settlement agreement, unless otherwise





issues in the new case; or if an order in the new case may conflict with an order in the earlier case. The Florida Supreme Court Approved Family Law Rules of Procedure Form 12.900(h), Notice of Related Cases, is attached as Appendix Four.

The parties shall comply with the requirements involving social security numbers set forth in Chapter 61, Chapter 741-742 Florida Statutes (2007), as well as the Florida Family Law Rules of Procedure.

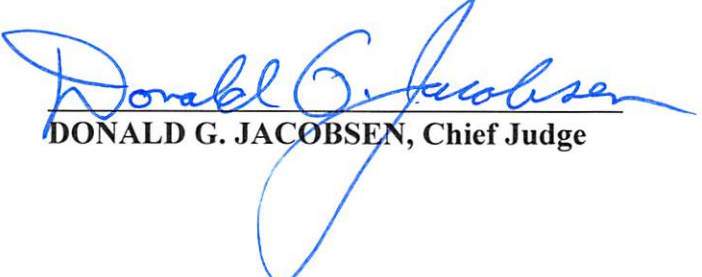
The parties shall comply with the requirements set forth in the Florida Rules of Judicial Administration, as well as the Florida Family Law Rules and Florida Statutes, pertaining to any request to make records confidential.

**SECTION 14: PARENTING PLANS WITH TIME-SHARING SCHEDULES:**

A form to assist the parties in developing a parenting plan, approved by the Florida Supreme Court on March 26, 2009, is attached as Appendix Five (Form 12.995(b)). As additional assistance to parties, Model Parenting Plans with time-sharing schedules are provided in Appendices Six, Seven, and Eight. A Supervised/Safety-Focused Parenting Plan is attached as Appendix Nine, Florida Supreme Court Approved Family Law Forms, Form 12.995(b).

**Administrative Order No. 5-20.6, entered August 20, 2009, is hereby VACATED.**

**DONE and ORDERED** on this 19<sup>th</sup> day of January, 2017.

  
**DONALD G. JACOBSEN, Chief Judge**

Original:  
Polk County Clerk of Courts

Copies:  
All Circuit Judges  
Polk County Clerk of Courts  
Highlands County Clerk of Courts

Hardee County Clerk of Courts  
Magistrates  
Hearing Officers  
Domestic Relations Department  
Domestic Violence Department  
Mediation Services  
Self Help Office  
Family Law Staff Attorney  
Family Law Case Manager

**FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS  
GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS  
(09/13)**

**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.

Once a case has been filed, a copy must be given to (served on) the respondent. 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.

**Service.** 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. 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. After initial service of the original or supplemental petition and summons by a deputy sheriff or private process server, service of most motions and other documents or papers filed in the case generally may be made by regular U.S. mail, or hand delivery. However, service by

**certified mail** is required at other times so you have proof that the other party actually received the papers. The instructions with each form will advise you of the type of **service** required for that form. **If the other party is represented by an attorney, you should serve the attorney and send a copy to the other party, except for original or supplemental petitions, which must be personally served on the respondent.**

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. Service of additional documents is usually completed by U.S. mail. For more information, see the instructions for **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914.

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 the other party properly served. **If proper service is not obtained, the court cannot hear your case.**

**Note:** 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.

**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.

**Below are explanations of symbols or parts of different family law forms...**

*{specify}, {date}, {name(s)}, {street}, {city}, {state}, {phone}*

Throughout these forms, you will find hints such as those above. These tell you what to put in the blank(s).

[ one only] [all that apply]

These show how many choices you should check. Sometimes you may check only one, while other times you may check several choices. ( ) This also shows an area where you must make a choice. Check the ( ) in front of the choice that applies to you or your case.

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.

**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)

Signature of Petitioner  
Printed Name: \_\_\_\_\_ (3)  
Address: \_\_\_\_\_ (4)  
City, State, Zip: \_\_\_\_\_ (5)  
Telephone Number: \_\_\_\_\_ (6)  
Fax Number: \_\_\_\_\_ (7)  
E-mail Address: \_\_\_\_\_ (8)

Some forms require that your signature be witnessed. 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.**

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 \_\_\_\_\_

**DO NOT SIGN OR FILL IN THIS PART OF ANY FORM.** This section of the form is to be completed by the notary public who is witnessing your signature.

**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), *{telephone number}* \_\_\_\_\_ (6) \_\_\_\_\_.

This section 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.

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

**Lines 2–6** The nonlawyer’s business name, address, (including street, city, state, and telephone number) should be typed or printed on lines 2–6.

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, payment 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 Form 12.913(a).

**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.

**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 files a petition that begins a court 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.

**Scientific Paternity Testing** - a medical test to determine who the father of a child is.

**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 a spouse who receives alimony and a person with whom that spouse 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.

**A.O. 5-20.7 - APPENDIX TWO**

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY, FLORIDA

CASE NO:  
SECTION:

In Re Matter Of:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

\_\_\_\_\_/

**ORDER OF REFERRAL TO FAMILY MEDIATION**

A party has requested mediation of domestic relations issues (e.g., shared parental responsibility, time-sharing, paternity, child support and costs, distribution of property, payment of alimony, and modifications). It is in the best interest of the minor child(ren) that the parties attempt to resolve their differences with the assistance of a mediator. Pursuant to Fla. Stat. §61.183, it is, therefore,

**ORDERED** that:

1. The parties to this action are hereby referred to the Tenth Circuit Mediation Services.
2. **Either party to this action may request in writing to the court, with copies to the opposing party and Mediation Services, to be excused from mediation, if the party believes that domestic violence issues will compromise the mediation process. Upon filing of a written request to be excused from mediation, the mediation requirement is suspended pending a hearing. Either party may petition for a hearing. A written request to be excused from mediation must be filed and served within ten (10) days of the execution of this order, unless the alleged domestic violence issues arise between the execution of this order and the scheduled mediation.**
3. The parties shall, within three (3) days from the date of this order, contact the Tenth Circuit Mediation Services at (863) 534-4698 or a privately retained mediator to schedule a mediation session.
4. The mediator shall report to the court only information as to whether the parties appeared

for mediation and whether an agreement was reached. The contents of any agreement shall not be communicated to the court unless and until it is reviewed by the attorneys for the parties, if they are represented and it is stipulated that the agreement be received in evidence.

5. The fee for each session will be assessed as follows:
- a. No fee for an indigent party (party must apply to the Clerk of the Court for indigent determination).
  - b. \$60.00 per party if the parties' combined gross earnings are under \$50,000.00
  - c. \$120.00 per party if the parties' combined gross earnings are over \$50,000.00 but under \$100,000.00.
  - d. If the parties' combined gross earnings are over \$100,000.00, the parties do not qualify for the mediation services offered by the Tenth Circuit Mediation Services and must seek private mediation services.

Complete Policies and Procedures of the Tenth Circuit Mediation Services are found in Attachment 1 to Administrative Order No. 5-33.3.

**DONE AND ORDERED** on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Circuit Judge**

**A.O. 5-20.7 - APPENDIX THREE**

IN THE TENTH JUDICIAL CIRCUIT COURT  
IN AND FOR HARDEE, HIGHLANDS,  
AND POLK COUNTIES, FLORIDA

CASE NO:  
SECTION NO:

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

\_\_\_\_\_/

**ORDER SETTING CASE MANAGEMENT CONFERENCE**

A ***CASE MANAGEMENT CONFERENCE***, pursuant to Rule 12.200, Fla. Fam. L. R. P., and § 5 of Administrative Order 5-20.7, in the above styled cause will be held on \_\_\_\_\_ at the \_\_\_\_\_ County Courthouse, \_\_\_\_\_. Counsel and any party who does not have an attorney must attend.

Matters to be considered are:

- a. Whether disputed issues might be resolved by mediation;
- b. Scheduling future proceedings, including a pretrial conference (if deemed necessary), and the final hearing;
- c. The case management stipulation;
- d. Discovery issues, including completion dates; and
- e. Any other issues provided by Rule 12.200, Fla. Fam. L. R. P.

Before the case management conference, counsel shall confer and agree upon a case management stipulation, which shall include the following:

- a. Issues to be tried;
- b. Preliminary trial witness and trial exhibit lists;
- c. Proposed Parenting Plan
- d. Updated financial affidavits if there have been material changes in a party's financial condition; and
- e. The status of mediation efforts.

The case management stipulation shall be prepared by counsel for the petitioner or, if the petitioner is unrepresented, by counsel for the respondent, and shall be filed with the clerk and a copy provided to the judge at least 24 hours before the scheduled conference.

**Note: If a party fails to attend in person or by counsel, the court may dismiss the case, strike the party's pleadings, limit that party's proof or witnesses, or take any other action the court deems appropriate.**

**DONE AND ORDERED** on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Circuit Judge**



## **INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (11/13)**

### **When should this form be used?**

Florida Rule of Judicial Administration 2.545(d) requires the **petitioner** in a family law case to file with the court a notice of related cases, if any. Your circuit may also require this form to be filed even if there are no related cases. A case is considered related if

- it involves the same parties, children, or issues and is pending when the family law case is filed; or
- it affects the court's jurisdiction to proceed; or
- an order in the related case may conflict with an order on the same issues in the new case; or
- an order in the new case may conflict with an order in the earlier case.

