

ORIGINAL

APPENDIX J

Report of the Family Law Rules Committee

SC08-2443

FILED
THOMAS D. HALL
DEC - 3 2009
CLERK SUPREME COURT
BY 10

IN THE SUPREME COURT OF FLORIDA

IN RE: REPORT AND RECOMMENDATIONS OF THE COMMITTEE ON PRIVACY AND COURT RECORDS

CASE NO.:

REPORT OF THE FAMILY LAW RULES COMMITTEE

J. Fraser Himes, Chair, Family Law Rules Committee, and John F. Harkness, Jr., Executive Director, The Florida Bar, file this report of the Family Law Rules Committee under *Fla. R. Jud. Admin.* 2.140(f), as requested by the Court in two letters from Thomas D. Hall, Clerk, Supreme Court of Florida, dated July 27, 2006.

In those letters (see Appendix D), the Court requested that the Committee review Recommendations Seven, Nine, and Ten. As requested by Recommendation Seven, a subcommittee of the full Committee reviewed all of the Family Law Rules and the forms for which this Committee is responsible, see *Fla. Fam. L. R. P.* 12.015(a), to determine what amendments could be made to avoid filing of personal information not necessary for case management or adjudication. The changes to *Rule* 12.285 in Recommendation Nine have been adopted by the Committee. Various rules and forms have also been amended to address the concerns raised by Recommendation Ten regarding unnecessary filing of discovery.

A table of contents listing all rules and forms and the voting records of the Committee and Board of Governors is found in Appendix A. The proposed amendments to the rules and forms are set forth in full-page legislative format (see Appendix B) and two-column format (see Appendix C). At the direction of the

court, the proposals have not been published before filing. The proposed amendments and their reasons for change are as follows:

Rule 12.105, Simplified Dissolution Procedure: Subdivision (a)(1) has been amended to add a requirement that the wife not have any minor or dependent children born during the marriage to qualify for a simplified dissolution of marriage. If a child was born to the wife during the marriage, the husband is the legal father, even if he is not the biological father. A husband and wife in that situation cannot use the simplified dissolution of marriage procedure. However, the current wording in the rule suggests that the parties can use the simplified dissolution procedure if they do not have minor or dependent children “together.” The presumption of parenthood and the child’s right to legitimacy create a legal relationship that results in the husband and wife having a child “together.” In a sense this is a privacy issue. The parties should not be able to keep the existence of a nonmarital minor child private.

Subdivision (c) has been deleted, removing the requirement that the parties file a financial affidavit and marital settlement agreement. In practice, some judges do not require parties to file these documents. Many times, the agreement is not in writing because it is fully executed or because the parties trust each other to comply. The court does not need these documents to decide the case. Not having this information in the court file could make it more difficult for a former spouse to prosecute a postjudgment proceeding to enforce or set aside the agreement, but adults who qualify for the simplified dissolution procedure should have the right to agree to keep their personal information private. This amendment complies with the Privacy Committee’s Recommendation Seven, that personal information not necessary for case management or adjudication not be filed.

Similar changes have been made to *Form* 12.901(a), Petition for Simplified Dissolution of Marriage, and its instructions.

The Commentary is underlined because it is missing from *West's Florida Rules of Court – State* (2006) but should be included. See *In re Family Law Rules of Procedure*, 663 So. 2d 1049, 1062 (Fla. 1995); *Amendments to the Florida Family Law Rules of Procedure*, 810 So. 2d 1, 17 (Fla. 2000).

Rule 12.100, Pleadings and Motions. *Rule* 12.100 adopts by reference *Fla. R. Civ. P.* 1.100, which requires in subdivision (b) that an application for a motion “state with particularity the grounds therefor.” The committee was concerned that some motions, particularly those involving children, should not contain all the details in a document that would become a public record. Because of concerns regarding notice to the other party and the need for details in certain circumstances, the committee determined that the issue was too complex to be resolved at this time. It has been placed on the agenda for the next meeting for further discussion.

Rule 12.130, Documents Supporting Action or Defense: This new rule replaces the previous incorporation of *Fla. R. Civ. P.* 1.130. Subdivisions (a) and (b) track the language of *Rule* 1.130(a) and (b). A new subdivision (c) has been added to this rule to require that any documents filed in the court file comply with the redaction requirements of *Rule* 12.280(a). This conforms to the Privacy Committee’s Recommendation Seven.

Rule 12.280, General Provisions Governing Discovery: A new subdivision (a) has been added to require that, for any account or personal identification numbers

in documents filed with the court, only the last three digits of the number be provided, preceded by an “*”. The committee felt this would provide protection for cases in which numbers are on documents that are filed in violation of the rules and for documents such as financial affidavits and child support guidelines that are required to be filed. Changes have been made in other rules and forms to reflect this requirement. This amendment is in conformance with the Privacy Committee’s Recommendation Seven.

Regarding Recommendation Ten (creation of a rule to require attorneys and litigants to refrain from unnecessarily filing documents and providing sanctions for violations), it was noted that the Civil Procedure Rules Committee has approved an amendment to *Fla. R. Civ. P.* 1.280, which is incorporated by reference into *Rule* 12.280, which states that “[i]nformation obtained during discovery shall not be filed with the court until such time as it is filed for good cause. Compliance with specific mandatory filing requirements of any other rule of procedure shall constitute good cause except that dates of birth, social security numbers, and credit and financial account numbers shall be redacted from documents filed in reliance upon this exception. The court shall have authority to impose sanctions for violation of this rule.” Because of the Civil Rule amendment, it was felt that no additional amendments to the Family Law Rule were required.

Cross references to the recently renumbered Florida Rules of Judicial Administration in subdivisions (ed) and (de) have been corrected. See *In re Amendments to Florida Rules of Judicial Administration – Reorganization of the Rules*, 939 So. 2d 966 (Fla. 2006).

Rule 12.285, Mandatory Disclosure: A new subdivision (a)(3) was created.

Subdivision (a)(3)(A) moves the sentence from subdivision (i) stating that, except for financial affidavits and child support guidelines worksheets, documents produced under this rule shall not be filed with the court. Moving it to the beginning of the rule emphasizes this requirement. This addresses Recommendation Ten of the Privacy Committee. Subdivision (a)(3)(B) makes a cross-reference to the requirement to redact account numbers and personal identification numbers as required by *Rule* 12.280(a). This subdivision is in accord with the Privacy Committee's Recommendation Seven. Subdivision (a)(3)(C) states that sanctions are governed by Florida Rule of Civil Procedure 1.280(f). Subdivision (a)(3)(C) is in accord with the Privacy Committee's Recommendation Ten.

A new subdivision (c) has been created providing an exemption from the requirement to file and serve a financial affidavit if (1) the parties have no minor children, have no support issues, and have filed a written settlement agreement disposing of all financial issues or (2) the court lacks jurisdiction to determine any financial issue. This adopts the Privacy Committee's Recommendation Nine. An exception has also been added to correspond to proposed amendments to *Rule* 12.105 eliminating the requirement to file a financial affidavit in a simplified dissolution of marriage. This addresses Recommendation Seven.

The last sentence of (relettered) subdivision ij has been deleted because it was moved to subdivision (a)(3)(A).

Rule 12.287, Financial Affidavits in Enforcement and Contempt Proceedings:

This rule has been amended to delete the requirement that the financial affidavit be filed with the court and add a requirement that a notice of compliance with the

service requirement be filed instead. The Committee felt that the financial affidavit may be entered into evidence if necessary at the hearing and that only at that point is it necessary for the administration of justice. This conforms to the Privacy Committee's Recommendation Seven.

Rule 12.340, Interrogatories to Parties: A new subdivision (c) has been added, requiring that responses to interrogatories be served on the requesting party but not filed with the court unless admitted into evidence and that a Notice of Service of Answers to Standard Family Law Interrogatories, *Form* 12.930(d), be filed. In addition, this subdivision requires that answers be in compliance with *Rule* 12.280(a). Related changes have been made in the interrogatory forms and instructions, *Forms* 12.930(b) and (c). These changes address the Privacy Committee's Recommendation Seven.

Rule 12.363, Evaluations of Minor Child: The information contained in a report submitted by an expert who has evaluated a minor child is particularly sensitive. Unlike financial information, it is not amenable to redaction. The proposed amendments in subdivisions (b) and (e) are intended to prevent filing of the report unless it is being admitted into evidence. The court is also directed to consider sealing of the report under *Fla. R. Jud. Admin.* 2.420 to prevent unnecessary embarrassment to the parties and, especially, their children. These proposals conform to the Privacy Committee's Recommendation Seven.

Rule 12.370, Requests for Admissions: Two new subdivisions have been added to this rule. Subdivision (a) requires that the request and response meet the redaction requirements of *Rule* 12.280(a). Subdivision (b) provides that documents attached to a request be served on the other party but not filed with the court. These

amendments comply with the Privacy Committee's Recommendations Seven and Ten.

Rule 12.410, Subpoena: Three new subdivisions have been added to this rule requiring that subpoenas, notices of issuance of subpoena, and notices to produce comply with the redaction requirements of *Rule* 12.280(a). This conforms to the Privacy Committee's Recommendation Seven.

Rule 12.440, Setting Action for Trial: Subdivision (a) was amended to add a new next-to-the-last sentence: "Any court filings shall be in conformity with rule 12.280(a)," which requires redaction of any account or personal identification numbers. This conforms to the Privacy Committee's Recommendation Seven.

Rule 12.540, Relief from Judgment, Decrees, or Orders: A new requirement has been added that any motion for relief from judgment and any attachment or exhibit to it comply with the redaction requirements of *Rule* 12.280(a). This conforms to the Privacy Committee's Recommendation Seven.

Rule 12.560, Discovery in Aid of Execution: Subdivision (e) has been amended to state that *Fla. R. Civ. P. Form* 1.977 shall not be filed except by order of court after notice and a hearing and that if filing is permitted the form must meet the requirements of *Rule* 12.280(a). This conforms to the Privacy Committee's Recommendation Seven.

The Committee Note is underlined because it does not appear in *West's Florida Rules of Court – State* (2006) and should be included. See *In re Amendments to Florida Family Law Rules of Procedure*, 783 So. 2d 937, 940 (Fla.

2000).

Rule 12.620, Receivers: A requirement has been added that any inventory filed with the court comply with the redaction requirements of *Rule 12.280(a)*. This conforms to the Privacy Committee's Recommendation Seven.

Form 12.901(a), Petition for Simplified Dissolution of Marriage: The instructions and the form have been amended to conform to proposed amendments to *Rule 12.105*. Specifically, the requirement regarding dependent or minor children has been reworded, the requirement to file a financial affidavit, notice of social security number, and marital settlement agreement has been deleted, and language regarding waiver has been added.

"Deputy" is underlined in the signature blocks for the notary public or deputy clerk. It is missing from *West's Florida Rules of Court – State* (2006) and should be included. See *In re Approval of Application for Determination of Indigent Status Forms For Use by Clerks; Amendment to Florida Rule of Criminal Procedure 3.984*, 910 So. 2d 194, 212 (Fla. 2005).

Form 12.902(b), Family Law Financial Affidavit (Short Form): The instructions have been amended to incorporate proposed *Rule 12.285(c)* and proposed amendments to *Rule 12.105*, limiting the circumstances under which a financial affidavit must be filed. This conforms to the Privacy Committee's Recommendations Seven and Nine.

The paragraph in the instructions regarding address confidentiality has also been amended to conform it to section 119.071(2)(j)1, Florida Statutes. The same

amendments have been made in *Forms* 12.902(c) and (e) and an amended *Form* 12.980(h) has also been proposed. Section 119.071(2)(j)1, Florida Statutes, was enacted to protect the confidentiality of victims of domestic violence, sexual battery, aggravated child abuse, aggravated stalking, and aggravated battery. Section 741.30(3)(b), Florida Statutes, allows a domestic violence victim to file a request to keep his or her address confidential when filing a petition for an injunction for protection. Section 784.046(4)(b), Florida Statutes, also permits a sexual violence victim to keep his or her address confidential when filing a petition for an injunction for protection. The instructions currently in the form do not provide protection to all persons entitled to it by section 119.071(2)(j)1, Florida Statutes. The instructions have been amended to include all of those provided protection by section 119.071(2)(j)1. See further discussion under *Form* 12.980(h).

The form has been amended in item II.F. to add “List only last 3 digits of account numbers,” in accordance with *Rule* 12.280(a). Similar amendments have been made in Sections III.A. and III.B.

Form 12.902(c), Family Law Financial Affidavit: The instructions have been amended to incorporate new *Rule* 12.285(c) and proposed amendments to *Rule* 12.105, limiting the circumstances under which a financial affidavit must be filed. This conforms to the Privacy Committee’s Recommendations Seven and Nine.

As in *Form* 12.902(c), the instructions have been amended to conform the address confidentiality paragraph to section 119.071(2)(j)1, Florida Statutes.

The form has been amended in item 1. to change “Date of birth” to “My age is” because a birth date is a frequently misused piece of personal information. In

the instructions above item 91, “List only last 3 digits of account numbers” has been added to conform to amendment of *Rule* 12.280(a). Similar changes have been made in the instructions before sections III.A. and III.B. This conforms to the Privacy Committee’s Recommendation Seven.

The words “deputy clerk” have been added in the second full paragraph of the instructions. They are missing in *West’s Florida Rules of Court – State* (2006), but should be in the form. The form number for Petitioner’s Confidential Filing of Address has also been corrected. Blank lines in Section I., items 18.a. and 18.b., Section II, items 20–24, and 34 have been added (indicated by double underlines). These are missing in *West’s Florida Rules of Court – State* (2006) but should be in the form. See *In re Amendments to the Florida Family Law Rules of Procedure (Out of Cycle)*, 940 So. 2d 409, 415 (Fla. 2006).

Form 12.902(e), Child Support Guidelines Worksheet: As with *Forms* 12.902(b) and (c), in the instruction sheet the paragraph about confidential filing of address has been amended to conform to section 119.071(2)(j)1, Florida Statutes. Symbols in the instructions and form have been deleted.

Form 12.930(b), Interrogatories for Original or Enforcement Proceedings:

The instructions have been amended to remind parties that the answers to interrogatories should not be filed with the court unless admitted into evidence and in compliance with *Rule* 12.280(a). This conforms to proposed *Rule* 12.340(c). This addresses the Privacy Committee’s Recommendation Seven.

The instructions have also been amended to require that an original and 1 copy of the interrogatories rather than 2 copies be served on the party. See *Fla. R.*

Civ. P. 1.340(e).

At the beginning of the form, a paragraph has been added stating that interrogatory responses should not be filed with the court. The answers should be served on the other party and *Form 12.902(d)*, Notice of Service of Answers to Standard Family Law Interrogatories, should be filed with the court. This conforms to proposed *Rule 12.340(c)*. This addresses Recommendation Seven.

In items 4.c., 4.e., 5.a, 5.b., and 5.c. a statement has been added to advise parties that documents produced instead of responses to interrogatories should not be filed in the court file. This is in conformance with the Privacy Committee's Recommendation Seven.

Symbols have been deleted in the instructions and form.

Form 12.930(c), Interrogatories for Modification Proceedings: The instructions have been amended in two places to remind parties that the answers to the interrogatories should not be filed with the clerk unless admitted into evidence and in compliance with *Rule 12.280(a)*. This conforms to the Privacy Committee's Recommendation Seven.

The instructions have also been amended to require that an original and 1 copy of the interrogatories rather than 2 copies be served on the party. See *Fla. R. Civ. P. 1.340(e)*.

At the beginning of the form, a paragraph has been added stating that interrogatory responses should not be filed with the court. The answers should be

served on the other party and *Form* 12.902(d), Notice of Service of Answers to Standard Family Law Interrogatories, should be filed with the court. This conforms to proposed *Rule* 12.340(c). This addresses Recommendation Seven.

Items 4.c., 4.e., 5.a., 5.b., and 5.c. have been amended to state that documents produced instead of answers to questions should not be filed with the court. This conforms to the Privacy Committee's Recommendation Seven.

Symbols in the instructions and form have been deleted.

Form 12.930(d), Notice of Service of Standard Family Law Interrogatories: A new form has been created to conform to proposed *Rule* 12.340(c) and amendments to the instructions to *Forms* 12.930(b) and (c). It is to be used to notify the court that answers to interrogatories have been served, without filing the answers to the interrogatories. This addresses Recommendation Seven.

Form 12.932, Certificate of Compliance with Mandatory Disclosure: The second paragraph of the instructions has been amended to conform to proposed amendments to *Rule* 12.285 regarding filing of financial affidavits.

In items 1.a. and 2.a. of the form, "Filing of a Financial Affidavit cannot be waived" has been deleted. Proposed amendments to *Rules* 12.105, 12.285, and 12.287 create exceptions to the mandatory filing of financial affidavits.

Amendments have been made to correct errors in *West's Florida Rules of Court – State* (2006) and in the last opinion amending the form. See *In re Amendments to the Florida Family Law Rules of Procedure (Two-Year Cycle)* and

the Florida Supreme Court Approved Family Law Forms, 913 So. 2d 545 (Fla. 2005). In item 2.o., the initial “I” is missing in the sentence. In the certificate of service, the blank line following “date” is missing. These should be part of the form. See *Amendments to the Florida Family Law Rules of Procedure*, 853 So. 2d 303, 370 (Fla. 2003).

Form 12.980(h), ~~Petitioner’s~~ Request for Confidential Filing of Address:

Amendments have been proposed to this form in conformance with amendments to the instructions to *Forms* 12.902(b), (c), and (e). The change in language makes the use of the address confidentiality provision less restrictive and conforms it to section 119.071(2)(j)1, Florida Statutes. The amendments also remove the restriction on use of this form to the petitioner.

The current *Form* 12.980(h) and instructions limit its use to a petitioner who is seeking an injunction for protection against domestic violence or sexual violence. This appears to be incorrect because aggravated stalking and harassment are repeated offenses that may support entry of a repeat violence injunction. A person who is seeking a repeat violence injunction based on aggravated stalking or harassment should be entitled to keep his or her address out of the public records as provided in section 119.071(2)(j)1, Florida Statutes.

The current form also limits its use to the “petitioner.” In domestic violence cases, an abuser may seek an injunction against the victim. The victim who is a respondent should be able to keep his or her address confidential. In addition, a person who is entitled to protection under section 119.071(2)(j)1, Florida Statutes, may be involved in other litigation, such as a dissolution of marriage, in which that person may not be the petitioner. Address confidentiality should also be available

in that circumstance. A person who is the victim of sexual violence by a third party may also need to keep his or her address confidential in a proceeding not involving the third party.

The instructions to the form have been amended to delete “Petitioner’s” in the title, expanding the persons who may use the form. The instructions have also been amended to delete the current language regarding who may use the form and substitute language from section 119.071(2)(j)1, Florida Statutes. Corresponding changes have been made to the form.

The majority of the family law forms currently require that the party filing the form provide an address. To conform to section 119.071(2)(j)1, Florida Statutes, all forms and instructions should clearly state that victims identified in section 119.071(2)(j)1, Florida Statutes, have the right to confidential filing of address, telephone number, and facsimile number with the court in any litigation, whether the person is the petitioner or respondent, and regardless of the type of litigation. It is suggested that an order granting confidential filing of an address should require the party to accept service at the sheriff’s office or courthouse or to provide an address where he or she can receive service. The Committee recognizes that implementation of these changes may require amendment of other forms, most of which are not within the purview of this Committee, and asks for direction from the Court on how to proceed further.

Respectfully submitted _____.

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Chair

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APPENDIX A

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SECTION II. FAMILY LAW FORMS, COMMENTARY, AND INSTRUCTIONS

[EDITOR'S NOTE: Forms in **bold** are Florida Family Law Rules of Procedure Forms, cited as *Fla.Fam.L.R.P. Form*. All others are Florida Supreme Court Approved Family Law Forms, cited as *Fla.S.Ct.App.Fam.L. Form*. See *Fla.Fam.L.R.P.* 12.015.]

