

When should this form be used?

This form may be used to obtain **constructive service**, which is also called service by publication, only if you do not know where the parent(s) lives and you are **unable** to obtain personal service or substitute service of process. **NOTE:** This is a complicated area of the law and you may wish to consult an attorney before using constructive service.

You should complete this form by typing or printing the appropriate information in black ink. You should insert the parent's name and last known address and then **file** this form with the **clerk of the circuit court in the juvenile section**. You must also complete and file an **Affidavit of Diligent Search and Inquiry**, ☞ Florida Family Law Rules of Procedure Form 12.913(b). You should keep a copy for your records.

After the **Affidavit of Diligent Search and Inquiry**, ☞ Florida Family Law Rules of Procedure Form 12.913(b) is filed, the clerk will sign this form. The form must then be given to a qualified local newspaper to be published for four consecutive weeks. When in doubt, ask the clerk which newspapers in your area are "qualified." The newspaper will charge you for this service. If you cannot afford to pay the cost of publication of this notice in a qualified newspaper, you may ask the clerk to post the notice at a place designated for such postings. You will need to file an **Affidavit of Indigency**, ☞ Florida Supreme Court Approved Family Law Form 12.902(a). If the clerk determines that you cannot afford these costs, the clerk will post the notice of action.

Special notes

If the other party fails to respond to your **petition** within the time limit stated in the notice of action that is published or posted, you are entitled to request a **default**. (See **Motion for Default**, ☞ Florida Supreme Court Approved Family Law Form 12.922(a), and **Default**, ☞ Florida Supreme Court Approved Family Law Form 12.922(b).)

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, 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 SIXTH JUDICIAL CIRCUIT, IN
AND FOR _____ COUNTY, FLORIDA

PETITION NO.:
SPN NO.:

IN RE: The interest of

A Child _____
_____ /

NOTICE OF ACTION FOR PETITION FOR REMOVAL OF
DISABILITIES OF NON-AGE

TO: {name of parent(s)} _____
{Parent's last known address} _____

YOU ARE NOTIFIED that an action has been filed for the removal of disabilities of non-age of a minor child(ren) against you and that you are required to serve a copy of your written objections, if any, to it, on {name of Petitioner} _____, whose address is _____ on or before {date} _____, and file the original with the clerk of this Court at {clerk's address} _____, before service on Petitioner or immediately thereafter. **If you fail to do so, a default may be entered against you for the relief demanded in the petition.**

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request. You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Notice of Current Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this matter will be mailed to the address on record at the clerk's office.

Dated: _____, CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

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 petitioner, fill out this form.