This form is used to provide the required notice to the court.

This form should be typed or printed in black ink. It must be **filed with the clerk of the circuit court** with the initial pleading in the family law case.

### **What should I do next?**

A copy of the form must be served on the presiding judges, either the chief judge or the family law administrative judge, and all parties in the related cases. You should also keep a copy for your records. **Service** must be in accordance with 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.** The words that are in "**bold underline**" in these instructions are defined there. For further information, see Florida Rule of Judicial Administration 2.545(d).

### **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 **must** also 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 RELATED CASES

1. Petitioner submits this Notice of Related Cases as required by Florida Rule of Judicial Administration 2.545(d). A related case may be an open or closed civil, criminal, guardianship, domestic violence, juvenile delinquency, juvenile dependency, or domestic relations case. A case is "related" to this family law case if it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; if it affects the court's jurisdiction to proceed; if an order in the related case may conflict with an order on the same issues in the new case; or if an order in the new case may conflict with an order in the earlier litigation.

[check one only]

There are no related cases.

The following are the related cases (add additional pages if necessary):

#### Related Case No. 1

Case Name(s): \_\_\_\_\_

Petitioner \_\_\_\_\_

Respondent \_\_\_\_\_

Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check all that apply]

Dissolution of Marriage

Custody

Child Support

Juvenile Dependency

Termination of Parental Rights

Domestic/Sexual/Dating/Repeat

Violence or Stalking Injunctions

Paternity

Adoption

Modification/Enforcement/Contempt Proceedings

Juvenile Delinquency

Criminal

Mental Health

Other {specify} \_\_\_\_\_

State where case was decided or is pending:  Florida  Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases check all that apply]:

pending case involves same parties, children, or issues;

may affect court's jurisdiction;

order in related case may conflict with an order in this case;

order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_

\_\_\_\_\_

**Related Case No. 2**

Case Name(s): \_\_\_\_\_

Petitioner \_\_\_\_\_

Respondent \_\_\_\_\_

Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check all that apply]

Dissolution of Marriage

Paternity

Custody

Adoption

Child Support

Modification/Enforcement/Contempt Proceedings

Juvenile Dependency

Juvenile Delinquency

Termination of Parental Rights

Criminal

Domestic/Sexual/Dating/Repeat

Mental Health

Violence or Stalking Injunctions

Other {specify} \_\_\_\_\_

State where case was decided or is pending:  Florida  Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases check all that apply]:

pending case involves same parties, children, or issues;

- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Related Case No. 3**

Case Name(s): \_\_\_\_\_  
 Petitioner \_\_\_\_\_  
 Respondent \_\_\_\_\_  
 Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check all that apply]

- |  |  |
|--|--|
| <input type="checkbox"/> Dissolution of Marriage   | <input type="checkbox"/> Paternity                                     |
| <input type="checkbox"/> Custody   | <input type="checkbox"/> Adoption                                      |
| <input type="checkbox"/> Child Support   | <input type="checkbox"/> Modification/Enforcement/Contempt Proceedings |
| <input type="checkbox"/> Juvenile Dependency   | <input type="checkbox"/> Juvenile Delinquency                          |
| <input type="checkbox"/> Termination of Parental Rights                                    | <input type="checkbox"/> Criminal                                      |
| <input type="checkbox"/> Domestic/Sexual/Dating/Repeat<br>Violence or Stalking Injunctions | <input type="checkbox"/> Mental Health                                 |
|  | <input type="checkbox"/> Other {specify} _____                         |

State where case was decided or is pending:  Florida  Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases check all that apply]:

- pending case involves same parties, children, or issues;
- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. [check one only]

I do not request coordination of litigation in any of the cases listed above.

\_\_\_\_ I do request coordination of the following cases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. [check all that apply]

\_\_\_\_ Assignment to one judge

\_\_\_\_ Coordination of existing cases

will conserve judicial resources and promote an efficient determination of these cases because: \_\_\_\_\_.

4. The Petitioner acknowledges a continuing duty to inform the court of any cases in this or any other state that could affect the current proceeding.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address(es): \_\_\_\_\_

### CERTIFICATE OF SERVICE

I CERTIFY that I delivered a copy of this Notice of Related Cases to the \_\_\_\_\_ County Sheriff's Department or a certified process server for service on the Respondent, and [check all used] ( ) e-mailed ( ) mailed ( ) hand delivered, a copy to {name} \_\_\_\_\_, who is the [check all that apply] ( ) judge assigned to new case, ( ) chief judge or family law administrative judge, ( ) {name} \_\_\_\_\_ a party to the related case, ( ) {name} \_\_\_\_\_, a party to the related case on {date} \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner/Attorney for Petitioner

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}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.995(a),  
PARENTING PLAN (11/15)**

**When should this form be used?**

A **Parenting Plan** is required in all cases involving **time-sharing** with minor child(ren), even when time-sharing is not in dispute. The Parenting Plan must be developed and agreed to by the parents and approved by the court. If the parties 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. This form or a similar form should be used in the development of a Parenting Plan. If the case involves **supervised time-sharing**, the **Supervised/Safety Focused Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(b) or a similar form should be used. If the case involves relocation, pursuant to Section 61.13001, Florida Statutes, then a **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c) or a similar form should be used.

This form should be typed or printed in black ink. Please either delete or strike-through terms or paragraphs that are inappropriate or inapplicable to your agreement. If an agreement has been reached, **both** parties must sign the Parenting Plan and have their signatures witnessed by a **notary public** or **deputy clerk**. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records. You should then refer to the instructions for your **petition**, **answer**, or answer and **counterpetition** concerning the procedures for setting a hearing or **trial (final hearing)**. If the parents have not reached an agreement, a proposed Parenting Plan may be filed by either parent at the time of or any time prior to the final hearing. If an agreed Parenting Plan is not filed by the parties, the court shall establish a Plan.

**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.** 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](http://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.** The words that are in **“bold underline”** in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and the instructions for the petition and/or answer that were filed in this case.

### **Special notes...**

At a minimum, the **Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, including the address to be used for school-boundary determination and registration, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parents, including their historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of that family, as listed in section 61.13(3), Florida Statutes, including, but not limited to:

- The demonstrated capacity and disposition of each parent to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
  - The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
  - The demonstrated capacity and disposition of each parent to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
  - The length of time the child(ren) has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
  - The geographic viability of the parenting plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either parent with a child(ren);
  - The moral fitness of the parents;
  - The mental and physical health of the parents;
  - The home, school, and community record of the child(ren);
  - The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
  - The demonstrated knowledge, capacity, and disposition of each parent to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
  - The demonstrated capacity and disposition of each parent to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
  - The demonstrated capacity of each parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent to adopt a unified front on all major issues when dealing with the child(ren);
  - Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought. If the court accepts evidence of prior or pending actions regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect, the court must specifically acknowledge in writing that such evidence was considered when evaluating the best interests of the child(ren);
  - Evidence that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
  - The particular parenting tasks customarily performed by each parent and the division or parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
  - The demonstrated capacity and disposition of each parent to participate and be involved in the child(ren)'s school and extracurricular activities;
  - The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
  - The capacity and disposition of each parent to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or

electronic media related to the litigation with the child(ren), and refraining from disparaging comments about the other parent to the child(ren); and

- The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent to meet the child(ren)'s developmental needs.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

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: \_\_\_\_\_

\_\_\_\_\_  
Mother,  
and  
\_\_\_\_\_  
Father

### PARENTING PLAN

This parenting plan is: *{Choose only one}*

- A Parenting Plan submitted to the court with the agreement of the parties.
- A proposed Parenting Plan submitted by or on behalf of:  
*{Parent's Name}* \_\_\_\_\_.
- A Parenting Plan established by the court.

This parenting plan is: *{Choose only one}*

- A final Parenting Plan established by the court.
- A temporary Parenting Plan established by the court.
- A modification of a prior final Parenting Plan or prior final order.

#### I. PARENTS

##### Mother

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Address Unknown: *{Please indicate here if mother's address is unknown}*  
 Address Confidential: *{Please indicate here if mother's address and phone numbers are confidential pursuant to either a \_\_\_\_\_ Final Judgment for Protection Against Domestic Violence, or \_\_\_\_\_ other court order \_\_\_\_\_}*.

##### Father

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Address Unknown: *{Please indicate here if father's address is unknown}*

\_\_\_\_ Address Confidential: {Please indicate here if father's address and phone numbers are confidential pursuant to either a \_\_\_\_ Final Judgment for Protection Against Domestic Violence or \_\_\_\_ other court order\_\_\_\_\_.

**II. CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties: (add additional lines as needed)

Name	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____

**III. JURISDICTION**

The United States is the country of habitual residence of the child(ren).

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This 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. Sections 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, and for all other state and federal laws.

Other: \_\_\_\_\_.

**IV. PARENTAL RESPONSIBILITY AND DECISION MAKING**

**1. Parental Responsibility {Choose only one}**

\_\_\_\_ Shared Parental Responsibility.