GENERAL INFORMATION FOR SELF-REPRESENTED LITIGANTS

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(b)(2)	PETITION FOR DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN)	
(b)(3)	PETITION FOR DISSOLUTION OF MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN) OR PROPERTY	

SUPPORTING DOCUMENTS

12.902(b)	FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM) <u>Committee vote: 28-0-0</u> <u>Board of Governors vote: 32-0</u>	[AMENDED]
(c)	FAMILY LAW FINANCIAL AFFIDAVIT	[AMENDED]

Committee vote: 28-0-0

Board of Governors vote: 32-0

- (d) UNIFORM CHILD CUSTODY
JURISDICTION AND ENFORCEMENT
ACT (UCCJEA) AFFIDAVIT
- (e) **CHILD SUPPORT GUIDELINES
WORKSHEET**

[AMENDED]

Committee vote: 28-0-0

Board of Governors vote: 32-0

- (f)(1) MARITAL SETTLEMENT AGREEMENT
FOR DISSOLUTION OF MARRIAGE
WITH DEPENDENT OR MINOR
CHILD(REN)
- (f)(2) MARITAL SETTLEMENT AGREEMENT
FOR DISSOLUTION OF MARRIAGE
WITH PROPERTY BUT NO
DEPENDENT OR MINOR CHILD(REN)
- (f)(3) **MARITAL SETTLEMENT AGREEMENT
FOR SIMPLIFIED
DISSOLUTION
OF MARRIAGE**
- (i) AFFIDAVIT OF CORROBORATING
WITNESS
- (j) NOTICE OF SOCIAL SECURITY NUMBER
- 12.903(a) ANSWER, WAIVER, AND REQUEST FOR
COPY OF FINAL JUDGMENT OF
DISSOLUTION OF MARRIAGE
- (b) ANSWER TO PETITION FOR DISSOLUTION
OF MARRIAGE
- (c)(1) ANSWER TO PETITION AND
COUNTERPETITION
FOR DISSOLUTION OF MARRIAGE
WITH DEPENDENT OR MINOR CHILD(REN)
- (c)(2) ANSWER TO PETITION AND
COUNTERPETITION FOR
DISSOLUTION OF MARRIAGE
WITH PROPERTY BUT NO DEPENDENT
OR MINOR CHILD(REN)
- (c)(3) ANSWER TO PETITION AND
COUNTERPETITION
FOR DISSOLUTION OF MARRIAGE
WITH NO DEPENDENT OR MINOR
CHILD(REN) OR PROPERTY
- (d) ANSWER TO COUNTERPETITION
- (e) ANSWER TO SUPPLEMENTAL PETITION

[NO CHANGE]

PETITIONS FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF
MARRIAGE

- 12.904(a) PETITION FOR SUPPORT UNCONNECTED
WITH DISSOLUTION OF MARRIAGE

- (b) WITH DEPENDENT OR MINOR CHILD(REN)
PETITION FOR SUPPORT UNCONNECTED
WITH DISSOLUTION OF MARRIAGE WITH
NO DEPENDENT OR MINOR CHILD(REN)

SUPPLEMENTAL PETITIONS TO MODIFY FINAL JUDGMENT

- 12.905 (a) SUPPLEMENTAL PETITION TO MODIFY
CUSTODY OR VISITATION AND
OTHER RELIEF
- (b) SUPPLEMENTAL PETITION FOR
MODIFICATION OF CHILD SUPPORT
- (c) SUPPLEMENTAL PETITION FOR
MODIFICATION OF ALIMONY

12.910–12.919 SERVICE

- 12.910(a) **SUMMONS: PERSONAL SERVICE
ON AN INDIVIDUAL** [NO CHANGE]
- (b) PROCESS SERVICE MEMORANDUM
- 12.912(a) MEMORANDUM FOR CERTIFICATE
OF MILITARY SERVICE
- (b) NONMILITARY AFFIDAVIT
- 12.913(a) NOTICE OF ACTION FOR DISSOLUTION
OF MARRIAGE
- (b) **AFFIDAVIT OF DILIGENT SEARCH
AND INQUIRY** [NO CHANGE]
- 12.914 CERTIFICATE OF SERVICE
- 12.915 NOTICE OF CURRENT ADDRESS

12.920–12.929 PROCEDURAL

- 12.920(a) **MOTION FOR REFERRAL TO
GENERAL MAGISTRATE** [NO CHANGE]
- (b) **ORDER OF REFERRAL TO
GENERAL MAGISTRATE** [NO CHANGE]
- (c) **NOTICE OF HEARING BEFORE
GENERAL MAGISTRATE** [NO CHANGE]
- 12.921 NOTICE OF HEARING (CHILD SUPPORT
ENFORCEMENT HEARING OFFICER)
- 12.922(a) MOTION FOR DEFAULT
- (b) DEFAULT
- (c) MOTION TO SET ASIDE DEFAULT OR
DEFAULT JUDGMENT
- 12.923 NOTICE OF HEARING (GENERAL)
- 12.924 NOTICE FOR TRIAL
- 12.927 NOTICE OF VOLUNTARY DISMISSAL

12.930–12.939 DISCOVERY

- 12.930(a) **NOTICE OF SERVICE OF STANDARD
FAMILY LAW
INTERROGATORIES** [NO CHANGE]
- (b) **STANDARD FAMILY LAW
INTERROGATORIES FOR
ORIGINAL OR ENFORCEMENT
PROCEEDINGS** [AMENDED]
- Committee vote: 28-0-0
- Board of Governors vote: 32-0
- (c) **STANDARD FAMILY LAW**

**INTERROGATORIES FOR
MODIFICATION
PROCEEDINGS**

Committee vote: 28-0-0

[AMENDED]

Board of Governors vote: 32-0

(d) NOTICE OF SERVICE OF ANSWERS

**TO STANDARD FAMILY
LAW INTERROGATORIES**

[NEW FORM]

Committee vote: 28-0-0

Board of Governors vote: 32-0

12.931(a) NOTICE OF PRODUCTION FROM
NONPARTY

(b) SUBPOENA FOR PRODUCTION OF
DOCUMENTS FROM NONPARTY

**12.932 CERTIFICATE OF COMPLIANCE
WITH MANDATORY DISCLOSURE**

[AMENDED]

Committee vote: 28-0-0

Board of Governors vote: 32-0

12.940–12.949 MOTIONS

12.940(d) MOTION TO MODIFY OR DISSOLVE
TEMPORARY INJUNCTION

(e) ORDER DISSOLVING TEMPORARY
INJUNCTION

12.941(a) VERIFIED MOTION FOR TEMPORARY
INJUNCTION TO PREVENT
REMOVAL OF MINOR

CHILD(REN) AND/OR DENIAL
OF PASSPORT SERVICES

(b) TEMPORARY INJUNCTION TO PREVENT
REMOVAL OF MINOR CHILD(REN)
AND/OR DENIAL OF PASSPORT SERVICES
(EX PARTE)

(c) TEMPORARY INJUNCTION TO PREVENT
REMOVAL OF MINOR CHILD(REN)
AND/OR DENIAL OF PASSPORT SERVICES
(AFTER NOTICE)

(d) EMERGENCY VERIFIED MOTION FOR
CHILD PICK-UP ORDER

(e) ORDER TO PICK-UP MINOR CHILD(REN)

12.942(a) MOTION FOR APPOINTMENT OF
GUARDIAN AD LITEM

(b) ORDER APPOINTING GUARDIAN AD LITEM

12.943 MOTION TO DEVIATE FROM CHILD SUPPORT
GUIDELINES

12.944(a) MOTION FOR TESTIMONY AND
ATTENDANCE OF MINOR
CHILD(REN)

(b) ORDER FOR TESTIMONY AND
ATTENDANCE OF MINOR CHILD(REN)

12.947(a) MOTION FOR TEMPORARY SUPPORT
WITH DEPENDENT OR MINOR CHILD(REN)

(b) TEMPORARY ORDER OF SUPPORT
WITH DEPENDENT OR MINOR
CHILD(REN)

(c) MOTION FOR TEMPORARY SUPPORT

- (d) WITH NO DEPENDENT OR
MINOR CHILD(REN)
TEMPORARY SUPPORT ORDER WITH
NO DEPENDENT OR
MINOR CHILD(REN)

12.950–12.959 AVAILABLE FOR FUTURE CATAGORIES

12.960–12.969 CONTEMPT/ENFORCEMENT

- 12.960 MOTION FOR CIVIL CONTEMPT/ENFORCEMENT
12.961 NOTICE OF HEARING ON MOTION FOR
CONTEMPT/ENFORCEMENT IN
SUPPORT MATTERS

12.970–12.979 AVAILABLE FOR FUTURE CATAGORIES

12.980–12.989 SPECIAL CASES

DOMESTIC AND REPEAT VIOLENCE

- 12.980(a) PETITION FOR INJUNCTION FOR
PROTECTION AGAINST
DOMESTIC VIOLENCE
(b)(1) ORDER SETTING HEARING ON
PETITION FOR INJUNCTION
FOR PROTECTION AGAINST
DOMESTIC VIOLENCE,
REPEAT VIOLENCE, DATING
VIOLENCE, OR SEXUAL
VIOLENCE WITHOUT
ISSUANCE OF AN INTERIM
TEMPORARY INJUNCTION
(b)(2) ORDER DENYING PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC
VIOLENCE, REPEAT VIOLENCE,
DATING VIOLENCE, OR SEXUAL
VIOLENCE
(c)(1) TEMPORARY INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE
WITH MINOR CHILD(REN)
(c)(2) TEMPORARY INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE
WITHOUT MINOR CHILD(REN)
(d)(1) FINAL JUDGMENT OF INJUNCTION FOR
PROTECTION AGAINST DOMESTIC
VIOLENCE WITH MINOR CHILD(REN)
(AFTER NOTICE)
(d)(2) FINAL JUDGMENT OF INJUNCTION FOR
PROTECTION AGAINST DOMESTIC
VIOLENCE WITHOUT MINOR CHILD(REN)
(AFTER NOTICE)
(e) ORDER OF DISMISSAL OF TEMPORARY
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE,
REPEAT VIOLENCE, DATING

- (f) VIOLENCE, OR SEXUAL VIOLENCE
- (g) PETITION FOR INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE
- (g) SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE
- (h) PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS [AMENDED]
Committee vote: 28-0-0
Board of Governors vote: 32-0
- (i) MOTION FOR EXTENSION OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE
- (j) MOTION FOR MODIFICATION OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE
- (k) TEMPORARY INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE
- (l) FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE (AFTER NOTICE)
- (m) ORDER EXTENDING INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE
- (n) PETITION FOR INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE
- (o) TEMPORARY INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE
- (p) FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE (AFTER NOTICE)
- (q) PETITION FOR INJUNCTION FOR PROTECTION AGAINST SEXUAL VIOLENCE
- (r) TEMPORARY INJUNCTION FOR PROTECTION AGAINST SEXUAL VIOLENCE
- (s) FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST SEXUAL VIOLENCE (AFTER NOTICE)
- (t) PETITION BY AFFIDAVIT FOR ORDER TO SHOW CAUSE FOR A VIOLATION OF FINAL JUDGMENT OF INJUNCTION

- FOR PROTECTION AGAINST DOMESTIC
VIOLENCE, REPEAT VIOLENCE,
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OR SEXUAL VIOLENCE
(u) ORDER TO SHOW CAUSE

ADOPTION

- 12.981(a)(1) STEPPARENT ADOPTION: CONSENT AND
WAIVER BY PARENT
(a)(2) STEPPARENT ADOPTION: CONSENT OF
ADOPTEE
(a)(3) AFFIDAVIT OF NONPATERNITY
(a)(4) STEPPARENT ADOPTION: AFFIDAVIT OF
DILIGENT SEARCH
(a)(5) INDIAN CHILD WELFARE ACT AFFIDAVIT
(a)(6) MOTION FOR SEARCH OF PUTATIVE
FATHER REGISTRY
(a)(7) ORDER GRANTING MOTION FOR SEARCH
OF PUTATIVE FATHER REGISTRY
(b)(1) JOINT PETITION FOR ADOPTION BY
STEPPARENT
(b)(2) FINAL JUDGMENT OF STEPPARENT ADOPTION
(c)(1) PETITION FOR ADOPTION OF ADULT BY
STEPPARENT
(c)(2) STEPPARENT ADOPTION: CONSENT OF
ADULT ADOPTEE'S SPOUSE
(d)(1) PETITION FOR ADOPTION INFORMATION
(d)(2) ORDER RELEASING ADOPTION INFORMATION

NAME CHANGE

- 12.982(a) PETITION FOR CHANGE OF NAME (ADULT)
(b) FINAL JUDGMENT OF CHANGE OF NAME
(ADULT)
(c) PETITION FOR CHANGE OF NAME
(MINOR CHILD(REN))
(d) CONSENT FOR CHANGE OF NAME
(MINOR CHILD(REN))
(e) FINAL JUDGMENT OF CHANGE OF NAME
(MINOR CHILD(REN))
(f) PETITION FOR CHANGE OF NAME (FAMILY)
(g) FINAL JUDGMENT OF CHANGE OF
NAME (FAMILY)

PATERNITY

- 12.983(a) PETITION TO DETERMINE PATERNITY
AND FOR RELATED RELIEF
(b) ANSWER TO PETITION TO DETERMINE
PATERNITY AND FOR RELATED
RELIEF
(c) ANSWER TO PETITION AND
COUNTERPETITION TO DETERMINE
PATERNITY AND FOR RELATED RELIEF
(d) ANSWER TO COUNTERPETITION

- (e) MOTION FOR SCIENTIFIC PATERNITY TESTING
- (f) ORDER ON MOTION FOR SCIENTIFIC PATERNITY TESTING
- (g) FINAL JUDGMENT OF PATERNITY

12.990–12.999 JUDGMENTS AND ORDERS

12.990(a) FINAL JUDGMENT OF SIMPLIFIED DISSOLUTION OF MARRIAGE

[NO CHANGE]

- (b)(1) FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE WITH MINOR CHILD(REN) (UNCONTESTED)
- (b)(2) FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN) (UNCONTESTED)
- (b)(3) FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE WITH NO PROPERTY OR DEPENDENT OR MINOR CHILD(REN) (UNCONTESTED)
- (c)(1) FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)
- (c)(2) FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE WITH PROPERTY BUT NO DEPENDENT OR MINOR CHILD(REN)

- 12.993 (a) SUPPLEMENTAL FINAL JUDGMENT MODIFYING PARENTAL RESPONSIBILITY/VISITATION
- (b) SUPPLEMENTAL FINAL JUDGMENT MODIFYING CHILD SUPPORT
- (c) SUPPLEMENTAL FINAL JUDGMENT MODIFYING ALIMONY

- 12.994(a) FINAL JUDGMENT FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF MARRIAGE WITH DEPENDENT OR MINOR CHILD(REN)
- (b) FINAL JUDGMENT FOR SUPPORT UNCONNECTED WITH DISSOLUTION OF MARRIAGE WITH NO DEPENDENT OR MINOR CHILD(REN)

APPENDIX B

RULE 12.105. SIMPLIFIED DISSOLUTION PROCEDURE

(a) Requirements for Use. The parties to the dissolution may file a petition for simplified dissolution if they certify under oath that

(1) ~~there are no minor or dependent children of the parties and the wife is not now pregnant~~the parties do not have any minor or dependent children together, the wife does not have any minor or dependent children who were born during the marriage, and the wife is not now pregnant;

(2) the parties have made a satisfactory division of their property and have agreed as to payment of their joint obligations; and

(3) the other facts set forth in Florida Family Law Rules of Procedure Form 12.901(a) (Petition for Simplified Dissolution of Marriage) are true.

(b) Consideration by Court. The clerk shall submit the petition to the court. The court shall consider the cause expeditiously. The parties shall appear before the court in every case and, if the court so directs, testify. The court, after examination of the petition and personal appearance of the parties, shall enter a judgment granting the dissolution (Florida Family Law Rules of Procedure Form 12.990(a)) if the requirements of this rule have been established and there has been compliance with the waiting period required by statute.

~~**(c) Financial Affidavit and Settlement Agreement.** The parties must each file a financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or 12.902(c)), and a marital settlement agreement (Florida Family Law Rules of Procedure Form 12.902(f)(3)).~~

~~**(d) Final Judgment.**~~ Upon the entry of the judgment, the clerk shall furnish to each party a certified copy of the final judgment of dissolution, which shall be in substantially the form provided in Florida Family Law Rules of Procedure Form 12.990(a).

(ed) Forms. The clerk or family law intake personnel shall provide forms for the parties whose circumstances meet the requirements of this rule and shall assist in the preparation of the petition for dissolution and other papers to be filed in the action.

Commentary

1995 Adoption. This rule was previously contained in Florida Rule of Civil Procedure 1.611, which included several unrelated issues. Those issues are now governed by separate family law rules for automatic disclosure, central governmental depository, and this rule for simplified dissolution procedure. Under this rule, the parties must file a financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or 12.902(c)), depending on their income and expenses) and a marital settlement agreement (Florida Family Law Rules of Procedure Form 12.902(f)(3)).

**RULE 12.130. DOCUMENTS SUPPORTING
ACTION OR DEFENSE**

~~Attachment of documents supporting an action or defense shall be governed by Florida Rule of Civil Procedure 1.130.~~

(a) Documents Attached. If it is essential to state a cause of action, a copy of the bonds, notes, bills of exchange, contracts, accounts, or other documents or the relevant portions of the documents shall be incorporated in or attached to the pleadings.

(b) Part for all Purposes. Any exhibit attached to a pleading shall be considered part of the pleading. Statements in a pleading may be adopted by reference in a different part of the same pleading, in another pleading, or in any motion.

(c) Redaction of Account and Personal Identifying Numbers. Any reference in any pleading or exhibit filed with the court to account numbers, social security numbers, employee identification numbers, driver's license numbers, passport numbers, or other personal identifying information shall be redacted as provided in rule 12.280(a).

RULE 12.280. GENERAL PROVISIONS GOVERNING DISCOVERY

Florida Rule of Civil Procedure 1.280 shall govern general provisions concerning discovery in family law matters with the following exceptions:

(a) Account or Personal Identification Numbers. For any discovery request or discovery response being filed with the court, any reference to account numbers, social security numbers, employee identification numbers, driver's license numbers, passport numbers, or other personal identifying information shall be preceded by the "*" symbol to indicate that numbers or letters are being omitted and shall include only the last 3 digits of the account or identifying number (e.g., bank account/social security number/support enforcement number/driver's license number/passport number ending in *123).

(ab) Supplementing of Responses. A party is under a duty to amend a prior response or disclosure if the party:

(1) obtains information or otherwise determines that the prior response or disclosure was incorrect when made; or

(2) obtains information or otherwise determines that the prior response or disclosure, although correct when made, is no longer materially true or complete.

(bc) Time for Serving Supplemental Responses. Any supplemental response served pursuant to this rule shall be served as soon as possible after discovery of the incorrect information or change, but in no case shall the supplemental response be served later than 24 hours before any applicable hearing absent a showing of good cause.

(ed) Documents Considered Confidential. A determination as to the confidentiality of a court record shall be made in accordance with Florida Rule of Judicial Administration 2.051420.

(de) Sealing of Records. Records found to be confidential under Florida Rule of Judicial Administration 2.051420 shall be sealed on request of a party.

Commentary

1995 Adoption. Florida Rule of Civil Procedure 1.280 is to govern the

general discovery provisions in family law matters with the exceptions set forth above. Subdivision (a) of this rule alters rule 1.280(e) by placing a duty on parties in family law matters to supplement responses. Under rule 1.280(e), no supplemental response is required. Subdivisions (b), (c), and (d) of this rule are in addition to the general requirements of rule 1.280 and have no counterparts in the Rules of Civil Procedure. Subdivisions (c) and (d) have been implemented in recognition of the fact that family law cases often involve sensitive information that should be deemed confidential under Florida Rule of Judicial Administration 2.051. For instance, financial records filed may contain information regarding a family business, which, if public, could provide competitors with an advantage and adversely affect the family business.

RULE 12.285. MANDATORY DISCLOSURE

(a) Application.

(1) **Scope.** This rule shall apply to all proceedings within the scope of these rules except proceedings involving adoption, simplified dissolution, enforcement, contempt, injunctions for domestic, repeat, dating, or sexual violence, and uncontested dissolutions when the respondent is served by publication and does not file an answer. Additionally, no financial affidavit or other documents shall be required under this rule from a party seeking attorneys' fees, suit money, or costs, if the basis for the request is solely under section 57.105, Florida Statutes, or any successor statute. Except for the provisions as to financial affidavits and child support guidelines worksheets, any portion of this rule may be modified by order of the court or agreement of the parties.

(2) **Original and Duplicate Copies.** Unless otherwise agreed by the parties or ordered by the court, copies of documents required under this rule may be produced in lieu of originals. Originals, when available, shall be produced for inspection upon request. Parties shall not be required to serve duplicates of documents previously served.

(3) Documents Not to be Filed With Court; Sanctions.

(A) Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without first obtaining a court order.

(B) Redaction of account numbers and personal identifying information to be filed in the court file shall be governed by rule 12.280(a).

(C) Sanctions shall be governed by Florida Rule of Civil Procedure 1.280(f).

(b) Time for Production of Documents.

(1) **Temporary Financial Hearings.** Any document required under this rule in any temporary financial relief proceeding shall be served on the other party for inspection and copying as follows.

(A) The party seeking relief shall serve the required documents

on the other party with the notice of temporary financial hearing, unless the documents have been served under subdivision (b)(2) of this rule.

(B) The responding party shall serve the required documents on the party seeking relief on or before 5:00 p.m., 2 business days before the day of the temporary financial hearing if served by delivery or 7 days before the day of the temporary financial hearing if served by mail, unless the documents have been received previously by the party seeking relief under subdivision (b)(2) of this rule. A responding party shall be given no less than 12 days to serve the documents required under this rule, unless otherwise ordered by the court. If the 45-day period for exchange of documents provided for in subdivision (b)(2) of this rule will occur before the expiration of the 12 days, the provisions of subdivision (b)(2) control.

(2) Initial and Supplemental Proceedings. Any document required under this rule for any initial or supplemental proceeding shall be served on the other party for inspection and copying within 45 days of service of the initial pleading on the respondent.

(c) Exemption from Requirement to File and Serve Financial Affidavit. The parties shall not be required to file and serve a financial affidavit under subdivisions (d) and (e) if they are seeking a simplified dissolution of marriage under rule 12.105, they have no minor children, have no support issues, and have filed a written settlement agreement disposing of all financial issues, or if the court lacks jurisdiction to determine any financial issues.

(ed) Disclosure Requirements for Temporary Financial Relief. In any proceeding for temporary financial relief heard within 45 days of the service of the initial pleading or within any extension of the time for complying with mandatory disclosure granted by the court or agreed to by the parties, the following documents shall be served on the other party:

(1) A financial affidavit in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(b) if the party's gross annual income is less than \$50,000, or Florida Family Law Rules of Procedure Form 12.902(c) if the party's gross annual income is equal to or more than \$50,000. This requirement cannot be waived by the parties. The affidavit must also be filed with the court.

(2) All federal and state income tax returns, gift tax returns, and intangible personal property tax returns filed by the party or on the party's behalf for the past year. A party may file a transcript of the tax return as provided by

Internal Revenue Service Form 4506-T in lieu of his or her individual federal income tax return for purposes of a temporary hearing.

(3) IRS forms W-2, 1099, and K-1 for the past year, if the income tax return for that year has not been prepared.

(4) Pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit.

(de) Parties' Disclosure Requirements for Initial or Supplemental Proceedings. A party shall serve the following documents in any proceeding for an initial or supplemental request for permanent financial relief, including, but not limited to, a request for child support, alimony, equitable distribution of assets or debts, or attorneys' fees, suit money, or costs:

(1) A financial affidavit in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(b) if the party's gross annual income is less than \$50,000, or Florida Family Law Rules of Procedure Form 12.902(c) if the party's gross annual income is equal to or more than \$50,000, which requirement cannot be waived by the parties. The financial affidavits must also be filed with the court. A party may request, by using the Standard Family Law Interrogatories, or the court on its own motion may order, a party whose gross annual income is less than \$50,000 to complete Florida Family Law Rules of Procedure Form 12.902(c).

(2) All federal and state income tax returns, gift tax returns, and intangible personal property tax returns filed by the party or on the party's behalf for the past 3 years.

(3) IRS forms W-2, 1099, and K-1 for the past year, if the income tax return for that year has not been prepared.

(4) Pay stubs or other evidence of earned income for the 3 months prior to service of the financial affidavit.

(5) A statement by the producing party identifying the amount and source of all income received from any source during the 3 months preceding the service of the financial affidavit required by this rule if not reflected on the pay stubs produced.

(6) All loan applications and financial statements prepared or used within the 12 months preceding service of that party's financial affidavit required by this rule, whether for the purpose of obtaining or attempting to obtain credit or for any other purpose.

(7) All deeds within the last 3 years, all promissory notes within the last 12 months, and all present leases, in which the party owns or owned an interest, whether held in the party's name individually, in the party's name jointly with any other person or entity, in the party's name as trustee or guardian for any other person, or in someone else's name on the party's behalf.

(8) All periodic statements from the last 3 months for all checking accounts, and from the last 12 months for all other accounts (for example, savings accounts, money market funds, certificates of deposit, etc.), regardless of whether or not the account has been closed, including those held in the party's name individually, in the party's name jointly with any other person or entity, in the party's name as trustee or guardian for any other person, or in someone else's name on the party's behalf.

(9) All brokerage account statements in which either party to this action held within the last 12 months or holds an interest including those held in the party's name individually, in the party's name jointly with any person or entity, in the party's name as trustee or guardian for any other person, or in someone else's name on the party's behalf.

