



Supreme Court of Florida

Office of the Clerk
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Tallahassee, Florida 32399-1927

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www.floridasupremecourt.org

October 13, 2016

Ms. Cheryle Dodd, Editor
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

In Re: Amendments to the Florida Supreme Court Approved Family Law
Forms, Case Nos. SC16-1253 & SC16-1288

Dear Ms. Dodd:

I have provided you with a copy of the proposed Rules in the above cases. Please publish said Rules in the November 1, 2016, Bar News. Please publish a statement that the Court has placed the proposed Rules on the Internet at location: **http://jweb.flcourts.org/pls/docket/ds_docket_search**.

Any comments should be filed with the Supreme Court on or before November 28, 2016. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Portal in accordance with AOSC13-7. If filed by a non-lawyer or a lawyer not licensed to practice in Florida, the comment must be electronically filed via e-mail in accordance with AOSC04-84. Electronically filed documents must be submitted in Microsoft Word 97 or higher. Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court.

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Thank you for your cooperation in this matter.

Most cordially,

A handwritten signature in dark ink, appearing to be 'JAT', with a long horizontal stroke extending to the right.

John A. Tomasino

JAT/sh

Enclosure

cc: Honorable Laurel Moore Lee, Chair, Family Law Rules Committee
Honorable Barbara J. Pariente, Supreme Court Justice Liaison
Honorable Ramón A. Abadin, President, The Florida Bar
Honorable William J. Schifino, Jr., President-elect, The Florida Bar
John F. Harkness, Jr., Executive Director, The Florida Bar
James Barclay, Bar Staff Liaison
Susan Proctor, Senior Attorney, Court Improvement
Chief Judges of the District Courts of Appeal
Clerks of the District Courts of Appeal
Chief Judges of the Judicial Circuits
Clerks of the Judicial Circuits
Deborah J. Meyer, Central Staff Director

The Florida Supreme Court recently adopted amendments to the Florida Supreme Court Approved Family Law Form 12.912, Memorandum for Certification of Military Service. The amendments were made to update contact information for the various military branches to which the form must be sent.

The Court invites all interested persons to comment on the amended form, which is reproduced in full below, as well as online at <http://www.floridasupremecourt.org/decisions/opinions.shtml>. All comments must be filed with the Court on or before November 28, 2016, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Portal in accordance with In re: Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a non-lawyer or a lawyer not licensed to practice in Florida, the comment must be electronically filed via e-mail in accordance with In re Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004). Electronically filed documents must be submitted in Microsoft Word 97 or higher. Any person unable to submit a comment electronically must mail or hand deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

IN THE SUPREME COURT OF FLORIDA

**IN RE: AMENDMENTS TO THE FLORIDA SUPREME COURT APPROVED
FAMILY LAW FORMS, CASE NO. SC16-1288**

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.912(a) MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE (09/16)

When should this form be used?

This form should be used if you **KNOW OR DO NOT KNOW** whether the other party in your case is on active duty in a branch of the military service of the United States. "Active duty" includes reserve

personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and members of the Florida National Guard who have been called to active duty for more than thirty (30) days. Even if you believe that the other party **has never** or **would never** join the military, you must show the court proof that he or she is not a member of the military. Therefore, you may need to use this form to provide the court with such proof. See the instructions for an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), for additional information. Please note that the contact information below is correct as of the effective date of this form; however, it may be subject to change. If you have difficulty obtaining the certificates or need additional information, you may wish to contact Military One Source at <https://www.militaryonesource.mil/> or 800.824.9647.

Servicemembers Civil Relief Act (SCRA) Certificates:

For information on obtaining certificates of service or non-service under the Servicemembers Civil Relief Act (SCRA)(formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), please refer to the Defense Manpower Data Center (DMDC) SCRA website: <https://www.dmdc.mil/appj/scra> .

You may also write the DMDC at the following address:
Defense Manpower Data Center [Attn: Military Verification]
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593
Telephone: 703.696.6762

You may be charged a service fee by each military service branch for its response. Please refer to the websites and/or phone numbers listed below for help in determining the amount of each military branch's fee and to verify its current mailing address.

COAST GUARD: USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd., Suite 1100, Arlington, VA 22203 Phone -866.772.8724
<http://uscg.mil/psc/bops>.

AIR FORCE: HQ AFPC/DS1W, Attn: World Wide Locator, 550 C Street, West, Suite 50, JBSA-Randolph AFB, TX 78150-4752, Phone: 210.565.266.
www.afpc.af.mil/library/airforcelocator.asp

NAVY: Navy World Wide Locator, Navy Personnel Command, PERS 1, 5720 Integrity Drive, Millington, TN 38055-3120, Phone: 901.874.5111. <http://public.navy.mil/bupers-npc/organization/npc/csc/Pages/NavyLocatorService.aspx>

MARINE CORPS: Headquarters, United States Marine Corps, Personnel Management Support Branch (MMSB-17), 2008 Elliot Road, Room 201, Quantico, VA 22134 Phone: 703.784.3941
hqmc.marines.mil/agencies

PUBLIC HEALTH SERVICE: Attn: Director, Division of Commissioned Corps Officer Support, 1101 Wooten Parkway, Plaza Level, Suite 100, Rockville, MD 20852
<https://www.dmdc.osd.mil/appj/scra/>

ARMY: www.dmdc.osd.mil/

This form should be typed or printed in black ink. You should complete this form for each branch of the United States' military listed above, and mail the form to each branch with a **check for the appropriate amount and a stamped, self-addressed envelope**. You should keep a copy of the form for your records. After you have received a verification of military status from each branch, you will need to attach those verifications to an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), for filing with the clerk.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE

- TO:**
- () USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd, Suite 1100, Arlington, VA 22203 (Coast Guard)
 - () HQ AFPC/DS1W, Attn: World Wide Locator, 550 C. Street West, Suite 50, Randolph AFB, TX 78150-4752 (Air Force)
 - () Navy World Wide Locator, Navy Personnel Command, PERS-1, 5720 Integrity Drive, Millington, TN 38055-3120 (Navy)
 - () United States Marine Corps, Personnel Support Management Branch, (MMSB-17), , 2008 Elliot Road, Room 201, Quantico, VA 22134 (Marines)
 - () Public Health Service: Attn: Director, Division of Commissioned Corps Officer Support, http://dcp.psc.gov/ad_search.asp (Public Health)
 - () Locator www.dmdc.osd.mil/mla/ (Army)

RE: _____
{Name of Respondent} *{Respondent's Social Security Number}*

This case involves a family matter. It is imperative that a determination be made whether the above-named individual, who has an interest in these proceedings, is presently in the military service of the United States, and the dates of induction and discharge, if any. This information is requested under the Servicemembers Civil Relief Act (formerly known as Soldiers' and Sailors' Civil Relief Act of 1940). Please supply verification as soon as possible. My check for \$_____ for your search fee and a self-addressed, stamped envelope are enclosed.

Dated: _____

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

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the Petitioner.

This form was completed with the assistance of:

{name of individual} _____,
{name of business} _____,
{address} _____,
{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____.