It is in the best interests of the child(ren) that the parents confer and jointly make all major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, healthcare, and other responsibilities unique to this family.

**OR**

\_\_\_\_ Shared Parental Responsibility with Decision Making Authority

It is in the best interests of the child(ren) that the parents confer and attempt to agree on the major decisions involving the child(ren). If the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic decisions	_____	Mother	_____	Father
Non-emergency health care	_____	Mother	_____	Father
Other: <i>{Specify}</i> _____	_____	Mother	_____	Father
_____	_____	Mother	_____	Father
_____	_____	Mother	_____	Father

OR

\_\_\_\_\_ **Sole Parental Responsibility:**

It is in the best interests of the child(ren) that the \_\_\_\_\_ Mother \_\_\_\_\_ Father shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) to have shared parental responsibility.

**2. Day-to-Day Decisions**

Unless otherwise specified in this plan, each parent shall make decisions regarding day-to-day care and control of each child while the child is with that parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

**3. Extra-curricular Activities *{Indicate all that apply}***

a. \_\_\_\_\_ Either parent may register the child(ren) and allow them to participate in the activity of the child(ren)'s choice.

b. \_\_\_\_\_ The parents must mutually agree to all extra-curricular activities.

c. \_\_\_\_\_ The parent with the minor child(ren) shall transport the minor child(ren) to and/or from all mutually agreed upon extra-curricular activities, providing all necessary uniforms and equipment within the parent's possession.

d. \_\_\_\_\_ The costs of the extra-curricular activities shall be paid by:  
 Mother \_\_\_\_\_%      Father \_\_\_\_\_%

e. \_\_\_\_\_ The uniforms and equipment required for the extra-curricular activities shall be paid by: Mother \_\_\_\_\_%      Father \_\_\_\_\_%

f. \_\_\_\_\_ Other: *{Specify}* \_\_\_\_\_  
 \_\_\_\_\_.

**V. INFORMATION SHARING.** Unless otherwise indicated or ordered by the Court:

Unless otherwise prohibited by law, each parent shall have access to medical and school records and information pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, and contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.

Other: \_\_\_\_\_  
\_\_\_\_\_.

**VI. SCHEDULING**

**1. School Calendar**

If necessary, on or before \_\_\_\_\_ of each year, both parents should obtain a copy of the school calendar for the next school year. The parents shall discuss the calendars and the time-sharing schedule so that any differences or questions can be resolved.

The parents shall follow the school calendar of: *{Indicate all that apply}*

- a. \_\_\_\_\_ the oldest child
- b. \_\_\_\_\_ the youngest child
- c. \_\_\_\_\_ County
- d. \_\_\_\_\_ School

**2. Academic Break Definition**

When defining academic break periods, the period shall begin at the end of the last scheduled day of classes before the holiday or break and shall end on the first day of regularly scheduled classes after the holiday or break.

**3. Schedule Changes {Indicate all that apply}**

a. \_\_\_\_\_ A parent making a request for a schedule change will make the request as soon as possible, but in any event, except in cases of emergency, no less than \_\_\_\_\_ before the change is to occur.

b. \_\_\_\_\_ A parent requesting a change of schedule shall be responsible for any additional child care, or transportation costs caused by the change.

c. \_\_\_\_\_ Other {Specify} \_\_\_\_\_.

**VII. TIME-SHARING SCHEDULE**

**1. Weekday and Weekend Schedule**

The following schedule shall apply beginning on \_\_\_\_\_ with the \_\_\_\_\_ Mother \_\_\_\_\_ Father and continue as follows:

The child(ren) shall spend time with the **Mother** on the following dates and times:

WEEKENDS: \_\_\_\_\_ Every \_\_\_\_\_ Every Other \_\_\_\_\_ Other {specify} \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

WEEKDAYS: {Specify days} \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

OTHER: {Specify} \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

The child(ren) shall spend time with the **Father** on the following dates and times:

WEEKENDS: \_\_\_\_\_ Every \_\_\_\_\_ Every Other \_\_\_\_\_ Other {specify} \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

WEEKDAYS: {Specify days} \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_

OTHER: {Specify} \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

**Please indicate if there is a different time sharing schedule for any child. Complete a separate Attachment for each child for whom there is a different time sharing schedule.**

\_\_\_\_\_ There is a different time-sharing schedule for the following child(ren) in Attachment \_\_\_\_\_.



\_\_\_\_\_, and \_\_\_\_\_.  
 (Name of Child) (Name of Child)

2. **Holiday Schedule** {Choose only one}

a. \_\_\_\_\_ No holiday time sharing shall apply. The regular time-sharing schedule set forth above shall apply.

b. \_\_\_\_\_ Holiday time-sharing shall be as the parties agree.

c. \_\_\_\_\_ Holiday time-sharing shall be in accordance with the following schedule. The Holiday schedule will take priority over the regular weekday, weekend, and summer schedules. Fill in the blanks with Mother or Father to indicate where the child(ren) will be for the holidays. Provide the beginning and ending times. If a holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent in accordance with the regular schedule

<u>Holidays</u>	<u>Even Years</u>	<u>Odd Years</u>	<u>Every Year</u>	<u>Begin/End Time</u>
Mother's Day	_____	_____	_____	_____
Father's Day	_____	_____	_____	_____
President's Day	_____	_____	_____	_____
M. L. King Day	_____	_____	_____	_____
Easter	_____	_____	_____	_____
Passover	_____	_____	_____	_____
Memorial Day Wkd	_____	_____	_____	_____
4 <sup>th</sup> of July	_____	_____	_____	_____
Labor Day Wkd	_____	_____	_____	_____
Columbus Day Wkd	_____	_____	_____	_____
Halloween	_____	_____	_____	_____
Thanksgiving	_____	_____	_____	_____
Veteran's Day	_____	_____	_____	_____
Hanukkah	_____	_____	_____	_____
Yom Kippur	_____	_____	_____	_____
Rosh Hashanah	_____	_____	_____	_____
Child(ren)'s Birthdays:	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

This holiday schedule may affect the regular Time-Sharing Schedule. Parents may wish to specify either or both of the following options:

d. \_\_\_\_\_ When the parents are using an alternating weekend plan and the holiday schedule would result in one parent having the child(ren) for three weekends in a row,

the parents will exchange the following weekend, so that each has two weekends in a row before the regular alternating weekend pattern resumes.

e. \_\_\_\_ If a parent has the child(ren) on a weekend immediately before or after an unspecified holiday or non-school day, they shall have the child(ren) for the holiday or non-school day.

**3. Winter Break {Choose only one}**

a. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father shall have the child(ren) from the day and time school is dismissed until December \_\_\_\_\_ at \_\_\_\_ a.m./p. m in \_\_\_\_ odd-numbered years \_\_\_\_ even-numbered years \_\_\_\_ every year. The other parent will have the children for the second portion of the Winter Break. The parties shall alternate the arrangement each year.

b. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father shall have the child(ren) for the entire Winter Break during \_\_\_\_ odd-numbered years \_\_\_\_ even-numbered years \_\_\_\_ every year.

c. \_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**d. \_\_\_\_ Specific Winter Holidays**

If not addressed above, the specific Winter Holidays such as Christmas, New Year's Eve, Hanukkah, Kwanzaa, etc. shall be shared as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**4. Spring Break {Choose only one}**

a. \_\_\_\_ The parents shall follow the regular schedule.

b. \_\_\_\_ The parents shall alternate the entire Spring Break with the Mother having the child(ren) during the \_\_\_\_ odd-numbered years \_\_\_\_ even numbered years.

c. \_\_\_\_ The \_\_\_\_ Father \_\_\_\_ Mother shall have the child(ren) for the entire Spring Break every year.

d. \_\_\_\_ The Spring Break will be evenly divided. The first half of the Spring Break will go to the parent whose regularly scheduled weekend falls on the first half and the second half going to the parent whose weekend falls during the second half.

e. \_\_\_\_ Other: {Specify} \_\_\_\_\_.

5. **Summer Break** *{Choose only one}*

- a. \_\_\_\_ The parents shall follow the regular schedule through the summer.
- b. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father shall have the entire Summer Break from \_\_\_\_\_ after school is out until \_\_\_\_\_ before school starts.
- c. \_\_\_\_ The parents shall equally divide the Summer Break as follows: During \_\_\_\_ odd-numbered years \_\_\_\_ even numbered years, the \_\_\_\_ Mother \_\_\_\_ Father shall have the children from \_\_\_\_\_ after school is out until \_\_\_\_\_. The other parent shall have the child(ren) for the second one-half of the Summer Break. The parents shall alternate the first and second one-halves each year unless otherwise agreed. During the extended periods of time-sharing, the other parent shall have the child(ren) \_\_\_\_\_.
- d. \_\_\_\_ Other: *{Specify}* \_\_\_\_\_  
\_\_\_\_\_.

6. **Number of Overnights:**

Based upon the time-sharing schedule, the Mother has a total of \_\_\_\_ overnights per year and the Father has a total of \_\_\_\_ overnights per year.

**Note: The two numbers must equal 365.**

- 7. \_\_\_\_ **If not set forth above**, the parties shall have time-sharing in accordance with the schedule which is attached and incorporated herein.