(10) The most recent statement for any profit sharing, retirement, deferred compensation, or pension plan (for example, IRA, 401(k), 403(b), SEP, KEOGH, or other similar account) in which the party is a participant or alternate payee and the summary plan description for any retirement, profit sharing, or pension plan in which the party is a participant or an alternate payee. (The summary plan description must be furnished to the party on request by the plan administrator as required by 29 U.S.C. § 1024(b)(4).)

(11) The declarations page, the last periodic statement, and the certificate for all life insurance policies insuring the party's life or the life of the party's spouse, whether group insurance or otherwise, and all current health and dental insurance cards covering either of the parties and/or their dependent children.

(12) Corporate, partnership, and trust tax returns for the last 3 tax

years if the party has an ownership or interest in a corporation, partnership, or trust greater than or equal to 30%.

(13) All promissory notes for the last 12 months, all credit card and charge account statements and other records showing the party's indebtedness as of the date of the filing of this action and for the last 3 months, and all present lease agreements, whether owed in the party's name individually, in the party's name jointly with any other person or entity, in the party's name as trustee or guardian for any other person, or in someone else's name on the party's behalf.

(14) All written premarital or marital agreements entered into at any time between the parties to this marriage, whether before or during the marriage. Additionally, in any modification proceeding, each party shall serve on the opposing party all written agreements entered into between them at any time since the order to be modified was entered.

(15) All documents and tangible evidence supporting the producing party's claim of special equity or nonmarital status of an asset or debt for the time period from the date of acquisition of the asset or debt to the date of production or from the date of marriage, if based on premarital acquisition.

(16) Any court orders directing a party to pay or receive spousal or child support.

(ef) Duty to Supplement Disclosure; Amended Financial Affidavit.

(1) Parties have a continuing duty to supplement documents described in this rule, including financial affidavits, whenever a material change in their financial status occurs.

(2) If an amended financial affidavit or an amendment to a financial affidavit is filed, the amending party shall also serve any subsequently discovered or acquired documents supporting the amendments to the financial affidavit.

(fg) Sanctions. Any document to be produced under this rule that is served on the opposing party fewer than 24 hours before a nonfinal hearing or in violation of the court's pretrial order shall not be admissible in evidence at that hearing unless the court finds good cause for the delay. In addition, the court may impose other sanctions authorized by rule 12.380 as may be equitable under the circumstances. The court may also impose sanctions upon the offending lawyer in

lieu of imposing sanctions on a party.

(gh) Extensions of Time for Complying with Mandatory Disclosure. By agreement of the parties, the time for complying with mandatory disclosure may be extended. Either party may also file, at least 5 days before the due date, a motion to enlarge the time for complying with mandatory disclosure. The court shall grant the request for good cause shown.

(hi) Objections to Mandatory Automatic Disclosure. Objections to the mandatory automatic disclosure required by this rule shall be served in writing at least 5 days prior to the due date for the disclosure or the objections shall be deemed waived. The filing of a timely objection, with a notice of hearing on the objection, automatically stays mandatory disclosure for those matters within the scope of the objection. For good cause shown, the court may extend the time for the filing of an objection or permit the filing of an otherwise untimely objection. The court shall impose sanctions for the filing of meritless or frivolous objections.

(ij) Certificate of Compliance. All parties subject to automatic mandatory disclosure shall file with the court a certificate of compliance, Florida Family Law Rules of Procedure Form 12.932, identifying with particularity the documents which have been delivered and certifying the date of service of the financial affidavit and documents by that party. The party shall swear or affirm under oath that the disclosure is complete, accurate, and in compliance with this rule, unless the party indicates otherwise, with specificity, in the certificate of compliance. ~~Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without a court order.~~

(jk) Child Support Guidelines Worksheet. If the case involves child support, the parties shall file with the court at or prior to a hearing to establish or modify child support a Child Support Guidelines Worksheet in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(e). This requirement cannot be waived by the parties.

(kl) Place of Production.

(1) Unless otherwise agreed by the parties or ordered by the court, all production required by this rule shall take place in the county where the action is pending and in the office of the attorney for the party receiving production. Unless otherwise agreed by the parties or ordered by the court, if a party does not have an

attorney or if the attorney does not have an office in the county where the action is pending, production shall take place in the county where the action is pending at a place designated in writing by the party receiving production, served at least 5 days before the due date for production.

(2) If venue is contested, on motion by a party the court shall designate the place where production will occur pending determination of the venue issue.

(4m) Failure of Defaulted Party to Comply. Nothing in this rule shall be deemed to preclude the entry of a final judgment when a party in default has failed to comply with this rule.

Commentary

1995 Adoption. This rule creates a procedure for automatic financial disclosure in family law cases. By requiring production at an early stage in the proceedings, it is hoped that the expense of litigation will be minimized. *See Dralus v. Dralus*, 627 So. 2d 505 (Fla. 2d DCA 1993); *Wrona v. Wrona*, 592 So. 2d 694 (Fla. 2d DCA 1991); and *Katz v. Katz*, 505 So. 2d 25 (Fla. 4th DCA 1987). A limited number of requirements have been placed upon parties making and spending less than \$50,000 annually unless otherwise ordered by the court. In cases where the income or expenses of a party are equal to or exceed \$50,000 annually, the requirements are much greater. Except for the provisions as to financial affidavits, other than as set forth in subdivision (k), any portion of this rule may be modified by agreement of the parties or by order of the court. For instance, upon the request of any party or on the court's own motion, the court may order that the parties to the proceeding comply with some or all of the automatic mandatory disclosure provisions of this rule even though the parties do not meet the income requirements set forth in subdivision (d). Additionally, the court may, on the motion of a party or on its own motion, limit the disclosure requirements in this rule should it find good cause for doing so.

Committee Notes

1997 Amendment. Except for the form of financial affidavit used, mandatory disclosure is made the same for all parties subject to the rule, regardless of income. The amount of information required to be disclosed is increased for parties in the under-\$50,000 category and decreased for parties in the \$50,000-or-over category. The standard family law interrogatories are no longer mandatory,

and their answers are designed to be supplemental and not duplicative of information contained in the financial affidavits.

1998 Amendment. If one party has not provided necessary financial information for the other party to complete a child support guidelines worksheet, a good faith estimate should be made.

2005 Amendment. The requirement that a party certify compliance with mandatory disclosure is intended to facilitate full disclosure and prevent a party from alleging that he or she did not know he or she had to provide documents required by this rule. This certification does not relieve the party of the duty to supplement disclosure.

**RULE 12.287. FINANCIAL AFFIDAVITS IN ENFORCEMENT
AND CONTEMPT PROCEEDINGS**

Any party in an enforcement or contempt proceeding may serve upon any other party a written request to ~~file and~~ serve a financial affidavit if the other party's financial circumstances are relevant in the proceeding. The party to whom the request is made shall ~~file and~~ serve the requested financial affidavit and file a notice of compliance within 10 days after the service of the written request. The court may allow a shorter or longer time. The financial affidavit shall be in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(b) (Short Form), all sections of which shall be completed.

RULE 12.340. INTERROGATORIES TO PARTIES

Interrogatories to parties shall be governed generally by Florida Rule of Civil Procedure 1.340, with the following exceptions.

(a) Service of Interrogatories.

(1) Initial Interrogatories. Initial interrogatories to parties in original and enforcement actions shall be those set forth in Florida Family Law Rules of Procedure Form 12.930(b). Parties governed by the mandatory disclosure requirements of rule 12.285 may serve the interrogatories set forth in Florida Family Law Rules of Procedure Form 12.930(b) as set forth in rule 1.340.

(2) Modification Interrogatories. Interrogatories to parties in cases involving modification of a final judgment shall be those set forth in Florida Family Law Rules of Procedure Form 12.930(c). Parties governed by the mandatory disclosure requirements of rule 12.285 may serve the interrogatories set forth in Florida Family Law Rules of Procedure Form 12.930(c) as set forth in rule 1.340.

(b) Additional Interrogatories. Ten interrogatories, including subparts, may be sent to a party, in addition to the standard interrogatories contained in Florida Family Law Rules of Procedure Form 12.930(b) or Florida Family Law Rules of Procedure Form 12.930(c). A party must obtain permission of the court to send more than 10 additional interrogatories.

(c) Serving of Responses. Parties shall serve responses to interrogatories on the requesting party. Responses shall not be filed with the court unless they are admitted into evidence by the court and are in compliance with rule 12.280(a). The responding party shall file with the court Florida Family Law Rules of Procedure Form 12.930(d), Notice of Service of Answers to Standard Family Law Interrogatories.

Commentary

1995 Adoption. For parties governed under the disclosure requirements of \$50,000 or more), the answers to the interrogatories contained in Form 12.930(b) must be automatically served on the other party. For parties governed under the disclosure requirements of rule 12.285(c) (income and expenses under \$50,000), the service of the interrogatories contained in Form 12.930(b) is optional

as provided in Florida Rule of Civil Procedure 1.340. Additionally, under this rule, 10 additional interrogatories, including subparts, may be submitted beyond those contained in Florida Family Law Rules of Procedure Form 12.930(b). Leave of court is required to exceed 10 additional interrogatories. The provisions of Florida Rule of Civil Procedure 1.340 are to govern the procedures and scope of the additional interrogatories.

Committee Note

1997 Amendment. The rule was amended to conform to the changes made to rule 12.285, Mandatory Disclosure.

RULE 12.363. EVALUATION OF MINOR CHILD

(a) Appointment of Mental Health Professional or Other Expert.

(1) When the issue of visitation, parental responsibility, or residential placement of a child is in controversy, the court, on motion of any party or the court's own motion, may appoint a licensed mental health professional or other expert for an examination, evaluation, testing, or interview of any minor child or to conduct a social or home study investigation. The parties may agree on the particular expert to be appointed, subject to approval by the court. If the parties have agreed, they shall submit an order including the name, address, telephone number, area of expertise, and professional qualifications of the expert. If the parties have agreed on the need for an expert and cannot agree on the selection, the court shall appoint an expert.

(2) After the examination, evaluation, or investigation, any party may file a motion for an additional expert examination, evaluation, interview, testing, or investigation by a licensed mental health professional or other expert. The court upon hearing may permit the additional examination, evaluation, testing, or interview based on good cause shown that further examinations, testing, interviews, or evaluations would be in the best interests of the minor child.

(3) Any order entered under this rule shall specify the issues to be addressed by the expert.

(4) Any order entered under this rule may require that all interviews of the child be recorded and the tapes be maintained as part of the expert's file.

(5) The order appointing the expert shall include an initial allocation of responsibility for payment.

(6) A copy of the order of appointment shall be provided immediately to the expert by the court unless otherwise directed by the court. The order shall direct the parties to contact the expert or investigator appointed by the court to establish an appointment schedule to facilitate timely completion of the evaluation.

(b) Providing of Reports.

(1) Unless otherwise ordered, the expert shall prepare and provide a

written report to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed, a reasonable time before any evidentiary hearing on the matter at issue. The expert also shall send written notice to the court that the report has been completed and that a copy of the written report has been provided to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed. In any event, the written report shall be prepared and provided no later than 30 days before trial or 75 days from the order of appointment, unless the time is extended by order of the court. The expert shall not send a copy of the report to the court unless the parties and their attorneys have agreed in writing that the report will be considered by the court and filed in the court file as provided in subdivision (e).

(2) On motion of any party, the court may order the expert to produce the expert's complete file to another qualified licensed mental health professional, at the initial cost of the requesting party, for review by such qualified licensed mental health expert, who may testify.

(c) Testimony of Other Professionals. Any other expert who has treated, tested, interviewed, examined, or evaluated a child may testify only if the court determines that good cause exists to permit the testimony. The fact that no notice of such treatment, testing, interview, examination, or evaluation of a child was given to both parents shall be considered by the court as a basis for preventing such testimony.

(d) Communications with Court by Expert. No expert may communicate with the court without prior notice to the parties and their attorneys, who shall be afforded the opportunity to be present and heard during any such communication between the expert and the court. A request for communication with the court may be informally conveyed by letter or telephone. Further communication with the court, which may be conducted informally, shall be done only with notice to the parties.

(e) Use of Evidence. An expert appointed by the court shall be subject to the same examination as a privately retained expert and the court shall not entertain any presumption in favor of the appointed expert's findings. Any finding or report by an expert appointed by the court may be entered into evidence on the court's own motion or the motion of any party in a manner consistent with the rules of evidence, subject to cross-examination by the parties. Any report filed in the court file shall be in compliance with rule 12.280(a). ~~The report shall not be considered by the court before it is properly admitted into evidence. The report shall not be~~

filed in the court file unless or until it is properly admitted into evidence and considered by the court. The court shall consider whether the report should be sealed as provided by Florida Rule of Judicial Administration 2.420.

Committee Note

1997 Adoption. This rule should be interpreted to discourage subjecting children to multiple interviews, testing, and evaluations, without good cause shown. The court should consider the best interests of the child in permitting evaluations, testing, or interviews of the child. The parties should cooperate in choosing a mental health professional or individual to perform this function to lessen the need for multiple evaluations.

This rule is not intended to prevent additional mental health professionals who have not treated, interviewed, or evaluated the child from testifying concerning review of the data produced pursuant to this rule.

This rule is not intended to prevent a mental health professional who has engaged in long-term treatment of the child from testifying about the minor child.

RULE 12.370. REQUESTS FOR ADMISSION

Requests for admission shall be governed by Florida Rule of Civil Procedure 1.370, except that

(a) the request and any response to it must comply with rule 12.280(a);
and

(b) documents attached to the request for admission shall not be filed with the court and shall only be attached to the copy served on the party to whom the request for admissions is directed.

RULE 12.410. SUBPOENA

Subpoenas shall be governed by Florida Rule of Civil Procedure 1.410, except as follows:

(a) Subpoenas. No subpoena issued under Florida Rule of Civil Procedure 1.410, even if for the purpose of proof of service or nonservice of the subpoena, shall be filed with the court unless in compliance with rule 12.280(a).

(b) Notice of Issuance of Subpoena. A party issuing a subpoena through an attorney of record or clerk of the court under Florida Rule of Civil Procedure 1.410 shall, on the same day as the subpoena is issued, serve each party to the proceeding with a notice of issuance of subpoena and file this notice with the court. The notice of issuance of subpoena shall identify the person or entity subject to the subpoena, the date the subpoena was issued, and the date and time for appearance or production, and shall recite all references to account numbers and personal identifying numbers in compliance with rule 12.280(a).

(c) Notice to Produce. Any notice to produce issued under Florida Rule of Civil Procedure 1.410 shall comply with rule 12.280(a).

RULE 12.440. SETTING ACTION FOR TRIAL

Florida Rule of Civil Procedure 1.440 shall govern general provisions concerning setting an action for trial in family law matters, with the following exceptions and additions.

(a) Setting for Trial. If the court finds the action ready to be set for trial, it shall enter an order setting the action for trial, fixing a date for trial, and setting a pretrial conference, if necessary. In the event a default has been entered, reasonable notice of not less than 10 days shall be given unless otherwise required by law. Trial shall be set within a reasonable time from the service of the notice for trial. At the pretrial conference, the parties should be prepared, consistent with Florida Family Law Rule of Procedure 12.200, to present any matter that will prepare the parties for trial and that can expedite the resolution of the case. The trial court may also direct the parties to reciprocally exchange and file with the court all documents relative to the outcome of the case; a list of all witnesses, all issues to be tried, and all undisposed motions; an estimate of the time needed to try the case; and any other information the court deems appropriate. Any court filings shall be in conformity with rule 12.280(a). This information should be served and filed no later than 72 hours before the pretrial conference or 30 days before the trial.

(b) Sanctions. The failure to comply with the requirements of the order setting the action for trial shall subject the party or attorney to appropriate court sanctions.

Commentary

1995 Adoption. This rule amends Florida Rule of Civil Procedure 1.440(c), Setting for Trial, and creates a procedure to facilitate setting an action for trial. Proper pretrial compliance will foster knowledgeable settlement discussion and expedite an orderly trial. The rule also adds a provision for sanctions.

**RULE 12.540. RELIEF FROM JUDGMENT, DECREES,
OR ORDERS**

Florida Rule of Civil Procedure 1.540 shall govern general provision concerning relief from judgment, decrees, or orders, except:

(a) ~~that~~ there shall be no time limit for motions based on fraudulent financial affidavits in marital or paternity cases; and

(b) the motion and any attachment or exhibit to it shall be in compliance with rule 12.280(a).

RULE 12.560. DISCOVERY IN AID OF EXECUTION

(a) In General. In aid of a judgment, decree, or execution the judgment creditor or the successor in interest, when the interest appears of record, may obtain discovery from any person, including the judgment debtor, in the manner provided in these rules.

(b) Fact Information Sheet. In addition to any other discovery available to a judgment creditor under this rule, the court, at the request of the judgment creditor, shall order the judgment debtor or debtors to complete Florida Rules of Civil Procedure Form 1.977, including all required attachments, within 45 days of the order or such other reasonable time as determined by the court.

(c) Final Judgment Enforcement Paragraph. In any final judgment which awards money damages, the judge shall include the following enforcement paragraph if requested at the final hearing or a subsequently noticed hearing by the prevailing party or attorney:

“It is further ordered and adjudged that the judgment debtor(s) shall complete under oath Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the judgment creditor’s attorney, or the judgment creditor if the judgment creditor is not represented by an attorney, within 45 days from the date of this final judgment, unless the final judgment is satisfied or post-judgment discovery is stayed.

“Jurisdiction of this case is retained to enter further orders that are proper to compel the judgment debtor(s) to complete form 1.977, including all required attachments, and serve it on the judgment creditor’s attorney, or the judgment creditor if the judgment creditor is not represented by an attorney.”

(d) Information Regarding Assets of Judgment Debtor’s Spouse. In any final judgment which awards money damages, if requested by the judgment creditor at a duly noticed hearing, the court shall require all or part of the additional Spouse Related Portion of the fact information sheet to be filled out by the judgment debtor only upon a showing that a proper predicate exists for discovery of separate income and assets of the judgment debtor’s spouse.

(e) Notice of Compliance. The judgment debtor shall file with the clerk of court a notice of compliance with the order to complete form 1.977, and serve a copy of the notice of compliance on the judgment creditor or the judgment

creditor's attorney. Form 1.977 shall not be filed with the clerk of the court or in any other public record, except by order of the court after a notice and hearing and for good cause shown. If the court permits the filing of form 1.977, it shall be in compliance with the requirements of rule 12.280(a).

Committee Notes

2000 Amendment. Subdivisions (b)–(e) were added to the Florida Rules of Civil Procedure and adopted with amendments into the Family Law Rules of Procedure. The amendments to the Civil Rules were patterned after Florida Small Claims Rule 7.221(a) and Form 7.343. Although the judgment creditor is entitled to broad discovery into the judgment debtor's finances (Fla. R. Civ. P. 1.280(b); *Jim Appley's Tru-Arc, Inc. v. Liquid Extraction Systems*, 526 So. 2d 177, 179 (Fla. 2d DCA 1988)), in family law cases inquiry into the individual assets of the judgment debtor's spouse must be precluded until a proper predicate has been shown. *Tru-Arc, Inc.*, 526 So.2d at 179; *Rose Printing Co. v. D'Amato*, 338 So. 2d 212 (Fla. 3d DCA 1976).

RULE 12.620 RECEIVERS

Receivers shall be governed by Florida Rule of Civil Procedure 1.620, except that any inventory filed with the court shall be in compliance with rule 12.280(a).

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.901(a),
PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

When should this form be used?

This form should be used when a husband and wife are filing for a simplified **dissolution of marriage**. You and/or your **spouse** must have lived in Florida for at least 6 months before filing for a dissolution in Florida. You may file a simplified dissolution of marriage in Florida if **all** of the following are true:

- You and your spouse agree that the marriage cannot be saved.
- You and your spouse have no minor or dependent child(ren) together, the wife does not have any minor or dependent children born during the marriage, and the wife is not now pregnant.
- You and your spouse have worked out how the two of you will divide the things that you both own (your **assets**) and who will pay what part of the money you both owe (your **liabilities**), and you are both satisfied with this division.
- You are not seeking support (**alimony**) from your spouse, and vice versa.
- ~~Neither you nor your spouse wish to have any financial information other than that provided in the financial affidavits.~~ You and your spouse have filed financial affidavits with the court or you have waived the filing of financial affidavits and you are satisfied with the financial disclosure received from the other spouse.
- You are willing to give up your right to **trial** and **appeal**.
- You and your spouse are both willing to go into the clerk's office to sign the petition (not necessarily together).
- You and your spouse are both willing to go to the **final hearing** (at the same time).

If you do not meet the criteria above, you must file a regular **petition** for dissolution of marriage.

This petition should be typed or printed in black ink. Each of you must sign the petition in the presence of a deputy clerk (in the clerk's office), although you do not have to go into the clerk's office at the same time. You will need to provide picture identification (valid driver's license or official identification card) for the clerk to witness your signatures.

What should I do next?

1. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where you live and keep a copy for your records. ~~In addition to this petition, you must file the forms listed below.~~

- ~~• **Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). (Each of you must complete a separate financial affidavit.)~~
- ~~• **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j). (Each of you must complete a separate notice.)~~
- ~~• **Marital Settlement Agreement**, Florida Family Law Rules of Procedure Form 12.902(f)(3). (You will complete one agreement together.)~~

If you did not waive the filing of a financial affidavit in the petition, each of you must file a **Financial Affidavit**, Florida Family Law Rules of Procedure 12.902(b) or (c). You may document your agreement by signing a **Marital Settlement Agreement**, Florida Family Law Rules of Procedure Form 12.902(f)(3) and filing it with the **clerk of the circuit court** or you may agree that all of your assets (what you own) and liabilities (what you owe) have been disposed of by oral agreement.

2. You must prove to the court that the husband **and/or** wife has (have) lived in Florida for more than 6 months before filing the petition for dissolution of marriage. Residence can be proved by:

- a valid Florida driver's license, Florida identification card, or voter registration card issued to one of you at least 6 months prior to filing for dissolution of marriage; or
- the testimony of another person who knows that either you or your spouse has resided in Florida for more than 6 months and is available to testify in court; or
- an **affidavit**. To prove residence by affidavit, use an **Affidavit of Corroborating Witness**, Florida Supreme Court Approved Family Law Form 12.902(i). This form must be signed by a person who knows that either you or your spouse has lived in Florida for more than 6 months before the date that you filed the petition for dissolution of marriage. This affidavit may be signed in the presence of the clerk of the court or in the presence of a **notary public**, who must affix his or her seal at the proper place on the affidavit.

3. You must pay the appropriate **filing fees** to the clerk of the circuit court. If you and your spouse cannot afford to pay the filing fees, you may fill out an **Application for Determination of Civil Indigent Status**, and file it with your petition for dissolution of marriage. You may obtain this form from the clerk and he or she will determine whether you are eligible to have filing fees waived.

4. Either you or the clerk of court will need to complete a civil cover sheet found in Form 1.997 of the Florida Rules of Civil Procedure. The clerk's office can provide this form.

5. You must obtain a date and time for a court appearance from the clerk of court. On that date, **you and your spouse must appear together before a judge**. You should complete a **Final Judgment of Simplified Dissolution of Marriage**, Florida Family Law Rules of Procedure Form 12.990(a), and bring it with you to the hearing. At that time, if all of the papers are in order, the judge may grant a final judgment dissolving your marriage under simplified dissolution of marriage procedures by signing the final judgment which you have provided.

6. **If you fail to complete this procedure, the court may dismiss the case to clear its records.**

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 Rule 12.105, Florida Family Law Rules of Procedure.

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 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: _____

_____,
Husband,
and
_____,
Wife.

PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

We, {full legal name} _____, Husband,
and {full legal name} _____, Wife,
being sworn, certify that the following information is true:
[fill in **all** blanks]

1. We are both asking the Court for a dissolution of our marriage.
2. Husband lives in {name} _____ County, {state} _____, and has lived there since {date} _____. Wife lives in {name} _____ County, {state} _____, and has lived there since {date} _____.
3. We were married to each other on {date} _____ in the city of {city} _____ in state of {state} _____, or country of {country} _____.
4. Our marriage is irretrievably broken.
5. ~~Together, we have no minor (under 18) or dependent children~~ We do not have any minor or dependent children together, the wife does not have any minor or dependent born during the marriage, and the wife is not pregnant.
6. We have ~~made a marital settlement agreement dividing~~ divided our assets (what we own) and our liabilities (what we owe) by agreement. We are satisfied with this agreement.
[☒ one only]
() Our marital settlement agreement, Florida Family Law Rules of Procedure Form 12.902(f)(3), is attached. This agreement was signed freely and voluntarily by each of us and we intend to be bound by it.
() Our marital settlement agreement is not in writing. We prefer to keep our financial arrangements private.
7. [☒ one only]
() We have each completed and signed financial affidavits, Florida Family Law Rules of Procedure Forms 12.902(b) or (c), which are attached to this petition.
() Each of us is satisfied with the financial disclosure we received from the other spouse and we waive the filing of financial affidavits.
8. ~~Completed Notice of Social Security Number forms, Florida Supreme Court Approved Family Law Form 12.902(j), are filed with this petition.~~
98. [☒ one only] () yes () no Wife wants to be known by her former name, which was {full legal name} _____.

~~109.~~ We each certify that we have not been threatened or pressured into signing this petition. We each understand that the result of signing this petition may be a final judgment ending our marriage and allowing no further relief.

~~110.~~ We each understand that **we both must come to the hearing** to testify about the things we are asking for in this petition.

~~121.~~ We understand that we each may have legal rights as a result of our marriage and that by signing this petition we may be giving up those rights.

~~1312.~~ We ask the Court to end our marriage and approve our marital settlement agreement.

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: _____

Signature of HUSBAND

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or
deputy clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced _____

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: _____

Signature of WIFE

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or
deputy clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
[☒ **one** only] (☐) Husband (☐) Wife **or** (☐) both, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.902(b),
FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM)

When should this form be used?

This form should be used when you are involved in a family law case which requires a **financial affidavit** and your individual gross income is **UNDER \$50,000 per year** unless:

(1) you are filing a simplified dissolution of marriage under rule 12.105 and both parties have waived the filing of a financial affidavit;

(2) you have no minor children, no support issues, and have filed a written settlement agreement disposing of all financial issues, or

(3) the court lacks jurisdiction to determine any financial issues.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the original with the **clerk of the circuit court** in the county where the **petition** was filed and keep a copy for your records.

What should I do next?

A copy of this form must be mailed or hand delivered to the other **party** in your case, if it is not served on him or her with your initial papers. This must be accomplished within 45 days of service of the petition.

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 rule 12.285, Florida Family Law Rules of Procedure.

Special notes...

~~If this is a domestic violence case and you want to keep your address confidential for safety reasons because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Petitioner’s Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h).~~

The affidavit must be completed using **monthly** income and expense amounts. If you are paid or your bills are due on a schedule which is not monthly, you must convert those amounts. Hints are provided below for making these conversions.

Hourly - If you are paid by the hour, you may convert your income to monthly as follows:

Hourly amount	x	Hours worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Daily - If you are paid by the day, you may convert your income to monthly as follows:

Daily amount	x	Days worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Weekly - If you are paid by the week, you may convert your income to monthly as follows:

Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Bi-weekly - If you are paid every two weeks, you may convert your income to monthly as follows:

Bi-weekly amount	x	26	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Semi-monthly - If you are paid twice per month, you may convert your income to monthly as follows:

Semi-monthly amount x 2 = **Monthly Amount**

Expenses may be converted in the same manner.

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: _____

_____,
Petitioner,
and

_____,
Respondent.

FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM)
(Under \$50,000 Individual Gross Annual Income)

I, {full legal name} _____, being sworn, certify that the following information is true:

My Occupation: _____ Employed by: _____

Business Address: _____

Pay rate: \$ _____ () every week () every other week () twice a month () monthly () other: _____

☐ Check here if unemployed and explain on a separate sheet your efforts to find employment.

SECTION I. PRESENT MONTHLY GROSS INCOME:

All amounts must be MONTHLY. See the instructions with this form to figure out money amounts for anything that is NOT paid monthly. Attach more paper, if needed. Items included under "other" should be listed separately with separate dollar amounts.

- | | |
|--|-------------|
| 1. Monthly gross salary or wages | 1. \$ _____ |
| 2. Monthly bonuses, commissions, allowances, overtime, tips, and similar payments | 2. _____ |
| 3. Monthly business income from sources such as self-employment, partnerships, close corporations, and/or independent contracts (gross receipts minus ordinary and necessary expenses required to produce income) (<input type="checkbox"/> Attach sheet itemizing such income and expenses.) | 3. _____ |
| 4. Monthly disability benefits/SSI | 4. _____ |
| 5. Monthly Workers' Compensation | 5. _____ |
| 6. Monthly Unemployment Compensation | 6. _____ |
| 7. Monthly pension, retirement, or annuity payments | 7. _____ |
| 8. Monthly Social Security benefits | 8. _____ |
| 9. Monthly alimony actually received | |
| 9a. From this case: \$ _____ | |
| 9b. From other case(s): _____ | |
| Add 9a and 9b | 9. _____ |
| 10. Monthly interest and dividends | 10. _____ |
| 11. Monthly rental income (gross receipts minus ordinary and necessary expenses required to produce income) (<input type="checkbox"/> Attach sheet itemizing such income and expense items.) | 11. _____ |
| 12. Monthly income from royalties, trusts, or estates | 12. _____ |
| 13. Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses | 13. _____ |
| 14. Monthly gains derived from dealing in property (not including nonrecurring gains) | 14. _____ |
| 15. Any other income of a recurring nature (list source) _____ | 15. _____ |
| 16. _____ | 16. _____ |

17. **PRESENT MONTHLY GROSS INCOME** (Add lines 1–16) **TOTAL:** 17. \$ _____

PRESENT MONTHLY DEDUCTIONS:

18. Monthly federal, state, and local income tax (corrected for filing status and allowable dependents and income tax liabilities)
- a. Filing Status _____
- b. Number of dependents claimed _____
19. Monthly FICA or self-employment taxes 18. \$ _____
20. Monthly Medicare payments 19. _____
21. Monthly mandatory union dues 20. _____
22. Monthly mandatory retirement payments 21. _____
23. Monthly health insurance payments (including dental insurance), excluding portion paid for any minor children of this relationship 22. _____
24. Monthly court-ordered child support actually paid for children from another relationship 23. _____
25. Monthly court-ordered alimony actually paid 24. _____
- 25a. from this case: \$ _____
- 25b. from other case(s): _____ Add 25a and 25b 25. _____

26. **TOTAL DEDUCTIONS ALLOWABLE UNDER SECTION 61.30, FLORIDA STATUTES** (Add lines 18 through 25) **TOTAL:** 26. \$ _____

PRESENT NET MONTHLY INCOME (Subtract line 26 from line 17) 27. \$ _____

SECTION II. AVERAGE MONTHLY EXPENSES

A. HOUSEHOLD:

Mortgage or rent \$ _____

Property taxes \$ _____

Utilities \$ _____

Telephone \$ _____

Food \$ _____

Meals outside home \$ _____

Maintenance/Repairs \$ _____

Other: _____ \$ _____

B. AUTOMOBILE

Gasoline \$ _____

Repairs \$ _____

Insurance \$ _____

C. CHILD(REN)'S EXPENSES

Day care \$ _____

Lunch money \$ _____

Clothing \$ _____

Grooming \$ _____

Gifts for holidays \$ _____

Medical/dental (uninsured) \$ _____

Other: _____ \$ _____

D. INSURANCE

Medical/dental \$ _____

Child(ren)'s medical/dental \$ _____

Life \$ _____

Other: _____ \$ _____

E. OTHER EXPENSES NOT LISTED ABOVE

Clothing \$ _____

Medical/Dental (uninsured) \$ _____

Grooming \$ _____

Entertainment \$ _____

Gifts \$ _____

Religious organizations \$ _____

Miscellaneous \$ _____

Other: _____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

F. PAYMENTS TO CREDITORS

List only last 3 digits of account numbers.

CREDITOR:	MONTHLY PAYMENT
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

_____ \$ _____ \$ _____

28. TOTAL MONTHLY EXPENSES (add ALL monthly amounts in A through F above) **28. \$** _____

SUMMARY

29. TOTAL PRESENT MONTHLY NET INCOME

(from line 27 of SECTION I. INCOME)

29. \$ _____

30. TOTAL MONTHLY EXPENSES (from line 28 above)

30. \$ _____

31. SURPLUS (If line 29 is more than line 30, subtract line 30 from line 29.

This is the amount of your surplus. Enter that amount here.)

31. \$ _____

32. (DEFICIT) (If line 30 is more than line 29, subtract line 29 from line 30.

This is the amount of your deficit. Enter that amount here.)

32. (\$ _____ **)**

SECTION III. ASSETS AND LIABILITIES

Use the nonmarital column only if this is a petition for dissolution of marriage and you believe an item is "nonmarital," meaning it belongs to only one of you and should not be divided. You should indicate to whom you believe the item(s) or debt belongs. (Typically, you will only use this column if property/debt was owned/owed by one spouse before the marriage. See the "General Information for Self-Represented Litigants" found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of "marital" and "nonmarital" assets and liabilities.)

A. ASSETS:

DESCRIPTION OF ITEM(S). List a description of each separate item owned by you (and/or your spouse, if this is a petition for dissolution of marriage). DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. ✓ the box next to any asset(s) which you are requesting the judge award to you.	Current Fair Market Value	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/> Cash (on hand)	\$		
<input type="checkbox"/> Cash (in banks or credit unions)			
<input type="checkbox"/> Stocks, Bonds, Notes			
<input type="checkbox"/> Real estate: (Home)			
<input type="checkbox"/> (Other)			
<input type="checkbox"/> Automobiles			
<input type="checkbox"/> Other personal property			
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)			
<input type="checkbox"/> Other			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> ✓ here if additional pages are attached.			
Total Assets (add next column)	\$ _____		

B. LIABILITIES:

DESCRIPTION OF ITEM(S). List a description of each separate debt owed by you (and/or your spouse, if this is a petition for dissolution of marriage). DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. ✓ the box next to any debt(s) for which you believe you should be responsible.	Current Amount Owed	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/> Mortgages on real estate: First mortgage on home	\$		
<input type="checkbox"/> Second mortgage on home			
<input type="checkbox"/> Other mortgages			
<input type="checkbox"/>			
<input type="checkbox"/> Auto loans			
<input type="checkbox"/>			
<input type="checkbox"/> Charge/credit card accounts			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Other			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> ✓ here if additional pages are attached.			
Total Debts (add next column)	\$		

C. CONTINGENT ASSETS AND LIABILITIES:

INSTRUCTIONS: If you have any **POSSIBLE assets** (income potential, accrued vacation or sick leave, bonus, inheritance, etc.) or **POSSIBLE liabilities** (possible lawsuits, future unpaid taxes, contingent tax liabilities, debts assumed by another), you must list them here.

Contingent Assets ✓ the box next to any contingent asset(s) which you are requesting the judge award to you.	Possible Value	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
Total Contingent Assets	\$		

Contingent Liabilities ✓ the box next to any contingent debt(s) for which you believe you should be responsible.	Possible Amount Owed	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
Total Contingent Liabilities	\$		

SECTION IV. CHILD SUPPORT GUIDELINES WORKSHEET

(Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet, MUST be filed with the court at or prior to a hearing to establish or modify child support. This requirement cannot be waived by the parties.)

[✓ one only]

- ___ **A Child Support Guidelines Worksheet IS or WILL BE filed in this case.** This case involves the establishment or modification of child support.
- ___ **A Child Support Guidelines Worksheet IS NOT being filed in this case.** The establishment or modification of child support is not an issue in this case.

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

Other party or his/her attorney:

Name: _____
 Address: _____
 City, State, Zip: _____
 Fax Number: _____

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

Dated: _____

 Signature of Party
 Printed Name: _____
 Address: _____
 City, State, Zip: _____
 Telephone Number: _____
 Fax Number: _____

STATE OF FLORIDA
 COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

 NOTARY PUBLIC or DEPUTY CLERK

 [Print, type, or stamp commissioned name of notary or deputy clerk.]

- ___ Personally known
 ___ Produced identification
 ___ Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} _____,
 a nonlawyer, located at {street} _____, {city} _____,
 {state} _____, {phone} _____, helped {name} _____,
 who is the [☒ **one only**] ___ petitioner or ___ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULE OF PROCEDURE FORM 12.902(c),
FAMILY LAW FINANCIAL AFFIDAVIT

When should this form be used?

This form should be used when you are involved in a family law case which requires a **financial affidavit** and your individual gross income is \$50,000 OR MORE per year unless:

(1) you are filing a simplified dissolution of marriage under rule 12.105 and both parties have waived the filing of financial affidavits;

(2) you have no minor children, no support issues, and have filed a written settlement agreement disposing of all financial issues, or

(3) the court lacks jurisdiction to determine any financial issues.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should then **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.

What should I do next?

A copy of this form must be mailed or hand delivered to the other **party** in your case, if it is not served on him or her with your initial papers. This must be accomplished within 45 days of service of the petition.

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 rule 12.285, Florida Family Law Rules of Procedure.

Special notes...

~~If this is a domestic violence case and you want to keep your address confidential for safety reasons because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Petitioner's Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(1h).~~

The affidavit must be completed using **monthly** income and expense amounts. If you are paid or your bills are due on a schedule which is not monthly, you must convert those amounts. Hints are provided below for making these conversions.

Hourly - If you are paid by the hour, you may convert your income to monthly as follows:

Hourly amount	x	Hours worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Daily - If you are paid by the day, you may convert your income to monthly as follows:

Daily amount	x	Days worked per week	=	Weekly amount
Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Weekly - If you are paid by the week, you may convert your income to monthly as follows:

Weekly amount	x	52 Weeks per year	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount

Bi-weekly - If you are paid every two weeks, you may convert your income to monthly as follows:

Bi-weekly amount	x	26	=	Yearly amount
Yearly amount	÷	12 Months per year	=	Monthly Amount
Semi-monthly - If you are paid twice per month, you may convert your income to monthly as follows:				
Semi-monthly amount	x	2	=	Monthly Amount

Expenses may be converted in the same manner.

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: _____

_____,
Petitioner,

and

_____,
Respondent.

FAMILY LAW FINANCIAL AFFIDAVIT

(\$50,000 or more Individual Gross Annual Income)

I, {full legal name} _____, being
sworn, certify that the following information is true:

SECTION I. INCOME

1. ~~Date of Birth~~ My age is: _____

2. My occupation is: _____

3. I am currently

[☒ all that apply]

____ a. Unemployed

Describe your efforts to find employment, how soon you expect to be employed, and the pay you expect to receive: _____

____ b. Employed by: _____

Address: _____

City, State, Zip code: _____

Telephone Number: _____

Pay rate: \$ ____ () every week () every other week () twice a month

() monthly () other: _____

If you are expecting to become unemployed or change jobs soon, describe the change you expect and why and how it will affect your income: _____

☐ Check here if you currently have more than one job. List the information above for the second job(s) on a separate sheet and attach it to this affidavit.

____ c. Retired. Date of retirement: _____

Employer from whom retired: _____

Address: _____

City, State, Zip code: _____ Telephone Number: _____

LAST YEAR'S GROSS INCOME:

YEAR _____

Your Income

\$ _____

Other Party's Income (*if known*)

\$ _____

PRESENT MONTHLY GROSS INCOME:

All amounts must be MONTHLY. See the instructions with this form to figure out money amounts for anything that is NOT paid monthly. Attach more paper, if needed. Items included under "other" should be listed separately with separate dollar amounts.

- | | |
|--|---------------|
| 1. Monthly gross salary or wages | 1. \$ _____ |
| 2. Monthly bonuses, commissions, allowances, overtime, tips, and similar payments | 2. _____ |
| 3. Monthly business income from sources such as self-employment, partnerships, close corporations, and/or independent contracts (Gross receipts minus ordinary and necessary expenses required to produce income.)
(<input type="checkbox"/> Attach sheet itemizing such income and expenses.) | 3. _____ |
| 4. Monthly disability benefits/SSI | 4. _____ |
| 5. Monthly Workers' Compensation | 5. _____ |
| 6. Monthly Unemployment Compensation | 6. _____ |
| 7. Monthly pension, retirement, or annuity payments | 7. _____ |
| 8. Monthly Social Security benefits | 8. _____ |
| 9. Monthly alimony actually received | |
| 9a. From this case: \$ _____ | |
| 9b. From other case(s): _____ | |
| | Add 9a and 9b |
| 10. Monthly interest and dividends | 9. _____ |
| 11. Monthly rental income (gross receipts minus ordinary and necessary expenses required to produce income) (<input type="checkbox"/> Attach sheet itemizing such income and expense items.) | 10. _____ |
| 12. Monthly income from royalties, trusts, or estates | 11. _____ |
| 13. Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses (<input type="checkbox"/> Attach sheet itemizing each item and amount.) | 12. _____ |
| 14. Monthly gains derived from dealing in property (not including nonrecurring gains) | 13. _____ |
| Any other income of a recurring nature (identify source) | 14. _____ |
| 15. _____ | 15. _____ |
| 16. _____ | 16. _____ |

17. PRESENT MONTHLY GROSS INCOME (Add lines 1–16) **TOTAL:** 17. \$ _____

PRESENT MONTHLY DEDUCTIONS:

All amounts must be MONTHLY. See the instructions with this form to figure out money amounts for anything that is NOT paid monthly.

- | | |
|--|--------------|
| 18. Monthly federal, state, and local income tax (corrected for filing status and allowable dependents and income tax liabilities) | |
| a. Filing Status _____ | |
| b. Number of dependents claimed _____ | 18. \$ _____ |
| 19. Monthly FICA or self-employment taxes | 19. _____ |
| 20. Monthly Medicare payments | 20. _____ |
| 21. Monthly mandatory union dues | 21. _____ |
| 22. Monthly mandatory retirement payments | 22. _____ |
| 23. Monthly health insurance payments (including dental insurance), excluding portion paid for any minor children of this relationship | 23. _____ |
| 24. Monthly court-ordered child support actually paid for children from | |

- another relationship 24. _____
25. Monthly court-ordered alimony actually paid
- 25a. from this case: \$ _____
- 25b. from other case(s): _____ Add 25a and 25b 25. _____
- 26. TOTAL DEDUCTIONS ALLOWABLE UNDER SECTION 61.30, FLORIDA STATUTES** (Add lines 18 through 25) **TOTAL:** 26. \$ _____
- 27. PRESENT NET MONTHLY INCOME** (Subtract line 26 from line 17) 27. \$ _____

SECTION II. AVERAGE MONTHLY EXPENSES

Proposed/Estimated Expenses. If this is a dissolution of marriage case **and** your expenses as listed below do not reflect what you actually pay currently, you should write "estimate" next to each amount that is estimated.

HOUSEHOLD:

1. Monthly mortgage or rent payments 1. \$ _____
2. Monthly property taxes (if not included in mortgage) 2. _____
3. Monthly insurance on residence (if not included in mortgage) 3. _____
4. Monthly condominium maintenance fees and homeowner's association fees 4. _____
5. Monthly electricity 5. _____
6. Monthly water, garbage, and sewer 6. _____
7. Monthly telephone 7. _____
8. Monthly fuel oil or natural gas 8. _____
9. Monthly repairs and maintenance 9. _____
10. Monthly lawn care 10. _____
11. Monthly pool maintenance 11. _____
12. Monthly pest control 12. _____
13. Monthly misc. household 13. _____
14. Monthly food and home supplies 14. _____
15. Monthly meals outside home 15. _____
16. Monthly cable t.v. 16. _____
17. Monthly alarm service contract 17. _____
18. Monthly service contracts on appliances 18. _____
19. Monthly maid service 19. _____
- Other:
20. _____ 20. _____
21. _____ 21. _____
22. _____ 22. _____
23. _____ 23. _____
24. _____ 24. _____

25. SUBTOTAL (add lines 1 through 24) 25. \$ _____

AUTOMOBILE:

26. Monthly gasoline and oil 26. \$ _____
27. Monthly repairs 27. _____
28. Monthly auto tags and emission testing 28. _____
29. Monthly insurance 29. _____
30. Monthly payments (lease or financing) 30. _____

31. Monthly rental/replacements
32. Monthly alternative transportation (bus, rail, car pool, etc.)
33. Monthly tolls and parking
34. Other: =

31. _____
32. _____
33. _____
34. _____

35. SUBTOTAL (add lines 26 through 34)

35. \$ _____

MONTHLY EXPENSES FOR CHILDREN COMMON TO BOTH PARTIES:

36. Monthly nursery, babysitting, or day care
37. Monthly school tuition
38. Monthly school supplies, books, and fees
39. Monthly after school activities
40. Monthly lunch money
41. Monthly private lessons or tutoring
42. Monthly allowances
43. Monthly clothing and uniforms
44. Monthly entertainment (movies, parties, etc.)
45. Monthly health insurance
46. Monthly medical, dental, prescriptions (nonreimbursed only)
47. Monthly psychiatric/psychological/counselor
48. Monthly orthodontic
49. Monthly vitamins
50. Monthly beauty parlor/barber shop
51. Monthly nonprescription medication
52. Monthly cosmetics, toiletries, and sundries
53. Monthly gifts from child(ren) to others (other children, relatives, teachers, etc.)
54. Monthly camp or summer activities
55. Monthly clubs (Boy/Girl Scouts, etc.)
56. Monthly access expenses (for nonresidential parent)
57. Monthly miscellaneous

36. _____
37. _____
38. _____
39. _____
40. _____
41. _____
42. _____
43. _____
44. _____
45. _____
46. _____
47. _____
48. _____
49. _____
50. _____
51. _____
52. _____
53. _____
54. _____
55. _____
56. _____
57. _____

58. SUBTOTAL (add lines 36 through 57)

58. \$ _____

MONTHLY EXPENSES FOR CHILD(REN) FROM ANOTHER RELATIONSHIP: (other than court-ordered child support)

59. _____
60. _____
61. _____
62. _____

59. \$ _____
60. _____
61. _____
62. _____

63. SUBTOTAL (add lines 59 through 62)

63. \$ _____

MONTHLY INSURANCE:

64. Health insurance, excluding portion paid for any minor child(ren) of this relationship
65. Life insurance
66. Dental insurance
- Other:
67. _____
68. _____

64. \$ _____
65. _____
66. _____
67. _____
68. _____

69. SUBTOTAL (add lines 64 through 68)

69. \$ _____

OTHER MONTHLY EXPENSES NOT LISTED ABOVE:

70. Monthly dry cleaning and laundry

70. \$ _____

71. Monthly clothing

71. _____

72. Monthly medical, dental, and prescription (unreimbursed only)

72. _____

73. Monthly psychiatric, psychological, or counselor (unreimbursed only)

73. _____

74. Monthly non-prescription medications, cosmetics, toiletries, and sundries

74. _____

75. Monthly grooming

75. _____

76. Monthly gifts

76. _____

77. Monthly pet expenses

77. _____

78. Monthly club dues and membership

78. _____

79. Monthly sports and hobbies

79. _____

80. Monthly entertainment

80. _____

81. Monthly periodicals/books/tapes/CDs

81. _____

82. Monthly vacations

82. _____

83. Monthly religious organizations

83. _____

84. Monthly bank charges/credit card fees

84. _____

85. Monthly education expenses

85. _____

Other: (include any usual and customary expenses not otherwise mentioned in the items listed above)

86. _____

86. _____

87. _____

87. _____

88. _____

88. _____

89. _____

89. _____

90. SUBTOTAL (add lines 70 through 89)

90. \$ _____

MONTHLY PAYMENTS TO CREDITORS: (only when payments are currently made by you on outstanding balances) List only last 3 digits of account numbers.