**VIII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

1. **Transportation** *{Choose only one}*

- a. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father shall provide all transportation.
- b. \_\_\_\_ The parent beginning their time-sharing shall provide transportation for the child(ren).
- c. \_\_\_\_ The parent ending their time-sharing shall provide transportation for the child(ren).
- d. \_\_\_\_ Other: *{Specify}* \_\_\_\_\_  
\_\_\_\_\_.

2. **Exchange**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than \_\_\_\_\_S minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

*{Choose only one}*:

a. \_\_\_\_\_ Exchanges shall be at Mother's and Father's homes unless both parents agree to a different meeting place.

b. \_\_\_\_\_ Exchanges shall occur at \_\_\_\_\_ unless both parties agree in advance to a different meeting place.

c. \_\_\_\_\_ Other: \_\_\_\_\_.

3. **Transportation Costs *{Choose only one}***

a. \_\_\_\_\_ Transportation costs are included in the Child Support Worksheets and/or the Order for Child Support and should not be included here.

b. \_\_\_\_\_ The Mother shall pay \_\_\_\_\_% and the Father shall pay \_\_\_\_\_ % of the transportation costs.

c. \_\_\_\_\_ Other: \_\_\_\_\_.

4. **Foreign and Out-Of-State Travel *{Indicate all that apply}***

a. \_\_\_\_\_ Either parent may travel within the United States with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least \_\_\_\_\_ days written notice before traveling out of state unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least \_\_\_\_\_ days before traveling.

b. \_\_\_\_\_ Either parent may travel out of the country with the child(ren) during his/her time-sharing. At least \_\_\_\_\_ days prior to traveling, the parent shall provide a detailed itinerary, including locations, and telephone numbers where the child(ren) and parent may be reached during the trip. Each parent agrees to provide whatever documentation is necessary for the other parent to take the child(ren) out of the country.

c. \_\_\_\_ If a parent wishes to travel out of the country with the child(ren), he/she shall provide the following security for the return of the child

\_\_\_\_\_  
\_\_\_\_\_.

d. \_\_\_\_ Other \_\_\_\_\_.

#### IX. EDUCATION

1. **School designation.**

For purposes of school boundary determination and registration, the \_\_\_\_ Mother's \_\_\_\_ Father's address shall be designated.

2. \_\_\_\_ {If Applicable} The following provisions are made regarding private or home schooling: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

3. **Other.** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

#### X. DESIGNATION FOR OTHER LEGAL PURPOSES

The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the \_\_\_\_ Mother \_\_\_\_ Father. This majority designation is **SOLELY** for purposes of all other state and federal laws which require such a designation. **This designation does not affect either parent's rights and responsibilities under this Parenting Plan.**

#### XI. COMMUNICATION

1. **Between Parents**

All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.

The parents shall communicate with each other: *{Indicate all that apply}*

\_\_\_\_ in person

\_\_\_\_ by telephone

\_\_\_\_ by letter

\_\_\_\_ by e-mail

\_\_\_\_ Other: *{Specify}* \_\_\_\_\_.

**2. Between Parent and Child(ren)**

Both parents shall keep contact information current. Telephone or other electronic communication between the child(ren) and the other parent shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face to face contact.

The child(ren) may have \_\_\_\_\_ telephone \_\_\_\_\_ e-mail \_\_\_\_\_ other electronic communication in the form of \_\_\_\_\_ with the other parent:

*{Choose only one}*

- a. \_\_\_\_\_ Anytime
- b. \_\_\_\_\_ Every day during the hours of \_\_\_\_\_ to \_\_\_\_\_.
- c. \_\_\_\_\_ On the following days \_\_\_\_\_ during the hours of \_\_\_\_\_ to \_\_\_\_\_.
- d. \_\_\_\_\_ Other: \_\_\_\_\_.

**3. Costs of Electronic Communication shall be addressed as follows:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**XII. CHILD CARE *{Choose only one}***

- a. \_\_\_\_\_ Each parent may select appropriate child care providers
- b. \_\_\_\_\_ All child care providers must be agreed upon by both parents.
- c. \_\_\_\_\_ Each parent must offer the other parent the opportunity to care for the child(ren) before using a child care provider for any period exceeding \_\_\_\_\_ hours.
- d. \_\_\_\_\_ Other : *{Specify}* \_\_\_\_\_.

**XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

Temporary changes to this Parenting Plan may be made informally without a written document; however, if the parties dispute the change, the Parenting Plan shall remain in effect until further order of the court.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

**XIV. RELOCATION**

Any relocation of the child(ren) is subject to and must be sought in compliance with section 61.13001, Florida Statutes.

**XV. DISPUTES OR CONFLICT RESOLUTION**

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. The parents may wish to use mediation or other dispute resolution methods and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action.

**XVI. OTHER PROVISIONS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURES OF PARENTS**

**I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Mother  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Father  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

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} ( ) Mother ( ) Father

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_

{name of business} \_\_\_\_\_

{address} \_\_\_\_\_

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {zip code} \_\_\_\_\_, {telephone number} \_\_\_\_\_.



**A.O. 5-20.7 - APPENDIX SIX**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No:  
Division:

\_\_\_\_\_  
Petitioner,  
and  
\_\_\_\_\_  
Respondent.

**PARENTING PLAN MODEL 1**

**I. PARENTS**

**Mother**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**Father**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**II. CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties:

<u>Name</u>	<u>Date of Birth</u>	<u>Sex</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**III. JURISDICTION**

The United States is the country of habitual residence of the child(ren).

The State of Florida maintains the most significant contacts with the child(ren) and is the most appropriate forum for addressing parenting contact and time-sharing.

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This 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.

**IV. PARENTAL RESPONSIBILITY AND DECISION MAKING**

1. Shared Parental Responsibility.  
It is in the best interests of the child(ren) that the parties have full parental rights to make major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, non-emergency healthcare, and religious training.

2. **Day-to-Day Decisions.**  
Each parent shall make decisions regarding day-to-day care and control of each child while the child is residing with the parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

**V. INFORMATION SHARING.** Unless otherwise indicated or ordered by the Court:

Both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.

**VI. TIME-SHARING SCHEDULE**

The mother shall have Timesharing Block \_\_\_\_\_

The father shall have Timesharing Block \_\_\_\_\_

**A. Time-sharing Block A shall consist of the following:**

1. **WEEKENDS.** The weekend schedule as set forth below applies: (Check only one)

a. Every other weekend beginning on Friday at 6:00 p.m. and continuing until 6:00 p.m. on Sunday.

b. Every other weekend beginning on Friday at 6:00 p.m. and continuing until the child is dropped off on Monday morning at school. During times when the child is not in school, this return exchange shall occur on Monday at 7:45 a.m. unless the parties mutually agree to other exchange times.

c. Every other weekend beginning on Thursday at 6:00 p.m. and continuing until the child is dropped off at school on Monday morning. During times when the child is not in school, this return exchange shall occur on Monday at 7:45 a.m. unless the parties mutually agree to other exchange times.

2. **WEEKDAY TIME-SHARING:** The weekday time-sharing begins on Wednesday when school releases and ends at 8:30 p.m.

3. **HOLIDAYS:** In odd-numbered years, the parent with Time-sharing Block A shall have spring break, July 4th, Thanksgiving and the first half of winter break. The parent with time-sharing Block B shall have Martin Luther King, Jr. Day weekend, Memorial Day weekend, Labor Day weekend, Halloween, and the second half of winter break. In even-numbered years, the schedule shall be reversed.

- a. **MARTIN LUTHER KING JR. DAY WEEKEND:** Time-sharing begins at 6:00 p.m. on Friday and ends 6:00 p.m. on Monday.
- b. **SPRING BREAK :** Spring break time-sharing begins at 6:00 p.m. on the day school releases for spring break and ends at 6:00 p.m. on Sunday at the end of spring break
- c. **MOTHER'S DAY:** Mother's Day shall be spent with the mother every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Mother's Day.
- d. **FATHER'S DAY:** Father's Day shall be spent with the father every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Father's Day.
- e. **JULY FOURTH WEEKEND:**
  1. If July 4th is on Monday, Tuesday, Wednesday, or Thursday, then time-sharing begins on July 3rd at 6:00 p.m. and ends at 8:30 a.m. on July 5<sup>th</sup>.
  2. If July 4th is on Friday, time-sharing begins on July 3rd at 6:00 p.m. and ends at 6:00 p.m. on July 6<sup>th</sup>.
  3. If July 4th is on Saturday or Sunday, time-sharing begins at 6:00 p.m. on the Friday before July 4th and ends at 8:30 a.m. the Monday after July 4th.
- f. **LABOR DAY WEEKEND:** Time-sharing begins at 6:00 p.m. Friday and ends at 6:00 p.m. Monday.
- g. **HALLOWEEN/OCTOBER 31ST:** If the holiday falls on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the holiday falls on a Saturday or Sunday, time-sharing begins at 9:00 a.m. and ends at 8:30 p.m.
- h. **THANKSGIVING:** Time-sharing begins on Wednesday before Thanksgiving at 6:00 p.m. and ends at 6:00 p.m. Sunday.
- i. **WINTER BREAK:** The first half of the winter time-sharing period begins at 6:00 p.m. on the last day of school and ends (including all travel) at 8:30 p.m. December 24th. The second half of the winter time-sharing period begins at 8:30 p.m. December 24th and ends at noon January 1st (including all travel). If school resumes significantly after the January 1 holiday, the parties are encouraged to negotiate an equitable allocation of the additional time.
- j. **MOTHER'S BIRTHDAY:** The mother's birthday shall be spent with the mother every year. If the mother is not scheduled to have time-sharing and the mother's birthday is on a weekday, then the time-sharing hours shall begin at 3:00 p.m. or when school releases and end at 8:30 p.m.. If the mother's birthday is on a weekend scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the mother's birthday.
- k. **FATHER'S BIRTHDAY:** The father's birthday shall be spent with the father every year. If the father is not scheduled to have time-sharing and the father's birthday is on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the father's birthday is on a weekend scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the father's birthday.
- l. **CHILD'S BIRTHDAY:** The child's birthday shall be spent with the parent with time-

sharing Block A in odd-numbered years and the other parent in even-numbered years. If the child's birthday falls on a weekday, time-sharing shall be from 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the child's birthday falls on a weekend, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the child's birthday.