NAME OF CREDITOR(s):

91. _____

91. \$ _____

92. _____

92. _____

93. _____

93. _____

94. _____

94. _____

95. _____

95. _____

96. _____

96. _____

97. _____

97. _____

98. _____

98. _____

99. _____

99. _____

100. _____

100. _____

101. _____

101. _____

102. _____

102. _____

103. _____

103. _____

104. SUBTOTAL (add lines 91 through 103)

104. \$ _____

105. TOTAL MONTHLY EXPENSES:

(add lines 25, 35, 58, 63, 69, 90, and 104 of Section II, Expenses)

105. \$ _____

SUMMARY

106. TOTAL PRESENT MONTHLY NET INCOME
(from line 27 of SECTION I. INCOME)

106. \$ _____

107. TOTAL MONTHLY EXPENSES (from line 105 above)

107. \$ _____

108. SURPLUS (If line 106 is more than line 107, subtract line 107 from line 106. This is the amount of your surplus. Enter that amount here.)

108. \$ _____

109. (DEFICIT) (If line 107 is more than line 106, subtract line 106 from line 107. This is the amount of your deficit. Enter that amount here.)

109. (\$ _____ **)**

SECTION III. ASSETS AND LIABILITIES

A. ASSETS (This is where you list what you OWN.)

INSTRUCTIONS:

STEP 1: In column A, list a description of each separate item owned by you (and/or your spouse, if this is a petition for dissolution of marriage). Blank spaces are provided if you need to list more than one of an item.

STEP 2: If this is a petition for dissolution of marriage, check the box in Column A next to any item that you are requesting the judge award to you.

STEP 3: In column B, write what you believe to be the current fair market value of all items listed.

STEP 4: Use column C only if this is a petition for dissolution of marriage and you believe an item is “nonmarital,” meaning it belongs to only one of you and should not be divided. You should indicate to whom you believe the item belongs. (Typically, you will only use Column C if property was owned by one spouse before the marriage. See the “General Information for Self-Represented Litigants” found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of “marital” and “nonmarital” assets and liabilities.)

A ASSETS: DESCRIPTION OF ITEM(S) DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. √ the box next to any asset(s) which you are requesting the judge award to you.	B Current Fair Market Value	C Nonmarital (√ correct column)	
		husband	wife
<input type="checkbox"/> Cash (on hand)	\$		
<input type="checkbox"/> Cash (in banks or credit unions)			
<input type="checkbox"/>			
<input type="checkbox"/> Stocks/Bonds			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Notes (money owed to you in writing)			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Money owed to you (not evidenced by a note)			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Real estate: (Home)			
<input type="checkbox"/> (Other)			
<input type="checkbox"/>			

A ASSETS: DESCRIPTION OF ITEM(S) DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. <input checked="" type="checkbox"/> the box next to any asset(s) which you are requesting the judge award to you.	B Current Fair Market Value	C Nonmarital (<input checked="" type="checkbox"/> correct column)	
		husband	wife
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Business interests			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Automobiles			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Boats			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Other vehicles			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Furniture & furnishings in home			
<input type="checkbox"/>			
<input type="checkbox"/> Furniture & furnishings elsewhere			
<input type="checkbox"/>			
<input type="checkbox"/> Collectibles			
<input type="checkbox"/>			
<input type="checkbox"/> Jewelry			
<input type="checkbox"/>			
<input type="checkbox"/> Life insurance (cash surrender value)			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Sporting and entertainment (T.V., stereo, etc.) equipment			
<input type="checkbox"/>			

A ASSETS: DESCRIPTION OF ITEM(S) DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. <input checked="" type="checkbox"/> the box next to any asset(s) which you are requesting the judge award to you.	B Current Fair Market Value	C Nonmarital (<input checked="" type="checkbox"/> correct column)	
		husband	wife
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Other assets			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
Total Assets (add column B)	\$ _____		

B. LIABILITIES/DEBTS (This is where you list what you OWE.)

INSTRUCTIONS:

STEP 1: In column A, list a description of each separate debt owed by you (and/or your spouse, if this is a petition for dissolution of marriage). Blank spaces are provided if you need to list more than one of an item.

STEP 2: If this is a petition for dissolution of marriage, check the box in Column A next to any debt(s) for which you believe you should be responsible.

STEP 3: In column B, write what you believe to be the current amount owed for all items listed.

STEP 4: Use column C only if this is a petition for dissolution of marriage and you believe an item is “nonmarital,” meaning the debt belongs to only one of you and should not be divided. You should indicate to whom you believe the debt belongs. (Typically, you will only use Column C if the debt was owed by one spouse before the marriage. See the “General Information for Self-Represented Litigants” found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of “marital” and “nonmarital” assets and liabilities.)

A LIABILITIES: DESCRIPTION OF ITEM(S) DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. <input checked="" type="checkbox"/> the box next to any debt(s) for which you believe you should be responsible.	B Current Amount Owed	C Nonmarital (<input checked="" type="checkbox"/> correct column)	
		husband	wife
<input type="checkbox"/> Mortgages on real estate: First mortgage on home	\$ _____		
<input type="checkbox"/> Second mortgage on home			
<input type="checkbox"/> Other mortgages			
<input type="checkbox"/>			
<input type="checkbox"/> Charge/credit card accounts			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

A LIABILITIES: DESCRIPTION OF ITEM(S) DO NOT LIST LIST ONLY LAST 3 DIGITS OF ACCOUNT NUMBERS. ✓ the box next to any debt(s) for which you believe you should be responsible.	B Current Amount Owed	C Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Auto loan			
<input type="checkbox"/> Auto loan			
<input type="checkbox"/> Bank/Credit Union loans			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Money you owe (not evidenced by a note)			
<input type="checkbox"/>			
<input type="checkbox"/> Judgments			
<input type="checkbox"/>			
<input type="checkbox"/> Other			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
Total Debts (add column B)	\$ _____		

C. NET WORTH (excluding contingent assets and liabilities)

Total Assets (enter total of Column B in Asset Table; Section A) \$ _____

Total Liabilities (enter total of Column B in Liabilities Table; Section B) \$ _____

TOTAL NET WORTH (Total Assets minus Total Liabilities)
(excluding contingent assets and liabilities) \$ _____

D. CONTINGENT ASSETS AND LIABILITIES

INSTRUCTIONS:

If you have any **POSSIBLE assets** (income potential, accrued vacation or sick leave, bonus, inheritance, etc.) or **POSSIBLE liabilities** (possible lawsuits, future unpaid taxes, contingent tax liabilities, debts assumed by another), you must list them here.

A Contingent Assets √ the box next to any contingent asset(s) which you are requesting the judge award to you.	B Possible Value	C Nonmarital (√ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
Total Contingent Assets	\$		

A Contingent Liabilities √ the box next to any contingent debt(s) for which you believe you should be responsible.	B Possible Amount Owed	C Nonmarital (√ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
Total Contingent Liabilities	\$		

E. CHILD SUPPORT GUIDELINES WORKSHEET. Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet, MUST be filed with the court at or prior to a hearing to establish or modify child support. This requirement cannot be waived by the parties.

[√ one only]

_____ **A Child Support Guidelines Worksheet IS or WILL BE filed in this case.** This case involves the establishment or modification of child support.

_____ **A Child Support Guidelines Worksheet IS NOT being filed in this case.** The establishment or modification of child support is not an issue in this case.

I certify that a copy of this financial affidavit was: () mailed, () faxed and mailed, or () hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

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

Dated: _____

Signature of Party _____

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk.]

_____ Personally known

_____ Produced identification

_____ Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [☒ **one** only] _____ petitioner **or** _____ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.902(e),
CHILD SUPPORT GUIDELINES WORKSHEET

When should this form be used?

You should complete this worksheet if **child support** is being requested in your case. If you know the income of the other **party**, this worksheet should accompany your **financial affidavit**. If you do not know the other party's income, this form must be completed after the other party files his or her financial affidavit, and **serves** a copy on you.

This form should be typed or printed in black ink. You should file the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records.

What should I do next?

A copy of this form must be mailed or hand delivered to the other party in your case, if it is not **served** on him or her with your initial papers.

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 section 61.30, Florida Statutes.

Special notes...

~~If this is a domestic violence case and you want to keep your address confidential for safety reasons because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, do not enter the address, telephone, and fax information at the bottom of this form. Instead, file **Petitioner's Request for Confidential Filing of Address**, ☐ Florida Supreme Court Approved Family Law Form 12.980(ih).~~

The chart below contains the guideline amounts that you should use when calculating child support. This amount is based on the number of children and the combined income of the parents, and it is divided between the parents in direct proportion to their income or earning capacity. From time to time, some of the amounts in the child support guidelines chart will change. Be sure you have the most recent version of the chart before using it.

Because the guidelines are based on monthly amounts, it may be necessary to convert some income and expense figures from other frequencies to monthly. You should do this as follows:

If payment is twice per month	Payment amount	×	2	=	Monthly amount
If payment is every two weeks	Payment amount	×	26	=	Yearly amount due
	Yearly amount	÷	12	=	Monthly amount
If payment is weekly	Weekly amount	×	52	=	Yearly amount due
	Yearly amount	÷	12	=	Monthly amount

If you or the other parent request that the court award an amount that is different than the guideline amount, you must also complete and attach a **Motion to Deviate from Child Support Guidelines**, ☐ Florida Supreme Court Approved Family Law Form 12.943.

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.

CHILD SUPPORT GUIDELINES CHART

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
650.00	74	75	75	76	77	78
700.00	119	120	121	123	124	125
750.00	164	166	167	169	171	173
800.00	190	211	213	216	218	220
850.00	202	257	259	262	265	268
900.00	213	302	305	309	312	315
950.00	224	347	351	355	359	363
1000.00	235	365	397	402	406	410
1050.00	246	382	443	448	453	458
1100.00	258	400	489	495	500	505
1150.00	269	417	522	541	547	553
1200.00	280	435	544	588	594	600
1250.00	290	451	565	634	641	648
1300.00	300	467	584	659	688	695
1350.00	310	482	603	681	735	743
1400.00	320	498	623	702	765	790
1450.00	330	513	642	724	789	838
1500.00	340	529	662	746	813	869
1550.00	350	544	681	768	836	895
1600.00	360	560	701	790	860	920
1650.00	370	575	720	812	884	945
1700.00	380	591	740	833	907	971
1750.00	390	606	759	855	931	996
1800.00	400	622	779	877	955	1022
1850.00	410	638	798	900	979	1048
1900.00	421	654	818	923	1004	1074
1950.00	431	670	839	946	1029	1101
2000.00	442	686	859	968	1054	1128
2050.00	452	702	879	991	1079	1154
2100.00	463	718	899	1014	1104	1181
2150.00	473	734	919	1037	1129	1207
2200.00	484	751	940	1060	1154	1234
2250.00	494	767	960	1082	1179	1261
2300.00	505	783	980	1105	1204	1287
2350.00	515	799	1000	1128	1229	1314
2400.00	526	815	1020	1151	1254	1340
2450.00	536	831	1041	1174	1279	1367
2500.00	547	847	1061	1196	1304	1394
2550.00	557	864	1081	1219	1329	1420
2600.00	568	880	1101	1242	1354	1447
2650.00	578	896	1121	1265	1379	1473
2700.00	588	912	1141	1287	1403	1500

Combined Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
2750.00	597	927	1160	1308	1426	1524
2800.00	607	941	1178	1328	1448	1549
2850.00	616	956	1197	1349	1471	1573
2900.00	626	971	1215	1370	1494	1598
2950.00	635	986	1234	1391	1517	1622
3000.00	644	1001	1252	1412	1540	1647
3050.00	654	1016	1271	1433	1563	1671
3100.00	663	1031	1289	1453	1586	1695
3150.00	673	1045	1308	1474	1608	1720
3200.00	682	1060	1327	1495	1631	1744
3250.00	691	1075	1345	1516	1654	1769
3300.00	701	1090	1364	1537	1677	1793
3350.00	710	1105	1382	1558	1700	1818
3400.00	720	1120	1401	1579	1723	1842
3450.00	729	1135	1419	1599	1745	1867
3500.00	738	1149	1438	1620	1768	1891
3550.00	748	1164	1456	1641	1791	1915
3600.00	757	1179	1475	1662	1814	1940
3650.00	767	1194	1493	1683	1837	1964
3700.00	776	1208	1503	1702	1857	1987
3750.00	784	1221	1520	1721	1878	2009
3800.00	793	1234	1536	1740	1899	2031
3850.00	802	1248	1553	1759	1920	2053
3900.00	811	1261	1570	1778	1940	2075
3950.00	819	1275	1587	1797	1961	2097
4000.00	828	1288	1603	1816	1982	2119
4050.00	837	1302	1620	1835	2002	2141
4100.00	846	1315	1637	1854	2023	2163
4150.00	854	1329	1654	1873	2044	2185
4200.00	863	1342	1670	1892	2064	2207
4250.00	872	1355	1687	1911	2085	2229
4300.00	881	1369	1704	1930	2106	2251
4350.00	889	1382	1721	1949	2127	2273
4400.00	898	1396	1737	1968	2147	2295
4450.00	907	1409	1754	1987	2168	2317
4500.00	916	1423	1771	2006	2189	2339
4550.00	924	1436	1788	2024	2209	2361
4600.00	933	1450	1804	2043	2230	2384
4650.00	942	1463	1821	2062	2251	2406
4700.00	951	1477	1838	2081	2271	2428
4750.00	959	1490	1855	2100	2292	2450
4800.00	968	1503	1871	2119	2313	2472

Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
4850.00	977	1517	1888	2138	2334	2494
4900.00	986	1530	1905	2157	2354	2516
4950.00	993	1542	1927	2174	2372	2535
5000.00	1000	1551	1939	2188	2387	2551
5050.00	1006	1561	1952	2202	2402	2567
5100.00	1013	1571	1964	2215	2417	2583
5150.00	1019	1580	1976	2229	2432	2599
5200.00	1025	1590	1988	2243	2447	2615
5250.00	1032	1599	2000	2256	2462	2631
5300.00	1038	1609	2012	2270	2477	2647
5350.00	1045	1619	2024	2283	2492	2663
5400.00	1051	1628	2037	2297	2507	2679
5450.00	1057	1638	2049	2311	2522	2695
5500.00	1064	1647	2061	2324	2537	2711
5550.00	1070	1657	2073	2338	2552	2727
5600.00	1077	1667	2085	2352	2567	2743
5650.00	1083	1676	2097	2365	2582	2759
5700.00	1089	1686	2109	2379	2597	2775
5750.00	1096	1695	2122	2393	2612	2791
5800.00	1102	1705	2134	2406	2627	2807
5850.00	1107	1713	2144	2418	2639	2820
5900.00	1111	1721	2155	2429	2651	2833
5950.00	1116	1729	2165	2440	2663	2847
6000.00	1121	1737	2175	2451	2676	2860
6050.00	1126	1746	2185	2462	2688	2874
6100.00	1131	1754	2196	2473	2700	2887
6150.00	1136	1762	2206	2484	2712	2900
6200.00	1141	1770	2216	2495	2724	2914
6250.00	1145	1778	2227	2506	2737	2927
6300.00	1150	1786	2237	2517	2749	2941
6350.00	1155	1795	2247	2529	2761	2954
6400.00	1160	1803	2258	2540	2773	2967
6450.00	1165	1811	2268	2551	2785	2981
6500.00	1170	1819	2278	2562	2798	2994
6550.00	1175	1827	2288	2573	2810	3008
6600.00	1179	1835	2299	2584	2822	3021
6650.00	1184	1843	2309	2595	2834	3034
6700.00	1189	1850	2317	2604	2845	3045
6750.00	1193	1856	2325	2613	2854	3055
6800.00	1196	1862	2332	2621	2863	3064
6850.00	1200	1868	2340	2630	2872	3074
6900.00	1204	1873	2347	2639	2882	3084
6950.00	1208	1879	2355	2647	2891	3094
7000.00	1212	1885	2362	2656	2900	3103
7050.00	1216	1891	2370	2664	2909	3113
7100.00	1220	1897	2378	2673	2919	3123
7150.00	1224	1903	2385	2681	2928	3133
7200.00	1228	1909	2393	2690	2937	3142
7250.00	1232	1915	2400	2698	2946	3152
7300.00	1235	1921	2408	2707	2956	3162
7350.00	1239	1927	2415	2716	2965	3172
7400.00	1243	1933	2423	2724	2974	3181

Monthly Available Income	One Child	Two Children	Three Children	Four Children	Five Children	Six Children
7450.00	1247	1939	2430	2733	2983	3191
7500.00	1251	1945	2438	2741	2993	3201
7550.00	1255	1951	2446	2750	3002	3211
7600.00	1259	1957	2453	2758	3011	3220
7650.00	1263	1963	2461	2767	3020	3230
7700.00	1267	1969	2468	2775	3030	3240
7750.00	1271	1975	2476	2784	3039	3250
7800.00	1274	1981	2483	2792	3048	3259
7850.00	1278	1987	2491	2801	3057	3269
7900.00	1282	1992	2498	2810	3067	3279
7950.00	1286	1998	2506	2818	3076	3289
8000.00	1290	2004	2513	2827	3085	3298
8050.00	1294	2010	2521	2835	3094	3308
8100.00	1298	2016	2529	2844	3104	3318
8150.00	1302	2022	2536	2852	3113	3328
8200.00	1306	2028	2544	2861	3122	3337
8250.00	1310	2034	2551	2869	3131	3347
8300.00	1313	2040	2559	2878	3141	3357
8350.00	1317	2046	2566	2887	3150	3367
8400.00	1321	2052	2574	2895	3159	3376
8450.00	1325	2058	2581	2904	3168	3386
8500.00	1329	2064	2589	2912	3178	3396
8550.00	1333	2070	2597	2921	3187	3406
8600.00	1337	2076	2604	2929	3196	3415
8650.00	1341	2082	2612	2938	3205	3425
8700.00	1345	2088	2619	2946	3215	3435
8750.00	1349	2094	2627	2955	3224	3445
8800.00	1352	2100	2634	2963	3233	3454
8850.00	1356	2106	2642	2972	3242	3464
8900.00	1360	2111	2649	2981	3252	3474
8950.00	1364	2117	2657	2989	3261	3484
9000.00	1368	2123	2664	2998	3270	3493
9050.00	1372	2129	2672	3006	3279	3503
9100.00	1376	2135	2680	3015	3289	3513
9150.00	1380	2141	2687	3023	3298	3523
9200.00	1384	2147	2695	3032	3307	3532
9250.00	1388	2153	2702	3040	3316	3542
9300.00	1391	2159	2710	3049	3326	3552
9350.00	1395	2165	2717	3058	3335	3562
9400.00	1399	2171	2725	3066	3344	3571
9450.00	1403	2177	2732	3075	3353	3581
9500.00	1407	2183	2740	3083	3363	3591
9550.00	1411	2189	2748	3092	3372	3601
9600.00	1415	2195	2755	3100	3381	3610
9650.00	1419	2201	2763	3109	3390	3620
9700.00	1422	2206	2767	3115	3396	3628
9750.00	1425	2210	2772	3121	3402	3634
9800.00	1427	2213	2776	3126	3408	3641
9850.00	1430	2217	2781	3132	3414	3647
9900.00	1432	2221	2786	3137	3420	3653
9950.00	1435	2225	2791	3143	3426	3659
10000.00	1437	2228	2795	3148	3432	3666

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

NOTICE OF FILING CHILD SUPPORT GUIDELINES WORKSHEET

PLEASE TAKE NOTICE, that {name} _____, is filing
his/her Child Support Guidelines Worksheet attached and labeled Exhibit 1.