4. **SUMMER TIME-SHARING:** The schedule as set forth below applies: (Check only one)

A. Traditional Summer Time-Sharing

1. Five (5) weeks during summer to start no sooner than seventy-two (72) hours following the last day of the school year and to end no later than seventy-two (72) hours before the first day of school.
2. Summer Time-sharing shall be exercised in a period of three (3) weeks and a period of two (2) weeks, not consecutive to each other. In the event that written notification is not given, summer time-sharing shall be the last three (3) full weeks of June and the last two (2) full weeks of July.
3. The parent having time-sharing Block A shall have first choice of summer time-sharing and shall designate such choice in writing no later than April 1 of each year. This first choice of summer time-sharing shall not interfere with the other parent's entitlement to the child's birthday or the Fourth of July holiday or the school calendar.
4. The parent with Time-Sharing Block B shall be entitled to (two) 2 uninterrupted weeks and shall inform the other parent of the selected times before April 15 of each year.

B. Reverse Summer Time-Sharing

1. Within seventy-two (72) hours following the last day of the school year, the parents shall reverse timesharing responsibilities subject to each parent's right to two (2) weeks of summer time-sharing. The parent entitled to the Block A schedule shall begin the summer time-sharing within seventy-two (72) hours of the last day of the school year. The reverse time-sharing shall continue until seventy-two (72) hours prior to the beginning of school.
2. Each parents' right to two (2) weeks of summer time-sharing shall be exercised in no more than two (2) time periods of no less than five (5) days each.
3. The parent entitled to Timesharing Block A shall have first choice of summer time-sharing and shall designate such choice in writing no later than April 1 of each year. This first choice of summer time-sharing shall not interfere with the other parent's entitlement to the child's birthday or the Fourth of July holiday or the school calendar.
4. The parent with Timesharing Block B shall inform the other parent of the selected days for summer timesharing before April 15 of each year.

**B.** Time-sharing Block B shall consist of anytime not specifically designated to Time Block A.

**C.** Sometimes holiday timesharing or summer time-sharing may conflict with time set aside for the other parent. When this happens, the holiday time-sharing or summer time-sharing shall be observed and take priority over all other schedules. For example, if it is one parent's alternate weekend but the other's Memorial Day weekend the holiday weekend will take priority. In such case, the regular time-sharing schedule continues without modification.

## **VII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

### **1. Transportation**

The parent beginning time-sharing shall provide transportation for the child(ren).

### **2. Exchange**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than thirty (30) minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

Exchanges shall be at Mother's and Father's homes unless both parents agree to a different meeting place or as ordered by the court.

### **3. Foreign and Out-Of-State Travel**

Either parent may travel with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least thirty (30) days written notice before traveling unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least fifteen (15) days before traveling.

## **VIII. SCHOOL AND CUSTODIAL DESIGNATION**

### **1. School Designation:**

For school and school district purposes, the  Mother's  Father's address shall be designated.

### **2. Custodian Designation:**

The  Mother  Father is designated as the custodian of the child(ren) SOLELY for purposes of all other state and federal statutes which require a designation or determination of custody. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

## **IX. COMMUNICATION**

### **1. Between Parents**

All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes. The parents may communicate with each other in person, by telephone, by letter, or by email.

### **2. Between Parent and Child(ren)**

Both parents shall keep contact information current. Telephone or other electronic communication shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to face contact.

The child(ren) may have reasonable telephone, e-mail or other electronic communication with the other parent every day during the hours of 8:00a.m. to 8:00 p.m.

**X. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

This Parenting Plan may be modified or varied on a *temporary* basis when both parents agree in *writing*. When the parents do not agree, the Parenting Plan remains in effect.

**XI. RELOCATION**

Any relocation of residence of the child(ren) requires compliance with the procedures set forth in Fla. Stat. Chapter 61.

**XII. DISPUTES**

Parents shall attempt to cooperatively resolve any disputes which may arise over the terms of the Parenting Plan. If such attempt fails, mediation or other dispute resolution methods will *not* be required prior to filing a court action.

**XIII. OTHER PROVISIONS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**ORDER OF THE COURT**

It is ordered and adjudged that the Parenting Plan set forth above is adopted and approved as an order of this court.

**DONE and ORDERED ON** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT JUDGE**

- COPIES TO:  
Father (or his Attorney)  
Mother (or her Attorney)  
Other

**A.O. 5-20.7 - APPENDIX SEVEN**

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,  
and  
\_\_\_\_\_  
Respondent.

**PARENTING PLAN MODEL 2**

**I. PARENTS**

**Mother**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**Father**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**II. CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties:

<u>Name</u>	<u>Date of Birth</u>	<u>Sex</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**III. JURISDICTION**

The United States is the country of habitual residence of the child(ren).

The State of Florida maintains the most significant contacts with the child(ren) and is the most appropriate forum for addressing parenting contact and time-sharing.

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This 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.

**IV. PARENTAL RESPONSIBILITY AND DECISION MAKING**

1. Shared Parental Responsibility.  
It is in the best interests of the child(ren) that the parties have full parental rights to make major

decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, non-emergency healthcare, and religious training.

2. **Day-to-Day Decisions.**

Each parent shall make decisions regarding day-to-day care and control of each child while the child is residing with the parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possibly.

**V. INFORMATION SHARING.** Unless otherwise indicated or ordered by the Court:

Both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.

**VI. TIME-SHARING SCHEDULE**

The mother shall have Timesharing Block \_\_\_\_\_

The father shall have Timesharing Block \_\_\_\_\_

**A. Time-sharing Block A shall consist of the following:**

1. **ROTATING TIME-SHARING** The rotating schedule as set forth below applies: (Check only one)

[ ] a. During a two week period, each parent shall have the child for seven days. In the first week one parent shall have the child for four consecutive days and the other parent shall have the child for the next three days. In the second week, the parent who had the child first shall have the child for the first three consecutive days and the other parent shall have the child the other four days. Thereafter, the rotations will be in that same four day/three day/three day/four day sequence unless interrupted by a scheduled holiday or summer time-sharing. Exchanges shall occur on the days and at the times set forth below:



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[ ] b. One parent shall have the child for one week and the other parent shall have the child for one week rotating back and forth. Exchanges shall occur on the day and at the time set forth below:

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2. **HOLIDAYS:** In odd-numbered years, spring break, July 4th weekend, Thanksgiving and the first half of winter break. The parent with time-sharing Block B shall have Martin Luther King, Jr. Day weekend, Memorial Day weekend, Labor Day weekend, Halloween, and the second half of winter break. In even-numbered years, the schedule shall be reversed.

- a. **MARTIN LUTHER KING JR. DAY WEEKEND:** Time-sharing begins at 6:00 p.m. on Friday and ends at 6:00 p.m. on Monday.
- b. **SPRING BREAK:** Spring break time-sharing begins at 6:00 p.m. on the day school releases for spring break and ends at 6:00 p.m. on Sunday at the end of spring break.
- c. **MOTHER'S DAY:** Mother's Day shall be spent with the mother every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Mother's Day.
- d. **FATHER'S DAY:** Father's Day shall be spent with the father every year. In the event the holiday falls on a weekend scheduled to be spent with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on Father's Day.
- e. **JULY FOURTH WEEKEND:**
  1. If July 4th is on Monday, Tuesday, Wednesday, or Thursday, then time-sharing begins on July 3rd at 6:00 p.m. and ends at 8:30 a.m. on July 5<sup>th</sup>.
  2. If July 4th is on Friday, time-sharing begins on July 3rd at 6:00 p.m. and ends at 6:00 p.m. on July 6<sup>th</sup>.
  3. If July 4th is on Saturday or Sunday, time-sharing begins at 6:00 p.m. on the Friday before July 4th and ends at 8:30 a.m. the Monday after July 4th.
- f. **LABOR DAY WEEKEND:** Time-sharing begins at 6:00 p.m. Friday and ends at 6:00 p.m. Monday.
- g. **HALLOWEEN/OCTOBER 31ST:** If the holiday falls on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the holiday falls on a Saturday or Sunday, time-sharing begins at 9:00 a.m. and ends at 8:30 p.m.
- h. **THANKSGIVING:** Time-sharing begins on Wednesday before Thanksgiving at 6:00 p.m. and ends at 6:00 p.m. Sunday.
- i. **WINTER BREAK:** The first half of the winter time-sharing period begins at 6:00 p.m. on the last day of school and ends (including all travel) at 8:30 p.m. December 24th. The second half of the winter time-sharing period begins at 8:30 p.m. December 24th and ends at noon January 1st (including all travel). If school resumes significantly after the January 1 holiday, the parties are encouraged to negotiate an equitable allocation of the additional time.
- j. **MOTHER'S BIRTHDAY:** The mother's birthday shall be spent with the mother every year. If the mother is not scheduled to have time-sharing and the mother's birthday is on a weekday, then the time-sharing hours shall begin at 3:00 p.m. or when school releases and end at 8:30 p.m. If the mother's birthday is on a weekend, scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the mother's birthday.

- k. **FATHER'S BIRTHDAY:** The father's birthday shall be spent with the father every year. If the father is not scheduled to have time-sharing and the father's birthday is on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the father's birthday is on a weekend scheduled with the other parent, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the father's birthday.
- l. **CHILD'S BIRTHDAY:** The child's birthday shall be spent with the parent with time-sharing block A in odd-numbered years and the other parent in even-numbered years. If the child's birthday falls on a weekday, time-sharing begins at 3:00 p.m. (or when school releases) and ends at 8:30 p.m. If the child's birthday falls on a weekend, time-sharing begins at 9:00 a.m. and ends at 6:00 p.m. on the child's birthday.

3. **SUMMER TIME-SHARING:** The schedule as set forth below applies: (Check only one)

- A. **Traditional Summer Time-Sharing:**
  - 1. Two (2) weeks during summer time-sharing to start no sooner than seventy-two (72) hours following the last day of the school year and to end no later than seventy two (72) hours before the first day of school.
  - 2. Each parents' right to two weeks summer time-sharing shall be exercised in not more than two (2) time periods of not less than (5) days.
  - 3. The parent having Time-sharing Block A shall have first choice of summer time-sharing and shall designate such choice in writing no later than April 1 of each year. This first choice of summer time-sharing shall not interfere with the other parent's entitlement to the child's birthday or the Fourth of July holiday or the school calendar.
  - 4. The parent with Time-sharing Block B shall inform the other parent of the selected days for summer time-sharing before April 15 of each year.
- B. **Continued Rotating Routine:**

The parties shall continue the rotating time-sharing arrangement throughout the summer break without change.

B. Time-sharing **Block B** shall consist of any time not specifically designated to Timesharing Block A.

C. Sometimes holiday time-sharing or summer time-sharing may conflict with time set aside for the other parent. When this happens, the holiday time-sharing or summer time-sharing shall be observed and take priority over all other schedules. For example, if it is one parent's alternate weekend but the other's Memorial Day weekend the holiday weekend will take priority. In such case, the regular time-sharing schedule continues without modification.

**VII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

1. **Transportation**

The parent beginning time-sharing shall provide transportation for the child(ren).

2. **Exchange**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than thirty (30) minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

3. **Foreign and Out-Of-State Travel**

Either parent may travel with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least thirty (30) days written

notice before traveling unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least fifteen (15) days before traveling.

#### VIII. SCHOOL AND CUSTODIAL DESIGNATION

1. **School Designation:**  
For school and school district purposes, the [ ] Mother [ ] Father's address shall be designated.
2. **Custodial Designation:**  
The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the [ ] Mother [ ] Father. This parent is designated as the custodian of the child(ren) SOLELY for purposes of all other state and federal statutes which require a designation or determination of custody. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

#### XIV. COMMUNICATION

1. **Between Parents**  
All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes. The parents may communicate with each other in person, by telephone, by letter or by e-mail.

2. **Between Parent and Child(ren)**

Both parents shall keep contact information current. Telephone or other electronic communication shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to face contact.

The child(ren) may have reasonable telephone, e-mail, or other electronic communication with the other parent every day during the hours of 8:00 A.M. to 8:00 P.M.

#### X. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN

This Parenting Plan may be modified or varied on a *temporary* basis when both parents agree in *writing*. When the parents do not agree, the Parenting Plan remains in effect.

#### XI. RELOCATION

Any relocation of residence of the child(ren) requires compliance with the procedures set forth in Fla. Stat. Chapter 61.

#### XII. DISPUTES

Parents shall attempt to cooperatively resolve any disputes, which may arise over the terms of the Parenting Plan. If such attempt fails, mediation or other dispute resolution methods will *not* be required prior to filing a court action.

**XIII. OTHER PROVISIONS**

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**ORDER OF THE COURT**

It is ordered and adjudged that the Parenting Plan set forth above is adopted and approved as an order of this court.

**DONE and ORDERED ON** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT JUDGE**

**COPIES TO:**

Father (or his Attorney)

Mother (or her Attorney)

Other

**A.O. 5-20.7 - APPENDIX EIGHT**

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

**PARENTING PLAN (NON-LOCAL)**  
**MODEL 3**

**I. PARENTS**

**Mother**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Father**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**II. CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties:

<u>Name</u>	<u>Date of Birth</u>	<u>Sex</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**III. JURISDICTION**

The United States is the country of habitual residence of the child(ren).

The State of Florida maintains the most significant contacts with the child(ren) and is the most appropriate forum for addressing parenting contact and time-sharing.

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child

## Custody Jurisdiction and Enforcement Act.

This 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.

### **IV. PARENTAL RESPONSIBILITY AND DECISION MAKING**

1. Shared Parental Responsibility.

It is in the best interests of the child(ren) that the parties have full parental rights to make major decisions affecting the welfare of the child(ren). Major decisions include, but are not limited to, decisions about the child(ren)'s education, non-emergency healthcare, and religious training.

2. Day-to-Day Decisions.

Each parent shall make decisions regarding day-to-day care and control of each child while the child is residing with the parent. Regardless of the allocation of decision making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child(ren) when the child is residing with that parent. A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.

### **V. INFORMATION SHARING.** Unless otherwise indicated or ordered by the Court:

Both parents shall have access to medical and school records pertaining to the child(ren) and shall be permitted to independently consult with any and all professionals involved with the child(ren). The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child(ren) and they shall sign any necessary documentation ensuring that both parents have access to said records.

Each parent shall be responsible for obtaining records and reports directly from the school and health care providers.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents shall have equal and independent authority to confer with the child(ren)'s school, day care, health care providers, and other programs with regard to the child(ren)'s educational, emotional, and social progress.

Both parents shall be listed as "emergency contacts" for the child(ren).

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent. Each parent shall notify the other parent in writing within 24 hours of any changes. Each parent shall notify the court in writing within seven (7) days of any changes.

## VI. TIME-SHARING SCHEDULE

The mother shall have Timesharing Block \_\_\_\_\_

The father shall have Timesharing Block \_\_\_\_\_

### A. Time-sharing **Block A** shall consist of the following:

1. **ODD NUMBERED YEARS:** In odd-numbered years, the parent with Time-sharing Block A shall have the following:

A. **THANKSGIVING:** Time-sharing begins on Wednesday before Thanksgiving at 6:00 p.m. and ends at 6:00 p.m. Sunday (including travel).

B. **WINTER BREAK:** The first half of the winter time-sharing period begins at 6:00 p.m. on the last day of school and ends (including all travel) at 8:30 p.m. December 24th.

C. **SPRING BREAK:** If the child is a preschooler, the time-sharing shall be one (1) week in the spring. If the child is enrolled in school, timesharing shall be the entire spring break. In that case, travel shall begin by noon the day after school releases and shall end the day before school reconvenes (including all travel) at 6:00 P.M.

2. **EVEN NUMBERED YEARS:** In even-numbered years, the parent with Time-Sharing Block A shall consist of the following:

A. **THANKSGIVING:** There shall be no time-sharing.

B. **WINTER BREAK:** Timesharing shall begin at noon December 26th and shall end (including all travel) by 6:00 P.M., January 2nd.

C. **SPRING BREAK:** Timesharing shall be the same as in odd numbered years set forth above.

3. **SUMMER TIME-SHARING:** Time-sharing shall begin seventy-two hours after school releases and shall continue for six (6) consecutive weeks.

4. **ADDITIONAL TIME-SHARING:** This parent may spend one weekend per month beginning Friday at 6:00 p.m. and ending Sunday at 6:00 p. m. with the minor child in the minor child's area of residence upon fifteen (15) days' notice to the other parent.

**B. Time-sharing Block B** shall consist of any time not specifically designated to Time Block A.

**C.** Sometimes holiday timesharing or summer time-sharing may conflict with time set aside for the other parent. When this happens, the holiday time-sharing or summer time-sharing shall be observed and take priority over all other schedules.