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Filing with the Child Support Guidelines
Worksheet was [☒ **one** only] (☐) mailed (☐) faxed and mailed (☐) hand delivered to the
person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Date: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____


Fax Number: _____

CHILD SUPPORT GUIDELINES WORKSHEET



	A. FATHER	B. MOTHER	TOTAL
1. Present Net Monthly Income <small>Enter the amount from line number 27, Section I of Florida Family Law Rules of Procedure Form 12.902(b) or [(c)], Financial Affidavit.</small>			
2. Basic Monthly Obligation <small>There is (are) {number} _____ minor child(ren) common to the parties. Using the total amount from line 1, enter the appropriate amount from the child support guidelines chart.</small>			
3. Percent of Financial Responsibility <small>Divide the amount on line 1A by the total amount on line 1 to get Father's percentage financial responsibility. Enter answer on line 3A. Divide the amount on line 1B by the total amount on line 1 to get Mother's percentage financial responsibility. Enter answer on line 3B.</small>	. %	. %	
4. Share of Basic Monthly Obligation <small>Multiply the number on line 2 by the percentage on line 3A to get Father's share of basic obligation. Enter answer on line 4A. Multiply the number on line 2 by the percentage on line 3B to get Mother's share of basic obligation. Enter answer on line 4B.</small>			
Additional Support — Health Insurance, Child Care & Other			
5a. 75% of Monthly Child Care Costs <small>[Child care costs should not exceed the level required to provide quality care from a licensed source for the child(ren). See section 61.30(7), Fla. Stat. for more information.]</small>			
5b. Total Monthly Child(ren)'s Health Insurance Cost <small>[This is only amounts actually paid for health insurance on the child(ren).]</small>			
5c. Total Monthly Child(ren)'s Noncovered Medical, Dental and Prescription Medication Costs			
5d. Total Monthly Child Care & Health Costs <small>[Add lines 5a+5b+5c]</small>			
6. Additional Support Payments <small>Multiply the number on line 5d by the percentage on line 3A to determine the Father's share. Enter answer on line 6A. Multiply the number on line 5d by the percentage on line 3B to determine the Mother's share. Enter answer on line 6B.</small>			
Statutory Adjustments/Credits			
7a. Monthly child care payments actually made			
7b. Monthly health insurance payments actually			

CHILD SUPPORT GUIDELINES WORKSHEET			
7c. Other payments/credits actually made for any noncovered medical, dental and prescription medication expenses of the child(ren) not ordered to be separately paid on a percentage basis. [See § 61.30 (8), Florida Statutes]			
8. Total Support Payments actually made [Add 7a through 7c]			
9. MINIMUM CHILD SUPPORT OBLIGATION FOR EACH PARENT [Line 4 plus line 6; minus line 8]			
Substantial Shared Parenting (GROSS UP METHOD) If the noncustodial parent exercises visitation at least 40 percent of the overnights in the year (146 overnights in the year), complete Nos. 10 through 21			
	A. FATHER	B. MOTHER	TOTAL
10. Basic Monthly Obligation x 150% [Multiply line 2by 1.5]			
11. Increased Basic Obligation for each parent Multiply the number on line 10 by the percentage on line 3A to determine the Father's share. Enter answer on line 11A. Multiply the number on line 10 by the percentage on line 3B to determine the Mother's share. Enter answer on line 11B.			
12. Percentage of overnight stays with each parent The child(ren) spend(s) _____ overnight stays with the father each year. Using the number on the above line, multiply it by 100 and divide by 365. Enter this number on line 12A. The child(ren) spend(s) _____ overnight stays with the mother each year. Using the number on the above line, multiply it by 100 and divide by 365. Enter this number on line 12B.	%	%	
13. Parent's support multiplied by other Parent's percentage of overnights [Multiply line 11A by line 12B. Enter this number in 13A. Multiply line 11B by line 12A. Enter this number in 13B.]			
Additional Support — Health Insurance, Child Care & Other			
14a. Total Monthly Child Care Costs [Child care costs should not exceed the level required to provide quality care from a licensed source for the child(ren). See section 61.30(7), Fla. Stat. for more information.]			
14b. Total Monthly Child(ren)'s Health Insurance Cost [This is only amounts actually paid for health insurance on the child(ren).]			
14c. Total Monthly Child(ren)'s Noncovered Medical, Dental and Prescription Medication			

CHILD SUPPORT GUIDELINES WORKSHEET			
14d. Total Monthly Child Care & Health Costs [Add lines 14a+14b+14c]			
15. Additional Support Payments Multiply the number on line 14d by the percentage on line 3A to determine the Father's share. Enter answer on line 15A. Multiply the number on line 14d by the percentage on line 3B to determine the Mother's share. Enter answer on line 15B.			
Statutory Adjustments/Credits			
16a. Monthly child care payments actually made			
16b. Monthly health insurance payments actually made			
16c. Other payments/credits actually made for any noncovered medical, dental and prescription medication expenses of the child(ren) not ordered to be separately paid on a percentage basis. [See § 61.30 (8), Florida Statutes]			
17. Total Support Payments actually made [Add 16a through 16c]			
18. Total Additional Support Transfer Amount [Line 15 minus line 17; Enter any negative number as zero]			
19. Total Child Support Owed from Father to Mother [Add line 13A+18A]			
20. Total Child Support Owed from Mother to Father [Add line 13B+18B]			
21. Actual Child Support to Be Paid. [Comparing lines 19 and 20, Subtract the smaller amount owed from the larger amount owed and enter the result in the column for the parent that owes the larger amount of support]	\$ _____ -or- \$ _____		

ADJUSTMENTS TO GUIDELINES AMOUNT. If you or the other parent is requesting the Court to award a child support amount that is more or less than the child support guidelines, you must complete and file Motion to Deviate from Child Support Guidelines,  Florida Supreme Court Approved Family Law Form 12.943.

[☒ one only]

- _____ a. **Deviation from the guidelines amount is requested.** The Motion to Deviate from Child Support Guidelines,  Florida Supreme Court Approved Family Law Form 12.943, is attached.
- _____ b. **Deviation from the guidelines amount is NOT requested.** The Motion to Deviate from Child Support Guidelines,  Florida Supreme Court Approved Family Law Form 12.943, is not attached.

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [ fill in all blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [☒ **one** only] ___ petitioner **or** ___ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(b),
STANDARD FAMILY LAW INTERROGATORIES FOR ORIGINAL OR ENFORCEMENT
PROCEEDINGS

When should this form be used?

This form should be used to ask the other **party** in your case to answer certain standard questions in writing. These questions are called **interrogatories**, and they must relate to your case. If the other party fails to answer the questions, you may ask the **judge** to order the other party to answer the questions. (You cannot ask these questions before the **petition** has been **filed**.)

The questions in this form should be used in **original proceedings** or **enforcement proceedings** and are meant to supplement the information provided in the **Financial Affidavit**, ☐ Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should read all of the questions in this form to determine which questions, if any, the other party needs to answer in order to provide you with information not covered in the financial affidavit forms. If there are questions to which you already know the answer, you may choose not to ask them.

This form should be typed or printed in black ink. You must complete the box at the beginning of this form to indicate which questions you are requesting that the other party answer. You should send ~~2 copies~~ an original and 1 copy of this form and the **Notice of Service of Standard Family Law Interrogatories**, ☐ Florida Family Law Rules of Procedure Form 12.930(a), to the other party. You should also keep a copy for your records. You ~~should~~ shall not **file** this form with the **clerk of the circuit court** unless the answers are admitted into evidence by the court and are in compliance with Florida Family Law Rule of Procedure 12.280(a). However, you must file the **Notice of Service of Standard Family Law Interrogatories**, ☐ Florida Family Law Rules of Procedure Form 12.930(a), to tell the court that you have sent this form to the other party.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see the instructions for **Notice of Service of Standard Family Law Interrogatories**, ☐ Florida Family Law Rules of Procedure Form 12.930(a), rules 12.280, 12.285, 12.340, and 12.380, Florida Family Law Rules of Procedure, and rules 1.280, 1.340, and 1.380, Florida Rules of Civil Procedure.

Special notes...

In addition to the standard questions in this form, you may ask up to 10 additional questions. You should type or print legibly your additional questions on a separate sheet of paper and attach it to this form. If you want to ask more than 10 additional questions, you will need to get permission from the judge.

You may want to inform the other party of the following information: As a general rule, within **30 days** after service of interrogatories, the other party must answer the questions in writing and mail (have postmarked) the answers to you. His or her answers shall be written in the blank space provided after each separately numbered interrogatory. If sufficient space is not provided, the answering party may attach additional papers with the answers and refer to them in the space provided in the interrogatories. He or she should be sure to make a copy for him/herself. All answers to these questions are made under oath or affirmation as to their truthfulness. Each question must be answered separately and as completely as the available information permits. The original of the answers to the interrogatories is to be provided to the requesting party. ~~Do not file the original or a copy with the clerk of the circuit court except as provided in Florida Rule of Civil Procedure 1.340(e).~~ **DO NOT FILE THE ORIGINAL OR A COPY**

WITH THE CLERK OF THE COURT EXCEPT AS PROVIDED BY FLORIDA RULE OF CIVIL PROCEDURE 1.340(e) AND IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA FAMILY LAW RULE OF PROCEDURE 12.280(a). The other party may object to a question by writing the legal reason for the objection in the space provided. He or she may also ask the court for a protective order granting him or her permission not to answer certain questions and protecting him or her from annoyance, embarrassment, apprehension, or undue burden or expense. If the other party fails to either answer or object to the questions within 30 days, he or she may be subject to court sanctions.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, ☐ Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No.: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

**STANDARD FAMILY LAW INTERROGATORIES
FOR ORIGINAL OR ENFORCEMENT PROCEEDINGS**

TO BE COMPLETED BY THE PARTY SERVING THESE INTERROGATORIES

I am requesting that the following standard questions be answered: [☒ all that apply]

1	2	3	4	5	6	7
Background Information	Education	Employment	Assets	Liabilities Affidavit	Miscellaneous	Long Form

In addition, I am requesting that the attached {#} _____ questions be answered.

The answers to the following questions are intended to supplement the information provided in the Financial Affidavits, ☐ Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should answer the group of questions indicated in the above shaded box. The questions should be answered in the blank space provided below each separately numbered question. If sufficient space is not provided, you may attach additional papers with the answers and refer to them in the space provided in the interrogatories. You should be sure to make a copy for yourself. Each question must be answered separately and as completely as the available information permits. All answers are to be made under oath or affirmation as to their truthfulness.

AFTER YOU ANSWER THE INTERROGATORIES, DO NOT FILE THE ORIGINAL WITH THE CLERK OF THE COURT. ALL PERSONAL INFORMATION CONTAINED IN THE COURT FILE BECOMES PUBLIC RECORD. INSTEAD, SERVE THE ORIGINAL OF THE ANSWERS TO THE INTERROGATORIES ON THE OTHER PARTY AND FILE FORM 12.930(d), NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES, WITH THE CLERK.

I, {name of person answering interrogatories} _____,
being sworn, certify that the following information is true:

1. BACKGROUND INFORMATION:

- a. State your full legal name and any other name by which you have been known.

- b. State your present residence and telephone numbers.
- ~~c. State your place and date of birth.~~

2. **EDUCATION:**

- a. List all business, commercial, and professional licenses that you have obtained.
- b. List all of your education including, but not limited to, vocational or specialized training, including the following:
 - (1) name and address of each educational institution.
 - (2) dates of attendance.
 - (3) degrees or certificates obtained or anticipated dates of same.

3. **EMPLOYMENT:**

- a. For each place of your employment or self-employment during the last 3 years, state the following:
 - (1) name, address, and telephone number of your employer.
 - (2) dates of employment.
 - (3) job title and brief description of job duties.
 - (4) starting and ending salaries.
 - (5) name of your direct supervisor.
 - (6) all benefits received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

b. Other than as an employee, if you have been engaged in or associated with any business, commercial, or professional activity within the last 3 years that was not detailed above, state for each such activity the following:

- (1) name, address, and telephone number of each activity.
- (2) dates you were connected with such activity.
- (3) position title and brief description of activities.
- (4) starting and ending compensation.
- (5) name of all persons involved in the business, commercial, or professional activity with you.
- (6) all benefits and compensation received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

c. If you have been unemployed at any time during the last 3 years, state the dates of unemployment. If you have not been employed at any time in the last 3 years, give the information requested above in question 3.a for your last period of employment.

4. **ASSETS:**

a. **Real Estate.** State the street address, if any, and if not, the legal description of all real property that you own or owned during the last 3 years. For each property, state the following:

- (1) the names and addresses of any other persons or entities holding any interest and their percentage of interest.
- (2) the purchase price, the cost of any improvements made since it was purchased, and the amount of any depreciation taken.
- (3) the fair market value on the date of your separation from your spouse.
- (4) the fair market value on the date of the filing of the petition for dissolution of marriage.

b. Tangible Personal Property. List all items of tangible personal property that are owned by you or in which you have had any interest during the last 3 years including, but not limited to, motor vehicles, tools, furniture, boats, jewelry, art objects or other collections, and collectibles whose fair market value exceeds \$100. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest.
- (3) the date you acquired your interest.
- (4) the purchase price.
- (5) the present fair market value.
- (6) the fair market value on the date of your separation from your spouse.
- (7) the fair market value on the date of the filing of the petition for dissolution of marriage.

c. Intangible Personal Property. Other than the financial accounts (checking, savings, money market, credit union accounts, retirement accounts, or other such cash management accounts)

listed in the answers to interrogatories 4.d and 4.e below, list all items of intangible personal property that are owned by you or in which you have had any ownership interest (including closed accounts) within the last 3 years, including but not limited to, partnership and business interests (including good will), deferred compensation accounts unconnected with retirement, including but not limited to stock options, sick leave, and vacation pay, stocks, stock funds, mutual funds, bonds, bond funds, real estate investment trust, receivables, certificates of deposit, notes, mortgages, and debts owed to you by another entity or person. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest and the names and addresses of the persons and entities who are indebted to you.
- (3) the date you acquired your interest.
- (4) the purchase price, acquisition cost, or loaned amount.
- (5) the fair market value or the amounts you claim are owned by or owed to you:
 - (a) presently, at the time of answering these interrogatories.
 - (b) on the date of your separation from your spouse.
 - (c) on the date of the filing of the petition for dissolution of marriage.

You may comply with this interrogatory (4.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. However, if the date of acquisition, the purchase price and the market valuations are not clearly reflected in the periodic statements which are furnished then these questions must be answered separately. You do not have to resubmit any periodic statements previously furnished under rule 12.285 (Mandatory Disclosure).

d. Retirement Accounts: List all information regarding each retirement account/plan, including but not limited to defined benefit plans, 401k, 403B, IRA accounts, pension plans, Florida Retirement System plans (FRS), Federal Government plans, money purchase plans, HR10 (Keogh) plans, profit sharing plans, annuities, employee savings plans, etc. that you have established and/or that have been established for you by you, your employer, or any previous employer. For each account, state the following:

- (1) the name and account number of each account/plan and where it is located.
- (2) the type of account/plan.
- (3) the name and address of the fiduciary plan administrator/service representative.
- (4) the fair market value of your interest in each account/plan.
 - (a) present value
 - (b) value on the date of separation

- (c) value on the date of filing of the petition for dissolution of marriage
- (5) whether you are vested or not vested; and if vested, in what amount, as of a certain date and the schedule of future vesting.
- (6) the date at which you became/become eligible to receive some funds in this account/plan.
- (7) monthly benefits of the account/plan if no fair market value is ascertained.
- (8) beneficiary(ies) and/or alternate payee(s).

e. Financial Accounts. For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) name of each person authorized to make withdrawals from the accounts.
- (5) highest balance within each of the preceding 3 years.
- (6) lowest balance within each of the preceding 3 years.

You may comply with this interrogatory (4.e) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished pursuant to rule 12.285 (Mandatory Disclosure).

f. Closed Financial Accounts. For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) closed within the last 3 years, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own

name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) name of each person authorized to make withdrawals from the accounts.
- (5) date account was closed.

g. **Trust.** For any interest in an estate, trust, insurance policy, or annuity, state the following:

- (1) If you are the beneficiary of any estate, trust, insurance policy, or annuity, give for each one the following:
 - (a) identification of the estate, trust, insurance policy, or annuity.
 - (b) the nature, amount, and frequency of any distributions of benefits.
 - (c) the total value of the beneficiaries' interest in the benefit.
 - (d) whether the benefit is vested or contingent.
- (2) If you have established any trust or are the trustee of a trust, state the following:
 - (a) the date the trust was established.
 - (b) the names and addresses of the trustees.
 - (c) the names and addresses of the beneficiaries.
 - (d) the names and addresses of the persons or entities who possess the trust documents.
 - (e) each asset that is held in each trust, with its fair market value.

h. Canceled Life Insurance Policies. For all policies of life insurance within the preceding 3 years that you no longer hold, own, or have any interest in, state the following:

- (1) name of company that issued the policy and policy number.
- (2) name, address, and telephone number of agent who issued the policy.
- (3) amount of coverage.
- (4) name of insured.
- (5) name of owner of policy.
- (6) name of beneficiaries.
- (7) premium amount.
- (8) date the policy was surrendered.
- (9) amount, if any, of monies distributed to the owner.

i. Name of Accountant, Bookkeeper, or Records Keeper. State the names, addresses, and telephone numbers of your accountant, bookkeeper, and any other persons who possess your financial records, and state which records each possesses.

j. Safe Deposit Boxes, Lock Boxes, Vaults, Etc. For all safe deposit boxes, lock boxes, vaults,

or similar types of depositories, state the following:

- (1) The names and addresses of all banks, depositories, or other places where, at any time during the period beginning 3 years before the initiation of the action, until the date of your answering this interrogatory, you did any of the following:
 - (a) had a safe deposit box, lock box, or vault.
 - (b) were a signatory or co-signatory on a safe deposit box, lock box, or vault.
 - (c) had access to a safe deposit box, lock box, or vault.
 - (d) maintained property.
- (2) The box or identification numbers and the name and address of each person who has had access to any such depository during the same time period.
- (3) All persons who have possession of the keys or combination to the safe deposit box, lock box, or vault.
- (4) Any items removed from any safe deposit boxes, lock boxes, vaults, or similar types of depositories by you or your agent during that time, together with the present location and fair market value of each item.
- (5) All items in any safe deposit boxes, lock boxes, vaults, or similar types of depositories and fair market value of each item.

5. **LIABILITIES:**

a. **Loans, Liabilities, Debts, and Other Obligations.** For all loans, liabilities, debts, and other obligations (other than credit cards and charge accounts) listed in your Financial Affidavit, indicate for each the following:

- (1) name and address of the creditor.
- (2) name in which the obligation is or was incurred.
- (3) loan or account number, if any.
- (4) nature of the security, if any.
- (5) payment schedule.

- (6) present balance and current status of your payments.
- (7) total amount of arrearage, if any.
- (8) balance on the date of your separation from your spouse.
- (9) balance on the date of the filing of the petition for dissolution of marriage.

You may comply with this interrogatory (5.a) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

b. Credit Cards and Charge Accounts. For all financial accounts (credit cards, charge accounts, or other such accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of the creditor.
- (2) name in which the account is or was maintained.
- (3) names of each person authorized to sign on the accounts.
- (4) account numbers.
- (5) present balance and current status of your payments.
- (6) total amount of arrearage, if any.
- (7) balance on the date of your separation from your spouse.
- (8) balance on the date of the filing of the petition for dissolution of marriage.
- (9) highest and lowest balance within each of the preceding 3 years.

You may comply with this interrogatory (5.b) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

c. **Closed Credit Cards and Charge Accounts.** For all financial accounts (credit cards, charge accounts, or other such accounts) closed with no remaining balance, within the last 3 years, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each creditor.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) names of each person authorized to sign on the accounts.
- (5) date the balance was paid off.
- (6) amount of final balance paid off.

You may comply with this interrogatory (5.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

6. **MISCELLANEOUS:**

- a. If you are claiming a special equity in any assets, list the asset, the amount claimed as special equity, and all facts upon which you rely in your claim.

- b. If you are claiming an asset or liability is nonmarital, list the asset or liability and all facts upon which you rely in your claim.
- c. If the mental or physical condition of a spouse or child is an issue, identify the person and state the name and address of all health care providers involved in the treatment of that person for said mental or physical condition.
- d. If custody of minor children is an issue, state why, and the facts that support your contention that you should be the primary residential parent or have sole parental responsibility of the child(ren).

7. **LONG FORM AFFIDAVIT:** If you filed the short form affidavit, Florida Family Law Rules of Procedure Form 12.902(b), and you were specifically requested in the Notice of Service of Standard Family Law Interrogatories to file the Long Form Affidavit, Form 12.902(c), you must do so within the time to serve the answers to these interrogatories.

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

I understand that I am swearing or affirming under oath to the truthfulness of the answers to these interrogatories and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or
deputy clerk.]

_____ Personally known

_____ Produced identification

_____ Type of identification produced _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [~~do not~~ fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} _____,
who is the [☒ **one** only] _____ petitioner **or** _____ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(c),
STANDARD FAMILY LAW INTERROGATORIES FOR MODIFICATION PROCEEDINGS

When should this form be used?

This form should be used to ask the other **party** in your case to answer certain standard questions in writing. These questions are called **interrogatories**, and they must relate to your case. If the other party fails to answer the questions, you may ask the **judge** to order the other party to answer the questions. (You cannot ask these questions before the **petition** has been filed.)

The questions in this form should be used in **modification proceedings** and are meant to supplement the information provided in the **Financial Affidavits**, Θ —Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should read all of the questions in this form to determine which questions, if any, the other party needs to answer in order to provide you with information not covered in the financial affidavit forms. If there are questions to which you already know the answer, you may choose not to ask them.

This form should be typed or printed in black ink. You must complete the box at the beginning of this form to indicate which questions you are requesting that the other party answer. You should send ~~two~~ an original and 1 copy of this form and the **Notice of Service of Standard Family Law Interrogatories**, Θ —Florida Family Law Rules of Procedure Form 12.930(a), to the other party. You should also keep a copy for your records. You do not need to **file** this form with the **clerk of the circuit court**. However, you must file the **Notice of Service of Standard Family Law Interrogatories**, Θ —Florida Family Law Rules of Procedure Form 12.930(a), to tell the court that you have sent this form to the other party.

After you receive the completed answers to the interrogatories, **DO NOT FILE THE ORIGINAL OR A COPY WITH THE CLERK OF THE COURT UNLESS THE ANSWERS ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA FAMILY LAW RULE OF PROCEDURE 12.280(a).**

Where can I look for more information?


Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see the instructions for **Notice of Service of Standard Family Law Interrogatories**, Θ —Florida Family Law Rules of Procedure Form 12.930(a), rules 12.280, 12.285, 12.340, and 12.380, Florida Family Law Rules of Procedure and rules 1.280, 1.340, and 1.380, Florida Rules of Civil Procedure.

Special notes...

In addition to the standard questions in this form, you may ask up to 10 additional questions. You should type or print your additional questions on a separate sheet of paper and attach it to this form. If you want to ask more than 10 additional questions, you will need to get permission from the judge.

You may want to inform the other party of the following information: As a general rule, within **30 days** after service of interrogatories, the other party must answer the questions in writing and mail (have postmarked) the answers to you. His or her answers shall be written in the blank space provided after each separately numbered interrogatory. If sufficient space is not provided, the answering party may attach additional papers with the answers and refer to them in the space provided in the interrogatories. He or she should be sure to make a copy for him/herself. All answers to these questions are made under oath or affirmation as to their truthfulness. Each question must be answered separately and as completely as the available information permits. The original of the answers to the interrogatories is to be provided to the requesting party. **DO NOT FILE THE ORIGINAL OR A COPY WITH THE CLERK OF THE CIRCUIT COURT UNLESS THE ANSWERS ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA FAMILY LAW RULE OF PROCEDURE 12.280(a).** The other party may object to a question by writing the legal reason for the objection in the space provided. He or she may also ask the court for a protective order granting him or her permission not to answer certain questions and protecting him or her from annoyance, embarrassment, apprehension, or undue burden or expense. If the other party fails to either answer or object to the

questions within 30 days, he or she may be subject to court sanctions.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**,  Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No.: _____
Division: _____

Petitioner

and

Respondent.

**STANDARD FAMILY LAW INTERROGATORIES
FOR MODIFICATION PROCEEDINGS**

TO BE COMPLETED BY THE PARTY SERVING THESE INTERROGATORIES

I am requesting that the following standard questions be answered: [☒ all that apply]

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
Background Information	Education	Employment	Assets	Liabilities Affidavit	Miscellaneous	Long Form

In addition, I am requesting that the attached {#} _____ questions be answered.

The answers to the following questions are intended to supplement the information provided in the Financial Affidavits, ~~or~~ Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should answer the group of questions indicated in the above shaded box. The questions should be answered in the blank space provided below each separately numbered question. If sufficient space is not provided, you may attach additional papers with the answers and refer to them in the space provided in the interrogatories. You should be sure to make a copy for yourself. Each question must be answered separately and as completely as the available information permits. All answers are to be made under oath or affirmation as to their truthfulness.

AFTER YOU ANSWER THE INTERROGATORIES, DO NOT FILE THE ORIGINAL WITH THE CLERK OF THE COURT. ALL PERSONAL INFORMATION CONTAINED IN THE COURT FILE BECOMES PUBLIC RECORD. INSTEAD, SERVE THE ORIGINAL OF THE ANSWERS TO THE INTERROGATORIES ON THE OTHER PARTY AND FILE FORM 12.930(d), NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES, WITH THE CLERK.

I, {name of person answering interrogatories} _____,
being sworn, certify that the following information is true:

1. **BACKGROUND INFORMATION:**

- a. State your full legal name and any other name by which you have been known.
- b. State your present residence and telephone numbers.
- ~~c. State your place and date of birth.~~

2. **EDUCATION:**

- a. List all business, commercial, and professional licenses that you have obtained since the entry of the Final Judgment sought to be modified.
- b. List all of your education since the entry of the Final Judgment sought to be modified including, but not limited to, vocational or specialized training, including the following:
 - (1) name and address of each educational institution.
 - (2) dates of attendance.
 - (3) degrees or certificates obtained or anticipated dates of same.

3. **EMPLOYMENT:**

- a. For each place of your employment or self-employment since the entry of the Final Judgment sought to be modified, state the following:
 - (1) name, address, and telephone number of your employer.
 - (2) dates of employment.
 - (3) job title and brief description of job duties.
 - (4) starting and ending salaries.
 - (5) name of your direct supervisor.
 - (6) all benefits received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.
- b. Other than as an employee, if you have been engaged in or associated with any business, commercial, or professional activity since the entry of the Final Judgment sought to be modified that was not detailed above, state for each such activity the following:
 - (1) name, address, and telephone number of each activity.
 - (2) dates you were connected with such activity.
 - (3) position title and brief description of activities.
 - (4) starting and ending compensation.
 - (5) name of all persons involved in the business, commercial, or professional activity

with you.

(6) all benefits and compensation received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

c. If you have been unemployed at any time since the entry of the Final Judgment sought to be modified, state the dates of unemployment. If you have not been employed at any time since the entry of the Final Judgment sought to be modified, give the information requested above in question 3.a for your last period of employment.

4. **ASSETS:**

a. **Real Estate.** State the street address, if any, and if not, the legal description of all real property that you own or owned during the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. For each property, state the following:

- (1) the names and addresses of any other persons or entities holding any interest and their percentage of interest.
- (2) the present fair market value.

b. **Tangible Personal Property.** List all items of tangible personal property that are owned by you or in which you have had any interest during the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, including, but not limited to, motor vehicles, tools, furniture, boats, jewelry, art objects or other collections, and collectibles whose fair market value exceeds \$100. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest.
- (3) the present fair market value.

c. Intangible Personal Property. Other than the financial accounts (checking, savings, money market, credit union accounts, retirement accounts, or other such cash management accounts) listed in the answers to interrogatories 4.d and 4.e below, list all items of intangible personal property that are owned by you or in which you have had any ownership interest (including closed accounts) within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, including, but not limited to, partnership and business interests (including good will), deferred compensation accounts unconnected with retirement, including but not limited to stock options, sick leave, and vacation pay, stocks, stock funds, mutual funds, bonds, bond funds, real estate investment trusts, receivables, certificates of deposit, notes, mortgages, and debts owed to you by another entity or person. For each item, state the following:

- (1) the percentage and type interest you hold.
- (2) the names and addresses of any other persons or entities holding any interest and the names and addresses of the persons and entities who are indebted to you.
- (3) the present fair market value or the amounts you claim are owned by or owed to you, at the time of answering these interrogatories.

You may comply with this interrogatory (4.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. However, if the date of acquisition, the purchase price, and the market valuations are not clearly reflected in the periodic statements which are furnished, then these questions must be answered separately. You do not have to resubmit any periodic statements previously furnished under rule 12.285 (Mandatory Disclosure).

d. Retirement Accounts: List all information regarding each retirement account/plan, including but not limited to defined benefit plans, 401k, 403B, IRA accounts, pension plans, Florida Retirement System plans (FRS), Federal Government plans, money purchase plans, HR10 (Keogh) plans, profit sharing plans, annuities, employee savings plans, etc. that you have established and/or that have been established for you by you, your employer or any previous employer. For each account, state the following:

- (1) the name and account number of each account/plan and where it is located.
- (2) the type of account/plan.
- (3) the name and address of the fiduciary plan administrator/service representative.
- (4) the fair market value of your interest in each account/plan.
 - (a) present value
 - (b) value on the date of separation
 - (c) value on the date of filing of the petition for dissolution of marriage

- (5) whether you are vested or not vested; and if vested, in what amount, as of a certain date and the schedule of future vesting.
- (6) the date at which you became/become eligible to receive some funds in this account/plan.
- (7) monthly benefits of the account/plan if no fair market value is ascertained.
- (8) beneficiary(ies) and/or alternate payee(s).

e. **Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) names of each person authorized to make withdrawals from the accounts.
- (5) highest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.
- (6) lowest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

You may comply with this interrogatory (4.e) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

f. **Closed Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) closed within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) name of each person authorized to make withdrawals from the accounts.
- (5) date account was closed.

g. **Trust.** For any interest in an estate, trust, insurance policy, or annuity, state the following:

(1) if you are the beneficiary of any estate, trust, insurance policy, or annuity, give for each one the following:

- (a) identification of the estate, trust, insurance policy, or annuity.
- (b) the nature, amount, and frequency of any distributions of benefits.
- (c) the total value of the beneficiaries' interest in the benefit.
- (d) whether the benefit is vested or contingent.

(2) if you have established any trust or are the trustee of a trust, state the following:

- (a) the date the trust was established.
- (b) the names and addresses of the trustees.
- (c) the names and addresses of the beneficiaries.
- (d) the names and addresses of the persons or entities who possess the trust documents.
- (e) each asset that is held in each trust, with its fair market value.

h. **Name of Accountant, Bookkeeper, or Records Keeper.** State the names, addresses, and telephone numbers of your accountant, bookkeeper, and any other persons who possess your financial records, and state which records each possesses.

5. **LIABILITIES:**

a. **Loans, Liabilities, Debts, and Other Obligations.** For all loans, liabilities, debts, and other obligations (other than credit cards and charge accounts) listed in your Financial Affidavit, indicate for each the following:

- (1) name and address of the creditor.

- (2) name in which the obligation is or was incurred.
- (3) loan or account number, if any.
- (4) nature of the security, if any.
- (5) payment schedule.
- (6) present balance and current status of your payments.
- (7) total amount of arrearage, if any.

You may comply with this interrogatory (5.a) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

b. Credit Cards and Charge Accounts. For all financial accounts (credit cards, charge accounts, or other such accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of the creditor.
- (2) name in which the account is or was maintained.
- (3) name of each person authorized to sign on the accounts.
- (4) account numbers.
- (5) present balance and current status of your payments.
- (6) total amount of arrearage, if any.
- (7) highest and lowest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

You may comply with this interrogatory (5.b) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

c. Closed Credit Cards and Charge Accounts. As to all financial accounts (credit card, charge accounts, or other such accounts) closed with no remaining balance, within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name

individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each creditor.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) name of each person authorized to sign on the accounts.
- (5) date the balance was paid off.
- (6) amount of final balance paid off.

You may comply with this interrogatory (5.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. DO NOT FILE THESE DOCUMENTS IN THE COURT FILE. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

6. MISCELLANEOUS:

- a. If you are claiming a diminished earning capacity since the entry of the Final Judgment sought to be modified as grounds to modify alimony or deviate from the child support established in your case, describe in detail how your earning capacity is lowered and state all facts upon which you rely in your claim. If unemployed, state how, why, and when you lost your job.
- b. If you are claiming a change in a mental or physical condition since the entry of the Final Judgment sought to be modified as grounds to modify alimony or change the child support established in your case, describe in detail how your mental and/or physical capacity has changed and state all facts upon which you rely in your claim. Identify the change in your mental and/or physical capacity, and state the name and address of all health care providers involved in the treatment of this mental or physical condition.
- c. If you are requesting a change in shared or sole parental responsibility, primary residency, the parenting schedule, or any combination thereof, for the minor child(ren), describe in detail the change in circumstances since the entry of the Final Judgment sought to be modified that you feel justify the requested change. State when the change of circumstances occurred, how the change of circumstances affects the child(ren), and why it is in the best interests of the child(ren) that the Court make the requested change. Attach your parenting schedule.
- d. If you do not feel the requested change in shared or sole parental responsibility, primary residency, the parenting schedule, or any combination thereof, for the minor child(ren) is in their best interests, describe in detail any facts since the entry of the Final Judgment sought to be modified that you feel justify the Court denying the requested change. State, in your opinion, what change, if any, of the parenting arrangement is justified or agreeable to you and why it is in the best interests of the child(ren).

7. **LONG FORM AFFIDAVIT:** If you filed the short form affidavit, Florida Family Law Rules of Procedure Form 12.902(b), and you were specifically requested in the Notice of Service of Standard Family Law Interrogatories to file the Long Form Affidavit, Form 12.902(c), you must do so within the time to serve the answers to these interrogatories.

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

I understand that I am swearing or affirming under oath to the truthfulness of the answers to these interrogatories and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA

COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or deputy clerk.]

Personally known

Produced identification

Type of identification produced _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [~~N~~-fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [☒ **one** only] ___ petitioner **or** ___ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.930(d),
NOTICE OF SERVICE OF ANSWERS TO STANDARD FAMILY LAW
INTERROGATORIES

When should this form be used?

You should use this form to tell the court that you have responded to the other **party**'s request to answer certain standard questions (**interrogatories**) in writing.

This form should be typed or printed in black ink. You must indicate whether you are sending the answers to interrogatories for original and enforcement proceedings, Florida Family Law Rules of Procedure Form 12.930(b), or modification proceedings, Florida Family Law Rules of Procedure Form 12.930(c). You must also indicate whether you have additional questions that you were asked to answer. After completing this form you should **file** the original with the **clerk of the circuit court** in the county where your case was filed and keep a copy for your records.

What should I do next?

A copy of this form and the original completed answers to the interrogatories must be mailed or hand delivered to the other party in your case. However, **file only this form with the clerk. DO NOT FILE THE ORIGINAL ANSWERS TO THE INTERROGATORIES OR ANY ATTACHMENTS WITH THE CLERK UNLESS THEY ARE ADMITTED INTO EVIDENCE BY THE COURT AND ARE IN COMPLIANCE WITH FLORIDA FAMILY LAW RULE OF PROCEDURE 12.280(a).**

Where can I look for more information?

Before proceeding, you should read "**General Information for Self-Represented Litigants**" found at the **beginning of these forms**. For further information see Florida Family Law Rules of Procedure Rules 12.280, 12.285, 12.340, and 12.380, and Florida Rules of Civil Procedure Rules 1.280, 1.340, and 1.380.

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 **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
IN AND FOR

JUDICIAL CIRCUIT,
COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner

and

Respondent.

**NOTICE OF SERVICE OF ANSWERS TO
STANDARD FAMILY LAW INTERROGATORIES**

I, {full legal name}, have on {date} served on {name} fully completed and sworn answers to the standard family law interrogatories served on me, and additional interrogatories if requested. The interrogatories were for [☒ one only] () original or enforcement proceedings () modification proceedings.

I UNDERSTAND THAT I SHOULD NOT FILE THE ANSWERS TO INTERROGATORIES WITH THE CLERK OF THE CIRCUIT COURT EXCEPT AS PROVIDED BY FLORIDA RULE OF CIVIL PROCEDURE 1.340(e).

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

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer},
a nonlawyer, located at {street}, {city}
{state}, {phone}, helped {name},
who is the [☒ one only] petitioner or respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.932,
CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE

When should this form be used?

Mandatory disclosure requires each **party** in a **dissolution of marriage** case to provide the other party with certain financial information and documents. These documents must be provided by mail or hand delivery to the other party within 45 days of **service** of the petition for **dissolution of marriage** or supplemental petition for modification on the **respondent**. The mandatory disclosure rule applies to all original and **supplemental** dissolution of marriage cases, except simplified dissolution of marriage cases and cases where the respondent is served by **constructive service** and does not answer. You should use this form to notify the court and the other party that you have complied with the mandatory disclosure rule.

Each party must provide the other party with the documents listed in section 2 of this form if the relief being sought is permanent regardless of whether it is an initial or supplemental proceeding. Of the documents listed on this form, the **financial affidavit and child support guidelines worksheet** are the only documents that ~~must be~~ may be required to be **filed** with the court under Florida Family Law Rules of Procedure 12.285(c) and (k) ~~and~~ but must be sent to the other party; all other documents should be sent to the other party **but shall not filed with the court**. If your individual gross annual income is under \$50,000, you should complete the **Family Law Financial Affidavit (Short Form)**, Florida Family Law Rules of Procedure Form 12.902(b). If your individual gross annual income is \$50,000 or more, you should complete the **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(c).

In addition, there are separate mandatory disclosure requirements that apply to **temporary financial hearings**, which are listed in section 1 of this form. The party seeking temporary financial relief must serve these documents on the other party with the notice of temporary financial hearing. The responding party must either deliver the required documents to the party seeking temporary relief on or before 5:00 p.m., 2 business days before the hearing on temporary relief, or mail (postmark) them to the other party seeking temporary relief 7 days before the hearing on temporary financial relief. Any documents that have already been served under the requirements for temporary or initial proceedings, do not need to be reserved again in the same proceeding. If a supplemental petition is filed, seeking modification, then the mandatory disclosure requirements begin again.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records. A copy of this form must be mailed or hand delivered to any other party in your case.

What should I do next?

After you have provided the other party all of the financial information and documents and have filed this form certifying that you have complied with this rule, you are under a continuing duty to promptly give the other party any information or documents that change your financial status or that make the information already provided inaccurate. You should not file with the clerk any of the documents listed in the certificate of compliance other than the financial affidavit and child support guidelines worksheet. Refer to the instructions regarding the **petition** in your case to determine how you should proceed after filing this form.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see rule 12.285, Florida Family Law Rules of Procedure.

Special notes...

You may provide copies of required documents; however, the originals must be produced for inspection if the other party requests to see them.

Although the financial affidavits are based on individual gross income, either party may ask the other party to complete the **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(c), by serving the appropriate interrogatory form. (See **Standard Family Law Interrogatories**, Florida Family Law Rules of Procedure Form 12.930(b) (original proceedings) or (c) (modification proceedings)).

Any portion of the mandatory disclosure rule may be modified by order of the **judge** or agreement of the parties. Therefore, you and your **spouse** may agree that you will not require each other to produce the documents required under the mandatory disclosure rule. This exception does **not** apply to the **Financial Affidavit**, Family Law Rules of Procedure Form 12.902(b) or (c), which is required in all cases and cannot be waived.

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: _____

_____,
Petitioner,

and

_____,
Respondent.

CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE

I, {full legal name} _____, certify that I have complied with the mandatory disclosure required by Florida Family Law Rule 12.285 as follows:

1. FOR TEMPORARY FINANCIAL RELIEF, ONLY:

The date the following documents were served: _____.

[☒ all that apply]

- _____ a. Financial Affidavit (~~Filing of a Financial Affidavit cannot be waived.~~)
() Florida Family Law Rules of Procedure Form 12.902(b) (short form)
() Florida Family Law Rules of Procedure Form 12.902(c) (long form)
- _____ b. () All personal (1040) federal tax, gift tax, and intangible personal property tax returns for the preceding year; or
() Transcript of tax return as provided by IRS form 4506-T; or
() IRS forms W-2, 1099, and K-1 for the past year because the income tax return for the past year has not been prepared.
- _____ c. Pay stubs or other evidence of earned income for the 3 months before the service of the financial affidavit.

2. FOR INITIAL, SUPPLEMENTAL, AND PERMANENT FINANCIAL RELIEF:

The date the following documents were served: _____.

[☒ all that apply]

- _____ a. Financial Affidavit (~~Filing of a Financial Affidavit cannot be waived.~~)
() Florida Family Law Rules of Procedure Form 12.902(b) (short form)
() Florida Family Law Rules of Procedure Form 12.902(c) (long form)
- _____ b. () All personal (1040) federal and state ~~tax~~-income tax returns, gift tax returns, and intangible personal property tax returns for the preceding 3 years;
() IRS forms W-2, 1099, and K-1 for the past year because the income tax return for the past year has not been prepared.

- ___ c. Pay stubs or other evidence of earned income for the 3 months before the service of the financial affidavit.
- ___ d. A statement identifying the source and amount of all income for the 3 months before the service of the financial affidavit, if not reflected on the pay stubs produced.
- ___ e. All loan applications and financial statements prepared for any purpose or used for any purpose within the 12 months preceding the service of the financial affidavit.
- ___ f. All deeds to real estate in which I presently own or owned an interest within the past 3 years. All promissory notes in which I presently own or owned an interest within the last 12 months. All present leases in which I own an interest.
- ___ g. All periodic statements for the last 3 months for all checking accounts and for the last year for all savings accounts, money market funds, certificates of deposit, etc.
- ___ h. All brokerage account statements for the last 12 months.
- ___ i. Most recent statement for any pension, profit sharing, deferred compensation, or retirement plan (for example, IRA, 401(k), 403(b), SEP, KEOGH, etc.) and summary plan description for any such plan in which I am a participant or alternate payee.
- ___ j. The declaration page, the last periodic statement, and the certificate for any group insurance for all life insurance policies insuring my life or the life of me or my spouse.
- ___ k. All health and dental insurance cards covering either me or my spouse and/or our dependent child(ren).
- ___ l. Corporate, partnership, and trust tax returns for the last 3 tax years, in which I have an ownership or interest greater than or equal to 30%.
- ___ m. All credit card and charge account statements and other records showing my (our) indebtedness as of the date of the filing of this action and for the prior 3 months. All promissory notes on which I presently owe or owned within the past year. All lease agreements I presently owe.
- ___ n. All premarital and marital agreements between the parties to this case.
- ___ o. If a modification proceeding, all written agreements entered into between the parties at any time since the order to be modified was entered.
- ___ p. All documents and tangible evidence relating to claims for special equity or nonmarital status of an asset or debt.
- ___ q. Any court order directing that I pay or receive spousal support (alimony) or child support.

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

I understand that I am swearing or affirming under oath to the accuracy of my compliance with the mandatory disclosure requirements of Fla. Fam. L. R. P. 12.285 and that, unless otherwise indicated with specificity, this disclosure is complete. I further understand that the punishment for knowingly making a false statement or incomplete disclosure includes fines and/or imprisonment.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

Dated: _____

Signature of Party
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

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

____ Personally known
____ Produced identification
____ Type of identification produced: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW: [fill in all blanks]**

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [☐ **one** only] ___ petitioner or ___ respondent, fill out this form.

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.980(h),
~~PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS~~

When should this form be used?

If you are the petitioner seeking an injunction for protection against domestic violence or sexual violence and you fear that disclosing your address to the respondent would put you in danger because you are the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete this form and file it with the clerk of the circuit court.

~~You cannot use this form in a petition for injunction for protection against repeat or dating violence action.~~

This form should be typed or printed in black ink. After completing this form, you should file the original with the clerk of the circuit court in the county where your petition was filed and keep a copy for your records.

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, *{full legal name}* _____, ~~Petitioner in the above action,~~
request that the Court maintain and hold as confidential, the following address:

Address _____
City _____ State _____ Zip _____
Telephone (area code and number) _____

This request is being made for the purpose of keeping the location of my residence unknown to
~~Respondent~~ for safety reasons pursuant to section 741.30, ~~Florida Statutes, or section~~
~~784.046~~ 119.071(2)(j)1, Florida Statutes.

Dated: _____

Signature of ~~Petitioner~~

CLERK'S CERTIFICATE AS TO PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, _____, as Clerk of the Circuit Court, do hereby certify that I received and filed
the above and will keep the above address confidential, subsequent to further order of the Court relative to
such confidentiality.

(SEAL)

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

APPENDIX C

Proposed rule

Reason for change

**RULE 12.105. SIMPLIFIED DISSOLUTION
PROCEDURE**

(a) Requirements for Use. The parties to the dissolution may file a petition for simplified dissolution if they certify under oath that

(1) ~~there are no minor or dependent children of the parties and the wife is not now pregnant~~the parties do not have any minor or dependent children together, the wife does not have any minor or dependent children who were born during the marriage, and the wife is not now pregnant;

(2) the parties have made a satisfactory division of their property and have agreed as to payment of their joint obligations; and

(3) the other facts set forth in Florida Family Law Rules of Procedure Form 12.901(a) (Petition for Simplified Dissolution of Marriage) are true.

(b) [No change]

(c) Financial Affidavit and Settlement Agreement.
~~The parties must each file a financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or 12.902(e)), and a marital settlement agreement (Florida Family Law Rules of Procedure Form 12.902(f)(3)).~~

Amends requirements for use of simplified dissolution procedure to clarify that wife may not have any minor or dependent children born during the marriage, whether or not the husband's children.

Deletes requirement that parties file a financial affidavit and marital settlement agreement in conformance with Privacy Committee Recommendation 7 (avoid filing of personal information not necessary for adjudication or case management).

——(d) [No change in text]

(ed) [No change in text]

Commentary

1995 Adoption. This rule was previously contained in Florida Rule of Civil Procedure 1.611, which included several unrelated issues. Those issues are now governed by separate family law rules for automatic disclosure, central governmental depository, and this rule for simplified dissolution procedure. Under this rule, the parties must file a financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or 12.902(c)), depending on their income and expenses) and a marital settlement agreement (Florida Family Law Rules of Procedure Form 12.902(f)(3)).

The Commentary is missing from *West's Florida Rules of Court – State* (2006) but should be included. See *In re Family Law Rules of Procedure*, 663 So. 2d 1049, 1062 (Fla. 1995); *Amendments to the Florida Family Law Rules of Procedure*, 810 So. 2d 1, 17 (Fla. 2000).

Proposed rule

**RULE 12.130. DOCUMENTS SUPPORTING
ACTION OR DEFENSE**

Attachment of documents supporting an action or
defense shall be governed by Florida Rule of Civil Procedure
12.130.

(a) Documents Attached. If it is essential to state a
cause of action, a copy of the bonds, notes, bills of exchange,
contracts, accounts, or other documents or the relevant portions
of the documents shall be incorporated in or attached to the
pleadings.