**VII. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

**1. Transportation**

The transportation of the child(ren) for the time-sharing shall be handled as follows:

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**2. Exchange**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed upon time of exchange. If a parent is more than thirty (30) minutes late without contacting the other parent to make other arrangements, the parent with the child(ren) may proceed with other plans and activities.

**3. Foreign and Out-Of-State Travel**

Either parent may travel with the child(ren) during his/her time-sharing. The parent traveling with the child(ren) shall give the other parent at least thirty (30) days written notice before traveling unless there is an emergency, and shall provide the other parent with a detailed itinerary, including locations and telephone numbers where the child(ren) and parent can be reached at least fifteen (15) days before traveling.

**VIII. SCHOOL AND CUSTODIAL DESIGNATION**

**1. School Designation:**

For school and school district purposes, the [ ] Mother  
[ ] Father's address shall be designated.

**2. Custodian Designation:**



The child(ren) named in this Parenting Plan are scheduled to reside the majority of the time with the [ ] Mother [ ] Father. This parent is designated as the custodian of the child(ren) SOLELY for purposes of all other state and federal statutes which require a designation or determination of custody. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**

## **IX. COMMUNICATION**

### **1. Between Parents**

All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes. The parents may communicate with each other in person, by telephone, by letter, or by email.

### **2. Between Parent and Child(ren)**

Both parents shall keep contact information current. Telephone or other electronic communication shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to-face contact.

The child(ren) may have reasonable telephone, e-mail or other electronic communication with the other parent every day during the hours of 8:00a.m. to 8:00 p.m.

## **X. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect.

Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification.

## **XI. RELOCATION**

Any relocation of residence of the child(ren) requires compliance with the procedures set forth in Fla. Stat. Chapter 61.

## **XII. DISPUTES**

Parents shall attempt to cooperatively resolve any disputes, which may arise over the

terms of the Parenting Plan. If such attempt fails, mediation or other dispute resolution methods will *not* be required prior to filing a court action.

**XII. OTHER PROVISIONS**

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**ORDER OF THE COURT**

It is ordered and adjudged that the Parenting Plan set forth above is adopted and approved as an order of this court.

**DONE and ORDERED ON** the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT JUDGE**

**COPIES TO:**

Father (or his Attorney)

Mother (or her Attorney)

Other

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW  
FORM 12.995(b),  
SUPERVISED/SAFETY-FOCUSED PARENTING PLAN (11/15)**

**When should this form be used?**

A **Parenting Plan** is required in all cases involving minor child(ren). This form or a similar form should be used in cases when you feel your child(ren) cannot be safely alone with the other parent or if you believe **shared parental responsibility** presents a detriment to the child(ren). In this case, a Parenting Plan must be developed that allows **time-sharing** with any minor child(ren), while providing protection for the child(ren). If safety or supervised time-sharing is not a concern, **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a) or a similar form should be used. If the case involves relocation, pursuant to Section 61.13001, Florida Statutes, then **Relocation/Long Distance Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(c) or a similar form should be used.

This form should be typed or printed in black ink. If an agreement has been reached, **both** parties must sign the Parenting Plan and have their signatures witnessed by a **notary public** or **deputy clerk**. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records. You should then refer to the instructions for your petition, **answer**, or answer and **counterpetition** concerning the procedures for setting a hearing or **trial (final hearing)**. If the parents have not reached an agreement, a proposed Parenting Plan may be filed by either parent at the time of or any time prior to the final hearing. If an agreed Parenting Plan is not filed by the parties, the court shall establish a Plan.

**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.** 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](http://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.** The words that are in **“bold underline”** in these instructions are defined there. For further information, see chapter 61, Florida Statutes, and the instructions for the petition and/or answer that were filed in this case.

### **Special notes...**

If you fear that disclosing your address would put you in danger, you should complete a Request for Confidential Filing of Address, Florida Supreme Court Approved Form 12.980(h), file it with the clerk of the circuit court and write confidential in the space provided in the Parenting Plan.

At a minimum, the **Parenting Plan** must describe in adequate detail:

- How the parties will share and be responsible for the daily tasks associated with the upbringing of the child(ren),
- The **time-sharing schedule** arrangements that specify the time that the minor child(ren) will spend with each parent,
- A designation of who will be responsible for any and all forms of health care, school-related matters, including the address to be used for school-boundary determination and registration, other activities, and
- The methods and technologies that the parents will use to communicate with the child(ren).

The best interests of the child(ren) is the primary consideration in the Parenting Plan. In creating the Parenting Plan, all circumstances between the parents, including their historic relationship, domestic violence, and other factors must be taken into consideration. Determination of the best interests of the child(ren) shall be made by evaluating all of the factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of that family, as listed in section 61.13(3), Florida Statutes, including, but not limited to:

- The demonstrated capacity and disposition of each parent to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required;
- The anticipated division of parental responsibilities after the litigation, including the extent to which parental responsibilities will be delegated to third parties;
- The demonstrated capacity and disposition of each parent to determine, consider, and act upon the needs of the child(ren) as opposed to the needs or desires of the parent;
- The length of time the child(ren) has lived in a stable, satisfactory environment and the

- desirability of maintaining continuity;
- The geographic viability of the parenting plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the parenting plan. This factor does not create a presumption for or against relocation of either parent with a child(ren);
  - The moral fitness of the parents;
  - The mental and physical health of the parents;
  - The home, school, and community record of the child(ren);
  - The reasonable preference of the child(ren), if the court deems the child(ren) to be of sufficient intelligence, understanding, and experience to express a preference;
  - The demonstrated knowledge, capacity, and disposition of each parent to be informed of the circumstances of the minor child(ren), including, but not limited to, the child(ren)'s friends, teachers, medical care providers, daily activities, and favorite things;
  - The demonstrated capacity and disposition of each parent to provide a consistent routine for the child(ren), such as discipline, and daily schedules for homework, meals, and bedtime;
  - The demonstrated capacity of each parent to communicate with and keep the other parent informed of issues and activities regarding the minor child(ren), and the willingness of each parent to adopt a unified front on all major issues when dealing with the child(ren);
  - Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought. If the court accepts evidence of prior or pending actions regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect, the court must specifically acknowledge, in writing that such evidence was considered when evaluating the best interests of the child(ren);
  - Evidence that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect;
  - The particular parenting tasks customarily performed by each parent and the division or parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties;
  - The demonstrated capacity and disposition of each parent to participate and be involved in the child(ren)'s school and extracurricular activities;
  - The demonstrated capacity and disposition of each parent to maintain an environment for the child(ren) which is free from substance abuse;
  - The capacity and disposition of each parent to protect the child(ren) from the ongoing litigation as demonstrated by not discussing the litigation with the child(ren), not sharing documents or electronic media related to the litigation with the child(ren), and refraining from disparaging comments about the other parent to the child(ren); and
  - The developmental stages and needs of the child(ren) and the demonstrated capacity and disposition of each parent to meet the child(ren)'s developmental needs.

This standard form does not include every possible issue that may be relevant to the facts of your case. The Parenting Plan should be as detailed as possible to address the time-sharing schedule. Additional provisions should be added to address all of the relevant factors. The parties should give special consideration to the age and needs of each child.

In developing the Parenting Plan, you may wish to consult or review other materials which are available at your local library, law library or through national and state family organizations.

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: \_\_\_\_\_

\_\_\_\_\_  
Mother,  
and  
\_\_\_\_\_  
Father.

### SUPERVISED/SAFETY-FOCUSED PARENTING PLAN

This parenting plan is: *{Choose only one}*

- A Parenting Plan submitted to the court with the agreement of the parties.
- A proposed Parenting Plan submitted by or on behalf of:  
*{Parent's Name}*\_\_\_\_\_.
- A Parenting Plan established by the court.

This parenting plan is: *{Choose only one}*

- A final Parenting Plan established by the court.
- A temporary Parenting Plan established by the court.
- A modification of a prior final Parenting Plan or prior final order.

#### I. PARENTS

##### Mother

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Address Unknown: *{Please indicate here if mother's address is unknown}*

Address Confidential: *{Please indicate here if mother's address and phone numbers are confidential pursuant to either a \_\_\_\_\_ Final Judgment for Protection Against Domestic Violence, or \_\_\_\_\_ other court order \_\_\_\_\_}*.

##### Father

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Address Unknown: *{Please indicate here if mother's address is unknown}*

Address Confidential: *{Please indicate here if mother's address and phone numbers are confidential pursuant to either a \_\_\_\_\_ Final Judgment for Protection Against Domestic Violence, or \_\_\_\_\_ other court order \_\_\_\_\_}*.

II. **CHILDREN:** This parenting plan is for the following child(ren) born to, or adopted by the parties:  
*(add additional lines as needed)*

Name

Date of Birth

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**III. JURISDICTION**

The United States is the country of habitual residence of the child(ren).

The State of Florida is the child(ren)'s home state for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

This 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. Section 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, and for other state and federal laws.

Other: \_\_\_\_\_.