(b) Part for all Purposes. Any exhibit attached to a
pleading shall be considered part of the pleading. Statements in
a pleading may be adopted by reference in a different part of the
same pleading, in another pleading, or in any motion.

(c) Redaction of Account and Personal Identifying
Numbers. Any reference in any pleading or exhibit filed with
the court to account numbers, social security numbers,
employee identification numbers, driver's license numbers,
passport numbers, or other personal identifying information
shall be redacted as provided in rule 12.280(a).

Reasons for change

Replaces previous incorporation of *Fla. R. Civ. P.* 1.130. Sub-
divisions (a) and (b) track the language of *Rule* 1.130(a) and
(b). New subdivision (c) requires that documents filed under
this rule conform to the redacting requirements of *Rule*
12.280(a). Conforms to Privacy Committee Recommendation
7.

Proposed rule

Reasons for change

RULE 12.280.

**GENERAL PROVISIONS
GOVERNING DISCOVERY**

Florida Rule of Civil Procedure 1.280 shall govern general provisions concerning discovery in family law matters with the following exceptions:

(a) Account or Personal Identification Numbers. For any discovery request or discovery response being filed with the court, any reference to account numbers, social security numbers, employee identification numbers, driver's license numbers, passport numbers, or other personal identifying information shall be preceded by the "*" symbol to indicate that numbers or letters are being omitted and shall include only the last 3 digits of the account or identifying number (e.g., bank account/social security number/support enforcement number/driver's license number/passport number ending in *123).

This new subdivision requires that for any account number or personal identification number in documents filed with the court that only the last three digits of the number be provided, preceded by a "*". This amendment conforms to Privacy Committee Recommendation 7.

Regarding Recommendation 10 (creation of a rule to require attorneys and litigants to refrain from filing documents unnecessarily and providing sanctions for violations), the committee is relying on proposed amendments to *Fla. R. Civ. P.* 1.280, which are incorporated into this rule by reference.

(#b) [No change in text]

(#c) [No change in text]

(ed) Documents Considered Confidential. A determination as to the confidentiality of a court record shall be made in accordance with Florida Rule of Judicial Administration 2.051420.

Cross-references to recently renumbered Florida Rules of Judicial Administration have been corrected.

(de) Sealing of Records. Records found to be confidential under Florida Rule of Judicial Administration

2.051420 shall be sealed on request of a party.

Commentary

[No change in text]

Proposed rule

Reasons for change

RULE 12.285. MANDATORY DISCLOSURE

(a) Application.

(1) [No change]

(2) [No change]

(3) Documents Not to be Filed With Court;

Sanctions.

(A) Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without first obtaining a court order.

(B) Redaction of account numbers and personal identifying information to be filed in the court file shall be governed by rule 12.280(a).

(C) Sanctions shall be governed by Florida Rule of Civil Procedure 1.280(f).

(b) [No change]

(c) Exemption from Requirement to File and Serve Financial Affidavit. The parties shall not be required to file and serve a financial affidavit under subdivisions (d) and (e) if they are seeking a simplified dissolution of marriage under rule

A new subdivision (a)(3) has been created. Subdivision (a)(3)(A) moves a sentence from subdivision (i) stating that, except for financial affidavits and child support guidelines worksheets, documents produced for mandatory disclosure shall not be filed with the court. This addresses Privacy Committee Recommendation 9 (amend *Rule* 12.285 to state at the beginning that mandatory disclosure shall not be filed.)

Subdivision (a)(3)(B) incorporates by cross-reference the requirements for redaction found in *Rule* 12.280(a). This addresses Recommendation 7.

Subdivision (a)(3)(C) states that sanction are governed by *Fla. R. Civ. P.* 1.280(f). This addresses Recommendation 10 (refrain from filing documents and provide sanctions for noncompliance).

This new subdivision creates an exemption from the requirement to file a financial affidavit if (a) the parties have no minor children and no support issues, and have filed a

12.105, they have no minor children, have no support issues, and have filed a written settlement agreement disposing of all financial issues, or if the court lacks jurisdiction to determine any financial issues.

(ed) [No change in text]

(de) [No change in text]

(ef) [No change in text]

(fg) [No change in text]

(gh) [No change in text]

(hi) [No change in text]

(ii) Certificate of Compliance. All parties subject to automatic mandatory disclosure shall file with the court a certificate of compliance, Florida Family Law Rules of Procedure Form 12.932, identifying with particularity the documents which have been delivered and certifying the date of service of the financial affidavit and documents by that party. The party shall swear or affirm under oath that the disclosure is complete, accurate, and in compliance with this rule, unless the party indicates otherwise, with specificity, in the certificate of compliance. ~~Except for the financial affidavit and child support guidelines worksheet, no documents produced under this rule shall be filed in the court file without a court order.~~

(jk) [No change in text]

written settlement agreement disposing of all financial issues with the court or (b) the court lacks jurisdiction to determine financial issues. This amendment adopts the Privacy Committee's Recommendation 9 (amend *Rule* 12.285 to state that parties need not file financial affidavit if they have no minor children and no support issues and have filed a marital settlement agreement or if the court lacks jurisdiction to determine financial issues). An exception has also been added to correspond to proposed amendments to *Rule* 12.105. Corresponding changes to the financial affidavit forms have also been made.

This sentence has been moved to new subdivision (a)(3)(A).

(~~k~~l) [No change in text]

(~~t~~m) [No change in text]

Commentary

[No change]

Committee Notes

[No change]

Proposed rule

Reasons for change

**RULE 12.287. FINANCIAL AFFIDAVITS IN
ENFORCEMENT AND CONTEMPT
PROCEEDINGS**

Any party in an enforcement or contempt proceeding may serve upon any other party a written request to ~~file and~~ serve a financial affidavit if the other party's financial circumstances are relevant in the proceeding. The party to whom the request is made shall ~~file and~~ serve the requested financial affidavit and file a notice of compliance within 10 days after the service of the written request. The court may allow a shorter or longer time. The financial affidavit shall be in substantial conformity with Florida Family Law Rules of Procedure Form 12.902(b) (Short Form), all sections of which shall be completed.

In conformance with Privacy Committee Recommendation 7, deletes the requirement that a financial affidavit in an enforcement proceeding be filed and adds a requirement that a notice of compliance with service on the other party be filed with the court.

Proposed rule

Reasons for change

RULE 12.340. INTERROGATORIES TO PARTIES

Interrogatories to parties shall be governed generally by Florida Rule of Civil Procedure 1.340, with the following exceptions.

(a) [No change]

(b) [No change]

(c) **Serving of Responses.** Parties shall serve responses to interrogatories on the requesting party. Responses shall not be filed with the court unless they are admitted into evidence by the court and are in compliance with rule 12.280(a). The responding party shall file with the court Florida Family Law Rules of Procedure Form 12.930(d), Notice of Service of Answers to Standard Family Law Interrogatories.

In conformance with Privacy Committee Recommendation 7, requires responses to interrogatories to be served on the requesting party and not filed with the court. Creates a new requirement that a Notice of Service of Standard Family Law Interrogatories be filed. Requires answers to interrogatories to be in compliance with the redaction requirements of *Rule* 12.280(a). Corresponding changes have been made to the interrogatory forms.

Commentary

[No change]

Committee Note

[No change]

Proposed rule

Reasons for change

RULE 12.363. EVALUATION OF MINOR CHILD

(a) [No change]

(b) Providing of Reports.

(1) Unless otherwise ordered, the expert shall prepare and provide a written report to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed, a reasonable time before any evidentiary hearing on the matter at issue. The expert also shall send written notice to the court that the report has been completed and that a copy of the written report has been provided to the attorney for each party or the party, if unrepresented, and the guardian ad litem, if appointed. In any event, the written report shall be prepared and provided no later than 30 days before trial or 75 days from the order of appointment, unless the time is extended by order of the court. The expert shall not send a copy of the report to the court unless the parties and their attorneys have agreed in writing that the report will be considered by the court and filed in the court file as provided in subdivision (c).

(2) On motion of any party, the court may order the expert to produce the expert's complete file to another qualified licensed mental health professional, at the initial cost of the requesting party, for review by such qualified licensed mental health expert, who may testify.

(c) [No change]

In conformance with the Privacy Committee Recommendation 7, amendments to subdivision (b) and (c) are intended to prevent the filing of the expert's report unless it is to be admitted into evidence. The court is also directed to consider sealing the report to prevent unnecessary embarrassment to the parties and, especially, their children.

(d) [No change]

(e) **Use of Evidence.** An expert appointed by the court shall be subject to the same examination as a privately retained expert and the court shall not entertain any presumption in favor of the appointed expert's findings. Any finding or report by an expert appointed by the court may be entered into evidence on the court's own motion or the motion of any party in a manner consistent with the rules of evidence, subject to cross-examination by the parties. Any report filed in the court file shall be in compliance with rule 12.280(a). ~~The report shall not be considered by the court before it is properly admitted into evidence.~~ The report shall not be filed in the court file unless or until it is properly admitted into evidence and considered by the court. The court shall consider whether the report should be sealed as provided by Florida Rule of Judicial Administration 2.420.

Committee Note

[No change]

Proposed rule

RULE 12.370. REQUESTS FOR ADMISSION

Requests for admission shall be governed by Florida Rule of Civil Procedure 1.370, except that

(a) the request and any response to it must comply with rule 12.280(a); and

(b) documents attached to the request for admission shall not be filed with the court and shall only be attached to the copy served on the party to whom the request for admissions is directed.

Reasons for change

This new subdivision requires that requests for admissions and responses meet the redaction requirements of *Rule* 12.280(a), in conformance with the Privacy Committee Recommendation 7.

This new subdivision provides that documents attached to a request be served on the other party but not filed, in conformance with Recommendation 7.

Proposed rule

Reasons for change

RULE 12.410. SUBPOENA

Subpoenas shall be governed by Florida Rule of Civil Procedure 1.410, except as follows:

(a) Subpoenas. No subpoena issued under Florida Rule of Civil Procedure 1.410, even if for the purpose of proof of service or nonservice of the subpoena, shall be filed with the court unless in compliance with rule 12.280(a).

(b) Notice of Issuance of Subpoena. A party issuing a subpoena through an attorney of record or clerk of the court under Florida Rule of Civil Procedure 1.410 shall, on the same day as the subpoena is issued, serve each party to the proceeding with a notice of issuance of subpoena and file this notice with the court. The notice of issuance of subpoena shall identify the person or entity subject to the subpoena, the date the subpoena was issued, and the date and time for appearance or production, and shall recite all references to account numbers and personal identifying numbers in compliance with rule 12.280(a).

(c) Notice to Produce. Any notice to produce issued under Florida Rule of Civil Procedure 1.410 shall comply with rule 12.280(a).

In conformance with Privacy Committee Recommendation 7, three new subdivisions have been added to this rule requiring that subpoenas, notices of issuance of subpoena, and notices to produce comply with the redaction requirements of *Rule* 12.280(a).

Proposed rule

Reasons for change

RULE 12.440. SETTING ACTION FOR TRIAL

Florida Rule of Civil Procedure 1.440 shall govern general provisions concerning setting an action for trial in family law matters, with the following exceptions and additions.

(a) Setting for Trial. If the court finds the action ready to be set for trial, it shall enter an order setting the action for trial, fixing a date for trial, and setting a pretrial conference, if necessary. In the event a default has been entered, reasonable notice of not less than 10 days shall be given unless otherwise required by law. Trial shall be set within a reasonable time from the service of the notice for trial. At the pretrial conference, the parties should be prepared, consistent with Florida Family Law Rule of Procedure 12.200, to present any matter that will prepare the parties for trial and that can expedite the resolution of the case. The trial court may also direct the parties to reciprocally exchange and file with the court all documents relative to the outcome of the case; a list of all witnesses, all issues to be tried, and all undisposed motions; an estimate of the time needed to try the case; and any other information the court deems appropriate. Any court filings shall be in conformity with rule 12.280(a). This information should be served and filed no later than 72 hours before the pretrial conference or 30 days before the trial.

In conformance with Privacy Committee Recommendation 7, requires that any court filings conform to the redaction requirements of *Rule* 12.280(a).

(b) [No change]

Commentary

[No change]

Proposed rule

Reasons for change

**RULE 12.540. RELIEF FROM JUDGMENT,
DECREEES, OR ORDERS**

Florida Rule of Civil Procedure 1.540 shall govern general provision concerning relief from judgment, decrees, or orders, except:

(a) ~~that~~ there shall be no time limit for motions based on fraudulent financial affidavits in marital or paternity cases; and

(b) the motion and any attachment or exhibit to it shall be in compliance with rule 12.280(a).

In conformance with Privacy Committee Recommendation 7, requires that any motion or attachment comply with the redaction requirements of *Rule* 12.280(a).

Proposed rule

Reasons for change

**RULE 12.560. DISCOVERY IN AID OF
EXECUTION**

(a) [No change]

(b) [No change]

(c) [No change]

(d) [No change]

(e) **Notice of Compliance.** The judgment debtor shall file with the clerk of court a notice of compliance with the order to complete form 1.977, and serve a copy of the notice of compliance on the judgment creditor or the judgment creditor's attorney. Form 1.977 shall not be filed with the clerk of the court or in any other public record, except by order of the court after a notice and hearing and for good cause shown. If the court permits the filing of form 1.977, it shall be in compliance with the requirements of rule 12.280(a).

In conformance with Privacy Committee Recommendation 7, this amendment states that *Fla. R. Civ. P. Form 1.977* is not to be filed except by order of the court and if filing is ordered that the form must meet the redaction requirements of *Rule 12.280(a)*.

Committee Notes

2000 Amendment. Subdivisions (b)–(e) were added to the Florida Rules of Civil Procedure and adopted with amendments into the Family Law Rules of Procedure. The amendments to the Civil Rules were patterned after Florida Small Claims Rule 7.221(a) and Form 7.343. Although the judgment creditor is entitled to broad discovery into the

The Committee Note does not appear in *West's Florida Rules of Court – State* (2006) and should be included. See *In re Amendments to Florida Family Law Rules of Procedure*, 783 So. 2d 937, 940 (Fla. 2000).

judgment debtor's finances (Fla. R. Civ. P. 1.280(b); *Jim Appleby's Tru-Arc, Inc. v. Liquid Extraction Systems*, 526 So. 2d 177, 179 (Fla. 2d DCA 1988)), in family law cases inquiry into the individual assets of the judgment debtor's spouse must be precluded until a proper predicate has been shown. *Tru-Arc, Inc.*, 526 So.2d at 179; *Rose Printing Co. v. D'Amato*, 338 So. 2d 212 (Fla. 3d DCA 1976).

Proposed rule

Reasons for change

RULE 12.620 RECEIVERS

Receivers shall be governed by Florida Rule of Civil Procedure 1.620, except that any inventory filed with the court shall be in compliance with rule 12.280(a).

In conformance with Privacy Committee Recommendation 7, this amendment requires that any inventory filed with the court meet the redaction requirements of *Rule* 12.280(a).

APPENDIX D

July 27, 2006

Mr. John Fraser Himes
Chair, Family Law Rules Committee
Himes & Boire, P.A.
101 E. Kennedy Boulevard, Suite 2430
Tampa, Florida 33602-5895

Re: Report and Recommendations of the Committee on Privacy and Court Records - Recommendation Nine: Family Law Rule of Procedure 12.285 & Recommendation Seven: Revision of Rules and Forms Leading to Extraneous Personal Information.

Dear Mr. Himes:

I am writing to you in your capacity as Chair of the Family Law Rules Committee in follow up to Administrative Order Implementation of Report and Recommendations of the Committee on Privacy and Court Records, Fla. Admin. Order No. AOSC06-20 (June 30, 2006), which refers to your committee recommendations made by the Committee on Privacy and Court Records in its report to the Court. For your convenience, I have enclosed a copy of the administrative order and the report. The full report can be found on the Court's web site at http://www.flcourts.org/gen_public/stratplan/privacy.shtml.

Recommendation Nine in the Committee on Privacy and Court Records' report calls for the revision of Family Law Rule of Procedure 12.285. In connection with that recommendation, that committee found that portions of Florida Rule of Family Law Procedure 12.285 are

commonly overlooked or ignored. The rule provides for mandatory disclosure of financial information and requires service of affidavits and financial information on the other party and submission of certification of such service. It require[s] submission of the information to the court only in some circumstances. The Committee has learned that parties, particularly parties proceeding *pro se*, commonly file the financial information with the court at the time of disclosure to the opposing party even when not required by the rule.

Report at 55. Therefore, in order to help reduce the unnecessary filing of financial information in family law cases, the committee recommended:

that parties should not be required to file financial affidavits if (a) they have no minor children and no support issues, and they have filed a written settlement agreement at the commencement of their case; or (b) the court lacks jurisdiction to determine any financial issues; and the rule should state at the beginning of the mandatory disclosure requirement, rather than the end, that the parties shall not file the documents that constitute their mandatory disclosure, but that they shall serve and file a certificate of compliance that specifically describes the documents that they have served on the other party.

Report at 55. Administrative Order No. AOSC06-20 at 15-16 asks your Committee to propose amendments to rule 12.285 designed to reduce the unnecessary filing of financial information in family law cases, consistent with this recommendation.

Related to Recommendation Nine, Recommendation Seven urges the review and revision of all rules and forms to avoid the filing of personal information that is not necessary for adjudication or case management. The committee reported that it

determined that a systematic review of court rules and approved forms would reveal that a number of rules and forms are written in ways that lead to routine filing of personal information which is not needed by the court for purposes of adjudication or case management.

Report at 53. The committee therefore recommended that the Court

direct a comprehensive judicial branch initiative to review and revise rules of court and approved court forms across all case types for the purpose of modifying rules and forms to avoid the filing of personal information which is not necessary for adjudication or case management.

Report at 53.

To implement Recommendation Seven, Administrative Order No. AOSC06- 20 at 15 asks your Committee to review the Family Law Rules of Procedure and to propose amendments to the rules and forms consistent with this recommendation. As you can see from the administrative order, the Steering Committee on Families and Children in the Court is requested to review the Supreme Court Approved Family Law Forms and to propose revisions to those forms consistent with this recommendation. Please coordinate your efforts in implementing this recommendation with those of the Steering Committee.

Please file an out-of-cycle report of proposed amendments with my office by April 1, 2007. If you need more time to consider these matters, please file a request for an extension with my office.

Thank you in advance for your attention to these matters. Should you have any questions, please do not hesitate to contact me.

Most cordially,

By: /s/ Barbara Harley-Price
Deputy Clerk
Thomas D. Hall

cc: Chief Justice R. Fred Lewis
Jon Mills, Chair, Committee on Privacy and Court Records
Lisa Goodner, State Courts Administrator
Ellen Sloyer, Bar Staff Liaison
Deborah J. Meyer, Director of Central Staff

July 27, 2006

Mr. Keith H. Park
Chair, Civil Procedure Rules Committee
P.O. Box 3563
West Palm Beach, Florida 33402-3563

Mr. William C. Vose
Chair, Criminal Procedure Rules Committee
1104 Bahama Drive
Orlando, Florida 32806-1440

Mr. John Fraser Himes
Chair, Family Law Rules Committee
Himes & Boire, P.A.
101 E. Kennedy Boulevard, Suite 2430
Tampa, Florida 33602-5895

Mr. Gary D. Fox
Chair, Rules of Judicial Administration Committee
One S.E. 3rd Ave., Suite 3000
Miami, Florida 33131-1711

Ms. Mary K. Wimsett
Chair, Juvenile Court Rules Committee
Guardian Ad Litem Program
1132 N.W. 58th Terrace
Gainesville, Florida 32605-4477

Mr. Peter A. Sachs
Chair, Probate Rules Committee
505 S. Flagler Drive, Suite 1100
West Palm Beach, Florida 33401

The Honorable Pauline M. Drayton
Chair, Small Claims Rules Committee
Duval County Court
330 E. Bay Street
Jacksonville, Florida 32202-2921

Mr. Peter A. Sartes II
Chair, Traffic Court Rules Committee
600 Cleveland Street, Suite 700
Clearwater, Florida 33755-4158

Re: Report and Recommendations of the Committee on Privacy and
Court Records — Recommendation Ten: Duty to Protect Discovery
Information

Dear Rules Committee Chairs:

I am writing to you in follow up to Administrative Order
Implementation of Report and Recommendations of the Committee on
Privacy and Court Records, Fla. Admin. Order No. AOSC06-20 (June 30,
2006), which refers to your committees Recommendation Ten contained in
the report of the Committee on Privacy and Court Records. For your
convenience, I have enclosed a copy of the administrative order and the
report. The full report can be found on the Court's website at
http://www.flcourts.org/gen_public/stratplan/privacy.shtml.

Recommendation Ten urges the Court to adopt a rule of procedure
that would require attorneys and litigants to refrain from filing discovery
information with the court until such time as it is filed for good cause. In
connection with that recommendation, the committee reported that

[it] considered the problem of the routine and sometimes
gratuitous filing of information that has been disclosed pursuant
to a discovery order. The Committee notes that compelled
discovery is an exercise of state power subject to restraint by
the right of privacy provided in Section 23 of Article I of the
Florida Constitution, which has been held to protect citizens
from intrusion any greater than necessary to achieve the state

interest. The Committee urges that parties who gain possession of information pursuant to compelled discovery should protect the fruits of discovery, and should be constrained from publishing discovery material into a court file unless and until such time as the information may be properly filed for good cause.

Report at 56. Therefore, in order to protect discovery materials, the committee recommended that

the Supreme Court direct the creation of a rule of procedure that would require attorneys and litigants to refrain from filing discovery information with the court until such time as it is filed for good cause. The court shall have authority to sanction an attorney or party for violation of this rule.

Report at 56. In response to this recommendation, Administrative Order No. AOSC06-20 at 16 asks your committees to "study whether rules exist or rules should be adopted that would require attorneys and litigants to refrain from filing discovery information with the court until such time as it is filed for good cause."

Your committees should work together to study this issue and make recommendations to the Court. Your joint out-of-cycle report or individual reports should be filed with my office by April 1, 2007. If you need more time to consider this matter, please file requests for an extension with my office.

Thank you in advance for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Most cordially,

By: /s/ Barbara Harley-Price
Deputy Clerk
Thomas D. Hall

Enclosures

TDH/dm/sb

cc: Chief Justice R. Fred Lewis
Jon Mills, Chair, Committee on Privacy and Court Records
Lisa Goodner, State Courts Administrator
Ellen Sloyer, Bar Staff Liaison
Madelon Horwich, Bar Staff Liaison
Gerry Rose, Bar Staff Liaison
Craig Shaw, Bar Staff Liaison
Ann Chittenden, Bar Staff Liaison
Deborah J. Meyer, Director of Central Staff

I certify that these rules and forms were read against West's *Florida Rules of Court – State* (2006).

Ellen H. Sloyer, Associate Editor
Legal Publications
The Florida Bar