**IV. PARENTAL RESPONSIBILITY {Choose only one}**

\_\_\_\_\_ **Sole Parental Responsibility**

It is in the best interests of the child(ren) that the \_\_\_\_\_ Mother \_\_\_\_\_ Father shall have sole authority to make major decisions for the child(ren.) It is detrimental to the child(ren) for the parents to have shared parental responsibility.

\_\_\_\_\_ **Shared Parental Responsibility with Decision Making Authority**

It is in the best interests of the child(ren) that the parents confer and attempt to agree on the major decisions involving the child(ren). If the parents are unable to agree, the authority for making major decisions regarding the child(ren) shall be as follows:

Education/Academic decisions	_____ Mother _____ Father
Non-emergency health care	_____ Mother _____ Father
_____	_____ Mother _____ Father
_____	_____ Mother _____ Father
_____	_____ Mother _____ Father

\_\_\_\_\_ **Other: (Explain)** \_\_\_\_\_.

**V. TIME SHARING SCHEDULE {Choose only one}**

1. \_\_\_\_\_ **No Time-Sharing:** The \_\_\_\_\_ Mother \_\_\_\_\_ Father shall have no contact with the child(ren) until further order of the court. All parenting decisions shall be made by the other parent.

2. \_\_\_\_\_ **Supervised Time-Sharing:** Whenever the child(ren) are with the \_\_\_\_\_ Mother



\_\_\_\_\_ Father, the supervisor shall be present. The \_\_\_\_\_ Mother \_\_\_\_\_ Father has the right to spend time with the child(ren) even though the other parent will be making most, if not all, of the parenting decisions which are made on the child(ren)'s behalf. The time-sharing schedule shall be mutually agreed to between the parents, but not less than the schedule set forth below: *{Choose only one}*

- a. \_\_\_\_\_ hours per week. The place(s), and time(s) shall be set by the \_\_\_\_\_ Mother \_\_\_\_\_ Father.
- b. \_\_\_\_\_ From \_\_\_\_\_ m. to \_\_\_\_\_ m, on the following day(s) \_\_\_\_\_  
\_\_\_\_\_

3. **Restricted Time-Sharing:** The \_\_\_\_\_ Mother \_\_\_\_\_ Father shall have time-sharing with the following restrictions. *{The restrictions should be described in detail such as time-sharing only in public places, no overnight visits, etc.}* The time-sharing schedule shall be mutually agreed upon between the parents, but not less than the schedule set forth below: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 4. \_\_\_\_\_ hours per week. The place(s), and time(s) shall be set by the \_\_\_\_\_ Mother \_\_\_\_\_ Father.
- 5. \_\_\_\_\_ Other: \_\_\_\_\_.

**VI. SUPERVISOR AND SUPERVISION** *{Choose only one}*

- 1. **Supervisor.** The person supervising the time-sharing shall: *{Choose only one}*  
\_\_\_\_\_ Be selected by the \_\_\_\_\_ Mother \_\_\_\_\_ Father.  
\_\_\_\_\_ Be selected by the \_\_\_\_\_ Mother \_\_\_\_\_ Father, subject to the other parent's approval.  
\_\_\_\_\_ Other: \_\_\_\_\_.

2. **Restrictions or Level of Supervision:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 3. **Costs of Supervision**  
\_\_\_\_\_ The costs of the supervision shall be paid by the \_\_\_\_\_ Mother \_\_\_\_\_ Father  
\_\_\_\_\_ Other: \_\_\_\_\_.

**VII. LOCATION:** *{Choose only one}*

The \_\_\_\_\_ Mother \_\_\_\_\_ Father shall spend his/her time-sharing with the child(ren) at the following location(s):

1.  Supervised visitation center (name and address of facility) \_\_\_\_\_  
\_\_\_\_\_
2.  \_\_\_\_\_ (location) or other location designated by the  
 Mother  Father
3.  Any location designated by the  Mother  Father with the approval of the supervisor.
4.  Other: \_\_\_\_\_.

**VIII. DESIGNATION FOR OTHER LEGAL PURPOSES**

1. The child(ren) named in this Safety-Focused Parenting Plan are scheduled to reside the majority of the time with the  Mother  Father. This majority designation is **SOLELY** for purposes of all other state and federal statutes which require such a designation. **This designation does not affect either parent's rights and responsibilities under this parenting plan.**
2. For purposes of school boundary determination and registration, the  Mother's  Father's address shall be designated.

**IX. TRANSPORTATION AND EXCHANGE OF CHILD(REN)**

**1. Transportation**

The child(ren) shall not be driven in a car unless the driver has a valid driver's license, automobile insurance, seat belts, and child safety seats as required by Florida law.

The  Mother  Father or mutually agreed upon person shall be responsible for transporting the child(ren) to the exchange point. The child(ren) shall be picked up and/or returned to the exchange point by *{Choose only one}*

- a.  The  Mother  Father with the supervisor present.
- b.  The supervisor alone.
- c.  Other: \_\_\_\_\_.

**2. Exchange**

The exchange of the child(ren) shall occur at: *{Indicate all that apply}*

- a.  The site of the supervised visit.
- b.  A monitored exchange location {specify name and address of facility} \_\_\_\_\_
- c.  \_\_\_\_\_.
- d.  Other: \_\_\_\_\_.
- e.  The  Mother  Father is prohibited from coming to the exchange point.

**X. COMMUNICATION**

**1. Between Parents**

All communications regarding the child(ren) shall be between the parents. The parents shall not use the child(ren) as messengers to convey information, ask questions, or set up schedule changes.

\_\_\_\_\_ The parents shall communicate with each other: *{Indicate all that apply}*

\_\_\_\_\_ in person

\_\_\_\_\_ by telephone

\_\_\_\_\_ by letter

\_\_\_\_\_ by e-mail

\_\_\_\_\_ Other: *{Specify}* \_\_\_\_\_.

\_\_\_\_\_ **No Communication.** Unless otherwise prohibited by court order, all information and communication regarding the child(ren) shall be exchanged via or through \_\_\_\_\_

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**2. Between Parent and Child(ren)**

The \_\_\_\_\_ Mother \_\_\_\_\_ Father *{Indicate all that apply}*

a. \_\_\_\_\_ Shall not telephone, write, or e-mail the child(ren) unless the contact is agreed to in advance by the other parent.

b. \_\_\_\_\_ May write or e-mail the child(ren) at any time. Each parent shall provide a contact address (and e-mail address if appropriate) to the other parent, unless otherwise prohibited by court order.

c. \_\_\_\_\_ May call the child(ren) on the telephone \_\_\_\_\_ times per week. The call shall last no more than \_\_\_\_\_ minutes and shall take place between \_\_\_\_\_ m. and \_\_\_\_\_ m. Each parent shall provide a telephone number to the other parent, unless otherwise prohibited by court order or law.

d. \_\_\_\_\_ Long distance telephone calls made by the child(ren) to a parent shall be paid by \_\_\_\_\_. Each parent shall provide a telephone number to the other parent, unless otherwise prohibited by court order or law.

e. \_\_\_\_\_ Other: \_\_\_\_\_.

**3. Costs of Electronic Communication**

“Electronic communication” includes telephones, electronic mail or e-mail, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to face contact.

The costs of electronic communication shall be addressed as follows:

\_\_\_\_\_  
\_\_\_\_\_

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**XI. ACCESS TO ACTIVITIES AND EVENTS**

The \_\_\_\_ Mother \_\_\_\_ Father {Choose only one}

1. \_\_\_\_ Shall not attend the child(ren)'s activities and events, including but not limited to, school, athletic, and extra-curricular activities and events.
2. \_\_\_\_ May attend the child(ren)'s school, athletic, and extra-curricular activities and events.
3. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father must stay \_\_\_\_ feet from the other parent and \_\_\_\_ feet from the child.
4. \_\_\_\_ Other: \_\_\_\_\_.

**XII. CHILD(REN)'S SAFETY**

The \_\_\_\_ Mother \_\_\_\_ Father shall follow the safety rules checked below.  
(Indicate all that apply)

1. \_\_\_\_ There shall be no firearms in the home, car, or in the child(ren)'s presence during time-sharing.
2. \_\_\_\_ No alcoholic beverages shall be consumed from twenty-four (24) hours before the child(ren) arrive until they are returned to the other parent.
3. \_\_\_\_ The child(ren) shall not be disciplined by corporal punishment.
4. \_\_\_\_ The following person(s) present a danger to the child(ren) and shall not be present during time-sharing: \_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_ Other: \_\_\_\_\_.

**XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN**

All changes to the Safety-Focused Parenting Plan must be pursuant to a court order.

**XIV. OTHER PROVISIONS**

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**SIGNATURES OF PARENTS**

**I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Mother  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_

I certify that I have been open and honest in entering into this Parenting Plan. I am satisfied with this Plan and intend to be bound by it.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Father  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Designated E-mail Address(es): \_\_\_\_\_  
\_\_\_\_\_

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} ( ) Mother ( ) Father This form was completed with the assistance of:  
{name of individual} \_\_\_\_\_,  
{name of business} \_\_\_\_\_,  
{address} \_\_\_\_\_,  
{city} \_\_\_\_\_, {state} \_\_\_\_\_, {zip code} \_\_\_\_\_, {telephone number} \_\_\_\_\_